

DIVISION II NOMINATING COMMITTEE

POLICIES AND OPERATING PROCEDURES

INTRODUCTION

1. Duties. The Division II Nominating Committee shall present nominations for vacancies on all Division II-specific committees, including men's and women's sports committees, and for the Division II positions on committees functioning in an Association-wide or multidivisional capacity. The Nominating Committee shall develop its own procedures and policies to complete these assignments (subject to the guiding principles set forth in this document and all applicable legislation). Whenever possible, the Nominating Committee will be responsible for forwarding to the appropriate group more nominees for consideration than there are vacancies to be filled on a particular committee. The Nominating Committee will provide rationale for each nominee it forwards and when appropriate, will note its highest recommendation for consideration.
2. Management Council Representatives. Division II Management Council representatives shall be assigned to Division II and Association-wide general committees to serve as liaisons between these committees and the Management Council. Division II committees with six or fewer members shall have one Management Council representative and Division II committees with more than six members shall have two Management Council representatives. In addition, at least one of the Division II representatives serving on an Association-wide committee shall be a member of the Division II Management Council.
3. Nominations. All nominations for vacancies will be forwarded by the Division II Nominating Committee to the Division II Management Council or the Division II Championships Committee for consideration. Division II representatives on general committees (Division II and Association-wide) will be appointed or elected by the Division II Management Council, subject to ratification by the Division II Presidents Council. Division II representatives on the Division II Student-Athlete Advisory Committee shall be selected by the Student-Athlete Advisory Committee, subject to ratification by the Division II Management Council and Presidents Council. Division II representatives on sports committees and rules committees shall be selected by the Division II Championships Committee, subject to ratification by the Division II Management Council.

NOMINATING COMMITTEE LEGISLATIVE RESTRICTIONS

Division II and Association-wide General and Sports Committees

1. Unless otherwise specified, a committee member shall be salaried on a regular basis by a Division II institution or conference and performing a regular staff function representing at least 50 percent of the normal workload for a staff member at that institution or conference.
2. Unless otherwise specified, an individual who has served two terms on a committee may not serve further on that committee.
3. A member serving more than one-half of a four-year term is not eligible to seek immediate reelection.
4. Unless otherwise specified, a former committee member may be appointed or elected to an additional term on that committee only after three years have elapsed. [NOTE: At the time of federation in 1997 it was determined that all individuals would start with a clean slate. Therefore any committee service prior to 1997 is not counted in the two-term limit.]
5. Division II institutions reclassifying to Division I or Division III are not eligible for committee or Council service within Division II.
6. For sports committees in both team and individual sports that administer Division II or National Collegiate championships, at least 50 percent of the positions on each committee shall be filled by athletics administrators (e.g., athletics directors, associate or assistant athletics directors, senior woman administrators, individuals who are employed full time as administrators by member conferences, or individuals who are employed both part time as administrators by member conferences and full time by member institutions). An institutional staff member who performs both coaching and administrative functions may be counted as either an athletics administrator or a coach.
7. For sport rules committees, at least 25 percent of the positions on each committee shall be filled by athletics administrators as defined in No. 6 above. Further, at least 50 percent of the total positions on each rules committee shall be filled by coaching staff members.
8. For committees with playing rules and championships administration responsibilities in individual sports, at least 25 percent of the positions on each committee shall be filled by athletics administrators as defined in No. 6 above. For team sports at least 50 percent of the positions shall be filled by athletics administrators. For all committees with playing rules and championships administration responsibilities at least 50 percent of all positions on the committee shall be filled by coaching staff members.

NOMINATING COMMITTEE OPERATING POLICIES

Division II General and Sports Committees

1. Committee appointments are not to be released publicly in any form until the appointees have been ratified by the Presidents Council. [2000]
2. No more than one person from an institution may serve on a given NCAA committee regardless of existing exception provisions. [1997]
3. The Nominating Committee endorses reappointment of an eligible individual who has served two years or less. The individual's name will be forwarded to the Management Council or Championships Committee for consideration. [2000]
4. General committee and sports committee candidates must go through the same nomination process as the other candidates (i.e., submission of nominations to the national office and completion of the nominee form). [1997]
5. At the direction of the Management Council, a standard form has been developed on which each nominee for a committee provides essentially the same information regarding position, experience, current or past NCAA committee service, education and qualifications. The Nominating Committee then has comparable information at one time on all candidates. Submission of other documentation, such as resumes, is not requested, and such documents, if submitted, are not shared with the Nominating Committee. [1997]

Reaffirmed 1998: The Nominating Committee agreed that candidates who submit resumes or vitas along with or in place of the Nominee Information Form will be contacted and asked to complete only the Nominee Information Form.

Reaffirmed 2003: The Nominating Committee also discourages personal contact by nominees to solicit support for their candidacy.

6. All nominations are to be sent to the committee coordinator, responsible for committee administration at the national office, and not to the members of the Nominating Committee. In this manner, all members of the Nominating Committee will receive the same information. [1997]
7. Every committee is expected to discuss future vacancies (which are known at all times throughout the year via e-mail communication and the NCAA Web site) on a timely and ongoing basis, rather than awaiting the specific call for nominations. Also, each committee should take steps to identify and contact qualified, competent candidates for

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- positions on that committee, especially ethnic minorities and women and to encourage their submission of nomination forms. [2002]
8. A file of eligible nominees for committee service is maintained in the national office for an 18-month period, and such nominees not currently serving on a committee shall be considered for any vacancy occurring on the appropriate committees during that period. [2002]
 9. Members of the Nominating Committee are not eligible to serve on other Division II general or sports committees, unless special circumstances are warranted. [1997]
 10. Members of the Nominating Committee are permitted to vote on nominees from their institution and conference. [2002]
 11. Members of the Nominating Committee shall recuse themselves from the discussion and vote on any committee for which they are nominees. [2001]
 12. The Nominating Committee will meet in-person or via conference call only when a quorum of members can attend. A majority vote of those members present is required to pass an action. Those members not available to attend the in-person meeting or conference call may submit their recommendations to the committee coordinator. [2002]
 13. A member of a Division II general or sports committee who is appointed to the Division II Management Council is required to resign from the other committee(s), unless the member can serve on the committee(s) as the Management Council representative. [2002]
 14. It is possible for a part-time institutional or conference employee to serve on an NCAA committee. "Salaried on a regular basis" simply means paid on a regular basis and does not mean employed on a full-time basis. In addition, the "50 percent" clause refers only to workload and not salary amount. [1998]
 15. If the status of a committee member (e.g., job responsibilities, institutional affiliation, conference) changes and the member no longer meets the legislated criteria under which he/she was appointed to a Division II committee or as a Division II representative on an Association-wide committee, the committee member is no longer eligible to continue to serve. [2002]
 16. Members of Division II committees or Division II sports committees are not eligible to serve on other Division II general or sports committees, unless special circumstances so warrant. These circumstances will be specified as part of the committee's rationale. This operating policy was adopted to reinforce the principle of providing opportunities to those individuals who had not served on an NCAA committee. [2002]

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17. To achieve equitable representation, whenever possible, membership on sports committees shall rotate among the conferences within a region. [2001]
18. Members of the same conference are not eligible to serve on the same committee, unless special circumstances so warrant. [2002] [NOTE: Conferences represented by Management Council representatives will not be excluded from consideration for committee vacancies.] [2004]
19. The committee expects completion of a committee term prior to initial service on another committee. [2002]
20. If a member of a Division II general committee or sports committee or a Division II appointment on an Association-wide committee is called up to active military service, the Nominating Committee will solicit nominees from that member's conference. The Nominating Committee will select one of those nominees to fill the position on a temporary basis until the term expires or the member returns from active service, whichever comes first. [2003]
21. The effective date of an immediate appointment will be the date the e-mail appointment notification is sent to the appointee by the NCAA committee coordinator. [2004]
22. Individuals employed by a Division II institution that is classified as a Division II provisional member are not eligible for committee service.
23. The Division II Presidents Council, Management Council and Nominating Committee shall not consider candidates for appointment to Division II committees and Councils once the institution's official paperwork to begin the exploratory period for reclassification to another division has been received in the NCAA national office. The policy is applicable for appointments to Division II general committees, Division II appointments to Association-wide committees and Division II appointments to the Management Council and Presidents Council. [Adopted by the Management Council and Presidents Council October 2005]
24. Request for removal from committee or Council service by an institution or conference. An institution or conference requesting removal of an individual serving on a committee or Council through appointment or through conference representation may do so provided the following information is provided:

Individual through appointment: The chancellor or president of the institution shall submit in writing a request for removal of said individual from committee or Council service.

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Individual through conference representation: The chair of the conference's presidential body shall submit in writing, on behalf of the conference, a request for removal of said individual from committee or Council service. The conference shall be required to submit a slate of candidates to fill the open conference position within 20 working days of the date of the letter requesting the removal. [Adopted by the Division II Administrative Committee February 2006]

Sport Committees

1. An individual shall not serve on an NCAA sport committee unless the individual's institution sponsors the sport on an intercollegiate basis. The Management Council may approve exceptions to this policy if there is an overriding reason to do so. [1997]
2. An individual serving as a member of an NCAA sport committee who is from an institution belonging to both the NCAA and the NAIA should not be involved in decisions regarding NCAA championships if the institution declares its intention to participate in the NAIA championship in the sport involved; therefore, such an individual on a sport committee without rules-making responsibilities shall be replaced on the committee, and such an individual on a sport committee with rules-making responsibilities should continue to serve on the committee for its rules function but shall not be permitted to participate in discussions or voting on championship issues. [2002]
3. Staff members at a Division II institution that sponsors one or more sports in Division I shall not be eligible to serve on the same sport committee in Division II. [1999]

CONFLICT OF INTEREST POLICY

The NCAA is a voluntary Association comprised of colleges, universities, conferences and other organizations, and governed through a membership-led committee structure. Within the governance structure, committee members must carefully balance their responsibilities to their respective institutions and/or conferences with the obligation to advance the interests of the Association, the division, or the sport, and ultimately enhance the student-athlete experience. While the fiduciary obligations of committee members to their own institution, their conference, and to the Association ordinarily are not in conflict, it is recognized that as a representative membership organization, committee members' fiduciary obligations are first to their institution, second to their conference, and third to the Association. NCAA committee service involves important ethical and moral obligations. Committee integrity is critical to the decision-making process and includes trust, confidentiality and honesty in all issues and aspects of service and representation. NCAA committee members shall disclose any conflict or potential conflict between their respective personal, professional, institutional, conference, or business interests and the interests of the Association that may affect or otherwise threaten such integrity, in any and all actions taken by them on behalf of the Association, for committee evaluation under this Statement.

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In addition to any fiduciary obligation to their institution and conference, committee members also have a fiduciary duty to the Association not to use knowledge or information obtained solely due to service on that committee to the disadvantage of the Association during the term of committee service. Further, a Committee member shall not participate in the committee's discussion or vote on any action that might bring direct or indirect personal financial benefit to the member or any organization (other than the member's institution or conference) in which the member is financially interested. A committee member should also not participate in a discussion or vote for which the member's institution or conference is to be accorded a special benefit beyond benefits shared with other institutions or conferences or is to receive a penalty or disqualification. A violation of either of the above rules by a member of the committee shall not invalidate the action taken by the committee if, following disclosure of the conflict of interest, the committee authorizes, ratifies or approves the action by a vote sufficient for the purpose, without counting the vote of the committee member with the conflict of interest, and the appropriate oversight body approves the action.

A committee member is responsible for advising the chair of any actual or potential conflicts of interest or obligations which he/she may have hereunder, and should recuse him/herself from participating in proceedings, as may be warranted by this policy. Abuse of one's position as a member of a committee may result in dismissal from that position. Where such abuse appears evident, a committee member will be notified by the committee chair and will have the opportunity to present a rebuttal or details of the situation.

SPEAKING AGENT POLICY

The president of the Association and the chair of the Executive Committee are the only individuals authorized to speak on behalf of the Association except as outlined below.

An individual representing a member institution or conference who speaks or opines on an Association issue only has the authority to express the view of that individual or the member institution or conference unless the individual has been designated by the Executive Committee of the Association as a speaking agent of the Association on that issue.

Committee chairs are hereby designated as speaking agents of their committees regarding issues within their committees' jurisdiction on which there is consensus, except that positions of advocacy on behalf of the committee or the Association to be communicated in writing or orally to persons or entities external to the Association must have prior approval by the NCAA Executive Committee or the president of the Association.

The president of the Association is hereby granted authority to designate additional speaking agents of the Association.

NOMINATING COMMITTEE GUIDING PRINCIPLES

1. Division II General Committees.

- a. Academic Requirements Committee: Extensive academic background is important. Individuals should have experience in the research field or with the evaluation/assessment of academic records.
- b. Championships Committee: Some sport committee or regional advisory committee experience is preferred. The committee should also have representatives from each region. The committee also determined that conference rotation should be considered when making appointments.
- c. Committee on Infractions: The committee should include at least one athletics administrator. Nominees should be aware that the committee is work intensive.
- d. Committee on Student-Athlete Reinstatement: Committee members should have significant compliance/legislative knowledge or background.
- e. Legislation Committee: The committee should have one representative from each region. Committee members should have compliance/legislative knowledge or background.
- f. **Committee for Legislative Relief: The committee should consist of athletics administrators with Division II longevity who have a clear understanding of NCAA Bylaw 12 – Amateurism, and Bylaw 14 – Eligibility: Academic and General Requirements.**
- g. Membership Committee: The committee should consist of members with at least five years of Division II experience or members that have gone through the provisional/reclassification process. There should be a balance between members with extensive Division II longevity or reclassification/provisional membership experience. Preference should be given to directors of athletics and conference commissioners.
- h. Nominating Committee: The committee should have one representative from each region. Preference should be given to individuals with previous experience and/or Division II longevity.
- i. There should be diverse gender and ethnic representation on all Division II committees.

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- j. The following criteria also should be considered in the selection of Division II committee representatives:
 - Geographic representation;
 - Conference affiliation; and
 - Held positions (e.g., senior woman administrator) or area of specialty.
- k. The Nominating Committee and Management Council will look for ways to provide opportunities for Division II committee service to individuals who have not been involved in the Association's governance or committee structure in the past.

2. Division II Sports Committees.

- a. Recommendations from sports committees shall not receive preferential treatment in the sports committee nomination process.
- b. The following criteria should be considered in the selection of sports committee representatives:
 - Conference affiliation
 - Sport region
 - Gender
 - Ethnicity
 - Held position
 - Regional advisory committee experience
- c. The Nominating Committee and Management Council will look for ways to provide opportunities for Division II committee service to individuals who have not been involved in sports committee service in the past.

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