INFORMATIONAL ITEMS.

1. Composition of the NCAA Division I Board of Directors. The Board of Directors continued its review and discussions regarding its composition. Feedback was received from the NCAA Division I Presidential Forum to inform its review and discussion of potential composition models. The Presidential Forum’s feedback included positions of 25 of the 32 Division I multisport conferences specific to the composition models under consideration. The following statements highlight the Presidential Forum’s feedback that was provided to the Board of Directors:

a. Although there was no overall consensus, most conferences expressed support for model one (status quo with development of best practices for engagement) or model five (addition of two Presidential Forum members to the Board of Directors). Clear support that if model five is selected, Presidential Forum members should come from the unrepresented conferences.

b. Members expressed interest in a 36-member Board of Directors (32 presidents/chancellors, one faculty athletics representative, one senior woman administrator, one student-athlete and chair of the NCAA Division I Council) and some are strong in this sentiment. Members supportive of this model understand the challenges with this concept (e.g., size may impact effectiveness, introduces the possibility of weighted voting).

c. Throughout the Forum’s discussion, fundamental questions about the Board of Directors composition were raised including:

   (1) Why is the model based upon bowl subdivision football? Should bowl subdivision football (and the resource allocation) continue to be a significant factor in Board of Directors representation?

   (2) Why does the model guarantee seats for all Football Bowl Subdivision (FBS) members? There is agreement that the autonomy conferences will have permanent seats on the Board of Directors but some questioned permanent seats for the other FBS members.

   (3) Composition of the Board of Directors should reflect “democratic” principles within the existing structure.

   (4) Some believe the current model benefits higher-resourced institutions to the detriment and disenfranchisement of the other members.
d. All want to strengthen the role and influence of the Presidential Forum, and are encouraged by the collaboration of the development and implementation of the strategic areas of emphasis of the division.

e. All are interested in finding ways to improve the diversity of the Board of Directors and at the presidential levels in general.

The Board of Directors discussed the feedback provided by the Presidential Forum and agreed to continue to examine models one and five. The Board of Directors continues to recognize that the Division I governance structure, and the composition of the Board of Directors, has historically reflected the role football plays on campus, particularly in relation to the number of students engaged in the activity, the campus resources devoted to the sport, and its footprint within the athletics department, on campus and in the community. The impact of football is most significant at the FBS level and it necessarily influences decisions that must be made at the highest levels of the Division I governance structure. Moreover, the current governance structure, including the composition of the Board of Directors, has been functioning for just over two years. The current structure will benefit from stability and consistency before changes are considered. The Board, in its current construct, has been effective in meeting the goals of restructuring, including that of ensuring the strategic role of presidents in governing the division.

As it relates to model one (maintain current composition and develop best practices for input from unrepresented conferences), the NCAA Division I Board of Directors Administrative Committee has confirmed that the Presidential Forum is the primary presidential advisory group to the Board of Directors on key strategic issues impacting Division I intercollegiate athletics. The NCAA staff has been directed to ensure that members of Presidential Forum have significant opportunities, to review and discuss items on the Board’s agenda and to provide the feedback to the Board of Directors to inform its discussions and decisions. Conference offices play a key role in preparing their Presidential Forum members and setting the expectations for the extent of involvement and participation in the governance structure such that voice of each and every conference is heard.

As it relates to model five (add two Presidential Forum members to the Board of Directors), the Board of Directors directed the Presidential Forum to further develop potential mechanics and make a recommendation for consideration. The Board recognizes the significant role and influence of the Presidential Forum as its primary presidential advisory group.

Finally, the Board of Directors does not support continued exploration of a model that would include 36 members. The predominant position is that such a large number would
compromise the ability for meaningful discussion and introduce the possibility of weighted voting, which has consistently been identified as an undesired outcome.

2. **Feedback Regarding Concepts from the NCAA Division I Council Transfer Working Group.** The Board of Directors received feedback from the Presidential Forum to inform its review and discussion of concepts developed by the Transfer Working Group. The following statements highlight the Presidential Forum’s feedback that was provided to the Board of Directors:

a. Areas of consensus include:

   (1) Supportive of ethical recruiting concept that adds “tampering” to the list of presumptive Level II (significant breach of conduct) violations in NCAA Bylaw 19.

   (2) Supportive of the notification of transfer concept.

      (a) Replaces current permission to contact rule.

      (b) Does not permit an institution to restrict where a student-athlete can explore transfer or to restrict a student-athlete’s access to athletics aid.

b. Supportive of discussions at conference level on intra-conference transfer policies.

   • Conferences are permitted to have more restrictive policies.

c. General support of a uniform transfer eligibility rule.

   (1) Noted concern about the availability of the current one-time transfer exception to some student-athletes based on the sport they play.

   (2) Not supportive of a model that requires every transfer student-athlete to serve a residence requirement (e.g., “sit a year”).

   (3) Supportive of eligibility based on academic criteria.

   (4) Receiving institution should be accountable.

d. Supportive of a comprehensive, multifaceted legislative package.
The Board of Directors was generally supportive of the Presidential Forum’s positions, noting that the Transfer Working Group will provide more detail on key elements of the transfer package, particularly related to the eligibility requirements tied to any uniform standard and institutional accountability measures. The Board of Directors noted that some flexibility in the legislative timeline may be appropriate so that a package of transfer legislative proposals can be considered in a reasonable timeframe. The Administrative Committee may consider a request for a flexible legislative timeline.

3. Feedback for the Board of Directors Related to NCAA Division I Strategic Areas Emphasis. The Board of Directors received feedback from the Presidential Forum’s review of an initial draft of foundational goals and strategic areas of emphasis for 2018-2023. The following statements highlight the Presidential Forum’s feedback that was provided to the Board of Directors:

a. The Presidential Forum stands ready to continue to serve in its role in supporting and collaborating with the Board of Directors to provide a presidential perspective on critical issues impacting Division I. The Presidential Forum looks forward to collaborating with the Board of Directors on the development of the strategic areas of emphasis for the division.

b. Support for the establishment of foundational goals.

(1) Reinforce academic success in context of overall well-being.

(2) Broader “sustainability” of Division I membership should be the goal, with “financial sustainability” a major subsection.

(3) Consider whether the three foundational goals could be condensed into one (or two) without losing nuance.

(4) How to best capture the following key elements:

(a) Lack of public trust in collegiate model is a threat.

(b) Emphasize importance of self-governance model.

• Consider presidential statement to reinforce.

(c) Commitment to transparency to increase public and membership confidence.
(d) Coherence between our values and actions, and alignment in actions, operations and structure with our collective values.

(e) Strongly affirm the fundamental principle of the student-athlete and how athletics participation enhances the educational experiences within the context of a perception that all decisions are made based on money.

(f) Acknowledge the benefit of the diverse Division I membership.

c. Specific comments on components of areas of emphasis:

(1) Reinforce need to rely on data to make informed decisions.

(2) NCAA could partner with higher education organizations in our role as “context experts” to help inform new and future presidents.

(3) Need to examine ways to help presidents make good, value-based decisions.

(4) Need to examine whether existing regulations (or lack thereof) create incentives that unintentionally lead to unethical behavior.

(5) Support for NCAA examination of membership expectations as to role of NCAA related to academic misconduct/fraud.

(6) Support for examining role and expectations for directors of athletics and coaches to foster a culture consistent with our values.

The Board of Directors agreed with the Presidential Forum’s feedback and the planned approach for membership engagement. The Board of Directors and Presidential Forum will conduct a joint meeting in April 2018 to discuss the Division I strategic areas of emphasis 2018-2023. It is anticipated that the Board of Directors could finalize the areas of emphasis during its April meeting.

4. NCAA President’s Report. The Board of Directors received a report from NCAA President Mark Emmert regarding the formation of the Commission on College Basketball. The Commission on College Basketball, which will operate independently of the NCAA governance structure, was established by the NCAA Board of Governors, Division I Board of Directors and NCAA President to fully examine critical aspects of Division I men’s basketball. The Commission has been strongly encouraged to identify bold legislative, policy and structural modifications to improve the integrity of processes and the well-being of student athletes. Further, the boards stand ready and are committed to implement
appropriate meaningful and lasting changes. Specifically, the commission will focus on three areas:

a. The relationship of the NCAA national office, member institutions, student-athletes and coaches with outside entities, including:

   (1) Apparel companies and other commercial entities, to establish an environment where they can support programs in a transparent way but not become an inappropriate or distorting influence on the game, recruits or their families.

   (2) Nonscholastic basketball, with a focus on the appropriate involvement of college coaches and others.

   (3) Agents or advisors, with an emphasis on how students and their families can get legitimate advice without being taken advantage of, defrauded or risking their NCAA eligibility.

b. The NCAA’s relationship with the NBA and the challenging effect the NBA’s so-called “one and done” rule has had on college basketball, including how the NCAA can change its own eligibility rules to address that dynamic.

c. Creating the right relationship between the universities and colleges of the NCAA and its national office to promote transparency and accountability. The commission will be asked to evaluate whether the appropriate degree of authority is vested in the current enforcement and eligibility processes, and if the collaborative model provides the investigative tools, cultural incentives and structures to ensure exploitation and corruption cannot hide in college sports.

5. NCAA Board of Governors Updates. The Board of Directors received an update on actions taken by the Board of Governors at its October 24 meeting. During its meeting, the Board of Governors authorized the three divisions to consider legislation to allow the sale of alcohol at NCAA championships. Accordingly, the Board of Directors recommended that the NCAA Division I Council introduce a proposal into the 2017-18 legislative cycle to eliminate the prohibition on alcohol sales at Division I championships. If adopted, the sale of alcohol would be governed by championships policies and procedures, which have been and will continue to be developed based on a pilot program that has been conducted for the previous two years and will continue at select 2017-18 championships. The proposal would be effective August 1, 2018. (For: 21; Against: 1; Abstentions: 0; Not Present: 2.)
6. **NCAA Division I Board of Directors Finance Committee Update.** The Board of Directors received an update from the newly formed Finance Committee. The Finance Committee reviewed the Division I revenue distribution policy and had an initial discussion regarding potential changes to the policy that would align the policies with current NCAA bylaws and clarify several issues. Possible action to revise the policies will be considered in January. In addition, the Finance Committee reviewed the Division I championships budget and actual expenses for the fiscal year ending August 31, 2017. Finally, the Finance Committee will examine the financial landscape in Division I and is prepared to help the Board of Directors with the previously noted strategic areas of emphasis.

7. **NCAA Division I Council Update.** The Board of Directors received an update on the work of the Council, including an update related to legislation introduced into the 2017-18 legislative cycle and the development of the process for the consideration of health and safety legislation by the nonautonomy conferences.

8. **Update on the NCAA Commission to Combat Campus Sexual Violence.** The Board of Directors received an update on the work of the Commission to Combat Campus Sexual Violence, including a description of the policy requirements recently adopted by the Board of Governors.

9. **NCAA Division I Enforcement and Infractions Review Group Update.** The Board of Directors received a status report of the work of the Enforcement and Infractions Review Group.

10. **Report of the April 26 Board of Directors Meeting and August Email Actions.** The Board of Directors approved the report of its April 26 meeting and the report of its August email actions. (*Unanimous voice vote.*)

---

**Board of Directors chair:** Eric Kaler, University of Minnesota, Twin Cities, Big Ten Conference  
**Staff Liaisons:**  
Diane Dickman, Law, Policy and Governance  
Jenn Fraser, Law, Policy and Governance  
Kevin Lennon, Law, Policy and Governance  
Donald Remy, Law, Policy and Governance  
Leeland Zeller, Law, Policy and Governance
### Division I Board of Directors
**October 24, 2017, Meeting**

**Attendees:**

<table>
<thead>
<tr>
<th>Name</th>
<th>University</th>
<th>Conference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frank Bonner</td>
<td>Gardner-Webb University</td>
<td>Big South Conference</td>
</tr>
<tr>
<td>Brady Bramlett</td>
<td>University of Mississippi</td>
<td>NCAA Division I Student-Athlete Advisory Committee</td>
</tr>
<tr>
<td>Dean Bresciani</td>
<td>North Dakota State University</td>
<td>The Summit League</td>
</tr>
<tr>
<td>Eli Capilouto</td>
<td>University of Kentucky</td>
<td>Southeastern Conference</td>
</tr>
<tr>
<td>Robert Caslen</td>
<td>United States Military Academy</td>
<td>Patriot League</td>
</tr>
<tr>
<td>Christine Copper</td>
<td>United States Naval Academy</td>
<td>Faculty Athletics Representatives Association</td>
</tr>
<tr>
<td>Phil DiStefano</td>
<td>University of Colorado, Boulder</td>
<td>Pac-12 Conference</td>
</tr>
<tr>
<td>Anthony Frank</td>
<td>Colorado State University</td>
<td>Mountain West Conference</td>
</tr>
<tr>
<td>Burns Hargis</td>
<td>Oklahoma State University</td>
<td>Big 12 Conference</td>
</tr>
<tr>
<td>Dianne Harrison</td>
<td>California State University, Northridge</td>
<td>Big West Conference, vice chair</td>
</tr>
<tr>
<td>Susan Herbst</td>
<td>University of Connecticut</td>
<td>American Athletic Conference</td>
</tr>
<tr>
<td>Blake James</td>
<td>University of Miami (Florida)</td>
<td>Atlantic Coast Conference, NCAA Division I Council</td>
</tr>
<tr>
<td>Eric Kaler</td>
<td>University of Minnesota, Twin Cities</td>
<td>Twin Cities, chair</td>
</tr>
<tr>
<td>Ron Machtley</td>
<td>Bryant University</td>
<td>Northeast Conference</td>
</tr>
<tr>
<td>James Maher</td>
<td>Niagara University</td>
<td>Metro Atlantic Athletic Conference</td>
</tr>
<tr>
<td>Jane Miller</td>
<td>University of Virginia</td>
<td>Women Leaders in College Sports</td>
</tr>
<tr>
<td>G.P. “Bud” Peterson</td>
<td>Georgia Institute of Technology</td>
<td>Atlantic Coast Conference</td>
</tr>
<tr>
<td>Michael Rao</td>
<td>Virginia Commonwealth University</td>
<td>Atlantic 10 Conference</td>
</tr>
<tr>
<td>Nayef Samhat</td>
<td>Wofford College</td>
<td>Southern Conference</td>
</tr>
<tr>
<td>Samuel Stanley</td>
<td>Stony Brook University</td>
<td>America East Conference</td>
</tr>
<tr>
<td>Denise Trauth</td>
<td>Texas State University</td>
<td>Sun Belt Conference</td>
</tr>
<tr>
<td>Satish Tripathi</td>
<td>University at Buffalo, The State University of New York</td>
<td>Mid-American Conference</td>
</tr>
</tbody>
</table>

**Absentees:**

<table>
<thead>
<tr>
<th>Name</th>
<th>University</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phil Dubois</td>
<td>The University of North Carolina at Charlotte</td>
</tr>
<tr>
<td>Andrew Hugine</td>
<td>Alabama A&amp;M University</td>
</tr>
</tbody>
</table>

**Guests in Attendance:**

<table>
<thead>
<tr>
<th>Name</th>
<th>University</th>
<th>Conference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burton Eissler</td>
<td>United States Military Academy</td>
<td>Patriot League</td>
</tr>
<tr>
<td>Charles Kean</td>
<td>United States Military Academy</td>
<td>Patriot League</td>
</tr>
</tbody>
</table>

**NCAA Staff Liaisons in Attendance:**

Diane Dickman, Jenn Fraser, Kevin Lennon, Donald Remy and Leeland Zeller.

**Other NCAA Staff Members in Attendance:**

Katrice Albert, Scott Bearby, Mark Emmert, Michelle Hosick, Oliver Luck, Kathleen McNeely, Bridget Rigney, Cari Van Senus and Bob Williams.