Interim Report on the Impact of UCLA Joining the Big Ten

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Introduction

The following interim report includes background information for the Board of Regents special meeting of August 17, 2022. The report is intended to provide information and context in support of the Board's discussion of UCLA's plan to move from the Pac-12 to the Big Ten athletics conference in 2024. Following the Board's discussion, this report will be updated and amended to address any subsequent questions or issues that are raised.

On June 30, 2022, UCLA announced, in conjunction with USC, its plan to leave the Pac-12 Conference and join the Big Ten Conference in 2024. UCLA's announcement raised a number of procedural and substantive questions for the UC Board of Regents, which were discussed at the July 20 Board meeting.

The questions explored at this meeting mirrored those shared by many UC community members and stakeholders. Concerns expressed included: whether there had been appropriate opportunities for Regental input into the decision; whether a change in conference would negatively impact student-athletes' academic experience and time to degree; whether changes to student-athletes' travel commitments would negatively affect their physical and mental health; and whether it was prudent to upend UCLA's decades-long partnerships with the Pac-12 and relationships with fellow conference members, including UC Berkeley; among other potential challenges.

Following that initial conversation, and at the request of the Board, including Governor Gavin Newsom, the UC Office of the President (UCOP) was charged with producing an informational report focused on three major areas of concern:

1. An assessment of the effect that UCLA joining the Big Ten would have on UCLA and other UC campuses;
2. An analysis of the effects of a change in conference membership on UCLA's student-athletes; and
3. A review of the Regents' delegation of authority as it pertains to athletics operations.

As UCOP collected information and data in each of these three areas, the concerns shared by Regents and UC stakeholders informed our approach at every step.

Accordingly, this report includes relevant information for the Regents to consider on the potential impacts of this transition on the student-athlete experience and campus relationships and partnerships, as well as the importance of Regental oversight of certain campus athletic decisions. However, UCOP's information gathering also revealed that several crucial pieces of information that may help the Regents in assessing the impact of this change are evolving and currently unknown.

As is explained in more detail in the report, athletics programs in California and across the country are currently operating in a volatile and fast-changing environment. Several conferences are engaged in ongoing negotiations over long-term media contracts that will play a major role in athletic programs' budgets in the coming years. Discussions about pending and future conference memberships and realignment continue. Though these matters are currently unsettled, more information is expected to be known in the coming weeks and months. Thus, this report is an interim accounting of facts in these three topic areas, pending future developments.

The information collected in this report should assist the Regents in assessing this complex, fluid environment with a focus on ensuring that UC athletics programs support the health and well-being of our student-athletes, live up to our core values as a University community, and ensure a continued tradition of UC academic and athletic excellence for years to come.

Background on UC Athletics Programs and Athletes

UC athletic programs are supported by a variety of fund sources, including philanthropy, student fees, media rights, conference distributions, and ticket sales. As at virtually all colleges and universities, some amount of general campus financial support is required to balance the budget of the athletics program. The amount differs depending on the size of the programs and other funds campuses receive, particularly conference media distributions and corporate sponsorships. The mix and volume of these revenue sources, as well as the financial obligations of each athletics department, vary greatly depending on a variety of factors, including the number of sports offered by the campus and the level of competition they engage in. During the COVID-19 pandemic, UC athletic program deficits grew when games and tournaments were eliminated, ticket sale revenue was drastically reduced or lost entirely, donations declined, and sponsorships were cancelled.

The table below provides an unduplicated count of athletes, teams, and revenue in 2020-21 and primary and other conference affiliations and competitive division by campus. Because of the diversity of sports offered at UC campuses, all campuses are currently members of at least two athletic conferences. UC Davis leads in this category, currently supporting athletes who compete in seven distinct conferences. All UC campuses' athletic budgets are supported by central campus funds, though the degree varies widely across the system. While revenue structures may have shifted during the COVID-19 pandemic, Cal Athletics has typically relied on campus funding for about 20 percent of its revenue budget, while UCLA has typically utilized about two percent. Appendix I shows conference detail by individual teams and campus.

Table 1: UC athletes, teams, revenue, and conference affiliations (sorted by revenue)

Athletes (Unduplicated)	**UCLA**	**UCB**	**UCD**	**UCSD**	**UCI**	**UCSB**	**UCR**	**UCSC**	**UCM**
Male Athletes	336	454	279	228	180	126	154	64	65
Female Athletes	350	375	337	212	179	138	125	43	46
Total Athletes	**686**	**829**	**616**	**440**	**359**	**264**	**279**	**107**	**111**
Athletic Teams									
Men's Teams	11	13	9	12	9	10	7	7	6
Women's Teams	14	15	15	11	9	10	8	8	6
Total Teams	**25**	**28**	**24**	**23**	**18**	**20**	**15**	**15**	**12**
Total Budget ($M)	**$110.1**	**$91.7**	**$35.4**	**$26.3**	**$19.6**	**$18.4**	**$14.0**	**$2.9**	**$1.6**
Primary Conference	Pac-12	Pac-12	Big West	Big West	Big West	Big West	Big West	C2C	Cal Pac
Other Conferences	MPSF	AEC, PAC, MPSF	AEC, Big Sky, ECAC, MPSF, Pac-12, WWPA	CAA, MPSF, WIRA, WWPA	MPSF	GCC, MPSF	MPSF	ASC, PCSC	CWPA
Division	Div I	Div I	Div I	Div I	Div I	Div I	Div I	Div III	NAIA

C2C = Coast to Coast Athletic Conference
NAIA = National Association of Intercollegiate Athletics
Other conference abbreviations described in Appendix I
Source: US Dept of Education and campus websites

The size of athletic teams varies significantly, as illustrated by the most recent player roster for UCLA. Football has the greatest number of athletes (125), followed by track & field (60 women and 46 men), and rowing (55).

UCLA and Cal are the only University of California members of the Pac-12 conference. These campuses have the highest number of sports and athletes and the largest athletic budgets in the UC system.

UCLA Player Roster (2021-2022)

Men's Athletics	**Players**	**Women's Athletics**	**Players**
Football	125	Track & Field	60
Track & Field	46	Rowing	55
Baseball	38	Swim & Diving	43
Water Polo	34	Soccer	27
Soccer	27	Water Polo	27
Volleyball	22	Cross Country	22
Cross Country	20	Softball	22
Basketball	15	Gymnastics	21
Golf	14	Beach Volleyball	20
Tennis	14	Volleyball	16
		Basketball	15
		Golf	10
		Tennis	9

UC Athletics Values

The University of California is committed to operating athletics programs that embody the University's values. Each of our campus athletics programs strives to reflect these values and incorporate them into their planning and decision-making.

- **Student-athlete physical and mental health:** Protecting the physical and mental health and well-being of athletes is the University's number one priority.
- **Academic and athletic excellence:** UC supports our student-athletes as scholars and competitors, providing the competitive opportunities, resources, tools, counseling, and support that they need to thrive as they compete at the highest levels of collegiate athletics.

- **Diversity, equity, inclusion, and belonging:** UC athletics programs are committed to providing opportunities and support for students of all backgrounds in an environment that is welcoming and safe for all.
- **Partnerships:** UC athletics programs are made stronger by the schools and athletes we meet in competition. These partnerships are the foundation of competitions, rivalries, and collaborations that optimize our human potential.
- **Campus integration:** Intercollegiate athletics adds to the unique culture and character of each of our undergraduate campuses. Our programs strive to operate in a way that enriches the entire campus community.

Changing Nature of College Athletics

NCAA, Media Rights, Transfer Portal, and Athlete Name, Image and Likeness

The National Collegiate Athletic Association (NCAA) was established in 1906 to create rules to apply to intercollegiate athletics.[1] These rules and policies have shifted significantly over time.

In 1948, the NCAA enacted the Sanity Code, which was designed to "alleviate the proliferation of exploitive practices in the recruitment of student-athletes." It created a "Constitutional Compliance Committee to interpret rules and investigate violations…[but] because their only sanction was expulsion, [the severity] rendered the rules ineffectual."

In 1951, the NCAA repealed the Sanity Code and replaced the Constitutional Compliance Committee with a Committee on Infractions. At the same time, the NCAA established national control of TV rules. It negotiated its first major contract ($1M) and regulated a television plan that initially restricted the number of college football games broadcast. This shift provided the NCAA more enforcement capacity, particularly with its role in negotiating and allocating TV revenue.

In the 1970s, criticism increased over how the NCAA exercised its enhanced enforcement authority, particularly as it was given additional power to penalize schools directly. At the same time, university presidents were working to balance increasing faculty complaints about academic integrity in intercollegiate athletics with growing alumni and public interest in winning athletic programs. This corresponded with an increased need for athletic programs to become revenue-generating operations, in part to support enough sports programs to come into compliance with the newly enacted Title IX, which requires equal opportunities for women in athletics.

In 1977, the College Football Association (CFA) was formed by schools from the Atlantic Coast Conference, the Big Eight Conference, the Southeastern Conference, the Southwest Conference, and the Western Athletic Conference, plus independents Notre Dame, Penn State, Pittsburgh, West Virginia, and the service academies, to directly negotiate and allocate television revenues. The Big Ten and Pac-10 conferences did not join the CFA.

The NCAA threatened sanctions against colleges participating in any CFA media deals and the Universities of Oklahoma and Georgia sued. In 1984, the U.S. Supreme Court ruled in *NCAA v. Board of*

[1] Excerpts from "A Brief History of the National Collegiate Athletic Association's Role in Regulating Intercollegiate Athletics," Rodney K. Smith, published in Marquette Sports Law Review (Volume 11, Issue I Fall 2000).

Regents of University of Oklahoma that the NCAA's television plan violated the Sherman Antitrust Act. As a result, individual schools and athletic conferences were free to negotiate contracts for football.

One year after the Supreme Court decision, the number of televised games more than doubled from 89 to nearly 200.[2] The CFA sold television packages to ABC and CBS, and the Big Ten and Pac-10 sold a separate package to ABC. Television deals became increasingly important to recruiting, donor relations, and funding athletic programs. Eventually, Notre Dame split from the CFA to sign an exclusive television deal with NBC and other conferences followed. The CFA was officially terminated in 1997 with individual conferences negotiating television deals.

At the same time, there were growing concerns about the impact of big-time sports on student academic performance, along with "racial equity concerns particularly with revenue-producing sports made up of predominately male student-athletes of color."[3]

These questions about student-athlete compensation have been a subject of increasing interest in recent years. Several significant cases against the NCAA in the past decade have been antitrust lawsuits, such as *O'Bannon v. NCAA* in 2014 and *NCAA v. Alston* in 2021, which dealt with student-athlete compensation issues, including the monetization of name, image, and likeness (NIL).

The NCAA has historically maintained strict limits on student-athlete compensation, though these have shifted in recent years. The decision in the O'Bannon case held that the NCAA's rules restrained market competition and were in violation of the Sherman Antitrust Act, and the court allowed for an increase in benefits for student-athletes.[4] Specifically, the O'Bannon decision turned on the fact that the NCAA's compensation limits had anticompetitive effects within the recruiting and college education market, and were analogous to price-fixing.[5] The various antitrust cases against the NCAA have effectively increased recruiting and media competition among colleges, particularly the so called "Power 5"[6] Football Bowl Subdivision (FBS) football conferences and Division I basketball schools.[7]

In September 2019, California passed the Fair Pay to Play Act, which prohibited schools from restricting athletes' ability to accept funds related to the commercial use of their name, image, and likeness (NIL). A month later, the NCAA's board of governors unanimously agreed to modernize its NIL rules and to follow guidelines recommended by a working group to develop a plan on how to allow athletes to make endorsement money while maintaining "the collegiate model." A number of states followed California's lead, giving student-athletes the right to earn money from endorsements and sponsorships.

In April 2021, the NCAA changed its rules to allow all college athletes the ability to transfer once in their career and be immediately eligible to play. Under prior NCAA rules, athletes in certain sports would typically have to miss their first season at the new school.

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[2] Gamache, Raymond (2010). History of Sports Highlights: Replayed Plays from Edison to ESPN. McFarland. ISBN 978-0-7864-4997-2.

[3] "A Brief History of the National Collegiate Athletic Association's Role in Regulating Intercollegiate Athletics," Rodney K. Smith, published in Marquette Sports Law Review (Volume 11, Issue I Fall 2000).

[4] https://www.nytimes.com/2016/10/04/sports/ncaa-obannon-case-ruling-supreme-court.html

[5] http://cdn.ca9.uscourts.gov/datastore/opinions/2015/09/30/14-16601.pdf

[6] The Power 5 is composed of the Pac-12, the Big Ten, the Southeastern Conference (SEC), the Atlantic Coast Conference (ACC), and the Big 12.

[7] https://www.si.com/college/2019/03/09/ncaa-antitrust-lawsuit-claudia-wilken-alston-jenkins

In June 2021, the U.S. Supreme Court unanimously upheld a lower court ruling, *NCAA v. Alston*, that the NCAA's restrictions on compensation of college athletes violated the Sherman Antitrust Act. Many Power 5 athletic departments began providing student-athletes with grants in the 2021-22 year. At schools with comparable numbers of student-athletes as UCLA and Cal, these grants may sum to nearly $5 million annually. In addition, that same month, the NCAA's Board of Directors adopted a temporary rule that opened the door for NIL activity, instructing schools to set their own policies for what should be allowed. Athletes began signing endorsement deals minutes after the new rules went into effect. This represented a major and immediate shift for programs and student-athletes across the country.

Conference History

The U.S. collegiate athletics landscape has grown and evolved over the past century.

Before the Pac-12, UCLA and Cal belonged to the Pacific Coast Conference (PCC) with Stanford, USC, University of Washington, Washington State, University of Oregon, Oregon State, University of Idaho and University of Montana. The PCC and Big Ten agreed to contract with the Rose Bowl for a conference game each year, and in 1947 they played their first game under the agreement.[8][9]

Internal disagreements led to the dissolution of the PCC in 1958. UCLA and UC Berkeley joined the Athletic Association of Western Universities (AAWU) with Washington, USC, and Stanford, and collectively, they extended their contract with the Rose Bowl. The AAWU expressed a goal of "equal devotion to big-time football and academic standards."

Around that time, there was some discussion of a superconference—the Airplane Conference—which would have brought together PCC, the three largest service academies (Army, Navy, and Air Force), and four Eastern universities (Notre Dame, Pitt, Penn State, and Syracuse). It never formalized, in part because the Pentagon was opposed to the idea and also because UCLA and UC Berkeley faculty did not want to include members with "lesser academic standards."

Washington State in 1962, and Oregon and Oregon State in 1964, joined to create the Pac-8 Conference. In 1978, the University of Arizona and Arizona State University joined to become the Pac-10 Conference. In 2011, Colorado and Utah joined to become today's Pac-12.[10]

Today, conference reorganization and consolidation are continuing to occur. Oklahoma University and the University of Texas at Austin, two major members of the Big 12, announced they will leave and join the Southeastern Conference (SEC), likely starting in the 2024 season.[11] The Big 12 will also be adding Cincinnati, Houston, Brigham Young University, and the University of Central Florida in 2023, all of which were previously in conferences outside of the Power 5.[12]

[8] https://archives.library.illinois.edu/slc/rose-bowl-1947/

[9] Excerpts from https://www.washingtonpost.com/made-by-history/2022/07/11/history-explains-why-it-makes-sense-usc-ucla-join-big-ten/

[10] https://pac-12.com/about-pac-12#pac12history

[11] https://www.cbssports.com/college-football/news/texas-oklahoma-to-the-sec-longhorns-sooners-targeting-2024-as-debut-season-in-league-per-report/

[12] https://www.cbssports.com/college-football/news/cincinnati-houston-ucf-to-join-big-12-in-2023-as-aac-paves-way-for-conference-usa-additions/

A major factor influencing how the college sports landscape continues to shift is teams' and conferences' focus on building alliances that will attract or leverage major television markets. In this spirit, College Football Playoff (CFP) officials have discussed expanding the number of teams that qualify for the CFP to 12 or even 16.[13] The College Football Playoffs are already worth an estimated half a billion dollars in media value, with contracts for specific bowl games bringing this total to over $600 million annually.[14]

Given ongoing conference contract negotiations and other factors, it is impossible to know the precise value of a future Pac-12 media contract. However, publicly reported figures provide a way to generally assess the financial stakes. Prior to the announced departure of USC and UCLA on June 30, the Pac-12 conference reportedly anticipated negotiating a new media rights deal in 2024 of at least $500 million per year.[15] This amount would yield approximately $42 million in media rights for each Pac-12 school, an amount that would be projected to grow upon the expansion of the CFP to 12 teams.

Analyzed on its own, USC's move to a different conference will have significant fiscal impact to the remaining Pac-12 schools. USC is the single biggest driver of football viewership revenue in the conference.[16] Due to the prominence and history of its program, it has been reported that USC carries as much as 30 percent of the media value of the Pac-12, which would represent an estimated impact of almost $10M for each of the remaining 11 Pac-12 campuses.[17]

Beyond USC's departure, Pac-12 schools may experience an additional impact from UCLA's planned departure. Based on media estimates of UCLA's value to the Pac-12 and the yet-to-be-determined media rights deal, the impact of UCLA's departure is expected to be perhaps a third of USC's impact.

Table 2: Estimated Pac-12 Media Distributions from USC's departure

Pac-12 media distribution ($M)	A	$500.0
Earnings per campus ($M)	B=A/12	$41.67
USC's value to Pac-12 earnings	C	30%
Revised Pac-12 earnings w/out USC ($M)	D=A*(1-C)	$350.0
Revised earnings per campus ($M)	E=D/11	$31.82
Loss for remaining Pac-12 schools ($M)	F=E-B	($9.8)

This table solely covers the projected decline in Pac-12 media rights distribution. The fiscal impact will likely be significantly greater with the potential loss of ticket sales and a decline in apparel and other corporate sponsorships and other ancillary athletics revenues.

[13] https://theathletic.com/3450650/2022/07/26/college-football-playoff-expansion-options/
[14] https://apnews.com/article/college-sports-football-business-entertainment-college-football-e2e2beb24fac0b8782b96e841cfb9b40
[15] https://www.si.com/college/2022/07/05/pac-12-statement-media-rights-conference-realignment-football
[16] https://usctrojans.com/sports/2018/7/25/usc-football-history-bowls.aspx and http://fs.ncaa.org/Docs/stats/football_records/2021/FBS.pdf
[17] https://www.seattletimes.com/sports/uw-husky-football/analysis-pac-12-media-valuations-suggest-expansion-doesnt-make-financial-sense/ and https://trojanswire.usatoday.com/2022/07/13/pac-12-insider-usc-alone-represented-30-of-total-pac-12-media-rights-value/

Meanwhile, ongoing negotiations over conference membership add greatly to the financial uncertainty of the current moment for the Pac-12, ACC, and Big Ten conferences, as well as colleges and universities across the country. UCLA's planned move to the Big Ten, for example, would exacerbate these challenges for remaining Pac-12 schools, pending a new media rights contract or other currently unforeseen conference realignments.

Concerns Related to UCLA Joining the Big Ten on UCLA and Other UC Campuses

Background

In response to UCLA's announced move to the Big Ten, UCOP collected information from other UC undergraduate campuses on their current athletics programs and any anticipated impacts on their campuses. UCOP sought and received specific information from UCLA about the expected impact of this transition on its programs and student-athletes.

Seven out of nine UC campuses—all campuses other than UCLA and UC Berkeley—reported that they expect to experience little to no impacts from UCLA's shift in conference.

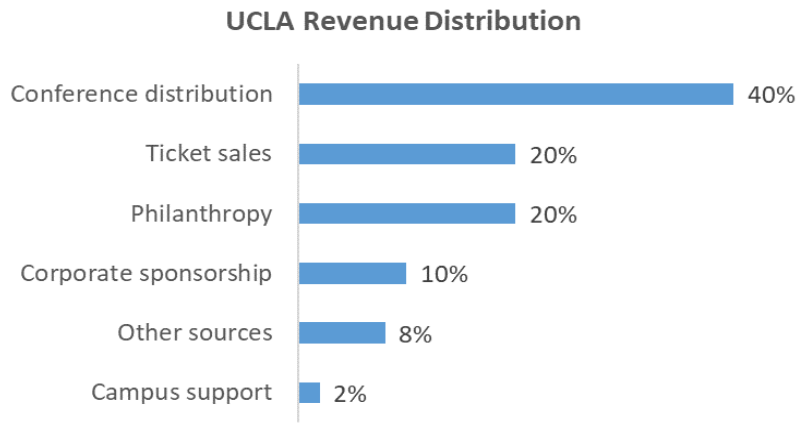
UC Berkeley is the only other UC campus in the Pac-12[18], and the only other campus in the Power 5. Merced does not participate in NCAA athletics, and Santa Cruz competes at the Division III level. Davis, Irvine, Riverside, San Diego, and Santa Barbara all noted that they would experience minimal direct impact from UCLA's departure from the Pac-12 and addition to the Big Ten. Davis, Riverside, and San Diego acknowledged that the national trends of conference reorganization and consolidation could impact mid-tier conferences such as the Big West and noted that UCLA's changes in scheduling might impact occasional intra-UC competitions.[19]

UCLA and UC Berkeley Financial Status

These events are taking place at a moment of seismic change for athletic programs across the country. Like many programs, UCLA Athletics and Cal Athletics are currently navigating a rapidly shifting NCAA conference landscape, a changing market for apparel partnerships, major changes to NIL rules, and the impacts of the COVID-19 pandemic, among other factors.

The UCLA Athletics program has traditionally generated sufficient revenue to be almost entirely self-funded. The department is responsible for generating funding to sustain 25 intercollegiate teams and high-level participation opportunities for approximately 700 student-athletes every year. More than half of UCLA Athletics revenue comes from conference media distributions and ticket sales, and about two percent from general campus support on an ongoing basis.

[18] UC Davis will become a Pac-12 affiliate for women's lacrosse in 2023.
[19] Based on responses received from senior campus leadership.



Source: UCLA Athletics. Note that these proportions vary annually.

Although UCLA has traditionally been a nearly balanced budget program, infrastructure investments and other one-time disruptions have combined to create a significant structural deficit in recent years. In 2021-22, the deficit was $28M.

Cal Athletics' has also faced a sizable structural deficit in recent years. Prior to the 2019 implementation of a new budget agreement, Cal Athletics received approximately $24M in annual support from the central campus. In 2019, the Chancellor and Athletic Director developed a long-term financial agreement that would result in a decrease in institutional support that would level off at $13.35M by 2025.

Cal Athletics' current long-range budget will come into balance if all projected revenue is realized, while strictly controlling expenses. The ongoing and significant impact of inflation, the impact of USC's departure and UCLA's potential departure, changing market conditions, and increased costs to remain competitive in recruiting, developing, and retaining student-athletes, create a very challenging budgetary environment for the program.

In the coming years, UC Berkeley and UCLA—like other colleges and universities navigating these conditions—will need to carefully evaluate their future paths.

Impacts on Culture and Regional Partnerships

UC alumni, Californians, Americans, and fans from around the world feel a deep sense of personal connection and allegiance to UC athletic programs and student-athletes. These connections have been built over generations cheering on their favorite teams and athletes.

UCLA and Berkeley are the two UC campuses that compete in the Pac-12 as their primary conference. As is true with all programs, they both routinely participate in out-of-conference competition as well. UCLA's planned departure from the Pac-12 would nevertheless herald a new era for both schools. Familiar opponents, games, and traditions, some going back decades, would change as conference alignments change. The converse is also true, of course; as old relationships evolve, new ones form.

Concerns about a Change in Conference Membership on UCLA Student-Athletes

Background

UCLA and Cal have a rich history of excellence in athletics. UCLA has 119 NCAA championships, with 56 in women's sports. The Bruins have earned 270 Olympic medals and countless world championships. UCLA Athletics alumni include sports pioneers and American legends from Jackie Robinson and Kareem Abdul-Jabbar, to Ann Meyers Drysdale, Arthur Ashe, Jackie Joyner-Kersee, John Wooden, Lisa Fernandez and many more. Cal has 100 national team championships and 195 individual national champions. Cal Athletics has produced hundreds of Olympians who collectively have won 223 medals in the Olympic Games. Notable former Cal student-athletes include Jason Kidd, Layshia Clarendon, Natalie Coughlin, Collin Morikawa, Alex Morgan, Aaron Rodgers and Marshawn Lynch.

UCLA and UC Berkeley student-athletes also perform well academically, with an 89 percent overall graduation success rate for both campuses. UCLA men's tennis and women's basketball, crew, golf, gymnastics, swimming and tennis and Berkeley men's basketball and tennis and women's golf, gymnastics, softball, tennis and volleyball have had a 100 percent graduation success rate.[20] Over the past 10 years, graduation success rates have risen across all UC campuses that participate in NCAA sports.

Academically, the Pac-12 is composed of a strong cadre of research institutions: nine of the 12 current schools, including UCLA and USC, are members of the American Association of Universities (AAU), a group of the nation's leading research universities. The Big Ten is of comparable academic excellence. Thirteen of 14 current Big Ten members are AAU members. For comparison, there are 11 total AAU members among the combined 43 schools that comprise the other three Power 5 conferences.

Impacts on UCLA Student-Athletes

Multiple stakeholders have expressed concerns about the impact of UCLA's announced move to the Big Ten on UC student-athletes. Supporting UC student-athletes as scholars and competitors is the University's top priority. Accordingly, UCOP examined existing research and evaluated UCLA's current competition schedule in order to understand how joining the Big Ten may impact the student-athlete experience.

Current travel practices

Currently, most UCLA teams use commercial airlines to travel to away games, leaving a day before a competition and returning the day of or day after competition, with departure and arrival times varying by trip. Campuses' athletic scheduling practices strive to minimize missed class time while still putting student-athletes in the best position to compete effectively. Current Pac-12 conference travel for many sports includes "travel partner" locations. This enables a school to fly into one location and play two schools, with a bus ride in between the two, e.g., Washington and Washington State. The Big Ten would

[20] 2020-21 NCAA reporting for the 2011-14 cohorts (https://web3.ncaa.org/aprsearch/public_reports/gsr2021/110.pdf?v=1659368415836 and https://web3.ncaa.org/aprsearch/public_reports/gsr2021/107.pdf?v=1659368415836)

also yield travel partners, but in some cases those schools may be further geographically separated and could require a flight between the two competitions. Big Ten opponents are located in the following states: California (2), Illinois (2), Indiana (2), Iowa, Maryland, Michigan (2), Minnesota, Nebraska, New Jersey, Ohio, Pennsylvania, Wisconsin.[21]

Travel impacts

In examining UCLA's 25 athletic teams and 700 student-athletes, it is clear that a transition to the Big Ten would impact student-athlete travel.

Fourteen of UCLA's 25 teams – about 373 students – do not compete in structured conference competition or compete usually in multi-team events and tournaments, and therefore would have minimal or no increase in travel: Women's Beach Volleyball, Men's and Women's Golf, Men's Volleyball, Men's and Women's Cross Country, Indoor Track & Field and Outdoor Track & Field, Women's Rowing, Women's Swimming & Diving, Men's and Women's Water Polo. Of these 14, four are sports not sponsored by the Big Ten, and would thus maintain existing schedules.

Three of UCLA's 25 teams currently utilize chartered flights for competitions: Women's Basketball, Men's Basketball, and Football (155 students). These teams currently have five or six conference away trips each season. These would see increased flight times of one to three hours each way and time zone changes that may warrant an extra night away from campus on certain occasions.

The remaining eight UCLA teams (175 students) are: Men's Baseball, Men's and Women's Soccer, Men's and Women's Tennis, Women's Softball, Women's Gymnastics, and Women's Volleyball. Currently, these teams take two to five conference-related away trips each year. They currently may also travel for non-conference competition to the Midwest, South, and East Coast once or twice per season. As members of the Big Ten, some non-conference competitions could instead take place in California, reducing travel time. Year-over-year projected travel time increases would be the difference in travel to conference away games in the Midwest compared to the Mountain/Pacific West. In cases where the travel requirements present a significant burden, charter flights or other conference alignments are of course possible. As noted earlier, current UC teams compete in at least two and as many as seven conferences per campus.

Table 3 below shows a breakdown of sports with travel impact, including the size of their rosters and total number of athletes affected.

[21] Indiana, Iowa, Michigan, and Ohio are subject to California's AB 1887 state-funded travel prohibition. In the Pac-12, Utah is on the AB 1887 prohibition list. Teams do not use state funds for travel to these states.

Table 3: UCLA Athletic Teams by Travel Impact

Sports with minimal or no travel impact

Men's sports	Roster	Women's sports	Roster
Track & Field (indoor and outdoor)	46	Track & Field (indoor and outdoor)	60
Water Polo*	34	Rowing	55
Volleyball*	22	Swim & Diving	43
Cross Country	20	Water Polo*	27
Golf	14	Cross Country	22
		Beach Volleyball*	20
		Golf	10
Men's total	**136**	**Women's total**	**237**

Sports with charter flights, marginal travel impact

Men's sports	Roster	Women's sports	Roster
Basketball	15	Basketball	15
Football	125		
Men's total	**140**	**Women's total**	**15**

Sports with increased travel impact

Men's sports	Roster	Women's sports	Roster
Baseball	38	Soccer	27
Soccer	27	Softball	22
Tennis	14	Gymnastics	21
		Volleyball	16
		Tennis	9
Men's total	**79**	**Women's total**	**95**

* Indicates teams that are not sponsored by the Big Ten and would be unaffected by the move

NCAA rules mandate a maximum of 20 hours for per week required athletic activities, excluding travel.[22] In support of Regents Policy 3501: Policy on Student-Athletes,[23] UCOP surveys campuses to track compliance with the policy, including the 20-hour rule. The 2021 survey reported all UC Division I schools in compliance. At UCLA, every sport must develop a time management plan (TMP) to provide student-athletes with greater predictability and transparency in their athletic schedules and help them effectively plan their athletic and non-athletic activities. Countable athletically-related activities include practices, team meetings, competitions, and strength and conditioning workouts. It does not include travel time. The Compliance Office reviews all teams' TMP with informal observations of practices and anonymous surveys of student-athletes to confirm practices schedules.

[22] The 20-hour maximum does not include travel.
[23] https://regents.universityofcalifornia.edu/governance/policies/3501.html

A Review of the Regents Delegation of Authority as it Pertains to Athletics Operations

Background

In addition to assessing the impact of UCLA's transition to the Big Ten on other UC campuses and UCLA student-athletes, a review of the Regents' delegation of authority as it pertains to athletics operations was also conducted.

Section 100.4 (dd) of the Standing Orders of the Regents grants the President authority to execute agreements and contracts, with limited exceptions for certain matters involving medical, communications, and assumptions of liability for persons other than University affiliates.[24] In 1991, the Office of the President delegated authority to the Chancellors to execute certain agreements, which included intercollegiate athletic agreements, excluding coaching contracts.[25] Since that time, these provisions have been construed to grant authority to the Chancellors to determine membership in athletic conferences. As noted in earlier sections, conference affiliations for a single campus may have significant effects on other University campuses. UCLA's decision to apply for membership in the Big Ten Conference revealed potential gaps in the University's oversight model in at least two respects:

- The decision could create adverse impacts on UC Berkeley and could have had meaningful implications for other UC campuses, and therefore may have benefited from a systemwide perspective to assure that University interests as a whole were adequately considered. Chancellors are charged with promoting the overall welfare of their campuses and are often not best positioned to consider the University-wide perspective because of the inherent conflicts of interest.
- Severe time constraints precluded the Regents from being in a position to offer any meaningful input into the decision.

Any solution to these concerns will need to balance the imperative for a systemwide perspective with the need to decide quickly during the inevitable future occasions when a failure to act promptly could compromise a valuable University opportunity.

Options Considered

In developing a proposal for consideration by the Regents, three options were considered:

(1) Withdraw the current delegations entirely for specified athletics matters and instead require direct Regental approval.
(2) Maintain the delegation of authority to the President but, for specified athletics matters, prohibit re-delegation of that authority to the Chancellors.
(3) Maintain the current delegations of authority to the President and to the Chancellors for all athletics matters, with specific instructions regarding when the Regents are to be notified of certain athletics developments.

[24] https://regents.universityofcalifornia.edu/governance/standing-orders/so1004.html
[25] https://policy.ucop.edu/_files/da/da1058.html

All of these options assume that a measure of authority will continue to be delegated to the President and to the campuses for managing the day-to-day affairs of the athletics departments, and that Regental oversight will be focused on select circumstances and key developments that will be specified in policy.

Proposal

After a review of current policies and practices, and informed by the concerns that emerged from UCLA's decision to seek Big Ten Conference membership, we submit the following proposal for consideration.

The University President would retain authority to decide all matters regarding athletics programs except those matters previously reserved to the Regents, i.e., coach compensation parameters and Regents Policy 3501 (Option 2 above). Such authority would be subject to limitations on re-delegation for matters involving athletics affiliations and other transactions, including athletic conference memberships, that meet one or more of following criteria:

- The proposed transaction likely will have material adverse financial impact on other campus(es) in the UC system—for purposes of this provision, "material" means an adverse impact equal to or greater than 10% of the operating revenue(s) of the athletic department(s) of the other campus(es);
- The proposed transaction raises a significant question of University policy; and/or;
- The proposed transaction likely will create significant risk of reputational harm to any campus or to the University.

The proposed policy updates would obligate the President to notify the Chair of the Board of Regents and the Chair of the Standing Committee with jurisdiction over the matter, in advance of any decision, when matters falling within the above criteria are expected to come to the President for decision. Such notice would be required to be delivered as soon as is practicable and communicated in the same manner that matters are presented to the Regents under the then-current Interim Action rules (though the President would not be seeking a decision by the Regents).

So notified, the Board and Committee Chairs, together with the President, would be in a position to consider convening a special meeting of the full Board to discuss or take action on the matter. Per normal governance rules, the Regents in all events would retain the authority to withdraw their delegation to the President on a case-by-case basis, when circumstances warrant it, and to act on specific matters directly.

Rationale

The above proposal offers maximum flexibility for the Regents to determine the approach best suited to the situation. The Regents would retain authority to intercede but may refrain from exercising it when circumstances make it challenging to comply with the fiduciary duty of care and fully-informed decision-making. The requirement for advance notice of matters meeting the above criteria assures that Regents' leadership will be engaged and that the proper level of oversight will be determined. Because notice will be delivered in the same manner as requests for Interim Action, it will receive the same consideration by the same members entrusted by the full Board to make decisions on its behalf when matters require Regental action between meetings.

The University President routinely applies a University-wide lens to all decision-making. As between the Regents and the President, the Regents will expect that the President be better positioned to decide quickly on complex matters involving a balancing of contrasting campus interests, and when circumstances dictate a prompt decision. Through regular interactions with the campus Chancellors, the President is likely more current on day-to-day campus operations. Similarly, through regular engagement with the higher education industry, the President is likely more current on university trends and benchmarks. The President can more easily marshal the resources necessary to become informed and make decisions of this nature.

With regard to the other options, withdrawing the current delegations entirely for matters meeting the above criteria, and requiring Regental action exclusively, is a feasible alternative, though it affords the Regents less flexibility, especially in emergent circumstances. Under this option, Regental approval could be obtained via Interim Action by the Chair of the Board and the Chair of the authorized standing committee, or through the Governance Committee. Nonetheless, this option could require significant effort by a few members of the Board within a short timeframe to become sufficiently conversant in campus and industry dynamics to make a fully-informed decision.

Maintaining the delegations for all athletics matters with the President and the Chancellors would eliminate the extra measure of assurance afforded under the other options that matters will receive adequate systemwide scrutiny.

Implementation

If the above proposal were adopted, implementation would require the following:

- A new Regents Policy re-affirming general delegation to the President and, more importantly, establishing re-delegation limitations.
- Clarifying language in Bylaw 22.2.

Appendix I – UC Campus Athletic Programs and Conferences

Men's Athletics	**UCLA**	**UCB**	**UCD**	**UCSD**	**UCI**	**UCSB**	**UCR**	**UCSC**	**UCM**
Baseball	Pac 12	Pac 12	Big West	Big West	Big West	Big West	Big West		Cal Pac
Basketball	Pac 12	Pac 12	Big West	Big West	Big West	Big West	Big West	C2C	
Cross Country	Pac 12	Pac 12	Big West	Big West	Big West	Big West	Big West	C2C	Cal Pac
Fencing				MPSF					
Football	Pac 12	Pac 12	Big Sky						
Golf	Pac 12	Pac 12	Big West	Big West	Big West	Big West	Big West		
Gymnastics		MPSF							
Rowing		Pac 12		WIRA					
Rugby		PAC							
Soccer	Pac 12	Pac 12	Big West	Big West	Big West	Big West	Big West	C2C	Cal Pac
Swim & Dive		Pac 12		MPSF	Big West	MPSF		PCSC	
Tennis	Pac 12	Pac 12	Big West	Big West	Big West	Big West	Big West	C2C	
Track & Field (indoor)	MPSF						MPSF		
Track & Field	Pac 12	Pac 12	Big West	Big West	Big West	Big West		C2C	Cal Pac
Volleyball	MPSF			Big West		Big West		C2C	Cal Pac
Water Polo	MPSF	MPSF	WWPA	WWPA	Big West	GCC			CWPA

Women's Athletics	**UCLA**	**UCB**	**UCD**	**UCSD**	**UCI**	**UCSB**	**UCR**	**UCSC**	**UCM**
Basketball	Pac 12	Pac 12	Big West	Big West	Big West	Big West	Big West	C2C	Cal Pac
Beach Volleyball	Pac 12	Pac 12	Big West						
Cross Country	Pac 12	Pac 12	Big West	Big West	Big West	Big West	Big West	C2C	Cal Pac
Equestrian			ECAC*						
Fencing				MPSF					
Field Hockey		AEC	AEC						
Golf	Pac 12	Pac 12	Big West		Big West		Big West	ASC	
Gymnastics	Pac 12	Pac 12	MPSF						
Lacrosse		Pac 12	Pac 12 (23-24)						
Rowing	Pac 12	Pac 12		CAA					
Soccer	Pac 12	Pac 12	Big West	Big West	Big West	Big West	Big West	C2C	Cal Pac
Softball	Pac 12	Pac 12	Big West	Big West		Big West	Big West		
Swim & Diving	Pac 12	Pac 12	MPSF	MPSF		MPSF		PCSC	
Tennis	Pac 12	Pac 12		Big West	Big West	Big West	Big West	C2C	
Track & Field (indoor)	MPSF		MPSF		MPSF	Big West	MPSF		
Track & Field	Pac 12	Pac 12	Big West	Big West	Big West	Big West		C2C	Cal Pac
Volleyball	Pac 12	Pac 12	Big West	Big West	Big West	Big West	Big West	C2C	Cal Pac
Water Polo	MPSF	MPSF	Big West	Big West	Big West	Big West			CWPA

AEC = America East Conference
ASC = American Southwest Conference
C2C = Coast to Coast Athletic Conference
CAA = Colonial Athletic Association
CWPA = Collegiate Water Polo Association
ECAC = Eastern College Athletic Conference
GCC = Golden Coast Conference
MPSF = Mountain Pacific Sports Federation
PCSC = Pacific Coast Swim Conference
WIRA = Western Intercollegiate Rowing Association
WWPA = Western Water Polo Association