

NCAA Board of Governors Federal and State Legislation Working Group

Charge

- Federal legislation regarding NIL threatens the nonprofit status of the NCAA and its members
- State legislation regarding NIL threatens to create local differences, making it impossible to host fair national championships, materially altering the principles of intercollegiate athletics
- Federal and State Legislation Working Group was established to “**study whether the Association should maintain its position in opposition to the legislation and/or work to develop a process whereby a student-athlete’s NIL could be monetized in a fashion that would be consistent with the NCAA’s core values, mission and principles**”
- Group is specifically directed to:
 - Consider whether the NCAA should modify rules and policies to allow NIL payments
 - Be mindful NIL payments are not compensation for athletic participation (*i.e., not pay-for-play*)
 - **“Paying students as employees for play is anathema to the NCAA mission focused on students competing against students and is not part of this discussion.”**
 - Assure any proposed solution keep student-athlete benefits tethered to educational expenses or incidental to participation
 - Examine whether modifying NIL payment allowance—beyond what the 9th Cir. required in *O’Bannon* and other rulings—would be achievable/enforceable without undermining the distinction between professional and collegiate sports
 - Preserve the ability to host fair national competitions and championships
- The working group shall produce Association-wide principles to provide each division guidance for a consistent approach to NIL legislation

Composition

- Working group will consists of 18 members: 12 from DI, 3 from DII, and 3 from DIII
- DI Members:
 - Two Presidents → One BOG member from an autonomy conference, one FCS president
 - Two Commissioners → One from an autonomy conference, one from a basketball conference
 - Four Athletic Directors → Two from an autonomy conference, one from FCS, one from a non football school
 - One faculty athletics representative
 - One senior women administrator
 - Two student-athletes → One male, one female
- DII Members:
 - President
 - Commissioner
 - Compliance Officer
- DIII Members:
 - President

- Athletic Director/Student Affairs Administrator
- Student-Athlete

Staff Liaisons

- Scott Bearby (general counsel)
- Abe Frank (managing director of government relations)
- Dave Schnase (vice president of academic and membership affairs)
- Cari Van Senus (vice president of policy and chief of staff)
- Stan Wilcox (executive vice president of regulatory affairs)