

SUMMARY OF SUMMER 2011 QUARTERLY MEETINGS

The National Collegiate Athletic Association

Division III Management Council July 25-26, 2011 Indianapolis, IN	Division III Presidents Council August 11, 2011 Indianapolis, IN
Kitty Baldrige, Gallaudet University Kurt Beron, University of Texas at Dallas Tim Downes, Emory University Tucker Glass, Plattsburgh State University of New York Mary Jo Gunning, Marywood University Marjorie Hass, Austin College Janine Hathorn, Washington and Lee University Portia Hoeg, Lake Forest College Kirin Khan, Mills College Bill Klika, Fairleigh Dickinson University, Florham Chris Martin, College Conference of Illinois & Wisconsin [<i>chair</i>] Jeff Martinez, University of Redlands [<i>vice chair</i>] Nancy Meyer, Calvin College Steve Nelson, University of Wisconsin, Superior Charlie Robert, Nichols College Terry Rupert, Wilmington College (Ohio) Lou Stark, Coe College Chris Thomforde, Moravian College	Livingston Alexander, University of Pittsburgh, Bradford Robert Antonucci, Fitchburg State College James Bultman, Hope College [<i>chair</i>] Thomas Chema, Hiram College Charley Edmondson, Alfred University Sharon Herzberger, Whittier College Catharine Hill, Vassar College Brian Levin-Stankevich, University of Wisconsin, Eau Claire Lisa Marsh Ryerson, Wells College Chris Martin, College Conference of Illinois & Wisconsin [<i>chair of Management Council</i>] Jeff Martinez, University of Redlands [<i>vice-chair of Management Council</i>] Fred Ohles, Nebraska Wesleyan University Rosalind Reichard, Emory and Henry College James Schmotter, Western Connecticut State University [<i>vice-chair</i>]
ABSENTEES	ABSENTEES
Stan Ching, Connecticut College Charles Harris, Averett University Fredina Ingold, Pennsylvania State University, Altoona	Marcia Keizs, York College Jack Ohle, Gustavus Adolphus College Ron Thomas, University of Puget Sound
OTHER PARTICIPANTS	OTHER PARTICIPANTS
Scott Bearby, NCAA Gary Brown, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Mark Emmert, NCAA Bernard Franklin, NCAA Eric Hartung, NCAA Amy Huchthausen, NCAA Leah Kareti, NCAA, <i>recording secretary</i> David Klossner, NCAA Debbie Kresge, NCAA Kat Krtnick, NCAA Kiera Miller, NCAA Karen Morrison, NCAA Jeff Myers, NCAA Kristin Nesbitt, NCAA Delise O'Meally, NCAA	Gary Brown, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Mark Emmert, NCAA Bernard Franklin, NCAA Eric Hartung, NCAA Amy Huchthausen, NCAA Leah Kareti, NCAA, <i>recording secretary</i> Annie Kearns, NCAA David Klossner, NCAA Debbie Kresge, NCAA Kat Krtnick, NCAA Kiera Miller, NCAA Jeff Myers, NCAA Delise O'Meally, NCAA

Juanita Sheely, NCAA	
Liz Suscha, NCAA	
Mary Wilfert, NCAA	
John Williams, NCAA	

1. WELCOME AND ANNOUNCEMENTS.

Management Council. The meeting was called to order at 8:03 a.m. by the chair, Chris Martin. The chair welcomed Council members and reviewed the agenda for the meeting.

Presidents Council. The meeting was called to order at 9:09 a.m. by the chair, President Jim Bultman. The Presidents Council attended a joint breakfast of the NCAA Division I Board of Directors and Division II Presidents Council immediately prior to the meeting. This joint breakfast included an update on Association-wide items of interest, including a report on the NCAA Communications task force and litigation update.

2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.

a. Management Council Meetings – April 11-12, 2011.

Management Council. The Management Council approved the summary of its April 11-12, 2011, meetings as presented.

Presidents Council. No action necessary.

b. Presidents Council Meeting – April 28, 2011.

Management Council. No action necessary.

Presidents Council. The Presidents Council approved the summary of its April 28, 2011, meeting as presented.

c. Executive Committee Meeting – April 28, 2011.

Management Council. The Management Council reviewed the minutes of the April 28, 2011, Executive Committee meeting. No action was necessary.

Presidents Council. The Presidents Council reviewed the minutes of the April 28, 2011, Executive Committee meeting. No action was necessary.

d. Administrative Committee Actions.

Management Council. The Management Council approved the minutes of the May 10, May 16, June 9 and July 6, 2011, Administrative Committee actions.

Presidents Council. The Presidents Council approved the minutes of the May 10, May 16, June 9 and July 6, 2011, Administrative Committee actions.

3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.

a. Division III Joint Presidents Council/Management Council Committees or Subcommittees.

(1) Convention-Planning Subcommittee.

Management Council. The Management Council accepted the following topics for the Division III educational programs at Convention:

- Legislative Hot Topics- Recruiting. The session should cover current legislation, highlighting rules application and recent non-controversial updates and then include a discussion of the impact of recruiting rules on institutional enrollment strategy, life-work balance of coaches, and other hot topics.
- Division III Student-Athlete Experience. This session will use the results of the NCAA Growth, Opportunities, Aspirations, and Learning of Students in College (GOALS) and the Higher Educational Research Institute (HERI) study at UCLA to highlight significant elements of the student-athlete experience and discuss what institutions or conference could do with these findings. Examples of information covered include college choice, satisfaction with academic, athletics and extracurricular activities, time demands, community engagement, and self gains.
- NADIII AAA programming. The division will again give NADIII AAA one if its 90 minutes Convention programming slots, and will request that NADIII AAA consider covering budgeting of Division III athletics departments and use of technology in Division III athletics departments, based on the membership survey results.

Presidents Council. No action was necessary. The Council noted that the 2012 Convention will include the same core schedule as 2011, with Presidents Council commitments beginning with a breakfast meeting on Thursday, January 12 and ending with the business session scheduled for 8 am to noon on Saturday, January 14. The Convention will be held in Indianapolis.

Staff Liaisons:
Davey,
Dutcher,
Kareti,
Kresge

Council Reps:
Beron,
Edmundson,
Herzberger,
Khan,
Meyer, Stark

Staff Liaisons:

**Barnett,
Dutcher,
Hartung,
Huchthausen,
Kareti
Kresge
Worlock,**

Council Reps:

**Baker,
Beron,
Glass,
Hass,
Levin-Stankevich,
Ryerson,
Martin,
Martinez,
Schmotter,
Stark**

(2) Strategic-Planning and Finance Committee.

(a) 2012 Division III Strategic Plan.

Management Council. The Council approved the 2011-12 Division III Strategic Plan noting the addition of specific divisional priorities to successfully:

- Implement the partnership with Special Olympics;
- Establish a Division III-specific Academic All-America program;
- Partner with Divisions I and II to better establish an Association-wide approach to membership growth management;
- Incorporate the policy focus of the NCAA's Office of Inclusion in the division's management of diversity and gender equity issues; and
- Pursue a substance use deterrence model focusing primarily on education, in partnership with the student affairs community and including appropriate emphasis on the role of coaches. This shall be supplemented by opportunities for voluntary, local testing while the division maintains its championships drug testing program.

The Management Council concluded that these priorities are consistent with previously approved budget items and serve the best interests of student-athletes.

Presidents Council. The Presidents Council approved the Strategic Plan, with the exception of the recommendation related to the financial support of voluntary, local drug testing [See item (b) below].

(b) Drug Testing Models.

Management Council. The Council approved the committee's recommendation to conduct further analysis and refinement of the following drug testing options:

- Matching grant, no required protocol.
- NCAA administered mini grants, both with and without required protocol; and
- Pursue a volume discount through a request for proposal (RFP) for a limited menu of drug testing options. The division would subsidize a portion of this expense using a similar concept to the Identity Purchasing Website.

First, regarding a matching grant program, the committee supported some level of institutional investment in the program, while maintaining ultimate flexibility for institutions by not requiring specific testing protocols. It was noted this will be the most attractive option for institutions already conducting campus-based drug testing.

Second, regarding NCAA administered mini-grants; the committee supported this option, both with and without required protocols, as a way to support institutions that may not have matching funds to dedicate to drug testing. The mini-grant program would provide for some control by the division of how the funds are used, while still affording a campus the flexibility to address local needs and concerns.

Finally, the committee supported the option to pursue a volume discount through RFP for a limited menu of drug testing options where the division would subsidize a portion of this expense (similar to the Identity Purchasing Website concept). This option represents a favorable balance of flexibility in protocol, limiting administrative burden, and maximizing economies of scale.

The committee did not endorse models that would be connected to the Conference Grant Program or otherwise focused on the conference as an entire group, noting the desire of the conference commissioners to maintain the campus-based focus of this initiative. Also, options relying on a single protocol were not endorsed for further study. The committee expressed concern that the ultimate financial allocation for the drug testing program must be consistent with the division's reluctance to launch a national testing program, and that the final testing model must be sensitive to both the Division III philosophy of not treating student-athletes different than the general student body and the usage rates of performance enhancing versus street drugs by student-athletes.

A financial analysis will be included in the refinement of selected proposals for inclusion in the 2012-14 budget.

Presidents Council. In consultation with the Presidents and Chancellors Advisory Group (PAG), the Presidents Council determined that the Division III substance use deterrence strategy should not include the use of financial resources to support optional, campus based drug testing. The PAG and Council concluded that the level of use of performance enhancing substances, as reflected in the results of the division's drug education and testing pilot, does not warrant such an allocation of resources. Rather, the division should focus its efforts and financial resources on education that targets alcohol and other drugs.

(c) Ice Hockey Officiating Stipend.

Management Council. The Council approved the committee's recommendation to deny the funding request of \$15,000 (\$50 per registrant) to subsidize Division III Ice Hockey officials' registration with ArbiterSports.

The national coordinator of Division III ice hockey officials sought this financial support because ice hockey has a preponderance of single sport conferences in an environment where officiating improvement funds are given to multi-sport conferences. With this request, it was noted that officiating improvement has been identified as a priority by the Division III membership and ice hockey is the first predominately single-sport conference sport to be provided education and training under the NCAA/ArbiterSports joint system.

While the Strategic Planning and Finance Committee appreciates the uniqueness of ice hockey, providing a sport-specific subsidy is inconsistent with both the division's normal treatment of officiating improvement and the ArbiterSports fee structure. Ice hockey sponsoring institutions may seek support through their multi-sport conferences, and the ice hockey officiating community has already negotiated a \$24 discount with ArbiterSports by opting to forgo receipt of the standard welcome packet.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(d) Identity Activation for 2011-12.

Management Council. The Council reviewed both existing and in-progress identity activation resources. Regarding Division III week, the Council endorsed an early April timeframe to accommodate outdoor activities, involve prospective student-athletes who may have recently committed to attending an institution, and to ensure that all Division III institutions are in a regular academic term. The division should consider moving Division III week to different times in different years, targeting an October implementation for 2012-13.

The Council reviewed the use of the Purchasing Website and institutional and conference credits, and discussed items to be made available for the 2011-12 site. Consistent with the findings of the Strategic Planning and Finance Committee, the Council expressed that the communication efforts need to give greater emphasis to the high school community, including prospective student-athletes and their parents, and high school coaches and admissions counselors. The division should also consider whether different areas of the country would benefit from a different

communications strategy (based on the concentration of Division III institutions in the region). The Council advised that the division should provide materials and talking points to campuses, who can then reach out to applicable high school audiences. As part of this strategy, the division must ensure that its message points are relevant to college coaches, prospective student-athletes and their parents and coaches. The division should also consider the impact on institutions of having many messages to convey (institutional, conference, NCAA, and other affiliations such as religious or state.)

The Council also reviewed plans to develop a customizable video that communicates the overarching Division III platform and also allows for an institution or conference to add local content. A set of instructions or best practices should accompany the video to provide guidance on how to effectively accomplish the customization.

Finally, the Council received an update on the Division III Special Olympics partnership, which officially launched August 1, 2011. Representatives from Special Olympics or North America and guest speaker Jason Plante from Special Olympics Indiana joined the Council for its joint meeting with the Student-Athlete Advisory Committee. It was noted that most Division III championships will include Special Olympics events in 2011-12, and that the division will launch a website supporting this initiative on August 1.

Presidents Council. No action was necessary.

(e) Drug Education/NASPA Collaboration.

Management Council. The Council reviewed the committee's report regarding a proposal for an NCAA Division III-NASPA Alcohol and Other Drug Education Collaboration. The proposal was drafted in response to the results of the division's drug education and testing pilot and presents a framework for collaboration between the NCAA and NASPA (Student-Affairs Administrators in Higher Education) on the creation and maintenance of a drug education resource for use by both NCAA and NASPA members. The division is awaiting formal response from NASPA on this proposal. No action was necessary.

Presidents Council. No action was necessary.

(f) Academic Reporting Pilot.

Management Council. The Council reviewed the Academic Reporting timeline for 2011-12 and noted that a full report of aggregate findings will be shared in October. It is expected that these findings will be shared with the full membership at the 2012 Convention.

Presidents Council. No action was necessary.

(g) Conference Presidential Leadership Update.

Management Council. The Council reviewed the findings of a survey to assess the role of presidential leadership at the conference level regarding roles, participation and expectation of the institutions' presidents. Essentially, only two of the 42 multi-sports conferences did not conduct a presidential meeting in 2010-11. The committee noted the positive momentum represented in the survey findings and suggests that the best way to reach 100% conference participation in a presidential meeting is through personal outreach to the impacted individuals. Further, the committee requested that the staff produce a resource on conducting effective teleconference or video conference meetings for those conferences that are either geographically dispersed or otherwise not able to conduct in-person meetings. No action was necessary.

Presidents Council. No action was necessary.

(h) Division III Budget.

Management Council. The Council reviewed the division's budget report as of June 27, 2011. The results include \$23,914,000 in revenue and \$18,848,799 in expenses, which reflects a majority of the championship expenses, but excludes many spring events. The Division III reserve balance is expected to be \$16,965,255 at year end. No action was necessary.

Presidents Council. The Presidents Council reviewed the division's budget report as of June 27, 2011. No action was necessary.

(3) Joint Legislative Steering Subcommittee.

(a) Approval of guiding principles.

Management Council. The Management Council accepted the guiding principles developed by the subcommittee for its evaluation of legislative proposals. These guiding principles will serve as a standard filter by which the subcommittee can conduct its work in an efficient manner. Further, it will bring a level of transparency to the process for the membership and governance structure to better understand the lens through which the subcommittee will evaluate legislative proposals as to its either strategic or operational focus. The subcommittee noted the importance of maintaining the discretion to forward any proposal to the Presidents Council as it deems necessary; however, it agreed the following principles would establish a framework for its work:

Staff Liaisons:
Dutcher,
Huchthausen,
Kareti
Myers

Council Reps:
Antonucci,
Bultman,
Harris,
Hass,
Martin,
Reichard,
Stark,
Thomforde

- i. Significant financial impact;
- ii. Significant effect on legislative principles as addressed in the Division III philosophy statement or strategic positioning platform;
- iii. Other issues affecting strategic priorities of the division; and
- iv. Significant Association-wide impact.

Presidents Council. The Council accepted the information.

(b) Referral of 2012 NCAA Convention Legislation to NCAA Division III Presidents Council (Membership – Conference Membership Benefits, Conditions and Obligations).

Management Council. The Council referred to the Presidents Council for consideration the 2012 NCAA Convention legislative recommendation from the NCAA Membership Committee regarding conference membership benefits, conditions and obligations. (See page 25 for related action.)

This proposal is a companion to the proposal already sponsored by the Presidents Council regarding core membership for automatic qualification purposes. While this recommendation largely brings consistency to the legislated benefits, conditions and obligations regarding conference membership, its connection to the automatic qualification proposal and impact on conference membership warrants presidential review.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(c) Referral of 2012 Convention Legislation to Presidents Council (Playing and Practice Seasons – Required Sickle-Cell Testing).

Management Council. The Council referred to the Presidents Council for consideration the 2012 Convention legislative recommendation from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports regarding required sickle-cell testing. (See page 40 for related action.)

This recommendation addresses an issue that has received regular attention by the governance structure, including the Presidents Council, for nearly two years. The significant health and safety impact along with the potential liability issues support the Presidents Council continued involvement on this matter.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(d) **Referral of 2012 Convention Legislation to Presidents Council (Executive Regulations – Professional Sports Organizations’ Financial Sponsorship of Intercollegiate Competition Events and Ancillary Activities).**

Management Council. The Council referred to the Presidents Council for consideration the 2012 Convention legislative recommendation from the NCAA Division III Championships Committee regarding professional sports organizations financial sponsorship of intercollegiate athletics competition events and ancillary activities. (See page 16 for related action.)

This recommendation is in response to the Presidents Council withdrawal of NCAA Division III Proposal No. 2011-13 during the 2011 NCAA Convention. The Presidents Council agreed to withdraw the proposal and charged the national office to more thoroughly examine the issue and return with a more complete proposal to address the involvement of professional sports organizations with intercollegiate competition and other events in a manner consistent with the Association’s amateurism principles. This same proposal will be considered in all three divisions as it has an Association-wide impact regarding the administration of NCAA championships. For these reasons, this proposal warrants presidential review.

Presidents Council. The Presidents Council approved the Management Council’s recommendation.

(e) **Referral of 2012 Convention Legislation to NCAA Division III Management Council (Personnel – Certified Strength and Conditioning Coaches – Required Sports-Safety Training).**

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 Convention legislative recommendation from the NCAA Division III Interpretations and Legislation Committee regarding required sports-safety training for certified strength and conditioning coaches. (See page 36 for related action.)

While this proposal is based on health and safety concerns, it addresses them through an operational requirement that is an extension of existing legislation.

Presidents Council. The Presidents Council approved the Management Council’s recommendation.

(f) Referral of 2012 Convention Legislation to Management Council (Playing and Practice Seasons – Football – Testing During Five-Day Acclimatization Period).

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 Convention legislative recommendation from the Committee on Competitive Safeguards and Medical Aspects of Sports regarding testing during the five-day acclimatization period in football. (See page 41 for related action.)

This proposal modifies the methods of communication that can be used during the recruitment process, but does not materially impact the principles of recruiting, thereby rendering it an operational matter.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(g) Referral of 2012 Convention Legislation to Management Council (Recruiting – Permissible Electronic Transmissions).

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 membership-sponsored Convention legislation regarding the elimination of the restrictions on electronic correspondence. (See page 47 for related action.)

This proposal modifies the methods of communication that can be used during the recruitment process, but does not materially impact the principles of recruiting, thereby rendering it an operational matter.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(h) Referral of 2012 Convention Legislation to Management Council (Eligibility – Hardship Waiver – Practice After Injury).

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 membership-sponsored Convention legislation regarding practice after a season-ending injury. (See page 47 for related action.)

This proposal is operational in nature as it impacts a student-athlete's eligibility for a hardship waiver.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(i) **Referral of 2012 Convention Legislation to Management Council (NCAA Membership – Conditions and Obligations of Membership – Eliminating Regional Rules Seminar Attendance Requirement).**

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 membership-sponsored Convention legislation regarding elimination of the Regional Rules Seminar attendance requirement to the Management Council for consideration. (See page 46 for related action.)

This proposal is operational in nature as the elimination of this requirement does not have a significant philosophical or strategic impact.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(j) **Referral of 2012 Convention Legislation to Management Council (Playing and Practice Seasons – Required Day Off – Voluntary Strength and Conditioning Activities Prohibited During Required Day Off).**

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 membership-sponsored Convention legislation regarding the prohibition of voluntary workouts conducted by a certified strength and conditioning coach on the mandatory day off during the playing season and outside the playing season. (See page 47 for related action.)

This proposal is operational in nature as the extension of the mandatory day off legislation does not have a significant philosophical or strategic impact.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(k) **Referral of 2012 Convention Legislation to Management Council (Playing and Practice Seasons – General Playing Season Regulations – Post-season Activities Exempting One Postseason Championship from the 18 or 19 Week Declared Playing Season).**

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 membership-sponsored Convention legislation regarding one postseason championship to occur outside the playing season and to exempt one postseason championship from the maximum contest limits. (See page 47 for related action.)

This proposal is operational in nature since it primarily involves scheduling matters which is handled at the administrative, rather than presidential, level at each institution.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

b. Management Council Subcommittees.

(1) Academic Issues Subcommittee.

• **Waiver Directive – Cooperative Educational Work Experience.**

Management Council. The Council approved the subcommittee's recommendation to issue the following directive:

For waivers of NCAA Bylaw 14.1.8.1 for those student-athletes seeking a waiver of full-time enrollment for the 2011-12 academic year and thereafter, a waiver shall be granted for student-athletes participating in a cooperative educational work experience program that is not a required element of the institution's degree program, if the request demonstrates the experience is common or highly recommended in the field of study. To substantiate this assertion, the following documentation must be provided:

1. **Official Statement.** A statement from the institution's academic authority that confirms both:
 - a. The program is common and/or highly recommended in the student-athlete's field of study, and
 - b. The student-athlete meets the institutional requirements necessary for participation in the program.
2. **Institutional Materials.** The pertinent portion(s) of any institutional material(s) that reflect that cooperative educational work experience is common and/or highly recommended in the student-athlete's field of study (e.g., the institution's course catalog, program literature or the official bulletin specific to the student-athlete's degree program or major).

In addition, when reviewing these requests, the subcommittee will refer to the applicant institution's academic eligibility standards to gauge the student-athlete's academic achievement. This policy is consistent with the Division III philosophy that the institution's own academic standards are the appropriate benchmarks for academic success.

The Management Council had referred this issue to the subcommittee on recommendation from the NCAA Division III Interpretations and Legislative Committee after noting the subcommittee often grants full-time waivers for nonrequired programs if the institution can demonstrate that

Staff Liaisons:
Davey,
Nesbitt

Council Reps:
Ching,
Downes,
Harris

the program is recommended and/or common for the field of study or profession. As a result, the committee agreed that a waiver directive for nonrequired programs would clarify and reduce the burden on schools submitting waivers in these circumstances.

Presidents Council. No action was necessary.

Staff Liaisons:
Brooks,
Oakes

Council Reps:
Downes,
Gunning,
Hathorn,
Robert, Rupert

(2) **Subcommittee for Legislative Relief.**

Management Council. The Council received an oral report. No action was necessary.

Presidents Council. No action was necessary.

(3) **Playing and Practice Seasons Subcommittee.**

- **Review of waiver per NCAA Division III Bylaw 17.1.13.**

Management Council. The Council approved the committee's recommendation to deny a request from North Central College to conduct its nontraditional segment for the sport of softball during its "D-term," a nonrequired period that comprises the first portion of the institution's regular winter term. The subcommittee determined that the institution's nontraditional academic calendar did not interfere with the institution's ability to conduct its non-traditional segment. The institution had nine weeks in the fall term, ample time to conduct the four or five week nontraditional segment. The subcommittee was sympathetic to the institution's plight regarding lack of facility time, but indicated this was a concern for many institutions and was not sufficient rationale for waiving the requirements of Bylaw 17. Granting the waiver would not positively impact student-athlete well being and could provide a greater competitive advantage by condensing the time period between the nontraditional segment and traditional segment.

Presidents Council. No action was necessary.

c. **Division III Committees.**

(1) **Championships Committee.**

(a) **NCAA Bylaw 21.3 Association-Wide Committees – Rules committees without Championships Administration Responsibilities.**

Management Council. The Management Council approved in concept noncontroversial legislation to modify NCAA Division III Bylaw 21.3 to include new stand-alone rules committees for the sports of swimming and diving, track and field and cross country, and wrestling. The new

Staff Liaisons:
Gentry, Suscha,
Williams

Council Reps:
Downes,
Martin,
Nelson

rules committees will consist of nine members (four Division I representatives, two Division II representatives, two Division III representatives and a secretary-rules editor). The modification will create corresponding changes to Bylaws 21.4 and 21.7.5.5.5.

In response to a request for feedback from the NCAA Playing Rules Oversight Panel (PROP), the relevant sport committees discussed the creation of separate rules-making committees and identified several positive outcomes, including a more focused effort on the part of divisional representatives to the rules-making process and greater reach among the membership with respect to sport-focused committee composition. In addition, a move to separate rules committees underscores the importance of a rules-making process that addresses the entirety of the competition season.

The sport committees emphasize the need for regular dialogue with the new rules-making committees to allow for meaningful input in the rules-making process, including the development of rules surveys. For the sports of track and field and cross country and swimming and diving, the committees suggest that, as individuals are evaluated in the nominating process, attention be paid to expertise in the various disciplines within the sport (e.g., diving for swimming and diving, distance running, throws, pole vault, etc. for track and field and cross country).

The estimated budget impact is \$30,000 (\$10,000 per committee). The rules committees will conduct one in-person meeting on an annual basis. The expense will be covered through a reallocation within the existing budget.

In its approval, the Council expressed concern that the Association-wide rules committees consider the financial impact on Division III campuses of any rules changes.

Presidents Council. No action was necessary.

(b) Bylaw 31.3.3.2.2 Secondary Criteria – Ranking and Selection.

Management Council. The Council approved the committee's recommendation for football only, to modify Bylaw 31.3.3.2.2 to reflect that, when all criteria are equal among teams with undefeated records in the primary criteria, the NCAA Division III Football Committee can evaluate a team's performance in the previous championship season in the secondary criteria for ranking purposes only.

The maximum number of games that a football team can play is 10. The conference schedule typically determines 80 to 90 percent of those games, which is significantly higher than any other sport. After taking into account conference games (an automatic .500 strength-of-schedule), the committee is left with only one or two games that have statistical significance with the existing criteria. Thus, the rankings/selections data provides very little objective information to use in ranking teams. The data that is available in the primary criteria for the first two rankings, and sometimes also for the third ranking, often includes only the win-loss percentage and strength-of-schedule [opponents' win-loss percentage (OWP) and opponents' opponents' win-loss percentage (OOWP)].

Limited or no data is available for in-region head-to-head competition, in-region results versus common opponents and in-region results versus ranked teams. It is also very common for fifteen or more teams to have no losses.

Under the existing selection criteria, a good team in a strong conference is at a significant disadvantage. For example, College A and College B are both 10-0. Ninety percent of their schedules reflect a .500 OOWP, since each conference has an equal number of wins and losses, even though College A plays in a strong conference and had a much tougher road getting to 9-0 than College B. Moreover, no teams in contention are willing to play College A in a 10th contest, so it is forced to schedule a weaker team, resulting in strength-of-schedule slightly less than .500. In contrast, College B, from a weaker conference, has many opportunities to schedule a 10th contest, so it schedules and beats a decent team, resulting in strength-of-strength slightly over .500. Based on the data, the committee has no choice but to rank College B over College A, even though it believes that College A is superior to College B.

Permitting the committee to consider a team's performance in the previous championship season would provide an additional criterion to use to evaluate the teams and distinguish one undefeated team from another. Unlike many sports, a football team's success is based on the performance of a significant number of players; thus the rise and fall of a team is usually not affected by the graduation of a few players. If a team has done well in the previous championship and is currently undefeated, there is a significant probability that the team's prior success is an indicator of future success.

Presidents Council. No action was necessary.

(c) **Bylaw 12.6.1 Professional Sports Organizations and Bylaw 31.1.12 Restricted Advertising and Sponsorship Activities.**

Management Council. The Council approved the committee's recommendation to sponsor legislation for the 2012 Convention to specify that a professional sports organization (1) may serve as a financial sponsor of an intercollegiate competition event (e.g., regular season, conference

championship, NCAA championship, other postseason completion), provided the organization is not publically identified as such; and (2) may serve as a financial sponsor of an activity or promotion that is ancillary to the competition event and may be publically identified as such.

In the fall of 2010, the NCAA Division III Presidents Council withdrew NCAA Division III Proposal No. 2011-2-6 regarding advertising and sponsorship by professional sports organizations for NCAA championships. The original impetus for the proposal focused solely on marketing and promotional activities and did not fully contemplate other financial arrangements that are typically associated with various contracts used in the overall championships process. For example, elements such as control of concession revenue, operation of suites and assignment of tickets are often negotiated as part of the overall agreement with a stadium or venue and host institution or conference. Inherent to these contractual issues is a mutual agreement between the NCAA, host institution or conference and facility regarding any number of operational and financial considerations that flow in both directions. In some cases, the facility used is owned or controlled by a professional sports organization (e.g., National Football League team, minor league baseball team).

Each division has been operating under a waiver for NCAA championships that have occurred since the issue was originally raised and a legislative change is necessary for future NCAA championships.

While the original issue centered on NCAA championships, the proposed legislative action item is presented to apply for any intercollegiate competition event so that institutions and conferences would not be held to a different standard than the NCAA. Each division is not required to have the same legislation for institutions, conferences and the NCAA within its own division. It is strongly advised, however, that each division agree on the same legislation for NCAA championships (competition and ancillary events) in order to ensure a consistent championships experience for student-athletes in all divisions. In particular, for combined championships such as men's lacrosse (Divisions I, II and III), women's lacrosse (Divisions II and III), and women's rowing (Divisions I, II and III), a result that has the divisions with different legislation for NCAA championships creates practical implications that would likely mean combined championships would no longer occur.

Presidents Council. The Presidents Council agreed to sponsor legislation for the 2012 Convention.

(d) Bylaw 31.1.9.1 Failure to Adhere to Policies and Procedures - Financial Penalties.

Management Council. The Council approved in concept the committee's recommendation to adopt an administrative regulation to modify Bylaw 31.1.9.1 to increase the maximum penalty that may be imposed

for an institution's failure to adhere to published administrative procedures for the submission of regular-season results, availability questionnaires and/or entry forms, from \$300 to \$600.

The \$300 maximum financial penalty for failure to adhere to policies and procedures governing championships administration has not increased since the adoption of the provision. Research suggests that \$600 in today's dollars is the equivalent of \$300 when the original legislation was adopted. This proposal increases the maximum fine that may be imposed without seeking prior Championships Committee approval. Any fine above \$600 would continue to require prior Championships Committee approval.

Presidents Council. No action was necessary.

(e) Championship Bench Size Limits.

Management Council. The Council approved the committee's recommendation to adjust bench size limits for the championships noted below for the 2011-12 academic year. The additional positions are to be filled at the institution's discretion with student-athletes permitted to be in uniform and participate in practice and warm-ups (refer to Nonlegislative Action Item b). Established squad size limits (i.e., the number of student-athletes permitted to participate in a contest) will remain unchanged.

- Baseball – from 34 to 35;
- Field hockey – from 32 to 34;
- Football – from 72 to 75;
- Men's lacrosse – from 38 to 42;
- Men's and women's soccer – from 32 to 35;
- Men's and women's tennis – bench area not applicable, but the number of participants eligible for practice and pre-match warm-up changes from eight to nine; and
- Men's and women's ice hockey – due to current playing rules, bench area remains at 27 and number of participants eligible for pre-game warm-up remains at 22 (not more than 19 skaters and three goalkeepers) for the 2012 championships, but number of participants changes from 21 to 23.

The committee is recommending the bench size increases in response to a resolution adopted at the 2011 NCAA Convention that promised to study the appropriate number of student-athletes allowed in the bench area at various Division III championships. The Management Council should anticipate a follow-up recommendation for review during its October 2011 meeting for corresponding increases to the squad size and travel party of the applicable sports as part of the 2012-14 biennium championships budget request.

The committee suggests this two-step approach in order to respond to immediate concerns about providing additional student-athletes access to the championships experience while focusing on the interest to fully fund the experience whenever possible. And, while the committee considered an unfunded or partially funded approach to bench size expansion, it determined that a fully funded experience better controls for competitive equity and undue pressure on facilities.

By sport recommendations were based on data compiled from previous championships, including a review of the average squad sizes of previous championship participants, and input requested from sport committees. The committee concluded that the existing limits in some sports were adequate and, as a result, did not recommend changes for those sports. As part of its analysis, the committee evaluated total championship opportunities by gender to ensure that the proposed bench size increases do not disproportionately favor one gender over the other.

Funding for the additional bench size positions will be at the institution's expense in 2011-12, since additional personnel above and beyond the squad size and travel party are not reimbursed by the NCAA. In subsequent years, the Championships Committee recommends that the increases would be fully funded, pending budget approval.

Management Council members noted that their endorsement of the policy changes regarding the bench area for 2011-12 should not be interpreted as a blanket endorsement for budget allocations for squad size adjustments in subsequent years. The Council pointed out that it is only one of several enhancements to the student-athlete championships experience that will be considered when the 2012-14 budget is considered (increases in per diem and more flexibility with ground transportation are examples of others).

Presidents Council. No action was necessary.

(f) Bylaw 31.1.5 Squad Limits.

Management Council. The Council approved the committee's recommendation to approve a one-year waiver of the administrative regulation contained within Bylaw 31.1.5 for those sports contained within the championships bench size limits recommendation, specifically baseball, field hockey, football, men's lacrosse, men's and women's soccer, and men's and women's tennis.

The existing bylaw limits the number of student-athletes permitted in competitive uniform at the start of the competition to the squad size established for the sport. With expanded championships access allowed through the championships bench size limits recommendation, the

permissible number of student-athletes in competitive uniform can exceed the squad size limit. A one-year waiver would allow the designation of the appropriate number of student-athletes in competitive uniform to comply with the recommendation contained within the championships bench size limits recommendation.

Presidents Council. No action was necessary.

(g) Team Personnel – Travel Party and Bench Size Requirement.

Management Council. The Council reviewed the committee's report regarding travel party and bench size requirements. As a part of its discussion concerning championships bench size limits, the committee also considered recommendations to accommodate non-student-athlete personnel as part of the bench area limits. Pending the approval of the forthcoming recommendation concerning squad size increases, the committee anticipates submission of a companion proposal that, by the 2012-13 academic year, will require institutions in team sports other than golf and tennis to include an athletic trainer or team physician as a member of the existing travel party in order to receive travel expenses for that position in the travel party. For football, the requirement will be applicable for two such positions. If an institution does not comply, then that spot(s) in the travel party will not be eligible for reimbursement. Institutions also will be allowed to include one additional medical personnel (which could be a student-athlete trainer) – or two additional for football – in the bench area at the institution's expense. In addition, the committee intends to propose that an additional member of the travel party be designated for a team administrator as part of the 2012-14 biennium championships budget request. Currently, while it is required for participating institutions to bring an administrator who does not have other specified duties at the championship, that person is not funded. No action was necessary.

Presidents Council. No action was necessary.

(h) Sport Committee Appointments.

Management Council. The Council accepted the information that the committee's made the following appointments to sports committees. All appointments will be effective September 1, 2011, unless otherwise noted.

- Division III Baseball Committee. Mid-Atlantic region: Bill Stiles, director of athletics and recreation, Alvernia University.
- Division III Women's Basketball Committee. East region: Tara Ruckh, women's basketball coach, State University of New York at Potsdam. Great Lakes region: Dixie Jeffers, women's basketball coach/senior woman administrator, Capital University.

- Division III Field Hockey Committee. North Atlantic region: Wendy Andreatta, head field hockey coach, University of Rochester.
- Division III Football Committee. South region: Loren Dawson, head football coach, Austin College.
- Division III Women's Ice Hockey Committee. ECAC East Hockey League: Renee Hellert, assistant director of athletics, New England College.
- Division III Men's and Women's Track and Field Committee. Atlantic region: Mary Kate Curran, head women's track and field coach, St. Lawrence University.
- Division III Women's Volleyball Committee. Immediate vacancy replacing Sue DuMars – Mid-Atlantic region: Pamela Samuelson, director of athletics, Susquehanna University. Immediate vacancy replacing Elise Cooper – New York region: Jonathan Penn, head women's volleyball coach, Vassar College. September vacancy – West region: Mari Burningham, head women's volleyball coach, University of Redlands.
- Division III Wrestling Committee. Immediate vacancy replacing Frank O'Brien – Midwest region: Dick Simmons, associate director of athletics, Cornell College.

Presidents Council. No action was necessary.

(i) Men's and Women's Basketball Officials ArbiterSports Test.

Management Council. The Council accepted the information that the committee approved a proposal from the NCAA Division III Men's and Women's Basketball Committees (and supported by Division III conference commissioners) that all basketball officials must take and pass an online test on ArbiterSports in order to be considered for selection to work the NCAA Division III Men's or Women's Basketball Championships. The policy is effective with the 2011-12 season.

In order to access the test, an official must register through ArbiterSports and pay a \$100 membership fee. Therefore, any official who wants to be considered for NCAA championship selection must register on this website.

Presidents Council. No action was necessary.

(j) Go Ground Transportation Program.

Management Council. Juanita Sheely, NCAA travel and insurance manager, visited the Council to provide an update and receive feedback on the NCAA's Go Ground Transportation pilot program.

Presidents Council. No action was necessary.

Staff Liaisons:
Hartung,
Myers,
Nesbitt

Council Rep:
Rupert

Staff Liaisons:
Cooper,
Elworth

Council Rep:
Gunning

(2) **Financial Aid Committee.**

Management Council. The Council received an oral report. No action was necessary.

Presidents Council. No action was necessary.

(3) **Committee on Infractions.**

- **NCAA Bylaw 19.5.2 – Penalties for Major Violations.**

Management Council. The Council ratified a policy and procedure to revise Bylaw 19.5.2, per the following:

19.5.2 Penalties for Major Violations

19.5.2.1 Presumptive Penalty. The presumptive penalty for a major violation, subject to exceptions authorized by the Committee on Infractions on the basis of specifically stated reasons, shall include all of the following:

- (a) A two-year probationary period (including a periodic in-person monitoring system and written institutional reports);
- (b) The reduction in the number of expense-paid recruiting visits to the institution in the involved sport for one recruiting year;
- (c) **A restriction on activities and benefits provided during un-official visits.**
- (d) A requirement that all coaching staff members in the sport be prohibited from engaging in any off-campus recruiting activities for up to one recruiting year;
- (e) A requirement that all institutional staff members determined by the committee knowingly to have engaged in or condoned a major violation be subject to:
 - Termination of employment;
 - Suspension without pay for at least one year;
 - Reassignment of duties within the institution to a position that does not include contact with prospective or enrolled student-athletes or representatives of the institution's athletics interests for at least one year; or
 - Other disciplinary action approved by the committee.

- (f) Sanctions precluding postseason competition in the sport, particularly in those cases in which:
 - Involved individuals remain active in the program;
 - A significant competitive advantage results from the violation(s); or
 - The violation(s) reflect a lack of institutional control.
- (g) Institutional recertification that the current athletics policies and practices conform to all requirements of NCAA regulations.

[Remainder of 19.5.2 unchanged]

It has come to the attention of the office of the Committees on Infractions that, over the past decade or so, many institutions have moved away from using official paid visits as a recruiting tool in favor of unofficial visits. A limitation on the number of expense-paid (“official”) visits is a penalty available to the Committees on Infractions in all three divisions under Bylaw 19.5.2. (2010-11 NCAA Manuals). There is currently no penalty available that addresses unofficial visits. In Division III, there are no limits on the number of official or unofficial visits and it would be difficult to restrict prospects in making unofficial visits to campuses. However, it would appear that there could be restrictions placed on the benefits and activities made available to prospects by institutions during unofficial visits. In Division III, examples of such include the following (See: Bylaw 13.7):

- Tickets or passes to athletics contests.
- Transportation to view practice and competition sites on the institution’s campus.
- A meal for the prospective student-athlete and his or her relative or legal guardian.
- Housing.
- Contact with institutional staff members.

The members of the Division III COI have approved the proposed new penalty relating to unofficial visits. The new penalty would restrict or prohibit activities and benefits allowed during unofficial visits. As reflected above, it would be inserted after the penalty which allows for a reduction in the number of expense-paid (“official”) recruiting visits and would read “Restrictions on activities and benefits available during unofficial visits.” The specifics of the restrictions would be spelled out in each case as deemed appropriate by the Committees on Infractions.

With this action, the Management Council directs the committee to focus on applying this penalty in an athletics context only and not impact general recruiting efforts by the institution.

Presidents Council. No action was necessary.

(4) **Infractions Appeals Committee.**

Staff Liaisons:
Dantzler,
Smith,
Walters

Council Reps:
Antonucci,
Baldrige

- **Renaming the NCAA Division III Infractions Appeals Committee hearing.**

Management Council. The Council ratified a policy and procedure to revise NCAA Bylaws 19 and 32 to change “hearing” to “oral argument” in sections related to the Infractions Appeals Committee.

The NCAA Division I Committee on Infractions and the NCAA Division I Infractions Appeals Committee Clarification Task Force were charged by the NCAA Division I Board of Directors to review recommendations implemented as a result of the 2006 Enforcement Audit Report May 2006 (Duff Report). A particular area of focus for this working group was on those recommendations that addressed procedures for conducting hearings of the Committee on Infractions and the Infractions Appeals Committee, as well as reviewing and clarifying the relationship between Committee on Infractions and Infractions Appeals Committee.

One of the recommendations from this group was to rename the Infractions Appeals’ hearing. The Infractions Appeals Committee process should not be called a “hearing.” It is not a hearing which would include the submission of evidence and witness testimony. It is an oral argument where an oral presentation of the party’s position and reasoning behind it is presented to an appellate body. The task force believed this change further clarified the process.

Given the purpose of the Infractions Appeals Committee process is consistent across divisions, the Division III Infractions Appeals Committee recommends renaming its hearing to “oral argument”.

Presidents Council. No action was necessary.

(5) **Membership Committee**

Staff Liaisons:
Davey, Orr

Council Rep:
Robert

- (a) **Modification of Wording – NCAA Division III Constitution 3.2.4.15 (Convention and Regional Rules Seminar Attendance).**

Management Council. The Council approved in concept and final legislative format a modification of wording to clarify that an institutional voting delegate must be present and vote at the NCAA Convention business session in order to meet the legislated attendance requirement. The NCAA Division III Membership Committee noted the original intent of

the NCAA Convention attendance legislation was that it be satisfied by an institutional staff member casting a vote. The committee has been operating under this threshold since the legislation was adopted. This modification of wording will reflect the committee's intent and better clarify the requirement for member institutions.

Presidents Council. No action was necessary.

(b) Convention Legislation – NCAA Division III Constitution 3.3 (Member Conference) – Core and Member Conference Consistency.

Management Council. The Council approved a recommendation to sponsor legislation for the 2012 Convention to clarify the benefits, conditions and obligations of conference membership and align conference membership requirements with those required for automatic qualification (AQ) standards as outlined in a separate 2012 Convention proposal.

The governance structure supported legislation for the 2012 NCAA Convention to permit institutions to only be core members in one conference for AQ purposes. In its support of this proposal, the governance structure charged the Membership Committee with reviewing conference membership regulations to ensure consistency and clarify in conference benefits, conditions and obligation regulations. This proposal reflects the committee's review of the regulations and brings increased consistency and clarity to the member conference regulations.

Presidents Council. The Presidents Council agreed to sponsor legislation for the 2012 Convention.

(c) Noncontroversial Legislation – NCAA Division III Constitution 3.6.3.1.1 (Fee for Provisional Members).

Management Council. The Council approved in concept noncontroversial legislation to modify the provisional and reclassifying membership fee structure such that the amount of the fee(s) will be determined annually by the Division III Membership Committee based on the continual analysis of expenses and benefits associated with the membership process.

As expenses to provide educational services and support to provisional and reclassifying members increase due to changes in programming and costs, it has become necessary to change the fee structure to cover NCAA national office programming expenses. Therefore, it will be

necessary to periodically evaluate this fee and increase as appropriate. Further, use of the NCAA mark (e.g., blue disk) provides financial value and benefits to institutions and the committee recognizes that the blue disk value should be a factor in any future provisional and reclassifying fee(s).

Presidents Council. No action was necessary.

(d) Constitution 3.2.4.15.3 (Waiver) – NCAA Convention Attendance Waiver Request.

Management Council. The Council approved a waiver of the 2011 NCAA Convention attendance requirement per Constitution 3.2.4.15.3 (waiver) for Southern Vermont College. The effective date is September 1, 2010, through September 1, 2011; for the 2011 NCAA Convention.

The institution was unable to attend due to extraordinary weather conditions, personal hardship and the combination of both factors. The committee recognized, however, that the institution still took measures to ensure its vote was cast through its conference commissioner.

Presidents Council. No action was necessary.

(e) Sports Sponsorship Waiver – Wheelock College Waiver of 20.11.3 (Sports Sponsorship).

Management Council. The Council approved a sport sponsorship waiver for Wheelock College (2010-11 academic year) per NCAA Division III Bylaw 20.11.3.6.1 (male-female enrollment ratio waiver).

The committee noted that the institution was granted a sports sponsorship waiver per NCAA Bylaw 20.11.3.9.2 (single-gender institution transitioning to coeducational institution) during the 2007-08, 2008-09, 2009-10 academic years. Specifically, the institution anticipated the full integration of males during this three-year transition period. However, during the 2010-11 academic year the institution still had a disproportionate enrollment ratio and few men had enrolled. The institution sponsors the requisite number of sports for males, but was unsuccessful in meeting the minimum participant requirement in one sport. The institution provided the committee a plan that demonstrated how the institution will meet future sports sponsorship requirements and outlined active measures the institution takes to solicit male student-athletes. Further, the institution demonstrated that a large number of male students are student-athletes and are provided participation opportunities.

Presidents Council. No action was necessary.

(f) NCAA Division III Constitution 3.2.5.1 (Termination or Suspension – Membership Termination – New York City College of Technology.

Management Council. The Management Council accepted the information that New York City College of Technology withdrew its NCAA membership, effective on conclusion of the 2010-11 academic year. The Membership Committee in July had recommended terminating the school's NCAA membership for failure to satisfy penalty terms. At that time, the institution was in restricted status for failure to adhere to sports sponsorship requirements for the 2007-08 and 2008-09 academic years. Since the Membership Committee's meeting, however, the institution informed the NCAA that it is withdrawing its membership. Thus, the institution will no longer be considered an NCAA member as of the 2011-12 academic year.

Presidents Council. No action was necessary.

(g) NCAA Constitution 3.1.2 (athletics consortiums) – Claremont McKenna-Harvey Mudd-Scripps Colleges – Athletics Consortium Request.

Management Council. The Council approved renewal of a four-year athletics consortium between the Claremont McKenna-Harvey Mudd-Scripps Colleges, subject to renewal prior to the 2015-16 academic year.

Claremont-Mudd-Scripps Colleges have a prior, ongoing academic consortium relationship. The institutions also have a long-standing athletics consortium and this request is a renewal of the previously approved athletics consortium. Further, the conference(s) in which the institutions are a member have approved the requested athletics consortium. Renewal of the athletics consortium permits student-athletes from each institution to continue to participate as part of one athletics program.

[Please note that during the discussion and voting on this recommendation, the director of athletics at University of Redlands recused himself and did not participate.]

Presidents Council. No action was necessary.

(h) NCAA Constitution 3.1.2 (athletics consortiums) – Pomona-Pitzer Colleges – Athletics Consortium Request.

Management Council. The Council approved renewal of a four-year athletics consortium membership between the Pomona-Pitzer Colleges, subject to renewal prior to the 2015-16 academic year.

The Pomona-Pitzer Colleges have a prior, ongoing academic consortium relationship. The institutions also have a long-standing athletics consortium and this request is a renewal of the previously approved athletics consortium. Further, the conference(s) in which the institutions are a member have approved the requested athletics consortium. Renewal of the athletics consortium permits student-athletes from each institution to continue to participate as part of one athletics program.

[Please note that during the discussion and voting on this recommendation, the director of athletics at University of Redlands recused himself and did not participate.]

Presidents Council. No action was necessary.

(i) **Provisional Member Annual Reports – Active Membership – NCAA Constitution 3.2.3.1 (Application).**

Management Council. The Council approved the committee's recommendation to elect the following institutions to active Division III membership per NCAA Constitution 3.2.3.1 (application):

- Franciscan University Steubenville;
- Geneva College; and
- St. Joseph's College (Brooklyn)

Based on its review of the aforementioned institutions' annual reports, the committee agreed that the institutions should be elected into active membership.

Presidents Council. No action was necessary.

(j) **Reclassifying Member Annual Reports – Active Membership – NCAA Constitution 3.2.3.1 (Application).**

Management Council. The Council approved the committee's recommendation to elect Birmingham-Southern College to active Division III membership per NCAA Constitution 3.2.3.1 (application).

Based on its review of Birmingham-Southern's annual report, the committee agreed that the institution should be elected into active membership.

Presidents Council. No action was necessary.

(k) Provisional/Reclassifying Member Waiver of the Four-Year Provisional Period – Penn State Abington – NCAA Bylaw 20.3.3.1.1 (General).

Management Council. The Council approved a waiver of the four-year provisional period per Bylaw 20.3.3.1.1 (general) for Penn State Abington.

The committee noted that the institution has been exemplary during provisional years one and two, reflecting the ideals of Division III and deserves to be exempt from year three of the standard four-year process consistent with established waiver criteria. For example, the committee noted the institution prepared for Division III membership prior to commencing the provisional process. Further, several institutional administrators (e.g., chancellor, provost/vice president, director of athletics) have been involved and active within the division and its programming opportunities.

Presidents Council. No action was necessary.

(l) Sports Sponsorship – Minimum Contest and Participants Review.

Management Council. The Council accepted the information that the committee reviewed contest and student-athlete participant data. The committee considered the variation in institutional contests and participants and noted that the current contest and participant minimums as legislated in NCAA Bylaw 20.11.3.8 (minimum contests and participants requirements for sports sponsorship) are still appropriate. The committee agreed to solidify the process and criteria it would use to make modifications to the minimums at a future meeting.

The committee also considered a number of sports sponsorship minimum related topics as follows:

- a. Women's Golf. The committee reviewed a request from the Division III Women's Golf Committee that sought to reduce the minimum participant number per Bylaw 20.11.3.8 from five to four. The committee observed unique challenges exist in recruiting women's golf student-athletes in Division III and the corresponding lower participant numbers, but did not find that the reported data supported a reduction in the participant minimum. The committee recognized that relief could be provided through a Championships Committee waiver and, therefore, was not in favor of a permanent, legislative reduction. Further, the committee agreed that, generally, the minimum participant and minimum contest numbers should be standardized

across gender within the same sport; therefore, the committee also considered whether to reduce the minimum participant number for both men's and women's golf. The committee noted that lowering the minimums for both genders may not benefit either gender and, consequently, took no action.

- b. Swimming and Diving. The committee reviewed a referral from the Interpretations and Legislation Committee (ILC). ILC referred Division I Proposal No. 2010-103 which reduces the Division I contest minimums in swimming and diving. The Division I sports sponsorship minimums were higher than Division III standards. The committee reviewed Division III swimming and diving sports sponsorship data and noted that current Division III swimming and diving minimums are appropriate.
- c. Club Competition. The committee reviewed a request to consider permitting contests against club teams of four-year degree granting institutions to count toward meeting contest minimums detailed in Bylaw 20.11.3.8. The committee discussed the issue and declined to take action. In reaching its decision, the committee noted a lack of rigor in regulations and consistency for club teams that is contrary to the regulations that must be followed by Division III institutions.

Presidents Council. No action was necessary.

(m) Dashboard Indicators.

Management Council. The Council reviewed the committee's report noting that the NCAA Executive Committee charged the Division II and III Membership Committees with developing an educational initiative that would take the form of a mandatory, broad-based preliminary educational model for institutions interested in entering the provisional or reclassifying membership process in any division. An institution pursuing NCAA membership should be required to study its potential affiliations in order to ensure the institution reaches a well-informed decision. The Executive Committee indicated this model should include detailed and "user-friendly" comparisons of each division and a comparison model that highlights differences among divisions prior to an institution entering a provisional membership process. In its consideration of the Executive Committee's charge, the committee considered possible indicators that would be of value to any institution considering NCAA membership. The committee suggested that data be included among dashboard indicators such as ethnic/minority enrollment and participation; facility structure and use; personnel salary information (including athletic training staff); budget with scholarships (Divisions I and II institutions)

versus budget without scholarships; length of the playing season and its financial impact on an institution; and the population of residential and nonresidential students. The committee noted the aforementioned elements should be considered in conjunction with any previous recommendations.

Presidents Council. No action was necessary.

(n) Provisional/Reclassifying Process and Advancement.

Management Council. The Council acknowledged that the committee reviewed annual reports and educational materials for each provisional and reclassifying institution currently in the provisional/reclassifying process. As a result of each respective institution's performance in the provisional/reclassifying program, the following designations will take effect September 1, 2011:

- Year One to Year Two: Centenary College (Louisiana).
- Year Two to Year Three: Berry College and Covenant College.
- Year Three to Year Four: Penn State Abington, Spalding University, and State University of New York at Cobleskill.

Presidents Council. No action was necessary.

(o) Exploratory Membership.

Management Council. The Council acknowledged the committee's report accepting the following institutions to the Division III exploratory process for the 2011-12 academic year.

- Georgetown College.
- Houghton College.
- Kentucky Wesleyan College.
- Sarah Lawrence College.
- Southern Virginia University.
- State University of New York at Canton.
- Valley Forge Christian College.

Presidents Council. No action was necessary.

(6) Nominating Committee.

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:
Tufano

Council Rep:
Hoeg

Staff Liaisons:
Davey, Hollo-
mon
Montgomery,

Council Reps:
Glass, Khan

(7) **Student-Athlete Advisory Committee (SAAC).**

(a) **Noncontroversial Legislation – Committees - Student-Athlete Advisory Committee – Vacancies.**

Management Council. The Management Council approved in concept noncontroversial legislation to shift the SAAC selection process wholly to the Division III Nominating Committee. Further, a student-athlete shall serve on the Nominating Committee in an ex-officio capacity to advice on selections to Division III SAAC.

The SAAC discussed the legislation requiring that the committee review and nominate candidates to fill committee vacancies. The committee indicated that committee nominations and selections should be handled in the same manner as other Division III committees. SAAC noted its preference for involvement in some capacity (e.g., ex-officio on student-athlete committee selections) to provide student-athlete specific guidance to the Nominations Committee.

Presidents Council. No action was necessary.

(b) **Referral to NCAA Division III Nominating Committee: Student-Athlete Advisory Committee – Composition.**

Management Council. The Council referred to the Division III Nominating Committee a request that it consider decreasing the ethnic minority composition requirement (NCAA Bylaw 21.9.5.10.1) for the Student-Athlete Advisory Committee.

The committee reviewed data related to ethnic minority enrollment at Division III institutions and current ethnic minority requirements for all Division III committees and Division I and II SAACs. The committee recognized that its ethnic minority composition requirement is high and creates administrative challenges and potential imposed commitments and appointments. The committee also recognized that it should be an advocate for diversity and have an ethnic minority composition requirement that is slightly higher than other committees. Therefore, the committee referred this issue to the Nominating Committee for a review and potential decrease.

Presidents Council. No action was necessary.

(c) **Referral to NCAA Division III Men's and Women's Swimming and Diving Committee – Championships.**

Management Council. The Council referred to the Division III Men's and Women's Swimming and Diving Committee a request that it review the current championship format for men's and women's swimming and diving and consider separating the championships.

The SAAC discussed the co-ed Division III Swimming and Diving Championships. The committee was concerned with several aspects that negatively affect student-athletes including crowded deck space that may result in reduced roster sizes, missed class time due to the expansion of days to accommodate both championships, less opportunity to rest between competition because of a condensed schedule and less opportunity for quality warm-up due to both genders sharing lanes. Further, it was noted that this model results in decreased opportunities for institutions with smaller facilities to host swimming championships and would have a disparate impact on single-gender institutions. There was a concern that one gender's student-athletes may receive more attention from coaches who are responsible for both men's and women's teams at a particular institution.

In its referral, the Management Council also requested the Swimming and Diving Committee consider the reason why these championships are currently combined, and to consider the impact of shared coaches and combined programs at the institutional level.

Presidents Council. No action was necessary.

(d) **Response to Referrals from the Interpretations and Legislation Committee.**

Management Council. The Council accepted the information that the SAAC responded to referral requests from ILC:

- i. Text messaging to prospective student-athletes on club teams. The committee was in favor of allowing text messaging to prospective student-athletes that participate on a team coaches by a Division III athletics staff member for administrative-related purposes (e.g., cancel practice). The committee noted that its concerns relative to informality and personal intrusion were not relevant because a coach in this situation already has a relationship with the prospective student-athlete. The committee concluded practical aspects outweighed other communication concerns.
- ii. Transfer exception for a student-athlete who is academically ineligible but has not used a season of participation. The committee discussed the potential for student-athletes to participate in a

nontraditional segment, render themselves academically ineligible, transfer and be immediately eligible for competition at a second institution. The committee noted that the division should hold student-athletes accountable for academic standards rather than providing opportunities to student-athletes who render themselves academically ineligible. The committee discussed the concept that a student-athlete should not be allowed to transfer out of trouble. Further, it noted that recently adopted legislation that allows participation in the nontraditional segment without using a season of participation produced an unintended loophole that should be closed. The committee would be in favor of adjusting the legislation to eliminate the unintended loophole. The committee reasoned that allowing student-athletes to transfer out of trouble is inconsistent with Division III values and emphasis on academics.

- iii. Certified strength and conditioning coaches. The committee considered whether all strength and conditioning coaches should be certified in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use, similar to the requirement for head coaches. The committee noted that certification in first aid, CPR and AED use is a safety consideration and strength and conditioning coaches should be trained in these areas since they are now allowed to conduct voluntary workouts.

Presidents Council. No action was necessary.

(e) Special Olympics Partnership.

Management Council. The Council accepted the information that the committee received an update on the relationship between Division III Championships and Special Olympics. The committee reviewed its role and potential ideas for a continued, enhanced relationship between Special Olympics and championships. The committee noted that conducting Special Olympics activities and involving Special Olympics Athletes in Division III championship finals will be both rewarding for Division III student-athletes and Special Olympics Athletes. Further, these efforts work well with the division-wide initiative. SAAC members will work with NCAA championships staff, host conferences and institutions and state Special Olympics representatives to conduct Special Olympics events or involvement at all championships sites that are predetermined.

Presidents Council. No action was necessary.

(f) Committee on Women's Athletics and Minority Opportunities and Interests Committee structural changes.

Management Council. The Council accepted the information that the committee reviewed the proposed restructuring of the inclusion advocacy committees within the governance structure, and, while it recognized the value of combining the efforts of the two committees, it also noted the subcommittees' historical focuses and expertise have been on race and gender. SAAC supports the restructuring only if the nominations process for the newly composed committees specifically seeks individuals that are equipped to handle issues beyond the scope of race and gender (e.g., sexual orientation, disabilities).

Presidents Council. No action was necessary.

(g) Minority Opportunities and Interests Committee – Confederate Flag.

Management Council. The Council accepted the information that the committee discussed the NCAA championships policy regarding states that fly the Confederate flag. The committee discussed the meaning of and emotion evoked by the flag. It was noted the messaging that is associated with the Confederate flag is not only contrary to equity that intercollegiate athletics represents, but also may make student-athletes feel unsafe and unwelcome. The committee discussed whether the policy should extend to both predetermined and non-predetermined championships sites and determined that any institution in a state that has the Confederate flag as part of its state flag should not be considered a safe site for all student-athletes. It was recognized that institutions are not in control of state policy and there may be an impact on student-athletes that attend these institutions, but the committee concluded that when an institution hosts an event, the event and its related activities are not just conducted on the campus but are also in the town, community and state that may endorse anti-NCAA value(s).

Presidents Council. No action was necessary.

Staff Liaisons:
Ghiloni,
Groddy

Council Rep:
Gunning

(8) Student-Athlete Reinstatement Committee.

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:
Huchthausen,
Myers

Council Rep:
Beron

(9) **Interpretations and Legislative Committee (ILC).**

(a) **2012 NCAA Convention Legislation – Personnel – Conduct of Athletics Personnel – Sports-Safety Training for Certified Strength and Conditioning Personnel.**

Management Council. The Council agreed to sponsor legislation for the 2012 NCAA Convention to amend NCAA Division III Bylaw 11.1.6 (sports-safety training) to require certified strength and conditioning coaches to maintain certification in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use.

The NCAA Division III Interpretations and Legislation Committee reviewed NCAA Division I Proposal No. 2010-85 that requires strength and conditioning coaches that conduct voluntary weight training and conditioning to hold an active certification in first aid, CPR and AED use. The committee noted recent legislation that permits only certified strength and conditioning coaches to conduct voluntary workouts and agreed that first aid, CPR and AED certification would provide additional safety measures for student-athletes. The committee observed that some organizations that offer strength and conditioning certifications already require individuals to have some first aid, CPR and/or AED certification but it is unclear whether all entities require this and whether it needs to be active at all times. In light of these considerations, the committee agreed that limiting first aid, CPR and AED certification requirements only to certified strength and conditioning personnel is the option that is most consistent with the current legislation requiring certification only for head coaches and provides additional health and safety benefits to student-athletes.

Minimal for certification (\$0 to \$30 per coach) since institutions can out-source the training or train their own staff as instructors. Moreover, this is not an annual cost since first-aid certification is valid for three years and CPR certification is valid for one to two years (depending on the certifying organization). Division III grant and initiative funding may be used to offset these costs.

Presidents Council. No action was necessary.

(b) **Approval of Official Interpretation – Contact at Prospective Student-Athlete’s Practice or Competition Site.**

Management Council. The Council approved the following official interpretation:

Contact at Prospective Student-Athlete's Practice or Competition Site (III). The NCAA Division III Interpretations and Legislation Committee confirmed it is permissible for an institution's coach to contact a prospective student-athlete at the prospective student-athlete's away-from-home practice or competition site provided the competition has been completed, the prospect has departed the meeting and dressing facility and the prospective student-athlete's coach has released the prospective student-athlete. A prospective student-athlete may be "released" for purposes of allowing contact even if the prospective student-athlete will be traveling back home with the team. [References: NCAA Division III Bylaw 13.1.4.2 (practice or competition site)]

The committee reviewed issues that arose from the 2011 NCAA Regional Rules Seminars and agreed to issue a formal official interpretation on this particular question.

Presidents Council. No action was necessary.

(c) **Approval of Official Interpretation – Expenses for Mandatory Medical Exam Prior to Becoming a Student-Athlete.**

Management Council. The Council approved the following official interpretation:

Expenses for Mandatory Medical Exam Prior to Becoming a Student-Athlete (III). The NCAA Division III Interpretations and Legislation Committee confirmed that an institution may conduct a medical examination of a prospective student-athlete during an official or unofficial visit, or in conjunction with the prospective student-athlete's arrival to campus prior to the beginning of preseason practice and/or the academic year, provided the prospective student-athlete has been accepted for regular full-time enrollment at the institution. [Reference: NCAA Division III Bylaws 13.02.6 (prospective student-athlete), 13.11.1 (prospective student-athlete defined for tryout-rule purposes), 16.4 (medical expenses), 16.5.1-(a) (preseason practice expenses) and a staff interpretation (6/9/04, Item Ref. 1)]

The committee reviewed issues that arose from the Regional Rules Seminars and agreed to issue a formal official interpretation on this particular question.

President Council. No action was necessary.

(d) Approval of Official Interpretation – Uniformity of Participation Awards.

Management Council. The Council approved the committee's recommendation to archive an official interpretation (12/13/91, Item Ref. e) and approve the following official interpretation:

Uniformity of Participation Awards (III). The NCAA Division III Interpretations and Legislation Committee determined that a member institution, conference or other approved agency may provide different participation awards based on the year or class (e.g., freshman, sophomore, first year participant, second year participant) of a student-athlete, provided the awards are uniform for all recipients within a given year or class. [Reference: NCAA Division III Bylaw 16.1.2 (uniformity of awards) and a staff interpretation (12/13/91, Item Ref. e), which has been archived]

The committee reviewed issues that arose from the Regional Rules Seminars and agreed to issue a formal official interpretation on this particular question.

Presidents Council. No action was necessary.

(e) Approval of Official Interpretation – Demonstrators at Coaches' Clinics and Institutional Camps and Clinics.

Management Council. The Council approved the following official interpretation:

Demonstrators at Coaches' Clinics and Institutional Camps and Clinics (III). The NCAA Division III Interpretations and Legislation Committee determined that a prospective student-athlete may serve as a demonstrator during a coach's clinic or session conducted by an institutional staff member or during an institutional camp or clinic without such participation constituting an impermissible tryout. An enrolled student-athlete may serve as a demonstrator at an institutional camp or clinic with staff members from any institution. Further, an enrolled student-athlete may serve as a demonstrator at a coaches clinic; however, if the coaches clinic is conducted outside the playing season, the student-athlete may serve as a demonstrator only if he or she participates with coaching staff members from institutions other than his or her own. [References: NCAA Division III Bylaws 13.11.2 (prohibited physical activities involving prospective student-athletes), 13.11.3 (permissible physical activities involving prospective student-athletes), 13.12.2.1 (prospective student-athletes), 17.1.1.1 (playing season – athletically related activities), and a staff interpretation (2/14/90, Item Ref. a) which has been archived]

The committee re-examined its recent official interpretation regarding demonstrators at coaches' clinics [Reference: 2/10/11, Item Ref. 14-b]. The rationale for the original interpretation was to address whether the tryout prohibition allowed prospective student-athletes and/or enrolled student-athletes to be used as demonstrators at coaches' clinics. The wording of the original interpretation unintentionally seemed to prohibit an enrolled student-athlete from serving as a demonstrator at a coach's clinic or an institutional camp or clinic that is governed by Bylaw 13.12, if in either circumstance the student-athlete were to serve as a demonstrator for his or her own coach. The committee noted that Bylaw 13.12.2 specifically allows both prospective student-athletes and enrolled student-athletes to be employed at an institutional camp or clinic, and Bylaw 13.12.2.2.1(c) implies that enrolled student-athletes can be used as demonstrators at an institutional camp or clinic. The committee further noted that Bylaw 17 specifies that outside of the playing season, student-athletes may be employed in camps and clinics but are prohibited from participating as campers in their own institution's camp or clinic. For these reasons, prohibiting student-athletes from serving as demonstrators for their own coaches at coaches' clinics is consistent with the legislation, but prohibiting demonstration for a student-athlete's own coach at the institution's camp or clinic is contrary to the legislation.

Presidents Council. No action was necessary.

(f) Approval of Official Interpretation – Playing Season Waivers.

Management Council. The Council approved the following official interpretation:

Scope of Playing-Season Waivers for Institutions with Nontraditional Academic Calendars (III). The NCAA Division III Interpretations and Legislation Committee confirmed that the scope of playing-season waivers for institutions with nontraditional academic calendars shall extend only to those situations in which the institution's nontraditional academic calendar interferes with its ability to adhere to playing season regulations, as opposed to a one-time or limited request which is handled through a separate waiver provision. [References: NCAA Division III Bylaws 5.4.1.7 (review authority of Management Council) and 17.1.13 (playing-season waiver)]

The committee noted the NCAA Division III Management Council Playing and Practice Seasons Subcommittee has more expertise in addressing adjustments to the playing season regulations for schools with nontraditional academic calendars, thereby establishing a waiver that could apply for as long as the institution needs, provided its academic calendar did

not change. This type of waiver can be distinguished from the authority of the NCAA Division III Management Council Subcommittee for Legislative Relief which is designed to address unique circumstances that warrant relief only on a limited or one-time basis. Further, the Subcommittee for Legislative Relief has oversight of all operating by-laws and, therefore, is not a substantive authority on any given bylaw.

Presidents Council. No action was necessary.

e. Association-Wide and Common Committees.

(1) Competitive Safeguards and Medical Aspects of Sports (CSMAS).

Staff Liaisons:
Klossner
Wilfert

Council Rep:
Martinez

(a) Student-Athlete Sickle Cell Trait (SCT) Status.

Management Council. The Council approved a recommendation to sponsor legislation for the 2012 NCAA Convention to require a sickle cell solubility test (SCT) as part of NCAA Bylaw 17.1.5 (mandatory medical examination) unless documented results of a prior test are provided to the institution or the student-athlete declines the test and signs a written release.

The committee believes that requirements for SCT status testing should be consistent across divisions. The committee reviewed the 2011 sickle cell trait membership survey and estimated that approximately 40 percent of responding Division II and Division III institutions currently confirm sickle cell trait status as part of their medical examination process. Even though there is a lack of death cases in Division III athletes and one within Division II, the committee assumes the potential for collapse and complications from sickle cell trait is not dependant on the division. In addition, student-athletes' positive SCT tests are not dependant on division, sport, gender or race. Within the recent study, a higher percentage of Division I institutions had knowledge about student-athletes sickle cell trait status; educated medical staff, coaches and strength staff; and provided consulting to student-athletes with a positive test. The committee stressed that the education of staff conducting workouts continues to be the most important factor for preventing catastrophic events, as SCT generally does not result in a medical emergency unless the student-athlete is driven beyond their physiological limit. Typically, athletes that self regulate their workload and intensity are able to modify the overall stress placed on them and still succeed athletically at the highest level. Division II and III often have fewer sports medicine staff available during workouts; therefore, knowledge of sickle cell trait of student-athletes by key staff can be a gateway to precaution implementation, preparation and emergency response activation. Finally, in an effort to ensure student-athletes make an informed decision, the committee recommends institutions educate student-athletes about the risks of the condition if the student-athlete elects to sign a written release.

The effective date is August 2012 for all student-athletes, including both new and continuing student-athletes as well as those trying out for a Division II team in the 2012-13 academic year.

SCT testing costs can range from \$15-20 for the initial screening especially if negotiated with a laboratory or campus health clinic in advance. The costs are rarely covered by an athlete's insurance plan. Costs may fluctuate locally, regionally and nationally. The NCAA is examining a service agreement for laboratory services that would make the testing available to all member institutions for a set cost.

Presidents Council. The Presidents Council agreed to sponsor legislation for the 2012 Convention.

(b) Football Preseason Conditioning.

Management Council. The Council approved in concept and legislative format a noncontroversial proposal to amend the football preseason period to allow a one-hour conditioning test (e.g., speed, conditioning, agility) period and a two-hour practice period to occur only on the first day of the five-day period as an option to the current three-hour practice period.

The committee discussed allowing a conditioning test (e.g., speed, conditioning, agility) period the day before the first preseason practice day in Division III; however, further discussion narrowed the option for Division III to only allowing this option to occur on the first day of the five day acclimatization period or on any single day of the five day period. A three-hour recovery period would still need to be applied between the test period and the practice session that day. Division I currently allows a one-hour conditioning session and two-hour practice session during the five-day acclimatization period as an option to the single three-hour practice period. The intent of the conditioning test is to serve as a brief assessment of an athlete's physical preparedness for beginning the rigors of the practice period and not as a conditioning session. Student-athletes performing under expectations should not be punished or required to perform additional physical activity beyond what is required for the rest of the team as the accumulated effects of this additional workload can increase an athlete's risk of injury. The committee discussed the importance of having consistency across divisions for issues impacting student-athlete well-being. During any part of a new practice period, institutions should consider factors of increased risk such as student-athletes within underlying medical conditions (e.g., sickle cell trait, previous heat illness, flu, medications, etc.)

Presidents Council. No action was necessary.

(c) **Certification Standards for Strength and Conditioning Personnel.**

Management Council. The Council received an update that the committee developed an educational piece about appropriate certification standards for strength and conditioning personnel. This resource was developed in light of recent legislative action to permit strength and conditioning coaches to conduct out of season workouts. The resources will be distributed to the Division III membership in the coming weeks.

Presidents Council. No action was necessary.

Staff Liaison:
Tufano

Council Rep:
Klika

(2) **Honors Committee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:
Ford, Bracken,
Rossello

Council Rep:
Ching

(3) **Minority Opportunities and Interests Committee (MOIC).**

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:
Calandro,
Smith,
Suscha

Council Rep:
Ingold

(4) **Olympic Sports Liaison Committee (OSLC).**

(a) **NCAA Division I Bylaw 16.8.1.3-(c) Expenses Provided by the Institution for Practice and Competition – Other Competition.**

Management Council. The Council agreed to sponsor noncontroversial legislation to modify NCAA Bylaw 16.8.1.3-(c) to allow institutions to provide actual and necessary expenses for a student-athlete to attend two national team tryouts. Current legislation restricts institutions to providing a student-athlete the actual and necessary expenses to attend only one such national team tryout.

Current national team selection processes for many Olympic sports include more than one tier. Often, student-athletes who are athletically successful in the first tier are required to shoulder the financial burden in order to continue through additional levels within the existing tier structures or withdraw from the tryout process prior to being identified as viable national team candidates. While there is no standardized tier system among the various national governing bodies, an expansion of Bylaw 16.8.1.-(c) to allow for two team tryout competitions would allow student-athletes greater potential access to the current selection processes.

Institutions with eligible student-athlete(s) may bear the expense of additional national team tryouts. By covering the expense of a second national team tryout opportunity, institutions will better assist student-athletes to become viable national team candidates for international competition.

Presidents Council. No action was necessary.

(b) World University Championships in Select NCAA Bylaws.

Management Council. The Council agreed to sponsor noncontroversial legislation to modify several NCAA bylaws that reference the World University Games to also reference the World University Championships.

The U.S. Intercollegiate University Sport Federation (USIUSF), an official member of the International University Sports Federation (FISU), is the rights holder to the U.S. World University Games and Championships. The USIUSF also works in collaboration with the U.S. Olympic Committee (USOC) and various National Governing Bodies (NGBs) to select U.S. national team members for the two events.

Budget impact varies, depending on the relevant bylaws and eligibility of student-athletes to participate in the World University Championships. By expanding the noted bylaws to include the World University Championships, student-athletes participating in baseball, softball, cross country and women's equestrian at the World University Championships will receive the same opportunities/benefits afforded student-athletes who participate in the World University Games.

Presidents Council. No action was necessary.

Staff Liaison:
Chichester

Council Rep:
Hathorn

(5) Postgraduate Scholarship Committee.

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:
Bracken

Council Rep:
Thomforde

(6) Research Committee.

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:
Miller,
Smith

Council Rep:
Ingold

(7) **Committee on Sportsmanship and Ethical Conduct.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:
Chichester

Council Rep:
Hass

(8) **Walter Byers Scholarship Committee.**

Management Council. The Council reviewed the committee's report noting the 2011 honorees: Jessica Pixler, a track and cross country runner from Seattle Pacific University and David Gats, a swimmer from Ohio Wesleyan University.

Presidents Council. No action was necessary.

Staff Liaisons:
Barnhart,
Holzman,
Morrison

Council Rep:
Hoeg

(9) **Committee on Women's Athletics (CWA).**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

(10) **Legislative Changes to MOIC and CWA.**

Management Council. The Council approved in concept noncontroversial legislation to amend the composition of the CWA and MOIC by increasing the committee size from 15 to 18 respectively and specifying that the three additional positions be filled by a president from each division. Further, the distribution of members shall be equal among each division.

The Council reviewed a memorandum from Bernard Franklin, Executive Vice President of Membership and Student-Athlete Affairs/Executive Committee Liaison/Chief Inclusion Officer regarding committee restructuring. During its April 29, 2011, meeting the NCAA Executive Committee took action to restructure the inclusion advocacy committees within the governance structure. This action included the dissolution of the NCAA Executive Committee Subcommittee on Gender and Diversity Issues; the creation of a joint body of representatives of the NCAA Committee on Women's Athletics (CWA) and the NCAA Minority Opportunities and Interests Committee (MOIC) to provide broad oversight on inclusion matters and manage specific agendas beyond those related to race and gender; and the creation of joint CWA/MOIC subcommittees to focus on lesbian, gay, bisexual and transgender issues, physical disability, and other inclusion priorities that may arise. Additionally, the committee noted the need for greater involvement of presidents within the substructure to provide guidance and insight at the policy development level.

The impetus for these changes was the adoption, in 2010, of an expanded framework around diversity, inclusion and gender equity that provides for greater focus across dimensions of diversity including, but not limited to, age, race, sex, class, creed, national origin, educational background, disability and gender expression, and the internal reorganization of the NCAA's inclusion office to support this mission. An examination of the charge and duties of the three primary advocacy committees within the governance structure indicated some overlap of mission but also areas where the structure was not adequately positioned to handle specific issues beyond race and gender. Additionally, there was an identified need for increased presidential involvement at the policy development level. Current composition requirements prescribe six members from Division I and three members each from Divisions II and III, with three unallocated members. The committee supports equal representation from all divisions on these very important issues. The addition of three members per committee will permit an equal distribution of six members from each division.

Presidents Council. The Presidents Council acknowledged the memorandum from Bernard Franklin, Executive Vice President of Membership and Student-Athlete Affairs/Executive Committee Liaison/Chief Inclusion Officer regarding committee restructuring and the action taken by the Management Council. No additional action was necessary.

4. *MANAGEMENT AND PRESIDENTS COUNCIL APPOINTMENTS AND ELECTIONS.*

a. *Management Council Elections.*

Management Council. The Management Council elected Jeff Martinez, Director of Athletics, University of Redlands as chair for the 2012-13 and Terry Rupert, Director of Athletics, Wilmington College as vice-chair.

Presidents Council. No action was necessary.

b. *Presidents Council Appointments.*

Presidents Council. Upon recommendation by the Division III Presidents Council Nominations Subcommittee and approved by the Administrative Committee on June 9, President Thomas Chema was appointed to the Presidents Council fulfilling the remaining term of Ken Baker. President Chema's term expires at the conclusion of the January 2013 Convention, with an opportunity for reappointment.

The Presidents Council Nominations Subcommittee has begun to identify prospective candidates to serve on the Presidents Council beginning in 2012. Some mandatory requirements include: Region 3, ethnic minority, female representation; and large student representation (4,000 or larger). The Presidents Council Nominations Subcommittee will discuss these vacancies during its September teleconference.

5. ***DIVISION III INITIATIVES.***

a. **Virtual Focus Group Communication (VFG).**

Management Council. The Council reviewed the VFG responses regarding Communication #22 and the best way to make the membership aware of Division III week, Division III Facebook and use of the Purchasing Website. The Council noted the importance of input from the membership serving on the focus groups.

Presidents Council. No action was necessary.

b. **The Student-Athlete Experience: Finding from the CIRP Studies.**

Presidents Council. The Council heard a presentation on research conducted by the Cooperative Institutional Research Program through the Higher Education Research Institute at UCLA. The surveys are similar to the NCAA's GOALS study. Overall, the studies strongly reinforced the positive experience of Division III student-athletes and statements included in the Division III strategic positioning platform. In particular, the findings indicate that Division III student-athletes:

- (1) Are highly engaged in campus activities,
- (2) Report active academic engagement and participation in academic "extras" that are offered by their institution (e.g., research with faculty, study abroad, capstone/senior thesis),
- (3) Report significant gains in personal skills and attributes, including problems solving, ability to get along with other races and leadership, and
- (4) Report significantly greater gains in time management and leadership when compared with non-athletes.

Further analysis of this data will be shared with the Council at a future meeting and findings from this study and NCAA GOALS will be shared with the membership at the 2012 Convention.

6. ***PROPOSED LEGISLATION FOR THE 2012 CONVENTION.***

a. **Membership-Sponsored Legislation.** [NOTE: The Management Council reviewed all proposals noting that three out of five proposals were not yet properly sponsored. The deadline to obtain co-sponsorship is September 1.]

(1) **NCAA Membership – Conditions and Obligations of Membership – Eliminating Regional Rules Seminar Attendance Requirement.**

Management Council. The Council reviewed the membership-sponsored proposal and forwarded it to the Membership Committee, ILC and SAAC to recommend an official position.

Presidents Council. No action was necessary.

(2) Playing and Practice Seasons – Required Day Off – Voluntary Strength and Conditioning Activities Prohibited During Required Day Off.

Management Council. The Council reviewed the membership-sponsored proposal and forwarded it to ILC, the Playing and Practice Seasons Subcommittee and SAAC to recommend an official position.

Presidents Council. No action was necessary.

(3) Playing and Practice Seasons – General Playing Season Regulations – Postseason Activities Exempting One Postseason Championship from the 18 or 19 Week Declared Playing Season.

Management Council. The Council reviewed the membership-sponsored proposal and forwarded it to ILC, the Playing and Practice Seasons Subcommittee, SAAC and the Championships Committee to recommend an official position.

Presidents Council. No action was necessary.

(4) Eligibility – Hardship Waiver – Practice after Injury.

Management Council. The Council reviewed the membership-sponsored proposal and forwarded it to the Academic Issues Subcommittee, ILC, the Student-Athlete Reinstatement Committee, and SAAC to recommend an official position.

Presidents Council. No action was necessary.

(5) Recruiting – Permissible Electronic Transmissions.

Management Council. The Council reviewed the membership-sponsored proposal and forwarded it to ILC and SAAC to recommend an official position.

Presidents Council. No action was necessary.

b. Governance-Sponsored Proposals.

(1) Convention Legislation – Recruiting – Electronic Transmissions – Allowing Text Messaging.

Management Council. The Management Council agreed to sponsor legislation for the 2012 NCAA Convention to permit the use of text messaging to a prospective student-athlete by athletics department staff. Text messaging would be regulated in the same manner as e-mail, for which there are no restrictions on the timing or amount of the communication.

In its review of a membership-sponsored proposal to permit both text messaging and the use of social media platforms (e.g., Facebook, Twitter), in the recruiting process, the Council recognized the need to sponsor a proposal specific to the use of text messaging. While the Council does not support the use of social media platforms in the recruiting process (because those platforms represent “personal” space that should not be invaded by coaches in the recruiting process) it agreed that the realities of how current prospect-aged individuals communicate, including a proclivity of text messaging, justifies lifting the division’s current ban on texting. This position was similar to the unofficial position taken by SAAC, which included support to lift the ban on texting, while agreeing that the prohibition on the use of social media should remain.

The financial concerns that helped prompt the initial texting ban have since been mitigated by the evolution of text messaging plans, with most prospects now able to manage expenses through unlimited or low-cost texting options. Also, the Council noted the awkward nature of not being able to respond to a prospect in the same medium the prospect uses to contact a coach, and that texting will not completely replace use of the phone or other forms of communication in the recruiting process. To be a successful recruiter, coaches will still need to engage in direct contact. The Management Council used its new authority to sponsor legislation deemed operational in nature, and will communicate to the sponsors of the broader electronic transmission proposal their opportunity to collaborate on the text messaging portion of the Council’s proposal, especially if the sponsoring conference is not able to find a co-sponsor to officially offer the proposal for the 2012 Convention.

The estimated budget impact would be minimal, because most athletics personnel and perspective student-athletes have unlimited or low-cost testing plans. The effective date would be August 1, 2012.

Presidents Council. No action was necessary.

(2) **Convention Legislation – Division III Membership – Division III Philosophy Statement – Affirmation and Clarification of Undergraduate Experience, Broad-Based Athletics Programs, Participation in Non-Athletic Pursuits and Autonomy in Eligibility Standards.**

Management Council. The Management Council reviewed draft language of philosophy statement amendments under consideration by the Presidents Council. No action was necessary.

Presidents Council. The Presidents Council agreed to sponsor legislation for the 2012 Convention to amend the Division III philosophy statement as follows:

- Emphasize that Division III intercollegiate athletics is primarily focused on a four-year, undergraduate experience.
- Clarify that initial-eligibility and continuing-eligibility progress-toward-degree standards are best left to institutional and conference autonomy.

- Express a commitment to supporting a student-athlete's right to meaningful participation in non-athletic pursuits as a method of enriching the overall educational experience.
- Clarify expectations related to broad based sports sponsorship.

The modifications address issues included in the Division's 2008 white papers on membership growth and are a reflection of strategies to best manage the large and diverse Division III membership under a unifying philosophy statement.

c. Review of Modifications of Wording Approved by the Management Council per Constitution 5.4.1.1.1.

(1) NCAA Membership – Conditions and Obligations of Membership – NCAA Convention – Attendance – Representation and Vote by Certified Voting Delegate.

Management Council. The Council adopted in legislative format a proposal to clarify that each year an active member institution must be represented by an institutional staff member who is certified as a voting delegate and who votes at the NCAA Convention Division III business session.

Presidents Council. No action was necessary.

(2) Eligibility – Outside Competition, Effects on Eligibility – Wrestling.

Management Council. The Council adopted in legislative format a proposal in wrestling, to clarify that a student-athlete shall not participate in outside competition (on a team or as an individual) between the beginning of the institution's academic year and November 1.

Presidents Council. No action was necessary.

(3) Amateurism – Promotional Activities – Permissible – Prospective Student-Athlete's Participation in Institutional Fundraisers or Promotional Activities.

Management Council. The Council adopted in legislative format a proposal to clarify that prospective student-athletes may not be involved in institutional fundraisers of promotional activities.

Presidents Council. No action was necessary.

d. Review of Noncontroversial Legislation approved by the Management Council per Constitution 5.4.1.1.1.

(1) Division Membership – Establishment and Compliance with Division Criteria – Noncompliance and the Enforcement Process – Authority of the Membership Committee.

Management Council. The Council adopted in legislative format a proposal to specify that the NCAA Division III Membership Committee shall review issues regarding membership requirements that are discovered during the enforcement process and may impose penalties for not satisfying membership requirements.

Presidents Council. No action was necessary.

(2) Eligibility – General Eligibility Requirements – Full-time Enrollment - Requirement for Practice or Competition – Exception – Cooperative Educational Work Experience.

Management Council. The Council adopted in legislative format a proposal to permit a student-athlete to practice and represent the certifying institution in intercollegiate athletics while he or she is enrolled in a cooperative educational work experience program (e.g., co-op, internship, practicum, student-teaching) offered by the institution that is a required part of the student's academic program, provided the student is considered to be enrolled in a full-time program of studies, regardless of the credit value of the program.

Presidents Council. No action was necessary.

(3) Recruiting – Unofficial Visit – Entertainment/Tickets – General Restrictions – Complimentary Admissions for a Prospective Student-Athlete's Parents, Guardian(s), Spouse or Individual of a Comparable Relationship.

Management Council. The Council adopted in legislative format a proposal to permit an institution to provide additional complimentary admissions to a home athletics event to a prospective student-athlete's parents, guardian(s), spouse or individual of a comparable relationship accompanying the prospective student-athlete during an unofficial visit.

Presidents Council. No action was necessary.

(4) Awards, Benefits and Expenses – Participation Awards – Maximum Value of Award – Increase to Maximum Values.

Management Council. The Council adopted in legislative format a proposal to increase the limitation on the maximum value of the annual participation award for a senior by \$100 and to increase the limitation on the maximum value for all other participation awards by \$50, as specified.

Presidents Council. No action was necessary.

(5) Amateurism – Preferential Treatment – Exception – Designation of Fundraising Money – Prospective Student-Athletes.

Management Council. The Council adopted in legislative format a proposal to permit the designation of funds raised through fundraisers for individuals before initial, full-time collegiate enrollment provided the amount raised does not exceed actual and necessary expenses for athletics participation.

Presidents Council. No action was necessary.

(6) Eligibility – Full-Time Enrollment – Requirement for Practice – Waiver – U.S. Olympic Committee/National Governing Body – Former Student-Athlete Practicing at Another Institution – Individual Sports and Women's Rowing.

Management Council. The Council adopted in legislative format a proposal in individual sports and women's rowing, in a case in which the U.S. Olympic Committee or national governing body in the sport has recommended the individual's participation, to permit a former student-athlete who has graduated and has no eligibility remaining to participate in organized practice sessions at an institution other than the one he or she previously attended.

Presidents Council. No action was necessary.

7. ASSOCIATION-WIDE UPDATES AND ISSUES.

a. Litigation Update.

Management Council and Presidents Council. The Councils accepted the Litigation Report. No action was necessary.

b. Governmental Relations Report.

Management Council and Presidents Council. The Councils accepted the Governmental Relations Report. No action was necessary.

c. Student-Athlete Affairs Advisory Group Meeting.

Management Council. The Council reviewed the group's report. No action was necessary.

Presidents Council. No action was necessary.

d. Transgender Student-Athlete Policy.

Management Council. The Management Council received an update from NCAA staff Karen Morrison and Mary Wilfert on the draft policy to assist the membership with questions about fair and equitable participation by student-athletes who identify as transgender, i.e., a psychological and social identification as a man or a woman that differs from the person's sex at birth. The Presidents Council endorsed the draft policy language at its April meeting, and the Executive Committee will review the policy for adoption at its August 2011 meeting. In addition to developing the policy, the Committee on Competitive Safeguards and Medical Aspects of Sports and the Committee on Women's Athletics have developed a resource handbook and a video to help the membership with a full understanding of the issues.

Presidents Council. No action was necessary.

e. NCAA President's Report.

Management and Presidents Councils. The Councils received a visit from NCAA President, Mark Emmert, who provided an update on the Division I Presidential retreat.

f. Executive Committee Update.

Management and Presidents Councils. The Councils received a visit from NCAA Executive Vice President, Bernard Franklin, and Director of Membership and Student-Athlete Affairs, Delise O'Meally. The staff provided an update on the Executive Committee working group on membership issues, the upcoming policy consideration on transgender student-athlete eligibility, the NCAA's confederate flag policy and the continued study of its application to pre-determined and non pre-determined championship sites, a request to amend the composition of CWA and MOIC (see page 44), the NCAA communications task force, and the plans for the September NCAA Inclusion summit.

8. OTHER BUSINESS.

• Conference Meeting Feedback.

Management Council. The Council reviewed the input received from spring conference meetings.

Presidents Council. No action was necessary.

9. ADJOURNMENT.

Management Council. The Management Council meeting adjourned at 11:28 a.m.

Presidents Council. The Presidents Council meeting adjourned at 12:10 p.m.