



**REPORT OF THE
NCAA DIVISION I COUNCIL
MAY 20, 2020, MEETING**

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 denote items that relate to maintaining a stable and efficient Division I.

KEY ITEMS.

1. Limited Legislative Moratorium on Conference-Sponsored Proposals and Limited Scope of Council-Introduced Proposals. (Academics/Fairness/Well-Being/Operational)

The Division I Council approved a limited moratorium on Council-governance, conference-sponsored legislative proposals for the 2020-21 legislative cycle. Exceptions to the moratorium include conference-sponsored proposals related to transfer eligibility; the use of a student-athlete's name, image and likeness; or concepts intended to address the impact of COVID-19. In addition, conferences may submit legislative concepts that are essential to the operation of the division, related to significant membership priorities or advance the NCAA Division I Board of Directors' strategic areas of emphasis, including its modernization agenda. The Council will determine whether concepts meet the required parameters. The moratorium is effective immediately and applicable to the 2020-21 legislative cycle.

Additionally, the Council specified that the scope of Council-introduced legislative proposals must be essential to the operation of the division, related to significant membership priorities or advance the Division I Board of Directors' strategic areas of emphasis, including its modernization agenda. Both actions will allow the membership to focus on managing issues related to the ongoing COVID-19 pandemic and other significant divisional priorities, including the use of a student-athlete's name, image and likeness, and the review of transfer eligibility.

2. Status of Proposals in the 2019-20 Legislative Cycle. (Academics/Fairness/Well-Being/Operational)

The Council received a report from the NCAA Division I Legislative Committee regarding its review of the remaining 2019-20 Division I Council-governance legislative proposals. The Legislative Committee agreed that the majority of the proposals should remain tabled through the June Council meeting, but noted that it will defer to the NCAA Division I Strategic Vision and Planning Committee regarding whether the Council should consider NCAA Proposal Nos. 2019-131 and 132 (Emerging Sports for Women – Acrobatics and Tumbling and Women's Wrestling) during the June meeting.

3. NCAA Division I Transfer Waiver Working Group. (Academics/Fairness/Well-Being/Operational)

The Council adopted a transfer eligibility resolution (Proposal No. R-2020-6), by which it resolves to work with key stakeholders to develop a comprehensive legislative and policy package regarding transfer eligibility for adoption not later than January 2021 and effective not later than for eligibility to compete during the 2021-22

academic year. The transfer eligibility resolution articulates a framework to achieve a uniform and equitable approach to transfer eligibility, while acknowledging ancillary items that may need adjustment with such changes.

Additionally, the Council approved the Transfer Waiver Working Group's recommendation that NCAA staff continue to apply the current transfer waiver guidelines for the 2020-21 academic year with some limited modifications. These modifications will provide guidance and clarity to the membership regarding the analysis of specific types of circumstances likely to be raised through the waiver process in the coming academic year. Aligning with the Board of Directors' recommended sensitivity when evaluating transfer waivers citing COVID-19, the Council approved a modification to allow the NCAA staff to exercise discretion and sensitivity in evaluating cases for student-athletes transferring to a new institution due to COVID-19, specifically when the prescribed outcome of the guidelines or case precedent results in an impact on the health or safety of the student-athlete or an immediate family member. The Council also approved limited authority for the NCAA staff to approve undergraduate transfer waiver requests for a specific cohort of spring student-athletes who were set to exhaust their eligibility during the 2020 spring season prior to the COVID-19 pandemic. Specifically, this limited authority is available to student-athletes who were granted an additional year of competition as part of the Council approved waiver and either the student-athlete's aid is not renewed by the original institution or the student-athlete does not have an opportunity to participate on the original institution's team. Lastly, the Council agreed waiver requests that solely focus on detrimental reliance on the working group's original concept to establish a one-time transfer waiver guideline should be denied. The Transfer Waiver Working Group will recommend additional updates to the transfer waiver guidelines pertaining to cases citing no participation opportunity and mental health at the Council's June meeting.

- 4. Voluntary Athletically Related Activities in Football and Basketball.** (Fairness/Well-Being/Operational) The Council discussed issues related to voluntary on-campus activities and summer access activities during the ongoing COVID-19 pandemic. It has become clear that states will reopen at different times, which presents unique challenges. As summer begins and some campuses reopen while other remain closed, the Council took actions to clarify which athletically related activities are permissible in the summer and under what conditions.

As was previously emphasized by the NCAA Division I Council Coordination Committee, the primacy of student-athlete health and safety in any decisions related to such issues is paramount. Access to institutional facilities should be provided in compliance with applicable state and local regulations regarding the use of such facilities, group size restrictions and any other articulated limitations. Each institution should use its discretion to make the best decisions for its student-athletes within the applicable restrictions and parameters.

The Council took the following actions regarding summer activities:

- a. Determined that voluntary on-campus activity is permissible in football and basketball beginning June 1; and
 - b. In football and basketball, extended the current waiver permitting up to eight hours of required virtual nonphysical countable athletically related activities per week with one required day off per week through June 30. The waiver relief may be applied to all student-athletes regardless of whether they are in the locale of the institution and are participating in voluntary athletic activities. Current NCAA legislation governing voluntary activities (e.g., permissible personnel involved) continues to apply.
- 4. Required Summer Athletic Activities in Basketball and Football.** (Fairness/Well-Being/Operational) Via electronic vote after the meeting, the Council adopted temporary emergency legislation to prohibit an institution from conducting required summer athletic activities (pursuant to NCAA Bylaws 13.11.3.9, 13.11.3.10 and 17.1.7.2.2.5) in basketball and football through June 30. The recommendation to prohibit required summer athletic activities was made by the NCAA Division I Football Oversight Committee and Men's Basketball Oversight Committee. Feedback from the NCAA Division I Women's Basketball Oversight Committee was also considered.
- 5. Voluntary Athletically Related Activities in Sports Other Than Football and Basketball.** (Fairness/Well-Being/Operational) The Council determined via electronic vote after the meeting that voluntary on-campus activity is permissible in sports other than basketball and football beginning June 1. Additionally, the Council extended the current waiver permitting up to eight hours of required virtual nonphysical countable athletically related activities per week with one required day off per week through June 30. The waiver relief may be applied to all student-athletes regardless of whether they are in the locale of the institution and are participating in voluntary athletic activities. Current NCAA legislation governing voluntary activities (e.g., permissible personnel involved) continues to apply.

ACTION ITEMS.

- None.

INFORMATIONAL ITEMS.

- 1. Consideration of Select Portions of the Blanket Waiver Requests for the NCAA Division I Membership Requirements.** (Fairness/Well-Being/Operational) The Council continued to discuss the waiver requests submitted by 27 of the 32 NCAA Division I conferences seeking blanket relief from multiple membership and other requirements as a

result of the impact of the COVID-19 pandemic. The Council supports flexibility to assist students, institutions and conferences during these challenging times, noting that in some instances, the most appropriate avenue for relief is a case-by-case approach rather than through a blanket waiver. The Council took the following actions related to the waiver requests:

- a. **Bylaw 20.9.6.3 – Minimum Contests and Participants Requirements for Sports Sponsorship.** The Council declined to provide blanket relief of the minimum contests and participants requirements for sponsorship outlined in Bylaw 20.9.6.3. As a result, institutions seeking relief from Bylaw 20.9.6.3 must submit a waiver to be evaluated on an individual basis.
- b. **Bylaw 20.9.7.1 – Scheduling Requirement (Sports other than Football, Basketball, Cross Country, Men’s Swimming and Diving, Indoor and Outdoor Track and Field and Men’s Wrestling).** The Council partially approved a one-year blanket waiver of Bylaw 20.9.7.1. As a result, in the applicable sports, institutions are required to play 100% of contests to satisfy the required minimum number for sports sponsorship against Division I opponents. However, institutions are not required to play 50% of their contests above the minimum requirements against Division I opponents.
- c. **Bylaw 20.9.7.2 – Scheduling Requirement (Cross Country, Men’s Swimming and Diving, Indoor and Outdoor Track and Field and Men’s Wrestling).** The Council declined to provide blanket relief of Bylaw 20.9.7.2. As a result, institutions seeking relief from Bylaw 20.9.7.2 must submit a waiver to be evaluated on an individual basis.
- d. **Bylaw 20.9.8.1 – Four Game Limit (Basketball Scheduling).** The Council declined to provide blanket relief of Bylaw 20.9.8.1 at this time. As a result, institutions seeking relief from Bylaw 20.9.8.1 must submit a waiver to be evaluated on an individual basis.
- e. **Bylaw 20.9.8.2 – One-Third of Contests in Home Arena (Basketball Scheduling) and Bylaw 20.9.8.3 – One-Third of Women’s Contests Away from Home or at a Neutral Site (Basketball Scheduling).** The Council deferred consideration of blanket waivers of Bylaws 20.9.8.2 and 20.9.8.3 until the June Council meeting.

NCAA Football Championship Subdivision Specific Request.

- **Bylaw 20.9.10.2 – FCS Football Scheduling Requirement.** The Council approved a one-year waiver of Bylaw 20.9.10.2. As a result, an FCS institution is

not required to play at least 50% of its football games against Football Bowl Subdivision or FCS members.

Football Bowl Subdivision Specific Requests.

- a. **Bylaw 20.9.9.4 – FBS Additional Financial Aid Requirements.** The Council approved a three-year waiver of Bylaw 20.9.9.4. As a result, FBS institutions will be permitted to award at least 75% of the maximum FBS financial aid limit for three years. In addition, institutions will be permitted to award a minimum of 150 athletics grants-in-aid or expend a minimum of \$3 million on grants-in-aid to student-athletes for a period of three years.
 - b. **Bylaws 18.7.2.1.1 and 20.9.9.2.1 – FCS Subdivision Opponent.** At the request of the Football Oversight Committee, the Council deferred action on this item so the NCAA Division I Football Competition Committee can review the issue and provide a recommendation. The Football Oversight Committee noted that if relief is provided, it will necessitate a review of the definition of a deserving team for bowl game participation, which the Football Oversight Committee referred to the Football Competition Committee for discussion.
 - c. **Bylaw 20.9.9.2 – FBS Scheduling Requirements.** The Council approved a one-year waiver of Bylaw 20.9.9.2. As a result, an FBS institution is not required to play a minimum percentage of its football games against FBS members. In addition, FBS institutions will not be required to play five home games against FBS opponents.
 - d. **Bylaw 20.9.9.3 – FBS Attendance Requirements.** The Council approved a two-year waiver of Bylaw 20.9.9.3 with no minimum attendance requirements. As a result, FBS institutions will not be required to average at least 15,000 in actual or paid attendance for home football games.
2. **Football Bowl Subdivision Camps and Clinics During Summer 2020.** (Fairness/Well-Being/Operational) The Council adopted temporary emergency legislation via electronic vote after the meeting, in bowl subdivision football, to prohibit an institution from conducting camps and clinics during summer 2020 and to prohibit coaches (including graduate assistant coaches) from working at another four-year, NCAA member institution's camps or clinics during summer 2020. Current legislation precludes a football coach from being employed at a noninstitutional, privately owned camp or clinic. It is not permissible for a noncoaching staff member with responsibilities specific to football to be employed at other institutional camps or clinics or at noninstitutional, privately owned camps or clinics. The recommendation for the temporary legislation was made for the Football Bowl Subdivision by the Football Oversight Committee. Council representatives of the NCAA Football Championship Subdivision conferences declined to adopt the same

prohibitions by the required 75% majority. The current temporary recruiting dead period precludes institutional camps and clinics in all sports through June 30. An extension of the dead period would continue to preclude such camps and clinics.

3. **Flexibility to Provide Expenses During Summer 2020 -- Football.** (Well-Being/Operational) Based on a recommendation from the Football Oversight Committee, the Council approved a waiver of Bylaw 16 benefits and expenses legislation to allow additional flexibility to provide a football student-athlete with funds equal to the amount he would have received to cover meals, lodging and expenses (other than tuition/fees and books) through a summer athletics scholarship. Current interpretive guidance has clarified that the NCAA awards and benefits legislation is not intended to prevent an institution from providing resources to support its student-athletes through a personal emergency and that such circumstances do not require a consistent national standard. A flexible approach is warranted when an institution is supporting a student-athlete's personal well-being, and the benefit is limited to a specific, extreme circumstance (e.g., national pandemic) beyond the student-athlete's control. The approved waiver provides additional flexibility to allow an institution to provide funds that would have been provided through a summer athletics scholarship to a football student-athlete if he had been enrolled in summer classes at the institution. The waiver applies regardless of whether a student-athlete is in the locale of the institution and is participating in voluntary or required athletically related activities.
4. **Report of the April 23-24 Council Meeting.** The Council approved the report of its April 23-24 meeting.

Note: Voting results are included in the attachment to this report.

Council Chair: Grace Calhoun, University of Pennsylvania; The Ivy League

Council Liaisons: Amanda Conklin, Law Policy and Governance

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 Meeting May 20, 2020	
Attendees:	
Gary Barta, University of Iowa; Big Ten Conference.	
Renee Baumgartner, Santa Clara University; West Coast Conference.	
Jamie Boggs; Grand Canyon University; Western Athletic Conference.	
Grace Calhoun, University of Pennsylvania; The Ivy League.	
Lisa Campos, University of Texas at San Antonio; Conference USA.	
Kim Capriotti, Faculty Athletics Representatives Association representative.	
Charles Cobb, Georgia State University; Sun Belt Conference.	
Joey D'Antonio, Colonial Athletics Association. (Alternate)	
Jean Gee, University of Montana; Big Sky Conference.	
Rick George, University of Colorado, Boulder; Pac-12 Conference.	
Ethan Good, NCAA Division I Student-Athlete Advisory Committee representative.	
Ted Gumbart, ASUN Conference (Division I conference commissioner).	
Ken Halpin, Winthrop University; Big South Conference.	
David Harris, University of Northern Iowa; Missouri Valley Conference.	
Shawn Heilbron, Stony Brook University; America East Conference.	
Jennifer Heppel, Patriot League.	
Mark Jackson, Villanova University; Big East Conference.	
Maisha Kelly, Bucknell University, Patriot League.	
Dawn K. Lewis, California State University, Fresno; Mountain West Conference.	
Heather Lyke, University of Pittsburgh; Atlantic Coast Conference.	
Shane Lyons, West Virginia University; Big 12 Conference.	
Judy MacLeod, Conference USA (FBS nonautonomy conference commissioner).	
Maggie McKinley, University of Cincinnati; American Athletic Conference.	
Noreen Morris, Northeast Conference.	
Martin Newton, Samford University; Southern Conference.	
Sam Perelman, Division I Student-Athlete Advisory Committee representative.	
Jill Redmond, Atlantic 10 Conference. (Alternate)	
Alex Ricker-Gilbert, Jacksonville University; ASUN Conference.	
Greg Sankey, Southeastern Conference (FBS autonomy conference commissioner).	
Paul Schlickmann, Fairfield University; Metro Atlantic Athletic Conference.	
Justin Sell, South Dakota State University; The Summit League.	
Paula Smith, University of California, Irvine; Big West Conference.	
Jon Steinbrecher, Mid-American Conference.	
Lynda Tealer, University of Florida; Southeastern Conference.	
Rich Tiner, Belmont University; Ohio Valley Conference.	
Patty Viverito, Missouri Valley Football Conference (FCS conference commissioner).	
Jaunelle White, Indiana University-Purdue University Indianapolis, Horizon League.	

NCAA Division I Council Meeting May 20, 2020	
Attendees:	
Ingrid Wicker McCree, North Carolina Central University; Mid-Eastern Athletic Conference.	
Jennifer Williams, Alabama State University; Southwestern Athletic Conference.	
John Williams, Southland Conference.	
Kurt Zorn, 1A Faculty Athletics Representative.	
Absentees:	
Samantha Huge, College of William and Mary; Colonial Athletic Association.	
Chris May, Saint Louis University; Atlantic 10 Conference.	
Guests in Attendance:	
None.	
NCAA Staff Liaisons in Attendance:	
Amanda Conklin, Jenn Fraser, Kevin Lennon and Leeland Zeller.	
Other NCAA Staff Members in Attendance for Portions of the Meeting:	
Troy Arthur, Scott Bearby, DJ Brown, Emily Capehart, Sharon Cessna, Shauna Cobb, Joni Comstock, Elizabeth Conte, Gina DeHann, Mark Emmert, Curtis Franks, Dan Gavitt, Ty Halpin, Brandy Hataway, Jennifer Henderson, Lynn Holzman, Michelle Hosick, Charnele Kemper, Jessica Kerr, Steve Mallonee, Kathleen McNeely, Karen Metzger, Binh Nguyen, Sarah Otey, John Parsons, Tom Paskus, Susan Peal, Carol Reep, Donald Remy, Kris Richardson, Anne Rohlman, Dave Schnase, Geoff Silver, Brian Thornton, Cari Van Senus, Jerry Vaughn and Quintin Wright.	

NCAA Division I Council Voting Results
May 20, 2020

Conference -- Voting Delegate	Conference Type	Voting Weight	Approve Council Report	Legislative Moratorium	Limited Scope of Council-Introduced Proposals	Transfer Eligibility Resolution R-2020-6	Transfer Waiver Guidelines	Minimum Contests and Participants	209.7.1 Scheduling Requirement	209.7.2 Scheduling Requirement	FCS Scheduling Requirement	FBS Financial Aid Requirements	FBS Scheduling Requirements	FBS Attendance Requirements	Extend Waiver; June 1 Voluntary Activities - Football	Extend Waiver; June 1 Voluntary Activities - Basketball	Extend Waiver; June 1 Voluntary Activities - Other Than BB & FB	Prohibit Summer Access - Basketball	Prohibit Summer Access - FBS	Prohibit Summer Access - FCS	Prohibit Camps & Clinics -- FBS	Prohibit Camps & Clinics -- FCS	Permit COA Summer Expenses - FBS	Permit COA Summer Expenses - FCS
America East Conference -- S. Heilbron	DI	1				Y												Y						
American Athletic Conference -- M. McKinley	NA	2				Y												Y	Y		Y			
Atlantic 10 Conference -- J. Redmond (alternate)	DI	1				Y												Y						
Atlantic Coast Conference -- H. Lyke	A	4				Y												Y	Y		Y			
ASUN Conference -- A. Ricker-Gilbert	DI	1				Y												N						
Big 12 Conference -- S. Lyons	A	4				Y												Y	Y		Y			
Big East Conference -- M. Jackson	DI	1				Y												Y						
Big Sky Conference -- J. Gee	FCS	1	A	A	A	Y	A	D	A	D	A	A	A	A	A	A	A	N		N		N		
Big South Conference -- K. Halpin	FCS	1	p	p	p	Y	p	e	p	e	p	p	p	p	p	p	p	Y		Y		Y		
Big Ten Conference -- G. Barta	A	4	p	p	p	Y	p	e	p	e	p	p	p	p	p	p	p	Y	Y		Y			
Big West Conference -- P. Smith	DI	1	r	r	r	Y	r	e	r	e	r	r	r	r	r	r	r	Y						
Colonial Athletic Association -- J. D'Antonio (alternate)	FCS	1	v	v	v	Y	v	e	v	e	v	v	v	v	v	v	v	Y		Y		N		
Conference USA -- L. Campos	NA	2	e	e	e	Y	e		e		e	e	e	e	e	e	e	Y	Y		Y			
Horizon League -- J. White	DI	1	d	d	d	Y	d		d		d	d	d	d	d	d	d	N						
Ivy League -- G. Calhoun	FCS	1				Y												Y		Y		Y		
Metro Atlantic Athletic Conference -- P. Schlickmann	DI	1				Y												Y						
Mid-American Conference -- J. Steinbrecher	NA	2				Y												Y	Y		Y			
Mid-Eastern Athletic Conference -- I. Wicker-McCree	FCS	1				Y												Y		Y		Y		
Missouri Valley Conference -- D. Harris	DI	1				Y												Y						
Mountain West Conference -- D. Lewis	NA	2				Y												Y	Y		Y			
Northeast Conference -- N. Morris	FCS	1				Y												Y		Y		N		
Ohio Valley Conference -- R. Tiner	FCS	1				Y												N		Y		Y		
Pac-12 Conference -- R. George	A	4				Y												Y	Y		Y			
Patriot League -- M. Kelly	FCS	1				Y												Y		Y		Y		
Southeastern Conference -- L. Tealer	A	4				Y												Y	Y		Y			
Southern Conference -- M. Newton	FCS	1				Y												Y		Y		Y		
Southland Conference -- J. Williams	FCS	1				Y												Y		Y		Y		
Southwestern Athletic Conference -- J. Williams	FCS	1				Y												Y		Y		Y		
Summit League -- J. Sell (MVFC for FCS)	DI	1				Y												Y		Y		Y		
Sun Belt Conference -- C. Cobb	NA	2				Y												N	Y		Y			
West Coast Conference -- R. Baumgartner	DI	1				Y												N						
Western Athletic Conference -- J. Boggs	DI	1				Y												N						
IA FAR -- K. Zorn		1				Y												Y						
Division I Conference Commissioner -- T. Gumbart		1				Y												Y						
FARA -- K. Capriotti		1				Y												Y						
FBS Autonomy Commissioner -- G. Sankey		4				Y												Y						
FBS Nonautonomy Commissioner -- J. MacLeod		2				Y												Y						
FCS Conference Commissioner -- P. Viverito (Pioneer for FCS)		1				Y												Y		Y		N		
SAAC -- S. Perelman		1				Y												Y						
SAAC -- E. Good		1				Y												Y						
			Yes/Adopt (Y)			63												54	15	12	15	9		
			No/Defeat (N)			0												8	0	1	0	4		
			Abstain (A)			0												0	0	0	0	0		
			No Vote Cast (Blank)			1												2	0	0	0	0		
			Total			64												64	15	13	15	13		
			Y Percent			100.0%												87.1%	100.0%	92.3%	100.0%	69.2%		

A = Autonomy; NA = FBS Nonautonomy