



**REPORT OF THE
NCAA BOARD OF GOVERNORS
AUGUST 1, 2023, VIDEOCONFERENCE**

KEY ITEMS.

The NCAA Board of Governors voted to:

1. Establish an Association-wide post-eligibility injury insurance program, effective August 1, 2024;
2. Sunset the Subcommittee on Congressional Engagement & Action, effective upon adjournment of the August 1, 2023, videoconference; and
3. Appoint the preferred candidate, as a new independent member to replace Grant Hill, effective upon adjournment of the August 1, 2023, videoconference, contingent on the candidate's acceptance.

[Note: Following the videoconference, the preferred candidate indicated they were unable to serve and declined the appointment.]

ACTION ITEMS.

- None.

INFORMATIONAL ITEMS.

1. **Welcome and announcements.** NCAA Board of Governors chair, President Linda Livingstone, convened the meeting at approximately 1:07 p.m. Eastern time and welcomed the Governors. President Livingstone noted that this was the last meeting for President John DeGioia and Grant Hill and thanked them for their service on the board.
2. **Consent Agenda.** By way of a consent agenda, the Board of Governors approved six items including: (a) the April 25, 2023, videoconference report; (b) the Board of Governors Executive Committee Charter; (c) the appointment of Dr. Michara Delaney- Fields, Chief Diversity Officer at Stephen F. Austin State University and Dr. Ron Darbeau, Chancellor of Pennsylvania State University Altoona, to the Board of Governors Committee to Promote Cultural Diversity and Equity; (d) updates to the Board of Governors Policies and Procedures; (e) the appointment of Isaiah Swann, as the voting graduated student-athlete member effective following the conclusion of the August 2023 meeting through the conclusion of the August 2024 meeting; and (f) the amount of divisional membership dues, as specified, for the 2023-24 academic year.
3. **Feedback from divisional presidential bodies via the consultative process.** Presidents Mary-Beth Cooper, Livingstone and Steven Shirley provided the board with an update on the use of the consultative process with the divisional presidential bodies prior to the videoconference to solicit comment and feedback on potential board action and discussion.

4. **Key findings from the NCAA National Office Business Review.** President Charlie Baker highlighted the key findings and trends from the NCAA national office business review, which began in the spring. President Baker facilitated discussion with the board about next steps, and informed the board that the key findings would be shared with the divisional presidential governance bodies during a joint meeting on Wednesday, August 2. He further noted that it is anticipated that a business plan would be shared with the board during its October meeting.
5. **Update and next steps regarding congressional engagement and action.** President Baker and NCAA staff provided an update on the progress with congressional engagement and action. It was noted that various, bi-partisan members of Congress introduced four draft bills prior to the August recess. NCAA staff provided a highlight of the draft bills and updated the board on membership outreach efforts.

- a. **Post-eligibility medical care.** President Baker and NCAA staff provided an update on the analysis for funding an Association-wide post-eligibility injury insurance program, which is similar to the NCAA catastrophic injury insurance program. It was noted that the program will cover two years of medical coverage following graduation or the completion of a student-athlete's eligibility/athletic experience if they sustain an athletically related injury. It was also noted that NCAA staff will develop a timeline and release educational materials (e.g., FAQ) prior to the effective date of the program. Beth DeBauche, chair of the Finance and Audit Committee, noted the committee's approval to allocate association-wide funds for the post-eligibility injury insurance program, if ultimately approved by the Board of Governors.

It was VOTED

"That the Board of Governors approve an Association-wide post-eligibility injury insurance program, effective August 1, 2024." **Approved** (Unanimous voice vote)

- b. **Next Steps for the Board of Governors Subcommittee on Congressional Engagement & Action.** President John DeGioia, chair of the subcommittee and Board of Governors member, noted that the subcommittee has not met since March after it directed NCAA President Baker and NCAA staff to continue meeting with members of Congress to assist with the development of the NCAA's potential framework for federal legislation. In addition, President DeGioia noted that the full board has been engaged on matters pertaining to congressional engagement and action, and as such, the subcommittee was no longer necessary.

It was VOTED

"That the Board of Governors approve sunsetting the NCAA Board of Governors Subcommittee on Congressional Engagement & Action, effective upon adjournment of the August 1, 2023, videoconference." **Approved** (Unanimous voice vote)

6. **NCAA Sport Science Institute/NCAA Committee on Competitive Safeguards and Medical Aspects of Sports update.** The NCAA chief medical officer provided several

updates on the work of the Committee on Competitive Safeguards and Medical Aspects of Sports.

- a. **NCAA drug-testing policy and elimination of testing for cannabis.** The board received a report on potential recommendations from the Drug-Testing Subcommittee of CSMAS regarding the elimination of cannabis testing at NCAA championships and the removal of cannabinoids from the list of banned drug classes. The board agreed that CSMAS should consider recommending the appropriate divisional governance bodies take the necessary legislative action to eliminate the cannabinoid class from the NCAA banned drug list before addressing the NCAA championships' drug-testing policy.
 - b. **NCAA Mental Health Best Practices.** The board continued its discussions on proposed updates to the NCAA Mental Health Best Practices document. Socialization of the proposed updates to the document will occur with the membership throughout the remainder of 2023 before the updated best practices document is provided to the board for consideration during the January 2024 in-person meeting. It is anticipated that the updated best practice document will be released to the membership at the 2024 NCAA Convention.
 - c. **NCAA Concussion Safety Protocol Checklist and membership engagement.** The board received a report from the CSMAS Concussion Safety Advisory Group regarding an updated consensus statement on concussion in sport that was released in mid-June. The consensus statement included revised recommendations on concussion diagnoses, management, and prevention, which will require a review and possible amendments to the NCAA Concussion Safety Protocol and other relevant member resources. It was noted that CSMAS will meet in early fall to continue its discussions on this topic.
 - d. **Athletic training stakeholders meeting update.** The board discussed an athletic training stakeholders meeting held in June, which was attended by presidents and chancellors, athletics administrators, athletics trainers and other health care administrators representing the three divisions to discuss the challenges with the hiring and retention of qualified athletic trainers. It was noted that continued discussions will occur throughout the fall regarding the development of strategies and educational resources for institutions.
7. **Report from consultant regarding NCAA contracts involving media rights agreements.** Representatives from Endeavor, the consultants selected to prepare the Association for media rights negotiations following the expiration of the NCAA's media rights agreement with ESPN in 2024, joined the board for continued discussions on this topic.
 8. **Board of Governors Finance and Audit Committee report.** Beth DeBauche, chair of the Finance and Audit Committee, presented the committee's report.

- a. **FY 2022-23 external audit plan presented by Crowe.** The Finance and Audit Committee shared the external financial audit plan for the 2022-23 fiscal year as presented by Crowe, noting that the committee had no concerns with the materials presented.

It was VOTED

“That the Board of Governors approve the FY 2022-23 external audit plan.” **Approved** (Unanimous voice vote)

- b. **FY 2022-23 NCAA Enterprise Risk Management risk assessment and internal audit plan.** The Finance and Audit Committee presented the internal audit plan for the 2022-23 fiscal year, which is performed annually by NCAA staff.

It was VOTED

“That the Board of Governors approve the fiscal year 2022-23 enterprise risk management risk assessment and internal audit plan.” **Approved** (Unanimous voice vote)

- c. **Third quarter fiscal year 2022-23 budget-to-actual review.** The committee reviewed a comparison of actual revenues and expenses versus budgeted revenues and expenses through the third quarter of this fiscal year.

9. **FY 2023-24 budget requests and recommendations.** Beth DeBauche provided the board with additional detail on NCAA finances and presented the budget requests and recommendations for FY 2023-24.

It was VOTED

“That the Board of Governors approve the budget requests and recommendations, as presented, for fiscal year 2023-24.” **Approved** (Unanimous voice vote)

10. **Board of Governors Processes and Procedures.**

- a. **NCAA Board of Governors Executive Committee report.** President Livingstone reported on matters discussed by the Executive Committee since the board adopted the new composition of the committee in April. She noted that one of the primary agenda items during its meetings focused on the search for a new independent member to replace Grant Hill following the August videoconference, as the Executive Committee served as the nominating committee for this process.

- **Approval of new independent member.** President Livingstone presented the Executive Committee’s recommendation to approve a preferred candidate, as the new independent member, effective upon adjournment of the August meeting, contingent on the candidate’s acceptance. The candidate will serve a two-year term, which is renewable for another two years.

It was VOTED

“That the Board of Governors approve the appointment of the preferred candidate as the new independent member of the board, contingent on the candidate’s acceptance.” **Approved** (Unanimous voice vote)

[Note: Following the videoconference, the preferred candidate indicated they were unable to serve and declined the appointment.]

- b. Timeline for NCAA Board of Governors Policy on Campus Sexual Violence attestation.** The board was informed of the new deadline for institutions to complete the annual attestation of the Policy on Campus Sexual Violence, specifically that the deadline was moved from mid-May to the first Friday of November. The deadline for the 2022-23 academic year attestation is Friday, November 3, 2023. NCAA staff noted that an update on the annual attestation would be presented to the board during its January 2024 meeting.
- **Simon Fraser University compliance with Item Nos. 4-6 of the policy for the 2022-23 academic year.** The board reviewed a request from Simon Fraser University, a Division II member institution in Canada, to be exempt from complying with Item Nos. 4-6 of the Board of Governors Policy on Campus Sexual Violence for the 2022-23 academic year. The institution noted that its compliance with the policy requirements present difficulties with Canadian and British Columbian privacy laws. NCAA staff highlighted that Item Nos. 4-6 of the policy are new requirements regarding student-athlete disclosure related to their conduct that institutions must attest to for the first time in the 2022-23 academic year.

It was VOTED

“That the Board of Governors deny the request from Simon Fraser University for relief, including partial relief, as the Policy on Campus Sexual Violence does not provide for a waiver of the policy. In addition, the Board of Governors agrees that the institution can meet Item Nos. 4-6 of the policy by establishing a process that is compliant with Canadian and British Columbian privacy laws.” **Approved** (Unanimous voice vote)

- c. Update on Association-wide committees.** Subsequent to the videoconference, the board was notified via Boardvantage of the ongoing work regarding its review of Association-wide committees to determine their relevance, assess whether potential changes would better align the committees’ work with the new constitution and determine how to streamline the Association-wide governance structure.
- (1) Review of the NCAA Committee on Sportsmanship and Ethical Conduct and NCAA Olympic Sports Liaisons Committee.** The board was notified that its recommendation to eliminate the Committee on Sportsmanship and Ethical Conduct was reviewed and approved by the divisional councils in April and July; thus, the committee has been eliminated from the

Association-wide governance structure. It was further noted that the board's recommendation to eliminate the Olympic Sports Liaisons Committee was reviewed and approved in concept by the Divisions II and III Management Councils during their July meetings. The Division I Council will review and act on the board's recommendation during its October meeting. The board will receive an update on the status of the Olympic Sports Liaisons Committee and the continued review of the remaining Association-wide committees during its October and January 2024 meetings.

- (2) **Timeline for review of NCAA Diversity Equity and Inclusion committees.** The board was notified of the proposed timeline for the review of the four NCAA Association-wide DEI committees (the Board of Governors Committee to Promote Cultural Diversity and Equity, the Committee on Women's Athletics, the Minority Opportunities and Interests Committee, and the Gender Equity Task Force). It was noted that it is anticipated that these four committees will begin discussions this fall with the expectation of reporting to the board during its January 2024 meeting.

11. **Other business.** The board did not have other business.
12. **Executive session.** The board convened in executive session.
13. **Adjournment.** The meeting was adjourned at approximately 6:13 p.m. Eastern time.

Board of Governors chair: Linda Livingstone, Baylor University
Staff liaisons: Terri Steeb Gronau, Governance and Policy
Stephanie Quigg, Governance and Policy

NCAA Board of Governors August 1, 2023, Videoconference	
Attendees:	
Javaune Adams-Gaston, Norfolk State University.	
Charlie Baker, NCAA president.	
Bryce Choate, Graduated Division I student-athlete.	
Mary-Beth Cooper, Springfield College.	
Beth DeBauche, Ohio Valley Conference.	
John DeGioia, Georgetown University.	
Linda Livingstone, Baylor University.	
Madeleine McKenna, Graduated Division II student-athlete.	
Carrie Michaels, Shippensburg University of Pennsylvania.	
Jere Morehead, University of Georgia.	
Holly Sheilley, Transylvania University.	
Steven Shirley, Minot State University.	
Isaiah Swann, Graduated Division III student-athlete.	
Lynda Tealer, University of Florida.	
Nadja West, MD, retired United States Army lieutenant general and 44 th U.S. Army Surgeon General.	
Absentees:	
Grant Hill, CBS/Warner Media/Atlanta Hawks.	
Guests in Attendance:	
Karen Brodtkin, Endeavor.	
Andrew Demsey, Endeavor.	
Brian Higgins, NCAA independent contractor.	
Hilary Mandel, Endeavor.	
Josh Workman, Endeavor.	
NCAA Staff Liaisons in Attendance:	
Terri Steeb Gronau and Stephanie Quigg.	
Other NCAA Staff Members in Attendance:	
Scott Bearby, Tim Buckley, Dawn Buth, Joni Comstock, Kelly Dodds, Dan Gavitt, Brain Hainline, Charlie Henry, Lynn Holzman, Julie Kimmons, David Lafiosca, Kevin Lennon, Felicia Martin, Louise McCleary, Mario Morris, John Parsons, Greg Pottorff, Dave Schnase and Stan Wilcox.	