## OLD DOMINION UNIVERSITY BOARD OF VISITORS ATHLETICS COMMITTEE JUNE 14, 2018

TO: Athletics Committee Members
Kay A. Kemper, Chair
Yvonne T. Allmond, Vice Chair
Carlton F. BennettexJ. Harris
Larry R. Hill

FROM: Dr. Wood Selig

**Director of Athletics** 

DATE: June 1, 2018

SUBJECT: June 14, 2018 – Meeting Agenda

The Athletics Committee meeting will take place in the Boardroom (Room 2206) in the John R. Broderick Dining Commons from 10:00 a.m. – 11:00 a.m. on Thursday, 4, 4, 4, 4, 6, 7, 10:00 a.m. on Thursday, 4, 4, 6, 10:00 a.m. on Thursday, 4, 10:00 a.m. on Thur

- I. Student-Athlete Welfare and Update Randale Richmond, Ragean Hill, Wood
  - A. Academic Support Overview
  - B. Academic Review and Highlights
- IV. Women's Volleyball UpdateRagean Hill)
  - V. Athletic Highlights for 2017/8 (Wood Selig)

REPORT AND RECOM MENDATIONS TO ADDRESS

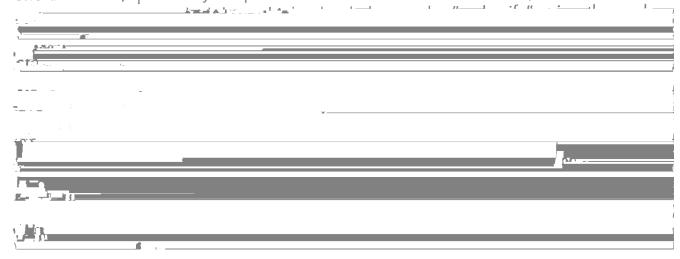
Commission on Colleg asketball
April 2018



Lost in the talk of big money and corruption is colleges' central mission to provide csri-sc.org.

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	One-And-Don	e.			
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The Commission is concerned about one unintended consequence of ending one-and-done, specifically the pt ential abuse of the NCAA's current practice of granting



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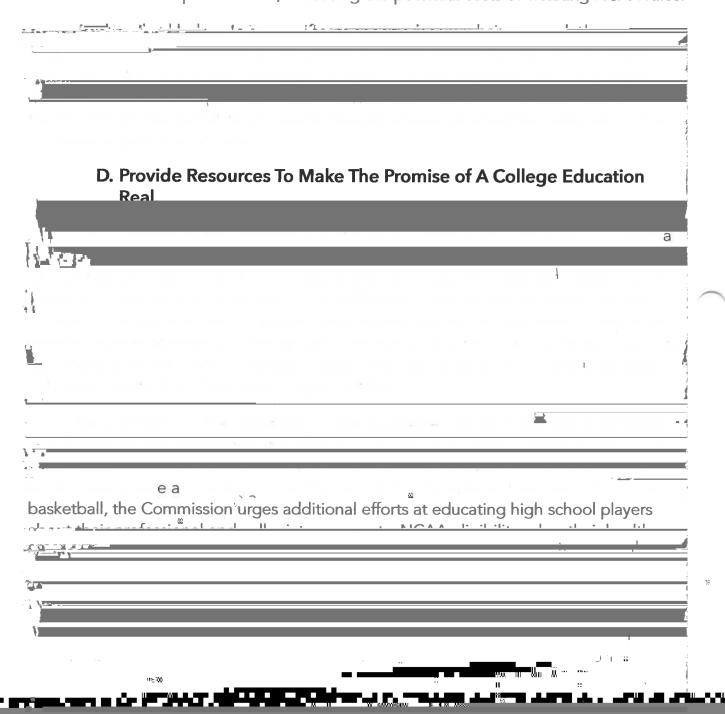


The Commission also discussed the graduate transfer rule. The NCAA enacted the rule in 2006 to assist academically high-achieving students who had graduated from college with remaining athletic eligibility by allowing them to transfer in order to decree - In recent years, graduating student-athletes, including in 211 -C. Permit Students To Receive Meaningful Assessment of Professional

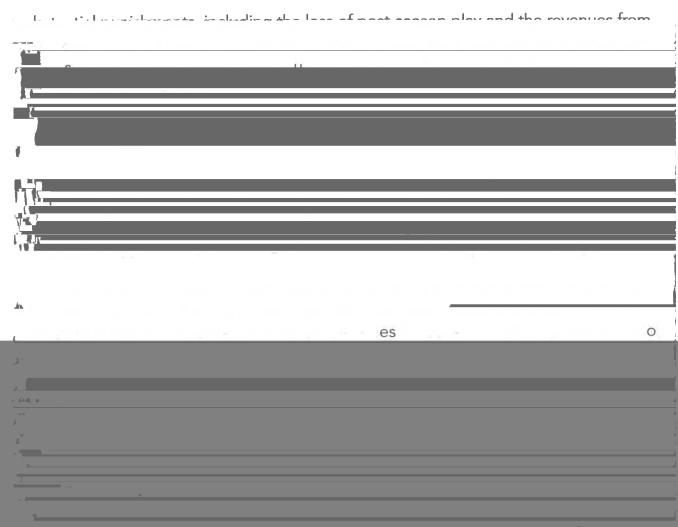




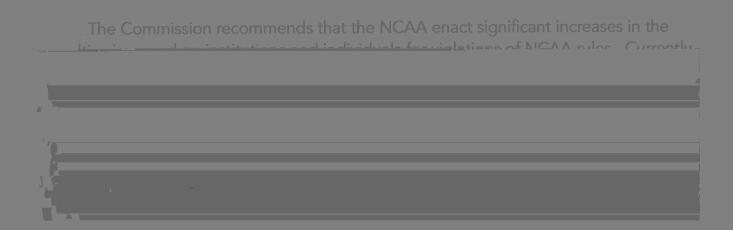
The Commission further recommends that the NCAA incentivize better behavior from agents. This can be done through making clear the benefits of certification and the cost of the loss of certification. An agent who participates in an NCAA rules violation must lose his or her certification. A student-athlete who enters into an agreement, or whose family members enter into an agreement, with a non-certified agent will lose his eligibility. In addition, the NCAA and the NBPA should report to each other agents' violations of their respective rules, increasing the potential costs of violating NCAA rules.



receive benefits such as academic support, meals, travel, coaching, trainers, career REPORT AND RECOMMENDATIONS TO ADDRESS THE ISSUES FACING COLLEGIATE BASKETBALL
APRIL 2018 significant punishment on those who undermine the premise that student-athletes must rachine an advertion that is valuable not a protoner. The NICAA will have to incur Section 2: **Establish Professional Neutral Investigation and Adjudication of Serious** Infractions and Hold Institutions and Individuals Accountable Malamont Independent Investigation and Adjudication of Complex.



post-season play. To restore credibility to this process, the investigation, enforcement and re olution of high stakes cases m st be placed in the hands of independent professionals and neutrals.





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Companies the conservation that the undersate have effective assetude in where in their
C. In Cooperation with Partners, Establish NCAA Youth Basketball Programs.
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spending in non-scholastic basketball. The Commission calls on the boards of these companies to publicly support and implement financial transparency and accountability with respect to their own investments in non-scholastic basketball. Particularly in light
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REPORT AND RECOMMENDATIONS TO ADDRESS THE ISSUES FACING COLLEGIATE BASKETBALL  13  APRIL 2018

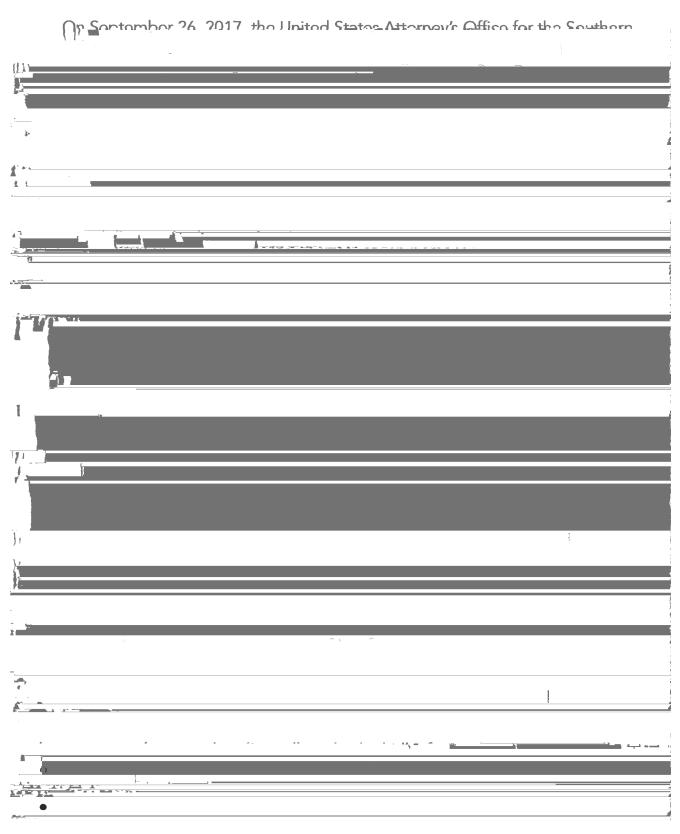
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changes recommended by the National Association of Basketball Coaches and other Section 4: Add A Significant Cadre of Public embers To THE NICAN'S Daned of Covernors



#### **REPORT OF THE COMMISSION**

#### Introduction



- Jeremy Foley, Athletic Director Emeritus, University of Florida Athletic Association
- Jeffrey Hathaway, Vice President/Director of Athletics, Hofstra University
- Grant Hill, Owner/Vice Chairman, Atlanta Hawks



Mike Montgomery, Retired Basketball Coach, Analyst, PAC-12 Networks

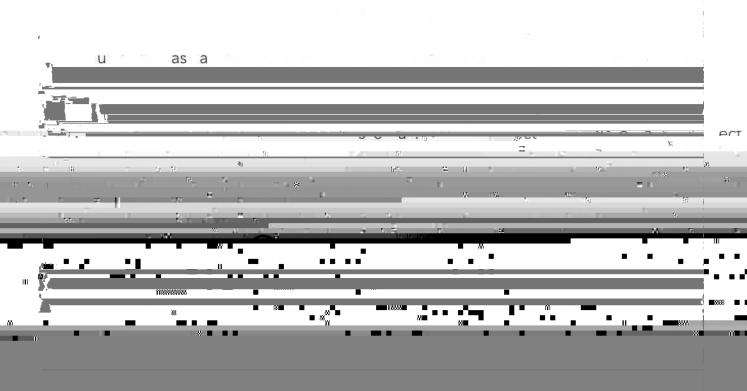
David Robinson, Founder, Admiral Capital Group



The Commission now recommends that the NCAA seeks changes from other organizations, such as the NBA and the NBPA, and that it make significant internal <u> pere man in chi din ce ferada ra artal aban nan sa sha munanan milan ar din ara litia ralata</u> - The Commission's Process B. Information Gathering: Briefings from the NCAA, Its Agents and **Others** 

•	Prosecutions Involving NCAA Division I Coaches, Ron Machen, Partner Wilmer Hale outside counsel to the NCAA:
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	College Choice, NCAA Research, presented by Lydia Bell, NCAA.
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In its mee	etings, the Commission spent close to 70% of its time in executive
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roomont that	made high school players ineligible for the NRA draft. There is
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however, a small group of elite players who would prefer to bypass college and play in the NBA after high school and who would be drafted, were it permitted under the NBA's and NBPA's collectively bargained rules. These players often do not find the alternative



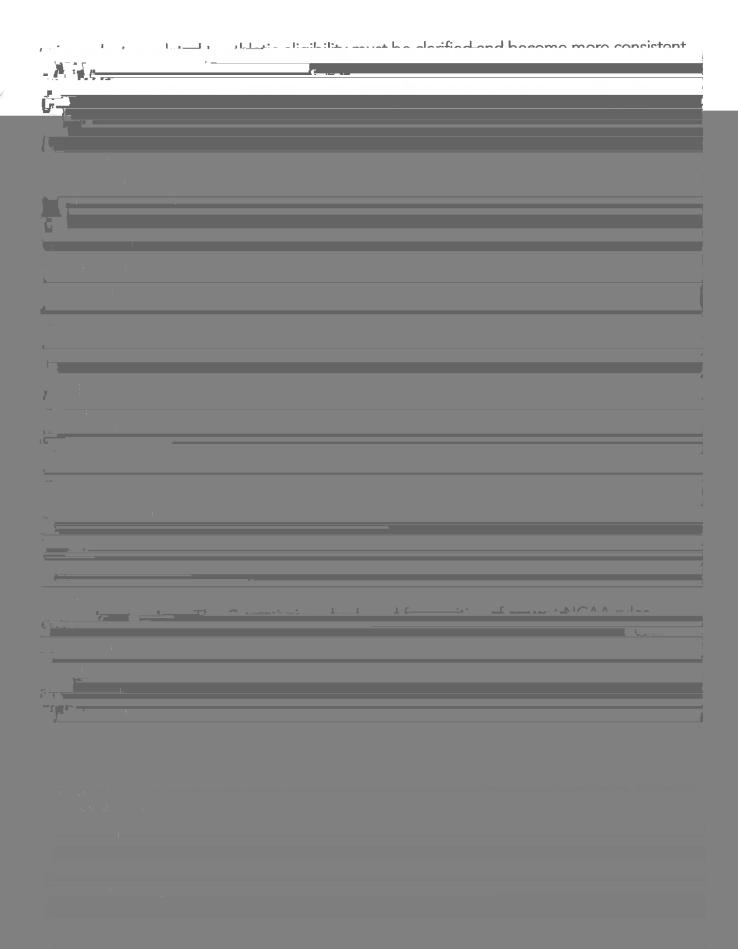
making a name for themselves in Division I men's basketball. Thus, these players, colloquially referred to as one-and-done players, attend college for a single year – and sometimes only until the day their schools are eliminated from the NCAA tournament.

Since 2006, NBA teams have drafted an average of eight college freshman each

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Compliance). Specifically, the NCAA's investigative and enforced and often appear inadequate to effectively investigate and address.	
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2. Substance, Including Penalties	
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often in violation of NCAA and school rules. It would be better, stakeholders argue, if these contacts were in the open and regulated by the NCAA, including by requiring NCAA certification and registration with schools and by restricting contact to specific times and places.

Still other stakeholders, including a number of agents, took the position that
allowing agents to have contact with high school students will res It in even earlier
agent involvement in student-athletes' decision making, including their selection of
a grassroots or non-scholastic basketball coach, a high school, a college, etc. These
stakeholders maintain that the barriers to entry for professional agents should be higher
(while recognizing that the NBPA has recently taken important steps to improve the
quality of the agent cadre), and that the penalties for agents who violate NCAA rules
about the higher (either through enforcement efectate laws or through reporting of
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violations to the NBPA or other unspecified rule changes).

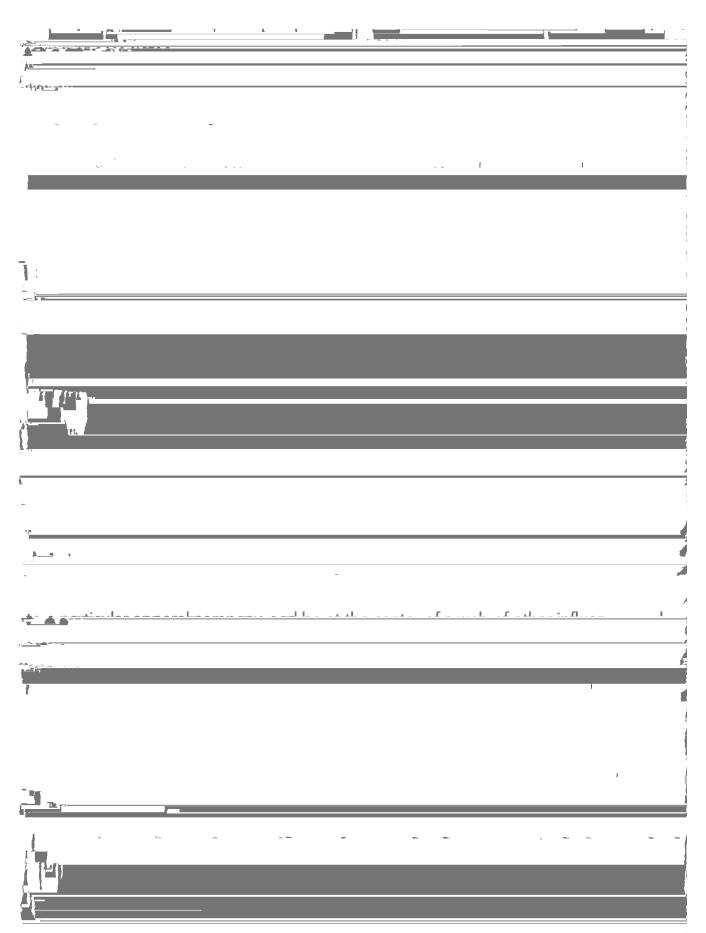
Recruiting. In the view of many Division I coaches, the NCAA rules hamstring college coaches and allow non-scholastic coaches and other third parties to become the primary influences over elite high school players. For example, Division I coaches have limited opportunities to evaluate high school players in both scholastic and non-scholastic settings, and those players cannot officially visit colleges and universities until late in their junior year. See generally NCAA Division I Bylaws, Art. 13. Indeed, Division



3. The Relationships Among C	ollege Basketball. Non-Scholastic
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	13.18 (Basketball Event Certification); thes at NCAA member institutions can certifies them. Unfortunately, however, inimal, to be generous; and some of the
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of players they must see in order to put their teams together.

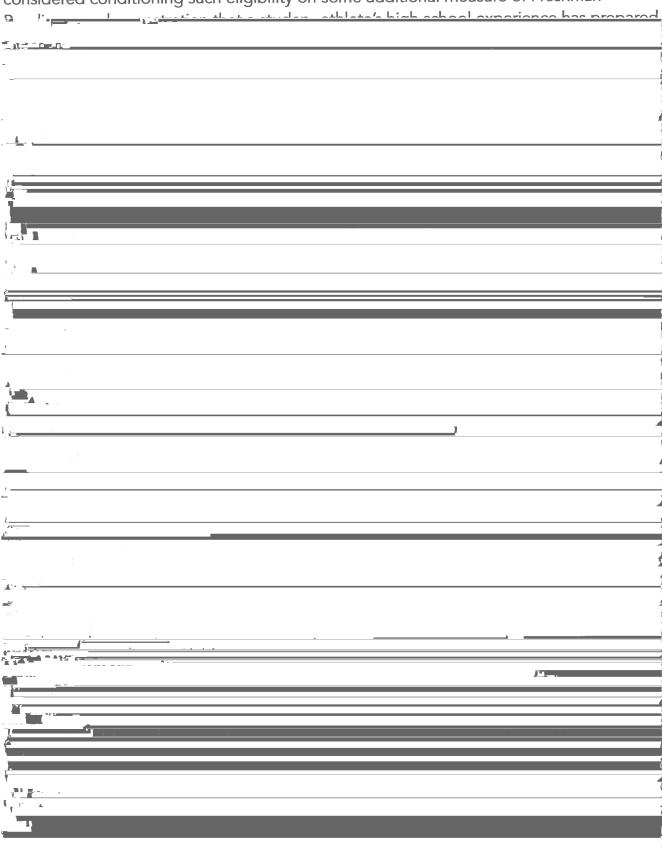
That said, virtually ll stakeholders expressed the view that currently, non-



for negotiating the NBA, shoe and apparel, and other endorsement contracts of professional players. Financial advisers earn significant commissions for investing professional players' funds. Competition to sign potential professional players is	
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an alternative to the blanket elimination of freshman eligibility, the Commission also considered conditioning such eligibility on some additional measure of Freshman





which playor as divible for or romain on their rector for the next **Prospects Earlier With Assistance From Certified Agents.** 22 NCAA Research Tracking Transfer in Division I Men's Basketball (Dec. 2017). 23 The Commissi in further recommends that the NCAA and its Transfer Working Group examine the growing tren in graduate transfers, along

APRIL 2018

# The NCAA's rules already allow student-athletes to retain lawyers and advisors to provide professional advice at market value, provided the lawyer or advisor does not engage in the representational activities of agents. NCAA-certified agents should also be permitted to provide such advice. Further, high school players considering entering



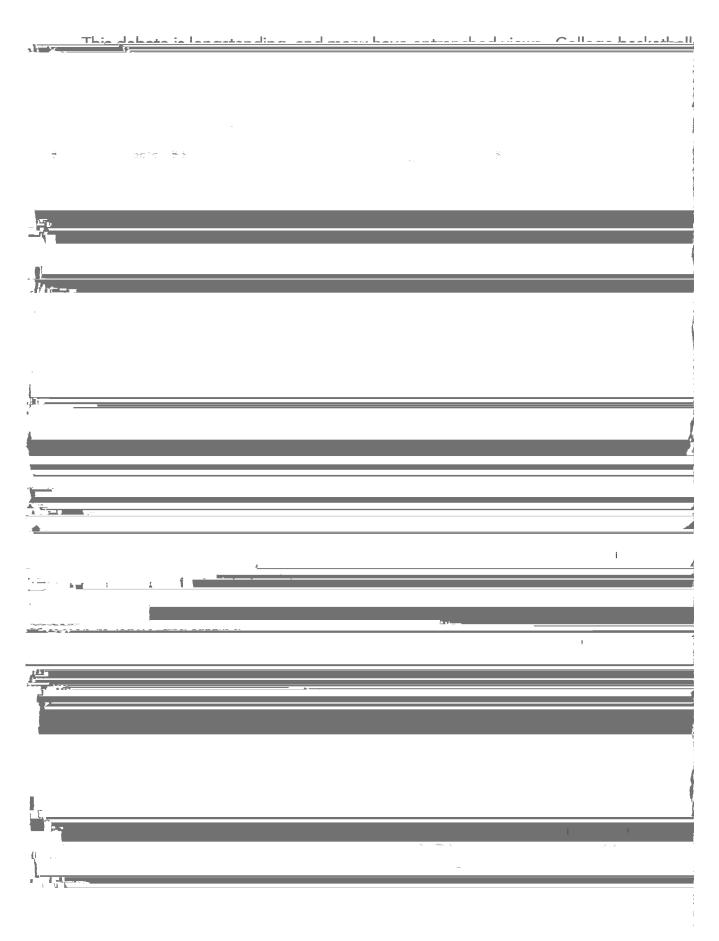
high school baseball players may engage agents for advice about the draft. *Cf.* NCAA Division I Bylaw 12.3.1 (Exception – aseball and Men's Ice Hockey – Prior to Full-Time Collegiate Enrollment).

As stated above, both high school and college students misjudge – that is, over rate – their chances of a professional basketball career. Very few high school players will play professional basketball. Yet, many high school student-athletes believe they have professional prospects, and they work hard in high school to maintain eligibility to play

24 An annat in any norman who either directly or indirectly represents a prospective or current student-athlete in marketing his athletic ability of

D. Provide Resources To Make The Promise Of A College Education Real.





investigative and enforcement process for cases involving complex or serious violations (hereafter "complex cases").

The consensus view – including within the NCAA – is that the NCAA investigative and enforcement process is broken. The NCAA's shared governance and cooperative principles do not work in situations when large sums of money and serious reputational damage is at stake. Schools and individuals "lawyer up" to protect their financial and reputational interests. The current NCAA system does not provide its personnel with the tools and authority necessary to investigate complex cases and effectively prosecute violators of the rules. Decision makers are volunteers and NCAA members; they face perceived conflicts of interest in adjudicating complex cases with adverse consequences for the credibility of the process. Punishment is often unpredictable and inadequate to deter violations. In many cases, the process takes years, and the NCAA imposes punishment long after the departure of bad actors. Prominent coaches and <u>adopinintentara anno a anno unga bilitu dan umbak iba</u>u lea au an abau lal bau a <u>lea ayan ya</u>

REPORT AND RECOMMENDATIONS TO ADDRESS THE ISSUES FACING COLLEGIATE BASKETRALL 39.

APRIL 2019

28 One threshold question is how to define the cases subject to the new process. The Commission recommends that both the NCAA and the

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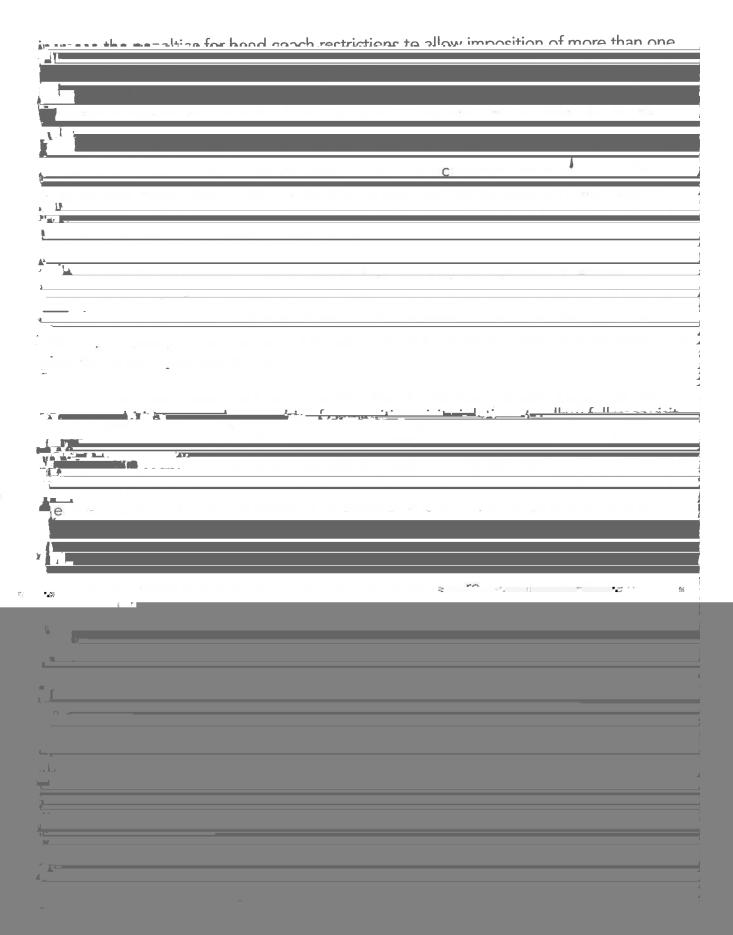
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department directors and coaches to certify annually that they have conducted due diligence and that their athletic programs comply with motorii serissoo mirom those individuals if they knew or should have known of violations and did not address them, up to and including termination. The Marin Market Market

REPORT AND RECOMMENDATIONS TO ADDRESS THE ISSUES FACING COLLEGIATE BASKETBALL

Section 3: itigating Non-Scholastic Basketball's **Damaging Influence on College Basketball** A. Reform Non-Scholastic Basketball and Make Its Finances Transparent.

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While these statements were welcome, the Commission does not believe that the apparel companies have always delivered on this promise. In fact, it was difficult to ascertain how closely these companies track funding for non-scholastic basketball and associated activities. The Commission will formally ask the boards and leadership in these companies to make a commitment to transparency and accountability for the

C. In Cooperation with Partners, Establish NCAA Youth Development Programs.

Collegiate Potential.

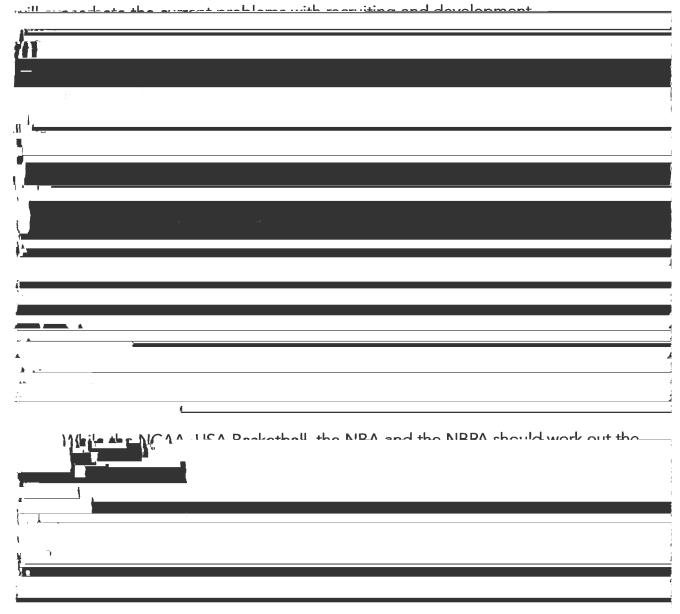
Every year, the number of players to be identified, evaluated and developed at each level follows:

Level 1 (National Team Potential) 80-100

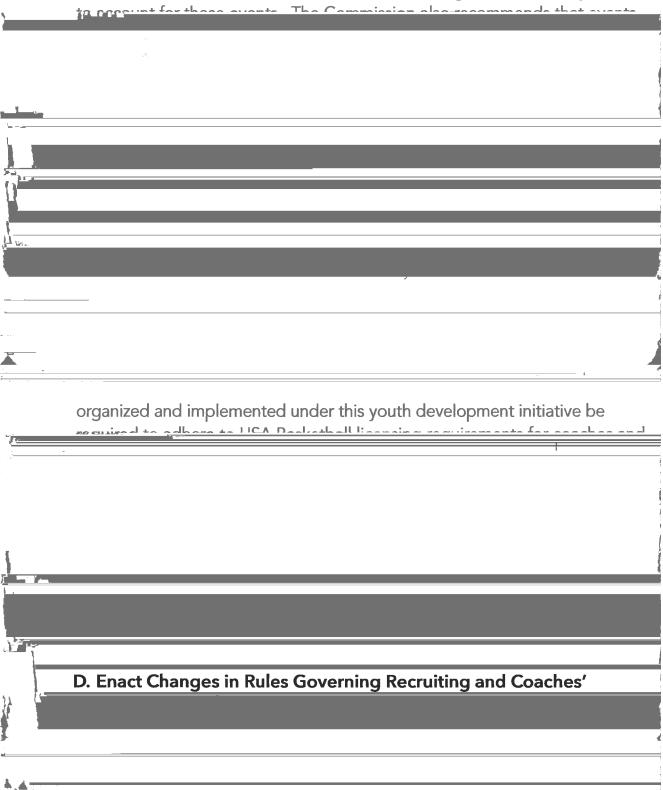
Level 2 (Highest Collegiate Potential) 400-500

Level 3 (Collegiate Potential) 2,000-2,500

It is important to note that the Commission believes developing players at each level will require collaboration among USA Basketball, the NCAA, the NBA and the NBPA. The absence of any one of these stakeholders in the youth development space



education and mentoring throughout the year. The Commission recommends that one of these contacts occur at NCAA-administered regional camps each summer during July, which NCAA coaches would exclusively attend during that time, and that current NCAA-directed recruiting windows be adjusted to approximate for those questa. The Commission also recommende that except



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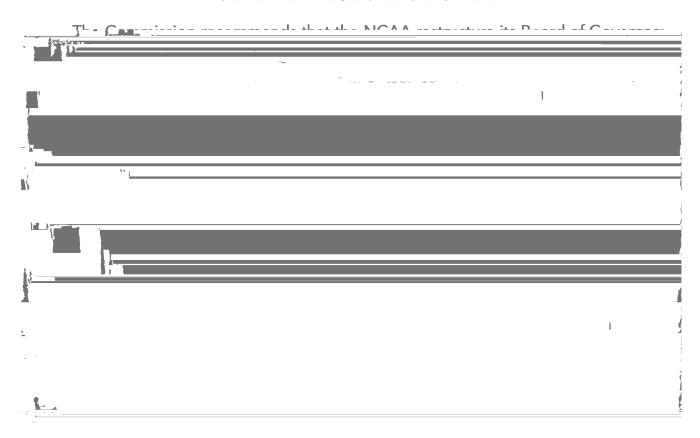
and prospective and current student-athletes so that these coaches are not required to recruit and instruct through third partie  $\,$ .

First, the Commission supports the NABC's recommendation that the summer





## Section 4: Add A Significant Cadre of Public Members To The NCAA Board of Governors.



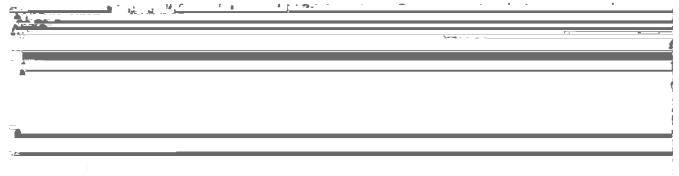
to include at least five public voting members with the experience, stature and objectivity to assist the NCAA in re-establishing itself as an effective and respected leader and regulator of college sports. It further recommends that at least one of these



## CONCLUSION

The Commi ion calls on the NCAA to draw up draft legislation and plans to implement its recommendations for Commission review by early August 2018. The Commission will promptly reconvene and provide its input.

The Commission has made a number of important recommendations. Some call for action by third parties, such as the NBA, the NBPA, apparel companies and member



Endorsed by NCAA Board of Gover ors Executive Committee and NCAA D'vision I Board of Directors Administrative Committee

Monday, May 7, 2018

NCAA National Office Steerin Kevin Lennon (co-lead) Cari Van Senus (co-lead) Mark Emmert Committee Scott Bearby **Donald Remy** Dave Schnase Dan Gavitt

lake James / Jeanne Ponsetto

Eric Kaler/Bud Peterson

an Guerrero

U. Nonscholastic Basketball

Jeff Hathaway

Val Ackerman

Recommendation of Gavitt/

NBA

Agents / Advisors

schiley (chair)

Independent BOG Members Annual Certificatio

Gronau / B. Williams

Norking gr III Norking Brad Hostetter

Schnase / Martin



Members: Guerrero (chair), Capriotti, Haney, Howard, Knight, MacLod, Martelli, Rogers, Smith, Straw∰y and Thomas. Staff Leads: Duncan and Gavitt.

Legislative action by 1 Board August 2018 with implementation for events after 9/1/2018.	Vote to a prove plan in August 2018,	Legislative action by DI Board August 2018.
	v	8 5
Event Certification	Youth Basketball Progra s	Recruiting/Coaches Interaction

'Crossover with Financial Transpare of with Financial Transpare of Sandaries topical group.





Members: Ackerman (chair), Brazeau, Hathaway, Leibovitz, Muir and Schlickmann.

Staff Leads: Gavitt.

Eliminate oneand-done rule

Draft flexibility

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Await decision by NBA and NBPA.

Board approval August 2018. Develop model for DI

## discrui ing and Coac es Int ractio.

Recrui 's and Student-Athletes

Members: NCAA Division I Men's Basketball versight Committee.

if Leads: Gavitt and Kemper.

i's Basketball For adop

For adoption by DI Council August 2018.

Within its regular course of business, the Men's Bass Oversight Committee wil discuss NABC recommer



Members: Christopher (chair), Harris, Hawley, Huchthausen, Ohlendorf, Parkinson, Perez, Rich, Roberts, Sankey and Wildhack.

Staff Leads: Luck and Remy.

Complex

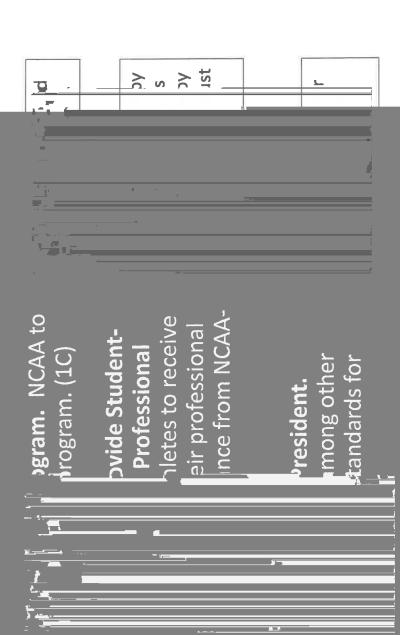
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**Punishments** 

Plan and timeline for implementation will be presented for vote August

Fi es

Establish a fine structure for coaches and other institutional nerconnel.



Members: Benedict (co-chair), Hostetter (co-chair), Barnhart, Manuel, Shannon, Swann and Wilson. Staff Leads: Martin and Schnase.

Agent Certification

Assessment Meaningful

NCAA Vice President

response August 2018. Legislative Action by D DI Board August 2018. nsparent.\* NCAA ic basketball events ty Efforts. Boards erate with NCAA nt proceedings.^ r and attestation astic basketball. k filings. Events sparency and acts with Members: Calhoun (chair), Castiglione, James, Mullens, Swa 📜 ick and Woodward. saff Leads: Scott and Termini. Contractual Obligations Institutional Agreemen's Financial Transp rency

\*Crossover with Event Certification under review by Nonscholastic Basketball topical group.

<sup>^</sup>Crossover with ENF/COI/IAC Working Group.

Members: Committee on Academics. Staff Leads: Albert and Schnase.

Stu ent Support/Degree Completion

establish fund
of studentswho leave
ss of at least

Models prepared with legislative and policy anguage presented for a vote in August 2018.

Members: Machtley (chair), Docking (co-chair) and Jones (co-chair).

Staff Leads: Gronau and B. Williams.

