



**REPORT OF THE
NCAA BOARD OF GOVERNORS COMMITTEE TO
PROMOTE CULTURAL DIVERSITY AND EQUITY
MAY 18, 2023, VIDEOCONFERENCE**

ACTION ITEMS.

- None.

INFORMATIONAL ITEMS.

1. **Welcome and announcements.** Kate Conway-Turner, chair of the NCAA Board of Governors Committee to Promote Cultural Diversity and Equity, welcomed the committee and noted that Julia Hathaway, a track and field student-athlete from Virginia Wesleyan University, has been appointed as the committee's newest member, representing the Division III Student-Athlete Advisory Committee.
2. **Review of previous reports.** The committee approved the report from its February 21 videoconference as presented.
3. **New committee chair and vice chair for fall 2023.** Due to President Conway-Turner's approaching retirement after serving as president at SUNY Buffalo State University since 2014, the committee discussed the process to appoint her successor as chair, as well as a new vice chair for the 2023-24 academic year. Staff encouraged committee members to submit nominations or self-nominate for the committee's consideration.
4. **NCAA Student-Athlete Advisory Committee reports.** The committee received the following updates from the Student-Athlete Advisory Committee members who were present. The committee emphasized the importance of the student-athlete voice in NCAA deliberations and praised the SAACs for their dedication to diversity and inclusion.
 - a. **Division I.** The Division I SAAC representative updated the committee on recent actions impacting Division I student-athletes, including the Division I Board of Directors' adoption of the holistic student-athlete benefits model, which culminated a year of collaboration between the Division I SAAC and the Division I Transformation Committee to enhance student-athlete benefits. The legislation includes institutional attestation requirements to ensure that student-athletes receive education and awareness on diversity, equity, inclusion and belonging, academic support and adherence to consensus-based care, education and services. Additionally, the Board of Directors adopted a change to its composition, adding a student-athlete. The Division I Council adopted legislation creating membership expectations regarding the student-athlete voice in decision making at the institutional and conference levels. It also noted that the Division I Council recently adopted legislation that provides flexibility regarding official visits for prospective student-athletes.
 - b. **Division II.** The Division II SAAC representative, who was traveling during the committee videoconference, submitted notes in advance that summarized the

recent Division II Student-Athlete Advisory Committee Super Region Convention in Pittsburgh last month that brought more than 150 student-athletes and administrators together from the Atlantic and East regions to develop plans to better support mental health and the student-athlete voice on their campuses and in their conferences. This was the fifth super region convention, which the Division II SAAC developed as an additional outreach to involve more student-athletes in Division II governance rather than just annually at the NCAA Convention in January. The Division II SAAC also continues to focus on its Total Package Student-Athlete initiative, which focuses on mental wellness, diversity and inclusion, and professional development. Regarding diversity and inclusion, the Division II SAAC's diversity, equity and inclusion task force is planning a modernized social media campaign to highlight a diverse collection of student-athletes in patterns that align with days/months celebrating diversity (e.g., Black History Month, Women's History Month, Native American Heritage Month).

- c. **Division III.** The newly appointed Division III Student-Athlete Advisory Committee representative will join the committee at its next meeting.

5. Division I Transformation Committee recommendations regarding DEI.

- a. **Update on state laws impacting DEI landscape in higher education.** Staff updated the committee on states that have either have passed or are considering legislation that would restrict diversity and inclusion initiatives for colleges and universities and in some cases could impact the funding they receive. The committee noted its concerns with these recent developments and acknowledged that Division I schools in some states will face challenges with the legislated DEI Review that is due on November 3, 2023.
- b. **Division I Strategic Vision and Planning Committee Working Group progress on recommendations.** Staff noted that the recommendations from the Division I Transformation Committee that affect diversity, equity, inclusion and belonging have been referred to the Division I Strategic Vision and Planning Committee, which reports directly to the Division I Council and has created a subgroup to manage these issues. Among those garnering immediate attention is the Transformation Committee's recommendation that "a Division I athletics department must employ at least one full-time staff member, with appropriate training, whose primary focus is on diversity, equity inclusion and belonging." The subgroup is currently considering whether the existing ADID designation could be enhanced or modified to satisfy that recommendation, rather than creating an entirely new position. The subgroup is targeting August to craft a formal recommendation.

6. Transgender student-athlete participation.

- a. **Update on state laws and proposed Department of Education regulations impacting transgender participation.** Staff updated the committee on the current

landscape, noting that 21 states have enacted legislation limiting or prohibiting a transgender athlete's ability to participate in sports. Only one state (California) has enacted legislation that would explicitly allow a transgender athlete to participate in sports that align with their gender identity. Also of note, 22 states and the federal government have introduced legislation that would limit or prohibit a transgender athlete's ability to participate specifically in college sports.

b. NCAA Transgender Student-Athlete Participation Policy and next steps for the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports.

Staff from the Sport Science Institute summarized the policy update from the NCAA Board of Governors in 2022, which included (1) re-establishing that all athletes had to continue meeting the original NCAA policy approved in 2010; (2) added sport-specific eligibility requirements established by national and international governing bodies (or in lieu of either, the 2015 IOC policy); and (3) a phased implementation approach (Phase 1 for 2022 winter and spring championships, Phase 2 for the 2022-23 academic year, and Phase 3 for the 2023-24 academic year). The Board of Governors subsequently approved extending Phase 2 through the 2023-24 academic year and thus delaying implementation of Phase 3 to focus on the various logistics required. The intent is for the Committee on Competitive Safeguards and Medical Aspects of Sports to resume its discussion of Phase 3 implementation during its meeting in June. Representatives from each of the four NCAA membership committees that focus on DEI will join the Committee on Competitive Safeguards and Medical Aspects of Sports for the upcoming discussion about the policy. More information on the policy can be found [here](#).

7. **Next steps to operationalize committee goals for 2023-24.** The committee discussed a framework to operationalize its goals for 2023-24, which focus on diverse hiring practices. The committee agreed having sufficient data to inform future recommendations is key, and staff previewed efforts underway to fortify the data already available, including a membership survey. Staff also demonstrated how to access existing data the NCAA research staff collects annually (called the [NCAA Demographics Database](#)) that provides users with high-level breakdowns by gender and race/ethnicity for athletics administrators and student-athletes in all three NCAA divisions.
8. **Board of Governors referral.** The committee reviewed the process underway to manage the referral from the Board of Governors regarding the committee's recommendation that there be an equity analysis prior to NCAA policy being adopted by the board and legislation being passed by the membership. The next step in this process is for the four DEI committees (this committee, the Committee on Women's Athletics, the Minority Opportunities and Interests Committee, and the Gender Equity Task Force) to work on a definition of "equity" that will be foundational to any processes that are put in place for equity analyses. The four DEI committees have previously referenced the NCAA Gender Equity Task Force's 1992 definition of gender equity in their work, which states: *"An athletics program can be considered gender equitable when the participants in both the men's and women's sports programs would accept as fair and equitable the overall program of the other gender. No*

individual should be discriminated against on the basis of gender, institutionally or nationally, in intercollegiate athletics.” In today’s contemporary landscape, however, the four NCAA DEI committees suggested the definition of equity must address more than gender. The committee reviewed a preliminary draft of a revised statement generously offered by one of its members in advance of the videoconference and offered initial feedback, noting that it will continue collaborating with the other three DEI committees to refine a more formal recommendation in the coming weeks.

9. **Championship media rights presentation.** The committee received a media rights update.

10. **Other business.**

- **Recognition of committee chair.** The committee formally thanked President Conway-Turner at the conclusion of her final meeting not only for her significant leadership with this committee over the past several months but also for her contributions on multiple committees in the NCAA governance structure during her tenure.

11. **Future meetings/videoconferences.**

- The committee will meet in the fall on a date to be determined.

12. **Adjournment.** The meeting adjourned at 2:48 p.m. Eastern time.

Committee Chair: Kate Conway-Turner, Buffalo State College
Staff Liaisons: Felicia Martin, Inclusion, Education and Community Engagement
DeeDee Merritt, Leadership Development
Amy Wilson, Office of Inclusion

NCAA Board of Governors Committee to Promote Cultural Diversity and Equity May 18, 2023, Videoconference	
Attendees:	
Kristy Bayer, Rockhurst University.	
Marco Barker, University of Nebraska, Lincoln.	
Michael Benson, Coastal Carolina University.	
Kate Conway-Turner, Buffalo State College.	
Paulette Dillard, Shaw University.	
Kaiya Johnson, San Jose State University.	
Fayneese Miller, Hamline University.	
Absentees:	
Crystal Gibson, St. Mary’s College of Maryland.	

Report of the Committee to Promote Cultural Diversity and Equity

May 18, 2023, Videoconference

Page No. 5

Julia Hathaway, Virginia Wesleyan University.
David Mayser, University of Hawaii at Hilo.
Joan Prince, University of Wisconsin-Milwaukee.
Carlos Vargas-Aburto, Southeast Missouri State University.
Guests in Attendance:
Andrew Demsey, Endeavor.
Jared Edelman, Endeavor.
Eddie Llano, Endeavor.
Hillary Mandel, Endeavor.
Nicholas Warke, Endeavor.
NCAA Staff Liaisons in Attendance:
Felicia Martin, DeeDee Merritt, Amy Wilson.
Other NCAA Staff Members in Attendance for Portions of the Meeting:
Gary Brown, Joni Comstock, Kina Davis, Gail Dent, Dan Gavitt, Niya Blair Hackworth, Julie Kimmons, Patrick Lichtenstein, Ashleasha Lokhande, Jean Merrill, Gretchen Miron, Stephanie Quigg, Anne Rohlman, Sadé Sleet, Jared Tidemann and Robert Turick.