



UNIVERSITY SYSTEM
of MARYLAND

Board of Regents
Committee on Intercollegiate Athletics and Student-Athlete Health and Welfare

April 1, 2024

Zoom Details to be Provided to Committee

Public Listen-Only Access 301-715-8592; Conference ID: 952 9323 2367;
Password: 186000

[Meeting Announcement](#)

AGENDA FOR PUBLIC SESSION

Call to Order

Chairman Gonella

1. [Proposed Amendment to the Committee Charge, Role, and Responsibilities](#) (Action)
2. [Mid-year Athletic Director Update – UMES](#) (Information)
Tara Owens, University of Maryland Eastern Shore
3. [Report from the Workgroup on the State of Athletic Trainers](#) (Information)
4. [Financial Condition and Results of Intercollegiate Athletic Programs](#) (Information)

OFFICE OF THE SENIOR VICE CHANCELLOR FOR ADMINISTRATION AND FINANCE

MEMORANDUM

TO: Members of the Committee on Intercollegiate Athletics and Student-Athlete Health and Welfare

Geoff Gonella

Tom McMillen

Hugh Breslin

Michelle Gourdine

Josiah Parker

Bill Wood

Linda Gooden, *ex officio*

FROM: Ellen Herbst

DATE: April 1, 2024

RE: Meeting of the Committee via Video Conference

The Committee on Intercollegiate Athletics and Student-Athlete Health and Welfare of the USM Board of Regents will meet in public session via video conference at 3:00 p.m. on Monday, April 1.

The agenda and supporting materials will be available on Nasdaq Boardvantage for members of the Board and the USM website at <https://www.usmd.edu/regents/agendas/>.

Zoom details will be provided to the Regents prior to the meeting.

Public listen-only access is provided at 301-715-8592; Conference ID - 952 9323 2367;
Password: 186000

cc: Other Members, Board of Regents
Office of the Attorney General
Presidents (with ICA programs)
Athletic Directors
USM Council Leadership
Office of Communications
VCAF Managers

TOPIC: Review of Proposed Amendment to the Committee Charge, Role, and Responsibilities (Action)

COMMITTEE: Committee on Intercollegiate Athletics and Student-Athlete Health and Welfare

DATE OF COMMITTEE MEETING: April 1, 2024

SUMMARY: The members of the Intercollegiate Athletics and Student-Athlete Health and Welfare Committee will review and discuss the attached proposed amendment to the Committee's charge, role, and responsibilities.

ALTERNATIVE(S): Language could be amended based on the discussion.

FISCAL IMPACT: There is no anticipated fiscal impact.

CHANCELLOR'S RECOMMENDATION: That the Intercollegiate Athletics and Student-Athlete Health and Welfare Committee recommend that the Board of Regents approve the charge of the Committee.

COMMITTEE RECOMMENDATION:

DATE:

BOARD ACTION:

DATE:

SUBMITTED BY: Ellen Herbst (301) 445-1923



UNIVERSITY SYSTEM
of MARYLAND

Board of Regents

Committee on Intercollegiate Athletics and Student-Athlete Health and Welfare
Charge, Role, and Responsibilities

Charge:

The Committee on Intercollegiate Athletics and Student-athlete Health and Welfare shall perform all necessary oversight of compliance with Board of Regents policy expectations, consider issues associated with intercollegiate athletics and student-athlete health and welfare concerns, and the need for further or changed Board of Regents policy requirements.

Role and Responsibilities:

The Committee on Intercollegiate Athletics and Student-athlete Health and Welfare shall consider and report or recommend to the Board of Regents on matters concerning expectations and requirements of institutions with intercollegiate athletics programs; minimum standards System-wide for institutions arrangements with student-athletes, including scholarships, student support services, health insurance and Title IX practices and compliance; and new Board of Regents policy changes recommended for full Board of Regents approval. The Committee will also review presidential success in managing institutional intercollegiate athletics in accordance with policy requirements. The Committee on Intercollegiate Athletics and Student-athlete Health and Welfare will also monitor developments in intercollegiate athletics nationally, whether with the NCAA, athletic conferences, or Federal legislation, rule-making or other forms of national accountability, [as well as crises at institutions nationwide that have resulted in harm to students](#), and assess implications for USM institutions [and provide advice, as appropriate](#).

Members of the Committee on Intercollegiate Athletics and Student-athlete Health and Welfare are appointed annually by the Chairperson of the Board. The Committee shall meet as needed, but no fewer than three times during the fiscal year. The members of the Committee may expect to receive information for review in order to consider, and/or act on any of the following matters:

- A. Information on health and academic support protocols provided to student-athletes.
- B. Information on Title IX compliance.
- C. Information on institution's student-athletes academic progress and graduation success.
- D. Institution submitted reports documenting athletic program status or performance relative to student-athlete health, safety, and well-being standards or expectations.
- E. Institution submitted reports documenting athletic program status or performance relative to academic, financial or other standards as required by the NCAA, athletic conferences or other organized bodies that may impose sanctions or influence the ICA program's resources or operations.
- F. Financial status, commitments and obligations, results of operations and financial projections for the coming five-year period.
- G. [Information on significant emerging intercollegiate issues nationwide and their impact on the institution's ICA program.](#)

The Committee shall prepare and provide its annual APR and financial reports to the full Board. The Committee shall also share the appropriate reports, respectively, with the committees on **Education Policy & Student Life and Finance for information purposes.**

TOPIC: Mid-Year Athletic Director Update – UMES (Information)

COMMITTEE: Committee on Intercollegiate Athletics and Student-Athlete Health and Welfare

DATE OF COMMITTEE MEETING: April 1, 2024

SUMMARY: Each committee meeting certain institution athletic directors are invited to provide a mid-year update focused on the unique issues and challenges currently facing the athletic program and discuss nationwide trends, developments, and future potential actions with an impact on athletics in higher education.

This meeting we have invited Tara Owens, Athletic Director for University of Maryland Eastern Shore, to spend 15-20 minutes discussing the UMES athletic program, including:

- the lines of reporting within the institution and responsibility for athletics
- the institution's current challenges
- institution efforts to facilitate student-athletes' use of name, image, or likeness
- the impact of the *Alston* case on the institution's athletic department

ALTERNATIVE(S): This item is presented for information purposes.

FISCAL IMPACT: This item is presented for information purposes.

CHANCELLOR'S RECOMMENDATION: This item is presented for information purposes.

COMMITTEE RECOMMENDATION:

DATE:

BOARD ACTION:

DATE:

SUBMITTED BY: Ellen Herbst (301) 445-1923

TOPIC: Report from the Workgroup on the State of Athletic Trainers (Information)

COMMITTEE: Committee on Intercollegiate Athletics and Student-Athlete Health and Welfare

DATE OF COMMITTEE MEETING: April 1, 2024

SUMMARY: During several recent meetings of the Board's Committee on Intercollegiate Athletics and Student-Athlete Health and Welfare, USM directors of athletics shared ongoing difficulties they have recruiting and retaining athletic trainers and concerns about the state of that profession and how it affects student-athlete health and wellness. Chancellor Perman and the regents requested that Dr. Alison Wrynn, USM's Senior Vice Chancellor for Academic and Student Affairs, gather USM experts to analyze the issue and, if possible, propose recommendations.

The workgroup includes athletics department representatives and academic administrators from Frostburg State University, Towson University, the University of Maryland, College Park, and officials from the USM Office. Initial meetings of the workgroup have concluded.

Dr. Wrynn and Dr. Zakiya Lee, USM Associate Vice Chancellor for Student Affairs, and Towson University's Dr. Emily Hildebrand, Director of the Athletic Training Program and Clinical Associate Professor within the Department of Kinesiology and Mr. Cody Davis, Assistant Athletic Trainer for Football will present.

ALTERNATIVE(S): This item is presented for information purposes.

FISCAL IMPACT: This item is presented for information purposes.

CHANCELLOR'S RECOMMENDATION: This item is presented for information purposes.

COMMITTEE RECOMMENDATION:

DATE:

BOARD ACTION:

DATE:

SUBMITTED BY: Ellen Herbst (301) 445-1923 and Alison Wrynn (301) 445-1992

TOPIC: Financial Condition and Financial Results of Intercollegiate Athletics Programs (Information)

COMMITTEE: Committee on Intercollegiate Athletics and Student-Athlete Health and Welfare

DATE OF COMMITTEE MEETING: April 1, 2024

SUMMARY: Board of Regents Policy V-2.10 Policy on Intercollegiate Athletics details the Board of Regents' values and expectations of institutions that operate intercollegiate athletics programs. One of the basic principles or values articulated is:

Intercollegiate athletics programs shall be operated in a fiscally responsible manner and should be managed on a self-supporting basis, as set forth in guidelines provided by the Chancellor.

A considerable volume of detailed information on the financial condition, and results of operations of the intercollegiate athletics programs is collected annually to enable staff to: assess the financial condition and the results of operations; to ensure that athletic programs are being managed in a fiscally responsible manner; and confirm that any institutional programmatic support is approved. Institutions with athletics programs are expected to provide a robust range of information and details on matters that bear on the degree of borrowing, capital plans, and potential contingent liabilities.

Staff has summarized the information for ease of use by the Regents as the attached report details.

ALTERNATIVE(S): This item is presented for information purposes.

FISCAL IMPACT: This item is presented for information purposes.

CHANCELLOR'S RECOMMENDATION: This item is presented for information purposes.

COMMITTEE RECOMMENDATION:

DATE:

BOARD ACTION:

DATE:

SUBMITTED BY: Ellen Herbst (301) 445-1923 and Celeste Denson (301) 445-1965



UNIVERSITY SYSTEM
of MARYLAND

Board of Regents Committee on Intercollegiate Athletics
and Student-Athlete Health and Welfare
Summary of Athletic Program Results of Operations and Fund Balances
Fiscal Year 2023

Institution	Fund balance June 30, 2022	FY 2023 Net change in fund balances	Approved Adjustments	Fund balance June 30,2023
Division I:				
UMCP	\$(79,969,722)	\$23,044	\$76,610,639	\$(3,336,069)
TU	(401,374)	(1,619,044)		(2,020,418)
UMES	(4,199,736)	(1,832,008)	3,270,163	(2,761,581)
CSU	(13,084,189)	(3,660,659)	14,115,656	(2,629,192)
UMBC	(2,178,914)	145,067		(2,033,847)
Division II:				
FSU	(3,448,881)	(4,239,113)	7,800,000	112,006
BSU	(2,312,533)	(475,068)	454,863	(2,332,738)
Division III:				
SU	11,587,630	(881,318)	59,993	10,706,305



**UNIVERSITY SYSTEM
of MARYLAND**

**Board of Regents Committee on Intercollegiate Athletics
and Student-Athlete Health and Welfare
Summary of Athletic Program Key Balance Sheet Items
June 30, 2023**

Institution	University cash and endowments of athletic program June 30, 2023	Foundation cash and endowments for athletics June 30, 2023	Owed to institution for facilities June 30, 2023	External debt June 30, 2023
Division I:				
UMCP	\$ 4,772,267	\$46,855,049	\$(68,829,374)	\$(30,987,260)
TU		4,963,490		
UMES				
CSU				
UMBC	(2,033,847)	1,389,345		(19,381,141)
Division II:				
FSU	(6,136,995)	1,346,056	(269,628)	
BSU	(2,186,940)	592,958	(657,386)	
Division III:				
SU	10,766,305	1,331,598		



UNIVERSITY SYSTEM
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Board of Regents Committee on Intercollegiate Athletics
and Student-Athlete Health and Welfare
Results of Operations by Institution
Fiscal Year 2023

	UMCP Division I Affiliated		
	Institution ICA	Foundation	Total
Revenue	\$ 115,064,225	\$ 8,617,509	\$ 123,681,734
Student financial aid scholarships	6,119,167		6,119,167
Institutional support			
Total revenue	121,183,392	8,617,509	129,800,901
Expenses and net transfers	121,160,348	3,972,754	125,133,102
Net change in fund balance	23,044	4,644,755	4,667,799
Beginning fund balance	(79,969,722)	42,210,294	(37,759,428)
Ending fund balance	(79,946,678)	46,855,049	(33,091,629)
Approved adjustments	76,610,639		76,610,639
Adjusted ending fund balance	\$ (3,336,039)	\$ 46,855,049	\$ 43,519,010



UNIVERSITY SYSTEM
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Board of Regents Committee on Intercollegiate Athletics
and Student-Athlete Health and Welfare
Results of Operations by Institution
Fiscal Year 2023

	TU Division I Affiliated			UMES Division I
	Institution ICA	Foundation	Total	Institution ICA
Revenue	\$ 21,941,232	\$ 1,579,358	\$ 23,520,590	\$ 3,764,741
Student financial aid scholarships	3,560,818		3,560,818	2,187,559
Institutional support	975,292		975,292	975,949
Total revenue	26,477,342	1,579,358	28,056,700	6,928,249
Expenses and net transfers	28,096,386	844,033	28,940,419	8,760,257
Net change in fund balance	(1,619,044)	735,325	(883,719)	(1,832,008)
Beginning fund balance	(401,374)	4,228,165	3,826,791	(4,199,736)
Ending fund balance	(2,020,418)	4,963,490	2,943,072	(6,031,744)
Approved adjustments				3,270,163
Adjusted ending fund balance	\$ (2,020,418)	\$ 4,963,490	\$ 2,943,072	\$ (2,761,581)



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Board of Regents Committee on Intercollegiate Athletics
and Student-Athlete Health and Welfare
Results of Operations by Institution
Fiscal Year 2023

	CSU Division I		UMBC Division I Affiliated	
	Institution ICA	Institution ICA	Foundation	Total
Revenue	\$ 3,745,864	\$ 15,407,687	\$ 381,057	\$ 15,788,744
Student financial aid scholarships	388,752	2,535,580		2,535,580
Institutional support	76,000	2,167,028		2,167,028
Total revenue	<u>4,210,616</u>	<u>20,110,295</u>	<u>381,057</u>	<u>20,491,352</u>
Expenses and net transfers	<u>7,871,275</u>	<u>19,965,228</u>	<u>246,491</u>	<u>20,211,719</u>
Net change in fund balance	(3,660,659)	145,067	134,566	279,633
Beginning fund balance	<u>(13,084,189)</u>	<u>(2,178,914)</u>	<u>684,445</u>	<u>(1,494,469)</u>
Ending fund balance	(16,744,848)	(2,033,847)	819,011	(1,214,836)
Approved adjustments	<u>14,115,656</u>			
Adjusted ending fund balance	<u>\$ (2,629,192)</u>	<u>\$ (2,033,847)</u>	<u>\$ 819,011</u>	<u>\$ (1,214,836)</u>



UNIVERSITY SYSTEM
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Board of Regents Committee on Intercollegiate Athletics
and Student-Athlete Health and Welfare
Results of Operations by Institution
Fiscal Year 2023

	FSU Division II Affiliated			BSU Division II
	Institution ICA	Foundation	Total	Institution ICA
Revenue	\$ 2,730,413	\$ 384,439	\$ 3,114,852	\$ 4,551,768
Student financial aid scholarships	1,140,173		1,140,173	
Institutional support	2,933,339		2,933,339	
Total revenue	6,803,925	384,439	7,188,364	4,551,768
Expenses and net transfers	11,043,038	173,750	11,216,788	5,026,836
Net change in fund balance	(4,239,113)	210,689	(4,028,424)	(475,068)
Beginning fund balance	(3,448,881)	(210,689)	(3,659,570)	(2,312,533)
Ending fund balance	(7,687,994)		(7,687,994)	(2,787,601)
Approved adjustments	7,800,000		7,800,000	475,068
Adjusted ending fund balance	\$ 112,006		\$ 112,006	\$ (2,312,533)



UNIVERSITY SYSTEM
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Board of Regents Committee on Intercollegiate Athletics
and Student-Athlete Health and Welfare
Results of Operations by Institution
Fiscal Year 2023

	Institution ICA	SU Division III Affiliated Foundation	Total
Revenue	\$ 4,715,192		\$ 4,715,192
Student financial aid scholarships			
Institutional support			
Total revenue	<u>4,715,192</u>		<u>4,715,192</u>
Expenses and net transfers	<u>5,596,510</u>	<u>45,848</u>	<u>5,642,358</u>
Net change in fund balance	<u>(881,318)</u>	<u>(45,848)</u>	<u>(927,166)</u>
Beginning fund balance	<u>11,587,630</u>		<u>11,587,630</u>
Ending fund balance	<u>10,706,312</u>	<u>(45,848)</u>	<u>10,660,464</u>
Approved adjustments	<u>59,993</u>		
Adjusted ending fund balance	<u>\$ 10,766,305</u>	<u>\$ (45,848)</u>	<u>\$ 10,660,464</u>

V-2.10 – UNIVERSITY SYSTEM OF MARYLAND POLICY ON INTERCOLLEGIATE ATHLETICS

(Approved by the Board of Regents, April 25, 1991; amended June 19, 1991; amended December 7, 2001; amended June 17, 2021, amended June 16, 2023)

General

A well-managed and successful intercollegiate athletic program enhances the educational goals of a college or university regardless of the particular mix of teaching, research and service activities inherent in its approved mission. Athletic competition under the fundamental principles of fair play and amateurism can be of value to individual students, to members of the immediate collegiate community, and to the larger institutional constituency.

The institutions of the University System of Maryland subscribe to a philosophy of athletics that reflects a clear understanding of the role the athletics program is expected to play in furthering the broader institutional mission. Fundamental to the effective management of the intercollegiate athletic program is the commitment of the president of the institution to maintain regular oversight of the enterprise. All institutions within the System, whether they have intercollegiate athletic programs or not, are affected by public perceptions of the athletic programs or teams at particular System campuses and the attendant publicity the programs receive.

Each institution that has an intercollegiate athletics program must have in place procedures, internal and external, which provide careful and thorough scrutiny of the sports program and deliver required information to the president and, as appropriate, to the Chancellor and the Board of Regents.

Student-athletes are first and foremost students, and it is the expectation of the Board of Regents that their academic performance and progress will be comparable to that of non-athletes. Contracts for coaches and other athletic department staff will include objectives and minimum expectations for academic as well as athletic success.

Management of the athletics program, both along financial expectations as well as with respect to academic goals and expectations, are among those elements to be considered in the annual evaluations of presidential performance.

Reporting and accountability requirements

Institutions that participate in intercollegiate athletics are to comply with all reporting requirements developed by the Chancellor as a set of annual information requirements, which will be distributed to institutions with intercollegiate athletics programs and updated as changes occur, as well as satisfying the reporting and communication expectations detailed in the Ongoing Reporting Obligations section below. All other institutions that have intercollegiate

athletics programs are expected to satisfy all ongoing reporting obligations and provide the annual presidents' and athletic directors' affirmations detailed in Chancellor's set of annual information requirements; the Board of Regents may request that those institutions provide additional information on particular aspects of their intercollegiate athletics programs as follow-up.

In order to ensure that the Board of Regents is informed and knowledgeable about intercollegiate athletics and the role it plays at each of the institutions, each president whose institution fields competitive intercollegiate sports teams shall furnish to the Board of Regents, on an annual basis, reports that address academic issues, fiscal issues, and compliance issues within intercollegiate athletics, including the information called for in the Chancellor's set of annual information requirements.

Academic Issues

The annual report on academic issues related to intercollegiate athletics will be presented to the appropriate Board of Regents committee in March and June of each year, as data are available, and will provide data on the preceding fiscal year and on the fall semester of the current year as outlined in the Chancellor's set of annual information requirements. In addition to institutional data, the report should include the prior year's NCAA Academic Program Rates (APR) and, if institutions had unsatisfactory scores, a report on corrective actions the institution has taken to prevent future problems.

Institutions should adopt minimum standards for academic progress and consequences for failure to meet those standards on a continuing basis that include suspension from participation in athletic activities.

Fiscal Issues

While each president is responsible for the operations of the intercollegiate athletic program on his/her campus, it is mandatory that there be transparency in fiscal reporting. The annual report on fiscal issues related to intercollegiate athletics will be presented to the appropriate Board of Regents committee in March of each year and will include the current year's budget as well as actual revenues and expenses from the prior fiscal year. The Board of Regents is to be kept informed of any long-term financial commitments that may affect the budget in future years. In addition to required annual reporting, institutions shall report to the Chancellor's Office and the Director of Internal Audit all developing or anticipated fiscal shortfalls that may result.

To the extent allowable under NCAA regulations, institutions may agree to waive the difference between non-resident and resident tuition rates for student-athletes without charge or impact on the intercollegiate athletics program operating budget or the assessment of whether the program is operated on a self-supporting basis. Note that the NCAA recognizes such waivers as a charge to the ICA program, so that the revenue and expenditure reports for the NCAA will not be directly comparable to those required by this Board of Regents policy.

Intercollegiate athletics programs shall be operated in a fiscally responsible manner and should be managed on a self-supporting basis, as set forth in guidelines provided by the Chancellor. Any institution that finds it necessary to use other revenues or resources to support Intercollegiate Athletics shall document the institution president's approval for the use of such funds in amounts less than \$1 million in any fiscal year and notify the Chancellor in writing of such approval. The source of such other resources or revenues should also be documented, with other auxiliary resources being favored over non-auxiliary resources. For amounts of \$1 million or more in any fiscal year, the Chancellor's review and approval is required, and for amounts of \$5 million or more, the Chancellor will notify the Board of Regents. Intercollegiate athletics programs that cannot cover their expenses through program revenues and other sources of revenue approved by the president or Chancellor, as applicable, shall develop, adopt, and report to the Chancellor's Office an operating plan to improve intercollegiate athletics program financial results.

For internal allocation purposes, institutions may choose not to require intercollegiate athletics programs to make up for budget shortfalls that currently exist or may exist in the future. In such cases, the institution president shall notify the Chancellor in writing. If the amount of the shortfall exceeds \$5 million in a fiscal year, the Chancellor will notify the Board of Regents.

Compliance Issues

Institutions must comply with state law (the Jordan McNair Safe and Fair Play Act as an example), NCAA and conference rules, Title IX requirements, and other formal and legal expectations relevant to each institutions' athletics program.

It is expected that institutions will immediately notify the Chancellor and the Director of Internal Audit of all NCAA major infractions, NCAA investigations, and conference (Big Ten, MEAC, etc.) investigations. In addition, it is understood that institutions are to submit to the NCAA in a timely manner all NCAA Reports and Agreed-Upon Procedure Reports as may be required as well as periodic conference review reports.

In particular the President should inform the Chancellor, who will inform the Board of Regents in a timely manner, regarding any events or situations which might spark unusual public interest in the athletic program, particular team(s), or individual student athlete(s) at that institution and should provide sufficient detail concerning these events or situations to permit the Chancellor and the Board of Regents to respond appropriately to inquiries.

Distribution and use of sensitive information

In order to ensure that the Board of Regents is fully informed but that the privacy of individuals is protected, reporting on the academic performance of student athletes and the terms, commitments and incentives reported for coaches' and athletic directors' contracts will be done in closed session as permitted in special circumstances outlined in §3-305(a) of the General Provisions Article of the Annotated Code of Maryland.

Ongoing Reporting Obligations

1. Institutions are to immediately notify the Chancellor's Office and the Director of Internal Audit of all NCAA major infractions, NCAA investigations and conference investigations.
2. Institutions are to submit all required annual NCAA Reports, annual Agreed-Upon Procedure Reports and periodic conference review reports to the appropriate governing bodies.
3. Compliance with Board of Regents Policy VII-10.0 Policy on Board of Regents Review of Contracts for Highly-Compensated Personnel requires institutions to provide proposed employment contracts to the Office of the Attorney General prior to execution. The contracts for highly-compensated personnel in intercollegiate athletics programs are to be provided to the Chancellor concurrently with the Office of the Attorney General. The policy provides that 'Before a contract is executed, it must be submitted to the Office of the Attorney General for review and approval for legal form and sufficiency. The Office of the Attorney General may communicate any significant legal concerns with the draft contract to the institution's president and the Chancellor. It should be understood that proposed contracts provided to the Office of the Attorney General and Chancellor are to include all relevant provisions and terms of the proposed contract including detailed notes concerning provisions remaining to be negotiated. The Chancellor will notify the Board of Regents of any contract provisions of an unusual or sensitive nature or those that conflict with expectations and values of the Board of Regents.
4. Annually, the Chancellor's office will issue additional reporting requirements, which may include, but are not limited to, information related to financial matters.