

## USM Bylaws, Policies and Procedures of the Board of Regents

### 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; amended November 22, 2024)

#### 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, when 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 other students. 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

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 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 first 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 full 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, Office Director of Internal Audit and the Committee on Intercollegiate Athletics and Student Health and Welfare all developing or anticipated fiscal shortfalls that may result.

To the extent allowable under NCAA regulations, institutions may agree to waive the difference between nonresident and resident tuition rates for student-athletes without charge or impact on the intercollegiate athletics program operating budget or 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 full 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. The Chancellor shall provide a copy of the operating plan to the full Committee on Intercollegiate Athletics and Student Athlete Health and Welfare.

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 full 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 Agreements on Procedure Reports as may be required as well as periodic conference review reports.

### ***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 director contracts will be done in closed session as permitted in special circumstances outlined in § 8-105(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. Presidents shall inform the Chancellor, who shall inform the full Board of Regents in a timely manner, regarding any events or situations that 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.
3. Institutions are to submit all required annual NCAA Reports, annual AUPED Procedure Reports and periodic conference review reports to the appropriate governing body.
4. Compliance with Board of Regents Policy 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.
5. Annually, the Chancellor's office will issue additional reporting requirements, which may include, but are not limited to, information related to financial matters.