

NCAA Convention

Thursday, January 12, 2023

San Antonio, Texas

Charlie Baker

Mark Emmert

Linda Livingstone

Presentation

STATE OF COLLEGE SPORTS

ANNOUNCER: Please welcome president of Baylor University and chair of the NCAA Board of Governors, Linda Livingstone.

[APPLAUSE].

LINDA LIVINGSTONE: Well, good afternoon. And welcome to the State of College Sports. I'm Dr. Linda Livingstone. I'm president of Baylor University, just up the road in Waco, Texas. And I chair the NCAA Board of Governors. It's my honor to welcome you all to this session on the State of College Sport. A college universe is incredibly vast and diverse as you all well know just represented by those in the room here.

Three miles from where we're sitting here stands Trinity University, a small college of 2600 undergraduates that is fiercely proud of one of the most successful athletic departments in Division III.

On the other end of the spectrum, 80 miles up Natchitoches Road is the University, Austin. UT Austin boasts more than 40,000 undergraduate students and is historically one of college sports' most successful programs with 56 Division I national champions.

It is rare for all of us across the rich and wonderful world of college sports to get to convene at one time in one place. The State of College Sports is one of those special moments for us.

This is an opportunity for us to celebrate college sports and its immense impact on our campuses, in communities and, most importantly, in the lives of our hundreds of thousands of student-athletes each and every year.

It's also a chance for us to openly and candidly discuss the issues we face. And we know that right now there are a lot



of issues that we face.

This is especially important for us this year as college sports stands at a crossroads. As a collective enterprise, we are both thriving and threatened. Over the course of the next hour we will explore both dynamics while reaffirming our commitment to student-athletes at all levels.

As you saw in that opening video, 2022 was a year of tremendous accomplishment in the NCAA. We saw a larger, more diverse body of student-athletes than ever before earning college degrees, thanks to opportunities afforded to them by college athletics.

We surpassed 520,000 student-athletes participating in NCAA sports and set records for graduation rates. In particular, over the past two decades, we have seen double digit increases in graduate rates for our Black and Hispanic student-athletes. That's something I take tremendous pride in and you should too because it's really because of all of the work that each of you does that we have accomplished that in the last few years.

As you also know, we spent 2022 building the foundation for the NCAA's ongoing transformation, including adopting a new constitution. And throughout all of that, we hosted and crowned champions, creating thrills felt in all corners of the country and all around the world.

In just a few minutes, our current NCAA president, Dr. Mark Emmert, will share highlights not just from 2022 but through his tenure. I'll then rejoin you to discuss and explore the urgent, critical challenge that we face and our priorities for 2023.

Finally, I'm really excited to share that you'll also have the opportunity to hear from our incoming NCAA president, Charlie Baker. While Charlie Baker just concluded his second term in Massachusetts last week, he is eager to meet college sports leaders and become further steeped in our issues and priorities. So he's really generously joined us this week just a week after the job as governor.

I know you're excited to hear from Charlie directly, and I'm pleased you'll have that opportunity today.



Before I turn to Mark to discuss the progress that was made in 2022, I do want to pause for just a moment to recognize and celebrate two very important groups of people.

First, those among us who plan to retire in 2023. So if you're in this room today and you plan to retire in 2023, please stand so we can recognize you.

[APPLAUSE].

We might all be a little jealous of some of you. So we do want to thank you for your contributions to college sports and your deep commitment and support for our student-athletes. We wish you all the best in your upcoming retirement.

I'd also like to take a moment to recognize those within the NCAA that we lost in 2022. We've lost colleagues, friends and students, and each one of them will be dearly missed. A memorial page with each of their names is on the NCAA website. So you can go there and look at those names. But I do want us to pause for just a moment to remember those that we lost this past year.

[Moment of silence].

Thank you. Each of those individuals put their thumbprint on college sports in a very meaningful way. And I am so glad that we take this opportunity each year to remember and celebrate the contributions that they made.

Before we move to today's discussion of the future, I do want to invite Dr. Mark Emmert up to share his perspective on how far we've come. So, Mark, would you please come on up.

(Video played).

MARK EMMERT: Thank you, Linda, very much. And also Linda, thank you for the work that you're doing in helping lead the association as chair of the board through this very, very challenging time.

The association lives on volunteers. It is a voluntary association. And without the engagement of all of you in all of the activities of the association, we simply can't be successful. So thank you very much. I appreciate it enormously.

It's hard to imagine, sitting here looking at all of this, that it was in August of 1852, August 1852, if you can imagine, two teams -- Harvard, Charlie, and Yale -- had a rowing competition on Lake Winnepesaukee in New Hampshire --

why they were in New Hampshire is another story -- but here they are in New Hampshire having a rowing competition, August 1852, 170 years ago.

That was the first intercollegiate athletic event in American history. Two teams, I don't know, probably 10, 15 men on each side. Of course, it was men's athletic program because that's who was going to college in the 19th century, and they row and they have a competition, and there are a lot of newspapers accounts on it. They had a great time. A lot of people came to see it and enjoyed this competition.

And they decided to do it again and again and again. And you fast-forward through 170 years of history to where you now have 520,000 students, not 20 -- you don't have two teams -- you have 19,000 teams that now compete against each other. They don't just compete on Lake Winnepesaukee; they compete all across the United States and indeed increasingly on global stages in competitions.

What was launched back then on that lake has become not just an important recreational activity or entertainment activity that it was back then, when it was promoted by a railroad baron of all things; it's become an integral part of American society. It's built into the fabric of American culture.

Our events, our collegiate events, are the events that people want to be at either as athletes or as fans or as alumni, to be in attendance, whether it's at the biggest stage possible, the College Football Playoffs of a week ago or just Monday, or -- well, some of you wanted to be at that game. Some of you not so much.

But whether it's a college football playoff or March Madness is not as important as the fact that it's going on in all of our communities all the time. The Monon Bell in Indiana, where I'm from, now that's a D-III football championship but it means a tons to those communities and campuses. And you can't imagine life on those campuses without that kind of competition going on.

And we need to remember, as we deal with what Linda and Governor Baker are going to talk about, during these incredibly trying times, that college sports has grown and built itself into this iconic thing that, in many ways, defines American higher education. Defines it. It's hard to imagine an American campus without college sports on it. It's just part of who we are and what we do.

We, everyone here, everybody that engages in college sports, have a stewardship responsibility to take care of this American icon, this public trust. In many ways, it is a public trust. Nobody owns college sports. It doesn't



belong to anyone.

We all get a chance to take care of it, nurture it, steward it, shine it up a little bit. Make it better for the next generation or the next class of student-athletes that's coming in to participate.

I've been able to do that with all of you for a dozen years now. I'm incredibly proud of what we together -- not me, we together -- and all of the people back on your campuses have been able to get done. We've seen massive changes.

If you turn back the clock to where we were 12 years ago to where we are today, there's been an enormous amount of good things that have happened. Whether it's in the nature of the health and wellness support that student-athletes get, the way student-athletes are supported from nutritional points of view, from financial perspectives, coaching, training, all the performance variables that are in play, and most importantly the growing every year, every bloody year, improved graduate rates across all three divisions, better and better and better.

You saw some of the numbers. They vastly exceed the general population on our campuses with graduation rates. All of you have been able to accomplish that. And we need to be really, really proud of that that's happened because that's the real scorecard. That's the scoreboard we need to pay attention to. Not just how did we do in the team and in the game or how did we do in the conference or what the national champion was. It's those measures of success of our athletes when they go out into the world that really matters.

And we all know that because we're in this human development business, not just sports business. That's what makes the difference for all of us. We find ourselves today at a place where much of that 170 years, 106 years of which the NCAA has been around, under very serious challenge and even threat. We have done a lot to get it to here. And now we need to pick up that public trust, pick up that responsibility, that stewardship, and move forward with it.

I am absolutely delighted that the Board of Governors has selected Governor Baker to be the next president. It's going to be a challenging role. You know that, Charlie. You know that this is not a cakewalk, anything but.

But there are few things in the country that are more consequential to more people than college sports is to our citizenry and to our athletes.

I haven't done the math -- probably could do it in my head

standing right here -- about how many young men and women have passed through our universities as athletes in just the 12 years I've been involved, let alone 170 years' worth of college sport experience.

But it's a lot. And it's a profound impact on all their lives. And you all have allowed me to play some role in that for the past 12 years. And for that, I simply want to thank you. I want to thank you for letting me be a piece of this amazing thing called American college sports and the NCAA.

And I want to challenge all of you to work with Dr. Livingstone, Governor Baker, all the rest of the leadership so that a dozen more years, when Charlie's up here talking about it, we can have that same sense of excitement and gratitude for all that goes on for all of our student-athletes.

So with that, let me say thank you very much. I've loved working with this organization. And I'm really, really excited to see what comes next. Thank you, all. Linda.

[MUSIC].

LINDA LIVINGSTONE: Thank you, all, for extending such warm appreciation to Mark for his leadership over the past 12 years. It's been critically important to the association.

Mark was offered this position at a really interesting time. And the last 12 years have been some of the most challenging and most critical in the life of the NCAA.

But his track record has been important. It's been significant. And he's made a significant impact. So, thank you, all, for being so welcoming and warm to him.

Throughout all that is going on in the college sports arena, the turbulence, the immense pressures that we faced, Mark led with empathy and grace, and as we look at all that we love about college sports, I know we owe him a debt of gratitude and look forward to him enjoying retirement as some of the rest of you are as we go forward.

So now we want to look to what's going on in the future of college sports. As you've heard already, 2022 showed us in so many ways why college sports remains a very beloved and treasured institution in this country.

College sports' popularity continues to surge as we pack stadiums and arenas to watch student-athletes fulfill lifelong dreams; as we feel growing demand from broadcast partners to showcase our traditions and pageantry; as we unite campuses and communities at a time when it feels like people can't really agree on anything; and create thrilling, lasting moments for fans



everywhere.

Most importantly, college sports continues to be a powerful pathway to education for hundreds of thousands of student-athletes. But the fact that something is beloved does not make it permanent.

That's very much the case with college sports. For all that is working about college sports right now, we face challenges that are bigger, more complex and more urgent than at any time in generations and maybe ever in the history of college sports.

Those who know me know that I'm not prone to hyperbole. As college sports leaders, I mean it when I say that we face a choice in this moment in time. Either we can oversee college sports' modernization ourselves, or others will modernize and transform it for us.

One thing that's nonnegotiable in the NCAA's mission to provide a fair, inclusive and fulfilling environment for students is the desire to fulfill an inclusive and fulfilling environment for our student-athletes.

For generations, our ability to do that has been derived from a very steady, consistent interpretation of a handful of legal principles. Over the past decade, the legal environment has become less certain, and there's no end in sight of that serial litigation.

In particular, shifts in how antitrust laws apply to college sports have drastically affected the NCAA's ability to fulfill its mission.

Measures we've taken to provide student-athletes with fair, level playing fields have become subject to an enormous volume of litigation.

Without the NCAA's confidence to regulate college sports nationally in certain areas, a vacuum has emerged. Individual state legislatures and courts across the country are stepping in to fill that gap. Look no further than the name, image and likeness compensation where 1100-plus schools are competing according to about 30 sets of different state laws, most of which have no enforcement mechanisms associated with them.

This type of legal patchwork tilts the playing field in a way that's ultimately unfair to our student-athletes. It creates ambiguity and a pervasive sense of chaos that you all are experiencing right now.

And it will strip the meaning from the concept of conference and national championships. This type of system is bound to fracture at some point in time. At a very core level, I

believe there is a broad desire to see college athletes across the country competing according to the same fundamental rules with access to the same fundamental opportunities.

To build that kind of a sustainable model for college sports, we have a lot of work to do together. We know this work must start internally.

Over the course of the last year, there's been a tremendous effort to modernize college sports and transform the NCAA to more fully serve the needs of today's student-athletes.

That includes the decentralization advanced by our new constitution, the recommendations of our Division I Transformation Committee, and similar reform that occurred at the D-II and D-III levels.

If you read news coverage when the transformation committee's final report was released last week you would think it was 40 pages about basketball tournament brackets.

Well, in fact, that really wasn't the main part of the report. The transformation committee's recommendations were endorsed by Division I Board of Directors earlier today, and they will elevate Division I membership standards, streamline governments -- governance in a way that's going to make a very meaningful difference in the lives of our student-athletes.

For instance, we've consistently heard concern from student-athletes regarding issues of mental health. The transformation committee's recommendations will both extend and make more consistent access to mental health services.

Similarly, in situations where injuries sustained while participating in college sports require treatment beyond graduation, Division I schools will now be required to guarantee two years of insurance coverage beyond the end of playing careers and cover all out-of-pocket expenses related to those injuries.

These are just a few of the many enhancements we've adopted to more fully modernize student-athletes' physical, mental and academic well-being.

This is a big deal. And we should all do what we can to communicate the progress that we've made across the association. If we don't tell our story, no one else is going to do it for us.

While internal transformation is imperative and will be



ongoing, we also understand that it's not enough. The reality is to address the most complex issues that we face today in college sports, we need to engage Congress to help us, and we need to earn their support.

Based on current laws, when it comes to issues such as NIL, compensation, and those who seek employment status for student-athletes, and really student-athletes across all of our divisions, the NCAA could not unilaterally give student-athletes and universities the clarity and stability that you need to do your work.

We are ready and willing to create a fair, modern and equitable national framework for college sports, but we need Congress to help stabilize the foundation in three critical ways. So I want to take a moment to discuss each of those three priorities.

While they are narrow and specific, they are crucially important to each and every member university represented in this room.

First, we need Congress to affirm student-athletes' unique relationship with their universities. As we modernize college sports, we have worked hard to broadly increase support for student-athletes.

And we're exploring ways to allow those whose programs generate significant revenue for their universities to further participate in that growth. However, there are influential voices and political leaders at the state and federal level advocating for the idea that participants in college sports should become university employees.

This notion is deeply misguided. Turning student-athletes into employees will have a sprawling, staggering and potentially catastrophic impact on college sports broadly. If student-athletes become employees, coaches would be forced to become bosses.

The implications of this change would be complex, onerous and far reaching. This would risk the substantial progress that we've made to give student-athletes a highly supportive experience and an unparalleled pathway to opportunity.

And this is not just a Division I problem. And it's not just a football and basketball problem. Operating in an employment-based model would devastate college sports as we all know and love it, and would particularly be most crippling for divisions II and III.

If it's determined that a football player at Baylor should be treated as a university employee, would a swimmer at Trinity University be seen in the same light?

An employment-based model also will lead to the loss of a number of cherished programs, particularly among our Olympic sports. I think of so many of the outstanding student-athletes on my campus at Baylor, and what this would mean to many of them, for instance, members of our legendary track and field program.

Many of you may remember Michael Johnson and his gold track cleats at the 1996 Summer Olympics. While those student-athletes rarely compete on national TV, they add to our university in so many important ways. They pour their heart and soul into their track pursuits. They're beloved at our institution and in the city of Waco. And this program, as many of yours have, has produced many Olympians proud to represent the United States and other countries all around the world.

If they're required to be treated as employees, I fear many of those opportunities would be lost.

The threat here is imminent. Several states are right now considering legislation that would mandate a vastly changed relationship between a school and its students.

Congress is really the only entity that can affirm student-athletes' unique status within our universities. We have to ensure that Congress understands what's at stake and motivate them to act.

Second, we need a safe harbor from a certain degree of antitrust complaints. While we're not looking for, nor do we actually need, broad antitrust exemption, we do need the ability to make common-sense rules without limitless threats of litigation.

Student-athletes and other core stakeholders tell us they'd like to see the NCAA move faster. We want to move faster. We're working on moving faster.

However, litigation moves very, very slowly, as you know, on your own campuses and hinders our ability to serve student-athletes with agility and speed. We need to work with Congress to develop a system where we have the latitude we need to make adjustments to give student-athletes the fair, inclusive and fulfilling environment that they deserve.

Finally, we need to solidify that as it relates to college sports, federal law pre-empts state law. In areas such as NIL, we already see that state legislators will take actions that they believe will give the universities in their states a competitive edge over their neighbors.

This kind of arms race is not sustainable and it's



destructive for everyone. We need a federal legal framework that is clear, fair and stable for student-athletes nationwide so they can take advantage of legitimate NIL opportunities. And we need to formalize federal laws that supersede state-level legislation.

Educating Congress on these issues and motivating them to take action on these critical priorities will be a central activity for the NCAA in 2023.

My greatest fear is that people won't understand the severity of the threats we face until living with the consequences.

Driving modernization and engaging with Congress in a productive way is going to take a very special leader. When we launched our effort to find a new NCAA president earlier this year, we spent a great deal of time considering the traits that would be most important to the next president's success.

We spoke with over 300 individuals representing 79 organizations, with an interest in college sports. What we heard most of all is that we need a leader who can unite diverse constituencies to tackle big, complex challenges together.

We spoke with many impressive and diverse candidates. I cannot imagine a person better suited to the job at this moment in time for the NCAA than Charlie Baker.

From taking Harvard Pilgrim Healthcare from the brink of bankruptcy to one of the nation's best regarded healthcare plans, to revamping the Commonwealth of Massachusetts' K-12 education system, Charlie is drawn to big, complex problems.

Even better, he has shown that he can actually tackle and solve those problems. As a Republican leading one of America's most predominantly democratic states, Charlie ended his term as America's most popular governor by casting aside distractions and divisions and focusing on issues with real-world impacts that really matter to people.

He succeeded in the private sector as an innovative CEO and business advisor. He has succeeded in the public sector by setting the standard for bipartisan leadership. And crucially, college sports runs in his DNA, as he's a former student-athlete in a family of student-athletes.

For all these reasons and more, I was delighted when Charlie accepted our offer.

It is my distinct honor and privilege to introduce to you our next NCAA president, Charlie Baker.

[APPLAUSE].

[MUSIC].

CHARLIE BAKER: So, first of all, thank you, Linda, for your leadership and for those very kind words. My dad would have liked them and my mom would have believed them.

[LAUGHTER].

As Linda said, I just finished two terms as governor of the Commonwealth of Massachusetts. My last day in office was exactly one year ago today.

My wife was, in fact, a gymnast in college. I was a basketball player. My brother was a baseball player. And we have two boys who played football.

The Bakers are big fans and big beneficiaries of college sports. We believe in what it means and we also believe in what it does. We've watched friends and teammates get to and through college because of sports. We know many young people who wouldn't have graduated from high school, much less gone on to college without that tug of sports.

Sports builds friendships, teaches young people about teamwork, hard work, and mutual accountability. It helps them build the confidence and discipline that oftentimes is foundational to their success.

College athletics, simply put, is an amazing human potential development program. It's probably one of the best in the world and it is very much in a state of flux.

I'm not going to repeat what Linda's already said. I think she laid it out pretty well. But when people reach out to me and asked why I chose to take on such a difficult assignment, I told them that the challenges that face college sports and the risks that come with not addressing them compelled me to apply for and to accept when it was offered this position.

That's because there's an enormous amount about college sports to celebrate. We should celebrate it and we will. A lot. But there's much that needs to be done to deal with the issues and the challenges that are faced by college sports.

Among other things, we need to tell our story, to make sure the public understands the issues that are facing this community. They need to know what's at stake.



We also need to talk more to one another, engage our elected representatives, and articulate how that changing landscape, left unaddressed, could have real and potentially devastating impact on the makeup and the future of college sports.

I believe there's certainly a positive path forward here when the deals with the issues that need to be addressed without diminishing much of what makes collegiate athletics so special.

In some respects, that's the challenge and the opportunity. I also think we have lots of opportunities to improve the way we work together, to maximize the value of the NCAA properties, and to make sure that the benefits that accrue from all this work support our student-athletes.

As has been previously mentioned, I actually don't start with the NCAA until March 1st. That was, like, a final, permanent thing with my wife, who has put up with eight years of me being governor in a pandemic. But I did want to be here for this event so that I could meet as many of you as possible and I could hear from you.

And I want to thank the people who have met with me over the course of the past few days -- the student-athletes, the college presidents, the athletic directors and the conference leadership from divisions I, II, and III. Your thoughts and ideas are just the beginning of what I know will be a valuable opportunity for me to get smarter and better faster when I take on this new role.

March is six weeks from now. I look forward to jumping in with both feet and having a chance to work with you, to make college sports continue to be the envy of the world when it comes to developing and providing support for and opportunities for young people. Thanks very much. And as I said, I can't wait to get started.

[APPLAUSE].

[MUSIC].

LINDA LIVINGSTONE: Thank you so much, Charlie. We're excited to have you get started as well.

From spearheading our ongoing modernization to motivating Congress to stabilize the foundation for college sports, Charlie Baker has signed up for a pretty significant challenge.

I know he's the right person for the job, but he can't succeed on his own through sheer force of will. To be successful, Charlie needs our full support and our full partnership in what's ahead.

As leaders of college sports, we are stewards of something that is truly unique and incredibly powerful. I know the power of college sports because I've lived the power of college sports.

It changed my family's life. My father came from a family of very limited means. On their own, his family would have lacked the resources to be able to send him to college. Thankfully, he was a talented, dedicated young athlete and he earned a college scholarship and was ultimately the first person in his family to go to college because of that scholarship.

His team at Oklahoma A&M won a national championship, and he went on to become a college basketball coach. That scholarship changed the trajectory of my family's life.

Growing up, I loved sports, especially basketball. Getting to play in the Gallagher Hall at Oklahoma State practices probably helped build that love of the sport of college basketball.

I eventually earned the opportunity to compete for the Cowgirls of Oklahoma State, an experience that shaped and molded me as a person, which I wouldn't trade for anything.

And that's also where I met my husband, Brad, who had a similarly transformative experience as a member of the Cowboys men's basketball team. Our daughter, Shelby, shares our love of college sports. She chose to be a volleyball player since we were basketball players and was a member of the Rice Owls volleyball team.

Today she's an assistant coach for the Liberty Flames volleyball team.

I share all of that with you to say that I'm utterly committed to modernizing college sports so it continues to create opportunities for future families the way it has for my family.

Since becoming chair of our Board of Governors last year the more immersed I become in the issues we face the deeper my belief runs that the decisions we make over the coming months are critical for charting the course for the next generation of college athletes.

As you listen to these remarks today, I hope you came away with a clear impression that all of our fates are tied together. For all of the differences represented in this room, there is much more about college sports that unites us than divides us.

When our 1100 universities come together, we are powerful beyond measure, probably more powerful than we even realize.

However, when we allow our differences and divisions to be definitive when we appear that we're fractured, we allow others to script our future. Believe me, if we don't do it, they will.

When you leave San Antonio, you will be provided with tools to help you better understand these issues as well as resources to be able to speak to how these subjects are affecting our campuses and our communities and with our contacts in government.

I hope you'll partner with us in this quest to modernize the NCAA, one that serves the needs of current and future student-athletes more completely, but also does so preserving the essence of what has made college sports so invaluable and what we love so much about college sports.

If we can embrace a spirit of shared sacrifice, remain open minded and creative about potential changes and stay focused on the central essential values of college sports, 2023 will be remembered as a pivotal year in the history of college athletics.

I want to thank each of you for being here this week, for dedicating your time and energy to this important effort and for being a part of what is such an important part of this country's culture and our educational system. So together I know that we will be able to succeed.

So, thank you, so much for being here. Enjoy the rest of the conference. And I really look forward to your support and work on this together.

[MUSIC].

[APPLAUSE].

ANNOUNCER: Thank you for attending today's State of College Sports. Now please make your way to the Delegates Reception on the first floor in the trade show.

[MUSIC].

FastScripts by ASAP Sports