



**REPORT OF THE  
NCAA DIVISION I BOARD OF DIRECTORS  
INFRACTIONS PROCESS COMMITTEE  
AUGUST 23, 2021, VIDEOCONFERENCE**

1. **Review of Guiding Principles to Resolve Identified Tensions.** The NCAA Division I Board of Directors Infractions Process Committee reviewed its findings to date regarding the existing tensions in the Division I infractions process identified through the committee's engagement with constituents and stakeholders over the last several meetings. Based on these findings, the committee reviewed draft principles to guide recommendations for specific and significant solutions within the infractions process going forward. Committee members discussed these findings and principles at length and offered input for the staff to incorporate into a revised document for the committee to consider during its next meeting. The committee also asked staff to incorporate potential solutions tethered to each guiding principle to enable the committee to expedite its recommendation process in the coming months.
  
2. **NCAA Constitution Committee Update.** Staff referred the Infractions Process Committee to the statement issued by Constitution Committee Chair Robert Gates following the conclusion of the Constitution Committee's initial meeting on August 18. Staff urged Infractions Process Committee members not only to complete the survey the Constitution Committee is sending to the membership for input but to encourage their colleagues to do likewise. The Infractions Process Committee also discussed the fact that the work the Constitution Committee is pursuing is not mutually exclusive but rather complementary with the ongoing work of the Infractions Process Committee. Accordingly, the Infractions Process Committee must continue with its planned approach to recommending impactful solutions, as that will help inform the Constitution Committee's review as well. In fact, the Infractions Process Committee noted that the findings/principles document referenced in Item No. 1 above should be shared with the Constitution Committee when finalized.
  
3. **NCAA Division I Legislative Committee Modernization of the Rules Subcommittee Update.** The Infractions Process Committee revisited its request from earlier this spring that the Division I Modernization of the Rules Subcommittee conduct an evaluation of existing rules by beginning with the fundamental question of whether the NCAA should be regulating a particular area and operate with the overarching premise of building/maintaining rules that protect and/or assure fair competition. An example of this approach would be for the subcommittee to identify existing rules that are almost always processed as Level III violations and consider what value/purpose continued maintenance of these rules serve in the current regulatory framework. In the months since the Infractions Process Committee's referral, the subcommittee developed and recommended to the NCAA Division I Council establish a "modernization legislative track" to more efficiently implement proposed changes related to this referral. The modernization legislative track would permit proposals to be introduced during a scheduled Council meeting and then voted on as early as the next Council meeting. If the Council approves establishing the modernization legislative track in September, several of the subcommittee's recommendations coming as a result of the Infraction Process Committee's referral could be voted on in November.

4. **Review of Committee Charge and Priorities.** As is customary at the beginning of every meeting, the Infractions Process Committee reviewed its charge from the NCAA Division I Board of Directors and noted the following priority areas and items to be addressed moving forward:

<b>Process</b>	<ul style="list-style-type: none"> <li>• Enhance expediency without sacrificing fairness.</li> <li>• Review role of the appellate process.</li> <li>• Ensure efficient use of available tools.</li> <li>• Identify new tools to be used during investigation and adjudication.</li> </ul>
<b>Communication and Transparency</b>	<ul style="list-style-type: none"> <li>• More effectively communicate and advocate for process/outcomes.</li> <li>• Determine frequency/style of reports to the Infractions Process Committee and from the committee to the Board of Directors.</li> <li>• Infractions Process Committee is the conduit for timely interaction between the NCAA Division I Committee on Infractions and the Board of Directors.</li> </ul>
<b>Outcomes</b>	<ul style="list-style-type: none"> <li>• Review mitigating and aggravating factors (potential credit for cooperation).</li> <li>• Review penalty matrix (including vacation of records).</li> </ul>
<b>Rules Modernization</b>	<ul style="list-style-type: none"> <li>• Determine whether violation levels are categorized appropriately.</li> <li>• Focus time and resources on rules that are integral to the division.</li> </ul>

5. **Review of Previous Report.** The Infractions Process Committee approved the report from its July 27 videoconference as presented.
6. **Future Videoconferences.** The Infractions Process Committee will convene on the following date(s):
- 11:30 a.m. to 1 p.m. Eastern time, Thursday, September 23.

*Infractions Process Committee chair: Jim Harris, University of San Diego*  
*Staff Liaisons: Emily Capehart, Academic and Membership Affairs*  
*Derrick Crawford, Hearing Operations*  
*Jenn Fraser, Law, Policy and Governance*  
*Kevin Lennon, Law, Policy and Governance*

<b>Division I Board of Directors Infractions Process Committee August 23, 2021, Videoconference</b>
<b>Attendees:</b>
Jim Harris, University of San Diego.
Maggie McKinley, University of Cincinnati.
Geoff Mearns, Ball State University.
Karen Paisley, University of Utah.
Natalie Robinson, University of Washington.
Harlan Sands, Cleveland State University.
Greg Sankey, Southeastern Conference.
Adela de la Torre, San Diego State University.
<b>Absentees:</b>
Ronnie Green, University of Nebraska, Lincoln.
<b>NCAA Staff Liaisons in Attendance:</b>
Emily Capehart, Derrick Crawford, Jenn Fraser, and Kevin Lennon.
<b>Other NCAA Staff Members in Attendance:</b>
Brynna Barnhart, Gary Brown, Jon Duncan, Meghan Durham, Saquandra Heath, Marnae Mawdsley, Scott McDonald, Matt Mikrut, Bridget Rigney, Jared Tidemann, Wendy Walters and Laura Wurtz.