



**REPORT OF THE
NCAA DIVISION I COUNCIL
OCTOBER 30, 2017, TELECONFERENCE**

In an effort to connect NCAA Division I Council and standing committee items to the NCAA pillars of academics, fairness and well-being, items included in this report have an identifying pillar. There is an additional pillar, operational, that is used to mark those items that are under review to ensure a stable and efficient Division I.

INFORMATIONAL ITEMS.

- 1. Legislative Recommendations from the NCAA Division I Council Transfer Working Group.** The Council received a report from the Transfer Working Group. Based on a recommendation from the Transfer Working Group, the Council **introduced** a proposal into the 2017-18 legislative cycle to replace "permission to contact" legislation related to four-year college transfer student-athletes with a "notification of transfer" model, as specified, further; to specify that contact by an athletics staff member or other representative of the institution's athletics interests with a four-year transfer student-athlete before receipt of authorization through the notification of transfer process may constitute a significant breach of conduct (Level II violation) as it relates to the NCAA infractions process. The proposal's effective date is August 1, 2018.

Rationale. This proposal presents a notification-based alternative to replace the existing permission to contact process and improve the recruiting environment associated with four-year college transfer student-athletes. Pursuant to a notification model, a student-athlete would be permitted to explore transfer opportunities at any other Division I institution once written notification is provided. Once a notification of transfer has been submitted, the student-athlete would be entered into a database of student-athletes who have provided notification of their interest in transferring. Such a system would provide more transparency for coaches and student-athletes and also provide sunshine on impermissible contact, since student-athletes and prospective coaches would not be allowed to communicate before the student-athlete notifies the current school.

Among the most prevalent concerns is the interference and influence by individuals from other institutions on a student-athlete's desire to transfer. This type of unwanted interference is among the issues most often cited within Division I circles when the topic of transfer is discussed. Based on the significant unethical nature of such interference, the proposal would add impermissible contact to the list of examples of behaviors that may constitute a significant breach of conduct (Level II) violation.

Separating access to athletics aid from a permission to contact or notification model represents a significant change in four-year transfer regulations and one that aligns with the guiding principle of establishing a least restrictive environment for student-athletes. A student-athlete's eligibility for financial aid at a new institution would be based on the general legislative requirements applicable to all student-athletes.

Finally, in conjunction with this proposal, a referral has been made to the autonomy conferences to consider sponsoring and adopting legislation that would allow an institution to reduce or not renew a student-athlete's financial aid at the end of the period of award or reduce or cancel the aid during the period of the award if the student-athlete provides a notification of transfer. (Fairness, Well-Being, Operational)

2. Referral of Transfer Working Group Legislative Concepts to the Autonomy Conferences. In conjunction with the introduction of the Council-governance legislative proposal to replace the "permission to contact" legislation with a written notification of transfer model, the Council **referred the following legislative concepts to the autonomy conferences** for consideration of sponsoring legislation in the autonomy process:

- a. To specify that if a student-athlete provides the institution with a written "notification of transfer," the institution may reduce or not renew the student-athlete's athletically related financial aid after the period of the award for the following academic year or years of the student-athlete's five-year period of eligibility.
- b. To specify that if a student-athlete provides the institution with a written "notification of transfer," the institution may reduce or cancel the student-athlete's athletically related financial aid during the period of the award at the end of the term in which the notification is provided. Aid may be re-awarded to another student-athlete consistent with current financial aid legislation.

Rationale. Pursuant to the potential notification of transfer model, a student-athlete would have more flexibility to determine a transfer destination and would be eligible to receive athletics financial aid at a new institution pursuant to rules applicable to all students. This amount of flexibility could increase uncertainty for an institution from which a student-athlete is considering a transfer. Such an institution needs a level of protection for managing rosters and team dynamics and needs to have an opportunity to do so as soon as possible once notification of transfer is provided. Fairness to and the well-being of the student-athletes who remain at their institutions need to be considered along with fairness to and the well-being of student-athletes who decide to transfer. (Fairness, Well-Being, Operational)

3. Legislative Recommendation Related to Alcohol Sales at NCAA Division I Championships. The Council received a report of action taken by the NCAA Division I Board of Directors recommending that the Council introduce a proposal into the 2017-18 legislative cycle to eliminate the prohibition on the sale of alcohol at Division I championships. Based on the recommendation, the Council **introduced** the proposal into the 2017-18 legislative cycle. The proposal's effective date is August 1, 2018. (Operational)

Rationale. For the previous two years, a waiver has been granted for the NCAA to conduct a pilot program for in-stadium alcohol sales (beer and wine only) to the general public at select Division I championships. Such sales of beer and wine were permitted at concession stands only. The event sites in question allowed alcohol sales for the general public for other events. Sales followed the existing policies, including limitations on quantity and cut-off times. The results of the pilot program over the previous two years have been favorable. The response from fans in attendance at the events has been positive. The reports of law enforcement incidents in conjunction with the championships have decreased, in some cases significantly. The NCAA Board of Governors has endorsed the concept of the three divisions proceeding with legislation to eliminate the prohibition on alcohol sales at NCAA championships. In order to eliminate the need for additional waivers or legislative changes in the future, the details of alcohol sales at championships would be governed by championships policies and procedures. The policies and procedures would address all aspects of alcohol sales, including the items that have been addressed under the waivers (e.g., beer and wine only, sales at concession stands only, sales only at venues that sell to the general public for other events, etc.). The proposed August 1, 2018 effective date would allow for appropriate planning and preparation for sales during 2018-2019 championships.

4. **Approval of Council's October 2-4 Meeting Report.** The Council reviewed and approved the report of its October 2-4 meeting.

Council Chair: Blake James, University of Miami (Florida); Atlantic Coast Conference

Council Liaisons: Diane Dickman, Law, Policy and Governance

Jennifer Fraser, Law, Policy and Governance

Kevin Lennon, Law, Policy and Governance

Leeland Zeller, Law, Policy and Governance

NCAA Division I Council Teleconference October 30, 2017	
Attendees:	
Troy Austin, Longwood University; Big South Conference.	
Gary Barta, University of Iowa; Big Ten Conference.	
Robert Bowlsby, Big 12 Conference (Football Bowl Subdivision autonomy conference commissioner).	
Brady Bramlet, University of Mississippi; Southeastern Conference (NCAA Division I Student-Athlete Advisory Committee representative) (Alternate).	
Grace Calhoun, University of Pennsylvania; The Ivy League.	
Bill Chaves, Eastern Washington University; Big Sky Conference.	
Tim Day, Iowa State University; Big 12 Conference.	
Connor Donnelly, Sacred Heart University; Northeast Conference (Student-Athlete Advisory Committee representative).	
Rich Ensor, Metro Atlantic Athletic Conference (Division I conference commissioner).	
Dianthia Ford-Kee, Mississippi Valley State University; Southwestern Athletic Conference.	
Rick George, University of Colorado, Boulder; Pac-12 Conference.	
Jeffrey Hathaway, Hofstra University; Colonial Athletic Association.	
Lynn Holzman, West Coast Conference.	
Abigail Howard, American East Conference (Alternate).	
Brian Hutchinson, Morehead State University; Ohio Valley Conference.	
Blake James, University of Miami (Florida); Atlantic Coast Conference.	
Kyle Kallander, Big South Conference (NCAA Football Championship Subdivision conference commissioner).	
Jeanne Lenti Ponsetto, DePaul University; Big East Conference.	
Dawn K. Lewis, California State University, Fresno; Mountain West Conference.	
Bill Maher, Canisius College; Metro Atlantic Athletic Conference.	
Maggie McKinley, University of Cincinnati; American Athletic Conference.	
Kaitlyn McKittrick, Lafayette College; Patriot League (Alternate).	
Noreen Morris, Northeast Conference.	
Mike O'Brien, University of Toledo; Mid-American Conference.	
Stephen Perez, California State University-Sacramento; Big Sky Conference (Faculty Athletics Representatives Association representative).	
Kim Record, University of North Carolina at Greensboro; Southern Conference.	
Alex Ricker-Gilbert, Jacksonville University; ASUN Conference.	
Judy Rose, University of North Carolina, Charlotte; Conference USA.	
Justin Sell, South Dakota State University; The Summit League.	
Brian Shannon, Texas Tech University (1A-FAR representative).	
Paula Smith, University of California, Irvine; Big West Conference.	

Lynda Tealer, University of Florida; Southeastern Conference.
Larry Teis, Texas State University; Sun Belt Conference.
Mike Thomas, Cleveland State University; Horizon League.
Chris Thompson, Sam Houston State University; Southland Conference.
Craig Thompson, Mountain West Conference (Football Bowl Subdivision nonautonomy conference commissioner).
Greg Walter, Missouri Valley Conference (Alternate).
Ingrid Wicker-McCree, North Carolina Central University; Mid-Eastern Athletic Conference.
Carla Wilson, University of Missouri-Kansas City; Western Athletic Conference.
Absentees:
Vicky Chun, Colgate University; Patriot League.
Keith Gill, Atlantic 10 Conference.
Kelsi White, Miami University (Ohio); Mid-American Conference (Student-Athlete Advisory Committee representative).
NCAA Staff Liaisons in Attendance:
Jenn Fraser, Kevin Lennon and Leeland Zeller.
Other NCAA Staff Members in Attendance for Portions of the Meeting:
Marcus Bishop, Kelly Brummett, Emily Capehart, Sharon Cessna, Meredith Cleaver, Joni Comstock, Jennifer Henderson, Michelle Hosick, Binh Nguyen, Susan Peal, Carol Reep, Anne Rohlman and Danielle Walter.

**NCAA Division I Council Voting Results
October 30, 2017**

ATTACHMENT A

Conference -- Voting Delegate	Conference Type	Voting Weight	Approve October Meeting Report	Introduce Alcohol Sales Legislation	Introduce Transfer Ethical Recruiting Concept	Introduce Notification of Transfer Concept	Referral to Autonomy -- Not Renew After Period	Referral to Autonomy -- Cancel During Period
America East -- A. Howard (Alternate)	DI	1		Y	Y	Y	Y	Y
American Athletic Conference -- M. McKinley	NA	2		Y	Y	Y	Y	Y
Atlantic 10 -- K. Gill	DI	1						
Atlantic Coast -- B. James	A	4		Y	Y	Y	Y	Y
Atlantic Sun -- A. Ricker-Gilbert	DI	1		Y	Y	Y	Y	Y
Big 12 -- T. Day	A	4		Y	Y	Y	Y	Y
Big East -- J. Ponsetto	DI	1		Y	Y	Y	Y	Y
Big Sky -- B. Chaves	FCS	1		Y	Y	Y	Y	Y
Big South -- T. Austin	FCS	1		Y	Y	Y	Y	Y
Big Ten -- G. Barta	A	4		Y	Y	Y	Y	Y
Big West -- P. Smith	DI	1		Y	Y	Y	Y	Y
Colonial Athletic Assoc. -- J. Hathaway	FCS	1		Y	Y	Y	Y	Y
Conference USA -- J. Rose	NA	2		Y	Y	Y	Y	Y
Horizon League -- M. Thomas	DI	1		Y	Y	Y	Y	Y
Ivy League -- G. Calhoun	FCS	1		Y	Y	Y	Y	Y
Metro Atlantic Athletic -- B. Maher	DI	1		Y	Y	Y	Y	Y
Mid-American -- M. O'Brien	NA	2		Y	Y	Y	Y	Y
Mid-Eastern Athletic -- I. Wicker-McCree	FCS	1		Y	Y	Y	Y	Y
Missouri Valley -- G. Walter (Alternate)	DI	1		Y	Y	Y	Y	Y
Mountain West -- D. Lewis	NA	2		Y	Y	Y	Y	Y
Northeast -- N. Morris	FCS	1		Y	Y	Y	Y	N
Ohio Valley -- B. Hutchinson	FCS	1		Y	Y	Y	Y	Y
Pac-12 -- R. George	A	4		Y	Y	Y	Y	Y
Patriot League -- K. McKittrick (Alternate)	FCS	1		Y	Y	Y	Y	A
Southeastern -- L. Tealer	A	4		Y	Y	Y	Y	Y
Southern -- K. Record	FCS	1		Y	Y	Y	Y	Y
Southland -- Ch. Thompson	FCS	1		Y	Y	Y	Y	Y
Southwestern Athletic -- D. Ford-Kee	FCS	1		Y	Y	Y	Y	Y
Summit League -- J. Sell	DI	1		Y	Y	Y	Y	Y
Sun Belt -- L. Teis	NA	2		Y	Y	Y	Y	Y
West Coast -- L. Holzman	DI	1		Y	Y	Y	Y	Y
Western Athletic -- C. Wilson	DI	1		Y	Y	Y	Y	Y
DI Commissioner -- R. Ensor		1		Y	Y	Y	Y	Y
IA FAR -- B. Shannon		1		Y	Y	Y	Y	Y
FARA -- S. Perez		1		Y	Y	Y	Y	N
FBS Autonomy Commissioner -- B. Bowsby		4		Y	Y	Y	Y	Y
FBS Non-Autonomy Commissioner -- Cr. Thompson		2		Y	Y	Y	Y	Y
FCS Commissioner -- K. Kallander		1		Y	Y	Y	Y	Y
SAAC -- C. Donnelly		1		Y	Y	Y	Y	Y
SAAC -- B. Bramlett (Alternate)		1		Y	Y	Y	Y	Y
Yes/Adopt (Y)				63	63	63	63	60
No/Defeat (N)				0	0	0	0	2
Abstain (A)				0	0	0	0	1
No Vote Cast (Blank)				0	0	0	0	0
Total				63	63	63	63	63
Y Percent				100.0%	100.0%	100.0%	100.0%	96.8%

A = Autonomy; NA = FBS Nonautonomy