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DESIGNING A NEW MODEL FOR D-I COLLEGE SPORTS IN THE FACE OF LEGAL REALITIES



Knight Commission
On Intercollegiate Athletics

A PROJECT OF THE JOHN S. AND JAMES L. KNIGHT FOUNDATION

HAMILTON HOTEL, WASHINGTON, DC
SEPTEMBER 18, 2024

NCAA

- History – Major governance changes occurred in 1906, 1957, 1973, and 1978
- Current state of Division I – litigious, bureaucratic, and misaligned

Division I

When people think about college sports, they most often think about Division I. Its teams are usually the ones broadcast on television, they have the highest profile, and they are frequently subjected to public scrutiny.

The division is home to a wide range of schools with varying missions, admissions standards and athletics budgets. It includes some of the most highly selective universities in the country, and others with open admission.

Despite the differences, Division I schools share a commitment to the well-being of student-athletes, to creating sound academic standards and promoting fairness.

Led by the overall strategic vision of the Division I Board of Directors, comprised mostly of university presidents, the Division I governance structure provides autonomy for the 65 schools in the Atlantic Coast, Big Ten, Big 12, Pac-12 and Southeastern conferences to vote on rule changes in specific categories. The rest of the division is then free to follow those adopted rules.

When governing itself on issues outside the areas of autonomy, though, Division I operates much like the other two divisions: Representatives serve on NCAA committees that determine the division's direction and develop legislation. Members of the Division I Council vote on these proposals. Both processes often work together to reach a positive outcome for college athletes.

Rule-making starts with the schools and athletics conferences that belong to Division I. If an athletics director wants to change recruiting legislation, for example, the idea could be introduced through the committee structure.

An individual conference can introduce an idea as legislation. Those proposals are reviewed by Division I committees, but regardless of their feedback, the Division I Council votes on all conference-sponsored legislation.

DIVISION I COMMITTEES

Legislative Committee
Reviews proposals developed through conferences and Council committees and provides feedback to autonomy conferences about their proposals.
19 members:

Nominating Committee
Facilitates the process to appoint representatives to Council committees (non-Council positions), DI committees and DI vacancies on Association-wide committees.
12 members: Four from FBS; four from FCS; four from Division I Subdivision

Student-Athlete Advisory Committee
Members are college athletes who monitor and act on issues at the campus, conference and national levels.
32 members, each representing one Division I conference:

Committee on Student-Athlete Reinstatement
Decides all matters related to reinstating a Division I college athlete's eligibility.

Committee for Legislative Relief
Makes final decisions on waiver requests in which no other committee or conference has authority.

Competition Oversight Committee
Oversees regular season and championships administration in sports other than football and men's and women's basketball.
19 members:

Student-Athlete Experience Committee
Oversees nonacademic rules that impact the overall student-athlete experience, including areas of amateurism, recruiting and financial aid.
10 members:

Strategic Vision and Planning Committee
Oversees administrative functions related to governance structure, legal affairs, membership standards, strategic planning and research.
10 members:

Women's Basketball Oversight Committee
Promotes development of the sport and makes recommendations related to regular-season and postseason women's basketball.
12 members:

Men's Basketball Oversight Committee
Promotes development of the sport and makes recommendations related to regular-season and postseason men's basketball.
12 members:

Football Oversight Committee
Promotes development of the sport and makes recommendations related to regular-season and postseason football.
12 members:

KEY

- Legislative path
- Member-sponsored legislative path
- Communication path

President or chancellor
Division I Council member
Student-Athlete Advisory Committee member
Financial aid administrator
Athletics director
Faculty athletics representative
Senior women administrator
Provost
Conference administrator

Represents the various required rules, the NCAA also works to ensure gender, racial and geographic diversity on its committees. Many of those diversity standards are mandated by legislation.

Committees debate the ideas and recommend whether the Council should introduce them as pieces of legislation.



BOARD OF DIRECTORS

The Board of Directors is the top governing body for Division I, responsible for strategy and policy and overseeing legislation and management of the division.

- Focuses on strategic topics in college sports and their relationship to higher education.
- Monitors legislation to ensure it does not conflict with policies and goals.
- Reviews and approves policies and procedures governing the infractions program.
- Approves an annual budget.
- Adopts legislation when significant values are at stake or an issue requires fast action that does not allow use of the regular legislative process.
- Collaborates with NCAA staff on how the national office can best serve Division I members.



Presidential Forum

Made up of 32 presidents and chancellors representing each conference, it is the primary advisory body to the board.

24 members:

20 presidents, 1 from each FBS conference and 10 seats rotating among the remaining 22 conferences



Committee on Academics
Primary academic authority for Division I, managing eligibility standards and Academic Performance Program. Its work is subject to review by the Board of Directors, and it can recommend legislation to the Council.
20 members:

These committees report to the Board of Directors to ensure it is aware of infractions issues.

Committee on Infractions
Participates in hearings involving Division I schools accused of violating NCAA rules.

Infractions Appeals Committee
Hears and acts on appeals of decisions by the Committee on Infractions.

The Council has primary legislative authority for Division I, although its work is subject to review by the Board of Directors, which monitors legislation to ensure it does not conflict with the division's policies and goals.



DIVISION I COUNCIL

Made up of practitioners who work daily in Division I college sports, this body:

- Recommends nonacademic policies to the Board of Directors.
- Coordinates strategic planning activities.
- Identifies and examines trends and issues in college sports.
- Takes final action on matters delegated to it by the Board of Directors.
- Supervises qualifications and selection procedures for Division I championships and national collegiate championships.
- Reviews recommendations from sports committees regarding the administration of championships.
- Oversees Division I membership standards.

Council Coordination Committee
Made up of Council members who manage issues that arise between quarterly meetings.

40 members, including one from each of the 32 conferences:



COUNCIL GOVERNANCE PROCESS TIMELINE

AUTONOMY LEGISLATIVE PROCESS TIMELINE

SEPT. 1 Sponsorship deadline for legislative proposals.

OCT. 1 Proposals available for comments, sponsor modification and amendments.

JANUARY NCAA Convention. Votes may occur on some proposals (student-athlete well-being, time sensitive). Other proposals reviewed and discussed.

NOV. 1 Deadline for sponsors to refine or change proposals and for conferences to offer amendments to existing proposals to narrow the scope.

FEB. 8 Official notice of remaining proposals and amendments.

APRIL Council takes final vote on proposals and amendments.

SEPT. 15 Autonomy conferences submit a description of concepts under consideration.

OCTOBER Autonomy conferences submit proposals by two weeks before the Board of Directors meeting.

NOV. 1 Proposals available for comments, sponsor modification and amendments.

NOVEMBER Sponsors refine or change proposals and autonomy conferences submit amendments to proposals to narrow the scope.

DEC. 1 Once again, the proposed pieces of legislation are published on ncaa.org, this time with the FCS and DI nonfootball proposals.

JANUARY Representatives from the ACC, Big Ten, Big 12, Pac-12 and SEC, including three student-athletes from each conference, meet at business session to vote on proposals.

AUTONOMY

The ACC, Big Ten, Big 12, Pac-12 and SEC have autonomy to make rules in specified areas such as meals and nutrition and athletics personnel.



15 schools + 3 students

18 votes



10 schools + 3 students

13 votes



14 schools + 3 students

17 votes



12 schools + 3 students

15 votes



14 schools + 3 students

17 votes

= 80
Total votes

Two ways to pass legislation:



Majority vote within 3 of 5 conferences.

OR

Majority vote within 4 of 5 conferences.

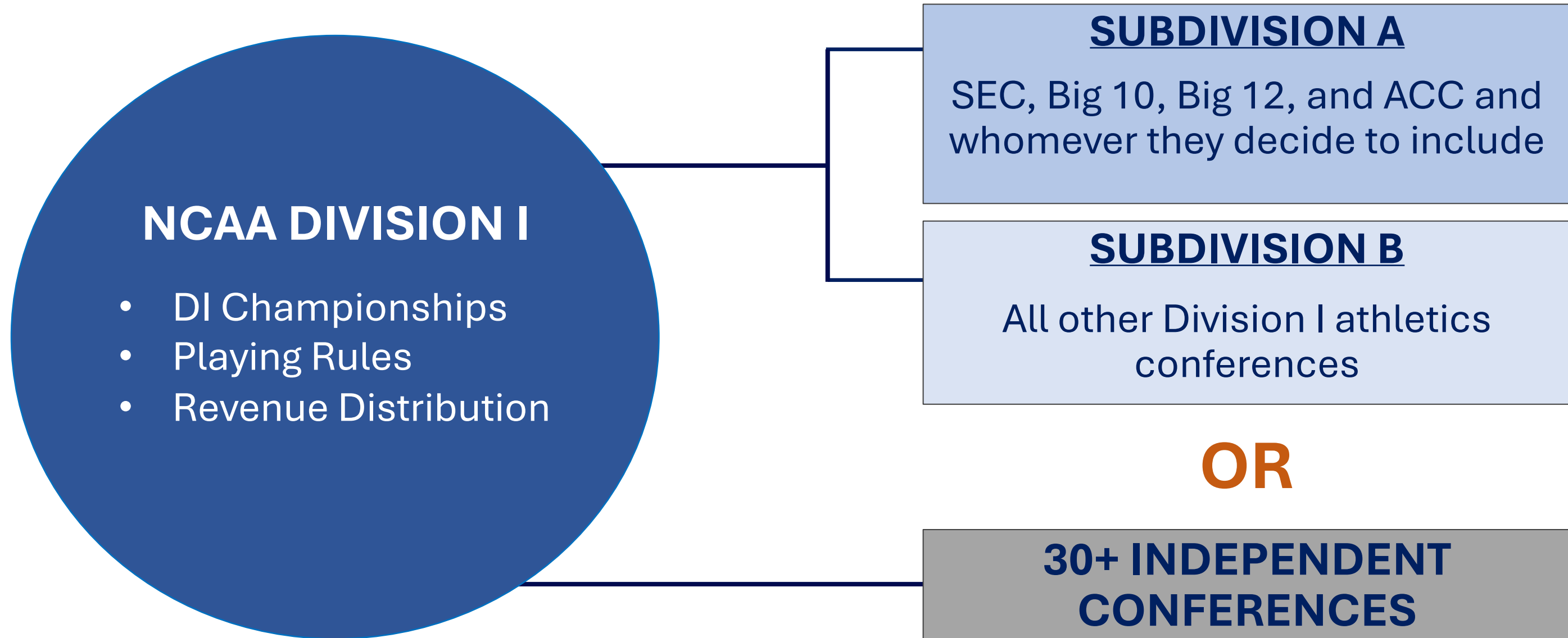
+ Majority of overall votes

OCCAM'S RAZOR

“The simplest explanation (or solution) is usually the best one.”



RECOMMENDED NCAA DIVISION I FRAMEWORK



Goal is to simplify governance and become more legally defensible.

DISTINGUISHING FACTORS OF DIVISION I ATHLETICS

1. **Social Sector Enterprise:** Intercollegiate athletics serves a “public purpose.”
2. **Primacy of Education:** Student-athlete experience is holistically grounded in education.



RECOMMENDED NCAA DIVISION I FRAMEWORK – 10 Year Plan

COLLEGIATE PREMIER SUBDIVISION

DI athletics conferences that
commit to an education-based
model of college athletics.

SUBDIVISION A

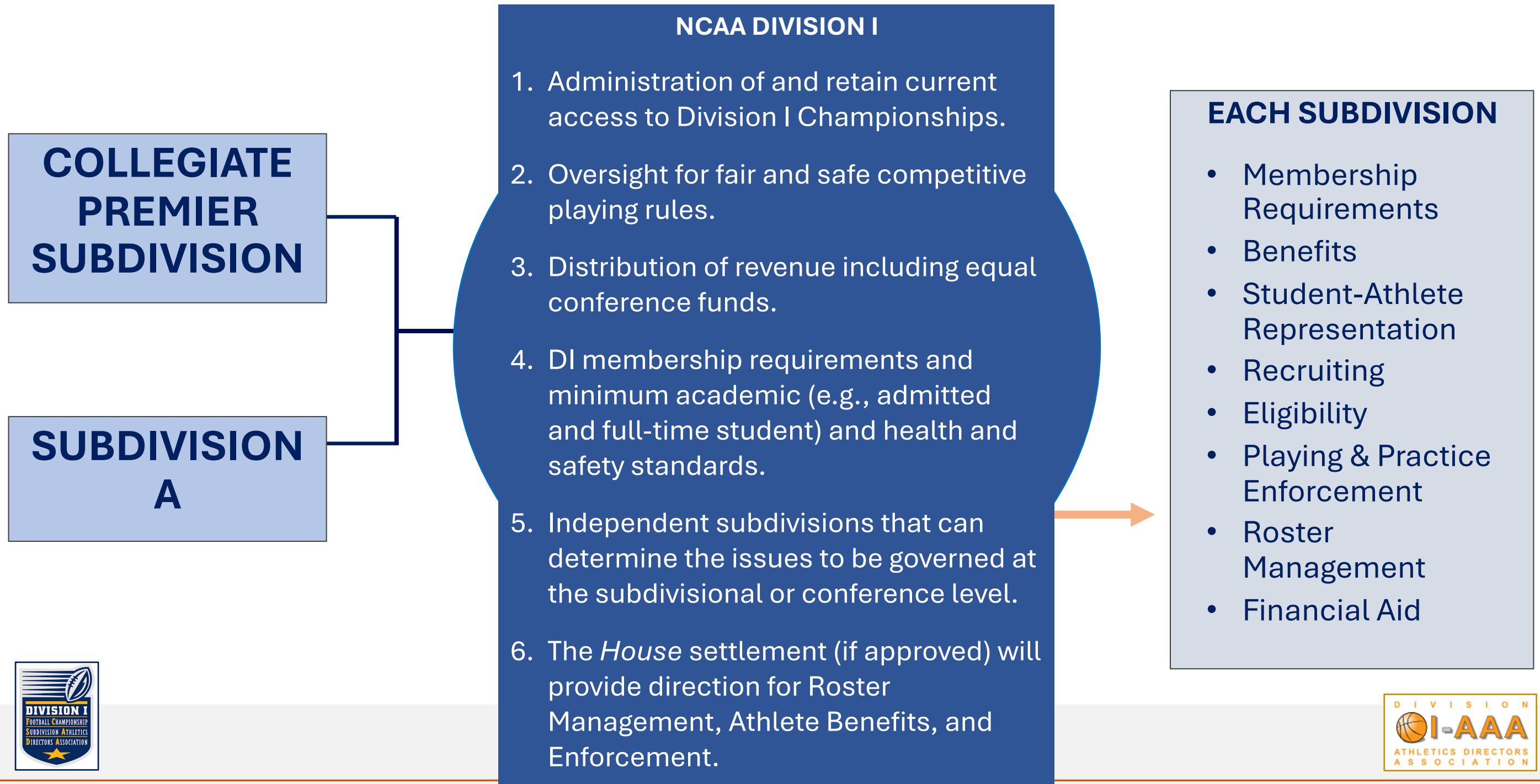
Current Autonomy conferences
and may include other football
and non-football playing
conferences.

NCAA DIVISION I

- DI Championships
- Playing Rules
- Revenue Distribution

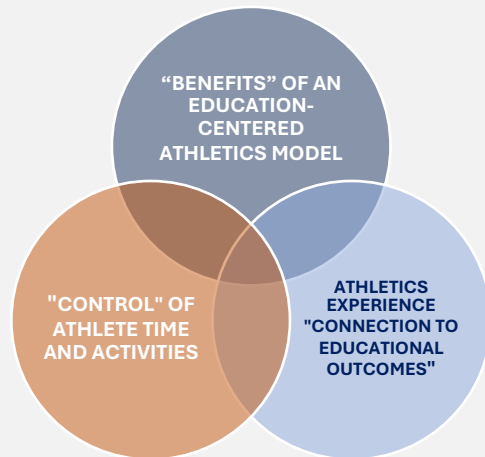


RECOMMENDED NCAA DIVISION I FRAMEWORK – 10 Year Plan



RECOMMENDED NCAA DIVISION I FRAMEWORK – 10 Year Plan

COLLEGIATE PREMIER SUBDIVISION



NCAA DIVISION I

1. Administration of and retain current access to Division I Championships.
2. Oversight for fair and safe competitive playing rules.
3. Distribution of revenue including equal conference funds.
4. DI membership requirements and minimum academic (e.g., admitted and full-time student) and health and safety standards.
5. Independent subdivisions that can determine the issues to be governed at the subdivisional or conference level.
6. The *House* settlement (if approved) will provide direction for Roster Management, Athlete Benefits, and Enforcement.

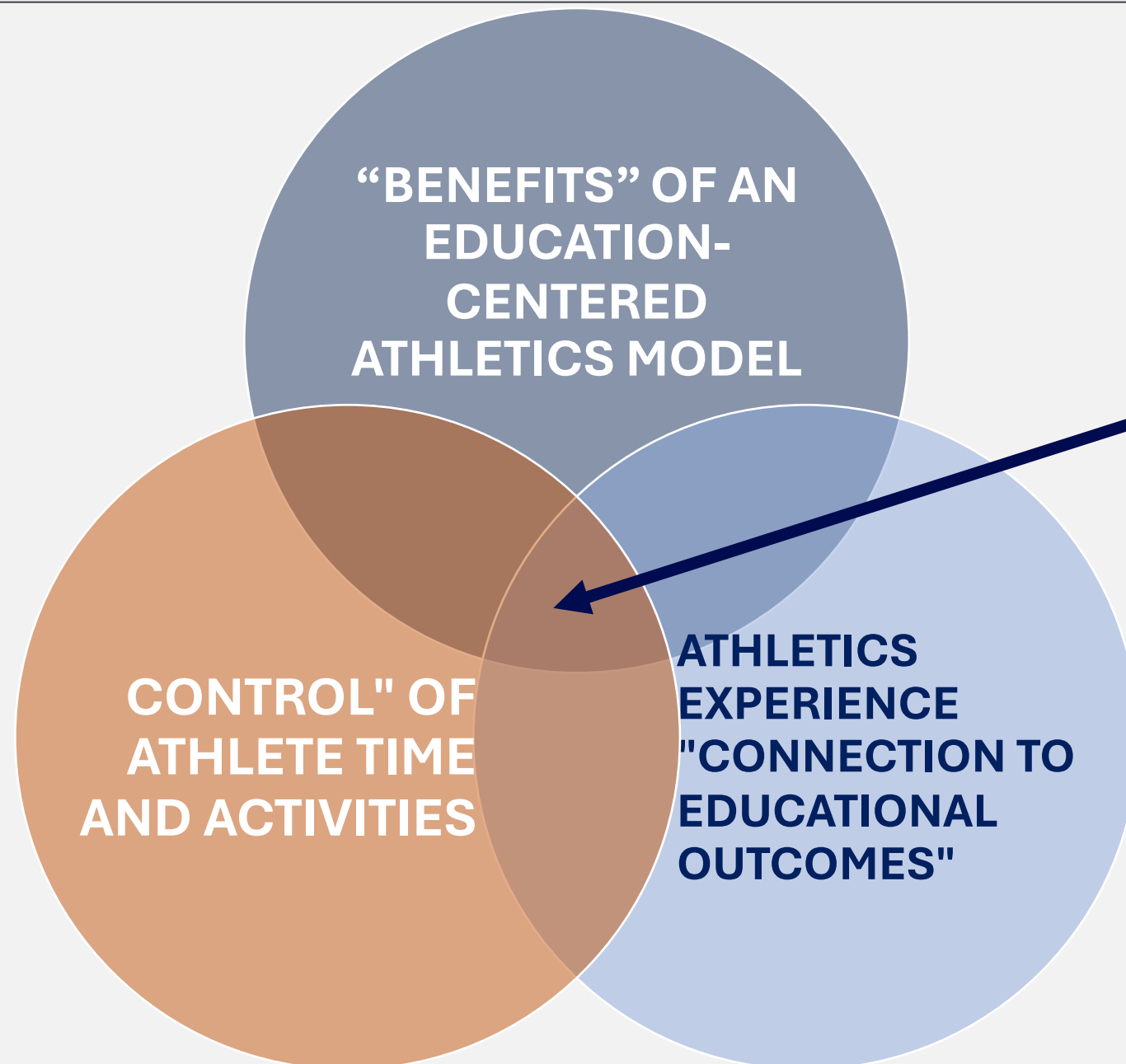


10 YEAR PLAN CALLS FOR:

- No diminished change to championships access
- Shared revenue & equal conference fund
- Equal representation (no weighted voting)



NCAA DI COLLEGIATE PREMIER SUBDIVISION



This is where the **holistic educational experience** is the **greatest benefit** to the student-athlete.

CONTROL FACTORS SCORECARD

FINAL DRAFT 5/8/24 SUPPLEMENT #1

Control Factors Scorecard

← Appropriate Overreaching (Potential Employment Triggers) →

This scorecard has been designed from the most recent case law, for the purpose of providing an illustrative, but not exhaustive, set of guidelines to reduce unnecessary control of student-athletes and to preserve the vitality and guiding principles of NCAA college athletics.

Control Analysis:

- The Student-Athlete should be treated similarly to the general student body population unless and only if reasonably necessary to advance the athletic mission, while not interfering with meaningful education.
- The Institution may direct and oversee activities and possess a significant interest in maintaining control over the student-athlete experience when:
 - It is in the interest of the education, health, safety, and well-being of the student-athlete(s)
 - Maintaining the integrity of:
 - The Student-Athlete (e.g. academic pursuits, eligibility standards)
 - The Teams (e.g. maintain vital competitive opportunities which enhance student-athlete experience)
 - The Athletics Department & The University (e.g. pursuit of the educational mission, fair play)

Academic Requirements		
<ul style="list-style-type: none">• Academic Advising/Study hall on an individual basis• Scholarship offers• Eligibility Standards & Progress Toward Degree• No restrictions on major selection	<ul style="list-style-type: none">• Summer school• Required Educational Sessions	<ul style="list-style-type: none">• Whole team study hall• Infractions resulting in removal from the team• Required/pressured major selection• Restriction of time-consuming majors
Athletes Are Directed at What Tasks to Perform and How to Perform Them		
<ul style="list-style-type: none">• Expectation of proactive communication• Compliance meetings• Athletic related instruction• Safety/well-being related instruction• Social Media education	<ul style="list-style-type: none">• Voluntary workouts/player development• Pre-/post-game activities• Hosting recruits	<ul style="list-style-type: none">• Whole team punished for one person's actions• Required to play when sick• Being rushed back from illness/injury• More controlling of higher revenue sports• Social Media Restrictions• University handling of Media Interviews
Mandatory Time Commitments		
<ul style="list-style-type: none">• Allowing ample/majority of time to be spent on academics• No penalties for missing practice to go to class• Consistent practice times• Detailed itineraries• Mental health days• Season and game day scheduling	<ul style="list-style-type: none">• Summer workouts/camps• Limited allowances for missed practice for class• General flexibility in scheduling conflicts	<ul style="list-style-type: none">• Film outside of allotted hours• Penalties for missing practice/competition for class• Inconsistent required practice• Excessive/unreasonable time commitments• Lack of downtime on road trips
Off the Playing Field Activities		
<ul style="list-style-type: none">• Testing for Performance Enhancing Drugs (fair & equitable play)• Gambling prevention/monitoring• Restraint that protect or ensure well-being of athlete• Hazing/bullying	<ul style="list-style-type: none">• Community Service• Time off during holidays/breaks• Team Fundraising• Outside employment restrictions	<ul style="list-style-type: none">• Recreational drug testing• Can't see family who travel• What can/can't be worn around campus• Rules around jewelry/hair color• Diet restrictions• Living location restrictions• Restricting athletes from attending family events• Relationship monitoring

This document was developed as part of the DI-AAA and PCS Athletics Directors Associations collaboration organized to create a future model for Division I athletics.

- **Some control** is essential for the student-athlete experience.
- **Too much control** is overreaching and may trigger employment status.
- **Goal is to reduce unnecessary control** and preserves the vitality and core principles of intercollegiate athletics.



BENEFITS VALUATION

The Yin & Yang model is used to demonstrate the synergistic relationship between the benefits received by the student-athlete and the institution.

BENEFITS FOR STUDENT ATHLETE

Education

Career and life preparation

Health and well-being

NIL

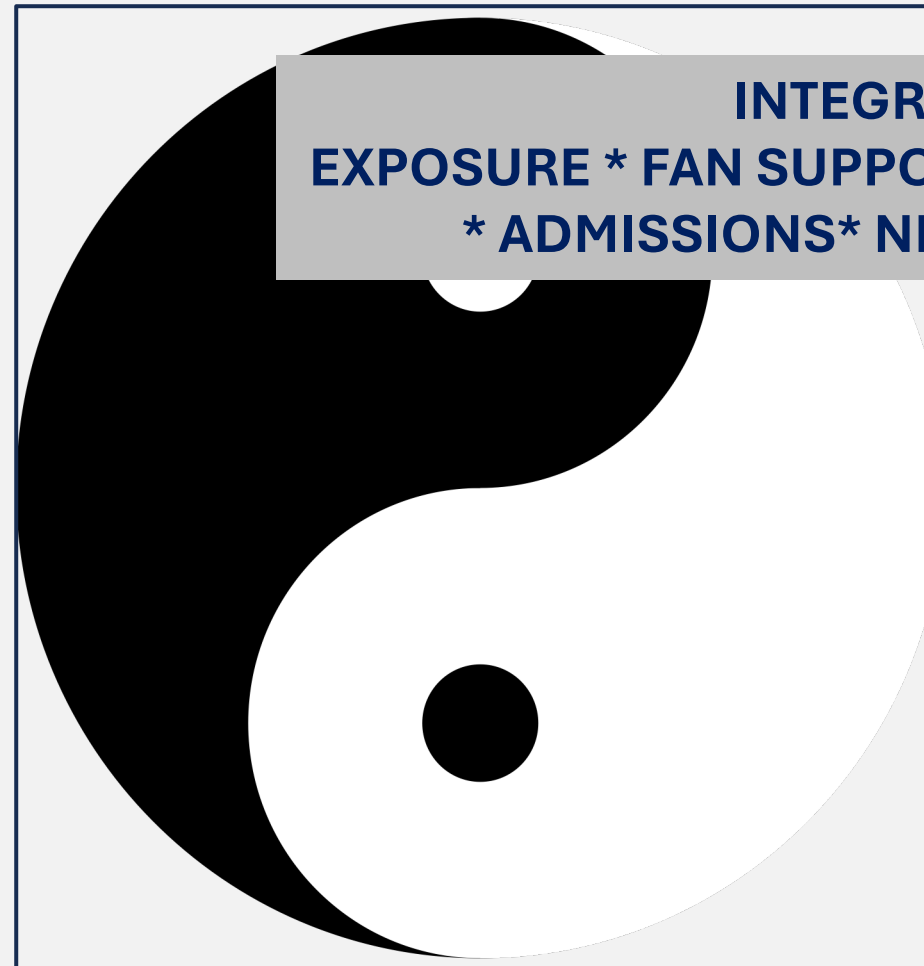
Elite performance support

Athletic opportunities

Student-athlete voice

Funds

Other



INTEGRATED BENEFITS:

EXPOSURE * FAN SUPPORT * MARKET VALUE * DIVERSITY
* ADMISSIONS * NETWORKING * MENTORING

BENEFITS FOR INSTITUTION

Branding and reputation

Student/alumni engagement

Diversity

Economic driver

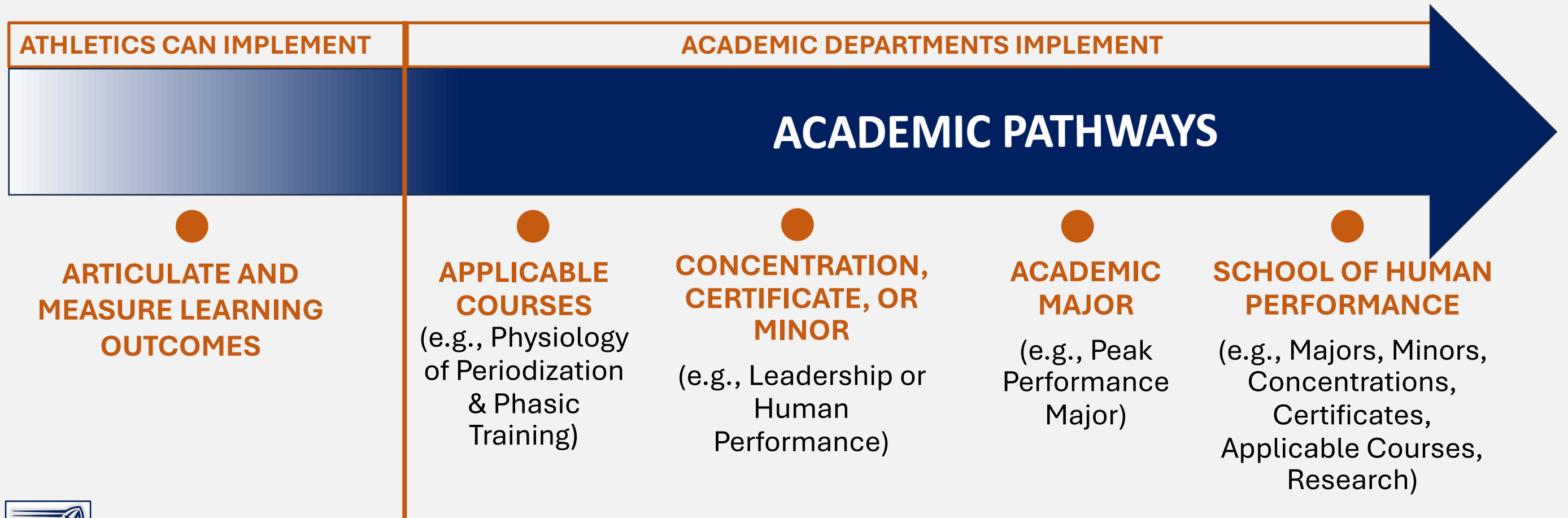
Community investment

Enrollment/tuition income




CONNECTING ATHLETICS TO EDUCATIONAL OUTCOMES

- Institutions have full autonomy to develop learning outcomes and offer curricula
- Each incremental academic pathway enhances the benefits to student-athletes



LEADING THE WAY

- 
- A male gymnast with curly hair, wearing an orange leotard with a blue and white star pattern on the back, is performing a handstand on a pommel horse. He is in a horizontal position, with his legs extended straight out behind him. The background is dark, and an American flag is visible in the upper right corner.
- **Internal processes** vs the threat of external organizations
 - **Enhanced conference** representation

CHAMPIONING RESOLUTION

- What if?
- **Mediation** and **conflict resolution**
- **Protect** the development of the next generation student-athletes



VOICES OF EXCELLENCE

- Enhancing **student-athletes' role** within NCAA
- **S.A.F.E** – Student-Athlete Future Engagement Working Group
- **Representation** and **vote**





Reaction from Jonathan Alger

**President, American University
Member, Knight Commission**



Knight Commission On Intercollegiate Athletics

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THANK YOU FOR ATTENDING TODAY'S SESSION.

**MEETING MATERIALS WILL BE AVAILABLE ON
knightcommission.org**