



**REPORT OF THE
NCAA DIVISION I COUNCIL
MAY 19, 2021, VIDEOCONFERENCE**

In an effort to connect NCAA Division I Council 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. Legislative Actions.** (Academics/Fairness/Well-Being/Operational) The Council took the legislative actions listed below and listed in Attachment A. Voting results are available in Attachment B. Emergency and noncontroversial legislation adopted by the Council is considered final at the conclusion of the Council meeting. Emergency and noncontroversial legislation adopted by the Council with an immediate effective date is effective May 19, 2021.
 - a. Emergency Legislation – Temporary Modifications to the Men’s Basketball Recruiting Calendar.** The Council adopted NCAA Proposal No. R-2021-3 as temporary emergency legislation to amend the July 2021 calendar to establish evaluation periods July 16-18 and July 23-25 and to establish a dead period July 19-22. The temporary legislation is immediately effective and applicable for July 2021 only.
 - b. Emergency Legislation – Prohibited Athletic Activities in Football.** The Council adopted Proposal No. 2021-4 as emergency legislation to specify that in football, an institution shall not conduct prohibited athletic activities (e.g., drills that encourage or create straight-line contact), as specified in policies and procedures established and maintained by the NCAA Division I Football Oversight Committee and the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports.
 - c. Emergency Legislation – Modifications to the Preseason Practice Model in Football.** The Council adopted Proposal No. 2021-5 as emergency legislation to revise the football preseason practice model as specified below.
 - 1) Extension of the Acclimatization Period.** Increase the length of the acclimatization period from five days to seven days, as specified.
 - a)** During the first two days of activity, helmets and spider pads shall be the only pieces of protective equipment student-athletes may wear.

- b) During the next three days of activity, helmets, spider pads and shoulder pads shall be the only pieces of protective equipment student-athletes may wear.
 - c) On the sixth day of activity, student-athletes may practice in full pads.
 - d) An institution is required to provide student-athletes with one day off during the seven-day acclimatization period. The required day off may occur as early as the second day or as late as the seventh day, at the institution's discretion.
- 2) **Restructure the Preseason Practice Period.** To specify the equipment that may be used during preseason practice sessions.
- a) A minimum of seven practices in which helmets and spider pads shall be the only protective equipment student-athletes may wear.
 - b) A maximum of nine practices in full pads.
 - c) Remaining practices may include helmets, spider pads and/or shoulder pads as protective equipment.
- 3) **Establish Contact Restrictions for the Preseason Practice Period.** Establish contact restrictions during the preseason practice period, as specified.
- a) Full contact (tackling to the ground) is only permitted during a practice session in full pads.
 - b) No more than two consecutive days of full contact practices.
 - c) A total of no more than 75 minutes of full contact may occur within any practice session.
 - d) No more than two scrimmages may be conducted during the preseason practice period.

[NOTE: A scrimmage is defined as a practice devoted primarily (greater than 50% of practice time) to 11-on-11, full contact (tackling to the ground) activities. A scrimmage practice counts as one of the permitted nine practices in full pads and may include more than 75 minutes of full contact.]

- d. **Noncontroversial Legislation – NCAA Division I Amateurism Fact-Finding Committee Duties and Composition.** The Council adopted Proposal No. 2021-6 as noncontroversial legislation as follows: (1) Modify the name of the Amateurism Fact-Finding Committee to the NCAA Division I Preenrollment Amateurism Certification Committee; (2) Expand the Amateurism Fact-Finding Committee’s legislated duties to include establishing preenrollment amateurism certification policies and procedures, subject to the review of the NCAA Division I Student-Athlete Experience Committee; and (3) Modify the Amateurism Fact-Finding Committee composition to include a representative from the NCAA Division I Student-Athlete Advisory Committee.
2. **Four-Year College Transfer Waivers.** (Academics/Fairness/Well-Being/Operational) The Council approved the approach and modifications to the four-year college transfer waiver guidelines effective January 1, 2022, for student-athletes seeking immediate eligibility during the 2022-23 academic year as follows:
 - a. Maintain the current education-impacting disability (EID) guideline;
 - b. Create a “real and imminent health and safety” guideline; and
 - c. Eliminate all other undergraduate transfer waiver guidelines [e.g., no participation opportunity (NPO), mental health, injury/illness of a family member, financial hardship, etc.].

The NCAA Division I Working Group on Transfers will continue to discuss whether any adjustments to the postgraduate transfer waiver guideline and previously approved waiver criteria are necessary.

The current transfer waiver guidelines used to assess undergraduate and postgraduate four-year college transfer waivers will continue to apply for the 2021-22 academic year.

3. **Name, Image and Likeness.** (Fairness/Operational) The Council continued its discussions regarding student-athlete name, image and likeness (NIL) issues and acknowledged that, provided it is practicable to do so, the Council could take action on legislative proposals regarding NIL during its June 22-23 meeting. The Council noted that voting on the proposals before July 1, 2021, would provide additional clarity for student-athletes and the membership in preparation for the implementation of new name, image and likeness regulations as of July 1. Having the legislation in place by July 1 also would provide greater consistency in the name, image and likeness opportunities available to student-athletes nationally as state laws become effective on or around July 1. Accordingly, the Council expressed general support for amending the effective date of the proposals from August 1,

2021, to July 1, 2021, or immediate if action is taken after July 1. The Council will formally consider that action when it votes on the proposals.

Consistent with a recommendation from the NCAA Division I Name, Image and Likeness Legislative Solutions Group, the Council expressed support for NCAA staff conducting further diligence regarding the possible use of a third-party administrator for the disclosure of NIL activities. Continued exploration may include work on data collection practices, issues of confidentiality, user experience, legal considerations, appropriate education, and finances. Importantly, additional work will allow for continued collaboration with Congress as federal bills are being drafted and considered. Finally, further research may help determine whether technology can be developed as early as July 1 and ultimately whether the membership should adopt Proposal No. 2020-9.

ACTION ITEMS.

- **None.**

INFORMATIONAL ITEMS.

1. **NCAA Championships Gender Equity Review Update.** (Fairness/Well-Being/Operational) The Council reviewed correspondence from Kaplan Hecker & Fink LLP, the firm retained by the NCAA to conduct a comprehensive and thorough external review of gender equity issues in connection with the NCAA, focusing on NCAA championships. The Council received a report from NCAA President Mark Emmert, who emphasized its transparency and the fact that recommendations emanating from it will be processed similar to other proposals and policy recommendations that are sent to appropriate groups within the governance structure for review and to the membership for comment before they are considered for adoption. While the immediate focus of the review is on women's and men's basketball, the full inquiry will include a review of gender equity challenges that may be unique to other sports in all three NCAA divisions.
2. **Composition of the Student-Athlete Experience Committee.** (Fairness/Well-Being/Operational) The Council revised the composition of the Student-Athlete Experience Committee by specifying that the committee shall include the chair of the Preenrollment Amateurism Certification Committee, effective immediately. The addition of the chair of the Preenrollment Amateurism Certification Committee to the Student-Athlete Experience Committee allows for an increased connection between the two committees and represents a similar structure to other standing committees within the governance process (e.g., chairs of NCAA Division I Committee for Legislative Relief and NCAA Division I Student-Athlete Reinstatement Committee serving on the NCAA Division I Legislative Committee).

3. **Women's Basketball Recruiting Calendar Discussion.** (Fairness/Well-Being/Operational) The Council received a presentation from the NCAA Division I Women's Basketball Oversight Committee regarding a recommendation for a revised recruiting calendar for the 2021-22 academic year. It is anticipated that Council action on the recruiting calendar will be sought in June.
4. **Update from NCAA President Mark Emmert.** The Council received an update from President Emmert regarding important issues facing the Association and Division I.
5. **Report of the April Council Videoconference.** The Council approved the report of its April 14-15 Council videoconference.

Council Chair: Grace Calhoun, Brown University; The Ivy League

Council Liaisons: Amanda Conklin, 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 Videoconference May 19, 2021 | |
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| Attendees: | |
| Gary Barta, University of Iowa; Big Ten Conference. | |
| Jamie Boggs; Grand Canyon University; Western Athletic Conference. | |
| Grace Calhoun, Brown University; The Ivy League. | |
| Lisa Campos, University of Texas at San Antonio; Conference USA. | |
| Kim Capriotti, Faculty Athletics Representatives Association representative. | |
| Patrick Chun, Washington State University; Pac-12 Conference. | |
| Charles Cobb, Georgia State University; Sun Belt Conference. | |
| Jean Gee, University of Montana; Big Sky Conference. | |
| 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. | |
| Kyle Kallander, Big South Conference (alternate). | |
| Maisha Kelly, Bucknell University, Patriot League. | |
| Doug Knuth, University of Nevada, Reno; Mountain West Conference. | |
| Caroline Lee, Southeastern Louisiana University; Division I Student-Athlete Advisory Committee. | |
| Justice Littrell, University of Northern Colorado; Division I Student-Athlete Advisory Committee. | |
| Heather Lyke, University of Pittsburgh; Atlantic Coast Conference. | |
| Shane Lyons, West Virginia University; Big 12 Conference. | |
| Judy MacLeod, Conference USA (FBS nonautonomy conference commissioner). | |
| Chris May, Saint Louis University; Atlantic 10 Conference. | |
| Maggie McKinley, University of Cincinnati; American Athletic Conference. | |
| Noreen Morris, Northeast Conference. | |
| Gloria Nevarez; West Coast Conference (alternate). | |
| Martin Newton, Samford University; Southern Conference. | |
| Chrissi Rawak, University of Delaware; Colonial Athletic Association. | |
| Alex Ricker-Gilbert, Jacksonville University; ASUN Conference. | |
| Julie Roe Lach, Horizon League (alternate). | |
| 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. | |
| Brian Shannon, Texas Tech University; 1A Faculty Athletics Representative (alternate). | |
| Paula Smith, University of California, Irvine; Big West Conference. | |

| NCAA Division I Council Videoconference May 19, 2021 | |
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| Attendees: | |
| 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). | |
| Ingrid Wicker McCree, North Carolina Central University; Mid-Eastern Athletic Conference. | |
| John Williams, Southland Conference. | |
| Absentee: | |
| Renee Baumgartner, Santa Clara University; West Coast Conference. | |
| Jaunelle White, Indiana University-Purdue University Indianapolis, Horizon League. | |
| Jennifer Williams, Alabama State University; Southwestern Athletic Conference. | |
| Kurt Zorn, Indiana University; 1A Faculty Athletics Representative. | |
| Guests in Attendance: | |
| Bob Bowsby, Big 12 Conference. | |
| Brynn Carlson, Kansas State University, Division I Student-Athlete Advisory Committee. | |
| Bryce Choate, Oral Roberts University, Division I Student-Athlete Advisory Committee. | |
| 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: | |
| Scott Bearby, DJ Brown, Gary Brown, Dawn Buth, Jackie Campbell, Emily Capehart, Meredith Cleaver, Shauna Cobb, Dana Conner, Jon Duncan, Mark Emmert, Dan Gavitt, Derrick Gragg, Ty Halpin, Brandy Hataway, Sarah Heberd, Jennifer Henderson, Lynn Holzman, Michelle Hosick, PJ Hubert, Charnele Kemper, Abbie Markey, Jobrina Marques, Felicia Martin, Kathleen McNeely, Karen Metzger, Binh Nguyen, Sarah Otey, Kris Richardson, Bridget Rigney, Anne Rohlman, Dave Schnase, Geoff Silver, Liz Suscha, Cari Van Senus, Jerry Vaughn, Stan Wilcox, Bob Williams and Quintin Wright. | |

NCAA Division I Council May 2021 Legislative Actions

| Proposal Number | Title | Source | Effective Date | Intent | Council Action |
|-----------------|---|--|---|---|---|
| R-2021-3 | RESOLUTION: JULY 2021 RECRUITING CALENDAR – MEN’S BASKETBALL | NCAA Division I Council (Men's Basketball Oversight Committee) | Immediate; applicable for July 2021 only. | To amend the July 2021 calendar to: (1) Establish evaluation periods for NCAA-certified events July 16-18 and July 23-25; and (2) Establish a dead period July 19-22. | Supported as emergency legislation. Adopted. |
| 2021-4 | PLAYING AND PRACTICE SEASONS – FOOTBALL -- PROHIBITED ATHLETIC ACTIVITIES | NCAA Division I Council (Football Oversight Committee) | Immediate. | In football, to specify that an institution shall not conduct prohibited athletic activities, as specified in the policies and procedures established and maintained by the Football Oversight Committee and Committee on Competitive Safeguards and Medical Aspects of Sports. | Supported as emergency legislation. Adopted. |
| 2021-5 | PLAYING AND PRACTICE SEASONS – FOOTBALL – PRESEASON PRACTICE MODEL | NCAA Division I Council (Football Oversight Committee) | Immediate. | To revise the football preseason practice model to extend the acclimatization period to seven days and establish equipment and contact restrictions, as specified. | Supported as emergency legislation. Adopted. |
| 2021-6 | COMMITTEES – AMATEURISM FACT-FINDING COMMITTEE – NAME, COMPOSITION AND DUTIES | NCAA Division I Council (Student-Athlete Experience Committee) | Immediate. | To modify the name, composition and duties of the NCAA Division I Amateurism Fact-Finding Committee, as specified. | Supported as noncontroversial. Adopted. |

NCAA Division I Council Voting Results
May 19, 2021

| Conference -- Voting Delegate | Conference Type | Voting Weight | April 15-19 Report | Working Group on Transfers Recommendations | R-2021.3 as emergency | R-2021.3 | 2021.5 as emergency - FBS | 2021.5 - FBS | 2021.5 as emergency - FCS | 2021.5 - FCS | 2021.4 as emergency - FBS | 2021.4 - FBS | 2021.4 as emergency - FCS | 2021.4 - FCS | 2021.6 as noncontroversial | 2021.6 | SAEC Composition |
|--|-----------------|---------------|--------------------|--|-----------------------|---------------|---------------------------|---------------|---------------------------|---------------|---------------------------|---------------|---------------------------|---------------|----------------------------|---------------|------------------|
| America East Conference -- S. Heilbron | DI | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| American Athletic Conference -- M. McKinley | NA | 2 | | | Y | Y | Y | Y | | | Y | Y | | | Y | Y | |
| Atlantic 10 Conference -- C. May/J. Redmond (alternate) | DI | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| Atlantic Coast Conference -- H. Lyke | A | 4 | | | Y | Y | Y | Y | | | Y | Y | | | Y | Y | |
| ASUN Conference -- A. Ricker-Gilbert | DI | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| Big 12 Conference -- S. Lyons | A | 4 | | | Y | Y | Y | Y | | | Y | Y | | | Y | Y | |
| Big East Conference -- M. Jackson | DI | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| Big Sky Conference -- J. Gee | FCS | 1 | | | Y | Y | | | Y | Y | | | Y | Y | Y | Y | |
| Big South Conference -- K. Halpin/K. Kallander (alternate) | FCS | 1 | | | Y | Y | | | Y | Y | | | Y | Y | Y | Y | |
| Big Ten Conference -- G. Barta | A | 4 | | | Y | Y | Y | Y | | | Y | Y | | | Y | Y | |
| Big West Conference -- P. Smith | DI | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| Colonial Athletic Association -- C. Rawak | FCS | 1 | | | Y | Y | | | Y | Y | | | Y | Y | Y | Y | |
| Conference USA -- L. Campos | NA | 2 | | | Y | Y | Y | Y | | | Y | Y | | | Y | Y | |
| Horizon League -- J. Roe Lach (alternate) | DI | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| Ivy League -- G. Calhoun | FCS | 1 | | | Y | Y | | | Y | Y | | | Y | Y | Y | Y | |
| Metro Atlantic Athletic Conference -- P. Schlickmann | DI | 1 | | | Y | Y | | | | | | | | | Y | | |
| Mid-American Conference -- J. Steinbrecher | NA | 2 | | | Y | Y | Y | Y | | | Y | Y | | | Y | Y | |
| Mid-Eastern Athletic Conference -- I. Wicker McCree | FCS | 1 | | | Y | Y | | | Y | Y | | | Y | Y | Y | Y | |
| Missouri Valley Conference -- D. Harris | DI | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| Mountain West Conference -- D. Knuth | NA | 2 | | | Y | Y | Y | Y | | | Y | Y | | | Y | | |
| Northeast Conference -- N. Morris | FCS | 1 | | | Y | Y | | | Y | Y | | | Y | Y | Y | Y | |
| Ohio Valley Conference -- R. Tiner | FCS | 1 | | | Y | Y | | | Y | Y | | | Y | Y | Y | Y | |
| Pac-12 Conference -- P. Chun | A | 4 | | | Y | Y | Y | Y | | | Y | Y | | | Y | Y | |
| Patriot League -- M. Kelly | FCS | 1 | | | Y | Y | | | Y | Y | | | Y | Y | Y | Y | |
| Southeastern Conference -- L. Tealer | A | 4 | | | Y | Y | Y | Y | | | Y | Y | | | Y | Y | |
| Southern Conference -- M. Newton | FCS | 1 | | | Y | Y | | | Y | Y | | | Y | Y | Y | Y | |
| Southland Conference -- J. Williams | FCS | 1 | | | Y | Y | | | Y | Y | | | Y | Y | Y | Y | |
| Southwestern Athletic Conference -- J. Cable (alternate) | FCS | 1 | | | Y | Y | | | Y | | | | Y | Y | Y | Y | |
| Summit League -- J. Sell (MVFC for FCS) | DI | 1 | | | Y | Y | | | Y | Y | | | Y | Y | Y | Y | |
| Sun Belt Conference -- C. Cobb | NA | 2 | | | Y | Y | Y | Y | | | Y | Y | | | Y | Y | |
| West Coast Conference -- G. Nevarez (alternate) | DI | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| Western Athletic Conference -- J. Boggs | DI | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| IA FAR -- B. Shannon (alternate) | | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| Division I Conference Commissioner -- T. Gumbart | | 1 | | | | | | | | | | | | | | | |
| FARA -- K. Capriotti | | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| FBS Autonomy Commissioner -- G. Sankey | | 4 | | | Y | Y | | | | | | | | | Y | Y | |
| FBS Nonautonomy Commissioner -- J. MacLeod | | 2 | | | Y | Y | | | | | | | | | Y | Y | |
| FCS Conference Commissioner -- P. Viverito (Pioneer for FCS) | | 1 | | | Y | Y | | | Y | Y | | | Y | Y | Y | Y | |
| SAAC -- C. Lee | | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| SAAC -- J. Littrell | | 1 | | | Y | Y | | | | | | | | | Y | Y | |
| Yes/Adopt (Y) | | | | | 63 | 63 | 15 | 15 | 13 | 12 | 15 | 15 | 13 | 13 | 63 | 60 | |
| No/Defeat (N) | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Abstain (A) | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| No Vote Cast (Blank) | | | | | 1 | 1 | 0 | 0 | 27 | 28 | 0 | 0 | 27 | 27 | 1 | 3 | |
| Total | | | | | 64 | 64 | 15 | 15 | 40 | 40 | 15 | 15 | 40 | 40 | 64 | 63 | |
| Y Percent | | | | | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | |

A = Autonomy; NA = FBS Nonautonomy