August 6, 2014
NCAA National Office
Indianapolis, Indiana
### Division I

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>University</th>
<th>Address</th>
<th>Phone</th>
<th>Fax</th>
<th>Email</th>
<th>Term Expiration</th>
<th>Assistant</th>
<th>Assistant Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gene Block</td>
<td>Chancellor</td>
<td>University of California, Los Angeles</td>
<td>2147 Murphy Hall, Box 951405</td>
<td>310/825-2151</td>
<td>310/206-6030</td>
<td><a href="mailto:chancellor@conet.ucla.edu">chancellor@conet.ucla.edu</a></td>
<td>August 2016</td>
<td>Dawn Scherer</td>
<td><a href="mailto:dscherer@conet.ucla.edu">dscherer@conet.ucla.edu</a></td>
</tr>
<tr>
<td>Nathan Hatch</td>
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<td>Wake Forest University</td>
<td>1834 Wake Forest Road</td>
<td>336/758-5211</td>
<td>336/758-5212</td>
<td><a href="mailto:hatch@wfu.edu">hatch@wfu.edu</a></td>
<td>August 2016</td>
<td>Donna Gung</td>
<td><a href="mailto:gungd@wfu.edu">gungd@wfu.edu</a></td>
</tr>
<tr>
<td>Rita Cheng</td>
<td>Chancellor</td>
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<td>August 2016</td>
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</tr>
<tr>
<td>Patrick Harker</td>
<td>President</td>
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<td>175 S. College Avenue, 104 Hullihen Hall</td>
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<td>302/831-1297</td>
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</tr>
<tr>
<td>David Leebron</td>
<td>President</td>
<td>Rice University</td>
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<td>713/348-5050</td>
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<td>August 2016</td>
<td>Hope Gatliff</td>
<td><a href="mailto:HG4@rice.edu">HG4@rice.edu</a></td>
</tr>
<tr>
<td>Horace Mitchell</td>
<td>President</td>
<td>California State University, Bakersfield</td>
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</tr>
</tbody>
</table>
Harris Pastides  
President  
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Executive Vice President of Law, Policy and Governance/Chief Legal Officer
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AGENDA

National Collegiate Athletic Association
Executive Committee

NCAA National Office August 6, 2014
Indianapolis, Indiana 3 to 6 p.m.

1. Welcome and announcements.

2. Approval of April 24 meeting report. (Action) [Supplement No. 1] (5 min.)
   Anticipated Action. Approve the April 24 meeting report.

3. NCAA President’s report. (15 min.)
   a. Sexual violence prevention and complaint resolution. (Action) [Supplement No. 2]
   b. Pennsylvania State University consent decree status report. (Information) [Supplement No. 3]
   c. Regulatory review update. (Information) [Supplement No. 4]
   d. Enforcement update. (Information)
   e. Committee on Infractions update. (Information)

4. NCAA Executive Committee Finance and Audit Committee report. (Action) (25 min.)
   Anticipated Action. Review and approve financial statements and related reports.
   a. NCAA 10-Year Capital Asset and Renewal/Replacement Plan. (Action) [Supplement No. 5]
   b. NCAA 10-Year Capital Asset Renewal and Replacement Reserve Policy. (Action) [Supplement No. 6]
   c. Black Coaches Association funding. (Action) [Supplement No. 7]
   d. Executive Summary of President’s recommendations for FY 2014-15 budget.
      • FY 2014-15 budget criteria memorandum, requests and recommendations. (Action) [Supplement No. 8]
5. Follow-up discussion (from April) on Confederate battle flag policy. (Action) [Supplement No. 12] (15 min.)

**Anticipated Action.** Receive an oral report regarding the NCAA policy on the Confederate battle flag.

6. Follow-up discussion (from April) from the Executive Committee Subcommittee on For-Profit Institutions. (Action) [Supplement No. 9] (5 min.)

**Anticipated Action.** Receive an update from subcommittee and provide feedback.

7. Review NCAA Gender Equity Task Force report. (Information) [Supplement No. 11] (5 min.)

**Informational.** Receive and review the report from the Gender Equity Task Force.

8. Discuss the structure of the Executive Committee. (Action) [Supplement No. 10] (40 min.)

**Anticipated Action.** Participate in facilitated dialogue regarding options for revised Executive Committee scope, duties, responsibilities and membership.

9. Legal report. (Action) [Supplement No. 13] (45 min.)

**Anticipated Action.** Receive oral report from legal counsel. Approve various legal settlement terms.

10. Governmental relations update. (Information) [Supplement No. 14] (10 min.)

**Informational.** Receive a report regarding recent hearings on Capitol Hill.

11. NCAA Division I Board of Directors and Divisions II and III Presidents Councils reports. (Action may be necessary from the reports.) (20 min.)

**Informational.** Receive oral reports from the chairs of the Division I Board of Directors and the Divisions II and III Presidents Councils regarding divisional issues that have Association-wide impact.
12. Future meetings. (Informational)

**Informational. Review dates of future Executive Committee meetings.**

   a. Wednesday, October 29, 2014; Indianapolis, Indiana.

   b. Friday, January 16, 2015, Washington, D.C. (In conjunction with the 2015 NCAA Convention.)

13. Executive session.

REPORT OF THE
NCAA EXECUTIVE COMMITTEE
APRIL 24, 2014

KEY ITEMS.
None.

ACTION ITEMS.
None.

INFORMATIONAL ITEMS.

1. Welcome and announcements. President Simon convened the meeting at 1:53 p.m. and welcomed all members. She specifically welcomed new member Judith Bense, president of the University of West Florida, and Alan Cureton, president of the University of Northwestern-St. Paul.

2. Approval of meeting reports. The January 17, February 27 and March 14 meeting reports report were approved as distributed.

3. NCAA President’s report.

   a. Regulatory Review. The Committee received an update on the Regulatory Review process. NCAA General Counsel Bearby shared an action plan template that prioritizes the recommendations, provides economic impact as well as membership level of interest, and offers an alternate view of the proposed NCAA ombudsman. He noted that the NCAA Executive Committee Administrative Subcommittee received a preview of this work and made additional suggestions, and the NCAA Committee on Infractions generally supported the recommendations relative to the enforcement process. The Committee supported the direction and authorized the staff to use the action plan template for assessing progress.

   b. Officiating limited liability company consolidation. The Committee received a brief report from Isch on plans to consolidate three limited liability corporations—RefPay, LLC; The Arbiter, LLC; and eOfficials, LLC—into one corporation, Arbiter Sport, LLC, where the NCAA continues to hold majority ownership.
c. Supplemental Support Fund (SSF)/Accelerated Academic Success Programs (AASP). Executive Vice President and Chief Inclusion Officer Franklin reviewed a recommendation to consolidate the SSF and the AASP and create a two-tiered funding model, one for multiyear funding and the other for annual grants. Both programs were established to assist institutions in meeting the requirements of the NCAA Division I Academic Performance Program, including increasing retention and academic success of student athletes. Franklin noted that data have shown limited success for recipients of the SSF while, by contrast, the AASP has already demonstrated high success markers in its first year. Franklin noted that the AASP grants provide larger sums of money for institutions to make more significant and lasting change and also requires presidential oversight, involvement of key staff, goals identified by the institution, an ability to match grant funds and demonstrated sustainability of the initiative. The Committee noted that a combination of the programs would result in some institutions no longer receiving funds, inasmuch as the grant allotment per institution would be higher.

It was VOTED

“To support the recommendation to consolidate the programs. However, the Committee deferred the effective date for one year, maintaining SSF for one more year at its current budget and reallocating any additional SSF dollars to the AASP.”

5. NCAA Executive Committee Finance and Audit Committee report.

a. Black Coaches Association (BCA) funding request. The Executive Committee Finance and Audit Committee received a proposal for to provide temporary funding for the BCA. The historical funding of the BCA changed over the past 10 years, leaving it inadequate funds to restructure. Franklin shared that the current number of African-American head coaches is poor and declining, elevating even further the need for success of the BCA. The Finance and Audit Committee is considering a grant of $750,000 to fund years one and two of the requested allocation.

The Finance and Audit Committee has requested that additional information be provided at its June 23 meeting. This information would provide a detailed budget on how these funds would be used, as well as metrics that will be reviewed annually to ensure that targets are being met each year if the funds are provided. Any action on this item will come to the Executive Committee in August.

b. NCAA 10-Year Financial Plan. The NCAA chief financial officer has proposed a 10-year financial planning model that will allow the NCAA to run various financial scenarios based on assumptions of estimated revenues and expenses. The plan is intended to replace the current triennial budget process and will be a living document that allows for annual updating. In April 2015, the Finance and Audit Committee will
be presented the updated 10-year financial plan that will be used for approval of the 2015-16 budget and tentative approval of the 2016-17 budget.

It was VOTED

“To approve the 10-year financial plan model.”

c. Modified FY 2013-14 internal audit plan. In October, 2013, the Finance and Audit Committee approved a draft internal audit plan. At that time, the NCAA’s internal auditor had accepted another position. The Committee reviewed a final audit plan submitted by Jim Brown, the NCAA’s new internal auditor. The new plan defers three items to the 2015-16 fiscal year, which accommodates lost time when the position was vacant.

5. Update on Confederate battle flag policy. The Committee reviewed a request from the NCAA Minority Opportunities and Interests Committee to consider amending the NCAA Confederate flag policy to include nonpredetermined championship sites. Executive Vice President for Championships and Corporate Alliances Lewis updated the Committee on recent changes in the championships group designed to enhance the championship experience for student-athletes by taking some championships back to a campus setting. He noted that the Confederate flag policy had not changed. The Committee agreed to seek additional feedback on this matter from various constituent groups and review again during its August meeting.

6. Update from the Executive Committee Subcommittee on For Profit Institutions. The Executive Committee accepted a report of the For Profit Subcommittee. The Executive Committee will review the report in anticipation of action at its August meeting.

7. Discuss the structure of the Executive Committee. The Committee continued discussion on clarification of its role and possible changes to its name, composition and terms of service. President Walt Harrison from Hartford University led the discussion and outlined several suggestions generated by the small working group charged by the chair of the Executive Committee during its January meeting. Harrison noted the value of clearly articulating the oversight role this committee serves within the structure while preserving and protecting the autonomy of the membership to act in a federated manner on issues of divisional import. The Committee discussed its responsibility to preserve and enhance the collegiate model of sport with higher education, health and safety and student-athlete wellbeing and overall success at the core, within a sustainable financial and ethical model. The consensus of the group was to continue further exploration and dialogue on possible structural changes.
8. NCAA Division I Board of Directors and Divisions II and III Presidents Councils reports.

a. **Division I Board of Directors.** The Committee received an update on the actions of the Division I Board of Directors that included the following:

- **Division I governance restructuring.** Continued discussion on Division I governance restructuring and noted that the most recent documents will be sent to the membership for further review over the next 60 days. The steering committee will meet in July to review comments from the membership and to craft the final document for presentation to the Board in August.

b. **Division II Presidents Council.** The Committee received an update on the actions of the Division II Presidents Council that included the following:

1. **Strategic planning.** Engaged in a strategic planning process that will culminate in 2015. The Council intends to have a very inclusive collaborate review. The duration of the strategic plan will be six years, ending in 2021 with a midperiod review in 2018.

2. **Brand management.** Engaged in a brand enhancement exercise and has secured the services of Blacktop Creative to assist in this venture. The focus will be on external audiences and the timeline for completion is spring 2015.

3. **Legislative proposal.** Proposed new legislation for active Division II members to require institutions to have an athletics director with no additional coaching responsibilities, as well as one full-time compliance administrator also with no additional coaching responsibilities. This requirement is already in place for provisional Division II members. Proposed date for implementation will be August 2018.

c. **Division III Presidents Council.** The Committee received an update on the actions of the Division III Presidents Council that included the following:

1. **Trends in higher education.** Discussed trends in higher education, focusing on challenges to the Division III membership in general and specifically smaller private colleges. Athletics continues to play an increasing role in enrollment and retention, in particular at tuition driven institutions. The staff was asked to provide additional information for further review during the August meeting.

2. **Legislative concepts.** Reviewed legislative concepts being discussed by the membership for the 2015 NCAA Convention and agreed to forward to the Management Council two concepts for further development.
(a) A possible reduction in the overall contest limits in each sport, to help reduce time demands and missed class time for our student-athletes.

(b) Significant changes to the nontraditional playing seasons, possibly replacing formal practice and competition with limited coaching contact. This discussion also will include the current spring football conditioning season, which some members have desired to see expanded in scope.

(3) **Budget.** Reviewed and approved a plan for the Division III Championships Committee and Strategic Planning and Budget Committee to address the current championships deficit as well as revise the budget reserve policy. This included suspending $1.2 million in per diem increases originally scheduled for fiscal year 2014-15.

9. **Executive session.** The Committee convened an executive session to discuss administrative matters.

*Committee Chair: Lou Anna Simon, Michigan State University.*
*Staff Liaisons: Donald Remy, Law, Policy and Governance*  
*Delise O’Meally, Law, Policy and Governance*

<table>
<thead>
<tr>
<th>Attendees</th>
<th>Absentees</th>
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<tbody>
<tr>
<td>Judith Bense, University of West Florida</td>
<td>Patrick Harker, University of Delaware</td>
</tr>
<tr>
<td>Gene Block, University of California, Los Angeles</td>
<td>Karen Stromme, University of Minnesota Duluth</td>
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<td>Rita Cheng, Southern Illinois University at Carbondale</td>
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<tr>
<td>Alan Cureton, University of Northwestern-St. Paul</td>
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<tr>
<td>Michael Drake, University of California, Irvine</td>
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<td>Mark Emmert, NCAA President</td>
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<tr>
<td>Thomas Haas, Grand Valley State University</td>
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<td>Nathan Hatch, Wake Forest University</td>
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<td>Sharon Herzberger, Whittier College</td>
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<td>David Hopkins, Wright State University</td>
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<td>David Leebron, Rice University</td>
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<td>Noreen Morris, Northeast Conference</td>
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<tr>
<td>Horace Mitchell, California State University, Bakersfield</td>
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</tr>
</tbody>
</table>
Harris Pastides, University of South Carolina, Columbia (participated by teleconference for a portion of the meeting)
Terry Rupert, Wilmington College, Ohio
E. Joseph Savoie, University of Louisiana at Lafayette
Kirk Schultz, Kansas State University
Lou Anna Simon, Michigan State University

Other Participants
Walt Harrison participated by teleconference for a portion of the meeting.
David Berst, vice president of Division I governance
Scott Bearby, general counsel
Daniel Dutcher, vice president of Division III governance
Jim Isch, chief operating officer
Jean Frankel, consultant
Bernard Franklin, executive vice president of membership and student-athlete affairs/chief inclusion officer
Brian Hendrickson, director of strategic communications
Cari Klecka, director of executive affairs
Mark Lewis, executive vice president of championships and alliances
Kathleen McNeely, vice president of administration and chief financial officer
Delise O’Meally, director of governance and international affairs
Donald Remy, executive vice president of law, policy & governance/chief legal officer/Executive Committee liaison
Terri Steeb-Gronau, vice president of Division II governance
Bob Williams, vice president of communications
SUPPLEMENT NO. 2
Draft Resolution
Executive Committee Statement on Sexual Violence Prevention and Complaint Resolution

At the meeting of the Executive Committee of the National Collegiate Athletic Association (NCAA) on August 8, 2014, the following Resolution was proposed and approved by the Executive Committee.

WHEREAS NCAA Constitution Article 4.1.2 charges the NCAA Executive Committee with identifying core issues that affect the Association as a whole and with overseeing Association-wide issues and ensuring that each division operates consistent with the basic purposes, fundamental policies and general principle of the Association;

WHEREAS the Executive Committee regularly takes action to preserve and enhance student-athlete health, safety and well-being and promote nondiscriminatory and effective learning and competitive environments;

WHEREAS NCAA Constitution Article 2.2.3 requires each member institution to protect the health of, and provide a safe environment for, each of its participating student-athletes;

WHEREAS the U.S. Department of Education Office for Civil Rights has issued guidance related to sexual harassment, bullying and violence against all students under Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 et seq, which applies to all educational activities, including athletics programs, of higher education institutions receiving federal financial assistance and which states that sexual violence includes rape, sexual assault, sexual battery, sexual coercion and gender-based harassment.

Now, Therefore, Be It Resolved, that, the Executive Committee expects NCAA members to ensure that the values and principles articulated in the Constitution are soundly imbedded into intercollegiate athletics and that institutions’ athletics departments:

- Collaborate with campus authorities and ensure that all athletics staff, coaches, administrators and student-athletes maintain a hostile-free environment for all student athletes regardless of gender or sexual orientation; know and follow campus protocol for reporting incidents of sexual violence; report immediately any suspected sexual violence to appropriate campus offices for investigation and adjudication;

- Educate all student-athletes, coaches and staff about sexual violence prevention, intervention and response;

- Assure compliance with all federal and applicable state regulations related to sexual violence prevention and response; and

- Cooperate with but not manage, direct, control or interfere with college or university investigations into allegations of sexual violence ensuring that investigations involving student-athletes and athletics department staff are managed in the same manner as all other students and staff on campus.
July 24, 2014

Mark Emmert  
The National Collegiate Athletic Association  
700 W. Washington Street  
P.O. Box 6222  
Indianapolis, Indiana 46206-6222  

Dear Mr. Emmert,

I am writing to the National Collegiate Athletic Association (NCAA) regarding the oversight of campus sexual assaults by its member institutions.

On July 9, 2014, I released a report titled, “Sexual Assault on Campus,” that included results of a survey of 440 institutions of higher education. In that survey, I asked for detailed answers on how sexual assaults on campuses are reported and investigated. One of the questions asked schools if “Athletic Department oversight of sexual violence involving student athletes” was present as part of the school’s policies and procedures for addressing sexual assault. Of the Division I, II, and III schools that provided responses to the survey, 30% of them responded “yes” to that question.

Also on July 9, 2014, the Senate Commerce Committee held a hearing titled, “Promoting the Well-Being and Academic Success of College Athletes,” at which you testified. At the hearing, I asked you about this statistic, and you agreed that the 30% figure potentially presented conflicts of interest that would be troublesome for sexual assault victims.

I appreciate your concern, and your efforts to follow up with me and my staff regarding this problem. As you know, sexual assault on college campuses is a deep and pervasive problem that requires response from multiple fronts, and athletic organizations like the NCAA are an important part of an effective solution. I hope you will explore how the NCAA can help its member institutions address the problem of sexual assaults on campus. As part of that process, I encourage the NCAA to conduct a survey of its member institutions regarding campus sexual assaults, including any involvement by athletic departments in the investigation and adjudication of incidents involving student athletes, and, based on the results of the survey, take appropriate steps to ensure that the administrative process at NCAA member institutions is fair for all students.

Thank you for your attention to this matter, and I look forward to working with you to make campuses safer.

Sincerely,

Claire McCaskill  
Chairman  
Subcommittee on Financial and Contracting Oversight  

cc: Ron Johnson  
Ranking Member  
Subcommittee on Financial and Contracting Oversight
SUPPLEMENT NO. 5
### Executive Committee Finance and Audit Committee

**NCAA 10-Year Capital Asset and Renewal/Replacement Plan**

(in Thousands)

<table>
<thead>
<tr>
<th></th>
<th>FY15 Year 01</th>
<th>FY16 Year 02</th>
<th>FY17 Year 03</th>
<th>FY18 Year 04</th>
<th>FY19 Year 05</th>
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<tbody>
<tr>
<td><strong>Year-End Capital Reserve Formula Target at September 1 (1)</strong></td>
<td>$18,324</td>
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<tr>
<td><strong>Capital Reserve Beginning Balance</strong></td>
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<td>4,708</td>
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<td>1,755</td>
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<td><strong>Capital Reserve Balance After Purchases</strong></td>
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<td>12,598</td>
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</tr>
<tr>
<td><strong>Capital Reserve Replenishment (Normalized) (3)</strong></td>
<td>996</td>
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<td>996</td>
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<tr>
<td><strong>Reserve Balance at Year-End</strong></td>
<td><strong>$16,764</strong></td>
<td><strong>$13,052</strong></td>
<td><strong>$13,529</strong></td>
<td><strong>$14,352</strong></td>
<td><strong>$13,594</strong></td>
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<td><strong>$13,378</strong></td>
<td><strong>$11,997</strong></td>
<td><strong>$12,759</strong></td>
<td><strong>$13,634</strong></td>
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</tbody>
</table>

(1) Capital Reserve Formula = 10 years of capital plan + 25% contingency. Further assumes a 3% annual growth rate on a 10-year rolling average for years 11-20 which are not yet detailed.

(2) Per the 10-year capital plan summary schedule.

(3) Average annual capitalization over the next ten fiscal years (FY15-FY24). This annual funding will be recalculated every five years.
## Year Capital Asset and Renewal/Replacement Plan

Purchases/Outflows by Project Type

<table>
<thead>
<tr>
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<tr>
<td></td>
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<td>Maintenance or Repair</td>
<td>161</td>
<td>1,190</td>
<td>95</td>
<td>80</td>
<td>50</td>
<td>575</td>
<td>50</td>
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<td></td>
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<td>1,513</td>
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<td>35</td>
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<td>Total Services</td>
<td>492</td>
<td>2,005</td>
<td>350</td>
<td>58</td>
<td>1,670</td>
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<td>487</td>
<td>1,886</td>
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<td>312</td>
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<td></td>
<td>58</td>
<td>1,670</td>
<td>837</td>
<td>487</td>
<td>1,886</td>
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<td></td>
<td>Software</td>
<td>180</td>
<td>350</td>
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<td>447</td>
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<tr>
<td></td>
<td>Total Services</td>
<td>492</td>
<td>2,005</td>
<td>350</td>
<td>58</td>
<td>1,670</td>
<td>837</td>
<td>487</td>
<td>2,333</td>
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<td></td>
<td></td>
<td>$2,556</td>
<td>$4,708</td>
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<td>$2,378</td>
<td>$235</td>
<td>$235</td>
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</table>
SUPPLEMENT NO. 6
Capital Asset Renewal and Replacement (R&R)
Reserve Policy

Purpose

The purpose of the Reserves policy for the NCAA is to ensure the stability of the mission, programs, employment, and ongoing operations of the Association and to provide a source of internal funds for organizational priorities such as building repair and improvement, and capacity building. The Reserves policy will be implemented in concert with the other governance and financial policies of the NCAA and is intended to support the goals and strategies contained in these related policies and in strategic and operational plans.

Statement of Policy

The Capital Assets Reserve is intended to provide a ready source of funds for planned and unplanned repair or acquisition of buildings, leaseholds, furniture, fixtures, and equipment, and computer hardware and software necessary for the effective operation of the Association and programs.

The target amount of the Capital Assets R&R Reserve will be determined by the sum of the detailed 10-year capital R&R plan plus a 25% contingency on that total. For purposes of normalizing of annual funding and to avoid unnecessary fluctuations, the annual increase to the reserve will be calculated using the average replenishment to reach target based on the next 10 years. The increase to the reserve will be recalculated every five years.

Approvals

Changes to the policy must be approved by the Executive Committee Finance and Audit Committee (ECFAC).

Changes to the Capital Asset R&R Plan must be approved by the Vice President of Administration/Chief Financial Officer and the ECFAC.

Procedures

The Capital Assets Reserve will be recorded in the financial records as an Executive Committee Designated Capital Assets Reserve. The Reserve will be funded and available in cash or cash equivalent funds.

The Capital Assets R&R Reserve will be funded with surplus unrestricted operating funds. The Executive Committee may from time to time direct that a specific source of revenue be set aside for the Capital Asset R&R Reserves. Examples could include one-time gifts or bequests, special grants, or special appeals.

Effective Date

September 1, 2014
SUPPLEMENT NO. 7
PROPOSAL TO NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (NCAA)

From the

Black Coaches and Administrators (BCA)

I. Introduction

This proposal is submitted to the NCAA for its consideration regarding the restructuring of the BCA. The BCA Board of Directors (the “Board”) has unanimously endorsed this proposal and greatly appreciates the NCAA’s consideration of it. This proposal identifies several areas in which BCA requests certain levels of financial, staffing and housing consideration from the NCAA over the next two years as the organization reorganizes and repositions itself to best serve its target constituent, NCAA coaches of color. BCA is committed to asserting a key role on behalf of NCAA coaches of color, to the development needs of those coaches, and to ensuring these coaches enjoy fair and equal opportunities for advancement within their chosen profession.

A. History of BCA

BCA is an Iowa non-profit organization whose primary goal is “to foster the growth and development of ethnic minorities at all levels of sports both nationally and internationally.” Its most recent focus has been on athletics in North America, particularly coaches of color in the college ranks. BCA has been actively involved in the development and promoting of ethnic minority coaches in both professional and college sports.

BCA was formed in 1988 as the Black Coaches Association. While the organization’s initial focus was on African Americans, it has since expanded to all minority ethnic groups. On May 31, 2007, the name of the organization was officially changed to the Black Coaches & Administrators to reflect its revised target constituency. As part of its restructuring efforts, the
BCA Board has decided to change its name to reflect its current mission which is to assist coaches of color and will move forward with a name change if funding is received.

B. BCA Today

On July 10, 2013, the NCAA issued its Internal Audit report with regard to the BCA. That report addressed a number of issues related to BCA governance, financial management and controls. It also identified objectives and reforms necessary to restructure and revitalize the organization. A number of the issues identified in that audit have been addressed during the past several months by the BCA Board as discussed below.

II. Commitment to Restructuring of BCA

A. Name Change of Organization

As part of BCA’s restructuring, the Board has given a great deal of thought and discussion to re-naming the organization to help better define its goals and objectives. The procedure being undertaken by the BCA Board would best be characterized as a “work in progress” at this time. It has been reviewed during several meetings of the Board and committees of the Board over the past several months. As noted earlier, the Board has agreed that a name change is in order and will move forward on this issue if funding is received.

B. Addressing Debt Structure

BCA has worked with various contacts over the past several months to address its debt structure. These include debts to the law firm of Jones & Walker; a lease agreement for office space previously occupied by BCA in downtown Indianapolis; a $2,000 invoice from Engaging Solutions for accounting/payroll work; and a bill with Cincinnati Bell in the amount of $1,933.58. Through the efforts of a number of people, legal fees in the amount of $130,756 due to Jones & Walker have been written off by that Firm. The office space lease agreement has been terminated without any further monies due from BCA. The Cincinnati Bell bill has been
paid and negotiations are under way to reduce or eliminate the $2,000 outstanding debt to Engaging Solutions.

It is important to note that the organization currently has no additional outstanding liabilities or payroll obligations.

C. New Board Focus – Active vs. Advisory

In the most recent past, the Board of BCA has served in a largely advisory capacity. Its members consist and have consisted of outstanding individuals in the fields of academia and intercollegiate athletics. These individuals have served the organization well. The Board now recognizes that BCA must head in a different direction if it is to survive. This restructuring will result in the organization’s Board being more “proactive” versus “advisory” in its approach to membership drives, fundraising and pursuing its overall mission of providing development opportunities for coaches of color. To that end, the Board is committed to internally restructuring itself by adding membership to a total of 20 who will take an active role in the organization’s mission; active involvement in recruiting members for the organization; and active involvement in securing both earned and donated income for the organization. Each Board member will be expected to donate at least $1,000 per year and actively be engaged in assisting the organization to raise at a minimum $5,000 per year.

D. Fundraising Initiatives – Earned and Donated Sources

The Board of BCA, through its more proactive approach, stands ready to develop new initiatives to grow both earned and donated revenues for the organization. The growth of such revenues will also be accompanied by a concerted effort to establish consistent sources of income that will help maintain the organization going forward. These sources will be important
to the overall stability and ongoing viability of BCA for its member coaches, institutions and its donor base.

As an organization, through an aggressive, proactive approach by Board members and its new CEO, BCA will engage in extensive efforts to reach out to potential individual and institutional members, seeking their support for the mission of BCA. The organization also anticipates extensive work securing the support of corporate and institutional donors who wish to share in its vision for supporting coaches of color. These initiatives will be conducted through a “grass roots” and a more personal approach by Board members and the CEO. Our objective is to not only become better known, but to become highly visible in the eyes of members, donors and potential donors. BCA will actively be engaged in contacting, listening to and responding to the needs and concerns of its individual and institutional members. Through this more active and personal approach, BCA hopes to have a more positive and longstanding impact. The Board also believes this more “proactive” and “personal” approach will lead to more longstanding relationships with its members and donors. (See Attachment 1.)

E. Bylaw Revisions

The BCA Board and committees also have begun discussions regarding necessary amendments to the organization’s bylaws. Revisions being considered include bylaws related to “delegation of authority.” One of the issues identified in the NCAA audit was the ability of the organization’s former executive director to enter into long-term financial commitments for BCA without approval of the Board or one of its committees. Other bylaw amendments will be considered and approved, as appropriate, going forward with the restructuring of the organization.
III. Funding Needs

The organization has gone “dark” in terms of website presence and active leadership from a paid professional. In the interim, the BCA Board has continued to meet to discuss strategies to restructure the organization. In essence, the BCA Board is requesting support that allows the organization to become self-sustaining by year end 2016. Assuming a base budget of approximately $450,000, the request is for a two-year commitment from the NCAA in the amount of $750,000. This commitment will allow the BCA Board to move forward in the first critical step of hiring a full-time CEO for the organization.

A. Hiring of a New CEO

The hiring of a new CEO for the organization is a critical step in the restructuring process. In recognizing the importance of this step to the overall health of BCA, the Board authorized a committee to speak with Dan Parker, president of Parker Executive Search, about hiring issues for the CEO position. Mr. Parker has generously agreed to assist BCA in the hiring process on a pro bono basis. BCA calculates the value of Mr. Parker’s anticipated assistance at between $50-75,000.

The committee has met with Mr. Parker for conference calls on two different occasions and discussed a variety of issues, including: job description, salary, benefits, duration of the job and housing for the restructured organization. Conclusions arrived at during these meetings included the need for hiring a CEO who possesses a strong business development background, who is aggressive in their fundraising work, and is on his/her way up not his/her way out.

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1 The lead employee of BCA has been known as Executive Director. The Board has determined that this job title should be changed to “CEO” to lend more prestige to the position.
B. Salary and Benefits for New CEO

There have been significant discussions over the past couple of months with Board members, outside consultants, and Mr. Parker to identify not only the characteristics necessary for the organization’s new CEO but the type of benefit package necessary to attract such an individual to the BCA. In doing so, Mr. Parker stressed the need to be mindful of the type of “runway” we are going to provide for the organization and it’s CEO. We need to be mindful of the fact that healthcare costs, as a benefit, are a significant factor in this discussion. Given the current marketplace, and the fact that the organization will be seeking an individual “on the way up,” we believe a salary and benefit package as follows will be necessary to secure and keep a top flight candidate running the organization over the next several years:

- **Base Salary** - $150,000 - $200,000 per year
- **Bonus** – to be determined by the BCA Board based on meeting membership and donor targets.
- **Healthcare/Car Allowance** - $1,000 monthly stipend

In order to hire a candidate meeting the criteria set forth in this proposal, BCA will need to make the position a multiyear engagement. Individuals qualified for this position are not likely to move families to Indianapolis for a job guaranteed for only a single year. A minimum two-year commitment from the NCAA and BCA will be necessary to pursue top flight candidates for this important position.

IV. Additional Staffing Needs

With respect to staffing, the CEO will need administrative assistance to address issues related to the mission of the organization, communicating with members, potential members,
donors and potential donors. The Board suggests a single individual to fill this position initially with the title of coordinator, membership services. The hope is that the need for additional staff will arise as the organization grows under the leadership of its new CEO over the first several years of restructuring.

V. Housing Needs

The BCA Board is requesting that the NCAA provide housing space for the office operation for period of no less than three years and no more than five years. The ultimate goal is to have the BCA viewed as a vibrant independent organization. To that end, it is anticipated that the BCA will need an office space that is located outside the NCAA national headquarters building. However, to allow the organization to initially invest most of its resources in membership not having the expense of a rental property the first few years would greatly benefit and strengthen the financial stability of the organization.

VI. Summary of Request

These numbers are based on a rough, anticipated budget for BCA of approximately $450,000 per year. This budget covers salary and benefits for a CEO, salary for a coordinator-membership services, office materials and equipment, travel and entertainment. (See Attachment 2.) In year two of this agreement, it is anticipated that BCA will roughly match the monies provided to it by the NCAA through revenues generated from individual and institutional members, and through donations received from institutional and corporate sponsors. It also has been suggested that BCA may also be able to obtain revenue through the running of various events outsourced to it by the NCAA. BCA would appreciate the opportunity to earn revenue through the running of such events should that opportunity be provided to it.
It is expected that during the first 18 months of operation the following milestones will be achieved by the BCA Board and new CEO:

<table>
<thead>
<tr>
<th>Date</th>
<th>Milestone</th>
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<tbody>
<tr>
<td>September 15, 2014</td>
<td>Appointment of “New” CEO</td>
</tr>
<tr>
<td>November 1, 2014</td>
<td>Website for organization re-established</td>
</tr>
<tr>
<td>January 30, 2015</td>
<td>Contacts will have been made with 200 former BCA individual members and 100 institutional members requesting them to rejoin the organization</td>
</tr>
<tr>
<td>June 30, 2015</td>
<td>A national meeting will be held in conjunction with another national organization</td>
</tr>
<tr>
<td>January 30, 2016</td>
<td>There will be 300+ individual members and 100+ institutional members.</td>
</tr>
<tr>
<td>June 30, 2016</td>
<td>The targets for contributions from individuals/organizations and conference and corporate donors will be met.</td>
</tr>
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</table>

There is an urgent need for an organization such as the BCA. During the past five years, there has been a double digit decrease in coaches of color in the sports of football, men’s basketball and women’s basketball. In examining the Division I Big Five conferences, approximately 70 percent of head coaching positions in football, men’s basketball and women’s basketball are held by white males. In order to change the current landscape and create more
opportunities for coaches of color (both men and women) we must support initiatives/programs that can achieve this goal.

We deeply appreciate the interest and consideration which have been afforded to BCA by the NCAA as a whole and a number of its individual employees throughout this process. Your dedication and commitment to excellence is an example which BCA will strive to achieve and maintain as it proceeds through its restructuring process and beyond.
Projected Income
2015-2018

<table>
<thead>
<tr>
<th>YEAR</th>
<th>INDIVIDUAL MEMBERSHIPS</th>
<th>INSTITUTIONAL MEMBERSHIPS</th>
<th>CONTRIBUTIONS FROM INDIVIDUALS/ORGANIZATIONS (GRANTS)</th>
<th>CONFERENCE AND CORPORATE</th>
<th>TOTAL</th>
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<tr>
<td>2015-16</td>
<td>300 @ $100 annual membership fee ($30,000)</td>
<td>100 @ $1,000 annual membership fee ($100,000)</td>
<td>$150,000</td>
<td>$150,000</td>
<td>$430,000</td>
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<td>2016-17</td>
<td>350 @ $100 annual membership fee ($35,000)</td>
<td>110 @ $1,100 annual membership fee ($121,000)</td>
<td>$175,000</td>
<td>$175,000</td>
<td>$506,000</td>
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<tr>
<td>2017-18</td>
<td>375 @ $125 annual membership fee ($46,875)</td>
<td>120 @ $1,200 annual membership fee ($144,000)</td>
<td>$175,000</td>
<td>$175,000</td>
<td>$540,875</td>
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## Projected Expenses
### 2014-2018

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<tr>
<td>Membership Support</td>
<td>$150,000</td>
<td>$150,000</td>
<td>$150,000</td>
<td>$150,000</td>
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<tr>
<td>Office Expenses</td>
<td>$6,000</td>
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<tr>
<td>Professional Services</td>
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<tr>
<td>Operating Expenses</td>
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<tr>
<td>Salaries and Related</td>
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<td>$254,610</td>
<td>$267,340</td>
<td>$280,707</td>
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<td>Travel and Entertainment</td>
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<td>$35,000</td>
<td>$40,000</td>
<td>$50,000</td>
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<tr>
<td>TOTAL</td>
<td>$452,000</td>
<td>$465,610</td>
<td>$488,340</td>
<td>$516,707</td>
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SUPPLEMENT NO. 8
MEMORANDUM

June 17, 2014

TO: Executive Committee Finance and Audit Committee.

FROM: Mark Emmert
NCAA President.


In August 2012, the triennial budget increases were approved by the Executive Committee. For the third fiscal year 2014-15, the budget increase is 2.97 percent association-wide. Staff has collected budget requests from all three divisions and the national office. After my review of all budget requests, I am presenting budget recommendations for the Executive Committee Finance and Audit Committee’s consideration. My recommendations are within the established allocations and were guided by the following criteria:

1. Support the NCAA strategic plan and its three-to-five year goals.

2. Maintain the championship experience with emphasis on current championships and previous commitments.

3. Support the current reform initiatives and provide funds to implement recommendations.

4. Support operational initiatives which maximize service and resource productivity.

5. Maintain national office services to the membership.

I ask your support of the proposed budget allocations for FY 2014-15.

ME:br

cc: Selected NCAA staff.
### NCAA Budget Requests
**FY 2014-15**

<table>
<thead>
<tr>
<th></th>
<th>Budget 2013-14</th>
<th>Budget 2014-15</th>
<th>Previously Approved Increases for 2014-15</th>
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<tbody>
<tr>
<td>DII/DIII Allocation-Based Revenue</td>
<td>$828,375,750</td>
<td>$852,579,750</td>
<td>$24,204,000</td>
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<tr>
<td>Non-DII/DIII Allocation-Based Revenue</td>
<td>$27,789,900</td>
<td>$27,944,900</td>
<td>$155,000</td>
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<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>$856,165,650</strong></td>
<td><strong>$880,524,650</strong></td>
<td><strong>$24,359,000</strong></td>
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<tr>
<td>Division I Distributions</td>
<td>$499,525,000</td>
<td>$513,956,000</td>
<td>($14,431,000) (A)</td>
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<tr>
<td>Division I Championships and Programs</td>
<td>$86,078,366</td>
<td>$88,436,366</td>
<td>($2,358,000) (A)</td>
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<tr>
<td><strong>Total Division I Expenses</strong></td>
<td><strong>$585,603,366</strong></td>
<td><strong>$602,392,366</strong></td>
<td><strong>($16,789,000)</strong></td>
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<tr>
<td>Division II Allocation Guarantee</td>
<td>$36,200,012</td>
<td>$37,264,012</td>
<td>($1,064,000) (B)</td>
</tr>
<tr>
<td>Division III Allocation Guarantee</td>
<td>$26,342,000</td>
<td>$27,117,000</td>
<td>($775,000) (C)</td>
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<tr>
<td>Association-Wide Expenses</td>
<td>$180,847,761</td>
<td>$186,433,761</td>
<td>($5,586,000) (A)</td>
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<tr>
<td>Reserves, Allocations and Contingencies</td>
<td>$27,172,511</td>
<td>$27,317,511</td>
<td>($145,000) (A)</td>
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<tr>
<td><strong>Total Expenses</strong></td>
<td><strong>$856,165,650</strong></td>
<td><strong>$880,524,650</strong></td>
<td><strong>$24,359,000</strong></td>
</tr>
</tbody>
</table>

**Increase Notes**

(A) Division I and Association-Wide
- Division I Revenue Distribution: $14,431,000 (1)
- Division I Championships Programming: $2,358,000 (2)
- NCAA Staff Compensation: $3,470,000 (3)
- Sport Science Institute Research: $1,163,000 (4)
- Information Services Infrastructure: $340,000 (5)
- Eligibility Center Academic Certification: $225,000 (6)
- NCAA Convention: $210,000 (7)
- D&O Insurance Premium Increase: $178,000 (8)
- Increase in Reserves and Contingencies: $145,000 (9)

Sub-Total: $22,520,000

(B) Division II Allocation Guarantee
- Championships Transportation and Per Diem: $728,000 (10)
- Division II Distributions: $206,000
- Grants and Scholarships: $130,000

Sub-Total: $1,064,000

(C) Division III Allocation Guarantee
- Membership Trust: $745,000
- Championships Transportation and Per Diem: $30,000

Sub-Total: $775,000

**Total for All Requests**: $24,359,000
<table>
<thead>
<tr>
<th>Note</th>
<th>Description</th>
<th>Amount Recommended</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Division I revenue distribution increase is 2.89% over the FY13-14 budget. This increase aligns with the 2014-15 increase in the CBS/Turner Media contract.</td>
<td>$14,431,000</td>
</tr>
<tr>
<td>(2)</td>
<td>Division I Championships programming is increasing by 2.74% per the triennial budget schedule.</td>
<td>$2,358,000</td>
</tr>
<tr>
<td>(3)</td>
<td>National compensation planning/outlook data were collected for FY14-15 in various categories such as not-for-profit, education, the midwest geographic region and NCAA conferences. Data centered on 3% increases for FY14-15. The total compensation increase includes 3% for merit/performance increases, 0.5% for equity increases, and a small increase for health insurance as we recognize savings from our health insurance administrator transition, from CIGNA to Anthem.</td>
<td>$3,470,000</td>
</tr>
<tr>
<td>(4)</td>
<td>The Sport Science Institute seeks to fund new collaborative research initiatives that are a growth from current and emerging research and educational programs. These programs include forums for concussions and mental health.</td>
<td>$1,163,000</td>
</tr>
<tr>
<td>(5)</td>
<td>Information Services infrastructure improvements to include an upgraded hosting environment that will accommodate development, quality assurance and production environments. The quality assurance environment will allow the membership to test and provide feedback on web applications as they are developed. The new environment will be configured to allow for the addition of a web application firewall to improve data security.</td>
<td>$340,000</td>
</tr>
<tr>
<td>(6)</td>
<td>The Eligibility Center seeks to deliver academic eligibility decisions/advisement earlier in the recruitment decision cycle. This request will allow the Eligibility Center to add capacity to perform more preliminary certifications to better align with the recruitment cycle.</td>
<td>$225,000</td>
</tr>
<tr>
<td>(7)</td>
<td>Increase in NCAA Convention expenses to cover membership feedback/requests such as wireless access, full access to keynote luncheon and closed captioning.</td>
<td>$210,000</td>
</tr>
<tr>
<td>(8)</td>
<td>The annual directors and officers (D&amp;O) insurance policy premium increased by $900,000. Most of this expense was managed by reallocations, with this request representing the remainder. The premium increase can be attributed to the NCAA’s full-limit loss history in this insurance category (e.g., anti-trust claims).</td>
<td>$178,000</td>
</tr>
<tr>
<td>(9)</td>
<td>Increase of 0.53% per the triennial budget schedule.</td>
<td>$145,000</td>
</tr>
<tr>
<td>Note</td>
<td>Description</td>
<td>Amount Recommended</td>
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<tr>
<td>------</td>
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<td>---------------------</td>
</tr>
<tr>
<td>(10)</td>
<td>DII allocations increase in line with media contracts revenue increases. The Division II allocation is to recognize and fund the increasing cost of championships travel. Small increases for DII revenue distribution and grants/scholarships.</td>
<td>$1,064,000</td>
</tr>
<tr>
<td>(11)</td>
<td>DIII allocations increase in line with media contracts revenue increases. The Division III allocation is to recognize and fund the increasing cost of championships travel. The amount allocated to the Membership Trust account will likely be allocated to championships pending the outcome of further discussions regarding access to Division III championships.</td>
<td>$775,000</td>
</tr>
</tbody>
</table>
SUPPLEMENT NO. 11
Executive Comm. 8/14
July 10, 2014

Dr. Mark Emmert
President
NCAA
P.O. Box 6222
Indianapolis, Indiana 46206

Dear Dr. Emmert:

This letter is a follow up to the discussion you had with the NCAA Gender Equity Task Force (Task Force) at the January 14 task force meeting in San Diego. At your request we are providing a copy of the task force report and charge to enable a representative group of the task force to complete its work and stand as an advisory group to the NCAA Committee on Women’s Athletics, NCAA Executive Committee and your office.

As you may recall, the task force was brought together 20 years ago to review the status of women in intercollegiate athletics and the gender equity performance of the Association and its members, and to identify suggested strategies to address shortcomings or inequities. As in 1993, the task force members are concerned that progress and financial support for women athletes and women’s athletics has slowed greatly, and that women are not advancing in leadership roles in our member institutions. Further the task force emphasized that gender equity must be a priority for the Association’s endeavors, which particularly calls for presidential and NCAA national office leadership.

In the report you will find specific recommendations from the January dialogue and from task force interactions with participants in this spring’s Inclusion Forum. The report identifies several suggested solutions that the task force wants to continue to explore and refine in partnership with the Committee on Women’s Athletics and the NCAA leadership.

We look forward to you sharing this information with the presidential boards as you agreed, and with other relevant bodies, as well as to your support of the charge.

Sincerely,

Jeffrey Orleans, co-chair
Former Executive Director,
Council of Ivy Group Presidents

Judy Sweet, co-chair
Alliance of Women Coaches, Board of
Directors, President;
NCAA Former Membership President

JO/JS:clm

Enclosure

cc: NCAA Executive Committee
NCAA Division I Board of Directors, chair
Divisions II and III Presidents Councils, chairs
FARA Chair
NCAA Conference Commissioners
NCAA Committee on Women’s Athletics

National Collegiate Athletic Association
An association of over 1,200 members serving the student-athlete
Equal Opportunity/Affirmative Action Employer

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Report of the 2014 NCAA Gender Equity Task Force

In 1992 the NCAA established a Gender Equity Task Force to address the lack of gender equity progress twenty years after the passage of Title IX. Many of the recommendations from the task force in 1993 were followed and there were noticeable gains in opportunities and support for women student-athletes. However, in the last decade women's participation in intercollegiate athletics, the financial resources available to support their participation, and the leadership roles they fill as coaches and administrators have remained stagnant, lost pace with advancement of men's opportunities and support, or dramatically declined. These trends are striking and concerning, and they need and deserve prompt attention from the NCAA governance structure and leadership and from member schools.

In 2012-13, males were overrepresented in the student-athlete population by 17.3 percent in Division III, 16.7 percent in Division II, and 7.1 percent in Division I when compared to their undergraduate enrollment representation. Women hold 28 percent of athletic director positions in Division III, 18 percent in Division II, and 9.5% in Division I, with women of color holding only 2.6 percent of all athletic director jobs. Women hold less than 40 percent of all head coaching jobs in women's sports, less than four percent of head coaching positions in men's sports, and less than 50 percent of assistant coaching positions in women's sports. Finally, the percentage of overall institutional funding devoted to women's sports as opposed to men's sports has declined in the categories of recruiting, operating expenses, and head coaches' salaries, and women's portion of financial aid has increased by less than one percent over the last seven years.

These disturbing trends come during a time of increased enforcement attention to Title IX by the Department of Education's Office for Civil Rights and increased filing of complaints and lawsuits by aggrieved participants. But the general public seems to believe that women's athletic opportunities no longer are an issue, and focuses on other "equal rights" and gender issues in college - and similarly, there is less attention to gender equity by the NCAA. There also does not seem to be a focus on gender equity in the current discussions about new NCAA governance structures.

In the fall of 2013, therefore, the NCAA reconstituted the 1992-93 Gender Equity Task Force (Task Force), per the request of the association-wide Committee on Women's Athletics (CWA), to bring together experienced NCAA membership leaders to focus on the current status of gender equity and to develop a renewed sense of common purpose and new understandings and solutions in the current gender equity environment. The new Task Force includes representatives from the original task force as well as other leaders with varied perspectives from all three divisions. The effort is co-chaired by original task force members Judith Sweet, Alliance of Women Coaches and former NCAA membership president, and Jeffrey Orleans, former Executive Director of the Council of Ivy Group Presidents, and is assisted by the NCAA Office of Inclusion.
The Task Force met by telephone in fall 2013 and then in person at the January 2014 NCAA Convention, and the co-chairs discussed the Task Force’s preliminary recommendations with the CWA and at an open forum at the May 2014 NCAA Inclusion Forum. The preliminary priorities were shared directly with President Emmert during his Convention visit with the Task Force; Dr. Emmert indicated support for the recommendation that the Task Force be charged to continue its work, and also indicated that he would advocate for discussion of the recommendations by the presidential leadership groups for all three divisions.

The Task Force now will present a charge for its continued work, for direct access to the NCAA President and the Executive Committee, for support of the recommendations and strategies to advance progress for gender equity that are discussed below, and for continued support of the Committee on Women's Athletics.

The Task Force’s discussions have included the current landscape and trends for women in intercollegiate athletics; identifying the top priorities to move the Association forward in creating fair and inclusive participation opportunities for student-athletes and career experiences for women coaches and administrators; and strategies for activating the membership and national office to provide effective change and improvement. Underlying the participants’ recommendations is the emphatic sense of a clear need for the NCAA governance structure to include gender equity analysis at all stages of its work, and for the NCAA leadership to consistently articulate gender equity as a priority for all the association’s activities.

The original task force members set the stage for the January 2014 discussions with the following considerations:

1. Re-emphasizing the task force’s original definition of institutional gender equity (“the athletes of either gender would be comfortable trading places with the athletes of the other gender”), and the task force’s view that gender equity in athletics in an integral part of the educational aspect of athletics and thus an integral responsibility of leadership at all levels.

2. Valuing stronger gender requirements within the divisional certification processes, mandatory gender equity reviews conducted independently of athletics, and rewards and penalties related to gender equity as part of overall athletics evaluations.

3. Emphasizing that gender equity is an institutional and Association responsibility: all gender equity functions should not simply be assigned solely to Senior Woman Administrators.

4. Encouraging conference offices to play a greater role in gender equity in terms of professional development for women administrators and coaches, influencing member institutions to support gender equity, and conference-wide initiatives.
5. Engaging campus leaders, the national athletics structure, the media, alumni and student-athletes in awareness, education and expectations for gender equity and for fair treatment of women in intercollegiate athletics.

6. Strengthening gender equity within the NCAA governance structure by re-establishing the Task Force and by providing it and the Committee on Women's Athletics with direct connection to the Executive Committee and to presidential councils.

The Task Force’s January 2014 day-long discussions, supplemented by the Inclusion Forum conversations, identified recommendations that would have the greatest impact on gender equity in all aspects of intercollegiate athletics performance, with the following steps prioritized as immediate needs for the NCAA to address:

1. Accountability – the Association should hold its members accountable for their gender equity performance in accordance with the NCAA’s constitution and core values.
   
a. Institutional Performance Program and performance evaluations of all divisions must evaluate achievement of gender equity requirements, through both quantitative and qualitative data. Failure to address gender equity shortcomings should result in limited access to NCAA championships until corrected. Reviews should include outside-athletics oversight and information must be available to the campus community.
   
b. Create a Gender Equity Performance Rating (GEPR), and/or gender-equity dashboards”, to measure institutional performance. Access to all NCAA championships would be tied to successful performance, as it currently is in division I with the Academic Performance Rate. Gender equity performance and commitment will thus be transparent for the public and the campus community.
   
c. Require institutions, conferences and the NCAA to publish annual gender equity reports, based on the GEPRs (and/or dashboards) that would identify and address both achievements and shortcomings.
   
d. Consider a conference’s institutional gender equity performance as a condition of awarding automatic qualifications to all NCAA championships.
   
f. Appropriate financial incentives, awards and recognition should be given for quality gender equity performance, including programs that are not directly related to “compliance” but promote the development of women coaches and administrators.
2. **NCAA Governance Structure Attention.**

   a. The new Division I governance structure, as well as the Division II and III structures, should provide explicitly for on-going decision-making to include gender equity impact prior to all decisions at all levels.

   b. Gender equity should be included in legislative impact statements for proposals as is currently the practice with budget and student-athlete well-being descriptors.

   c. Representation in the governance structure at all levels should have continuing minimum requirements to assure women’s representation, and these minima should not become maxima.

3. **NCAA Practical Actions.**

   a. Gender equity education related to athletics should be required for all university presidents, conference commissioners, athletics administrators and affiliate advisory groups.

   b. Positive messaging of gender equity priorities must come from the top leaders – presidents and chancellors and the NCAA president -- including public service announcements and media/social media campaigns. Connection of athletics to higher education is critical in these efforts: campuses and student-athletes and graduates should be engaged as advocates for women’s sports and gender equity.

   c. Conference offices should provide technical assistance to institutions with regard to gender equity and conferences that provide superior programming or results should be recognized for doing so.

   d. The Gender Equity Task Force, CWA and/or Office of Inclusion should supplement current informational and educational efforts by acting as a clearinghouse for specific practical institutional and conference materials and templates (e.g., for changing locker-rooms or establishing gender equity plans).

4. **Women Leaders and Empowerment.**

   a. Encourage and support female student-athletes in careers in sports through targeted programming.
b. Provide meaningful support of NACWAA and Alliance of Women Coaches initiatives to develop greater diversity of candidate pools and collaboration with search firms and hiring authorities on campus and in conference offices for men's and women's teams coaching positions and conference and campus leadership jobs.

Attachment: Participant List
2014 NCAA GENDER EQUITY TASK FORCE PARTICIPANT ROSTER

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National Collegiate Athletic Association
P.O. Box 6222
Indianapolis, Indiana 46206-6222
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NCAA Committee on Women’s Athletics  
Gender Equity Task Force  

Charge:  

To build on the successful efforts of the 1993 NCAA Gender Equity Task Force (Task Force), which resulted in progress towards gender equity at institutions in all divisions throughout that decade, and to complete the initial work of the 2014 task force. The task force’s goal is to further develop recommendations to improve the membership’s and Association’s performance with regard gender equity, which has stagnated in the last 15 years, for female student-athletes, coaches and administrators. These recommendations will be forwarded to the NCAA Executive Committee and president for their consideration.  

A representative group of the 2014 task force will complete this work and remain as a standing advisory group to the NCAA Executive Committee and President, the NCAA Committee on Women’s Athletics and the greater NCAA governance structure. The task force will focus on engaging the membership, student-athletes, the governance structure, the media and affiliate organizations in identifying gender equity strategies to improve the professional and competitive environment for women in intercollegiate athletics at all levels. It is proposed that seven to nine of the 2014 task force members be invited by the Committee on Women’s Athletics and NCAA Office of Inclusion to serve on the continuing task force. The task force will provide reports annually to the NCAA Executive Committee and president, as well as the NCAA Division I Board of Directors, NCAA Divisions II and III President’s Councils and the Committee on Women’s Athletics, addressing issues in the most effective and timely means possible.
SUPPLEMENT NO. 12
August 4, 2014

TO: Mark Lewis

CC: Alaina Keller

From: Gary Clark, Athletic Director; Angela Littlejohn, Legal Counsel

Dear Mr. Lewis,

Furman University is a member of the Division I Southern Conference, located in Greenville, South Carolina. As an NCAA member institution, Furman has been subject to the August 2000 NCAA Confederate Flag policy of banning all predetermined NCAA championship sites in South Carolina. Fourteen years after the implementation of the NCAA’s ban, Furman and other NCAA member schools in South Carolina and Mississippi are still being held to this arbitrary and capricious policy, which negatively affects the student-athletes’ intercollegiate experience.

The true question before the Executive Committee on August 6, 2014 is whether the NCAA is doing what is right and in the best interests of the student-athletes or simply doing what it must to avoid protests. In your July 25, 2014 memorandum, you stated that after you, Dr. Emmert, and others met with one organization, those representatives indicated its organization would attempt to hold visible protests and other public displays of contempt if Division I Women’s Basketball Championship games are played in South Carolina and Mississippi. This threat of protest resulted in the NCAA considering an expansion of the Confederate Flag policy ban. The policy of allowing non-predetermined championship site events to be played in South Carolina and Mississippi would now exclude the non-predetermined Division I Women’s Basketball Championship games in South Carolina and Mississippi. The NCAA is willing to sacrifice opportunities for student-athletes in order to escape threatened negative media exposure.

The NCAA’s Confederate Flag policies would still allow non-predetermined championship games in sports such as Baseball and FCS Football, but not Women’s Basketball? The gender inequality issues arising from this decision notwithstanding, this is yet another example of arbitrary and capricious policy application harming the student-athlete experience. Why should the Furman University Baseball team be allowed to host Regional and Super Regionals and the Furman University Women’s Basketball players be deprived of the opportunity to host the first or second rounds of the non-predetermined NCAA Division I Women’s Basketball Tournament? Equity and fairness would dictate that either both are allowed or neither is allowed to host a championship round.
The definition of arbitrary and capricious is an “absence of a rational connection between the facts found and the choice made.” The NCAA’s Confederate Flag policy lacks a rational connection between the facts and the application of the policy. The NCAA’s rationale for implementing the Confederate Flag ban in South Carolina and Mississippi was that the NCAA is concerned for “the welfare of the student-athletes who are asked to travel to specific locales to participate in NCAA championships.” In 2010, the NCAA’s Report of the Executive Committee Subcommittee on Gender and Diversity Issues for the September 2010 Meeting Minutes of the Minority Opportunities and Interest Committee stated:

Update from NCAA Championships staff: Confederate Flag policy and non-predetermined championships held in Mississippi and South Carolina during 2009-2010 academic year:

During the 2009-10 championship season nine contests took place in South Carolina during the fall, winter, and spring championship seasons. It was reported that no complaints or issues were exhibited during any of the contests.

Therefore, we are only left to assume the real reason behind this policy is so the NCAA can avoid more potential media controversy, not the protection of the welfare of the student-athletes.

Furman strongly urges the NCAA Executive Committee to consistently apply the Confederate Flag policy to all rounds and formats of Division I championships, either allowing all or banning all championship activities from South Carolina and Mississippi. As a wise leader once said, “Do what is right and you do not have to spend all of your time explaining yourself!” The NCAA Executive Committee would be wise to follow this advice as it continues to weigh what is in the best interest of the thousands of student-athletes it claims to protect.

Respectfully,

Gary Clark
Vice President and Director of Athletics
Furman University

Angela F. Littlejohn, Esquire
Legal Advisor
Furman University
Dear NCAA Executive Committee:

I write to express concerns regarding an item on your upcoming agenda with regard to the application of the current NCAA policy for the awarding of non-predetermined championship sites. It is my understanding that there has been a request to alter the current policy or to exempt women’s basketball from the current policy. As the athletic director at a South Carolina member institution, I would strongly oppose any such changes. Colleges and universities in South Carolina have long since gotten past the controversy regarding the confederate memorial on the statehouse grounds in Columbia, SC. Having worked as an athletics administrator at Winthrop University for the past 25 years, I can honestly say that I have never seen, or heard of, any racial incidents involving any of our Winthrop teams competing in South Carolina. We all have many black student-athletes on our campuses and I have never known a potential recruit to choose not to attend Winthrop due to the confederate memorial located in our South Carolina capital city.

It is my opinion that the more attention we call to this issue the more divisive it may become. Interestingly it seems that the NCAA is one of a very limited group paying attention to the attempt by the NCAACP to discourage tourism in South Carolina. Certainly not the thousands who flock to “Black Bikers Week” in Myrtle Beach, SC each year. For over ten years, the Executive Director of our York County Convention & Visitors Bureau was a black male who did a great job bringing groups of all types to York County here in South Carolina. Even today, the sports tourism recruiter for the York County CVB is a black male who is doing an outstanding job bringing sports tourism to South Carolina and York County. In fact over the 4th of July we here at Winthrop hosted the USA Track & Field regional championships for the southeastern U.S. In mid-August York County and the City of Rock Hill will host the USA Cycling Elite Track National Championships at Rock Hill’s Giordana Velodrome. For many years now on our own campus we have hosted the Professional Disc Golf Association U.S. Championship and even have hosted the World Championship for that organization on one occasion. I mention these specific illustrations simply to say that South Carolina has come a long way in the healing process from the controversy involving the confederate memorial in Columbia.

The head women’s basketball coach at the University of South Carolina Dawn Staley, who happens to be black, has done an outstanding job developing her program into a national contender. How would we be supporting student-athlete welfare by saying they could not host a first or second round competition due to something they have no control over—even though they had earned that privilege just like any other team in the country?

No, it is time for the NCAA to get past these divisive policies as most others have done and move forward with building relationships rather than preserving policies which only serve to perpetuate stereotypes of populations.

It is my hope that we would open up all NCAA championships opportunities in South Carolina but at the least, not undo what is currently in place.

Thank you for your consideration.

Tom Hickman
Director of Athletics
Winthrop University
MEMORANDUM

July 29, 2014

TO: Mark Lewis

CC: Alaina Keller

FROM: John Iamarino, Commissioner

SUBJECT: Confederate flag policies

The Southern Conference is the only Division I conference headquartered in South Carolina (or Mississippi, for that matter). With three member institutions located in South Carolina, we are directly impacted by the NCAA’s ban on postseason events.

It is puzzling and frustrating that such a high level of inconsistency exists relative to the ban. If all postseason events were banned, pre-determined or not, the NCAA’s position could be logically argued. But it is not logical to say that a baseball regional or women’s basketball regional may be played in the state of South Carolina, but a cross country championship or FCS championship football game may not.

We have read in the past that the visible presence of the Confederate flag in these two states can be interpreted as threatening or antagonistic to certain groups of student-athletes. How are pre-determined venues or sites in these two states considered threatening to participation, while the baseball regionals do not pose these negative factors? For that matter, if the environment is so negative to student-athletes, why does the NCAA recognize regular-season collegiate contests in these states at all?

We continually are asked by our members why the NCAA chooses to involve itself in an issue that it should never have gotten involved in to begin with. It is my hope that the Executive Committee will choose a consistent solution to the Confederate flag issue – either ban all postseason events (pre-determined or not), or eliminate the ban on postseason events once and for all.

Thank you for your consideration.
Lewis, Mark

From: Miller, Jane (jm2y) <jm2y@eservices.virginia.edu>
Sent: Thursday, July 31, 2014 4:42 PM
To: Lewis, Mark
Cc: Keller, Alaina
Subject: Re: Attached Memorandum
Attachments: image001.png

Importance: High

Mark,

My comments are reflected in the Cabinet’s recommendation. I think the policy should stay as written although I cannot wrap my mind around a policy when it is based on a principle that is applied inconsistently.

Here are my points:

1. There is just something inherently wrong with the whole concept that one sport cannot host based on principle but others can when the same principle should apply.

2. Women's basketball made the decision in the best interest of their sport not so that South Carolina and Mississippi could host.

3. Women's basketball will be the only sport that cannot host non pre determined competition.

4. Women's basketball looks like a scapegoat because it is the only sport that will not be exempt.

5. If visibility is the issue then baseball flies in the face of it in the state of South Carolina.

Good luck. It is an emotional issue but in the end logical minds need to rule.

Jane

Jane Miller
Sr. Associate Athletics Director/SWA
P.O. Box 400845
Charlottesville, VA 22904
434.982.5152 (o)
434.981.2621 (c)
434.243.3464 (f)
434.243.3463 (polycom)

From: <Lewis>, Mark <mlewis@ncaa.org>
Date: Monday, July 28, 2014 2:55 PM
To: "Lewis, Mark" <mlewis@ncaa.org>, "dwhite1@alcorn.edu" <dwhite1@alcorn.edu>, "hsmall@csuniv.edu" <hsmall@csuniv.edu>, "drad@clemson.edu" <drad@clemson.edu>, "dhogue@coastal.edu" <dhogue@coastal.edu>, "hullji@cofc.edu" <hullji@cofc.edu>, "Gary.Clark@furman.edu" <Gary.Clark@furman.edu>, "vivian.l.fuller@jsums.edu"
Lewis, Mark

From: M Dianne Murphy <mdm2111@columbia.edu>
Sent: Wednesday, July 30, 2014 12:56 PM
To: Lewis, Mark
Cc: Keller, Alaina
Subject: RE: Attached Memorandum

Mark –

I am writing with regard to the agenda item in your email, dated July 28.

I fully support the proposal not to play NCAA women’s basketball tournament games in states which display marks and indicia representative of the Civil War-era Confederate flag.

Thanks so much.

Best regards,
Dianne

From: Roebuck, Carolyn [mailto:croebuck@ncaa.org] On Behalf Of Lewis, Mark
Sent: Monday, July 28, 2014 2:56 PM
To: Lewis, Mark; dwhite1@alcorn.edu; hsmall@csuniv.edu; drad@clemson.edu; dhogue@coastal.edu; hullj@cofc.edu; Gary.Clark@furman.edu; vivian.l.fuller@jsums.edu; ssricken@athletics.msstate.edu; dfkee@mvsu.edu; bpreese@presby.edu; cmiro@scsu.edu; Bill.McGillis@usm.edu; rbiork@olemiss.edu; lfowler2@uscupstate.edu; rtanner@mailbox.sc.edu; hickmant@winthrop.edu; johnsonRA@wofford.edu; jswofford@theacc.org; kylek@bigsouth.org; jmarino@soccon.org; d.sharp@swac.org; sjsuts@c-usa.org; rlundin@unr.edu; brown@americaeast.com; cdawson@paci-12.org; dru@big12sports.com; Mdm2111@columbia.edu; hblalock_sa@mercer.edu; lclaybrook@sec.org; tlg@athletics.wisc.edu; meehank@stjohns.edu; bwalker@ovc.org; jm2y@virginia.edu; tyeager@caasports.com
Cc: Lewis, Mark; Keller, Alaina
Subject: RE: Attached Memorandum
Importance: High

Sent on behalf of Mark Lewis

Good Afternoon,

Many of you have indicated that you would like to provide input to the Executive Committee concerning the agenda item that is referenced in the attached document. In order to make sure all comments and input are received, we will be happy to be the point of collection of these responses. A packet will be pulled together and provided to each of the Executive Committee member.

Please send your comments to Mark Lewis and copy his assistant Alaina Keller (both cc’ed on this email).

Best,
Hello Mark,

Thank you for the opportunity to give feedback on this agenda item. As a Sr. Associate at Wisconsin and currently at the Football Kickoff meeting with Senior Women Administrators from all but 3 conference institutions in the Big Ten, I was able to take a straw poll on this topic. It was unanimous to support applying the Confederate flag policy to all rounds and formats of NCAA Championships.

Thanks you,
Terry Gawlik
Sr. Associate AD
University of Wisconsin

Sent on behalf of Mark Lewis

Good Afternoon,

Many of you have indicated that you would like to provide input to the Executive Committee concerning the agenda item that is referenced in the attached document. In order to make sure all comments and input are received, we will be happy to be the point of collection of these responses. A packet will be pulled together and provided to each of the Executive Committee member.

Please send your comments to Mark Lewis and copy his assistant Alaina Keller (both cc’ed on this email).

Best,
Carolyn
VIA ELECTRONIC MAIL

MEMORANDUM

July 25, 2014

TO: Directors of Athletics at NCAA Division I Member Institutions based in South Carolina and Mississippi,

Conference Commissioners of Division I Conferences which have Member Institutions based in South Carolina or Mississippi,

Members of the Division I Women’s Basketball Committee,

Chair, Division I Championship Cabinet.

FROM: Mark Lewis

NCAA Executive Vice President, Championships & Alliances.

SUBJECT: Agenda Item for Upcoming NCAA Executive Committee Meetings to be Held on August 6, 2014.

With the upcoming meetings of the NCAA’s Executive Committee and the Division I Board of Directors, I want to call to your attention one particular matter on the Executive Committee’s agenda. The agenda item relates to the current NCAA policy regarding hosting of NCAA Championship events in states that display indicia of the Civil War era Confederate flag.

You may recall that the Division I Women’s Basketball Committee, with approval from the Division I Championship Cabinet, elected to change its hosting format for the 1st and 2nd rounds of future tournaments, beginning with the 2015 tournament. The format change is to use a nonpredetermined method of hosting, which will allow for the top seeds in the tournament to serve as hosts. The change was made by the Women’s Basketball Committee with a goal toward creating a better student-athlete experience by increasing attendance and support for the championship in early rounds. The nonpredetermined method of hosting is used for all Divisions I, II and III team championships with the exception of Division I Men’s Basketball (for the sake of clarity, a few championships, including Division I Women’s Basketball, use predetermined sites for regional rounds).
The existing NCAA policy relative to the Confederate flag and NCAA championships applies only to predetermined sites. Predetermined sites are those defined as being selected in advance or without regard to seeding, and presently member institutions and conferences that would host in the states of Mississippi and South Carolina are impacted by the Confederate flag policy. As stated earlier, the Division I Men’s Basketball tournament is the most obvious example of an NCAA Championship that uses predetermined selections for all rounds of hosting.

Conversely the current NCAA policy relative to the Confederate flag does not apply to non-predetermined sites. Most of the 89 NCAA Championships use these nonpredetermined criteria for selection of early rounds of competition. As but one example, the Division I Baseball tournament, uses nonpredetermined (or highest seeds hosts) for the regional and super regional rounds of play. Nonpredetermined play is thus currently allowed in the states of South Carolina and Mississippi (and all other states for that matter) under the terms of the existing NCAA Confederate flag policy.

To state the matter in other terms, the decision by the Division I Women’s Basketball Committee, in and of itself, would allow for 1st and 2nd round games to be hosted in the states of South Carolina and Mississippi under the current terms or application of the NCAA’s Confederate flag policy.

However, when the change to the Division I Women’s Basketball Championship was announced publicly, it did receive some media attention, particularly in the state of South Carolina. The University of South Carolina, Columbia, Women’s Basketball Team has been quite successful in the last several years and is often ranked in the top 10. Thus, a few articles were written by the media and reporting that, if the team’s success continued in future seasons, it would be possible (or even likely) that early rounds of the NCAA Division I Women’s Championship Basketball tournament would be played in Columbia, South Carolina.

These media articles received notice from both the South Carolina chapter and the national office of the National Association for the Advancement of Colored People (the “NAACP”). Again as you may know and likely do know in far more detail than me, since 1999 the NAACP has had in effect a tourism boycott for the state of South Carolina. The NCAA’s Confederate flag policy was adopted in support of this economic boycott.

I, along with some of my colleagues at the NCAA, including Dr. Emmert, have met with representatives of the NAACP. From the NAACP’s perspective, allowing women’s basketball games to be played in South Carolina (or Mississippi) would be seen as a retreat from the NCAA’s support of the boycott. To the NAACP, the issue of whether the championship changed its format of play from predetermined to nonpredetermined is not relevant. The public will see that women’s basketball games previously were not played in the state, and now they could be. That change to them appears to be a retreat from the support given by the NCAA to the issue. The NAACP has indicated that, if Division I women’s basketball games are played in
South Carolina, its organization will attempt to hold visible protests or other organized objections to the playing of such games.

The NCAA’s Executive Committee, during its meetings to be held in Indianapolis August 6, will consider a request by the NAACP and the NCAA’s Minority Opportunities Issues Committee (the “MOIC”) to modify the current NCAA policy on the Confederate flag. One point of discussion has been to apply the Confederate flag policy to all rounds and formats of NCAA Championships. Another idea being given consideration, and really the main point I want to highlight to you in this memorandum, is to keep the NCAA’s current policy in place but not to allow the change of the Division I Women’s Basketball Committee to have impact on South Carolina or Mississippi (meaning that those member institutions could not host games, notwithstanding the nonpredetermined nature of the women’s basketball tournament format).

That agenda item is listed in all of the materials provided in the normal course of the NCAA’s business related to the meetings. Nevertheless, because of the nature of the issue relative to the state of South Carolina and member institutions in the state, as well as those in Mississippi, I felt it important to highlight this issue to each of you so that you may consider whether you wish to provide input to the Executive Committee. My goal is simply to provide information, and I would be happy to try and answer any questions you may have or provide any further information.

Please call me directly in the office at 317-917-6271 (cell phone 317-397-1665) or send an email to mlewis@ncaa.org.

ML/CR

cc: Selected NCAA Staff Members
August 6, 2014

TO: NCAA Executive Committee

FROM: Kyle B. Kallander, Commissioner

SUBJECT: Prohibition for Hosting NCAA Championships at Non-Predetermined Sites

This is written on behalf of the Big South Conference Council of Chief Executive Officers in regards to the item referenced above. It is our understanding that the Executive Committee will be considering a recommendation to expand the NCAA policy of prohibiting the hosting of NCAA championship events in states where the Civil War era Confederate flag is displayed to non-predetermined sites. The Big South Conference opposes this recommendation.

Four Big South Conference member institutions are based in the state of South Carolina and they provide tremendous opportunities for student-athletes to compete and achieve, regardless of race, creed or color. To further deny championship hosting opportunities for non-predetermined sites, even if it is just for women’s basketball as has been suggested, would be unfair and contrary to our values of student-athlete welfare.

I have been fortunate to serve a commissioner of the Big South for 18 years. Never have I witnessed an issue related to the Civil War era Confederate flag at any of our competitions, regular or postseason held in South Carolina. Expanding this policy to non-predetermined sites would not be fair to student-athletes that have worked so hard to earn the privilege of hosting an NCAA championship contest.

It should also be noted that the NCAA Championships Cabinet, on which I serve, considered this recommendation at its June 27 meeting and did not support the recommendation, favoring the status quo by a large majority.

Thank you for your consideration of our position, and for supporting the welfare of all student-athletes.

Sincerely,

Kyle B. Kallander
Commissioner

KBK:ms
cc: Big South Conference Council of Chief Executive Officers
    Big South Conference Board of Administrators
SUPPLEMENT NO. 14
As Congress enters the second half of the year, there are a number of legislative matters that have yet to be resolved. Congress has yet to renew dozens of tax breaks that expired last December or pass an array of appropriations bills to set funding for the federal government before the next fiscal year begins on October 1, 2014. These policy issues along with others will need to be addressed with a limited number of working days remaining in the year due to Congress’ annual August recess and the upcoming midterm elections. Recently, a number of oversight investigations into Veterans Affairs, the IRS and the Guantanamo Bay prisoner swap have driven Congress’ agenda.

Increased media attention on a NLRB Regional Director’s finding that Northwestern University’s scholarship football players are employees under the National Labor Relations Act; along with litigation challenging the collegiate athletic model has enhanced policymakers’ interest in and scrutiny of the NCAA. Most of the interest from Capitol Hill remains on the health and well-being of NCAA student-athletes. NCAA government relations and national office staff have engaged in extensive outreach efforts to educate Members of Congress and their staffs on NCAA policies and processes and have worked diligently to be responsive to specific inquiries about collegiate athletic matters.

Federal Issues

Hearing on Student-Athlete Well-Being Issues – Senate Committee on Commerce, Science, and Transportation

On July 9, 2014, the Senate Committee on Commerce, Science, and Transportation conducted a hearing titled “Promoting the Well-Being and Academic Success of College Athletes.” According to a press release from Chairman John Rockefeller (D-WV), the hearing was scheduled to examine whether the NCAA is fulfilling its mission and if it is doing enough to protect student-athletes from potential exploitation due to the increased commercialization of college athletics. Witnesses included Dr. Mark Emmert, NCAA President; Dr. Richard Southall, Associate Professor, Department of Sport and Entertainment Management, University of South Carolina; Taylor Branch, Author; Myron Rolle, Former Student-Athlete and Rhodes Scholar, Florida State University; Devon Ramsay, Former Student-Athlete, University of North Carolina; and William Bradshaw, Past President, National Association Collegiate Directors of Athletics.

A wide array of issues were discussed including, multi-year scholarships, scholarships that cover full-cost of attendance, how schools handle sexual assault allegations when a student-athlete is involved, health care coverage, the Division I governance structure, and NCAA efforts to protect the health and safety of student-athletes. While some committee members were critical of NCAA policies and the pace of reform, others acknowledged the challenges that exist in the
current governance process and encouraged the NCAA to continue to push toward reform to ensure that student-athletes have the type of experience they so greatly deserve.

NCAA staff will continue outreach and will be prepared to answer any follow-up questions from the hearing.

**Hearing on Union Efforts to Organize Student-Athletes – House Education and the Workforce Committee**

On May 8, 2014, the House Education and the Workforce Committee convened a hearing titled “Big Labor on College Campuses: Examining the Consequences of Unionizing Student-Athletes”. The hearing, which was chaired by Rep. John Kline (R-MN), examined the recent decision by a NLRB Regional Director that classified football student-athletes at Northwestern University as employees under the National Labor Relations Act. Witnesses included Ken Starr, President and Chancellor of Baylor University; Andy Schwarz, Partner, OSKR, LLC; Bradford Livingston, Partner, Seyfarth Shaw LLP; Bernard Muir, Director of Athletics, Stanford University; and Patrick Eilers, Managing Director, Madison Dearborn Partners.

Committee members generally agreed that the NCAA and its membership needed to address student-athlete concerns in the areas of financial support, health and safety and graduation rates among others. However, the debate throughout the hearing focused on whether it was appropriate for the NLRB to classify student-athletes as employees and ultimately what impact that ruling would have on their academic and athletic experience. The committee did not provide any indication on what, if any, next steps would be taken to further evaluate the NLRB decision.

**Congressional Correspondence**

In the last several months the NCAA has received four letters from Members of Congress requesting answers and related information on a variety of matters pertaining to intercollegiate athletics. On May 2, 2014, President Emmert received a letter from Sen. Claire McCaskill (D-MO) seeking information on the NCAA’s prevention, reporting, and disciplinary policies related to student-athlete conduct. On May 5, 2014, a letter was sent to President Emmert from Sen. Rockefeller, Sen. McCaskill and Sen. Cory Booker (D-NJ), which expressed concern with the integrity of amateur sports and the welfare of student-athletes and requested rules, regulations and guidance regarding a range of matters including scholarships, the enforcement process and the use of a student-athletes’ likeness or identifying information/characteristics for profit. Each of these Senators is a member of the Senate Commerce, Science, and Transportation Committee. A response to these letters was sent on June 13, 2014.
On May 20, 2014, Rep. Tony Cardenas (D-CA) and Rep. Elijah Cummings (D-MD) sent a letter to President Emmert, which expressed concern with the academic opportunities and instruction received by student-athletes among other issues. Specifically the letter requested information on scholarship policies, the legal obligation of the NCAA to protect student-athletes, NCAA revenues and the distribution of revenue to membership. Both of these policymakers sit on the House Committee on Oversight and Government Reform with Rep. Cummings serving as Ranking Member. A response to this letter was sent on June 13, 2014.

As a follow-up to the House Education and Workforce Committee hearing that examined the consequences of unionizing student-athletes, Chairman John Kline (R-MN) sent a letter to President Emmert on June 26, 2014. The letter highlighted some of the student-athlete well-being concerns raised at the hearing and the work currently underway within the NCAA governance structure to address these issues. Specifically, the letter requested information on the steps being taken by the NCAA to improve the collegiate experience of student athletes.

**College Athletics Legislation**

NCAA government relations staff has continued to closely monitor legislation that addresses a variety of issues related to the well-being of student-athletes. H.R. 3545, the Collegiate Student Athlete Protection Act, was introduced by Rep. Tony Cardenas (D-CA) on November 20, 2013. The bill would require institutions that receive more than $10 million per year in media revenue from their athletics program to adhere to certain requirements in the areas of financial aid, medical expenses and concussion testing. This measure has not had any movement or additional cosponsors since introduction.

Rep. Charlie Dent (R-PA) and Rep. Joyce Beatty (D-OH) introduced a related measure on August 1, 2013. The bill would restrict Title IV funds to institutions that are a member of an athletic association that does not have a policy which establishes minimum requirements in the areas of financial aid, health and safety and the infractions process. H.R. 2903, the National Collegiate Athletics Accountability Act has been assigned to the House Education and the Workforce Subcommittee on Higher Education and Workforce Training. The bill has not had any additional movement or cosponsors during 2014.

It is important to note that as currently written both of these measures will only become law through amending the Higher Education Act of 1965.

**Concussions**

On May 29, 2014, the White House hosted the first-ever Healthy Kids & Safe Sports Concussion Summit. The summit was designed to advance research on sports related concussions and raise
awareness on how to properly prevent, identify and respond to concussions suffered by youth. During the event, the NCAA and the U.S. Department of Defense announced a $30 million joint initiative aimed at enhancing the safety of student-athletes and service members. The joint initiative will include a comprehensive study of concussions with nearly 37,000 NCAA student-athletes being monitored over a three-year period to better understand the risks, treatment and management of concussions. The initiative will also fund an education “grand challenge” that intends to improve concussion safety behaviors as well as the culture of concussion reporting and management in college sports and the military. The education grand challenge will begin accepting submissions in September, from individuals in academia and the private sector to develop innovative ideas to achieve these goals.

Terrorism Risk Insurance Act

The Terrorism Risk Insurance Act (TRIA) was enacted in 2002, in response to the 9/11 terrorist attacks. TRIA helped to stabilize market disruption by providing federal funding as a backstop if costs to insurance companies exceed $100 million due to a devastating terrorist attack. TRIA was reauthorized in 2005 and 2007, and is set to expire on December 31, 2014.

Policymakers and interested stakeholders have been working to extend the program beyond this year. S. 2244, the Terrorism Risk Insurance Program Reauthorization Act of 2014 was introduced by Sen. Charles Schumer (D-NY) on April 10, 2014. This bipartisan plan would extend TRIA for seven years and phase in changes to raise insurers’ copay over a five year period. S. 2244 was passed unanimously by the Senate Banking Committee on June 3, 2014. In the House, Rep. Randy Neugebauer (R-TX) introduced H.R. 4871, the TRIA Reform Act on June 17, 2014. The measure would extend TRIA for five years but would scale back the government’s involvement in the sector over that period. H.R. 4871 would phase in a new program trigger from $100 million to $500 million for terror events not considered nuclear, chemical, biological or radiological. H.R. 4871 was approved by the House Financial Services Committee by a party-line vote of 32-27.

The NCAA will continue to work with the professional sports leagues and other interested parties to educate Members of Congress about the importance of extending the TRIA program and the potential impact of proposed changes to the Act.

State Issues

Uniform Athlete Agents Act (UAAA)

Beginning in October 2013, the NCAA national office, several colleges and universities, along with other key stakeholders have assisted the Uniform Law Commission in reviewing and
revising the Uniform Athlete Agents Act. There have been broad discussions about the utility of the Act and detailed analysis of key aspects including the definition of athlete agent, civil and criminal penalties, and the registration process. At the upcoming annual meeting of the ULC, the revised working draft of the UAAA will be read and debated by those in attendance. Based on the feedback that will be received during the ULC annual conference, the NCAA and key stakeholders will continue the process of refining the Act to ensure it is effective and achieving its intended purpose.

**Student-Athlete Bill of Rights**

There continues to be interest by lawmakers at the state and local levels in legislative proposals that closely mirror the Student-Athlete Bill of Rights, which was passed by the California legislature in 2012. Most recently, Boston Councilmember Josh Zakim (D) introduced the College Athlete Bill of Rights on May 21, 2014. The proposal would require an institution in the city of Boston to meet certain requirements in the areas of athletically related financial aid, medical coverage and expenses and concussion safety. The proposal was heard by the Boston Committee on Government Operations on July 8, 2014, where a number of representatives from Boston member institutions testified on how this proposal would impact their campus. It is possible that the Boston City Council will consider this proposal this fall.

**Higher Education Associations**

NCAA government relations staff continues to build strong relationships with various higher education associations. The American Council on Education (ACE), the Association of American Universities (AAU) and the National Association of College and University Business Officers (NACUBO), among others, continue to provide guidance and support on issues of common interest. Also, the NCAA has been working closely with the Association of Public and Land-grant Universities (APLU), which recently created and advisory group that will focus on policy issues related to collegiate athletics. The NCAA government relations staff looks forward to continuing these mutually beneficial relationships to better formulate and further the NCAA’s legislative goals.