



**REPORT OF THE  
NCAA DIVISION I BOARD OF DIRECTORS  
AUGUST 2, 2023, VIDEOCONFERENCE**

**INFORMATIONAL ITEMS.**

1. **Name, Image and Likeness Update.** The NCAA Division I Board of Directors discussed a broad range of issues related to name, image and likeness. The NCAA Division I Council Working Group on Name, Image and Likeness continues to monitor the evolving NIL environment and specific issues that member institutions are facing.
  - a. The Board of Directors charged the working group to develop proposals with the intent to improve the NIL landscape as it relates to recruiting, transparency and institutional involvement in NIL activities while also improving the student-athlete NIL experience. (*Unanimous voice vote.*)
  - b. The Board of Directors approved a process for appeals of NCAA interpretations related to name, image and likeness. Specifically, the process will use the existing procedures for appeals of interpretations of staff decisions and add a requirement that after appellate opportunities have been exhausted, interpretations must be ratified by the board or the NCAA Division I Board of Directors Administrative Committee prior to being considered final. (*Unanimous voice vote.*)
2. **NCAA Division I Board of Directors Finance Committee Update.** During its July 31 videoconference, the Division I Board of Directors Finance Committee continued the exercise of analyzing the full financial impact of the NCAA Division I Transformation Committee's recommendations. Specifically, the Finance Committee reviewed the projected cost of the recommended championship enhancements. With the help of the relevant sport and oversight committees, the prioritization process should be completed by January and the Finance Committee will begin discussing feasible implementation timelines. The Finance Committee also engaged in preliminary discussions regarding the development of the philosophy and principles that will guide the formation of anticipated recommendations to amend NCAA Division I revenue distribution policies. After the October meeting, the Finance Committee plans to present a comprehensive roadmap and timeline for revenue distribution decisions.
3. **Remaining Elements of the Recommended Decision-Making Structure.** The Board of Directors approved a recommendation from the NCAA Division I Council Coordination Committee to postpone, indefinitely, the implementation of the remaining recommended changes to the NCAA Division I Council and its substructure (as recommended by the Transformation Committee), including the formation of sport management committees, to allow the membership and governance structure to focus on the most critical current priorities. (*Unanimous voice vote.*)
4. **Transfer Update.** The Division I Council recently introduced a legislative proposal that would reduce the duration of notification of transfer windows in all sports to 30 days. The Board of Directors discussed the recommendation, including input from the NCAA Division I Student-Athlete Advisory Committee, which recommends that notification of transfer

windows be no fewer than 45 days for all sports. Roster clarity and management were the main considerations for the introduced legislation. The Division I Council anticipates acting on the proposal during its October 3-4 in-person meeting.

5. **Update on Decentralization Referrals and Extension of Timeline.** The Board of Directors received an update on the work related to the decentralization referrals to the Division I Council based on the recommendations from the Transformation Committee. The board approved a request to extend the timeline, indefinitely, to develop proposals or provide rationale for no recommended changes. Although the review timeline is indefinite, work will continue, updates will be provided on a regular basis and direction requested of the Division I Council and Board of Directors. (*Unanimous voice vote.*)
6. **Update on Membership Expectations Recommendations.** The Board of Directors received an update on final recommendations from the subgroups tasked with addressing membership expectations recommendations from the Transformation Committee.
7. **NCAA Division I Board of Directors Infractions Process Committee Update.** The Board of Directors received an update from the Board of Directors Infractions Process Committee and discussed the current infraction process and future implications of proposed policies.

- a. The board approved a recommendation to modify the composition of the Infractions Process Committee as follows:

The committee shall be composed of nine voting members. A minimum of one member from each of the three subdivisions, a minimum of one Board of Directors member who would provide regular reports to the board about the work of the standing committee, at least one president/chancellor who does not serve on the Board of Directors, at least one faculty athletics representative, one athletics director or commissioner and at least one student-athlete. Preference will further be given to prospective members who have experience with the infractions process. Additionally, as the committee conducts its work, it is anticipated it will occasionally call upon other experts to assist (e.g., member of the NCAA Division I Committee on Infractions, member of the NCAA Division I Infractions Appeals Committee), potentially for one or more meetings as projects and various reviews of processes may require.

- b. The board approved a recommendation to codify, as appropriate, including where necessary, introduction of legislation by the council, concepts that will enhance individual accountability measures. The board provided input around exemplary cooperation and the use of a postseason ban in infractions matters. The board supports limiting postseason competition bans to the most egregious infractions cases where the exemplary cooperation standard is not met. The board discussed whether this policy should apply to institutions that are “repeat violators” and encouraged the committee to explore creating a reasonable window of time during

which a postseason competition ban may be applied to a repeat violator.  
(*Unanimous voice vote.*)

8. **NCAA Division I Academic Performance Program Update.** The Board of Directors received a report from the NCAA Division I Committee on Academics pertaining to the outcome of [the NCAA Division I Committee on Academics comprehensive review of the APR](#) and the return to normal Academic Performance Program operations, which may include loss of access to NCAA postseason competition for teams that fail to meet academic benchmarks. The Board of Directors affirmed the Committee on Academics' position that the APP model is effective in addressing academic performance, predicting future academic success and serving as a motivator for institutions to focus on the educational development of student-athletes.
9. **Election of Merrimack College to active Division I Membership Status.** At the recommendation of the NCAA Division I Strategic Vision and Planning Committee, the Board of Directors elected Merrimack College to active Division I status beginning with the 2023-24 academic year. (*Unanimous voice vote.*)
10. **NCAA President's Report.** The Board of Directors received an update from President Baker regarding the [NCAA business review](#), which included sharing initial results from the review and the discussion of potential improvements and implementation strategies.
11. **Board of Governors Update.** The Board of Directors received an update on actions taken and issues reviewed by the Board of Governors. See the Board of Governors [report](#) for more information.
12. **Extension of the Term of Chair of the Board of Directors.** At the recommendation of the NCAA Division I Board of Directors Administrative Committee, the Board of Directors waived its policy on the length of chair terms to permit current chair, Jere Morehead, to continue as chair through the end of his term as a member of the board (August 2024). Chris Pietruszkiewicz, University of Evansville, was appointed as vice chair of the board. (*Unanimous voice vote.*)
13. **Division I Council Update.** The Board of Directors received an update on several actions taken and issues reviewed by the council. See [June 27-28](#) Council report for additional information.
14. **NCAA Division I Student-Athlete Advisory Committee Update.** The Board of Directors received an update on key items and issues facing student-athletes including the notification of transfer windows.
15. **Report of the April Board of Directors Meeting.** The Board of Directors approved the report of its April meeting. (*Unanimous voice vote.*)

*Board of Directors chair: Jere Morehead, University of Georgia, Southeastern Conference*

*Staff Liaisons: Amanda Conklin, Governance, Policy and Human Resources*

*Jenn Fraser, Governance, Policy and Human Resources*

*Kevin Lennon, Governance, Policy and Human Resources*

*Leeland Zeller, Governance, Policy and Human Resources*

| <b>Division I Board of Directors<br/>August 2, 2023, Videoconference</b>                      |
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| <b>Attendees:</b>   |
| Jeri Beggs, Illinois State University; Faculty Athletics Representatives Association.         |
| Janna Blais, Northwestern University; Women Leaders in College Sports.                        |
| Kelly Damphousse, Texas State University; Sun Belt Conference.                                |
| Houston Davis, University of Central Arkansas; ASUN Conference.                               |
| Jim Harris, University of San Diego; West Coast Conference.                                   |
| Andrew Hsu, College of Charleston; Coastal Athletic Association.                              |
| Linda Livingstone, Baylor University; Big 12 Conference.                                      |
| Sidney McPhee, Middle Tennessee State University; Conference USA.                             |
| Geoff Mearns, Ball State University; Mid-American Conference.                                 |
| Jere Morehead (chair), University of Georgia; Southeastern Conference.                        |
| Phil Oldham, Tennessee Technological University; Ohio Valley Conference.                      |
| Ora Pescovitz, Oakland University; Horizon League.  |
| Chris Pietruszkiewicz (vice chair), University of Evansville; Missouri Valley Conference.     |
| Darryll Pines, University of Maryland, College Park; Big Ten Conference.                      |
| Taylor Randall, University of Utah; Pac-12 Conference.  |
| Peter Salovey, Yale University; The Ivy League.   |
| Cody Shimp, St. Bonaventure University; Division I Student-Athlete Advisory Committee.        |
| Harvey Stenger, Binghamton University; America East Conference.                               |
| Lynda Tealer, University of Florida; NCAA Division I Council.                                 |
| Marlene Tromp, Boise State University; Mountain West Conference.                              |
| <b>Absentees:</b>   |
| Andy Feinstein, University of Northern Colorado; Big Sky Conference.                          |
| Philip Rogers, East Carolina University; American Athletic Conference.                        |
| David Wilson, Morgan State University; Mid-Eastern Athletic Conference.                       |
| Randy Woodson, North Carolina State University; Atlantic Coast Conference.                    |
| <b>Guests in Attendance:</b>  |
| Karen Brodtkin, Endeavor.   |
| Pam Bruzina, University of Missouri, Columbia; Faculty Athletics Representatives Association. |
| Robert Davies, Central Michigan University; Division I Committee on Academics, chair.         |
| Andrew Demsey, Endeavor.  |
| Marcus Jones, Northwestern State University; Southland Conference.                            |
| Hillary Mandel, Endeavor.   |
| Brian Noland, East Tennessee State University; Southern Conference.                           |

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| Chris Paul, University of Tulsa; Division I Student-Athlete Advisory Committee.   |
| Mark Reed, Loyola University Chicago; Atlantic 10 Conference.   |
| Josh Workman, Endeavor.   |
| <b>NCAA Staff Liaisons in Attendance:</b>   |
| Amanda Conklin, Jenn Fraser, Kevin Lennon and Leeland Zeller.   |
| <b>Other NCAA Staff Members in Attendance:</b>  |
| Charlie Baker, Scott Bearby, Tim Buckley, Emily Capehart, Joni Comstock, Derrick Crawford, Jon Duncan, Meghan Durham, Dan Gavitt, Lynn Holzman, Julie Kimmons, David LaFiosca, Jobrina Marques, Felicia Martin, Emanuel McGirt Jr., Mario Morris, Stephanie Quigg, Bridget Rigney, Dave Schnase, Stan Wilcox. |