

**REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I LEADERSHIP COUNCIL
MARCH 23, 2010, MEETING**

1. ACTION ITEMS.

- **Division I Membership Standards.** The Leadership Council reviewed a final draft of recommendations for Division I membership standards.

Recommendation: That the Board of Directors endorse the attached report of recommendations for Division I membership standards for review by Division I membership groups and conferences during the spring 2010 and that in August 2010, the Board sponsor necessary legislative proposals for implementation of the recommendations beginning in August 2011. (See Attachment)

2. INFORMATION ITEMS.

- a. **Update on President's search.** Jim Isch, interim NCAA president, updated the group on the search for the next NCAA president and noted that the process appears to be on track to have the new president in place by the start of the 2010-11 academic year.
- b. **Update on Media Contract.** Greg Shaheen, NCAA senior vice president of basketball and business strategies, discussed the status of the Association's media contract. Shaheen reviewed information related to past contracts and options as the Association moves forward. Shaheen informed the Council of discussions related to expansion of the NCAA Division I Men's Basketball Championship and the factors being considered as expansion is evaluated.
- c. **Litigation Report.** Elsa Cole, NCAA general counsel, reported on the legal activity in which the Association is involved.
- d. **Cost Savings Initiatives.** The Leadership Council reviewed a list of possible cost savings measures recommended by various Division I cabinets, as well as a number of financial recommendations discussed by the IA Athletics Directors Association. The Council noted that many of the recommendations appear to address "low-hanging fruit" and it may be wiser to take a more global approach when attempting to address spending in intercollegiate athletics. The Council recommended that staff collect additional data regarding actual spending areas and, with the possible help of consultants, develop a set of principles that could guide a review of spending. The Council suggested a two-pronged approach involving the evaluation of costs on campus as well as a review of the Association's spending related to the activities of the national office.

- e. **Legislative items in the 2009-10 cycle of potential interest to the Leadership Council.** The Council received a report on the two legislative proposals (Proposal No. 2009-22 and Proposal No. 2009-51-B) that received the requisite number of requests for an override vote. The Council was informed of the status of the two proposals and the options for action by the Legislative Council during its April meeting.
- f. **Report of the January 14, 2010, Leadership Council meeting.** The Council approved the report of its January 14, 2010, meeting. (Unanimous voice vote)
- g. **Report from the Division I Student-Athlete Advisory Committee.** Division I Student-Athlete Advisory Committee chair Nick Fulton presented a report of the committee's recent meeting and priorities for the upcoming year.
- h. **Future Meetings.**
 - a. October 5, 2010, Indianapolis, Indiana.
 - b. January 15, 2011, San Antonio, Texas.

Leadership Council chair: Damon Evans, University of Georgia

Staff Liaisons: S. David Berst, Division I governance

Jacqueline Campbell, Division I governance

Kevin Lennon, academic and membership affairs

NCAA Leadership Council Final Report Regarding Division I Membership Criteria

Background.

On August 9, 2007, the Division I Board of Directors adopted Legislative Proposal 2007-10, which established a four-year moratorium that prohibited consideration of any new institutional, conference or multi-divisional Division I members until August 2011.

The Board concluded that the time was right, following similar moratoriums in Divisions II and III, for the Division I membership to assess and study the impact of membership migration and to develop reasonable philosophical expectations and legislative requirements for membership in the division. The Board requested the Leadership Council to conduct this study and to make appropriate recommendations regarding possible NCAA legislation.

A preliminary report of recommendations was provided to the Board of Directors in April 2009 and the Division I governance structure, member conferences and institutions were asked to provide reactions. The Leadership Council has continued discussions and submits the following report of recommendations to the Board of Directors for its April 29, 2010 meeting.

Excerpt from the Division I Manual--Division I Philosophy (Bylaw 20.9).

Athletics programs in Division I are guided by a philosophy statement that among other things:

- Emphasizes high standards of academic quality and breadth of academic opportunity;
- Strives for regional and national excellence and prominence and recognizes the dual objective of serving both the institutional community and the general public;
- Provides for extensive opportunities for participation in varsity intercollegiate athletics for both men and women (consistent with the requirements of Title IX) and sponsors at the highest feasible level of intercollegiate competition, men's and women's basketball and football, recognizing subdivisional designations in football;
- Advocates scheduling athletics contests primarily among Division I institutions;
- Emphasizes maintaining institutional control over all funds supporting athletics; and that
- Understands, respects, and supports the programs and philosophies of other membership divisions.

Additional Standards and Assumptions Relied Upon by the Leadership Council in its discussions included that:

- Applicants for membership in Division I should be required to meet, over a period of time, prescribed criteria in order to assure compatibility and compliance with the principles and program objectives of Division I.
- Central to the mission of intercollegiate athletics in Division I is the academic and athletic success of student-athletes, as well as protection of the student-athletes' health and well-being.
- Division I members should be expected to demonstrate a meaningful program-wide financial commitment across its entire athletics program, including for financial aid, number of sports sponsored, recruiting, athletics facilities, rules compliance, coaching, team travel and academic support services.
- Membership standards should promote conference stability, provide access to Division I for qualifying institutions and treat institutions fairly in determining their status as members of Division I.
- The number and nature of multisport conferences in Division I are fundamental considerations in establishing the level, structure and scope of Division I championship competition, the allocation of financial benefits and access to services and governance of the division.
- The multisport conference is the foundation of the NCAA DI governance structure, championships structure, and compliance structure and is rightly positioned in the proposed Division I membership process as a gatekeeper in the new membership model.
- A more comprehensive definition of a multisport conference is appropriate.
- There is a finite level of resources, benefits and good will available to current members of the division, which should be maintained or enhanced through any further expansion of membership.
- Potential new members of Division I should be expected to demonstrate a sustained commitment to Division I standards, assumptions and the Division I philosophy statement before election to membership in the division.
- Current voting ratios/percentages by conference and subdivision within Division I should be maintained through appropriate mathematical adjustments in the event the membership increases.
- The Division I brand has a value that can be approximated through a calculation of the value of direct and indirect services and benefits, as well as of the "image" of Division I and its subdivisions.

Recommendations.

The Council requests that the Board of Directors endorse the following recommendations for further discussion and debate by Division I membership groups and conferences during the spring 2010 and that in August 2010, the Board sponsor appropriate legislative proposals for membership consideration in January and April 2011.

- 1. Potential new members of Division I shall enter the division through a four-year “reclassification” process following no less than five-years of membership in Division II. Further, the process described in Bylaw 20.5 shall apply, and an application for membership in Division I will be accepted only after presenting a bona fide offer of membership from a Division I multisport, voting conference. The sponsoring conference will be expected to provide appropriate guidance and counsel to the transitioning new member, assist with scheduling, monitor student-athlete well being and enhance accountability during the transition process.**

Comment: Requiring conference sponsorship and prior membership in Division II is intended to promote the long-term stability of the Association. There should be a check list to assist conferences and transitioning institutions to ensure that institutions are meeting their appropriate benchmarks. The Administration Cabinet should provide additional thought to the timing of when various benchmarks should apply.

- 2. The “provisional” process provided for in Bylaw 20.3.1, which now permits an institution outside the NCAA to become a Division I member through a seven-year process, shall be eliminated.**

Comment: Multisport conferences within the Division I championships and governance structure are well suited to determine the needs of conferences and thereby the division. Experience in Division II serves as an appropriate platform to demonstrate the traits necessary to become a productive Division I member.

- 3. An application fee shall be required before entering the “reclassification” process, which should either be commensurate with; (1) the estimated annual average value of direct benefits through distributions and championships made available to Division I members - - currently approximately \$1,300,000, or (2) the “median” annual value of direct benefits through distributions and championships - - currently approximately \$900,000.**

Comment: This requirement should be data-driven and will change from time to time. This calculation does not include the costs of services or costs to administer the reclassification program. Upon election to Division I membership, the application fee shall be deposited in the NCAA Student Athlete Opportunity Distribution Fund. In the event an institution withdraws during the reclassification process, the application fee would be returned to the institution on a prorated basis—75% after year one, 50% after year two, 30% after year three and 0% thereafter. It should also be emphasized that conferences may require separate fees for joining the conference. Discussion occurred regarding alternatives where the application fee would be analogous to a business model tied to “brand” value or

possibly tied to the educational and administrative costs of the process. It was concluded that as a higher-education association, data based on direct benefits received would be a simple and clear method and also would demonstrate a meaningful commitment from the prospective member.

4. **Upon beginning the “reclassification” process, the institution must meet Division I sports sponsorship requirements (i.e., 50 percent of the grants-in-aid maximums in the conference sponsored sports in which the institution will participate). In addition, the alternative means of satisfying this requirement now set forth in Bylaw 20.9.1.2-(b) (c) and (d) would continue to apply.**

Comment: This is the current requirement and no change is recommended. Data reviewed regarding a possible increase to these minimums did not appear to support a change.

5. **A prospective member institution may not be elected to active membership in Division I if it is subject to a “historical penalty” under the APR program.**

Comment: The Leadership Council believes a demonstrated commitment to academics should be required. The Committee on Academic Performance recommends that a numerical standard (e.g., 925) be avoided in deference to a “category” of academic penalties.

6. **A preliminary NCAA certification shall be required in year 1 of the four-year “reclassification” period and a full compliance review shall be required before final election to Division I membership. (See Proposed new Division I Reclassification Process beginning on page 8.)**

Comment: There should be an expectation that the sponsoring conference will assist the institution in this process and that special attention should be given to rules compliance, academic support services, recruiting, coaches, team travel and facilities. Meeting standards early in the process and then demonstrating the ability to sustain such standards is important. The review process must make it clear that reclassification is an evolutionary process so that there is no confusion that receiving positive marks during the certification process does not guarantee eventual Division I membership.

7. **A member institution in Division I will qualify to begin receiving revenue distributions related to sports sponsorship and grants-in-aid upon serving three**

calendar years as an “active” Division I member. The institution would qualify in year one of active membership to receive Student-athlete Opportunity, Special Assistance and Academic Enhancement Funds, as well as basketball grant funds as determined by its sponsoring conference.

Comment: This change ensures that sustainability in the division is not based solely on receipt of NCAA revenues.

- 8. The multi-divisional practice that permits a Division II or III institution to designate one men’s and one women’s sport in Division I shall be discontinued upon the completion of the 2010-11 academic year, except in a sport where no championship is conducted in its division. Division II and III institutions that sponsor sports teams in Division I in 2010-11 may continue to do so in the sports so designated but will forfeit this opportunity permanently if it fails to conduct the sport in Division I in any ensuing academic year. No change is recommended to qualify for participation in national collegiate championships.**

Comment: It appears there is agreement to discontinue multidivisional competition, but teams that currently conduct such division I programs should be “grandfathered.”

- 9. A multisport conference in Division I may not receive voting privileges, conference grant funds or committee service positions in the Division I governance structure until legislation is enacted that names the conference among those identified in applicable sections of Constitution 4 related to representation and voting ratios on the Division I Board of Directors, Legislative and Leadership Councils and the five cabinets. (Refer to No. 13 below.)**

Comment: This is the current requirement in Division I. Refer to Constitution 3.3.3.2.

- 10. No change in criteria is recommended for designation in the Football Championship Subdivision, although it is recommended that the FBS subdivision consider legislation that would require a bona fide invitation for membership in an FBS conference before and an FCS institution may change subdivisions.**

Comments: The FCS conferences do not appear to support additional membership requirements for its subdivision. However, it was noted that the bowl structure of the FBS should not be expected to support an expanded membership in that subdivision without conference sponsorship and support.

- 11. The role of the Administration Cabinet and the benchmarks for the four-year reclassification process shall be reviewed by the Administration Cabinet to ensure coordination by the cabinet with sponsoring conferences.**

Comments: Through coordination with conferences in providing guidance and assistance to potential new member institutions, some procedural functions performed now by the Administrative Cabinet could be transferred to conference offices.

- 12. Constitution 3.2.3.1 shall be amended to provide that the vote to elect an institution to Division I active membership upon recommendation by the Administration cabinet shall be taken by the Board of Directors, rather than the Leadership Council.**

Comments: This should be noncontroversial legislation and is recommend by the Leadership Council.

- 13. NCAA Division I – Recommended Multisport Conference Standards and Definition.**

a. Institutional Members.

- (1) A multisport conference shall have a minimum of seven (7) active Division I members.
- (2) A multisport conference shall have a minimum of seven (7) active members participate in both men's and women's basketball.

b. Conference Sports Sponsorship.

- (1) A multisport conference shall sponsor a minimum of 12 NCAA Division I sports.
- (2) A multisport conference shall sponsor a minimum of six men's sports. In each of these six sports, a minimum of six active members shall compete.
- (3) A multisport conference shall sponsor a minimum of six women's sports. In each of these six sports, a minimum of six active members shall compete, or a minimum of five active members for an emerging sport.
- (4) In addition to men's basketball, a multisport conference shall, at a minimum, sponsor either football, with a minimum of six active members competing in football, or sponsor two additional men's team sports, with a minimum of six active members participating in each of these two sports.
- (5) In addition to women's basketball, a multisport conference shall sponsor at least two additional women's team sports, with a minimum of six active members participating in each of these two sports.

- c. Regular Season Conference Competition.
 - (1) Basketball: Basketball teams shall participate in a regular season conference schedule of a double round robin, or a minimum of 14 regular season conference contests.
 - (2) Minimum Required Team Sports, Other Than Basketball [b- (4) and (5) above]: In the team sports sponsored to meet the minimum team sports sponsorship requirement, teams shall compete in a minimum regular season conference schedule of five contests. A minimum of five regular season conference contests must be hosted by one of the two competing teams at its home site venue.
- d. Officiating. A multisport conference shall provide oversight of the officiating programs for selecting, training and assigning officials for its men's and women's basketball programs.
- e. Compliance. A multisport conference shall have a comprehensive compliance program.
- f. Continuity. A multisport conference must meet the institutional membership requirement (a. above) before it may be considered for continuity. To establish continuity, a multisport conference must meet the sports sponsorship and regular season competition requirements (b. and c. above) for a period of eight consecutive years. If a conference establishes continuity, it may be considered for multisport membership in Division I.
- g. Core. A multisport conference that is recognized in the NCAA Governance Structure as a result of legislation [see No. 9 above] shall be considered a core conference. A core conference shall:
 - (1) Have representation and voting standing in the NCAA Division I Governance Structure.
 - (2) Be eligible to submit nominees for and have its delegates serve on NCAA Division I committees.
 - (3) Be eligible to receive AQ into NCAA championships, provided the conference competes with a minimum of six active participants in the sport.
 - (4) Receive conference grant funds.
 - (5) Receive, on behalf of its members, Special Assistance/Student-Athlete Opportunity Funds.

Proposed New Division I Reclassification Process.

The following information outlines the membership reclassification process for any Division II or non-NCAA institution seeking to reclassify its entire athletics program to Division I membership. It should be noted that multidivisional membership (i.e., classifying one men's and or one women's sport other than football and basketball in Division I) will be discontinued following the 2010-11 academic year for any additional Division II or III institutions.

General Requirements.

The following general requirements must be satisfied prior to an institution entering the reclassification process.

- The reclassifying institution must have been an active NCAA Division II member for the preceding five years.
- The institution must be meeting applicable Division I minimum financial aid and sports-sponsorship membership requirements.
- The institution must have been extended a bona fide offer of membership by an active DI multisport voting conference.
- The institution and conference must complete an application form accompanied by an application fee (based on a yet to be determined figure based on either the average or mean of the Division I revenue distributions and championship benefits in the year of application) no later than June 1 preceding entry into year one of the reclassification process that is approved by the Division I Administration Cabinet. The institution must provide notice if it is currently involved in an investigation, an infractions case or on probation with its current governing body.
- The institution must submit a skeletal strategic plan to the Administration Cabinet that addresses the Division I philosophy statement (see Bylaw 20.9) and athletics certification operating principles (see Bylaw 22.2) approved by the conference office no later than June 1 preceding entry into year one of the reclassification process.

[Note: The Administration Cabinet shall have oversight responsibilities and shall monitor each institution's progress through the reclassification process. The cabinet shall have the authority to decline moving an institution to the ensuing year of the process if it deems that deficiencies warrant that the institution repeat a year].

Year One.

- Attendance at an orientation session conducted by the national office staff related to basic Division I operating rules and membership requirements. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Attendance at the NCAA Convention Division I Issues Forum and business session (if such a session is conducted). Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president [or an individual appointed by the chancellor or president with executive status at the institution], the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Apply all Division I legislation except scheduling requirements and continuing eligibility requirements (e.g., progress-toward-degree, five year rule) for student-athletes who are completing their final season of competition and were enrolled at the institution at least one year prior to entering year one of the reclassification process.
- Completion of a preliminary NCAA athletics certification orientation (conference representatives will also be required to be in attendance).
- Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation.
- Submit an annual report and an updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice if the institution is currently involved in an investigation, infractions case or on probation with its current governing body.

Year Two.

- Full compliance with all Division I legislation and membership requirements.
- Attendance at the NCAA Convention Division I Issues Forum and business session (if applicable). Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Completion of a compliance review conducted by the national office and submission of a report with an institutional response to the findings and recommendations.
- Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation.
- Submit an annual report and an updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice if the institution is currently involved in an investigation, infractions case or on probation with its current governing body.

Year Three.

- Attendance at the NCAA Convention Division I Issues Forum and business session (if applicable). Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.

- Completion of an athletics certification orientation.
- Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation.
- Submit an annual report and an updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice if the institution is currently involved in an investigation, infractions case or on probation with its current governing body.

Year Four.

- Successfully complete an NCAA athletics certification and evaluation visit.
- Attendance at the NCAA Convention Division I Issues Forum and business session (if applicable). Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president [or an individual appointed by the chancellor or president with executive status at the institution], the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation.
- Submit an annual report and an updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice if the institution is currently involved in an investigation, infractions case or on probation with its current governing body.
- A prospective member institution may not be elected to active membership if it is subject to a historical penalty under the NCAA Division I Academic Performance Program.

Post-Reclassification.

- After completion of the four year reclassification process, the Board of Directors, on the recommendation of the Division I Administration Cabinet, shall have the authority to elect the institution to active Division I status.
- The institution must submit a progress report to the Committee on Athletics Certification regarding its progress on any plans for improvement (as previously recommended by the committee) no later than the conclusion of its second year of active Division I membership.
- A new Division I institution will qualify to receive revenue distributions related to sports sponsorship and grants-in-aid after serving three calendar years as an active Division I member.
- A new Division I institution will qualify immediately to receive Student-Athlete Opportunity, Special Assistance and Academic Enhancement Funds, as well as basketball grant funds as determined by the institution's conference.