



**REPORT OF THE  
NCAA BOARD OF GOVERNORS  
AUGUST 8, 2017, MEETING**

**ACTION ITEMS.**

1. **NCAA Championships Pilot on Serving Alcoholic Beverages.** The Board of Governors approved the addition of three NCAA championships to the pilot program on serving alcoholic beverages to spectators at specified NCAA championships and referred the issue to the Division I Board of Directors, and Divisions II and III Presidents Councils for action to issue a waiver or to pursue other appropriate legislative measures to ensure the pilot program is effectuated consistent with the divisions' legislative requirements. During its October meeting, the Board of Governors will discuss further the policy and divisional legislation regarding serving alcohol beverages at NCAA championship events.
2. **Campus Sexual Violence.** The Board of Governors referred several issues related to campus sexual violence to the NCAA Board of Governors Student-Athlete Engagement Committee for exploration and feedback.

**INFORMATIONAL ITEMS.**

1. **Welcome and Announcements.** NCAA Board of Governors chair President Bud Peterson convened the meeting at approximately 2 p.m. and welcomed the Governors. He gave a special welcome to President Burns Hargis, President Satish Tripathi and Mr. Blake James, new members of the Board of Governors who were attending their first in-person meeting. NCAA staff confirmed that a quorum was present. Because they were participating in their last meeting, President Peterson recognized the following members with gifts of appreciation: Presidents Baker Patillo, Joseph Savoie and John Hitt.
2. **Consent agenda.** By way of a consent agenda, the Board of Governors approved the report of its April 25, 2017, meeting; the language of the previously approved NCAA International Membership Policy; and the charter and composition for the Board of Governors Committee to Promote Cultural Diversity and Equity. (Unanimous vote)
3. **NCAA President's Report.** President Mark Emmert provided brief comments on several issues facing the Association that were part of the Governors meeting agenda.
4. **Informational presentation on eSports.** NCAA Senior Vice President of Championships Joni Comstock and NCAA Director of Digital and Social Media Nate Flannery provided an informational presentation on eSports and its presence in the collegiate landscape.
5. **Update on NCAA championships pilot on serving alcoholic beverages.**
  - a. **Review of year two of the pilot.** Joni Comstock and NCAA Executive Vice President Oliver Luck presented the Governors with data gathered through feedback from

participants of and attendees at the five championship events included in the 2016-17 pilot. The data gathered was positive and indicated that the pilot continues to be successful. The staff recommended the Governors approve continuing the program for beer and wine sales for the following championships through the 2017-18 academic year:

- (1) College World Series.
- (2) Women's College World Series.
- (3) Division I FCS Football Championship.
- (4) Division I Men's Ice Hockey Championship.\*
- (5) Division I, II and III Men's Lacrosse Championships.
- (6) Division I Women's Lacrosse Championship.
- (7) Division I Women's Volleyball Championship.\*
- (8) Division I Wrestling Championship.\*

It was VOTED

“That the Governors approve the recommendation to extend the championships pilot on serving alcoholic beverages to spectators for another year by adding three championships (those above marked with an asterisk).” (Unanimous vote)

- b. **Referral to divisional presidential bodies for action.** It was noted that the divisional presidential governance bodies need to take action to ensure there are no conflicts with current legislation and the championships pilot on serving alcohol to spectators at NCAA championships.

It was VOTED

That the recommendation be forwarded to the Division I Board of Directors and the Divisions II and III Presidents Councils to issue a waiver or to pursue other appropriate legislative measures to ensure the pilot program is effectuated consistent with the divisions' legislative requirements.” (Unanimous vote)

6. **NCAA Board of Governors Finance and Audit Committee report.** Chancellor Philip DiStefano, chair of the Finance and Audit Committee, presented the committee's report.

- a. **FY 2016-17 external audit plan presented by Deloitte.** DiStefano described the Deloitte external audit plan for the 2016-17 fiscal year and indicated that the committee had no concerns with the material presented.

It was VOTED

“To accept the external audit plan from Deloitte for the 2016-17 fiscal year.”  
(Unanimous vote)

- b. **FY 2017-18 NCAA internal audit plan.** DiStefano noted the committee received a report of the internal audit plan for 2017-18 fiscal year from NCAA Director of Internal Audit Jim Brown. The committee had no concerns and accepted the report.

It was VOTED

“To approve the internal audit plan for the 2017-18 fiscal year.” (Unanimous vote)

- c. **Executive summary of NCAA president’s recommendations for 2017-18 budget.**
- (1) Evaluation criteria memorandum from NCAA President Mark Emmert. President Emmert noted that in spring 2017, the 10-year financial plan model was reviewed and adopted by the Finance and Audit Committee. It incorporated key changes including an increase in third-party legal expenses, and directors’ and officers’ insurance. Emmert reported that budget recommendations for 2017-18 were guided by the following criteria:
- (a) Support the strategic plan and its three-to-five-year goals with particular emphasis on initiatives prioritizing academics, well-being and fairness.
  - (b) Maintain the championship experience with emphasis on current championships and previous commitments.
  - (c) Support the current initiatives that include health and safety of student-athletes and support of the Board of Governors diversity and inclusion resolution.
  - (d) Support operational initiatives which maximize service and resource productivity while maintaining NCAA national office services to the membership.
- (2) FY 2017-18 budget requests and recommendations. DiStefano noted that the proposed FY 2017-18 total budget is \$973,164,650, which includes requests and recommendations presented by the NCAA Chief Financial Officer Kathleen McNeely in the amount of \$27,519,411. DiStefano highlighted the following areas of the budget, indicating that full details were included in the written materials:
- (a) A \$15 million increase to the Division I distribution.

- (b) Increases to the Division II and Division III allocation of \$2.7 million.
- (c) Division I championship spend increase of \$2.7 million.
- (d) Total compensation increases of \$3.7 million. This includes four new positions, which is the first time the NCAA has increased FTE since 2012.
- (e) Miscellaneous other increases, which includes \$2 million for third-party legal fees and \$1.5 million for insurance premiums.

DiStefano reflected that the committee approved the budget as proposed and recommended approval by the full board.

It was VOTED

“That the Board of Governors approve the budget for the 2017-18 fiscal year as recommended.” (Unanimous vote)

- d. **Third quarter fiscal year 2016-17 budget-to-actual review.** DiStefano reported together with the NCAA chief financial officer that the committee reviewed a comparison of actual revenues and expenses versus budgeted revenues and expenses during the third quarter of the current fiscal year (2016-17) and advised that the Association is on track to meet budget. DiStefano reported that the committee understood all significant variances and had no concerns.
- e. **New Finance and Audit Committee Investment Subcommittee member.** DiStefano noted that the Finance and Audit Committee is recommending that Walton D. Pearson, managing director, senior portfolio manager for Brown Capital Management, be appointed to the Finance and Audit Committee Investment Subcommittee.

It was VOTED

“That Walton D. Pearson be appointed to the Finance and Audit Committee Investment Subcommittee.” (Unanimous vote)

## 7. **NCAA Board of Governors Committee reports.**

### a. **Commission to Combat Campus Sexual Violence.**

- (1) **Association-wide policy on sexual violence.** Lieutenant General Robert Caslen, Jr. summarized the work of the commission to date and reminded the board of the five areas of focus in the commission’s work. LTG Caslen reviewed with the board a recommended Association-wide policy that would require the president/chancellor, director of athletics and Title IX coordinator<sup>1</sup> to attest annually to the following:

<sup>1</sup>For international members, the Title IX coordinator or institutional staff member with comparable responsibilities.

- (a) The athletics department is fully knowledgeable about, integrated in, and compliant with institutional policies and processes regarding sexual violence prevention and proper adjudication and resolution of acts of sexual violence.
- (b) The institutional policies and processes regarding sexual violence prevention and adjudication, and the name and contact information for the campus Title IX coordinator,<sup>1</sup> are readily available within the department of athletics and distributed to student-athletes.
- (c) All student-athletes, coaches and staff have been educated on sexual violence prevention, intervention and response, to the extent allowed by state laws and collective bargaining agreements.

Further, the athletics department will cooperate with college or university investigations into reports and matters related to sexual violence involving student-athletes and athletics department staff in a manner compliant with institutional policies for all students.

It was VOTED

“That the Board of Governors adopt an Association-wide policy on campus sexual violence as recommended by the commission and amended by the Board.”  
(Unanimous vote)

- (2) **Annual report of compliant institutions.** The commission recommended that the board annually receive and review a report of those institutions who have fulfilled the requirements of the campus sexual violence policy and; once reviewed by the Governors, the report shall be published on the NCAA website.

It was VOTED

“That the Board of Governors annually receive and review a report as recommended and the report be published on the NCAA website.” (Unanimous vote)

- (3) **Referral to the NCAA Board of Governors Student-Athlete Engagement Committee.** The commission recommended that the board refer the following issues related to campus sexual violence to the Student-Athlete Engagement Committee for exploration and feedback:

- (a) How to maximize student-athlete and peer engagement.
- (b) How to foster student-athlete leadership and grass roots engagement.

<sup>1</sup>For international members, the Title IX coordinator or institutional staff member with comparable responsibilities.

- (c) How to recognize excellence in programs and student-athlete leadership in this area.

It was VOTED

“That the Board of Governors refer the above issues to the Student-Athlete Engagement Committee as recommended.” (Unanimous vote)

- (4) **Discussion on individual accountability.** The board engaged in discussion of whether an Association-wide policy should be developed to address individual accountability of student-athletes who have been perpetrators of sexual violence. The board acknowledged that sexual violence is a complex issue with numerous challenges (e.g., different state laws, varying institutional policies) and asked that the commission further study the issue to identify alternative approaches and to partner with other higher education organizations to conduct further research and collect data to inform future decisions.
- b. **Student-Athlete Engagement Committee.** President Samuel Stanley reported that the committee conducted its first call last month and reviewed its charge. The committee will begin to meet quarterly via teleconference and is eager to begin its service.
- 8. **NCAA strategic plan.** President Peterson noted that the Association’s strategic plan was created and first implemented in 2004. In addition, with all the changes in higher education and intercollegiate athletics, it is time for the Association to embark on a new plan that more broadly envisions future demographics and finances, and better anticipates the variety of possible landscapes.

It was VOTED

“That the Board of Governors engage in a strategic planning process, with the vice chair serving as the lead. Further, that President Emmert enlist the services of a consultant as necessary and provide the appropriate resources to support the process.” (Unanimous vote.)

- 9. **Board of Governors engagement in social issues.** NCAA Executive Vice President of Law, Policy and Governance/Chief Legal Officer Donald Remy updated the board on the progress in the review of the social issues matrix. The matrix will be reviewed and discussed during the August divisional presidential meetings with a plan to finalize the matrix at the October Board of Governors meeting.
- 10. **Law, Policy and Governance Strategic Discussion.**
    - a. **NCAA Committee on Competitive Safeguards and Medical Aspects of Sports/Sport Science Institute report.** NCAA Chief Medical Officer Dr. Brian Hainline reminded the board of the nine strategic priorities of the NCAA Sports Science Institute its continued work on these priorities.

- (1) Uniform Standard of Care. Dr. Hainline reviewed the criteria developed by CSMAS to determine when uniform standards of care should be considered by the Association, as well as the process that will be followed to develop those standards. In this regard, CSMAS identified concussion safety protocol as an issue that should have uniform standards of care for institutions across the three divisions.

It was VOTED

“That Divisions I, II and III bring consistency to member schools’ concussion safety protocol review and implementation.” (For 13, Against 1, Abstain 0)

- (2) Future task forces. Dr. Hainline requested the support of the board in moving forward with the following task forces:
  - (a) Interassociation Task Force to Address Mental Health Best Practices. Its purpose is to identify models of care and strategies to assist the membership in effectively implementing the Interassociation Mental Health Best Practices.
  - (b) Task Force of Football Data Analysis and Policy Implications. It will identify football practice strategies through an analysis of relevant, time-sensitive data.
  - (c) Interassociation Task Force on Pain Management and the Collegiate Athlete. It will identify models of care for best practices of pain management in college athletes.
  - (d) Interassociation Task Force on Wearable Technologies. It will work to provide an interassociation pathway to better understand how these technologies can advance the health and safety of college student-athletes.

It was VOTED

“That the board approve the four recommended task forces.” (For 13, Against 1, Abstain 0)

- b. **Government Relations**. The Governors were informed of the quarterly government relations activity report included in their meeting materials.
- c. **Legal and Litigation**. NCAA Vice President and General Counsel Scott Bearby facilitated a privileged and confidential discussion regarding several matters of ongoing litigation.

11. **NCAA Sports Wagering Policy.** Donald Remy reported to the board that the United States Supreme Court announced that it will hear a case that could determine whether the Professional and Amateur Sports Protection Act is unconstitutional. Remy noted that if PASPA were ruled unconstitutional or repealed by Congress, the Board of Governors may receive a request to review the Association's championships policy related to sports wagering.
12. **Board of Governors Executive Committee Report.** President Peterson reported on matters considered in the Board's Executive Committee meeting earlier in the day.
13. **Executive Session.** The Governors concluded its meeting in executive session to discuss various administrative matters.
14. **Adjournment.** The meeting was adjourned at approximately 6 p.m.
15. **Future Meeting Dates.** *(Note: All in-person meetings will be conducted in Indianapolis, Indiana unless otherwise noted.)*
  - a. October 24, 2017, UCLA, Los Angeles, California.
  - b. January 17, 2018, in conjunction with the NCAA Convention, Indianapolis, Indiana.
  - c. April 24, 2018.
  - d. August 7, 2018.
  - e. October 23, 2018, location to be determined.

*Committee Chair:* G.P. "Bud" Peterson, Georgia Institute of Technology

*Staff Liaisons:* Jacqueline Campbell, Law, Policy and Governance

Donald Remy, Law, Policy and Governance

<b>NCAA Board of Governors August 8, 2017, Meeting</b>	
<b>Attendees:</b>	
Eli Capilouto, University of Kentucky	
LTG. Robert Caslen, Jr., United States Military Academy	
Alan Cureton, University of Northwestern-St. Paul	
Philip DiStefano, University of Colorado, Boulder	
Jeffrey Docking, Adrian College	
Mark Emmert, NCAA	
Gary Gray, University of Alaska Fairbanks	
Burns Hargis, Oklahoma State University	
Dianne Harrison, California State University, Northridge	
Blake James, University of Miami (Florida)	
Glendell Jones, Jr., Henderson State University	
Eric Kaler, University of Minnesota, Twin Cities	
R. Brit Katz, Millsaps College	
Steven Leath, Iowa State University	
Gary Olson, Daemen College	
Baker Pattillo, Stephen F. Austin State University	
G.P. "Bud" Peterson, Georgia Institute of Technology	
Joseph Savoie, University of Louisiana, Lafayette	
Samuel Stanley, Stony Brook University	
<b>Absentees:</b>	
John Hitt, University of Central Florida	
<b>Guests in Attendance:</b>	
None.	
<b>NCAA Staff Support in Attendance:</b>	
Jacqueline Campbell and Donald Remy	
<b>Other NCAA Staff Members in Attendance:</b>	
Scott Bearby, Joni Comstock, Dan Dutcher, Nate Flannery, Kimberly Fort, Bernard Franklin, Dan Gavitt, Terri Steeb Gronau, Brian Hainline, Kevin Lennon, Oliver Luck, Kathleen McNeely, Stacey Osburn, Amy Schwarb, Naima Stevenson, Cari Van Sensus and Bob Williams.	