

NCAA Media Conference

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Mark Emmert

Press Conference



THE MODERATOR: Thank you, everyone, for joining us this afternoon and welcome to today's press conference. President Emmert will make opening remarks and then take questions.

President Emmert.

MARK EMMERT: Thank you, Bob. Thank you all, for being here with us this afternoon.

I'm certainly delighted to be at Final Four weekend after what's been a grueling, long, hard season, especially for the athletes.

Sitting here a year ago we canceled the tournament. We weren't sure we were going to have college sports at all this academic year. We certainly weren't sure whether we were going to be able to host championships.

To be able to pull off all of our championships, and we'll do 65 of them this year, but especially the men's and women's basketball tournament, has been really, really gratifying. Frankly for all of us in the NCAA, it's been an honor to be able to provide an opportunity for the athletes who have just ground out an incredibly difficult year.

The perseverance, the commitment they've demonstrated this year has been really something remarkable. We're very, very gratified that they're here and they're playing. We're now down to these four wonderful teams both in Indianapolis and San Antonio.

I think it's been by everyone's account a remarkable tournament. When you look at the Final Four, especially here on the men's side, we've seen some pretty exciting and astounding games to lead to this moment. We have four teams with four coaches that have never won a championship. We've got three teams that have never won a championship. We've got one team that's one more championships than any other team in history, but they're of course the Cinderella that crashed the party here on the men's side.

Over on the women's side, you have three bluebloods, teams that we know are playing at an incredibly high level

and always have. Then we've got the upstarts in Arizona that are going to be playing for their first championship ever.

It's all resulted in a very, very exciting tournament. Some wonderful basketball. A lot of great victories. A lot of heartbreak. That's what we all have come to expect from March Madness. It's really great to be here.

I also of course have to recognize, I know you're going to have a lot of questions about all the things that are going on around these games because this year 2021 is like no other, not just because of the pandemic but also because of what's going on off the court and off the fields. That's, of course, first and foremost a Supreme Court decision that we're all waiting for.

Yesterday was a really important moment in the history of college sports. We had an opportunity to plead a case in front of the Supreme Court that we've all frankly been waiting for. I've been waiting for a decade for the opportunity to have us get in front of the court and make our case.

I was as fascinated as all of you, of course. I'm not a lawyer, but I was as fascinated as anyone to hear all the arguments and questions. Now we wait until May or June to hear the opinions of the nine judges, and that will be really important to hear what these justices have to say.

We also of course are in the midst of debates and discussion at the state level, the federal level and inside the NCAA as well, our legislative processes, around name, image and likeness, a variety of student welfare issues. That's been a debate going on for a number of years now.

We have a lot of hard work put into shaping NIL legislation for the NCAA. We've been working very closely with Congress to try and create a rule that would be a single rule for the entire country. We're making progress there.

Doing anything with Congress on a national level is complicated and hard, and we're making headway. We have some great champions to try to support a fair and appropriate approach to all of this on both sides of the aisle



and both chambers.

I'm looking forward to continuing to work with members of Congress, with our presidents as they meet and work with their members of Congress, and also with our conferences who are heavily engaged in this process as well.

We also have a lot of students here in this tournament up in Indianapolis that have been engaged. We've seen the hashtag #NotNCAAProperty. We've seen it on T-shirts. I happen to, by the way, completely agree with that sentiment. No student is NCAA property, nor should they ever be student property.

I had the opportunity to talk today with three students who are leading that effort on the men's side. We had a really good, really constructive conversation. I continue to look forward to working with them and others to make sure we can get done what needs to get done to have NIL opportunities for our students. I'm confident we are going to get there and hopefully get there soon.

The third issue that has been so prominent this past number of weeks, but it's not an issue of just the past couple of weeks, it's an issue that's with us always, that's the issue of gender equity in sports. We had very unfortunately pretty stark examples of inequity in sports between our men's and women's basketball tournaments.

I've said before, but it needs to be said as many times as necessary, we dropped the ball on the women's tournament down in San Antonio.

We've got these amazing athletes down there, they're playing with so much heart, so much energy. They, too, have slogged their way through a very, very difficult regular season, and making their way to this tournament has been very hard. We owe them every bit as much respect and every bit as much opportunity as was provided to the men, and we failed at it. I'm very sorry for that. I know my staff feels terrible about it. That's not who we are. That's not how we think about them. But we've got some issues that we need to deal with. That's never been more clear.

The NCAA is responsible for running our national championships. Those championships in all of our sports, all of our divisions, they're the marquee events. They have to be the benchmarks that we judge gender equity by. If we're failing at that level, we're failing across the board.

We're engaged already a very systemic review of what happened in that championship, what's happened historically, what we need to do going forward, how do we need to deploy the resources. I don't just mean money, I mean money, personnel, intellectual property, attention, all

that we can bring to bear on sports to make sure that we have gender equity right going forward. This is not something we can spend another five to 10 years getting right. We have to get it right now.

When we get into the next set of championships, we need them to be different. We need to make sure that we've got equity across those championships, not identically run, they need to be distinct in their own way, but it has to be equitable in the way they're conducted.

We brought in the Kaplan Hecker group, law firm, that doesn't have expertise in basketball or running championships, that's not their role. They have expertise in gender equity and Title IX. Most importantly they're an independent group, a group we haven't worked with before, not a group we have a long-standing relationship with. They're a group that has the kind of reputation and expertise in this space that can help us.

Their role is to reach out to all the communities around basketball and other sports and to make sure that the facts can be garnered, that all the groups involved can provide their views, their opinion, their recommendations, and that that can be compiled in an independent way.

My staff will provide them with whatever resources that they need. But their conclusions are going to be just that, their conclusions. They have full and unfettered access to anyone they want, including the Board of Governors, the DI Board of Directors, anyone they need to talk to and have conversations with, without my staff or me being involved is exactly what they've got.

We've already opened conversations with the women's basketball association, the WBCA. I had a good chat with them yesterday. The Kaplan Hecker firm has already reached out to them and began conversations. So the dialogue has already begun.

We need to do this quickly, but we need to do it thoroughly. It's going to include more than basketball, but basketball is the hallmark for NCAA championships. It's what we all look at. It's kind of the flagship championships. We all get that. If we can't get it right there, we can't get it right anywhere. This has to begin with basketball, make sure we get it right, but then we also have to look at everything we do across our championships.

We want those championships to be the bellwether by which everything else is judged so that as we look down below that, across our campuses and elsewhere, that we see that same level of commitment being made.

Let me close by just thanking here in Indianapolis the



Indianapolis community and the state of Indiana. Heading into this, just a handful of months ago, it wasn't at all clear this could happen. We needed everybody to pull on the oars together. It's been amazing.

Again, just like in San Antonio, the host committee here, the local organizing committee, Visit Indy, Indy Sports Corp, the governor, the mayor, public health officials, Dr. Caine in particular, IU Health has been unbelievable, all the people that have worked together to pull this off, they have been the unsung heroes that have allowed this all to take place. I can't offer them enough gratitude for all that they've done.

Last but not least, congratulations to the four teams that are still standing. We're all excited to see these games going forward both in Indianapolis and in San Antonio. I look forward to eight really spectacular teams playing ball here.

With that, let me pause and take any questions that you have.

THE MODERATOR: We'll now take questions from the media.

Q. At AP we did a pretty extensive survey of a bunch of ADs around the country. Since we're on the topic of equity this month, these weeks, they showed a real concern, pretty overwhelming concern, that virtually any kind of changes that are coming up, either with NIL or possible revenue sharing, are going to negatively impact their ability to really adhere to Title IX. I was just wondering what your thoughts were on that issue.

MARK EMMERT: Well, first of all, Title IX is the law of the land. Compliance with it isn't option, it's the law of the land. Our commitment to it, 'our' meaning the NCAA and all of the universities, has been very, very strong, and it's yielded some remarkable changes in the years and decades that it's been enforced. I do fully understand, though, the concerns that the ADs raised in your survey. I'm not the least bit surprised.

One of the things we're working with Congress on, as we shape our own rules, is for folks to understand that while there's a common belief that all universities make very large amounts of money off of college sports, the reality is, of course, quite different than that.

When there are other calls on those funds, then that limits the ability of schools to be able to support all of their teams. That's something I worry a great deal about. Schools naturally enough look to their revenue-producing

sports, which is usually football and men's basketball, some other sports in a few cases, but it's usually football and basketball, to generate revenue that they can use for all the other sports, the so-called non-revenue or Olympic sports.

We've said from the very beginning of the NCAA that we want to support through our rules a wide variety of sports, not just two sports or one sport, but a cross-section of sports like universities do across their curriculum.

We need to make sure that those who are passing laws, those who are setting new policies at the Congressional level or elsewhere, understand the implications of those decisions.

Q. When does the NCAA plan on passing NIL legislation? If there is no federal law governing NIL by the time state laws kick in on July 1, what are the NCAA's options?

MARK EMMERT: Well, first of all, as you know, we planned on passing it in January. We had the Department of Justice, Anti-Trust Division, raise concerns about the bill. Very understandably and rightly so we paused on it. Similarly they raised questions about our transfer policy that was going to pass, I assume it was going to pass on that same day.

We've continued to work with the Department of Justice Anti-Trust Division. We've been in contact with them, had one meeting with them. They're having a transition of leadership because of the administrative change in Washington, D.C. We have some other meetings forthcoming with them.

My hope is we can get to a place where we understand their concerns and we can move forward shortly. We also, of course, need to make sure that we're doing what we can in conjunction with Congress. There are bills that have been introduced in both houses that would address this issue. We very much want and frankly need a preemptive bill that would say there's going to be one rule for the country, not 50.

To your second point, we would go into a period in July that would be pretty chaotic where we had some states that allowed it, some states that didn't allow it. In each of the states there would be different policies around what was or wasn't permissible.

Between now and then we'll have to make some decisions about what the schools want to do under those circumstances and how we'd adjust to that new reality. Our hope is that we can get a bill passed in Congress that

preempts that chaotic circumstance.

Q. My question is how you would appraise the implementation and efficiency of the IARP to this point?

MARK EMMERT: Well, I think it's mixed at this stage. I think that we had some really good successes in areas that most people don't see, and changes in the governance process that are working really well. The new independent review process overall I think is up and running, and we're trying very hard to provide people that participate in it, the schools that are being heard, an opportunity to restate their case in a whole new form.

In many ways it's moved into a whole new adjudicative process obviously. That's taking longer than I or anybody else would like, I'm sure. My hope is that as we work our way through these current cases, we can find all the ways to streamline it and make it much, much more efficient.

The original intention was to allow for cases to be essentially reinvestigated in some element. That's taking a long period of time. We've got a handful of cases, handful of high-profile cases, that are in that process. I think we're all or nearly all frustrated that it's just taking too bloody long.

Q. A few minutes ago you lauded Indianapolis and its handling of this year's tournament. Could you please talk about some of the biggest successes, perhaps more importantly some of the biggest challenges you've seen with hosting the tournament here? Secondly, with the tournament unfolding as it has, in the NCAA's mind is there an increased possibility that a single-site tournament can be done outside of a pandemic or similar circumstances?

MARK EMMERT: Yeah, well, first of all, the success of the tournament to date, I don't want to jinx anything, has been from my point of view almost miraculous in that moving on relatively short notice to a single-site tournament is logistically enormous itself. Doing it in the midst of a pandemic is pretty heroic.

The fact that these teams have been able to manage all of the quarantine protocol throughout the year, throughout conference tournaments, throughout moving to this site, again, same thing has been going on on the women's side, to this moment right now, is quite amazing.

We've had more than 41,000 tests run in the two sites, 41,000 tests. 15 positives. I can't even do the math, I could with a calculator, but I can't do in my head what the positivity rate is, but that's extremely low.

There's been more tests on the women's side than the men's side. The women's positivity rate has been lower even than the men's. We sadly lost a team, but we lost one team. All of the contact tracing prevented it from spreading.

Here in Indianapolis, working with the local health authorities, working with the hotels, working with the host committees, working with Sports Corp, we've been able to manage just that component alone in a pretty remarkable fashion, as good as I could have dreamed would have occurred.

We've had to scramble to provide a lot of resources for the students. Being in a hotel room for a long period of time is tedium. We've tried really hard to provide them with many opportunities. The city has been great for doing that.

I think we're all disappointed that here in San Antonio, the students haven't able to enjoy the fullest of the community. The students in San Antonio haven't been able to go to the River Walk with all the energy there. They've been able to do walks and barge tours, but not anything like it should be and normally would be. Same thing here. Got them to the zoo and other places, but it's not like a normal Indiana experience. That's been a real limitation.

As for your second question, if I suggested doing the tournaments in single locations right now, I'd have to replace all my staff because they've been working so bloody hard.

The reality is that the country loves having opportunities to bid for first and second rounds, for regional finals, for the Final Four. Moving it around America now has become part of what the tournament means to the country.

We established long ago single sites for some of our events, for softball and baseball, and we're heading that way to a certain extent with track and field. The fact is that we're committed for a number of years out to be in other locations. Then we'll revisit with the tournament committees and others what it would look like to change that format.

Sitting here today, absent another pandemic, we're not going to be back in another single site for a while.

Q. There obviously have been some highs, but also a number of lows that have made people question the role of the NCAA here in the future. Why should you be the leader of the NCAA now and into the future?

MARK EMMERT: Me personally? I'm sorry, is that what

you're asking? I'm not quite sure I understood your question.

Q. I said from the people who question the NCAA's role, some of the things that have transpired, why should you be the leader of this organization?

MARK EMMERT: I didn't understand your question.

Whether I'm the leader or not is not up to me, it's up to the Board of Governors. They're my bosses. I work for a board that represents all the universities, all three of the divisions. My role is to do my job, do it to the best of my ability. I'm very confident that I'm capable of doing that.

That's not my decision. I don't hire myself. The board does that. I know there's been plenty of things that have been done poorly or misses that we've had over the years. I'm certainly happy to take my share of responsibility for that. I don't pretend like I'm infallible, that we've done everything perfectly, or that I've done everything perfectly. I've made plenty of mistakes and have learned from them.

But who runs the NCAA is not my decision.

Q. I wanted to circle back on the topic of Title IX. I understand that Title IX is the law of the land, as you said. It does apply to universities that are the member institutions that make up the NCAA. But the law does not apply to the operations of the NCAA itself, including the administration of championships and addressing gender equity. I'm curious if the NCAA would consider enforcing Title IX standards to ensure that men and women are given equal opportunities?

MARK EMMERT: You're right in your description, of course. Title IX doesn't apply specifically to the NCAA as an entity or our events. I and all of the boards and every university president I know is supportive of Title IX. So whether the law applies to us or not, we need to act as if it does. We need to make sure that, again, we are walking the talk around the events that we do and the way we represent college sports.

To the extent that we failed this year, that's on us. We need to make sure that that is not the case going forward. That's why we've hired the Kaplan Hecker folks. That's why we're asking them to conduct an independent review. We can find out all the places where we have missed on that, not just around one tournament, but historically and going forward, so we can rectify those issues.

By the way, I think it's important for you to know, just as for everybody that's in the audience right now, the Kaplan Hecker group has set up a website. It's

NCAAGenderEquityReview.com. That's a direct site and direct access to the firm. People that have information or advice or opinions that they want to share around gender equity in our championships are encouraged to connect directly to them, not through us, but through that site. That's an important part of this.

But we need to enforce Title IX first and foremost on ourselves, make sure we're getting it right.

Q. I know you mentioned that you had meetings with players in your opening statement. Can you speak specifically what the NCAA is doing with athletes who are voicing their displeasure?

MARK EMMERT: First of all, we work with student-athletes constantly through our governance structure. Each of the divisions have student-athlete advisory committees, and there's an overarching group that works with the Board of Governors. Division I in this particular case, DISAC, is a group that meets constantly around the board meetings we have. They have direct input into the Division I council. They have votes on most of the committees that exist. So there's nothing new about interacting with student-athletes in that sense.

These three student-athletes that I met with, they are individuals who have been talking a lot to their colleagues. They're elite athletes, upperclassmen seniors. They've got a lot of experience. They've thought through these things. I was incredibly impressed with their thinking on all of this. They represented I think the views of many athletes very, very well.

I want to continue personally that conversation with them. But also them and their colleagues -- need to do the same thing with women athletes by the way, obviously, and we do that again through our normal processes. I haven't talked directly with any of the student-athletes on the women's side, but want to do that as soon as possible.

But I also want them to have access to the Kaplan Hecker group so they have also an independent avenue into this review so that their views can go forward in an unvarnished fashion. That's going to be important to all of this, too. It doesn't need just to be me or NCAA or just be the SAC groups. It needs to be this independent review process, as well.

I even said to these three young men that I talked with that I hope they were willing, and they indicated that they were, to continue talking with me into the future so that we don't have this just be a one-off conversation around that one issue.

Q. What is amateurism to you right now? What should it be in the future? Can you see the irony of having to go to Congress on getting relief of implementing the NCAA version of NIL when for decades the NCAA didn't want any intervention by the federal government?

MARK EMMERT: Yeah, you and I see our engagement in Congress somewhat differently.

But the essence of college student-athletes is the notion that, first and foremost, they are full-time students who are pursuing a degree and seriousness, and they're an integral part of their university or college, that they are not employees of that institution, that the relationship between the school and the college athlete is one of student and university, not employee-employer.

Secondly, they're not paid to perform in their sport. This is not about the so-called pay-for-play. They're not being hired, they're being recruited. They're not being paid, they're being provided support for their academic ventures. They're not an employee of the school like you would have all the other employees at a university. To me, that's the essence of all of that.

What we're asking from Congress is we're asking for them to help create a framework within which we can do what we want to do, and that is allow student-athletes to monetize their name, image and likeness in the myriad ways they can do it now.

The world of today looks markedly different than it did 10 years ago when I first started this job. If you look at nothing more than the role of a social influencer, if you talk to me and I daresay probably you, too, 10 years ago, 11 years ago, said, Well, that student-athlete is a social influencer, that would have meant something quite different from a social media influential person today. Their ability to monetize all of that is quite different, not just for them, but for everybody in society.

The default option for me is that our rules around NIL or anything else should be that if this is something that a regular student is engaged in, then a student-athlete ought to be engaged in it as well, unless there's some really compelling reason for them not to be that affects the actual operation of and the way in which you can conduct sports in a fair fashion.

That's what we're asking Congress to help us with, is to create one rule rather than 50 different rules to allow students to be able to engage in behavior that almost any other student can engage in.

I don't see that at odds in any way with how I or most other people envision the nature of the collegiate model of sport.

Q. Right now there are over 1,100 players in the transfer portal. Obviously the expectation is the no-sit-out rule will get passed or there will be a blanket waiver given to everyone. How concerning is it when these players don't think they're going to have to sit out, you have this many in the portal? Do you think this is something that can be fixed? Are you comfortable with the amount, roughly 25% of the sport, looking to switch schools?

MARK EMMERT: I'm very supportive of changing the transfer rule and to eliminating for the five sports where it exists. The requirement that they sit out a year, I think that's fair to the student-athletes. I think the rules that's being discussed right now, the DI council, would allow for that to occur. I anticipate and hope that it will be passed by the membership. That's their decision, of course. But I think it will.

As I said earlier, there's got to be some discussion about what the Department of Justice has as an interest in this particular rule. We need to understand that better.

But students ought to have that ability to transfer once at least during their career. I understand the complexity that creates for coaches. I understand that it does create uncertainty in roster management and all that. But I think it's overdue that we provide that flexibility to students.

Q. I'm wondering, there has been talk about the fact we have the Women's Final Four and the Final Four. I'm wondering if first you can just talk about why you think the women's basketball players are upset about that situation? Do you think the men should change their branding to say Men's Final Four? Is that a conversation that's being had right now?

MARK EMMERT: Yeah, I think that's part of the discussion that needs to be had in this review process that we're doing. There's certainly no requirement that anybody provide a gender identifier to Final Four, Frozen Four or anything else. That's been a decision that's been made some time ago.

Similarly we need to think through and make sure we're using all of our marks and intellectual property in a way that advances each of our sports. I fully expect that to be a really robust part of the conversation in the coming weeks and months around how to promote the sports, men's and women's sports, the most effectively.

I think the issues of what the courts have looked like has

been widely discussed. Those are good discussions to have.

Q. How will the Supreme Court decision impact what you do when it comes to name, image and likeness as far as your own legislation and as far as your approach to the states and the state law?

MARK EMMERT: I think there's been a lot of confusion around what the Supreme Court case is actually about. It's not a case about NIL. It's not a case about pay-for-play. I've seen it characterized that way.

It's a case about, of course, an anti-trust law case about who gets to decide some of those issues. So in chatting with people, some have characterized it as saying, The NCAA is fighting whether or not they should give additional educational support to student-athletes. That's not the issue at all.

The question really is, Shall all those decisions be decided individually through lawsuits and by judges, or should they be made through a legislative process like Congress, or through a rule-making process by the NCAA or any other entity that's dealing with a joint venture like college sports?

So it's not clear at all that the case and how that rule will have any implication at all around NIL. The legislative process in Congress is significantly more important than the Supreme Court case in determining what the policies and legal framework is for NIL.

The single most important thing to me coming out of the Supreme Court case, and I hope we wind up there, is we get some clarity about what the law is, clarity about who has responsibility for what, clarity about how these issues will be decided whether through Congressional processes, through legal processes, or through NCAA decision-making processes, what each of the roles are for those entities.

I think you heard loud and clear, I certainly did, went back and reread the transcript after I heard it a number of times, the justices understand the importance of college sports in America. They understand the integral part this plays in American society. They don't want to blow it up. They want to make sure it's preserved and they want to do it in a way that's fair for everybody.

I think that's the challenge that's in front of them, as well as recognizing that they're dealing with very, very complex issues of anti-trust law.

I'm no lawyer, so I can't offer opinions on anything other than that. But the Supreme Court decision is obviously

very, very important. But its implications for NIL are not clear.

THE MODERATOR: Thank you for joining us this afternoon. This concludes our press conference.

MARK EMMERT: Thanks, everybody.

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