

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)

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, which include 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 in financial deficits both short and long term as they become known.

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 are to be managed on a self-supporting basis, meaning that all spending and expenses are to be paid for by revenues and resources generated by the intercollegiate athletic program within the institution. Any institution that seeks to use other self-support activity revenues or resources to support Intercollegiate Athletics must seek approval by the Board of Regents in advance of the beginning of the fiscal year. Intercollegiate athletics programs that end a fiscal year with an operating deficit after taking into account approved use of other self-support activity revenues or resources, or have an accumulated deficit, are to record and reflect these amounts as liabilities back to the self-support activity that funded the deficit, and are to develop and adopt an operating plan to eliminate the accumulated deficit and return the program to a self-supporting operating basis.

Institutions seeking to ‘forgive’ deficits of intercollegiate athletics programs must be approved by 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 (ACC, 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 Subtitle 5, section §10-508(a) of the Open Meetings Act.

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 (eg. ACC) 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. Institutions will report to the Chancellor's Office and the Director of Internal Audit all fiscal shortfalls that may result in financial deficits both short and long term as they become known.