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TO MEMBERS OF THE BOARD OF REGENTS:

ACTION ITEM

For Meeting of December 14, 2022

UCLA BIG TEN MEMBERSHIP

EXECUTIVE SUMMARY

On June 30, 2022, UCLA announced its plan to leave the Pac-12 Conference and join the Big Ten Conference in 2024. Over the past six months, the Board of Regents has engaged in extended discussions about UCLA's prospective membership in the Big Ten, including its associated financial and legal implications. As noted in prior meetings, UCLA exercised authority delegated from the President in executing its agreement with the Big Ten; however, the Board retains the authority to take action to affirm, overturn, or abstain from acting on UCLA's decision.

Considerations related to the student-athlete experience, financial impacts, and legal risks vary with each of these options. Specific considerations carrying legal risk will have been discussed in the noticed closed session discussion item.

In the final months of 2022, UCLA is planning for its athletics programs in 2024, including recruitment of student-athletes and scheduling of competitions. To provide clarity on UCLA's conference membership, the Board of Regents must determine what action, if any, to take regarding UCLA's agreement to join the Big Ten in 2024.

~~Following the Board's discussion of litigation risks in closed session, a recommendation will be made available for the Regents' consideration in open session.~~

RECOMMENDATION

The Chair of the Board and the President of the University recommend the following implementation of mitigation measures as a condition of endorsing UCLA's decision to become a member of the Big Ten Conference:

1. UCLA may proceed with its planned membership in the Big Ten Conference on condition that it implement the mitigation measures described below;
2. UCLA will adopt and implement annual plans to mitigate the travel impacts of its membership in the Big Ten Conference; such plans will take into account the competition schedule for each athletic team and shall be designed to reduce the burden of travel on

student-athletes to levels comparable to the burden they would have experienced had UCLA continued its membership in the Pac-12 Conference; these mitigation strategies shall also include enhanced education for student-athletes and coaches around sleep, mental health, and physiology, which would guide nutrition, practice, and competition schedules during and after travel and will be reviewed for compliance with this provision by the Office of the President;

3. UCLA will increase budgeted student-athlete academic support beyond levels established for the 2023-2024 fiscal year in an amount not less than $1.5 million; such academic support shall include additional learning specialists, the expansion of summer bridge programming for student-athletes, and direct stipends to student-athletes for investment in learning technology;
4. UCLA will increase budgeted student-athlete nutritional support beyond levels established for the 2023-2024 fiscal year in an amount not less than $4.3 million; such support shall include guaranteed breakfast and lunch availability on campus for all UCLA student-athletes, professional dietician services, and funds not less than $250,000 set aside for additional nutritious meals while traveling;
5. UCLA will increase budgeted student-athlete mental health services beyond levels established for the 2023-2024 fiscal year in an amount not less than $562,800; such support shall include additional mental health service providers for student-athletes and education programs around stress management, sleep, disordered eating, and other conditions;
6. UCLA will work with the UCLA Division of the Academic Senate to request that faculty provide appropriate accommodations and access to remote courses and online materials to student-athletes, and will engage Student Affairs in facilitating conversations between student-athletes and faculty members;
7. UCLA will collect information on an annual basis from student-athletes concerning their experiences with mental health services provided by UCLA, particularly with regard to wait times;
8. UCLA will conduct an annual survey of student-athletes to ensure the mitigation measures described in this item are sufficient and to identify any additional areas of support that may be needed. Results of such survey shall be shared with the President of the University;
9. The requirements of Paragraphs 1 to 8 shall be effective starting July 1, 2024 (the beginning of the University's fiscal year) and shall continue until the expiration or termination of the Big Ten Conference New Member Agreement executed by UCLA on or about July 13, 2022, or earlier, if UCLA ceases to be a member of the Big Ten Conference, in which case these requirements will be reviewed and may be modified, as appropriate, by approval of the Board of Regents;
10. UCLA will establish a reserve fund with the Office of the President in the amount of $2.5 million to be used to supplement the amounts specified in this item, if the mitigation measures are determined to be insufficient; such reserve fund shall be established no later

than July 1, 2024 and shall remain in place until the earlier of June 30, 2026, or until UCLA ceases to be a member of the Big Ten Conference;

11. The President will return to the Regents at a future meeting, after Pac-12 media agreements are finalized, with a recommendation for a contribution by UCLA to the Berkeley campus in the range of $2 million to $5 million, to be used to enhance student-athlete support at that campus. Such recommendation will be based on the best available information on projected revenues for both campuses.

BACKGROUND

On June 30, 2022, UCLA announced its plan to leave the Pac-12 Conference and join the Big Ten Conference in 2024. UCLA's decision raised a number of procedural and substantive questions for the Board of Regents, which were discussed at the Board's July 20 Meeting, August 17 Special Meeting, September 22 Meeting, and November 17 Meeting. As discussed in those meetings, the Board of Regents can decide to exercise its authority to withdraw UCLA from its agreement with the Big Ten.

SUMMARY OF PRIOR DISCUSSIONS

UCLA's planned change in conferences presents a number of considerations and risks for student-athletes and the University more broadly. The Board has discussed many of these issues at its August 17, September 22, and November 17 meetings.

August 17 Special Meeting

In open session, UCOP presented an overview of UCLA's planned move to the Big Ten, including context around the changing landscape of intercollegiate athletics.[1] The presentation included projected financial impacts based on the information available, estimated increases in travel time for student-athletes, and background information on student-athlete academic outcomes. Regents raised various questions around the student-athlete experience and the potential impacts of increased travel time. Attachment 1 is the Interim Report presented at the August 17 Special Meeting.

In closed session, the Board discussed legal and financial risks associated with UCLA's planned move to the Big Ten.

September 14 Mailing between meetings

In response to Regents' questions around the student-athlete experience, athletics program revenues, academic supports for student-athletes, graduation rates, and travel impacts, UCOP prepared responses which were transmitted to the Board on September 14. This mailing between meetings is included as Attachment 2.

[1] https://regents.universityofcalifornia.edu/regmeet/aug22/b1.pdf

September 22 Meeting

In closed session, General Counsel Robinson reviewed with the Board an analysis of litigation risks associated with UCLA's planned Big Ten membership.

November 17 Meeting

In closed session, the Board again discussed issues raising potential legal issues related to UCLA's planned Big Ten membership. In open session, UCOP presented results from a survey of UCLA student-athletes in order to assess important aspects of the student-athlete experience. Key areas that student-athletes identified as needing improvement included: nutritional support, academic support while traveling, increased utilization of charter flights to reduce travel time, accommodations from faculty for missed classes and exam scheduling, and mental health services. UCLA presented its plans to enhance the student-athlete experience in these areas, including with estimated investments of between $9.15 and $10.32 million.[2] The item discussed at the November 17 meeting is included as Attachment 3. During the discussion, the Board tasked UCOP with further assessing the appropriate level of additional student-athlete support and associated costs.

ATTACHMENTS:

Attachment 1:	Interim Report on the Impact of UCLA Joining the Big Ten
Attachment 2:	Follow-Up Q&A to August 17, 2022 Special Board Meeting
Attachment 3:	UCLA Big Ten Membership (November 17 Meeting Item B2A)