

University Athletics Committee
November 11, 2021 Meeting Highlights
3:30 – 5:00 p.m. – Virtual Only

Present: Danny White (for Whit Babcock), Tom Burbey, Travis Burns, Bob Denton, Patrick Finley, Heather Gumbert, Jennifer Irish, Sarah Jane Lynch, Ken Miller, Jay Poole, Robin Queen, Rock Roszak (for Bridget Ryan-Berman), Susan Short, Ken Stiles, Becki Smith, Kevin Carlson (for Robert Sumichrast), Anna Taylor

Absent: Whit Babcock, Allison Bowersock, Rachel Holloway, Maria Kenner, Joe Marcy, Terry Rakes, Bridget Ryan-Berman, Frank Shushok, Zachary Speizer, Eric Stanley, Robert Sumichrast, Joseph Tront, Brad Wurthman

Guests: Sarah Armstrong, Derek Gwinn, Reyna Gilbert-Lowry, Rock Roszak

Susan Short called the meeting to order at 3:30 p.m. A quorum was present.

1. Adoption of Agenda

A motion was made and seconded to adopt the agenda. The motion carried.

2. Announcement of approval and posting of minutes of October 14, 2021.

Susan Short noted that these minutes have been voted on electronically and can be publicly accessed on the Governance Information System on the Web (<http://www.governance.vt.edu>).

3. Danny White introduced and welcomed **Sarah Jane Lynch** to the meeting. Sarah Jane is representing women athletes and is a member of the volleyball team.

4. Faculty Athletics Representative Updates – Jen Irish

NCAA Constitution Committee Survey

The NCAA is currently rethinking a lot of things. Jen provided an executive summary of findings from the most recent NCAA Constitution Committee Survey (please see the attached).

Summary of the NCAA Draft Constitution

Jen shared some perspectives related to the draft of the new NCAA

constitution (please see the November 8, 2021 memorandum from the NCAA Constitution Committee – attached).

ACC Fall Meeting (FAR) highlights

- Draft constitution update
- Legislation will be proposed in February to drop standardized test score as an initial eligibility requirement. Likely to be effective by the 2023/24 academic year.
- Discussed several items around transfers and the transfer portal.

COVID impacts and related changes in NCAA's progress-toward-degree expectations

- All of our peers have seen an uptick in transfers since the start of the pandemic.
- Because pandemic coincided with several other transfer-related changes, e.g., transfer portal and one-time transfer exception, this uptick is likely the new normal.
- Doesn't appear to be any specific additional pandemic-related adjustment to progress-to-degree expectations by the NCAA
- Highlights the importance of raising awareness of the implications of transferring in terms of desired major and progress toward degree. ACC FARs have drafted a transfer portal education document—namely set of questions SAs should consider before entering the portal.

5. Presentations – Reyna Gilbert-Lowry, Senior Associate AD Student-Athlete Development/SWA and Derek Gwinn, Assistant AD Compliance Athletic Department - Attachments

Reyna shared that the purpose of the SWA designation is to promote meaningful representation of women in the leadership and management of college sports. Reyna provided updates regarding the topics highlighted below.

- ACC 2021-22 Goals and Priorities. It was suggested to specify diversity, equity and inclusion as a standalone priority for the advisory committees in light of ongoing CORE initiatives and the 50th anniversary of Title IX.
- CORE Update. Presentations addressed accomplishments and ongoing initiatives, including UNITY weeks, yearly required education, and the staff demographic data tool.
- Federal Legislation. NIL legislation and the potential for Congressional action. Goal is to maintain the ACC leadership role involving federal legislative topics impacting the industry as a whole and the overall mission of college athletics.

- NCAA Constitution Committee. Goal is to position the ACC in a leadership role consistent with the mission of the Conference as part of the restructuring and reimagination of the role the NCAA plays within collegiate athletics.
- ACC, Big Ten, Pac-12 Alliance. The goal is to leverage the benefits of the Alliance, leading to increased exposure and opportunities for ACC institutions as well as stabilization of collegiate athletics.
- ACC Network Update. The ACC actively supports Disney/ESPN with achieving full distribution of ACC Network, comparable to that of the other nationally distributed conference networks. Influence programming enhancements and drive additional sponsorship revenue.
- ACC SAAC Report. SAAC priorities for 2021-22 focus on the themes of student-athlete engagement, student-athlete education, and mental health.
- Civic Engagement Day Off. Reviewed the history and intent of the required day off for civic engagement. Discussion of potential adjustments will occur at the Winter Meeting.

Audit of the Compliance Office (Derek Gwinn)

- Conducted by The Compliance Group
- Each ACC school undergoes audit once every 4 years
- Overall went very well
- 80% of recommendations have been implemented
- Suggested UAC's involvement in reviewing certain pieces of academic data on student-athletes for evaluation and discussion (probably in 2022-23)

NIL Update – Derek reviewed BOV presentation (see attached slides 2-9)

- 6. Academic Update** – Sarah Armstrong, Director,
Student Athlete Academic Support Services
Provided a PowerPoint related to APR determination
and related topics (see attached)

7. Athletic Director Update – Danny White, Senior Associate AD SA
Services/University Affairs

Danny provided a sports update, related information regarding well-being initiative training, upcoming invitation to faculty/staff to attend upcoming basketball games, announced that all athletic programs had completed suicide prevention training. In addition, Danny announced the Hall of Fame inductees as well as the April 16th – 4 p.m. Spring football game (special note: to be broadcast by the ACC Network).

8. Committee Member Comments/Updates

Susan and Danny reminded UAC committee members that the December 9th meeting will include a visit to the ACC Network studio. Members should plan to gather 3:30 p.m. at the stadium on the 5th floor for updates. The 30-minute tour of the ACC Network studio will begin at 4:15 p.m.

9. Adjournment

There being no further business, a motion was made to adjourn the meeting at 5:03 p.m.

MEETING DATES FOR 2021 (All meetings will be held from 3:30 – 5:00 p.m.)
Thursday, December 9, 2021 (ACC Network Studio Tour)

NCAA Constitution Committee Survey
Executive Summary of Findings
September 2021

Purpose

To inform the work of the Constitution Committee, an online survey was sent to college presidents, faculty athletics representatives, athletics administrators, conference commissioners, coaches association executive directors and student-athlete leaders. The survey asked respondents to identify current NCAA constitutional elements that should carry into the future and solicited suggestions for modernization and improvement.

Methods

Two survey instruments were designed by NCAA research staff in collaboration with the Constitution Committee. One survey was designed for student-athlete leaders at the campus, conference, and national level, while the other was designed for campus, conference office and coaches association leaders. Respondents spent 10-30 minutes to complete the survey via phone, tablet or computer through QuestionPro, an online survey platform.

Campus and conference administrators were emailed directly and asked to complete the survey, using email addresses listed in the NCAA membership directory. Student-athlete leaders at the national level were emailed directly, while conference student-athlete advisory committee liaisons were made aware of the survey and asked to forward the survey link to student-athlete leaders at the conference and campus level. The survey was active for 10 days, opening Aug. 23 and closing Sept. 1, 2021.

Response Rates

The surveys were completed by 3,492 campus, conference and coaches association administrators or executives, and 1,362 student-athlete leaders. Athletics directors and conference commissioners had the highest response rates, with over 75% participation Association-wide. Half of all faculty athletics representatives and 41% of presidents and chancellors at NCAA member schools completed the survey.

Findings

Principles Central to the NCAA

Across the membership, a substantial majority (over three-quarters) within each role by division agreed that the following principles were central to the future of the NCAA as a governing body: conducting national championships, the primacy of the academic experience in policy and decision making, sport-specific rules for competition and participation, standards for allocating national revenue, standards for college athlete eligibility, and standards for college athlete health and safety.

Over 90% of student-athlete leaders within each division agreed that standards for inclusive and equitable environments were central to the future of the NCAA. Such standards also received over 70% agreement within each administrative role and division, with the exception of Division II and Division III conference commissioners at 57% and 64% respectively. Survey participants were able to suggest additional principles the committee could consider during redrafting. Suggestions included amateurism, diversity and inclusion, gender equity, student-athlete development and student-athlete mental well-being. In addition, over 75% of student-athlete



respondents endorsed each of the subprinciples of the current constitutional principle of student-athlete well-being: overall educational experience (2.2.1); cultural diversity and gender equity (2.2.2); health and safety (2.2.3); student-athlete/coach relationship (2.2.4); fairness, openness and honesty (2.2.5); and student-athlete involvement (2.2.6).

Setting Standard Minimum Requirements

Across divisions, administrators and student-athlete leaders were most likely to endorse setting standard minimum requirements at the national level for health and safety, inclusion and equity and sport-specific rules of play. Standards for the allocation of athletics department resources were most likely to be endorsed at the campus level. Preferences were mixed regarding whether standards should be set at the national, divisional, conference or campus level for the other principles of conduct outlined in the survey: athletics aid and institutional benefits, benefits and compensation from noninstitutional sources, championship opportunities, initial and collegiate academic eligibility, divisional membership requirements; playing and practice seasons, and recruiting.

Accountability for Compliance Expectations and Enforcement

Division I and Division II were more likely to recommend accountability be set at the national level for championships, health and safety, inclusion and equity, and sport-specific rules of play, while Division III respondents were more mixed between divisional and national accountability.

Over 60% of athletics health care administrators indicated a preference for national accountability for health and safety, while a majority of athletics diversity and inclusion designees indicated a preference for national accountability for inclusion and equity. Accountability (compliance/enforcement) for the allocation of athletics department resources was most likely to be endorsed at the campus level across all three divisions. Among the other principles of conduct, preferences for at what level accountability should be set varied and were often unique to division.

Assessing the Need To Change the Current Divisional Structure

Approximately one-third of Division II and Division III leaders surveyed agreed that the current divisional structure needs to change. This was higher in Division I, with a slight majority of respondents endorsing such a change. However, when breaking out responses by those in Division I autonomy and nonautonomy conferences, over two-thirds of autonomy conference administrators supported such a change to the structure as compared with approximately 45% of nonautonomy conference administrators in Division I.

Those who agreed that the current divisional structure was in need of change received an open-ended prompt asking them to describe their vision. Comments included calls to increase the number of divisions (often calling for an expansion of Division I, or in some cases Division III); break the autonomy conferences out of Division I and permit self-governance; reconsider Division I subdivisions by extracting FBS football from NCAA oversight; and restructure divisional membership, taking into account geography, campus enrollment or resource level.

Presidential Oversight

Administrators also were asked whether presidents and chancellors should retain primary oversight of intercollegiate athletics in the future. While over 80% of presidents in each division endorsed this concept, half of athletics directors and conference commissioners supported this



model, and about a third of administrators in the other roles surveyed across the three divisions felt similarly. Those who left comments about their vision for a new structure suggested increasing the role of athletics directors and conference commissioners in national oversight, and many also suggested that NCAA governing bodies should include broader representation across a range of roles in athletics (e.g., compliance, coaches, conference personnel, etc.).

Responses to Open-Ended Questions

The administrator survey included 11 open-ended questions and the student-athlete leader survey included five. While nearly 3,500 administrators took the survey, each open-ended question typically received responses from 15%-25% of administrators; 1,975 participants (57%) responded to at least one open-ended question. Among student-athlete leaders, open-ended questions typically received responses from 20%-30% of participants; 658 participants (48%) responded to at least one open-ended question. The comments were grouped thematically for committee consideration. However, because of the response rates cited above, the themes identified may not be representative of the membership as a whole.

Overarching Themes in Open-Ended Responses

Administrators in Division II and Division III voiced concern that they will be heavily impacted by the work of the Constitution Committee but will have little voice in the process. Many who expressed contentment with their current divisional model were wary of a constitutional overhaul. Among those who do want change, some noted that they would like to see greater equity in terms of divisional representation in decision-making and more revenue shared with Divisions II and III.

The current principles outlined in the NCAA constitution have strong support across the Association. Comments often focused on requests, or suggestions regarding how to uphold and enforce these principles. Health and safety, access to championships, competitive equity and a focus on the student-athlete collegiate experience are high on the list of priorities and non-negotiables moving forward.

Numerous respondents — both administrators and student-athlete leaders — indicated that principles of diversity, inclusion and equity need to be central to a constitutional redrafting. However, there was a smaller number of administrators who felt strongly that the NCAA should “stay in its lane” as an athletics association, focusing on rules of competition and conducting national championships—not responding to or addressing matters perceived as social, cultural or political issues.

Student-athlete leaders called for an increased focus on the holistic student-athlete experience and student-athlete mental health. Many advocated for additional avenues to include the student-athlete voice in decision making. Student-athlete leaders also wove calls for equity into their responses across the survey, including both attention to gender equity and equitable opportunity and recognition for athletes regardless of division or sport.

A more detailed slide deck summarizing the qualitative and quantitative findings from both surveys can be found online [here](#) at NCAA.org.





MEMORANDUM

November 8, 2021

VIA EMAIL

TO: NCAA Membership

FROM: Robert M. Gates
NCAA Constitution Committee Chair

SUBJECT: Draft of the new NCAA constitution.

For the last three months, the Constitution Committee has worked to restructure the governance of college sports for the benefit of student-athletes for years to come. As has been the case throughout this process, NCAA member feedback on the draft reform constitution is vital to the Association's success.

The accompanying draft constitution includes a number of new concepts even as it codifies certain existing priorities and principles in the NCAA constitution for the first time. The draft recognizes that the NCAA encompasses public and private institutions and conferences of widely varying mission, size, resources and opportunities, and that governance must reflect these differences through the delegation of authorities and responsibilities to the divisions, conferences and member institutions.

Among the new concepts are the following:

- One constitution across all three divisions at about one-fourth the length of the current constitution.
- Clearly stating the Association's priorities.
- Providing the divisions the authority and autonomy to reorganize and restructure themselves.
- Streamlining decision-making authority on Association-wide issues to a Board of Governors reduced from 21 members to nine.
- For the first time, the board and each of the divisional leadership bodies will include student-athletes as voting members.

The new constitution defines the priorities and principles important to college sports as a part of higher education. The draft:

GATES MEMBERSHIP MEMORANDUM

November 8, 2021

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- Embraces name, image and likeness benefits for student-athletes while prohibiting pay-for-play.
- Reaffirms existing revenue allocations and championship opportunities for each division and assures that each division has oversight of its own budget, expenditures and revenue distribution to its members.
- Explicitly affirms the importance of student-athlete mental as well as physical health.
- Reaffirms that responsibility for institutional control rests with the president or chancellor.
- Provides new emphasis on diversity, inclusion and gender equity.

The Committee believes this proposed constitution will well-serve the 1200 member schools and conferences and more than 500,000 student-athletes who compete in NCAA sports every year.

We look forward to your feedback on the draft and to working with you in supporting student-athletes today and in the future.

RMG:krf

Enclosures

NCAA Constitution

Preamble

The National Collegiate Athletic Association is a voluntary, self-governing organization of four-year colleges, universities and conferences committed to the well-being and development of student-athletes, to sound academic standards and the academic success of student-athletes, and to diversity, equity and inclusion. Member institutions and conferences believe that intercollegiate athletics programs provide student-athletes with the opportunity to participate in sports and compete as a vital, co-curricular part of their educational experience. The member schools and conferences likewise are committed to integrity and sportsmanship in their athletics programs and to institutional control of and responsibility for those programs. The basic purpose of the Association is to support and promote healthy and safe intercollegiate athletics, including national championships, as an integral part of the education program and the student-athlete as an integral part of the student body.

Article 1. Principles

A. The Primacy of the Academic Experience. Intercollegiate student-athletes are matriculated, degree-seeking students in good standing with their institutions who choose voluntarily to participate in NCAA sports. It is the responsibility of each member institution to establish and maintain an environment in which a student-athlete's activities are conducted with the appropriate primary emphasis on the student-athlete's academic experience. Intercollegiate athletics programs shall be maintained as a vital

component of each institution's broader educational program. The admission, academic standing and academic progress of student-athletes shall be consistent with the policies and standards adopted by the institution.

- B. The Collegiate Student-Athlete Model.** Student-athletes may not be compensated by a member institution for participating in a sport, but may receive educational benefits and benefit from commercialization through use of their name, image and likeness in accordance with guidelines established by their NCAA division.
- C. Integrity and Sportsmanship.** It is the responsibility of each member to conduct its athletics programs in a manner that promotes the ideals of higher education, human development and the integrity of intercollegiate athletics. All individuals associated with intercollegiate athletic programs and events should adhere to such fundamental values as respect, fairness, civility, honesty, responsibility, academic integrity, ethical conduct, and the rules of their respective conferences.
- D. Student-Athlete Well-Being.** Intercollegiate athletics programs shall be conducted in a manner designed to protect, support and enhance the physical and mental health and safety of student-athletes. Each member institution and conference shall facilitate an environment that reinforces physical and mental health within athletics by ensuring access to appropriate resources and open engagement with respect to physical and mental health. Each institution and conference is responsible for ensuring that coaches and administrators exhibit fairness, openness and honesty in their relationship with student-athletes. Student-athletes shall not be discriminated against or disparaged because of their physical or mental health. Institutions, conferences, administrators and

coaches shall protect student-athletes from physical and mental abuse, neglect and undue harm.

- E. **Institutional Control.** It is the responsibility of each member institution to monitor and control its athletic programs and to provide education and training to ensure compliance with the rules established by the Association, its division and conference. Responsibility for maintaining institutional control ultimately rests with the institution's campus president or chancellor.
- F. **Compliance.** It is the responsibility of each member institution to report all rules violations to its respective NCAA division and conference in a timely manner and to cooperate fully with enforcement efforts.
- G. **Diversity and Inclusion.** The Association is committed to diversity and inclusion. Divisions, conferences and member institutions shall create diverse and inclusive environments and shall provide education and training with respect to the creation of such environments and an atmosphere of respect for and sensitivity to the dignity of every person. Divisions, conferences and member institutions shall commit to promoting diversity and inclusion in athletics activities and events, hiring practices, professional and coaching relationships, leadership and advancement opportunities.
- H. **Gender Equity.** The Association is committed to gender equity. It is the responsibility of each division, conference and member institution to comply with federal and state laws regarding gender equity. Activities of the Association, its divisions, conferences and member institutions shall be conducted in a manner free of gender bias. Divisions, conferences and member institutions shall commit to preventing gender bias in athletics

activities and events, hiring practices, professional and coaching relationships, leadership and advancement opportunities.

- I. **Recruiting Standards.** Division by-laws shall be designed to promote informed decisions and balance the interests of prospective and current (or transfer) student-athletes, their educational institution and intercollegiate athletics as a whole.

Article 2. **Organization**

A. The Association

1. The membership of the NCAA encompasses public and private institutions and conferences of widely varying mission, size, resources and opportunities. Accordingly, Association-wide governance must reflect these differences through the delegation of authorities and responsibilities to the divisions, conferences and individual member institutions except where necessary to promote and maintain the Association's core principles.
2. The Association shall:
 - a. Conduct all NCAA championships. Each member in good standing in its division shall be eligible to compete in NCAA championships assuming it meets applicable Association, division and conference requirements. The Association shall oversee broadcasting, communications and media rights for all NCAA-conducted national championships.
 - b. When requested by a Board of Governors recognized committee or the Committee on Competitive Safeguards and Medical Aspects of Sports, develop and promulgate guidance, rules and policies based on consensus of

the medical, scientific, sports medicine and sport governing communities, as appropriate, for student-athlete physical and mental health, safety and performance. The Association shall make available such guidance, rules and policies to all members.

- c. Promote gender equity, diversity and inclusion in all aspects of intercollegiate athletics.
- d. Establish the rules for sports competitions and participation, with flexibility at the division, sub-division or federated level as deemed necessary.
- e. Manage the Association's intellectual property and maintain historical and statistical records of the Association.
- f. Serve as liaison to the United States Olympic and Paralympic Committees.
- g. Defer to other regulating bodies the investigation of and sanctions against school and school representatives' conduct that violates other regulating body or legal standards (e.g., Title IX violations that may also violate NCAA gender equity principles or academic accreditation standards that may violate NCAA academic principles). After final determination by a regulating body or court of school and school representative misconduct, the NCAA Board of Governors or division Board of Directors or Presidents Council may issue a public censure or take disciplinary action.

3. The Board of Governors:

- a. Composition of the board shall include, with due attention to diversity and gender equity, the following voting members:

- (i) Four members from Division I, to include at least one member institution president or chancellor and one conference commissioner.
- (ii) One member from the Division II Presidents Council.
- (iii) One member from the Division III Presidents Council.
- (iv) Two independent members who are not currently employed or compensated by any member institution.
- (v) One graduated NCAA student-athlete, who shall have graduated not more than four years prior to appointment.
- (vi) Ex officio non-voting members of the board shall comprise the NCAA president, the chairs of the Division I Council and Division II and Division III Management Councils, the president of one Historically Black College and University (HBCU), and one former NCAA student-athlete from each of the two divisions not represented by the student-athlete voting member of the board, who shall have graduated not more than four years prior to appointment.

b. Selection of members of the Board of Governors.

- (i) Division I members of the Board of Governors shall be appointed by the Division I Board of Directors; Divisions II and III members of the Board of Governors shall be appointed by the Division II and III Presidents Councils, respectively.
- (ii) Independent members of the Board of Governors shall be selected by the Division I, II and III members of the Board of Governors.

- (iii) Each divisional Student-Athlete Advisory Committee shall nominate one graduated student-athlete member for the Board of Governors. One of those nominees shall be selected by the other eight members of the board to be a voting member. The other two nominees shall be ex officio members of the board. (See Article 2.A.3.a.(vi) above.)
 - (iv) The HBCU ex officio member of the board shall be selected by the Division I, II and III members of the board.
- c. Each member of the board shall have a two-year term, renewable for an additional two years.
- d. Duties and responsibilities:
 - (i) Provide final approval and oversight of the Association's budget, internal and external audits, enterprise risk management, strategic planning, allocation of assets and establish policies related to fiduciary responsibility;
 - (ii) Employ the Association's president, who shall be administratively responsible to the Board of Governors. Annually evaluate the president and approve employment terms, including but not limited to compensation, benefits, discipline and termination.
 - (iii) Monitor adherence by the divisions to the principles in Article I and act on behalf of the Association to resolve issues that may arise in that regard consistent with the policies and procedures of the Board of Governors.

- (iv) In consultation with the leadership of the divisions, adopt and implement legal strategy, Association risk mitigation, and government relations and policy matters that affect the Association as a whole.
- (v) Provide Board of Governors meeting agendas in advance to the chair of the Division I Board of Directors, and chairs of the Division II and III President's Councils to solicit comment and advice, and report fully to the same individuals board actions. For matters pertaining primarily to one division, the board will consult with and solicit comment from that division's Board of Directors or President's Council with due attention to its views.
- (vi) May create an executive committee and other committees or bodies to fulfill the duties and responsibilities of the board.
- (vii) Formulate policies and procedures consistent with this Constitution.
- (viii) Convene at least one combined meeting per year of the divisional presidential governing bodies.
- (ix) Convene at least one same-site meeting per year of the Division I Council and the Division II and Division III Management Councils.
- (x) Sponsor proposed amendments to the Constitution to the entire membership for a vote.
- (xi) Call for a vote of the entire membership on the action of any division that it determines to be contrary to the basic purposes and general principles set forth in the Association's Constitution. This action may

be overridden by the Association's entire membership by a two-thirds majority vote of those institutions voting.

(xii) Call for an annual or special convention of the Association.

e. Duties and responsibilities of the NCAA president:

(i) Administer the national office to implement directions of the Board of Governors and divisional leadership bodies.

(ii) Enter into, administer and enforce all Association contracts, including but not limited to media rights and revenue producing agreements and initiatives of the Board of Governors and divisional leadership bodies.

(iii) Oversee and direct regulatory and disciplinary processes, including discretion, in consultation with the Board of Governors, to determine consequences for an action or statement by an institution or its representatives that materially violates a constitutional principle and undermines the interests of the Association.

(iv) Undertake other actions necessary to accomplish the purposes of the Association as determined by the Board of Governors and divisional leadership bodies.

(v) Serve as an ex officio member of the Board of Governors with authority to vote in instances when the vote of the board results in a tie.

B. The Divisions

1. Each division shall have independent authority to organize itself, consistent with the principles of the Association. Each division is authorized to structure itself as it deems necessary, including creation of sub-divisions or creation of a new division and determination of membership eligibility for these new organizations, including the role of conferences. New divisions or sub-divisions must be self-funded by the originating division.
2. Each division shall set standards for academic eligibility.
3. Each division shall determine its own governing structure and membership.
4. Each division shall establish regulations to ensure consistency among member institutions regarding the use of a student-athlete's name, image or likeness and to prevent exploitation of student-athletes or abuses by individuals or organizations not subject to the authority of the student-athlete's school.
5. Each division shall determine the sports in which they run a national championship and the access criteria for participation.
6. Authorities not explicitly enumerated in this Constitution for Association-wide governance are reserved to the divisions or, at their discretion, to sub-divisions, conferences or individual institutions.
7. Each division shall determine the policies under which conferences are formed and operated.
8. Each division shall oversee the operations of its member conferences and their adherence to the principles and provisions in this Constitution.

9. Each division shall ensure its member institutions implement the provisions of Section D below.

C. The Conferences

1. A member conference is a group of colleges and/or universities, created and operated in a manner governed by the policies of their respective divisions, that conducts competition among its members, determines a conference champion in one or more sports in which the NCAA conducts championships, and meets the conference membership requirements established by the divisions.
 - a. Multi-Sport Conferences: Multi-sport conferences are the primary conference members and serve a critical role in Association and divisional governance as they represent the positions of their member colleges and universities.
 - b. Multi-sport conferences shall have voting representation by division and sub-division on NCAA committees, working groups, task forces and other organizational bodies with oversight over Association or division-wide policy.
 - c. Multi-sport conferences must meet all of the specified divisional membership criteria, including number of member institutions, sports sponsorship minimums and regular-season competition requirements.
2. Single-Sport Conferences:

- a. A single-sport conference conducts competition and determines a conference champion among its members in one sport.
- b. Single-sport conferences must meet all of the specified divisional membership criteria for single-sport conferences.
- c. The governance and legislative role for single-sport conferences is limited to issues impacting that sport and subject to the structure and requirements of the respective divisions.
- d. Each division shall have the authority to determine the membership requirements for multi-sport and single-sport conference members and the role and representation of multi-sport conference members in the respective divisional governance structure.

3. All conferences must:

- a. Adhere to the principles and provisions in this Constitution and those established by their division, including in the conduct of athletics events.
- b. Each conference shall maintain written policies for its licensing, marketing, sponsorship, advertising, and other commercial agreements that may involve use of a student-athlete's name, image or likeness. Each conference shall provide such policies to student-athletes and to their respective division.
- c. Member conferences shall comply completely and promptly with the rules and regulations governing the enforcement process and shall

cooperate fully in the process as a condition of membership in the Association.

4. Each conference shall support its member institutions in implementing the provisions of Section D below, subject to guidance from its division.

D. Member Colleges and Universities

1. All members of the NCAA must:
 - a. Ensure participating student-athletes are in good standing with the member institution, the conference, division and national Association.
 - b. Annually submit documentation demonstrating compliance with the division's academic program and publish progress-toward-degree requirements for student-athletes.
 - c. Submit annually to the division and the NCAA their financial data detailing operating revenues, expenses and capital relating to the intercollegiate athletics program.
 - d. Establish an administrative structure that provides independent medical care for student-athletes, affirms the autonomous authority of primary athletics health care providers, and implements NCAA guidance, rules and policies based on consensus of the medical, scientific, sports medicine, and sport governing communities. Schools shall provide care consistent with prevailing consensus. The physicians and health care staff at each member institution have the ultimate decision-making authority over the health and welfare of student-athletes. Consistent with the member institutions' primary

obligation with respect to student-athlete health and safety, member institutions will make NCAA guidance, rules and policies available to student-athletes. Member institutions shall be responsible for the oversight and administration of coach, administrator and staff education on relevant student-athlete physical and mental health topics, prevailing consensus for engaging student-athletes about physical and mental health, how to most effectively support student-athlete physical and mental health, and appropriate resources on campus or in the local community. Member institutions are responsible for regulating practice schedules, taking into consideration the health of student-athletes and their academic success.

- e. Each institution shall maintain written policies for its licensing, marketing, sponsorship, advertising and other commercial agreements that may involve the use of a student-athlete's name, image or likeness. Each institution shall provide such policies to student-athletes and to its respective conference and division.
- f. In furtherance of institutional commitments to student-athletes and to support diversity, equity, and inclusion, each institution shall appoint separate individuals who have the following designations: Faculty Athletics Representative; Senior Woman Administrator; Athletics Healthcare Administrator; and Athletics Diversity and Inclusion Designee. Each institution will have the flexibility to assign duties associated with each position that best serves the needs of the institution and student-athletes.

Division III will receive 3.18% of all operating revenue sources, as agreed on January 9, 1996.

- B. All Division II and Division III member schools and conferences shall receive services from the national association. Each division may choose to support additional service needs through their divisional budget. An annual review will be conducted to validate the additional Association service expenses that Divisions II and III pay for directly out of their allocation.
- C. All members shall pay Association-wide membership dues set by the Board of Governors on an annual basis that contribute to the NCAA budget.
- D. Each division shall have oversight and final approval of its own budget and expenditures and the division's revenue distribution to its members.
- E. Divisions may levy assessments on their members, which can be allocated to the division budget. Any division levy or increase in division membership dues by an individual division can be kept and allocated by said division acting independently of the Association or other divisions.

Article 4. Rules, Compliance and Accountability

- A. Each member institution, consistent with the principle of institutional control, shall hold itself accountable to support and comply with the rules and principles approved by the membership. Further, each school shall ensure that its staff, student-athletes, and other individuals and groups representing the institution's athletics interests comply with applicable rules (institutional, conference, divisional and NCAA-wide) in the conduct of the institution's intercollegiate athletics programs.

- B. Each division shall determine the methods of investigation and adjudication to hold accountable its members whose representatives engage in behaviors that violate the rules and principles approved by the membership.
1. Those accountability measures shall identify the people who engage in investigation and adjudication and define their operating authority.
 2. The measures shall be designed to prioritize integrity and fair play, provide fair investigative and adjudicatory procedures and prescribe appropriate penalties in a timely manner.
 3. Member institutions shall cooperate fully in all accountability measures established by the applicable division and shall take all necessary measures to ensure the cooperation of their staff, student-athletes, and institutional representatives.
 4. Institutions may also agree to compliance with, enforcement, and adjudication of rules at the conference level.
 5. Division and, as appropriate, conference regulations must ensure to the greatest extent possible that penalties imposed for infractions do not punish programs or student-athletes innocent of the infraction(s).
 6. Investigation of alleged infractions and, if appropriate, sanctions or penalties, by a division or conference should be consistent and timely. Decisions with respect to minor infractions should be prompt and proportionate.

7. Each division shall annually report to the NCAA Board of Governors all major infractions as defined by each division during the preceding year, the status of investigations, and penalties imposed.

Article 5. Amendments to the Constitution

- A. Provisions of the NCAA constitution may be amended only at a special or annual convention. The membership shall receive reasonable notice of proposed amendments. An amendment may be sponsored by the Board of Governors or by a two-thirds vote of a divisional leadership body. A sponsored amendment shall require a two-thirds majority vote of all delegates present for approval. The chair of each divisional Student-Athlete Advisory Committee shall be eligible to vote.
- B. Sponsored amendments shall include a statement of intent and rationale. Amendments to amendments may be sponsored as set both above but may not expand the scope of the original amendment. Amendments to amendments shall be approved by a majority vote of all delegates.
- C. Approved amendments shall become effective on the first day of August following adoption, unless another effective date is approved by a two-thirds majority vote of all delegates.
- D. Before the end of a special or annual convention, any member who voted on the prevailing side may move for reconsideration.

Article 6. Institutional Control

- A. The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and the division and conference of which it is a member. A member institution's president or chancellor has ultimate responsibility and final authority for the conduct of the intercollegiate athletics program and the actions of any board in control of that program.
- B. If an institution has an athletics board or an athletics advisory board, administration, faculty members and student-athletes shall constitute at least a majority of the board.
- C. Each institution shall establish a student-athlete advisory committee. Its duties may be established by the institution but student-athletes must constitute a majority of the membership of the committee.

Academic Progress Rate

University Athletics Committee

November 11, 2021

How is APR Calculated

- Designed to track the academic achievements of athletic teams
- Cohorts are developed by students who received athletic aid; by sport
- Each student can earn two points each semester; retention & eligibility
- Total earned points are divided by total possible points; multiplied by one thousand
- Teams must maintain a score of 930 or above, multi-year rate
- Data collected annually, announced in the spring

Name	Fall 2020 E	Fall 2020 R	Spring 2021 E	Spring 2021 R
Student A	1	1	1	1
Student B	1	1	1	1
Student C	0	1	1	1
Student D	1	1	1	1
Student E	1	1	X	X
Student F	X	X	1	1
TOTALS	4	5	5	5
POINTS POSSIBLE	5	5	5	5

Single Year Calculation

$$19/20 = 0.95 \times 1000 = 950$$

Total		Total		Total		Total		Total Points/ Team APR	
2016-17		2017-18		2018-19		2019-20			
29	30	33	34	27	27	34	34	123	125
967		971		1000		1000		984	

Multi-Year Calculation

$$123/125 = 0.984 \times 1000 = 984$$

APR Penalties Structure

- First Level

- Limit teams to 16 hours of athletic activities per week
- Lost 4 hours replaced with academic activities

- Second Level

- Limit teams to 4 hours of athletic activities per week; off season
- Playing season & contest are reduced by 10%

Of note...

Cohort size

Automatic adjustments; Corrections period

APR is tied to each head coach

APR was not publicly released in Spring 2021

Future discussion of changing the APR metric



Virginia Tech 2019 - 2020

Academic Progress Rate Institutional Report

Men's Sports	Multiyear Rate	2019-2020
Baseball	968	953
Men's Basketball	984	1000
Football	957	977
Men's Golf	992	960
Men's Swimming	998	1000
Men's Tennis	1000	1000
Men's Track	989	990
Men's Wrestling	959	942

Women's Sports	Multiyear Rate	2019-2020
Women's Basketball	978	1000
Women's Cross Country	1000	1000
Women's Golf	1000	1000
Women's Lacrosse	980	992
Women's Softball	976	955
Women's Soccer	1000	1000
Women's Swimming	996	993
Women's Tennis	992	966
Women's Track	996	983
Women's Volleyball	984	960



VIRGINIA TECH
ATHLETICS

Board of Visitors Meeting
November 2021

Agenda:

Update on Name, Image, Likeness (NIL)
Competitive Success

Virginia Law – House Bill 7001

Passed in August

- Student-athletes may earn compensation related to NIL and sign with agents
- Protects their scholarship and eligibility
- No pay-for-play
- May not miss official team or academically related activities
- Use of logos and facilities must go through proper channels
- Third-party conflicts may be restricted by VT
- Must disclose activity prior to NIL activity occurring
- Prohibited NIL activity:

Casinos/Gambling

Alcohol Products

Adult Entertainment

Cannabis related products

Dangerous/Controlled Substances

Performance Enhancing Drugs

Drug Paraphernalia

Tobacco/E-cigarettes

Weapons/Firearms

NIL Deals at VT



jenna.raee • Follow

jenna.raee #bodyarmoru
8w

drinkbodyarmor 🏆
7w 1 like Reply

Liked by **alsmith_444** and 284 others
AUGUST 11

Add a comment... Post



cito_54 • Follow

cito_54 @pit_viper You guys definitely got me ready for the game tomorrow!! Thanks so much for getting me right 🙌
1w

_8hustleharder 🐶
1w Reply

chrisdarrisaw Put me on bro
1w Reply

juiceherbert Wow super star
1w Reply

Liked by **daniellebartelstein** and 235 others
SEPTEMBER 24

Add a comment... Post

NIL Deals at VT



Brock
@BrockHoffman76

Proud to announce that I have partnered with Bob Huff Chevrolet and Huff Ford to provide a total of 325 book bags filled with school supplies for kids in my hometown of Statesville, NC and Wythe County, VA!!
Go Hokies! 🦉

[#InvestInTheYouth](#)



hoffman76

opportunity to go back to my hometown
to deliver the rest of the book bags to my own
school, Celeste Henkel! [#InvestInTheYouth](#)

thanks to [@BobHuffAuto](#) for making all
this possible! [#DriveTheHuffWay](#)



Amaré D. Barno ✓
@Ayye_Barno

Hokie Nation,

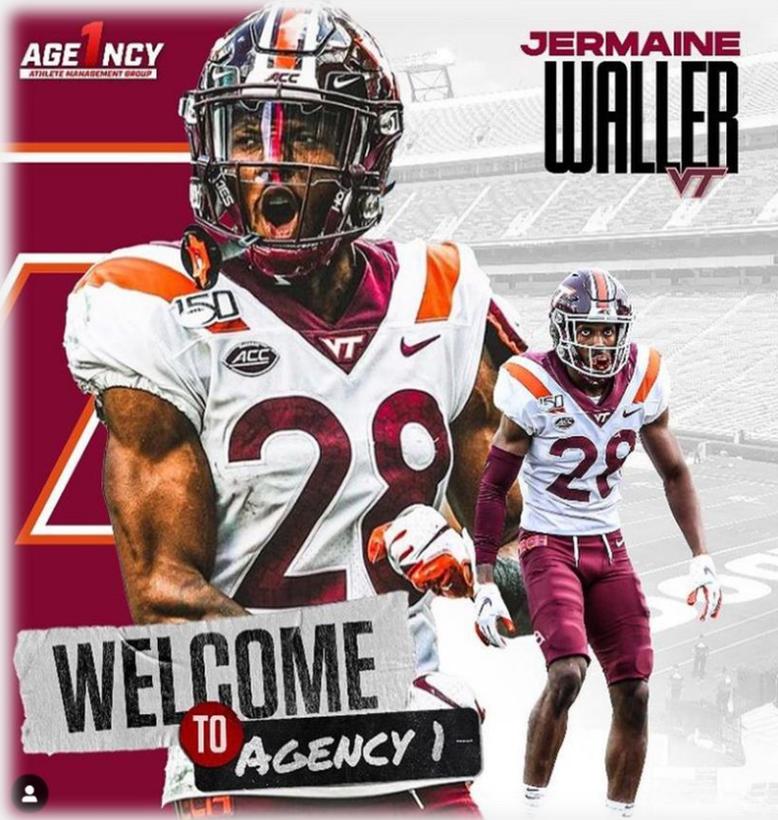
I would like to introduce my personal apparel line, the AB11 brand!

Check out the site, live now!
magzsports.com/amarebarno/



VIRGINIA TECH®
ATHLETICS COMPLIANCE

NIL Deals at VT



agency1sportsgroup • Follow
The Promise Land

agency1sportsgroup Excited to welcome Jermaine Waller to the Agency 1 family! 🍗 NIL representation
12w

youngacademy2010 VA
12w 1 like Reply ...

🍷 💬 📌

110 likes
JULY 12

😊 Add a comment... Post

BH Brock
@BrockHoffman76

@MissionBBQ is now THE OFFICIAL BBQ Sponsor of the ENTIRE @HokiesFB OL!! #GoHokies 🍗



NIL Takeaways

Interest level of student-athletes

Interest level of supporters and local businesses

Contracts

- Pay for Play?
- Student-Athlete time demands/Expectations
- FMV

Agents

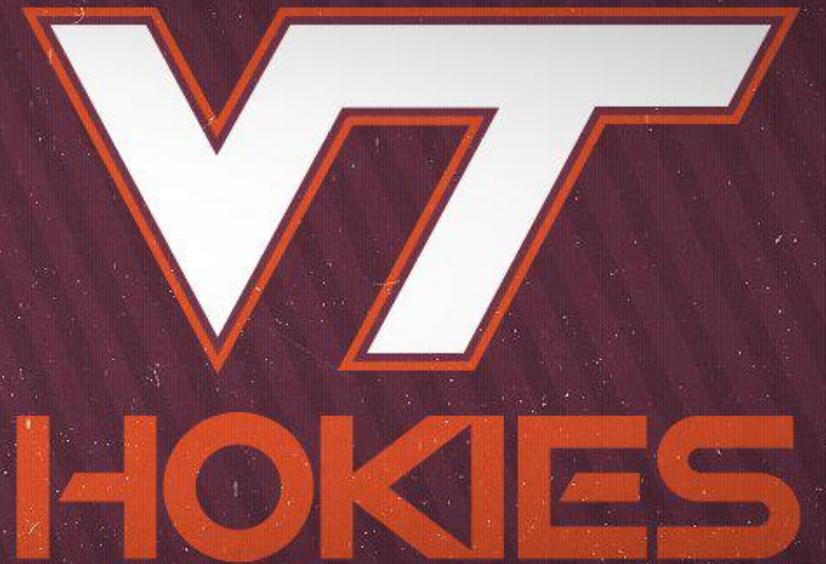
- Registered and Reputable
- State Regulatory Program

NAME. IMAGE. LIKENESS.

NEXUS



PAMPLIN COLLEGE OF BUSINESS
**APEX CENTER FOR
ENTREPRENEURS**
VIRGINIA TECH™



STAKEHOLDERS



PAMPLIN COLLEGE OF BUSINESS
APEX CENTER FOR ENTREPRENEURS
VIRGINIA TECH.



PRISM

VIRGINIA TECH
ATHLETICS



PAMPLIN COLLEGE OF
BUSINESS
VIRGINIA TECH™

VIRGINIA TECH®
ATHLETICS COMPLIANCE

GOALS



Build a comprehensive program for Virginia Tech student-athletes, which provide education and resources on NIL opportunities:

- Personal Branding and Brand Management
- Business Formation & Entrepreneurship
- Opportunity Identification & Management
- Financial, Tax and Legal Literacy
- Third Party Evaluation and Education



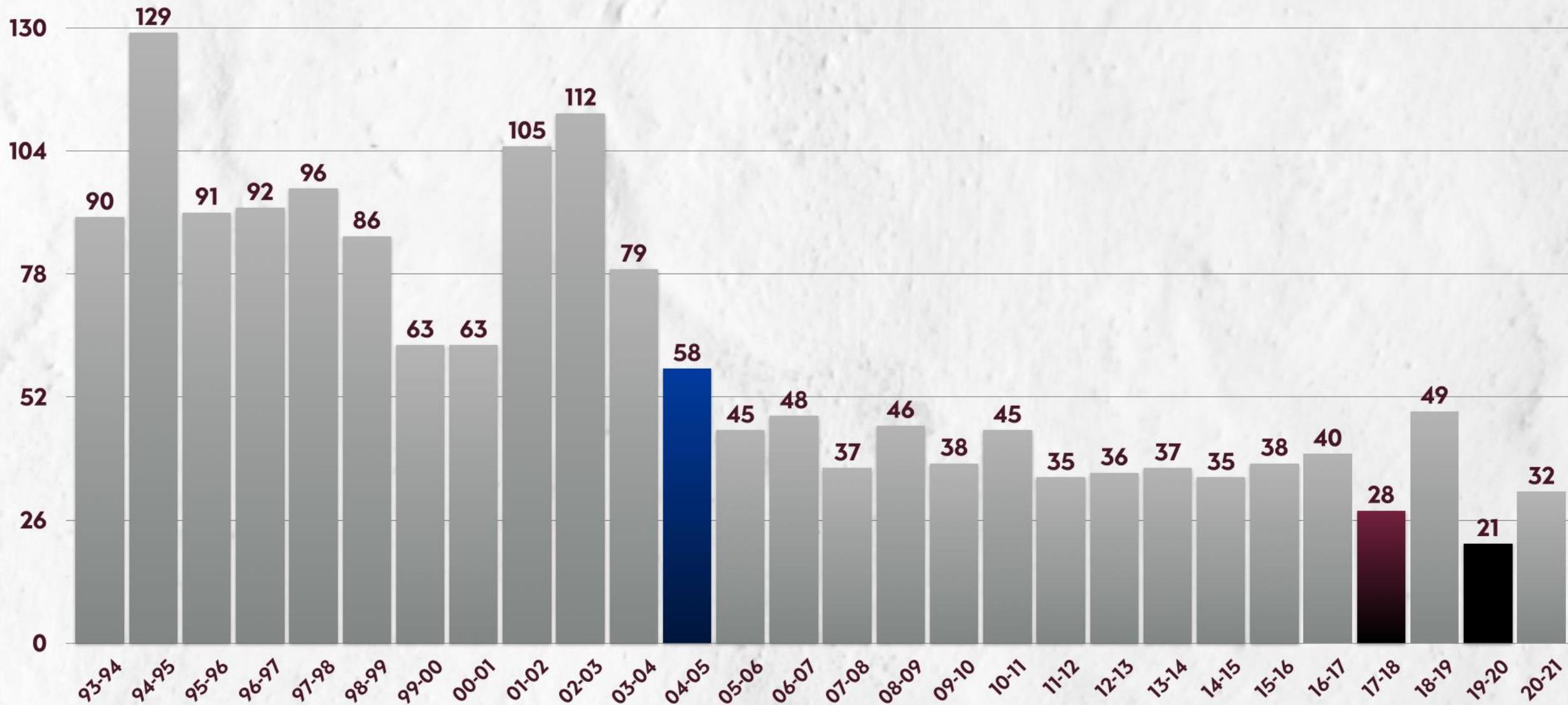
VIRGINIA TECH
ATHLETICS

**COMPETITIVE
SUCCESS**



Learfield Directors' Cup

1993-2021





Hokies In The Top 25

2020-22

	2020-21	2021-22		2020-21	2021-22
Football	19	15	Baseball	18	
Men's Soccer	4	6	Softball	14	
Women's Soccer		17	Women's Golf	14	20
Volleyball	(RV)		Men's Track & Field	21	
Wrestling	3		Women's Track & Field	15	
Men's Basketball	15		Men's Swimming & Diving	11	
Women's Basketball	(RV)		Women's Swimming & Diving	15	
Lacrosse	16				

Denotes highest ranking achieved during season

(RV) - Received votes



Learfield Directors' Cup

ACC Teams (2020-21)

	4	North Carolina	1126.25		40	Louisville	532.75
	11	Virginia	970.25		44	Georgia Tech	487.00
	14	Notre Dame	900.00		54	Wake Forest	394.75
	16	Florida State	893.00		62	Miami	358.50
	21	Duke	931.50		64	Syracuse	328.00
	23	NC State	783.25		73	Pitt	279.00
	32	Virginia Tech	631.25		74	Boston College	277.00
	36	Clemson	554.75				



1

Smithfield[®] COMMONWEALTH CLASH



0



Women's Soccer



Men's Soccer



Volleyball



Men's Cross Country



Women's Cross Country



Football



Women's Basketball



Wrestling



Men's Basketball



Women's Swimming & Diving



Men's Swimming & Diving



Women's Indoor Track & Field



Men's Indoor Track & Field



Lacrosse



Women's Tennis



Softball



Men's Tennis



Women's Golf



Men's Golf



Baseball



Women's Outdoor Track & Field



Men's Outdoor Track & Field

as of Oct. 8, 2021

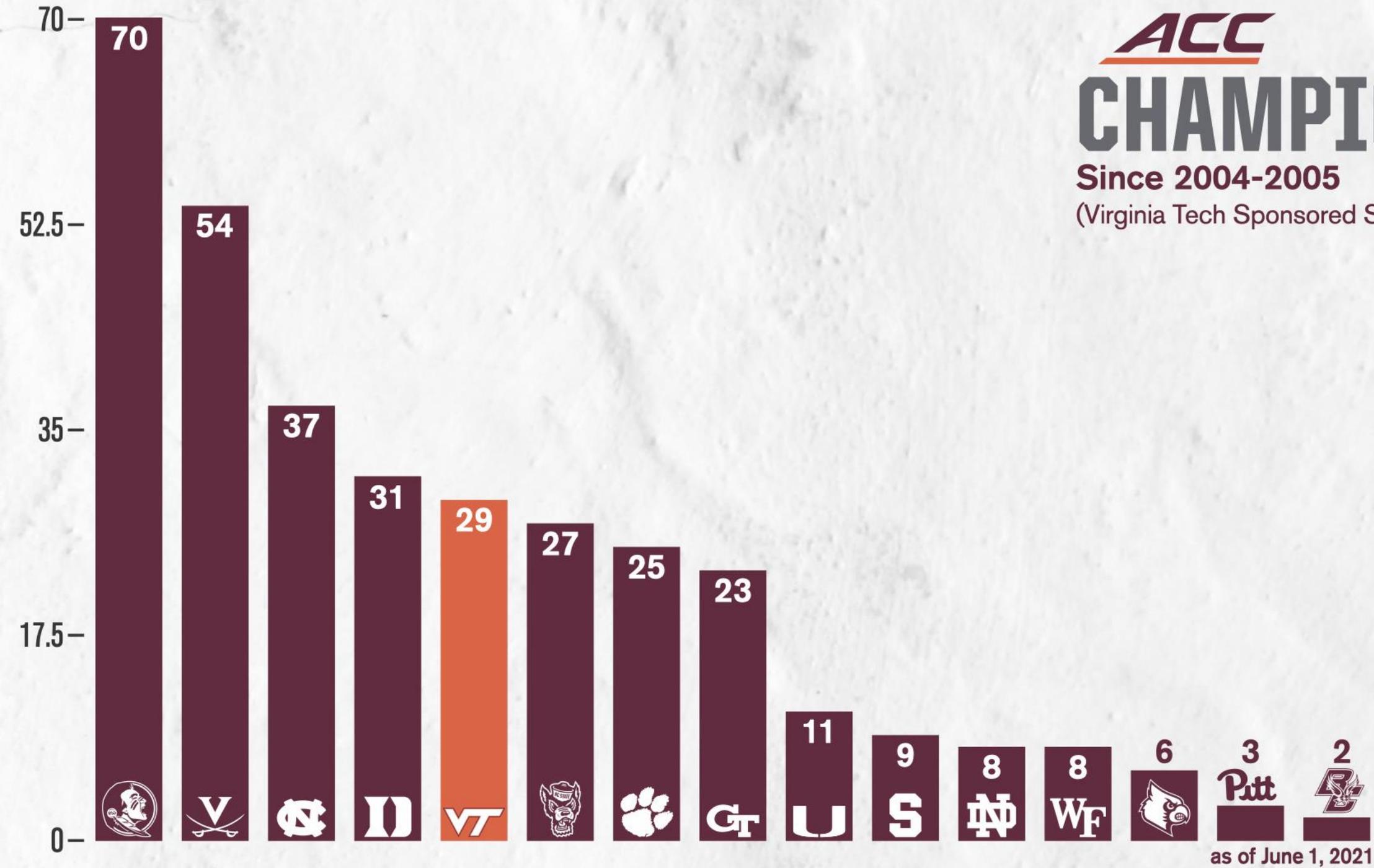
ACC CLASH

2015-16 2016-17 2017-18 2018-19 2019-20 2020-21 2021-22

2015-16 2016-17 2017-18 2018-19 2019-20 2020-21 2021-22

 (6-0)	15-5	17-2	15½-4½	13½-6½	8½-3½	13-4	½-1½	 (4-3)	5-16	9-13	11-11	10-12	8½-6½	11½-8½	½-½
 (5-2)	8-8	10½-6½	11-4	7-8	7-3	10-8	0-2	 (1-6)	7½-11½	8-10	6-12	7-11	4½-8½	6½-11½	1-0
 (4-3)	10-11	12-9	10½-11½	12-10	8-7	10½-10½	½-1½	 (4-3)	7½-12½	7½-12½	10-10	11-7	5-6	10-9	1-0
 (0-6)	7½-9½	8-9	5-12	3½-14½	3-7	7-10	0-0	 (6-0)	14-4	13-4	14½-3½	15-3	10-3	13-4	1-0
 (6-1)	11-6	11-6	11-6	11-6	8-4	8-8	0-1	 (4-2)	3½-8½	9-6	6½-6½	6-6	3½-4½	7½-5½	0-0
 (2-4)	6½-12½	7½-10½	7-11	10-8	6-5	10-9	0-0	 (3-4)	7-14	11-11	12½-8½	9½-12½	6½-7½	9-12	1-0
 (4-2)	8½-8½	8½-7½	8-9	8½-9½	9-3	13-4	0-0	 (5-1)	9½-5½	10-4	8½-6½	8-7	8½-½	7-8	0-0

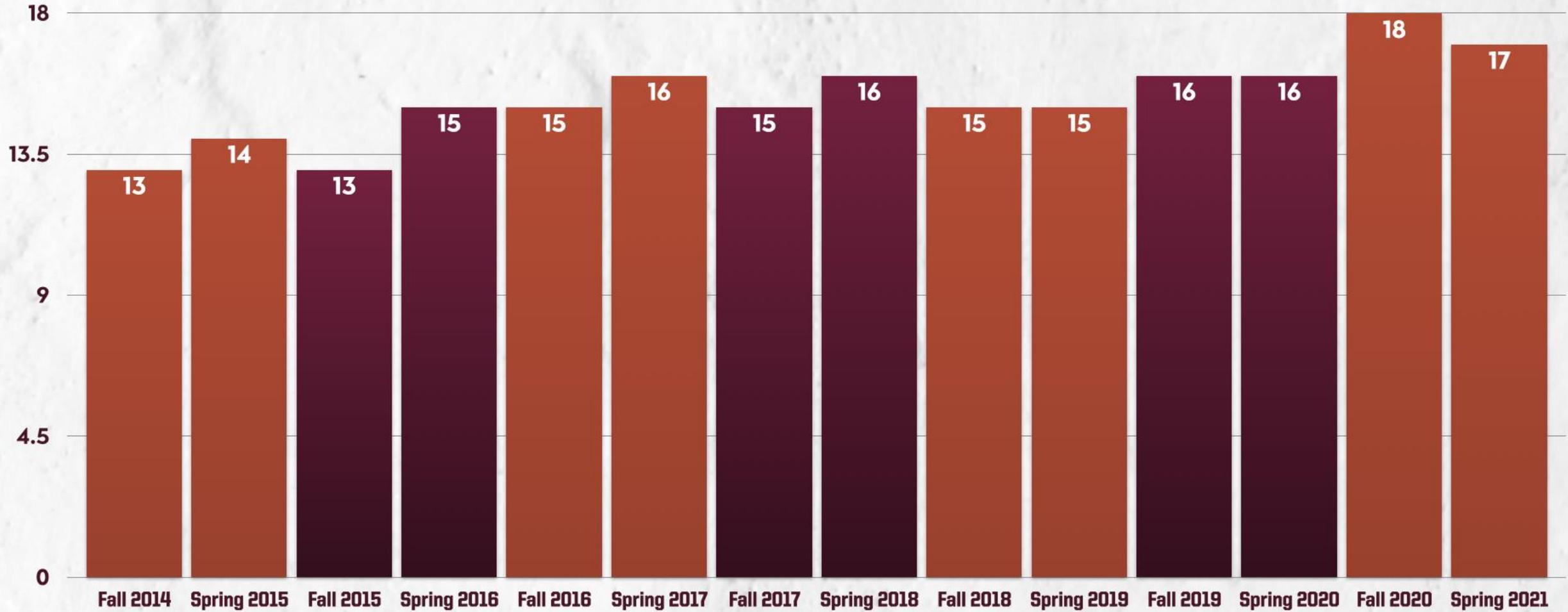
ACC
CHAMPIONS
Since 2004-2005
(Virginia Tech Sponsored Sports Only)



as of June 1, 2021



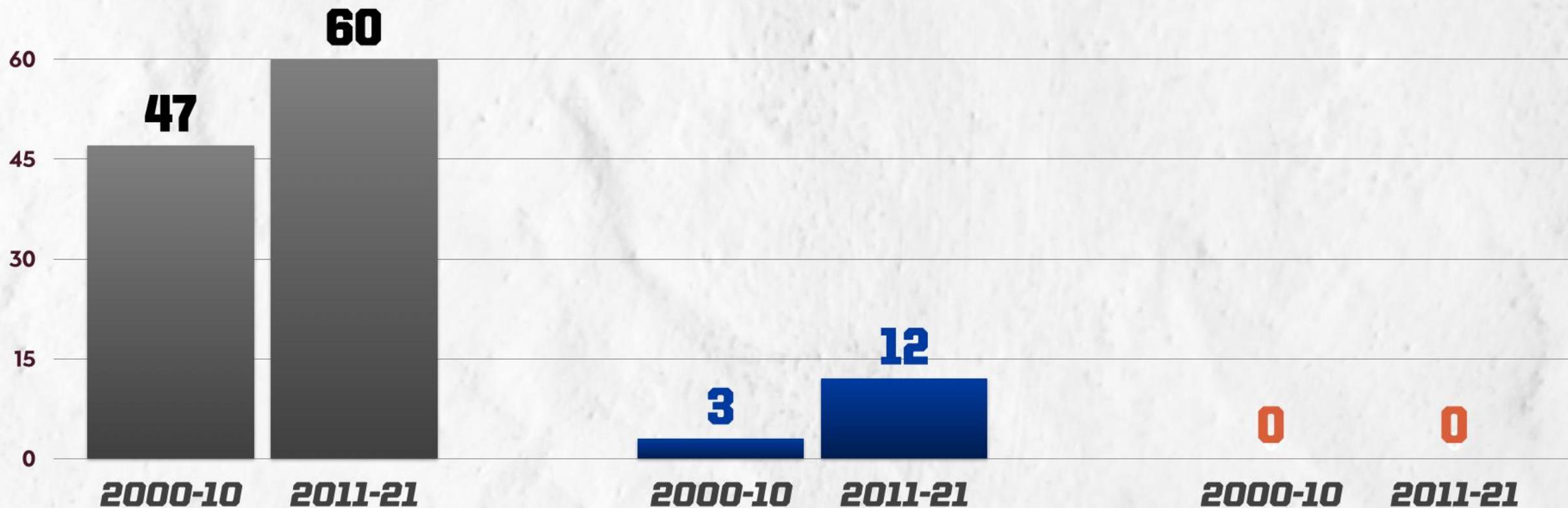
Teams with 3.00 Overall GPA Per Semester



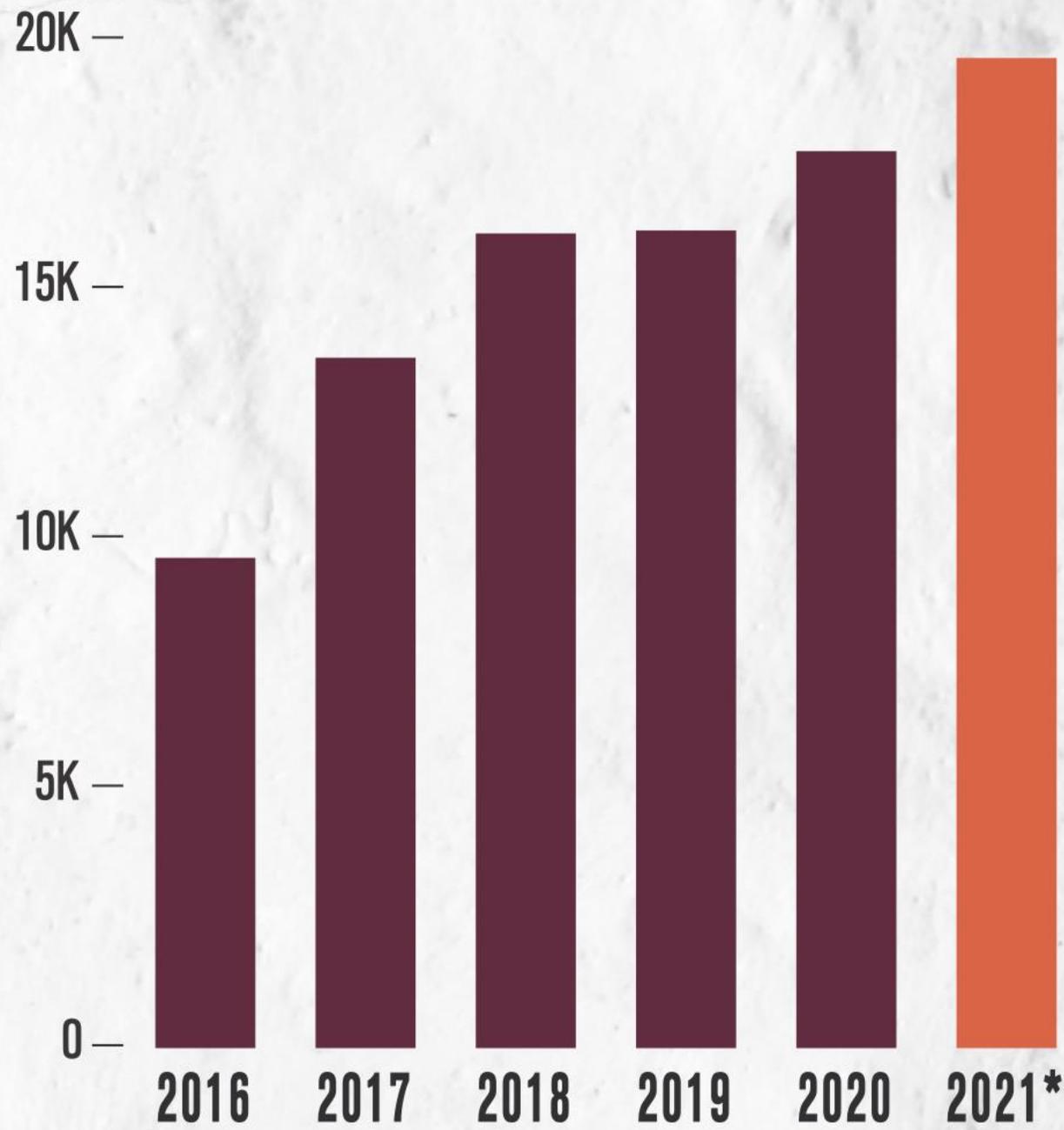


Major Infractions

Since 2000



Number of Donors



DONOR GROWTH



Pledges to nearly \$175m of the \$400m goal

DRIVE FOR 25

\$25,000 members by March 31, 2022

**FOOTBALL
ENHANCEMENT FUND**

\$70M Economic Impact in SWVA

CASSELL COLISEUM

**Early meetings have been very
productive**

ALL-SPORTS SUCCESS

**Consistent sport-specific fundraising
approach**

**SCHOLARSHIP
ENDOWMENTS**

For those to come



VIRGINIA TECH
ATHLETICS

THANK YOU

UAC Nov 11, 2021

AD Update

- **BOV**
- **Weekend Sports Update**
- **Faculty/Staff Basketball Tickets**
- **New Student Well-Being Initiative**
- **New Staff Initiative**
- **Hall Of Fame Class of 2021**

BOV: NIL Takeaways & Performance Update

Interest level of student-athletes

Interest level of supporters and local businesses

Contracts

- Pay for Play?
- Student-Athlete time demands/Expectations
- FMV

Agents

- Registered and Reputable
- State Regulatory Program

Weekend Sport Update

Friday:

- W. Soccer: Host Ohio State tomorrow @ 6pm – 1st Round NCAA
- Cross County @ NCAA Regional 11/12
- Volleyball vs UNC @ 4pm – Sr Night

Saturday:

- Football vs Duke 11/20 @ 330pm

Monday:

- M. Soccer: NCAA Selection Monday 11/15 Hope to Host 1st Round

Faculty/Staff Basketball Games

Sun., Nov. 21 - 4pm: MBB vs Merrimack

Thurs., Dec. 30 - 8pm: WBB vs Duke

Sat., Jan. 1 - 4pm: MBB vs Pitt

Tues., Jan. 4 - 7pm: MBB vs NC State

Sun., Jan. 16 - 6pm: WBB vs Clemson

VT F/S members may claim two tickets with a valid VT ID. No more than four IDs may be used at one time. Tickets can be picked up at the Cassell Coliseum ticket office on game days beginning 90 minutes prior to game time.

Flyer and further promotion forthcoming...to UAC, VT News, etc.

Breakfast & Learn

- Promote Staff Fellowship
- Plan on 1-2 per semester
- 80 attendees on 11/2

VIRGINIA TECH
ATHLETICS
presents...

BREAKFAST & LEARN *series*

THURSDAY NOVEMBER 4TH
CONTINENTAL BREAKFAST | 8:00AM
PROGRAM | 8:30AM-9:30AM
STUDENT-ATHLETE PERFORMANCE CENTER
JAMERSON, 4TH FLOOR

Featuring:
Season previews, chalk talk and Q&A with
COACH MIKE YOUNG & COACH KENNY BROOKS

**CLICK HERE
TO REGISTER BY
NOVEMBER 2ND** 



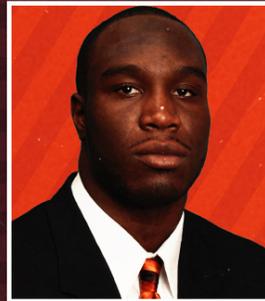
Hall of Fame Inductees



KRISTI CASTLIN



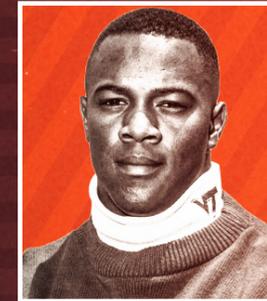
QUEEN HARRISON
CLAYE



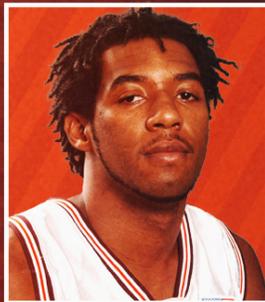
XAVIER ADIBI



JACKIE DAVOUD
HENDRICK



TYRONNE
DRAKEFORD



JAMON GORDON



VICTOR "MACHO"
HARRIS



CLASS OF 2021

INDUCTEES