# A G E N D A

The National Collegiate Athletic Association

Division II Presidents Council

Downtown Marriott Indianapolis
Indianapolis, Indiana

June 18, 2010

1. Welcome and Announcements, Drew Bogner.

2. Minutes; Bogner.

   a. Summary from April Division II Management Council/Presidents Council meetings. [Supplement No. 1]

   b. Division II Administrative Committee minutes. [Supplement No. 2]

   c. April NCAA Executive Committee minutes. [Supplement No. 3]

      (1) Action on concussions. [Supplement No. 4]

      (2) Referral on accreditation requirements for membership. [Supplement No. 5]

3. Review Summit schedule and agenda; Terri Steeb. [Supplement No. 6]

4. Review and discuss "Life in the Balance" Phase II; Kathleen Brasfield. [Supplement No. 7]

   - Discussion with the chair and vice chair of the Division II Student-Athlete Advisory Committee; Rose Broderick and Brooke Baker.

5. Discuss the Division II Academic Requirements Committee's recommendation regarding nontraditional courses taught in a nontraditional manner; Lisa Mills, Stephanie Smith and Nicholas Sproull. [Supplement No. 8]

6. Discuss Division II new conference membership requirements; Phil Gerbino and Jess Rigler. [Supplement No. 9]

7. Presentation on Division II Academic Performance Census data; Gregg Summers. [Supplement No. 10]

8. Approve updated Presidents Council policies and procedures document; Mike Racy. [Supplement No. 11]

9. Future meetings.

   a. August 12, 2010; teleconference from 10 a.m. to noon Eastern time.

   b. October 28, 2010; Indianapolis.

   c. January 13, 2011; San Antonio, TX.

   d. April 28, 2011; Indianapolis.

   e. August 11, 2011; Indianapolis.

   f. October 27, 2011; Indianapolis.

10. Other business.

11. Adjournment.

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## SUMMARY OF SPRING 2010 QUARTERLY MEETINGS

### The National Collegiate Athletic Association

| **Division II Management Council**<br>**April 12-13, 2010**<br>**Indianapolis, IN** | **Division II Presidents Council**<br>**April 28-29, 2010**<br>**Indianapolis, IN** |
|---|---|
| ATTENDEES | ATTENDEES |
| Bob Boerigter, Northwest Missouri State University<br>Kathleen Brasfield, Angelo State University *(chair)*<br>Clint Bryant, Augusta State University<br>Brenda Cates, Mount Olive College<br>Rick Cole Jr., Dowling College<br>Bob Fortosis, Eckerd College<br>Barbara Hannum, Hawaii Pacific University<br>Leonza Loftin, Fayetteville State University<br>Ann Martin, Regis University<br>Wendy Taylor May, University of California, San Diego<br>Sandy Michael, Holy Family University<br>Jim Naumovich, Great Lakes Valley Conference<br>Frances Nee, Indiana University of Pennsylvania<br>Erin O'Connell, Seattle Pacific University<br>Lloyd Raymond, Northern Sun Intercollegiate Conference *(vice chair)*<br>David Riggins, Mars Hill College<br>Julie Ruppert, Northeast-10 Conference<br>Suzanne Sanregret, Michigan Tech University *(absent Tuesday)*<br>Tim Selgo, Grand Valley State University<br>Karen Soto, University of Puerto Rico Mayaguez<br>Bren Stevens, University of Charleston<br>Glenn D. Stokes, Columbus State University<br>Kathy Turner, Oklahoma Panhandle State University<br>Willie Washington, Benedict College | Drew Bogner, Molloy College *(chair)*<br>Mickey Burnim, Bowie State University<br>Stephen Jordan, Metropolitan State College of Denver<br>Dorothy Leland, Georgia College and State University<br>Ernest McNealey, Stillman College<br>Carolyn Mahoney, Lincoln University (Missouri)<br>Nancy Moody, Tusculum College<br>Cheryl Norton, Southern Connecticut State University<br>J. Patrick O'Brien, West Texas A&M University<br>Beverley Pitts, University of Indianapolis *(vice chair)*<br>David F. Rankin, Southern Arkansas University<br>Hamid Shirvani, California State University, Stanislaus<br>Albert Walker, Bluefield State University |
| ABSENTEES | ABSENTEES |
| | Philip Gerbino, University of the Sciences in Philadelphia<br>Judith Ramaley, Winona State University |

| OTHER PARTICIPANTS | | OTHER PARTICIPANTS |
|---|---|---|
| Alvida Alford, NCAA | | Alvida Alford, NCAA |
| Shonna Brown, NCAA | | Kathleen Brasfield, NCAA |
| Elsa Cole, NCAA | | Elsa Cole, NCAA |
| Bernard Franklin, NCAA | | Mark Emmert, NCAA President-Elect |
| Jennifer Fraser, NCAA | | Kim Ford, NCAA |
| Tamara Gingerich, NCAA | | Jennifer Fraser, NCAA |
| Kevin Lennon, NCAA | | Maritza Jones, Consultant |
| Delise O'Meally, NCAA | | David Klossner, NCAA |
| Stacey Osburn, NCAA | | Delise O'Meally, NCAA |
| Roberta Page, NCAA | | Karen Morrison, NCAA |
| David Pickle, NCAA | | Stacey Osburn, NCAA |
| Mike L. Racy, NCAA | | David Pickle, NCAA |
| Ruth Reinhardt, NCAA, *recording secretary* | | Mike Racy, NCAA |
| Stephanie Smith, NCAA | | Ruth Reinhardt, NCAA, *recording secretary* |
| Terri Steeb, NCAA | | Wally Renfro, NCAA |
| Gregg Summers, NCAA | | Stephanie Smith, NCAA |
| | | Terri Steeb, NCAA |
| | | Gregg Summers, NCAA |
| | | Charlotte Westerhaus, NCAA |

[Note: This summary reflects only actions (formal votes or "sense of meeting"), in accordance with the established policy governing minutes of all NCAA entities. The only discussion included is that ordered by the chair or a member of the group.]

## *1. WELCOME AND ANNOUNCEMENTS.*

Management Council. The meeting was called to order at 8:03 a.m. by the chair, Kathleen Brasfield. The chair welcomed those Council members who had attended the post-Convention Management Council meeting, as well as Leonza Loftin, who was elected at the January meeting. It was noted that the April meeting would be Karen Soto's final Management Council meeting, as she was changing positions at her institution. Three Council members--Rick Cole, Jim Naumovich and Willie Washington--were absent from the start of the meeting, but were expected to arrive prior to the afternoon session.

Presidents Council. The meeting was called to order at 8 a.m. by the chair, Drew Bogner. The chair welcomed Council members in attendance, noting the absence of Phil Gerbino and Judith Ramaley. He also acknowledged Albert Walker, Bluefield State College, who was attending his first meeting on the Council. The chair informed the Council that the president-elect, Mark Emmert, would be joining the meeting shortly.

Additionally, the chair noted that Cheryl Norton would be taking a sabbatical from Southern Connecticut but wished to remain on the Presidents Council during that time. Bylaw 21.8.1.1.2 makes such a provision possible. The chair thanked Dr. Norton for her continued commitment to the Council.

## *2. REVIEW OF PREVIOUS MINUTES.*

### a. Management Council Meeting—January 13; Presidents Council Meeting—January 14; and post-Convention Management Council Meeting—January 16.

Management Council. The Management Council approved the meeting summary from the January 13 and January 16 meetings, as presented.

Presidents Council. The Presidents Council approved the meeting summary from the January 14 meeting, as presented.

### b. Executive Committee Meeting—January 16.

Management Council. The Management Council reviewed the minutes of the January 16 Executive Committee meeting. No formal action was necessary.

Presidents Council. The Presidents Council reviewed the minutes of the January 16 Executive Committee, noting the information concerning St. Andrews Presbyterian College and the Division II Presidents Council report to the Committee. No formal action was necessary.

### c. Administrative Committee.

Management Council. The Management Council approved the minutes of the February 3 teleconference and all interim actions taken, as presented.

Presidents Council. The Presidents Council approved the minutes of the February 3 teleconference and all interim actions taken, as presented.

## 3. 2010 Division II Priorities.

Management Council. The Management Council reviewed the 2010 Division II priorities and received an update on the accomplishments thus far in 2010. No action was necessary.

Presidents Council. As part of the vice president's report, the Presidents Council reviewed the 2010 Division II priorities and the accomplishments noted thus far in 2010. No formal action was taken.

**4. Committee Recommendations Affecting Division II.**

**a. Association-Wide and Common Committees.**

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

**(a) Sport Playing Rule—Concussions.**

Management Council. The Management Council agreed to refer the following to the NCAA Playing Rules Oversight Panel for review and possible action.

A recommendation to consider a common sport playing rule for concussion management in all NCAA sports for which the NCAA writes rules and to consider adopting a modification to playing rules not governed by the NCAA.

The intent of the rule is similar to the rules pertaining to blood across sports and charges the official to remove a student-athlete if they see a noticeable sign of a possible head injury. The medical care and return to play decisions are an institutional responsibility as with other medical conditions. Specifically, the committee recommends the adoption of a rule that states:

(a) "An athlete who exhibits signs, symptoms, or behaviors consistent with a concussion (such as unconsciousness, amnesia, headache, dizziness, confusion, or balance problems), either at rest or exertion, shall be immediately removed from practice or competition and shall not return to play until cleared by a physician or her/his designee."

(b) "Athletes who are rendered unconscious or have amnesia or persistent confusion shall not be permitted to continue for the remainder of the day. These athletes shall not return to any participation until cleared by a physician."

Presidents Council. No action was necessary.

**(b) Sport Playing Rule—Soccer.**

Management Council. The Management Council agreed to refer the following to the NCAA Soccer Rules Committee for review and possible action: to consider a new rule that allows (a) a student-athlete to leave the game for evaluation of an apparent head injury in the first half; (b) a substitute to replace that injured athlete while he/she is being evaluated; and (c) the injured athlete to return if medically cleared. The concept would be part of the current stoppage of play rules for substitution and restart (i.e., goal kicks and throw-ins).

Presidents Council. No action was necessary.

**(c) Sport Playing Rule—Wrestling.**

Management Council. The Management Council agreed to refer the following to the NCAA Wrestling Rules Committee for review and possible action: a recommendation to modify a current rule pertaining to the unconscious contestant.

Presidents Council. No action was necessary.

**(d) Institutional Responsibility for Drug Use Deterrence.**

Management Council. The Management Council was informed that the committee will not make any formal recommendation on a referral that was sent back to the committee by the Council on a proposal to specify that institutions designate a person or persons to serve as the athletics resource for student-athletes' nutritional supplement questions or review.

Presidents Council. No action was necessary.

**(e) Marijuana Positives at Championships Sites.**

Management Council. The Management Council discussed the issue of drug testing at championships sites, specifically, the increase in positive tests by Division II student-athletes. The Council agreed to have further discussions at its July meeting, following the spring championships, and to determine the appropriate next steps, where necessary.

Presidents Council. No action was necessary.

**(2) Minority Opportunities and Interests Committee.**

Management Council. The Management Council reviewed the committee's report, noting that Dawn Reynolds, University of Miami, and William Smith, University of Utah, had assumed the positions of chair and vice-chair, respectively. No formal action was taken.

Presidents Council. No action was necessary.

**(3) Postgraduate Scholarship Committee.**

Management Council. The Management Council reviewed the fall sports awardees. No action was taken.

Presidents Council. No action was necessary.

**(4) Committee on Women's Athletics.**

Management Council. The Management Council reviewed the committee's report, noting the status of sand volleyball, squash and equestrian on the current emerging sports list, and discussed other possible sports that may make application to be added to the list of emerging sports. No formal action was taken.

Presidents Council. No action was necessary.

**b. Division II Committees.**

**(1) Academic Requirements Committee.**

**(a) Bylaw 14.3.1.2.2—Eligibility—Freshman Academic Requirements—Eligibility for Financial Aid, Practice and Competition—Core-Curriculum Requirements—Nontraditional Courses.**

Management Council. The Management Council agreed to recommend that the Presidents Council sponsor legislation for the 2011 Convention to amend Bylaw 14.3.1.2.2 (nontraditional courses) to specify that for purposes of using a nontraditional course to satisfy NCAA core-course requirements, the course must be one in which the instructor and the student have ongoing access to one another and regular interaction with one another for purposes of teaching, evaluating and providing assistance to the student throughout the duration of the course; the student's work (for example, exams, papers, assignments) is available for review and validation; and a defined time period for completion of the course is included, effective August 1, 2011, for any student enrolling at a collegiate institution on or after August 1, 2011.

Presidents Council. The Presidents Council discussed this legislative concept in depth, but had several questions about procedure and terminology contained within the recommendation. The Presidents Council voted to defer action on the legislative concept and requested members of the academic team of the NCAA academic and membership affairs staff and representatives of the NCAA Eligibility Center to join them at their June meeting to discuss the proposal in greater detail.

**(b) NCAA Constitution 4.7.2.3 and Bylaw 14.3.1.5—Organization—Duties of the NCAA Division II Management Council Subcommittee and Other Management Council-Authorized Waivers.**

Management Council. The Management Council agreed to sponsor noncontroversial legislation to amend Constitution 4.7.2.3 (duties of the Management Council Subcommittee) and Bylaw 14.3.1.5 (other Management Council-authorized waivers) to specify that the NCAA Division II Academic Requirements Committee shall have the authority to waive initial-eligibility requirements based on objective evidence that demonstrates circumstances that warrant the waiver of the normal application of those regulations; further, to establish the Academic Requirements Committee as the final authority for initial-eligibility and progress-toward-degree waivers and to eliminate the duty of the Management Council Subcommittee to hear and act on appeals regarding decisions of the Academic Requirements Committee on initial-eligibility and progress-toward-degree waivers involving Division II student-athletes.

Presidents Council. No action was necessary.

**(c) Bylaws 14.4.1.1, 14.5.1.5 and 14.5.5.3.2—Eligibility—Transfer Regulations—Exchange Student Exception.**

Management Council. The Management Council agreed to sponsor noncontroversial legislation to amend Bylaws 14.4.1.1 (bona fide foreign exchange student), 14.5.1.5 (foreign institution transfers) and 14.5.5.3.2 (exchange student exception) to specify that a foreign exchange student or other exchange student may qualify for an exception to the one-year transfer residence requirement, provided he or she is enrolled in the certifying institution for a specified period of time as an exchange student participating in a formal and established educational exchange program recognized by the institution's academic authorities.

Presidents Council. No action was necessary.

**(d) Issuance of an Official Interpretation.**

Management Council. The Management Council agreed to issue an official interpretation stating that a non-remedial course(s) completed at a four-year collegiate institution in English or math will satisfy the transferable English and math requirement of NCAA Division II Proposal No. 2011-1.

Presidents Council. No action was necessary.

**(e) Transfer Student-Athlete Referral.**

Management Council. The Management Council noted a previous recommendation made by the Academic Requirements Committee that recommended the sponsorship of legislation regarding transfers

who were suspended from the previous institution's team for disciplinary reasons. Specifically, the committee discussed the possibility for unintended consequences and the difficulty in establishing an appropriate appeals process. After additional consideration, the committee determined that legislation would not be the most effective approach to this issue because each institution and athletics department has unique rules, and establishing a necessary appeals process would be troublesome because it involves making judgments about a particular institution's values. The committee decided that rather than recommending legislation, it would be more appropriate to modify the division's philosophy statement to specify the behavioral expectations appropriate for Division II athletics. The Management Council agreed with this approach and noted that a recommendation would be forthcoming following the committee's September meeting.

Presidents Council. No action was necessary.

**(f) APC Data Submission.**

Management Council. The Management Council received information concerning institutions that had failed to submit their APC data by the deadline. Of the 12 institutions that failed to submit data by the deadline, a one-time waiver request was granted to Fort Lewis University. Waiver requests were denied to: Arkansas Tech University; Chaminade University; Chowan University; Elizabeth City State University; Florida Southern College; Lees-McRae College; Lenoir-Rhyne College; Miles College; Newberry College; Pfeiffer University, and Tuskegee University. These institutions will not be eligible for institutional enhancement funds for the 2010-11 academic year, pursuant to Bylaw 30.1.1.

The Council also received a presentation from the research staff on an analysis of 2009 Division II APC date.

Presidents Council. No action was necessary.

**(g) Creation of a Pilot Program to Collect Additional Academic Data on All Two-Year College Transfer Student-Athletes.**

Management Council. The Management Council noted that the committee discussed a previous recommendation made by the committee regarding the development of a two-year pilot program to collect additional data on all two-year college transfer students in baseball, men's and women's basketball, and football in the NCAA Division II Academic Performance Census (APC). Previously, the Management Council was concerned about the institutional burden involved in the proposed data collection effort. The committee received an update on a similar data collection in the Division I Academic Per-

formance Program and discussed whether that data could be used in lieu of a Division II collection. The NCAA Research Committee suggested the Division I data could be applicable to Division II, or at least could help narrow the data collection to a few key variables. The committee agreed at this time to use Division I data in future discussions regarding eligibility requirements for two-year college transfers.

Presidents Council. No action was necessary.

**(2) Championships Committee.**

**(a) Committee Appointments and Reappointments.**

Management Council. The Management Council ratified the following committee appointments and reappointments, effective immediately.

(i) NCAA Division II Men's Basketball. **Eric Schoh**, athletics director, Wayne State College (Nebraska), to replace Steve Kirkham, athletics director, University of Colorado, Colorado Springs; and **Ken Tyler**, athletics director, West Virginia Wesleyan College, to replace Claudie Mackey, faculty athletics representative, Elizabeth City State University.

(ii) NCAA Division II Women's Basketball. **Wendee Saintsing**, head coach, Barton College, to replace Dean Walsh, head coach, Carson-Newman College.

(iii) NCAA Division II Women's Field Hockey. **Stacy Gaudette**, head coach, Mercyhurst College, to replace Betty Wesner, head coach, Kutztown University of Pennsylvania.

(iv) NCAA Division II Men's Football. **Tom Kirinovic**, athletics director, Ferris State University, be reappointed; and **Brad Edwards**, athletics director, Newberry College, to replace Timothy Clifton, head coach, Mars Hill College.

(v) NCAA Division II Division II Men's Golf. **Reid Amos**, head coach, West Liberty State College, be reappointed.

(vi) NCAA Division II Women's Lacrosse. **Tom Emberley**, assistant commissioner/director of championships, East Coast Conference, to replace Tom Campolettano, head coach, Molloy College.

(vii) NCAA Division II Men's Soccer. **Thomas Lang**, head coach, Southern Connecticut State University, be reappointed; and

**Jerry Riggs**, head coach, Mount Olive College, to replace Van Taylor, head coach, Lander University.

(viii) NCAA Division II Softball. **Beth Watson**, head coach, Cameron University, to replace Kevin Blaskowski, head coach, West Texas A & M University.

(ix) NCAA Division II Men's and Women's Tennis. **John Black**, head coach, Grand Valley State University, be reappointed.

(x) NCAA Division II Men's and Women's Track and Field. **Shelana Poindexter**, associate director of athletics/compliance/student-athlete welfare, Georgian Court University, to replace Adam Siepiola, head coach, Adelphi University.

(xi) NCAA Division II Women's Volleyball. **Stephanie Dragan**, head coach/senior woman administrator, Franklin Pierce University, to replace Robin Salters, head coach, University of New Haven.

(xii) NCAA Division II Men's Wrestling. **Marc Bauer**, head coach, University of Nebraska at Kearney, to replace Dan Lewis, associate athletics director, Colorado School of Mines.

(xiii) NCAA Division II Men's Baseball Rules Committee. **Greg Weisenstein,** president, West Chester University of Pennsylvania, to replace Jerry Hughes, athletics director, Central Missouri State University.

(xiv) NCAA Division II Women's Basketball Rules Committee. **Tom Shirley**, head coach/athletics director, Philadelphia University, to replace Lynn Griffin, associate athletics director, University of Indianapolis.

(xv) NCAA Division II Men's Football Rules Committee. **Keith Allen**, head coach, Southwest Baptist University, to replace William (Rocky) Rees, head coach, Shippensburg University of Pennsylvania.

(xvi) NCAA Division II Softball Rules Committee. **Patti Gerckens**, University of California, San Diego, be reappointed.

Presidents Council. No action was necessary.

**(b) National Committee Representative on Selection Calls.**

Management Council. The Management Council reviewed information concerning whether the national committee representative can remain on the selection call while their team is being discussed. The committee will discuss this issue further at its summer meeting with the intention of sponsoring legislation that will clarify the rule in Bylaws 31.3.3.5 and 31.3.3.5.1. No action was taken by the Council.

Presidents Council. No action was necessary.

**(c) Charter Protocol.**

Management Council. The Management Council noted that the committee has asked staff to create a list of mandatory individuals responsible for attending championships to determine if the official travel party size should be increased to accommodate additional individuals. The committee has already determined that, at this time, amendments to the official travel party size will not include an increase in the number of student-athletes permitted. No formal action was taken by the Council.

Presidents Council. No action was necessary.

**(d) 2013 NCAA National Championships Festival Dates.**

Management Council. The Management Council noted that the committee voted that the 2013 NCAA Division II National Championships Festival shall be conducted March 6-9, 2013. The participating sports include wrestling, men's and women's swimming and diving, and men's and women's indoor track and field. The championship date is one week earlier than the original date formula for wrestling and men's and women's swimming and diving. The committee noted student-athlete well-being as a concern if the indoor track and field season were to overlap with the outdoor season more than it currently does. The same coaches are used to coach both indoor and outdoor track and field. The greater overlap would require less oversight of the outdoor track and field student-athletes, which could lead to injury and lost opportunities to qualify for the outdoor championship.

Presidents Council. No action was necessary.

**(e) Selection Shows.**

Management Council. The Management Council noted that the committee approved that all Division II championship sports conduct a selection show; and sport committees may request that the Cham-

pionships Committee make exceptions. The committee approved the following guidelines that all sports must follow: (a) each sport must set a start time for the selection show and make this time known to the membership (by posting online and through e-mail) at least one week prior to selections, beginning winter 2010; (b) selection shows must begin before 10 p.m. Eastern time; and (c) all completed regions will be announced at the time advertised. If there are regions that have not been completed, they will be released and added to the Web site upon completion.

Presidents Council. No action was necessary.

**(f) Field Size Cap Limits for Swimming and Diving.**

Management Council. The Management Council noted that a cap was set for men's and women's swimming and diving that established an overall field size cap of 365 participants, effective with the 2011 NCAA Division II Men's and Women's Swimming and Diving Championships. All swimmers and divers who are invited to the meet will be counted toward the total number of participants allowed, not to exceed the following limits: men—160 participants; and women—205 participants. The Division II Men's and Women's Swimming and Diving Committee looked at sport sponsorship numbers for the past four years (2005-2009) for the sports of men's and women's swimming and diving, and the overall participation ratios for Division II individual/team sports and determined that a ratio of 1:7 should be used to determine specific gender participant opportunities within the established overall cap of 365. In recommending the overall and gender-specific final field size limits, the committee felt that it was able to successfully balance the directive from the Division II Championships Committee to establish participation limits that would continue to be aligned with previous championship years and establish an "A" cut time for the 1000 event.

Presidents Council. No action was necessary.

**(g) "A" Cut Time for 1000 Event for Swimming.**

Management Council. The Management Council noted that an "A" cut time was established for the 1000 event, effective with the 2011 NCAA Division II Men's and Women's Swimming and Diving Championships. The Division II Men's and Women's Swimming and Diving Committee determined that, as part of its work to establish a field size cap limit for the championships, it was also an appropriate time to request an "A" cut time for the 1000 event be added to the championships schedule of events. The 1000 event is currently contested during dual meets throughout the regular season and at all conference championship meets. The 1000 event was initially added to

the NCAA Division II championships meet schedule in 2001, and has been swum every year since that time at the championships. Currently, the field for the 1000 event is filled by participants who have achieved an "A" cut time in another qualifying event, and then gained entrance into the 1000 by achieving a "B" cut time. The committee noted that when making its overall field size limit recommendation of 365 student-athletes, it accounted for the three to five additional student-athletes who would gain access to the meet through achieving an "A" cut time for the 1000.

Presidents Council. No action was necessary.

**(h) 2010 Fall Championships Festival.**

Management Council. The Management Council received an update on the 2010 Fall Championships Festival, to be conducted in Louisville, Kentucky November 30 through December 4. The Council was informed that a SharePoint site would be available at diichampionships.ncaa.org for the membership to access information on the Championships Festival. No action was taken by the Council.

Presidents Council. No action was necessary.

**(3) Committee on Infractions.**

**(a) Bylaw 19.5.2.4.2—Review Prior to Restoration of Membership Rights and Privileges.**

Management Council. The Management Council agreed to sponsor noncontroversial legislation to amend Bylaw 19.5.2.4.2 (review prior to restoration of membership rights and privileges) to clarify what duties the director of the Committees on Infractions is required to perform prior to an institution being restored to full rights and privileges of membership at the conclusion of a probationary period. The new bylaw will be found at Bylaw 19.5.3.6.

Presidents Council. No action was necessary.

**(b) Bylaw 19.02.2.1—Types of Violations—Violation, Secondary.**

Management Council. The Management Council agreed to sponsor noncontroversial legislation to amend Bylaw 19.02.2.1 (types of violations—violation, secondary) to clarify and specify what constitutes a secondary violation, as follows:

A secondary violation is a violation that is isolated or ~~inadvertant~~ **inadvertent** in nature, provides or is intended to provide only a minimal recruiting, competitive or other advantage and does not include any

significant ~~recruiting inducement or extra benefit~~ **impermissible benefit (including, but not limited to, extra benefit, recruiting inducement, preferential treatment, financial aid).** Multiple secondary violations by a member institution may collectively be considered as a major violation.

Presidents Council. No action was necessary.

**(4) Committee for Legislative Relief.**

**(a) Guidelines for Relief of Bylaw 14.2.4.2.**

Management Council. The Management Council approved the new guidelines for review of requests seeking relief of Bylaw 14.2.4.2 and specified that the guidelines shall be used when reviewing requests submitted for individuals who are issued a final amateurism certification by the NCAA Eligibility Center on or after April 1, 2010.

Presidents Council. No action was necessary.

**(b) Archival of Previous Cases.**

Management Council. The Management Council noted that, with the approval of the new guidelines for review of Bylaw 14.2.4.2 requested, all previous cases involving Bylaw 14.2.4.2 would be archived so that such cases cannot be used as precedent in future requests seeking relief of Bylaw 14.2.4.2 No action was taken.

Presidents Council. No action was necessary.

**(c) Modifications to Application Procedures—Cases involving Misinformation, a Lack of Information or Institutional Error.**

Management Council. The Management Council was advised that the committee had revised its current policies and procedures to specify that a copy of the written statement provided to the NCAA from the institutional staff member responsible for misadvisement must accompany the staff's notification to the president or chancellor. This change will serve as a deterrent to institutional coaching or compliance staff from providing false information and allow for chancellors and presidents to be able to more directly identify the source of the misguidance and address the situation as they deem appropriate. No action was taken.

Presidents Council. No action was necessary.

**(5) Legislation Committee.**

**(a) NCAA Bylaw 13.6.1.2—Recruiting—Official (Paid) Visit—Number of Official Visits—Prospective Student-Athlete Limitation.**

Management Council. The Management Council agreed to recommend that the Presidents Council sponsor legislation for the 2011 NCAA Convention to amend NCAA Bylaw 13.6.1.2 (number of official visits—prospective student-athlete limitation) to specify that a prospective student-athlete may take an unlimited number of official visits to Division II institutions, with no more than one official visit permitted to any single institution, effective August 1, 2011.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2011 Convention.

**(b) Bylaw 13.12.1.5.1—Recruiting—Sports Camps and Clinics—Institution's Sports Camps and Clinics—Employment of Prospective Student-Athletes– Prospective Student-Athlete.**

Management Council. The Management Council agreed to recommend that the Presidents Council sponsor legislation for the 2011 Convention to amend Bylaw 13.12.1.5.1 (prospective student-athlete) to specify that an institution may employ a prospective student-athlete at an institutional camp or clinic, provided all compensation received is for work actually performed and at a rate commensurate with the going rate in that locality for similar services; further, to specify that the employment of a prospective student-athlete at an institutional camp or clinic may not begin before the completion of the prospective student-athlete's senior year in high school, effective August 1, 2011.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2011 Convention.

**(c) Bylaw 16.1.6.2—Awards and Benefits—Expenses to Receive Non-institutional Awards—Established Regional, National or International Awards.**

Management Council. The Management Council agreed to recommend that the Presidents Council sponsor legislation for the 2011 Convention to amend Bylaw 16.1.6.2 (established regional, national or international awards) to specify that a Division II institution, in addition to an outside organization, may provide actual and necessary expenses for a student-athlete and his or her relative(s) or legal guardian(s) to travel to a banquet designed to recognize the individual's accomplishments as an athlete for the student-athlete to receive an es-

tablished regional, national or international award that is permitted by NCAA legislation, effective immediately.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2011 Convention.

**(d) Bylaw 17.1.6.6.1—Playing Seasons—General Playing Season Regulation—Additional Restrictions—No Class Time Missed for Practice Activities**.

Management Council. The Management Council agreed to sponsor noncontroversial legislation to amend Bylaw 17.1.6.6.1 (no class time missed for practice activities) to permit a student-athlete representing the host institution at a championship event to miss class for practice in conjunction with a conference or NCAA championship event(s).

Presidents Council. No action was necessary.

**(e) Bylaw 30—Consolidation of Administrative Regulations into Other Articles.**

Management Council. The Management Council agreed to sponsor noncontroversial legislation to move Bylaw 30 and its subsections to other sections of the constitution and bylaws, as specified.

Presidents Council. No action was necessary.

**(f) Incorporation of Interpretations into the Division II Manual.**

Management Council. The Management Council agreed to incorporate the following interpretations into the Division II Manual, effective immediately:

(i) Definition of Institutional Staff Member. (II) The unethical-conduct provisions set forth in NCAA Bylaw 10.1 applicable to institutional staff members include any individual who performs work for the institution or the athletics department, even if the individual is a student at the institution (e.g., student manager, student trainer) and/or does not receive compensation from the institution for performing such services (e.g., volunteer coaches, undergraduate assistant coaches and graduate assistant coaches). [References: Bylaws 10.1 and 10.1-(b) (unethical conduct), and official interpretation 09/25/00, Item No. 1]

(ii) Practice Subsequent to Last Scheduled Contest or Date of Competition. (II) The NCAA Interpretations Subcommittee of the Division II Legislation Committee determined that it is

not permissible for an institution to continue to practice in a sport beyond its last regular season contest or date of competition, including the conference championship (if any), unless the institution has reason to believe it is under consideration for selection to participate in the championship. Further, an institution not selected to participate in the championship or an institution that loses in the championship may not continue to practice until the conclusion of the championship event. [Reference: NCAA Bylaws 17.1.6-(b) (NCAA or NAIA championships participation in team sports), 17.1.6-(c) (NCAA championships participation in individual sports), 17.1.6-(d) (post-NCAA championships participation), 17._.1 (length of playing season) and 17._.4 (end of regular season).]

(iii) Transportation From an Away-From-Home Competition During the Winter Break. (II) The Legislation Committee determined that an institution may return to campus on December 20 following the completion of an away-from-home competition, provided the team departs the competition location at the earliest practical opportunity, but not later than 11:59 p.m. (local time) December 19, and all contact between institutional staff members (e.g., coaches) and student-athletes ceases on arrival to campus. [Reference: Proposal No. 2010-7 (playing and practice seasons -- winter break)]

[Note that, although the Management Council agreed to incorporate this interpretation into the Manual, it did ask that the incorporation be referred back to the Legislation Committee for clarification on what the term 'all contact' means within the confines of the interpretation.]

Presidents Council. No action was necessary.

**(6) Management Council Subcommittee to Review Infractions Penalties.**

**(a) NCAA Bylaws 19.5.1 and 19.5.2—Penalties for Secondary Infractions--Penalties for Major Infractions—Presumptive Penalties and Disciplinary Measures.**

Management Council. The Management Council agreed to recommend that the Presidents Council sponsor legislation for the 2011 NCAA Convention to amend NCAA Bylaws 19.5.1 (penalties for secondary violations), 19.5.2.1 (presumptive penalty) and 19.5.2.2 (disciplinary measures) to 1) introduce the penalty sections; 2) clarify that the enforcement staff has the authority to administer secondary infractions cases and impose appropriate penalties for their commission; 3) combine the presumptive penalties and disciplinary measures; and 4) renumber certain bylaw sections, remove certain penalties and

add new bylaw sections, effective immediately, for any institution that receives a Notice of Inquiry after the conclusion of the Division II Business Session on January 15, 2011.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2011 Convention.

**(b) Bylaw 21.8.5.3.1—Committee on Infractions—Composition.**

Management Council. The Management Council agreed to sponsor noncontroversial legislation to amend Bylaw 21.8.5.3.1 (composition) to increase the composition of the Committee on Infractions from five to seven members; further, to specify that the composition of the committee shall consist of one representative of the Division II Management Council, one individual from the general public who is not associated with a collegiate institution, conference, professional or similar sports organization or who represents coaches or athletes in any manner and five members from the Division II membership.

Presidents Council. No action was necessary

**(c) Bylaw 20.2 and Bylaw 21.8.5.7.2—Authority of Membership Committee.**

Management Council. The Management Council agreed to sponsor noncontroversial legislation to amend Bylaws 20.2 (establishment of and compliance with division criteria) and 21.8.5.7.2 (membership committee-duties) to clarify that the Membership Committee shall be the committee that reviews issues surrounding membership requirements (e.g., sports sponsorship) that are discovered during the enforcement process and shall impose, when necessary, any penalties for not satisfying membership requirements.

Presidents Council. No action was necessary.

**(7) Membership Committee.**

**(a) NCAA Constitution 6.3.1, NCAA Bylaw 20.10.5 and Bylaw 21.8.5.7.2—Audit of Institutional Self-Study Report, Minimum Financial Aid and Minimum Sports-Sponsorship Reports.**

Management Council. The Management Council agreed to recommend that the Presidents Council sponsor legislation for the 2011 NCAA Convention to amend Constitution 6.3.1 (self-study report), Bylaw 20.10.5 (audit of membership requirements) and Bylaw 21.8.5.7.2 (duties) to specify that the NCAA Division II Membership Committee may audit the results and action plans of an institution's completed Institutional Self-Study Guide (ISSG) and the information

contained in an institution's minimum financial aid report and minimum sports-sponsorship report. Further, to amend the committee's duties as specified, effective August 1, 2011, for an institution that completes the ISSG on or after June 1, 2011, and the minimum financial aid and minimum sports-sponsorship reporting for the 2010-11 academic year by August 15, 2011, and thereafter.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2011 Convention.

**(b) Multiple Sections of Bylaw 17—Number of Contests or Dates of Competition—Annual Exemptions—Hawaii, Alaska, Puerto Rico—Active Member Institution Located in Canada.**

Management Council. The Management Council agreed to recommend that the Presidents Council sponsor legislation for the 2011 NCAA Convention to amend Bylaw 17 (playing and practice seasons) and its subsections to specify that a member institution located outside of Canada may exempt contest(s) or dates of competition in Canada from the maximum number of contests or dates of competition in that sport when the institution plays in a contest(s) or date of competition either against or under the sponsorship of an active member institution located in Canada, effective August 1, 2011.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2011 Convention.

**(c) Bylaw 20.3—Division II Membership Process—Institution Providing Erroneous Information During the Membership Process—Restricted Membership and Appeal Process.**

Management Council. The Management Council agreed to recommend that the Presidents Council sponsor legislation for the 2011 NCAA Convention to amend Bylaw 20.3 (Division II membership process) to specify that an institution that provides erroneous information to the committee during the membership process that is material, intentional and fallacious, and would have impacted the committee's decision to move the institution forward in the membership process, shall be subject to restricted-membership status for a period of one academic year for its entire athletics program (both men's and women's sports) following the time of discovery. Further, to specify that the NCAA Division II Management Council shall hear and act on an institution's appeal of a decision made by the committee, effective August 1, 2011.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2011 Convention.

**(d) Multiple Sections of Bylaw 20—Application of Restricted-Membership Status.**

Management Council. The Management Council agreed to sponsor noncontroversial legislation to amend Bylaw 20.2.5.1.1 (minimum one-year compliance period), Bylaw 20.2.5.1.2.2 (application of restricted-membership status), Bylaw 20.2.5.1.3 (voting privileges and eligibility for championships), Bylaw 20.2.5.1.4 (no voluntary selection of "restricted-membership" category), Bylaw 20.2.5.1.5 (removal of "restricted-membership" status), Bylaw 20.2.5.2 (waivers of division membership criteria), Bylaw 20.2.5.2.3 (effective date of waiver), Bylaw 20.2.5.2.3.1 (maximum three-year waiver period), Bylaw 20.2.5.2.4 (rejection of waiver request), Bylaw 20.10.1.2.4.2 (application of restricted-membership status), and Bylaw 20.10.3.3 (waiver of minimum women's sports-sponsorship criteria), to specify that an institution placed in restricted-membership status indicates the loss of any or all of the benefits of membership, including championships eligibility, voting privileges, enhancement funds (equal distribution part) and committee service. Further, to add cross references to Bylaw 20.02.5 (restricted membership).

Presidents Council. No action was necessary.

**(e) Bylaw 20.5.1--Reclassification Process.**

Management Council. The Management Council agreed to sponsor noncontroversial legislation to amend Bylaw 20.5.1 (reclassification process) to specify that a Division I institution seeking to reclassify its entire athletics program to Division II shall not be required to go through the three-year membership reclassification process as outlined in Bylaw 20.3.2 (Division II membership process – provisional and reclassifying institutions). Further, the reclassification process shall be determined by the committee as specified.

Presidents Council. No action was necessary.

**(f) Division II Institutional Self-Study Guide (ISSG).**

Management Council. The Management Council noted that the ISSG was undergoing an overhaul to split it into two distinct documents, with one section called the Strategic Initiatives Document and the other called Compliance Related Requirements. A copy of the ISSG was presented to the Presidents Council at its April meeting, and a final version should be distributed at the 2010 Chancellors and Presidents Summit.

Presidents Council. The Presidents Council received a copy of the ISSG and affirmed the reorganization of the document. The docu-

ment will be distributed to Chancellors and Presidents during the 2010 Chancellors and Presidents Summit.

**(g) Compliance Blueprint Review Cancellation Penalty.**

Management Council. The Management Council noted that the staff has created a policy that will be added to the committee's policies and procedures manual to charge a cancellation fee of $1,500 if an institution that requests a review cancels 60 days or after notification that it has been added to the blueprint schedule. If the cancellation occurs after 120 days of notification, the institution will be subject to a $3,000 penalty. The policy is effective for the 2010-11 blueprint class. Staff will report back to the committee after it discusses how the fees can be directed to vendors who incur actual and necessary expenses for preparing for the compliance blueprint.

Presidents Council. No action was necessary.

**(h) Review of the Number of Minimum Contests Required to Meet Sports-Sponsorship Requirements in Basketball, Baseball, Field Hockey, Golf, Soccer and Women's Volleyball.**

Management Council. At the NCAA Convention in January, the membership approved Phase I of the Life in the Balance Package. Part of this legislation provided for a reduction in the maximum number of contests or dates of competition in basketball, baseball, field hockey, golf, soccer and women's volleyball. Due to the reduction in the maximum number of contests or dates of competition in these sports, the Membership Committee discussed whether changes should be made to the minimum number of contests requirements in those affected sports. The committee reviewed a legislative history of when those minimums were enacted and, after discussion on the topic, the committee decided that no changes were necessary at this time.

Presidents Council. No action was necessary.

**(i) Institutions in the Division II Membership Process.**

Management Council. The Management Council noted that, currently, there are 17 institutions in the Division II membership process. The eight candidacy year one institutions are Academy of Arts University (CA), Cedarville University (OH), Lambuth University (TN), Minot State University (ND), Notre Dame College (OH), Simon Fraser University (BC), University of Sioux Falls (SD) and William Jewell College (MO). The four candidacy year two institutions are Cal State East Bay, Dominican University (CA), Maryville University (MO) and Ohio Dominican University (OH). The five provisional institutions are King College (TN), Lincoln University (PA), University

of Arkansas, Fort Smith, University of Illinois, Springfield, and Urbana University.

Presidents Council. No action was necessary.

**(8) Nominating Committee.**

**(a) Committee Reappointments.**

Management Council. The Management Council agreed to recommend that the Presidents Council approve the following Division II committee reappointments:

(i) Division II Committee on Infractions. **Bridget Lyons**, associate director of athletics, Barry University.

(ii) Division II Legislation Committee. **Dean Johnson**, associate director of athletics, Caldwell College.

(iii) Division II Committee for Legislative Relief. **Brian DeAngelis**, director of athletics, East Central University, and **Natasha Oakes**, assistant to the commissioner, Mid-America Intercollegiate Athletics Association.

(iv) Division II Committee on Student-Athlete Reinstatement. **Will Lynch**, faculty athletics representative, Armstrong Atlantic State University, and **Paul Engelmann**, faculty athletics representative, Central Missouri State University).

Presidents Council. The Presidents Council approved the reappointments, as recommended.

**(b) Committee Appointments.**

Management Council. The Management Council agreed to recommend that the Presidents Council approve the following committee appointments, effective September 1, 2010.

(i) Minority Opportunities and Interests Committee. **Jeffrey McLeod**, associate commissioner, Central Intercollegiate Athletic Association.

(ii) Research Committee. **Brian Crow**, faculty athletics representative, Slippery Rock University of Pennsylvania.

(iii) Division II Academics Requirements Committee (two vacancies). **Keith Vitense**, faculty athletics representative, Came-

ron University, and **Denisha Hendricks**, director of athletics, Kentucky State University.

(iv) Division II Championships Committee (two vacancies). **David Sharp**, director of athletics/head men's golf coach, Ouachita Baptist University, and **Claudie Mackey**, faculty athletics representative, Elizabeth City State University.

(v) Division II Membership Committee (two vacancies). **Daniel Mara**, commissioner, Central Atlantic Collegiate Conference, and **Sue Willey**, director of athletics, University of Indianapolis.

(vi) Division II Nominating Committee. **Walter Moore, Jr.**, assistant director of athletics, Grand Valley State University.

Presidents Council. The Presidents Council approved the appointments, as recommended.

**(9) Planning and Finance Committee—Budget-to-Actual Report.**

Management Council. The Management Council reviewed the budget-to-actual report, as of February 28. No formal action was taken.

Presidents Council. The Presidents Council reviewed the budget-to-actual report, as of February 28. No formal action was taken.

As part of the vice chair's report, the Presidents Council also received an update on actions that had taken place at the Planning and Finance Committee meeting the previous day. Highlights of the meeting included a decision by the committee to continue the conference television grants for an additional year at the $10,000 level; a decision to make the submission of an audit letter a part of the conference grant review process; and a decision to divert funds that originally were budgeted to go directly to Arbiter as subsidies for the registration fees by coaches to Division II conferences for officiating enhancements.

Additionally, the Planning and Finance Committee presented a recommendation to the Presidents Council regarding the distribution of enhancement funds to member schools and conferences. The recommendation included the elimination of the prong related to success in the men's and women's basketball championship. Further, the recommendation included a formula that would send 75 percent of the fund to conference offices based on sports sponsorship (as measured by the number of championships conferences offer in NCAA sports) and 25 percent of the fund to member schools based on equal distribution. The Planning and Finance Committee will consider this recommendation again during its August meeting before it seeks final approval

from the Presidents Council later this summer. No formal action was taken by the Council.

**(10) Student-Athlete Advisory Committee.**

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

Presidents Council. No action was necessary.

**(11) Student-Athlete Reinstatement Committee.**

**(i) NCAA Bylaw 14.2.5.2.3.5 (Hardship Waiver—Transfer Student-Athletes).**

Management Council. The Management Council agreed to sponsor noncontroversial legislation to amend NCAA Bylaw 14.2.5.2.3.5 (transfer student-athletes) to allow a transfer student-athlete to use either all elements of the legislation from the division in which the injury or illness occurred or all elements of the NCAA Division II legislation.

Presidents Council. No action was necessary.

**(ii) Term of Office for Chair.**

Management Council. The Management Council agreed to recommend that the Presidents Council extend the term of **Suzanne Sanregret** as the chair of the committee, effective until January 2011.

Presidents Council. The Presidents Council approved the term extension, as recommended.

**5. NCAA Convention and Legislation.**

**a. Presidents Council-Sponsored Proposals for the 2011 Convention.**

Management Council. The Management Council reviewed the legislative drafts of the proposals for the 2011 Convention. All proposals had previously been approved in legislative format; no formal action was necessary.

Presidents Council. The Presidents Council reviewed the legislative drafts of the proposals for the 2011 Convention. All proposals had previously been approved in legislative format; no formal action was necessary.

**b. Noncontroversial Legislation Per Constitution 5.3.1.1.1.**

Management Council. The Management Council approved the legislative form of the noncontroversial proposals, as presented.

Presidents Council. No action was necessary.

**c. Modification of Wording to Conform to the Intent,**

Management Council. The Management Council reviewed the legislative form of the modification of wording. No formal action was necessary.

Presidents Council. No action was necessary.

**d. Inclusion of Proposals into the Division II Manual.**

Management Council. The Management Council agreed to recommend that the Presidents Council approve including into the Manual the legislative proposals approved in legislative form and in concept that are considered the "running supplements" of noncontroversial, administrative regulations, incorporations and modifications based on intent.

Presidents Council. The Presidents Council approved the recommendation.

**6. Division II Project Teams.**

**a. Convention Planning Project Team.**

Management Council. It was the consensus of the Management Council that the format of the Division II education sessions at the 2011 Convention should be varied this year and include one session for the entire membership (excluding presidents and chancellors) in a one-hour time slot, followed by three breakout sessions running concurrently for the second hour allotment. Topics for the various sessions will be reviewed and approved at the Council's summer meeting.

Presidents Council. The Presidents Council reviewed the results from the 2010 Convention survey and agreed with the Management Council that a theme and speaker for the Convention should continue to be a part of the division's Convention format. The Convention Planning Project Team will meet again prior to the June Presidents Council meeting to finalize sessions and Convention format.

**b. Identity Subcommittee.**

Management Council. The Management Council was presented with an oral report from the meeting that was held Tuesday morning. A specific topic that was discussed with the Management Council was the development of a strategic communications project that would assist the division and CoSIDA in their messaging efforts. More

will be discussed concerning this project during future teleconferences and meetings of the Identity Subcommittee. No formal action was taken by the Council.

Presidents Council. No action was needed.

**7. "Life in the Balance" Initiative—Phase II.**

Management Council. As an ongoing commitment to providing student-athletes with a college experience that balances academics, athletics and social pursuits, the Management Council met in round tables to discuss Phase II of the "Life in the Balance" initiative. Although no votes were taken, the following concepts were presented to the Presidents Council for its consideration:

a. Annual or discretionary exemptions.

(1) No changes to the current legislation.

(2) Maintain the following as annual exemptions: conference championship; independents championship; season-ending tournament; and the Alaska, Hawaii, Puerto Rico exemptions. Move the remaining annual exemptions (e.g., alumni contest, fundraising activity) to the list of discretionary exemptions. Increase the number of discretionary exemptions from three to four, and give institutions the choice of how to use those exemptions.

b. Nonchampionship segment.

(1) Baseball and softball.

(a) No changes to the current legislation.

(b) Add two dates of competition in the nonchampionship segment.

(c) Add four dates of competition in the nonchampionship segment.

(d) Permit student-athletes to engage in nonchampionship segment competition without using a season of competition (must be academically eligible).

Note: These concepts for the nonchampionship segment will be for sports (e.g., baseball, softball, lacrosse) that currently do not have this exception, and the focus will be on contests that do not count for championships selections purposes.

(2) Amend the start date of the nonchampionship segment for spring sports (current rule – September 7 or the first day of classes, whichever is earlier).

(a) No changes to the current legislation.

(b) September 7 or the fourth day of classes, whichever is earlier.

c. 20/8 hour rule; skill instruction outside the playing season; start date for winter sports. (One option or a combination of options may be considered.)

(1) 20/8 hour rule – Clarify what does and does not constitute a countable athletically related activity by creating a figure that will be included in the NCAA Division II Manual.

(2) Skill instruction outside of the playing season – sports other than football.

(a) No changes.

(b) Basketball only.

(i) Permit full team activities (skill instruction or practice) outside of the season for no more than two hours per week from the first permissible date of preseason conditioning through October 15; and

(ii) Outside of the playing season after the Division II basketball championship to one week prior to the beginning of the institution's final examination period at the conclusion of the academic year, a student-athlete may participate in no more than two hours per week of skill instruction.

(c) All sports other than football (including basketball).

(i) Permit full team activities (skill instruction or practice) outside of the season for no more than two hours per week; and

(ii) Remaining six hours per week outside of the season are limited to participation in weight-training and conditioning.

(3) Amend the start date for winter sports, including basketball (current rule = September 7 or the first day of classes, whichever occurs first).

(a) September 7 or the fourth day of classes, whichever is earlier.

(b) September 15.

(c) September 15 or the first day of classes, whichever is later.

(d) Reduce the length of playing season by one week (seven days).

Presidents Council. The Presidents Council reviewed the legislative concepts put forth by the Management Council on Phase II of the "Life in the Balance" initiative.

The concepts will be further reviewed by the Division II Championships and Legislation Committees at their joint meeting in June. The Presidents Council will determine which concepts to sponsor for the 2011 NCAA Convention at their meetings this summer.

**8. Division II Management Council.**

**a. Division II Coaches' Enhancement Grant.**

Management Council. The Management Council reviewed the coaching enhancement grants for the 18 Division II institutions, to create new assistant coaching positions. No action was taken.

Presidents Council. No action was necessary.

**b. Management Council/Student-Athlete Advisory Committee Summit.**

Management Council. The Management Council discussed topics that it might want to be on the agenda for the summer Division II Management Council/Student-Athlete Advisory Committee Summit. Topics included health and safety issues (e.g., concussions); educational affairs updates (e.g., leadership academies tailored for Division II); and strength and conditioning issues. No formal action was taken.

Presidents Council. No action was necessary.

**9. Division II Presidents Council.**

**a. Vice Chair Election.** The Presidents Council elected Pat O'Brien as vice chair of the Council, replacing Beverley Pitts and effective September 1. The Council thanked Dr. Pitts for her leadership on the Council and, specifically, the Planning and Finance Committee.

**b. NCAA President-Elect.** Mark Emmert, who had just been named president elect of the NCAA the previous day, joined the Council to introduce himself and briefly summarize his thoughts and goals for the near future. No action was taken.

**c. Chancellors and Presidents Oversight Summary.** The Presidents Council received a supplement and brochure concerning chancellor/president oversight of athletics. The summary document is an effort to enhance and support presidential commitment, oversight, and involvement in the intercollegiate athletics program and is intended to assist Division II chancellors and presidents in evaluating their position in conjunction with the strategic position and philosophy of Division II intercollegiate athletics. It was the consensus of the Council that this is an excellent document. A suggestion was made to create a Web site that could be continuously updated with best practices, as determined by presidents and chancellors. The oversight summary document will be debuted at the 2010 Chancellors and Presidents Summit in June.

**10. Affiliated Association updates.**

**a. Division II Athletics Directors Association (ADA).**

Management Council. The Management Council was updated on the work of the Division II Athletics Directors Association, specifically, the Division II/ADA mentoring program for females and minorities. No action was taken.

Presidents Council. No action was necessary.

**b. Division II Conference Commissioners Association (CCA)**.

Management Council. The Management Council was updated on the work of the Division II Conference Commissioners Association, noting that as of July 1, Butch Raymond would become president and Steve Murray would be vice president. No action was taken.

Presidents Council. No action was necessary.

**c. Co-SIDA.**

Management Council. The Management Council was updated on the recent teleconferences between Division II staff and representatives from CoSIDA. No formal action was taken.

Presidents Council. No action was necessary.

**d. Faculty Athletics Representative Association (FARA)**.

Management Council. The Management Council was updated on the work of FARA, noted that the annual meeting would be held November 11-13. The annual sixth Division II FAR Institute will be conducted in Indianapolis October 29-31.

Presidents Council. No action was necessary.

**e. Minority Opportunity Athletics Administrators Association (MOAA).**

Management Council. The Management Council received an update on the MOAA/Division II Governance Academy that will be conducted at the NACDA Convention June 21-22. No formal action was taken.

Presidents Council. No action was necessary.

**f. National Association for Collegiate Women Athletics Administrators (NACWAA).**

Management Council. The Management Council was updated on the work of NACWAA, nothing an article about Patti Phillips being selected as the new executive director. No formal action was taken.

Presidents Council. No action was necessary.

**11. National office staff updates.**

**a. Community Engagement Award of Excellence.**

Management Council. The Management Council was reminded of the deadline, Friday, April 23, for submission of ideas for the Division II Community Engagement Award of Excellence. No action was taken.

Presidents Council. No action was necessary.

**b. Update on 2010 Presidents and Chancellors Summit.**

Management Council. The Management Council was updated on the schedule and agenda for the 2010 Presidents and Chancellors Summit. No formal action was taken.

Presidents Council. The Presidents Council was updated on the Summit. No action was taken.

**c. Litigation Update.**

Management Council. The Management Council received an update on cases in which the NCAA is involved. No formal action was taken.

Presidents Council. The Presidents Council received an update on cases in which the NCAA is involved. No formal action was taken.

**d. Concussion Presentation.**

Presidents Council. The Presidents Council reviewed a power point on concussions and noted that the Executive Committee may vote to establish a policy for the Association on concussions. No action was taken.

**e. Diversity and Inclusion.**

Presidents Council. The Presidents Council received a report on diversity and inclusion from several members of the staff, as well as Carolyn Mahoney, chair of the Executive Committee Subcommittee on Gender and Diversity Issues. The Council agreed to continue discussions at future meetings. No action was taken.

**f. Best practices on engagement with student affairs.**

Management Council. The Management Council received an update on a project that the staff is working on to provide a framework for individual campuses in Division II to organize a forum that addresses the needs of its student-athletes and enhances collaboration. The Management Council was asked to provide any feedback via e-mail. No formal action was taken.

Presidents Council. No action was necessary.

**g. Division II Long-Range Projections Task Force.**

Presidents Council. The Presidents Council approved the creation of a Division II Long-Range Projections Task Force, to be created immediately. Pat O'Brien agreed to be chair of the task force and Presidents Council members Mickey Burnim and David Rankin agreed to serve. Other members of the task force will include Management Council, Championships Committee and Membership Committee representatives. The initial charge of the task force is to review current Division II budget practices and budget projections and to offer a long-range (10-14 years) budget framework to the Division II Planning and Finance Committee and Division II Presidents Council.

**12. Meeting recap/things to report back to conferences.**

Management Council. The Management Council was given a list of items that needed to be communicated to conference offices and member institutions, including: "Life in the Balance" Phase II information; Division II Membership Fund deadline; Community Engagement Award of Excellence deadline and information; Division II FAR Institute in October; and the CoSIDA meeting in July.

Presidents Council. No action was necessary.

**13. Future meetings.**

Management Council. The Management Council reviewed the future meetings, noting the four-day meeting in July; the Woman of the Year Dinner Sunday, October 17, just prior to the Management Council meeting; and the dates for the 2011 NCAA Convention in San Antonio. No formal action was taken.

Presidents Council. The Presidents Council noted the upcoming meeting, specifically the 2010 Division II Chancellors and Presidents Summit and the teleconference August 12. No formal action was taken.

**14. Adjournment.**

Management Council. The Management Council adjourned at 12:15 p.m. Tuesday afternoon.

Presidents Council. The Presidents Council adjourned at 12:45 p.m. that afternoon.

# MINUTES OF THE

# NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

# DIVISION II ADMINISTRATIVE COMMITTEE

Teleconference No. 2 May 5, 2010

Participants:

Drew Bogner, Molloy College, *chair*
Kathleen Brasfield, Angelo State University
Pat O'Brien, West Texas A&M University
Beverley Pitts, University of Indianapolis, *vice chair*
Lloyd Raymond, Northern Sun Intercollegiate Conference
Mike Racy, NCAA
Ruth Reinhardt, NCAA, *recording secretary*
Stephanie Smith, NCAA
Terri Steeb, NCAA

[Note: These minutes reflect only actions (formal votes or "sense of meeting"), in accordance with the established policy governing minutes of all NCAA entities. The only discussion included is that ordered by the chair or a member of the group.]

The teleconference was called to order at 3:04 p.m. Eastern time. Members were present as noted above.

Acting for the NCAA Division II Management Council and Presidents Council, the Committee took the following actions:

1. Division II Sports Committee Appointments.

It was VOTED

"That the Committee approve the following appointments to Division II sports and sports rules committees, effective September 1, unless otherwise noted:

a. Women's Basketball. **Dede Allen**, associate athletics director, University of Alaska Anchorage, replace Sharon Turner-Dean, head coach, California State University, Stanislaus.

b. Women's Soccer. **Travis Connell**, head coach, Western Washington, replace Kim Sutton, head coach, California State University, Chico; and that Bridget Berube, senior women's administrator, Northern Michigan University, be reappointed.

c. Softball. **Brian DeMasters**, head coach, Queens College, replace Laura Liesman, athletics director, Georgian Court University.

d. Men's and Women's Tennis. **Jeffrey Konya**, athletics director, Northeastern State University, replace Jared Mosley, athletics director, Abilene Christian University.

e. Men's and Women's Track and Field. **Scott Groom**, assistant athletics director, Western State College of Colorado, replace Sylvia Barnier, senior woman administrator, Minnesota State University, Moorhead.

f. Women's Volleyball. **Jamie Moore**, assistant director of athletics/senior woman administrator, Kentucky State University, replace Melissa Wolter, head coach, University of West Florida.

g. Men's Wrestling. **Thomas Gioglio**, athletics director, East Stroudsburg University of Pennsylvania, replace Matthew DeWitt, associate athletics director, Newberry College, effective immediately.

h. Football Rules Committee. **Will Prewitt**, associate commissioner, West Virginia Intercollegiate Athletic Conference, replace Pat Riepma, athletics director, Northwood University.

i. Men's and Women's Ice Hockey Rules Committee. **Aaron Kemp**, associate athletics director, Mercyhurst College, replace Forrest Karr, athletics director, University of Alaska, Fairbanks. "

2. "Life in the Balance Phase II." The Committee continued discussion on the "Life in the Balance Phase II" initiative and concepts that were put forth by the Management Council. The concepts will be further reviewed by the Division II Championships and Legislation Committees at their joint meeting in June. The Presidents Council will determine which concepts to sponsor for the 2011 NCAA Convention at their meetings this summer.

3. Adjournment. The meeting adjourned at 4 p.m.

# # # # #

**INTERIM ACTIONS TAKEN BY THE DIVISION II ADMINISTRATIVE COMMITTEE VIA E-MAIL**

On May 27, the Division II Administrative Committee unanimously approved the following noncontroversial legislation, in time for it to be placed in the 2010-11 Division II Manual.

**Noncontroversial Legislation -- NCAA Bylaws 17.3.4, 17.22.4, 17.24.4 and 17.27.4 – Playing and Practice Seasons – Limitations on Countable Athletically Related Activities-Winter Break – Transportation After and Away-From-Home Competition.**

- Recommendation. Amend NCAA Bylaws 17.3.4 (basketball – limitations on countable athletically related activities-winter break), 17.22.4 (swimming and diving – limitations on countable athletically related activities-winter break), 17.24.4 (track and field, indoor/outdoor – limitations on countable athletically related activities-winter break) and 17.27.4 (wresting – limitations on countable athletically related activities-winter break) to specify that an institution may travel December 20 following an away-from-home competition, provided that is the earliest practical opportunity to return to campus.

# MINUTES OF THE

# NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

# EXECUTIVE COMMITTEE

NCAA National Office
Indianapolis, Indiana

April 29, 2010

Participants:

Charles Bantz, Indiana Univ.-Purdue Univ. at Indianapolis
James Barker, Clemson University
Drew Bogner, Molloy College
Kathleen Brasfield, Angelo State University
Robert Bruininks, University of Minnesota
Mark Emmert, NCAA president-elect
Damon Evans, University of Georgia
Judy Genshaft, University of South Florida
James Harris, Widener University
Robert Kustra, Boise State University
Ann Millner, Weber State University
Kevin Mullen, Siena College
Lynn Oberbillig, Smith College
Harvey Perlman, University of Nebraska, Lincoln
Beverley Pitts, University of Indianapolis
Shirley Raines, University of Memphis
Edward Ray, Oregon State University, chair
Jim Isch, NCAA
Delise O'Meally, NCAA, recording secretary

James Bultman, Hope College; William Harvey, Hampton University; and John Peters, Northern Illinois University, were not able to participate.

Also in attendance were: Gary Brown, director of NCAA News; Elsa Cole, vice president of legal affairs/general counsel; Joni Comstock, senior vice president of championships/senior woman administrator; Dennis Cryder, senior vice president of branding and communications; Tom Jernstedt, executive vice president; David Klossner, director of health and safety; Kevin Lennon, vice president of academic and membership affairs; Keith Martin, interim vice president of administration/chief financial officer; Wallace Renfro, vice president and senior advisor to the NCAA president; Greg Shaheen, senior vice president of basketball and business strategies; Charlotte Westerhaus, vice president of diversity and inclusion; Bob Williams, managing director of public and media relations; David Berst, Daniel Dutcher and Mike Racy, NCAA governance vice presidents; and Jackie Campbell, Leah Kareti and Terri Steeb, NCAA governance directors.

[Note: These minutes contain only actions taken (formal votes or stated "sense of the meeting") in accordance with NCAA policy regarding minutes of all Association entities. While certain items on the Committee's agenda were acted on at various times throughout the meeting, all final actions within a given topic are combined in these minutes for convenience of reference.]

The meeting was called to order at 1:20 p.m. by the chair, President Ray. All members were present as noted above.

1. Welcome and announcements. Ray welcomed Drew Bogner, president of Molloy College and incoming president of the Division II Presidents Council. He also thanked James Barker, Shirley Raines and Damon Evans, who were attending their last Executive Committee meeting.

2. Approval of January 16, 2010, meeting minutes.

   It was VOTED

   "To approve the Executive Committee minutes of the January 16, 2010, meeting as distributed."

3. NCAA Executive Committee Finance Committee report.

   a. Second quarter FY 2009-10 budget-to-actual. The Finance Committee reviewed the second quarter budget-to-actual statement and is satisfied that the Association is on target with its revenues and expenses. The Association has limited financial activity in the second quarter with the majority of revenues and expenditures occurring in the second half of the year related to championship activity and revenue distributions. Revenues received are 32 percent of the budget and are in line with the prior year. The Association's expenses are 16 percent of the total budget for the first quarter and are in line with the prior year.

   b. FY 2010-11 and FY 2011-12 Executive Committee Finance Committee recommendations. The Finance Committee met in March and reviewed the budget allocations for the next two years. In January, the committee reaffirmed an allocation of $1.0 million for Division I new initiatives and $1.0 million for the NCAA president's and Executive Committee new initiatives over the next two years.

(1) President's recommended criteria and FY 2010-11 budget allocations. In fiscal year 2010-11, there will be approximately a six percent increase in revenue with an eight percent increase in Division I revenue distributions, with an allocation increase to Divisions II and III of almost six percent. This aligns with the projected revenue increases. Most of the recommended increases are to maintain current championships, programs and services with less than two percent increase, and 0.36 percent allocated to new initiatives.

(2) FY 2010-11 and FY 2011-12 Division I and Executive Committee and presidential new initiatives.

(a) FY 2010-11 Distribution to Membership. An increase is recommended for the distribution to the Division I membership of $33.8 million. This was a component of the long-term distribution plan approved by the Division I Board of Directors and Executive Committee several years ago. Once final negotiations are complete on the media contract, 2011-12 revenue distribution amounts will be determined.

(b) NCAA Football Championship (FCS) series bracket expansion. An allocation of $250,000 is recommended to expand the FCS bracket beginning with the 2010 football championship. This expansion was approved by the Division I Board of Directors during the last budget cycle.

(c) Expanded softball bat testing and other championships initiatives. An allocation of $83,000 is recommended to expand the number of bats tested across all divisions, as well as to enhance the testing process. An allocation of $90,000 is planned for host expenses at specific championship events.

(d) Men's basketball recruiting. A recommended investment of $410,000 is recommended to assist with monitoring, investigation, education, outreach and compliance.

(e) Presidential Reserve. An allocation of $1 million is recommended to permit budget flexibility to implement new initiatives, as appropriate.

(3) FY 2010-11 and FY 2011-12 Divisions II and III budget recommendations. The Finance Committee did not have any exceptions to the respective initiatives within Divisions II and III.

(4) FY 2010-11 maintenance budget recommendations. The Finance Committee recommended the following fiscal year 2010-11 budget initiatives to maintain current program levels:

(a) Modest increases to maintain the current championships, programs and services;

(b) Additional dollars for contractual commitments and travel-related services;

(c) Adjustments related to the president's salary and a 2.25 percent adjustment to be allocated between market equity and performance adjustments for the staff; and

(d) Five hundred thousand dollars to maintain insurance and risk management programs, and a small incremental increase in officiating fees.

It was VOTED

"To approve the budget recommendations as proposed by the Finance Committee."

c. Building financing bond resolution. The Finance Committee recommended the approval of the bond resolution for the $20 million financing for the new building. Construction is scheduled to begin May 4, and total construction costs are approximately $35 million, and the remaining funding has been earmarked by previous Executive Committee actions. Construction bids came in at 15 percent below estimates, and the staff is continuing to work through some value engineering savings. The financing structure is a 10-year fixed rate structure with an anticipated interest rate of approximately three percent. The annual debt service will be approximately $2.3 million that will be funded from the NCAA Eligibility Center resources and annual committee cost savings.

It was VOTED [For 14, abstain 1.]

"To approve the bond resolution that would provide the authority for the borrowing."

d. Enterprise risk assessment executive summary. In preparation for the incoming NCAA president, the Finance Committee requested a refresh of the Enterprise Risk Assessment that was completed in 2004. Although there has been some change since 2004, the four fundamental risks have stayed the same:

(1) Reputational risks;

(2) Lack of revenue diversification;

(3) Adverse legal rulings/interpretation; and

(4) Regulatory intervention.

Two additional risks have been added to the assessment, and they are:

- Security and privacy of transactions, and data that the NCAA collects on behalf of its members; and

- Physical security around major events particularly around the NCAA Final Four.

This information will be included in the briefing document materials that have been prepared for the incoming President.

4. Executive Committee Accreditation Agency Working Group report.

The Committee received a report from the Accreditation Agency Working Group. The working group was established to review a request from an institution for a waiver of the constitutional membership requirements that mandate accreditation by one of the six regional accrediting agencies. Specifically, the institution wanted to substitute accreditation by a national accrediting agency. The working group recommended that the Committee deny the request for a waiver. Additionally, the group recommended that the issue be forwarded to each division for consideration of a modification to the NCAA Constitution by common provision to remove the requirement for accreditation by one of the six regional accrediting agencies and replace that language with a more general requirement of institutional accreditation by an accrediting agency that has been recognized by the U.S. Department of Education in compliance with Title IV of the Higher Education Act of 1965. The working group noted that NCAA legislative history indicates that at one time accreditation by a national accrediting agency was permitted; however, that language was changed after that agency ceased accrediting universities.

It was VOTED

"To approve the recommendations of the Accreditation Agency Working Group to deny the waiver request and forward the issue of a constitutional amendment to each of the divisional presidential bodies."

5. Litigation update. The Committee received a report from the NCAA general counsel regarding litigation and settlement actions. Also, the Committee reviewed an NCAA policy that would guide disclosure of records to be distributed publicly.

It was VOTED

"To adopt the following guiding principle regarding disclosure of NCAA records:

"It is the policy of the NCAA to disclose information as a matter of course to its member schools and conferences, or as requested by them and to others to the extent it supports the NCAA mission, except where disclosure would violate the law or prejudice the interests or well-being of the Association."

The Committee also approved a process for implementation of the policy by NCAA staff.

6. NCAA drug-testing results for 2008-09. The Committee received a report from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS). The report included final results of the 2008-09 NCAA drug testing in championship events for all divisions, as well as year-round testing in Divisions I and II. The Committee noted an increase in positive tests for marijuana and a slight uptick in positive tests for anabolic steroids. CSMAS requested permission to publish the 2008-09 drug testing results and also requested permission to release contemporaneous aggregate drug-testing results data as a drug-education prevention tool, whereby the data could be used to underscore to the membership the risks faced by student-athletes.

It was VOTED

"To approve the publication of the 2008-09 drug testing results and to permit the release of contemporaneous aggregate drug testing results data in a manner that avoids the Association of any individual or institutional identity."

7. Concussion Policy.

The Committee also received a CSMAS report on recent discussions surrounding concussion management and a recommendation that the Executive Committee adopt a policy requiring institutions across all three divisions to have a concussion management plan on file that mandates removal of a student-athlete who exhibits signs, symptoms or behaviors consistent with a concussion from practice or competition.

It was VOTED

"To adopt the concussion management policy as follows:

"Institutions shall have a concussion management plan on file such that a student-athlete who exhibits signs, symptoms or behaviors consistent with a concussion shall be removed from practice or competition and evaluated by an athletics healthcare provider with experience in the evaluation and management of concussions. Student-athletes diagnosed with a concussion shall not return to activity for the remainder of that day. Medical clearance shall be determined by the team physician or their designee according to the concussion management plan.

"In addition, student-athletes must sign a statement in which they accept the responsibility for reporting their injuries and illnesses to the institutional medical staff, including signs and symptoms of concussions. During the review and signing process, student-athletes should be presented with educational material on concussions."

The policy is to be effective by the start of the 2010-11 academic year. The Committee also asked that consequences for not following the policy be deliberated and that recommended sanctions for noncompliance be presented to the committee by its August meeting. The Executive Committee also recommended each division consider this policy for legislative action.

8. NCAA Division I Board of Directors and Divisions II and III Presidents Councils reports.

a. Division I Board of Directors. The Committee received an update on the actions of the Division I Board of Directors that included the following:

(1) Division I Men's Basketball Championship Expansion. Unanimously approved expansion of the Division I Men's Basketball Championship to 68 teams.

(2) Football Academic Working Group. Received a report from the Football Academic Working Group and expressed strong support for the concepts recommended. The Board will review the recommendations in legislative format in August, with a plan to enter proposals into the 2010-11 legislative cycle.

(3) Executive Committee appointments. Approved the following appointments to the Executive Committee: Jim Cofer, University of Louisiana at Monroe, and David Schmidly, University of New Mexico.

(4) Board of Director appointments. Approved the following appointments to the Board of Directors: Lee Todd, University of Kentucky; Steadman Upham, University of Tulsa; and Nathan Hatch, Wake Forest University.

(5) Division I membership standards. Reviewed and approved the final recommendations from the Division I Leadership Council regarding division's membership standards. The Board plans to review the recommendations in legislative form in August prior to inserting them into the 2010-11 legislative cycle.

b. Division II Presidents Council. The Committee received an update on the actions of the Division II Presidents Council that included the following:

(1) Life in the Balance Phase II. As an ongoing commitment to providing student-athletes with a college experience that balances academics, athletics and social pursuits, Division II chancellors and presidents are engaging in Phase II of the "Life in the Balance" initiative that ensures alignment of athletics competition policies with the division's attribute-based strategic positioning platform. The Presidents Council reviewed the legislative concepts put forth by the Management Council on Phase II of the "Life in the Balance" initiative. The concepts deal with (a) annual or discretionary exemptions, (b) the nonchampionship segment, and (c) the 20/8 hour rule; skill instruction outside the playing season; and start dates for winter sports. The concepts will be further reviewed by the Division II Championships and Legislation Committees at their joint meeting in June. The Presidents Council will determine which concepts to sponsor for the 2011 NCAA Convention at its meetings this summer.

(2) 2010 Division II Chancellors and Presidents Summit. Received an update on the 2010 Chancellors and Presidents Summit, which will be conducted July 19. To date, approximately 140 presidents and chancellors have registered for the meeting, which will focus on Division II Life in the Balance

Phase II; Division II as a membership destination; academics and life skills; and athletics department enhancement tools.

(3) Diversity programming and Association-wide diversity initiatives. Met with NCAA staff members involved with diversity and inclusion. The discussion focused primarily on background information and the current diversity data and statistics for Division II. This is a discussion that the Presidents Council will continue to have throughout this year; the topic also has been placed on the agenda for the 2010 Division II Chancellors and Presidents Summit in June.

(4) Development of chancellors and presidents athletics oversight summary. The division is developing a chancellors and presidents athletics oversight summary, the intent of which is to enhance and support presidential commitment, oversight and involvement in the intercollegiate athletics program. The tool will assist Division II chancellors and presidents in evaluating their position in conjunction with the strategic position and philosophy of Division II intercollegiate athletics. The Presidents Council reviewed and endorsed the document. The document will be shared at the Division II Chancellors and Presidents Summit in June.

(5) Presidents Council vice chair. Elected Pat O'Brien, West Texas A&M University, as the new vice chair of the Council. Dr. O'Brien will assume his duties September 1, when Dr. Pitts' term ends.

c. Division III Presidents Council. The Committee received an update on the actions of the Division III Presidents Council. These included:

(1) 2010-12 budget. Approved the division's proposed 2010-12 budget, noting that some minimal adjustments may be necessary in 2011-12 due to recent changes in the division's revenue projection. The division's reserve may be used to cover all approved 2011-12 commitments.

(2) Presidential leadership. Endorsed a series of concepts designed to better engage presidents in the strategic oversight and leadership of the division, consistent with the 2008 white papers. The following concepts will be reviewed in draft form during the August meeting for membership consideration at the 2011 Convention in San Antonio:

(a) Eliminate the need for the Presidents Council to serve as the sponsor for all of the governance-sponsored proposals for Convention vote. This would allow the Management Council to develop and sponsor operational and administrative legislation and will provide

a clear delineation of operational and strategic responsibilities within the governance structure.

(b) Establish a subcommittee of the Presidents and Management Councils to determine which concepts warrant review by the Presidents Council and formalize the guidelines for such determinations. The subcommittee will establish objective review guidelines that focus on clear, fundamental tenets of the Division III Philosophy Statement and set the proper framework for identifying issues that warrant the Presidents Council's attention.

(c) Expand the membership of the Management Council by adding the category of individuals to whom athletics reports. The addition of two individuals (non-Presidents who directly oversee an athletics director) could broaden the perspective of the Council by including a voice that, while responsible for managing athletics on most campuses, has not historically been directly included in governance discussions. The "direct report" model exists at approximately 805 of Division III member schools.

(d) Establish an expectation for conferences to demonstrate presidential leadership. Despite the current legislative requirement for conference presidential oversight, it appears that presidents may not actively lead some Division III conferences. The division will benefit from more clearly establishing the expectation of strategic leadership at the conference level, and will establish a clear goal in the division's strategic plan, as well as offer incentives to support active presidential leadership.

(3) Collegiate sports wagering. Received a presentation on the results of the 2008 study on collegiate sports wagering, as well as the educational resources offered by the NCAA agents, gambling and amateurism staff. As a result of this presentation, the Council referred to the division's Strategic Planning and Finance Committee the formal inclusion of sports wagering resources in the student-athlete well-being section of the conference grant program. The Council also suggested that Division III consider offering a sports wagering presentation for the 2011 NCAA Convention and consider other ways to enhance the division's use of existing educational resources.

(4) Accreditation requirements for membership. Expressed caution on the concept of changing the accreditation bylaws as they currently stand, noting that the regional accrediting bodies may be less subject to political pressures than the U.S. Department of Education and the current standards seem to be appropriately rigorous for institutions of higher education.

9. NCAA Executive Committee Subcommittee on Gender and Diversity Issues. The Committee received a report from the Executive Committee Subcommittee on Gender and Diversity Initiatives. The subcommittee requested that the Executive Committee review and approve an Association-wide vision statement/framework for NCAA diversity and gender programs and initiatives.

It was VOTED

"To approve the diversity, inclusion and gender framework as follows:

"As a core value, the NCAA believes in and is committed to diversity, inclusion and gender equity among its student-athletes, coaches and administrators. We seek to establish and maintain an inclusive culture that fosters equitable participation for student-athletes and career opportunities for coaches and administrators from diverse backgrounds. Diversity and inclusion improve the learning environment for all student-athletes and enhance excellence within the Association.

"The NCAA will provide or enable programming and education, which sustains foundations of a diverse and inclusive culture across dimensions of diversity including, but not limited to age, race, sex, class, creed, educational background, disability, gender expression, geographical location, income, marital status, parental status, sexual orientation and work experiences. Programming and education also will strive to support equitable laws and practices, increase opportunities for individuals from historically underrepresented groups to participate in intercollegiate athletics at all levels, and enhance hiring practices for all athletics personnel to facilitate more inclusive leadership in intercollegiate athletics."

10. Association-wide committee frequency requests. The Association's bylaws require the Executive Committee to authorize exceptions for Association-wide committees to meet more than two meetings per year. Two of the nine Association-wide committees have requested waivers: (1) the Minority Opportunities and Interests Committee (MOIC) and (2) the Postgraduate Scholarship Committee.

It was VOTED

"To approve meeting exception waivers for the MOIC and the Postgraduate Scholarship Committee. Further the Committee delegated this authority to the NCAA president in the future."

11. Future meetings. The Committee reviewed its future meetings schedule.

12. Adjournment. Ray adjourned the meeting at 3:05 p.m.

# # # # #

## SUPPLEMENTAL INFORMATION ON CONCUSSIONS

Attached is a draft proposal that the NCAA Division II Legislation Committee will review to address the concussion policy approved by the NCAA Executive Committee. The Legislation Committee will make its recommendations to the Division II Management Council in July, and it is expected that the Presidents Council will be asked to approve emergency legislation (effective Fall 2010) when it meets via teleconference in August.
Co
This proposal is being shared as part of the Executive Committee's meeting update. No action is needed by the Presidents Council at this time.

# DRAFT

**Proposal Number**: 2010-?

**Title**: **NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- CONCUSSION MANAGEMENT PLAN**

**Intent**: To require as a condition and obligation of NCAA membership that an institution shall have a concussion management plan on file, as specified.

**Constitution:** Amend 3.2.4, as follows:

3.2.4 Conditions and Obligations of Membership.

[3.2.4.1 through 3.2.4.16 unchanged.]

**3.2.4.17 Concussion Management Plan. An active member institution shall have a concussion management plan for its student-athletes. The plan shall include, but not limited to, the following:**

**(a) An annual process in which student-athletes acknowledge they received information about the signs and symptoms of concussions and that they have a responsibility to report concussion related injuries and illnesses to the athletics healthcare staff;**

**(b) A process in which a student-athlete who exhibits signs, symptoms or behaviors consistent with a concussion shall be removed from athletics activities (e.g., competition, practices, conditioning sessions) and evaluated by a medical staff member (e.g., sports medicine staff, team physician) with experience in the evaluation and management of concussions;**

**(c) A policy that requires student-athletes diagnosed with a concussion shall not return to athletic activity (e.g., competition, practice, conditioning sessions) for the remainder of that calendar day; and**

**(d) Medical clearance shall be determined by a physician (e.g., team physician) or the physician's designee.**

**3.2.4.17.1 Effect of Violations. Violations of Constitution 3.2.4.17 shall be considered an institutional violation per Constitution 2.8.1; however, the violation shall not affect the student-athlete's eligibility**.

**Source:** NCAA Division I Board of Directors (NCAA Executive Committee).

**Effective Date**: Immediate

**Proposal Category**: Amendment

**Topical Area**: NCAA Membership

**Rationale**: The NCAA's latest step in the process to develop a consistent Association-wide approach to concussion management has come from the NCAA Executive Committee for all three divisions. As a next step to ensure accountability and enforcement, the Executive Committee recommended that each division consider this policy for possible legislative action. This policy demonstrates the NCAA's continued commitment to the prevention, identification, evaluation and management of concussions. This initiative is based on ongoing review of research data and discussions with the medical community regarding concussions in intercollegiate athletics. The development of a concussion management plan at the institutional level that includes the protocol under the direction of a physician for responding to possible concussions is in the best interest of student-athlete well-being and can lessen the chances of further harm to a student-athlete's health. Further, a written concussion management plan for an institution's athletics department, in addition to the institution's sports medicine policies for the care of its student-athletes shall assist with the continued evaluation and care for student-athletes who suffer a concussion. Determination of appropriate care and treatment of student-athlete's injuries and illness are best handled through a local institutional medical model that has physician oversight and direction. This model should focus on appropriate access to healthcare providers with the unchallengeable authority to determine management and return to play following a concussion. Lastly, by requiring each institution to engage student-athletes in understanding their risks and acknowledge that they understand these risks as well as their responsibility for reporting their injuries and illnesses, including signs and symptoms of concussions will help to ensure that student-athletes are keenly aware of the potential harmful effects of concussions on their health.

**Estimated Budget Impact**: Minimal.

**Impact on S-A's Time:** Minimal.

# SUPPLEMENTAL INFORMATION ON ACCREDITATION

Attached is background information on the accreditation that the NCAA Executive Committee has discussed. The Division II Membership Committee will review this matter in July. The Presidents Council will receive an update on this issue during its August teleconference.

This information is being shared as part of the Executive Committee meeting update. No action is needed by the Presidents Council at this time.

NCAA/06/04/10/MLR:rcr

MEMORANDUM

February 16, 2010

TO: Accreditation Requirement Discussion Group.

FROM: Wendy A. Walters
Director of MSAA – Infractions Appeals Committees.

SUBJECT: Legislative History of the Accreditation Requirement for Membership.

This document includes the legislative history for NCAA Constitution 3.2.3.2 (Divisions I and III) and 3.2.3.3 (Division II). The constitutions read:

- **Constitution 3.2.3.2 - Accreditation and Division Classification. (Division I)**
  After the Administration Cabinet has determined that the institution is accredited by one of the six regional accrediting agencies, the application shall be considered with regard to requested membership division and sport classification in accordance with Bylaw 20. The application then shall be referred to the Leadership Council for consideration.

- **Constitution 3.2.3.3 - Accreditation and Division Classification. (Division II)**
  After it has been determined that the institution meets the Association's requirement of acceptable academic standards (i.e., the institution is accredited by one of the six regional accrediting agencies*), the application shall be considered with regard to requested membership division and sport classification in accordance with Bylaw 20. The application then shall be referred to the Management Council for consideration.

- **Constitution 3.2.3.2 - Accreditation and Division Classification. (Division III)**
  After it has been determined that the institution meets the Association's requirement of acceptable academic standards (i.e., the institution is accredited by one of the six regional accrediting agencies), the application shall be considered with regard to requested membership division and sport classification in accordance with Bylaw 20. The application then shall be referred to the Management Council for consideration.

Prior to 1956, membership in the NCAA required accreditation by:

> "…one or more of the following national and regional accrediting agencies acceptable to the Association, namely,
>
> Association of American Universities
> New England Association of Colleges and Secondary Schools
> Middle States Association of Colleges and Secondary Schools
> North Central Association of Colleges and Secondary Schools
> Northwest Association of Secondary and Higher Schools
> Southern Association of Colleges and Secondary Schools
> Western College Association
>
> or listed by the Committee on Special Projects of the American Association of Collegiate Registrars as an institution offering a bachelor's degree acceptable for admission to graduate standing." *(See 1955 NCAA Manual – Art. I Section 2-a)*

At the 1956 NCAA Convention, the language of this bylaw was changed. The language quoted above was deleted and replaced with the phrase "its regional accrediting agency." *(See 1956 Convention Bulletin)*

Unfortunately, there is no documentation in the NCAA archives which explains this change. The previous bylaw included six regional accrediting agencies and the Association of American Universities. A review of the Association of American Universities' Web page states that it stopped accrediting universities in 1949. It is reasonable to assume that since the Association of American Universities was no longer accrediting universities and only the regional accrediting agencies existed, the language "its regional accrediting agency" was used in the bylaw.

In April 1979, the NCAA Council was asked to consider the recognition of academic accrediting agencies other than the traditional six regional associations. *(See NCAA Council Minutes April 23-25, 1979)* At the August 15-17, 1979, NCAA Council meeting, the discussion continued regarding accreditation by other agencies being used to satisfy the NCAA's accreditation requirement. The minutes state:

> "The committee had agreed that the use of the six traditional regional academic accrediting agencies for purposes of the provisions of Bylaw 7-2-(a)-(2) should be continued, without expanding the legislation to approve other accrediting agencies. The Division I Steering Committee suggested that those six agencies be listed by name in the legislation."

As a result of this meeting, the NCAA Council sponsored NCAA Proposal No. 12, which was adopted as part of a consent package at the 1980 Convention. *(See 1980 Official Notice)* This

proposal affirmed that accreditation by one of the six regional accrediting agencies is a requirement of NCAA membership. Since the proposal was not pulled out of its consent package, there is no specific discussion of the proposal on the Convention floor. Further, the NCAA archives do not have the minutes of the NCAA Division I Steering Committee's June or July 1979 meeting. It appears that a detailed record of the rationale for limiting required accreditation to the six regional accrediting agencies does not exist.

WW:kas

Attachments

# Comparison of Accreditation Processes

| | **Southern Association of College and Schools**<br>*Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, and Latin America* | **American Academy for Liberal Education** |
|---|---|---|
| MISSION | The Commission's mission is (1) the enhancement of educational quality throughout the region and (2) the improvement of the effectiveness of institutions by ensuring that they meet standards established by the higher education community that address the needs of society and students. | The American Academy for Liberal Education is a national association for the accreditation of institutions and programs offering outstanding general education in the liberal arts that meet the Academy's administrative, fiscal, and education criteria. The Academy employs specific Education Standards to evaluate an institution's academic requirements, practices and performance in the pursuit of excellence in liberal learning.<br><br>A distinguishing feature of the Academy's accreditation process is its two-tier system for reviewing applicants' academic quality. The Academy's Council of Scholars is comprised of distinguished teachers and scholars committed to the purposes of liberal arts education. The Council independently reviews the academic requirements and practices of each applicant institution or program, and reports its findings to the Academy's Board of Trustees, which is comprised of prominent educators and other public figures. The Board, which is charged with responsibility for all accreditation actions, then conducts its comprehensive review of applicants' educational, administrative, and fiscal performance. This system of dual review ensures that the educational performance of applicant institutions and programs receives the highest level of professional and independent appraisal. |
| PRINCIPLES/REQUIREMENTS | **Principle of Integrity**<br>The Commission on Colleges expects integrity to govern the operation of institutions and for institutions to make reasonable and responsible decisions consistent with the spirit of integrity in all matters. Therefore, evidence of withholding information, providing inaccurate information to the public, failing to provide timely and accurate information to the Commission, or failing to conduct a candid self-assessment of compliance with | **Liberal Learning Assessment** (Educational Standards)<br>The Academy's Liberal Learning Assessment Standards invite institutions to reflect and report on the ways their educational programs actually foster the growth and flourishing of key characteristics, such as the ability to reason and communicate effectively, possession of a certain breadth and depth of knowledge, and a well-founded love of learning. These characteristics are compatible with several approaches to liberal |

| | **Southern Association of College and Schools**<br>*Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, and Latin America* | **American Academy for Liberal Education** |
|---|---|---|
| | the *Principles of Accreditation* and to submit this assessment to the Commission, and other similar practices will be seen as the lack of a full commitment to integrity. | education.<br><br>Assessment should make use of multiple approaches and kinds of information; both qualitative and quantitative evaluations of student achievement should be considered, as appropriate. At root, the Academy asks its members to reflect on whether they are achieving their missions, and to demonstrate this in verifiable ways. Members and applicants are required to report on their regular practices and processes for assessing the effectiveness of their liberal arts programs.<br>1. Effective Reasoning.<br>2. Broad and Deep Learning.<br>3. Inclination to Inquire. |
| | **Compliance with Core Requirements**<br>1. Degree-granting Authority.<br>2. Governing Board – active policy-making body and responsible ensuring financial resources to provide a sound educational program.<br>3. Chief Executive Officer.<br>4. Institutional Mission – clearly defined, comprehensive, published. Addressing teaching and learning (research and public service, if applicable).<br>5. Institutional Effectiveness – engages in ongoing, integrated, and institution-wide research-based planning and evaluation processes.<br>6. Continuous Operation.<br>7. Program Length (e.g. credit-hours minimum for degrees).<br>8. Program Content – coherent course of study, compatible with mission.<br>9. General Education – require successful completion of a general education component.<br>10. Course work for Degrees. | **Mission** (Educational Standards)<br>It is important that all colleges and universities define clearly their special character and traditions, as well as their educational programs and objectives. In the case of liberal arts colleges, their distinctive aims and characteristics should be communicated accurately and effectively to students, parents, educators, administrators and the general public.<br><br>1. <u>Relation of Mission to the Institution</u> - The institution's mission statement reflects the importance and centrality of liberal education and states the institution's purposes and goals in a manner that corresponds to the way in which the curriculum is actually organized and taught.<br><br>2. <u>Thought and Speech</u> – Liberty of thought and freedom of speech are supported and protected, bound only by such rules of civility and order as to facilitate intellectual inquiry and the search for truth. |

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| | 11. Faculty.<br>12. Learning Resources and Services.<br>13. Student Support Services.<br>14. Financial Resources - The institution has a sound financial base and demonstrated financial stability to support the mission of the institution and the scope of its programs and services.<br>15. Physical Resources.<br>16. Quality Enhancement Plan - The institution has developed an acceptable Quality Enhancement Plan (QEP) that (1) includes a broad-based institutional process identifying key issues emerging from institutional assessment, (2) focuses on learning outcomes and/or the environment supporting student learning and accomplishing the mission of the institution, (3) demonstrates institutional capability for the initiation, implementation, and completion of the QEP, (4) includes broad-based involvement of institutional constituencies in the development and proposed implementation of the QEP, and (5) identifies goals and a plan to assess their achievement. | |
| | **Compliance with Comprehensive Standards**<br>The Comprehensive Standards set forth requirements in the following four areas: (1) institutional mission, governance, and effectiveness; (2) programs; (3) resources; and (4) institutional responsibility for Commission policies. The Comprehensive Standards are more specific to the operations of the institution, represent good practice in higher education, and establish a level of accomplishment expected of all member institutions.<br>1. Mission.<br>2. CEO evaluation/selection.<br>3. Governing board control.<br>4. Board conflict of interest. | **General Education and Curriculum** (Educational Standards)<br>Students at most institutions of higher learning receive a foundation in the diverse skills and subject areas of the arts and sciences through a program of general education. This broad foundation is usually complemented by a more focused exploration of the knowledge and methods of one disciplinary area or major.<br><br>1. The institution defines and enforces academic entrance requirements that prepare students to take the required college-level general education courses. This applies to distance education as well as to on-campus education. |

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| | 5. External influence.<br>6. Board dismissal.<br>7. Board/administration distinction.<br>8. Organizational structure.<br>9. Qualified administrative/academic officers.<br>10. Faculty/staff appointment.<br>11. Administrative staff evaluation.<br>12. Control of intercollegiate athletics.<br>13. Fund-raising activities.<br>14. Institution-related foundation.<br>15. Intellectual property rights.<br>16. Institutional effectiveness.<br>17. Academic program approval.<br>18. Continuing education/service programs.<br>19. Admissions policies.<br>20. Acceptance of academic credit.<br>21. Academic policies.<br>22. Practices for awarding credit.<br>23. Consortial relationships/contractual agreements.<br>24. Noncredit to credit.<br>25. Academic support services.<br>26. Responsibility for curriculum.<br>27. Academic program coordination.<br>28. Technology use.<br>29. College-level competencies.<br>30. Institutional credits for a degree.<br>31. Undergraduate program requirements.<br>32. Terminal degrees of faculty.<br>33. Post-baccalaureate program rigor.<br>34. Graduate curriculum.<br>35. Institutional credits for a degree.<br>36. Post-baccalaureate program requirements.<br>37. Faculty competence.<br>38. Faculty evaluation. | 2. The baccalaureate requirements in the liberal arts and sciences call for not less than a third of the student's course work to be taken within the general education requirement, except when equivalent attainment is proven by examination.<br><br>3. General education requirements are intended to ensure a basic knowledge of mathematics and the physical and biological sciences, including laboratory experience, intermediate knowledge of at least one foreign language, the study of literature and literary classics, the political, philosophical and cultural history of Western civilization, and the foundations and principles of American society.<br><br>4. The institution, or programs, evaluate student progress in learning the elements of general education taught under Standard Eight and ascertains how well it meets the educational goals it has set for itself, either by means of a general examination or some academic equivalent.<br><br>5. The curriculum's prerequisite structure, as defined and enforced, ensures an orderly progression from elementary to advanced levels of knowledge, and the course definitions in the catalogue distinguish clearly among those considered fundamental (either to a general education or to mastery of a major), those less so, and those that belong to specialized subjects. |

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| | 39. Faculty development.<br>40. Academic freedom<br>41. Faculty role in governance.<br>42. Learning/information resources.<br>43. Instruction of library use.<br>44. Qualified staff.<br>45. Student rights.<br>46. Student records.<br>47. Financial stability.<br>48. Submission of financial statements.<br>49. Financial audits.<br>50. Control of finances.<br>51. Control of sponsored research/external funds.<br>52. Control of physical resources.<br>53. Institutional environment.<br>54. Physical facilities.<br>55. Compliance with the Commission's substantive change procedure and policy.<br>56. Compliance with other Commission policies.<br>57. Publication of accreditation status. | 6. Students write substantial essays during every stage of progress as undergraduates and thereby demonstrate their proficiency in written English or appropriate language. |
| | **Compliance with Federal Requirements**<br>The federal statute includes mandates that the Commission review an institution in accordance with criteria outlined in the regulations of the Amendments developed by the U.S. Department of Education. As part of the review process, institutions are required to document compliance with those criteria and the Commission is obligated to consider such compliance when the institution is reviewed for initial membership or continued accreditation. | **Teaching and Educational Resources** (Educational Standards)<br>The primary activity of a liberal arts faculty is teaching, understood both in the special sense of classroom instruction and more broadly, as the guidance and mentoring essential to the formation of liberally educated persons. In addition to the faculty, certain educational resources – the library and other information sources foremost among them – are vital to an institution's ability to achieve its educational objectives.<br><br>1. The importance of teaching is featured, supported and rewarded in the life of the institution or program.<br><br>2. Class size is appropriate to subject matter, level of |

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| | | instruction, and need for class discussion.<br><br>3. Regular faculty members, including senior ones, teach introductory general education courses, as well as introductory courses within majors, and are regularly engaged in academic counseling.<br><br>4. The library and other information resources are adequate to the demands of the institution's programs and students are encouraged or required to utilize its scholarly resources. |
| | **Compliance with the policies of the Commission on Colleges** (see Appendix) | **AALE Institution Standards**<br>In addition to its primary purpose of gauging educational substance and quality, accreditation also reflects an institution's ability to sustain its operations over time. The determination of institutional sustainability or viability is based principally on consideration of an institution's record of stability or growth in enrollment and faculty/staff employment; on the adequacy and maintenance of its facilities and student services; on the reliability of its governance and administrative structures and practices, especially with regard to continuing financial support; and on a review of its financial resources and outlook.<br>1. Organization and Governance.<br>2. Financial Management.<br>3. Student Support Services.<br>a. General Services.<br>b. Student Records and Privacy.<br>c. International Students.<br>d. Student Athletics.<br>e. Student Financial Policies.<br>f. Student Complaints. |

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| | | 4. Facilities.<br>5. Branch Campuses, Off-Campus Teaching Sites, Distant Education Programs. |
| PROCESS OF ACCREDITATION | 1. Attendance at Workshop for Pre-Application Institutions.<br>2. Submission of application to be reviewed by the Commission.<br>3. Visit by the Candidacy Committee.<br>4. Granting of Candidacy Status.<br>5. Completion by the Institution of Compliance Certification information.<br>6. Accreditation Committee visit.<br>7. Committee on Compliance and Reports reviews submission and reports.<br>8. Committee on Compliance and Reports make recommendations to Executive Council which makes recommendation to the Commission on Colleges fro formal action. | 1. Institution submits a completed application.<br>2. Academy staff reviews application materials.<br>3. Academy staff visits to school site scheduled.<br>4. Institution begins writing self-study.<br>5. Institution completes and submits self-study.<br>6. AALE review of submitted self-study.<br>7. AALE selects a team to conduct the site<br>8. Evaluation team conducts site visit (3 days), prepare report.<br>9. Application materials to Council and Board for review.<br>10. Board of Trustees takes formal action on application. |

# SCHEDULE OF EVENTS

**SUPPLEMENT NO. 6**
**DII Pres Council 06/10**

## Friday, June 18

*8 a.m. to Noon* — *Division II Presidents Council Meeting*
*Indiana F-G* — *(Members of the Presidents Council ONLY)*

*Attendees and Guests arrive Friday*
*Please check in at the hotel registration desk for room accommodations.*

*1 to 4 p.m.* — *Conference Meetings*
*(Members of these conferences ONLY)*
*California Collegiate Athletic Association (Florida);* Great Lakes Intercollegiate Athletic Conference (Columbus); *Great Lakes Valley Conference (Illinois); Mid-America Intercollegiate Athletics Association (Boston); Northeast-10 Conference (Utah); Northern Sun Intercollegiate Conference (Michigan); and West Virginia Intercollegiate Athletic Conference (Texas)*

*2:30 to 4 p.m.* — *Meeting for Historically Black Colleges and Universities*
*Denver*

*3:30 to 5 p.m.* — *Meeting for Hispanic Serving Institutions*
*Marriott 1*

*5:30 to 7 p.m.* — *Reception*
*Chancellors, Presidents and Guests (Adults Only)*
*Circle City Bar and Grille Restaurant*

*7 p.m.* — *Dinner (on your own)*
*Indianapolis has a plethora of restaurants in the immediate vicinity. Please see the listing provided and make reservations at the restaurant of your choice.*

## Saturday, June 19

*Chancellors, Presidents and Commissioners ONLY should plan to attend the business session.*
*Dress: Business Casual*

*7:30 to 9 a.m.* — *Buffet Breakfast*
*President-Elect Mark Emmert will address the group at 8:15 a.m.*
*Marriott 7-10*

*9 a.m. to 12:30 p.m.* — *Business Session*
*Indiana Ballroom*

*12:30 to 1:30 p.m.* — *Lunch*
*Circle City Bar and Grille Restaurant*

*1:30 to 4 p.m.* — *Business Session*
*Indiana Ballroom*

*6 p.m.* — *Social Activity*
*Gather at hotel to transfer to NCAA Hall of Champions and NCAA National Office.*

*6:30 to 9:30 p.m.*
*Event at the NCAA Hall of Champions and the NCAA National office*
*Children are welcome to attend; however, please be advised that alcohol will be served.*
*Evening Activities: Chancellors, Presidents and Guests*
*Dress: Casual*

## Sunday, June 20

*Open Day—Presidents and Chancellors depart the hotel at their convenience.*

MLR/TMS:rcr/05/27/10

# A G E N D A

The National Collegiate Athletic Association

Division II Chancellors and Presidents Summit

Downtown Marriott Indianapolis
Indianapolis, Indiana

June 19, 2010

| | | |
|---|---|---|
| 9 to 9:30 a.m. | 1. | Welcome and opening remarks.<br><br>**Jim Isch,** Interim President, NCAA.<br><br>**Jim Morris**, President, Indianapolis Pacers. |
| 9:30 to 10 a.m. | 2. | An overview and discussion of various strategic efforts and business practices occurring at the local, conference and national levels to assist with maintaining "Life in the Balance."<br><br>**Drew Bogner**, President, Molloy College, and Chair of the NCAA Division II Presidents Council.<br><br>**Greg Shaheen**, Senior Vice President for Basketball and Business Strategies, NCAA.<br><br>**Kathleen Brasfield**, Director of Athletics, Angelo State University, and Chair of the NCAA Division II Management Council. |
| 10 to 11 a.m. | 3. | Roundtable discussions and open forum.<br><br>**Pat O'Brien**, President, West Texas A&M University. |
| 11 to 11:15 a.m. | 4. | Break. |
| 11:15 to 11:45 a.m. | 5. | Division II as a Membership Destination—A discussion regarding Division II's strategic growth.<br><br>**Phil Gerbino**, President, University of the Sciences in Philadelphia.<br><br>**Mickey Burnim**, President, Bowie State University. |
| 11:45 a.m. to 12:30 p.m. | 6. | Roundtable discussions and open forum.<br><br>**Dorothy Leland**, President, Georgia College and State University. |

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| 12:30 to 1:30 p.m. | 7. | Lunch. |
| 1:30 to 1:40 p.m. | 8. | Division II Community Engagement Award of Excellence Presentation |
| 1:40 to 2:20 p.m. | 9. | Academics and Life Skills—An overview and discussion of the academic profile of Division II student-athletes and the division's commitment to establishing a path to graduation while cultivating skills and knowledge for life ahead.<br><br>**Ernest McNealey**, President, Stillman College.<br><br>**Beverley Pitts**, President, University of Indianapolis.<br><br>**Rose Broderick**, Student-athlete, Northern Kentucky University, and Chair of the NCAA Division II National Student-Athlete Advisory Committee. |
| 2:20 to 3:00 p.m. | 10. | Athletics Department Enhancement Tools—Evaluating an institution's position in conjunction with the strategic position and philosophy of Division II intercollegiate athletics.<br><br>**Stephen Jordan**, President, Metropolitan State College of Denver.<br><br>**Jerry Farley**, President, Washburn University.<br><br>**Carolyn Mahoney**, President, Lincoln University. |
| 3:00 to 3:50 p.m. | 11. | Roundtable discussions and open forum.<br><br>**Nancy Moody**, President, Tusculum College. |
| 3:50 to 4 p.m. | 12. | Closing remarks.<br><br>**Drew Bogner**, President, Molloy College. |

# # # # #

# Discussion Document Regarding Phase II of the Life in the Balance Initiative Aligning NCAA Bylaw 17 (Playing and Practice Seasons) Legislation and Championships Policies with the NCAA Division II Strategic Positioning Platform

## Background

As an ongoing commitment to providing student-athletes with a college experience that balances academics, athletics and social pursuits, Division II chancellors and presidents are engaging in Phase II of a "Life in the Balance" initiative that ensures alignment of athletics competition policies with the division's attribute-based Strategic Positioning Platform.

Discussions began in January 2009 when chancellors and presidents raised concerns about whether Division II student-athletes were spending too much time on athletics and not enough on what the rest of the campus had to offer. The division committed to a comprehensive review of playing and practice seasons and championships with an eye toward scaling back a growing emphasis on the games themselves.

That led to a four-proposal package for the 2010 NCAA Convention designed to streamline seasons and reduce contests in 10 sports and establish a seven-day dead period during the winter holiday break. The proposals were developed not only to ensure more of the balance that had become a benchmark in the Strategic Positioning Platform but they also came with the ancillary benefit of reducing costs for financially strapped institutions affected by a slumping economy.

Phase I of the Life in the Balance initiative was ambitious without a doubt. Many Division II members, including student-athletes and coaches, resisted the idea of cutting contests. That was expected. But chancellors and presidents remained focused on the bigger picture. They not only knew that athletics, as an integrated function of the collegiate model, would be expected to help during a financially challenging time but they also knew that Division II's behavior on the fields and courts had to align with the Strategic Positioning Platform. In effect, Division II had to walk its strategic talk.

Now with Phase I in the rear-view mirror, Phase II continues that commitment to balance and to ensuring that student-athletes receive the maximum benefit from their college experience.

Chancellors and presidents agreed to a multi-phased approach in spring 2009 during a meeting of the NCAA Division II Presidents Council and presidents who headed their respective conference athletics governing boards. Many of them wondered whether the proposals in what eventually became Phase I, were comprehensive enough. Some asked why all sports were not included in the restrictions, or why other aspects beyond simply the championship segments were not being considered.

These presidents stopped short, however, of proposing more sweeping changes all at once. They knew that the Life in the Balance package was on a fast track as it was and that it would take time for the Division II membership to reconcile the need for moderation in their athletics behavior. Thus, the Division II leadership forged ahead with what they regarded as the most

readily acceptable changes, while also committing to an ongoing review of other athletically related policies and activities that could culminate in legislation at future Conventions.

**Identification of Overarching Issues**

1. Amend the playing and practice seasons legislation set forth in NCAA Division II Bylaw 17 (e.g., length of season; start dates for practice and competition) to work concurrently with changes in championships policies (e.g., selection criteria, length of championship, game rules, championships operations); to align with the Strategic Positioning Platform; create better life/work balance and with the foresight of establishing better business practices.

2. Determine the appropriate format (e.g., one proposal, multiple proposals and package of proposals) for any legislative changes, if recommended, for the 2011 Convention.

3. Determine implementation date(s) and effective date(s) for any legislative recommendations to Bylaw 17 and/or changes in championships policies.

**Overview of Phase II**

While Phase I focused primarily on season length and the maximum number of contests in various sports, Phase II is intended to also examine the growing number of "exempted" contests in many sports, as well as the nonchampionship segment in these sports (that is, the period of athletically related activities that is outside of a given sport's traditional playing season).

As was the case with Phase I, the review began with considering every imaginable idea, from season modifications in sports not addressed in Phase I to adjusting rules regulating the number of hours student-athletes can devote to athletically related activities in a given week.

As was also the case with Phase I, the Phase II effort relies on data, input from all constituents and a well-vetted approach throughout the governance structure to develop proposals that meet the intent of the review. Overall, the idea is to align athletics behavior with the identity Division II has carved out for itself in its strategic platform. This is not a punitive pursuit but rather a strategic exercise.

1. ***Maximum number of contests or dates of competition for sports that were not modified in Phase I.*** In November 2009, the NCAA Division II Legislation Committee continued its discussions regarding the maximum number of contests or dates of competition for all Division II championship sports that were not modified in Phase I of the initiative. The

committee narrowed the discussion for future in-person meetings by making some key decisions.

First, the committee decided that there should not be a change to the maximum number of contests or dates of competition for emerging sports for women (i.e., rugby, equestrian, sand volleyball and squash) and National Collegiate Championship sports [men's sports (three): gymnastics, volleyball, water polo; women's sports (four): bowling, gymnastics, ice hockey, water polo; and men's and women's sports (three): fencing, rifle, skiing]. The committee noted that the intent behind the emerging sports for women legislation is to provide additional athletics opportunities to female student-athletes. In addition, such sports must gain championship status within 10 years or show steady progress toward that goal to remain on the list. The committee agreed that the emerging sports for women need to continue to grow and a reduction to the maximum number of contests or dates of competition is not appropriate at this time. Finally, the committee agreed that since Division II institutions are competing against institutions from Divisions I and III in sports that conclude with a National Collegiate Championship, the maximum contests or dates of competition should not be reduced for competitive equity purposes.

Second, the committee agreed to focus on the contests or dates of competition in Division II championship sports, specifically, football and tennis. The committee directed staff to compile additional information on these two sports for its March 2010 in-person meeting. Particularly, the committee wanted information, through the score-reporting system in championships, on the number of Thursday night games in football and the number of institutions that participated in 10 games versus the maximum of 11 games over the last three years (i.e., 2006-07, 2007-08 and 2008-09). The committee also wanted to review the average number of dates of competition used by institutions that sponsor tennis over the same three-year period.

Review of Data on Football and Tennis

At its March 2010 meeting, the Legislation Committee received a report from the NCAA research staff regarding the three years of data collected from the championships score reporting system in football and tennis. Data confirmed that a significant majority of institutions compete in football on the weekends only. In addition, approximately 40-percent of institutions participated in Thursday night football contests during each academic year of the three years reviewed, which accounted for about six-percent of all contests each year. The data also showed that institutions that sponsor men's and/or women's tennis are participating in an average of 18 dates of competition during the championship segment. This is seven dates of competition less than the maximum permitted under the playing and practice seasons legislation.

Recommendation – Football

Based on this data, the NCAA Division II Management Council and the Legislation Committee noted that a reduction of contests in football was not necessary because its playing and practice season is different from other Division II sports. It was noted that since a large majority of institutions participate in football on the weekends, there is not a missed class time or missed study time issue. In addition, the current playing season legislation does not allow football student-athletes to participate in discretionary exemptions like scrimmages or non-Division II four-year collegiate institution exhibition contests in addition to the maximum number of contests each year. Finally, football does not compete in any contests against outside competition during the nonchampionship segment. Therefore, a recommendation to reduce the maximum number of contests in football is not being made.

Recommendation - Tennis

The Management Council and Legislation Committee noted that because institutions that sponsor men's and/or women's tennis are participating in fewer dates of competition than permitted under the maximum limits established for tennis in the playing and practice seasons legislation, a reduction of dates of competition in tennis is not necessary. Therefore, a recommendation to reduce the maximum number of dates of competition in tennis is not being made.

2. ***List of annual and discretionary exemptions (e.g., alumni meet, conference championships, scrimmages).***

Similar to the discussion regarding the maximum number of contests or dates of competition, the committee agreed to focus only on those sports that concluded with a Division II championship. This is important because each sport has its own list of exemptions, which may be excluded from the maximum number of contests or dates of competition each year. Such exemptions are not the same for all sports. Annual exemptions may include alumni meets, conference championships or fundraising activities. An institution may exempt an unlimited number of contests or dates of competition from the maximums, if it meets the conditions of an annual exemption. Whereas an institution is limited in annually exempting no more than three contests or dates of competition when its team participates in a contest or date of competition that meets the definition of a discretionary exemption (e.g., non-Division II four-year collegiate institution, scrimmage).

The Legislation Committee agreed that it needed data before proceeding on this issue and directed the staff to prepare a questionnaire for the membership to compile three years of

data on the use of such exemptions. The questionnaire breaks down the responses by sport, over a three-year period (i.e., 2006-07, 2007-08 and 2008-09). The questionnaire was sent to institutions in mid-December 2009 and responses were due to the national office not later than February 12, 2010. The committee discussed the results of the questionnaire at its March 2010 in-person meeting. Questionnaires were submitted by 193 of 288 institutions, for a 67-percent response rate.

Review of Data on Annual and Discretionary Exemptions

The data showed that a significant number of teams did not use any exemptions during each academic year under review (e.g., approximately 60-percent of men's cross country, men's and women's golf teams and women's swimming teams), while slightly more exemptions are used in baseball, basketball, men's and women's soccer and women's volleyball. The data also showed that the most commonly used exceptions by all sports include: alumni contests, contests as part of a fundraising activity, exhibition contests against a non-Division II four-year collegiate institution and scrimmages.

Recommendations – Annual and Discretionary Exemptions

The Management Council proposes the following legislative options for consideration related to the annual and discretionary exemptions.

Exemptions – Option One (No changes)

- The list of annual and discretionary exemptions does not change.

- The maximum number of annual and discretionary exemptions that may be used by an institution during a year does not change.

Exemptions – Option Two (Combination of lists and increase of discretionary exemptions)

- The list of annual exemptions only includes the conference championship, independents championship, season-ending tournament and the Alaska, Hawaii, Puerto Rico exemptions.

- The remaining annual exemptions (e.g., alumni contest, fundraising activity) are moved to the list of discretionary exemptions.

- The maximum number of discretionary exemptions increases from three to four.

- Institutions deciding how to use the annual and discretionary exemptions does not change.

3. ***Nonchampionship segment (e.g., 24 practice or contest/dates of competition in 45-day consecutive calendar day period).*** Per current legislation, each institution is required to determine the playing season for each sport. Bylaw 17.1.2 (segments of playing season) specifies that for all sports other than football and basketball, each institution may divide the playing season into not more than two distinct segments – the championship and nonchampionship segments. For some sports, institutions that designate a nonchampionship segment may permit their student-athletes to participate in any practice or competition activity in a maximum of 24 days that occurs in a period of 45 consecutive calendar days. Sports with this type of nonchampionship calendar include: baseball, cross country, field hockey, golf, men's lacrosse, women's rowing, soccer, softball, tennis and women's volleyball. It has been noted that the nonchampionship segment has a benefit for student-athletes and, thus, there should not be an overall elimination of the nonchampionship segment.

The Legislation Committee recognized its need for data on this issue and directed staff to include questions in the questionnaire regarding the number of dates of competition used by institutions (over a three-year period) during the nonchampionship segment. The committee discussed the results of the questionnaire at its March 2010 in-person meeting.

Another topic that was discussed by the committee included a possible change to the start date of the nonchampionship segment. Concerns were noted regarding how early spring sport student-athletes begin the nonchampionship segment. Under current legislation, spring sports with a nonchampionship segment in the fall may begin practice or competition September 7 or the first day of classes, whichever is earlier. Fall sports with a nonchampionship segment in the spring may begin practice or competition no earlier than February 15.

<u>Review of Data on Dates of Competition during the Nonchampionship Segment</u>

The Legislation Committee discussed and reviewed the three years of sport-by-sport data from institutional responses to the questionnaire regarding the number of dates of competition used by institutions during the nonchampionship segment. The data showed that institutions and student-athletes are participating in less than the maximum number of dates of competition permitted in the nonchampionship segment. The average number of dates of competition used by an institution each year of the three- year period of the questionnaire (2006-07 through 2008-09), were as follows:

- Field hockey – 1.82 dates (maximum of five dates of competition permitted per year);

- Lacrosse, women's – 2.03 dates (maximum of five dates of competition permitted per year);

- Soccer, men's – 2.26 dates (maximum of five dates of competition permitted per year);

- Soccer, women's – 2.28 dates (maximum of five dates of competition permitted per year); and

- Volleyball, women's – 1.68 dates (maximum of four dates of competition permitted per year).

Recommendations – Nonchampionship Segment

As a result of the data, it was agreed that the current legislation regarding the maximum number of dates of competition in the nonchampionship segment were at the appropriate number. Therefore, a recommendation to reduce the maximum number of dates of competition in the nonchampionship segment is not being made.

The structure of the nonchampionship segment also was discussed. A number of options for consideration have been forwarded, including adding dates of competition for baseball and softball during the nonchampionship segment and amending the start date of the nonchampionship segment.

The Management Council proposes the following legislative options for consideration related to the nonchampionship segment. One option or a combination of options may be considered.

Nonchampionship Segment – Option One (Baseball and softball – No changes)

- The period of 45 consecutive calendar days for nonchampionship segment activities does not change.

- The permissible maximum number of 24 practice or competition activity days that occur within the 45 consecutive calendar day period does not change.

- For baseball and softball, teams may participate in a contest(s) during the nonchampionship segment that counts against the maximum of 50 contests.

- For baseball and softball, a student-athlete who participates in a contest(s) during the nonchampionship segment will be charged with the use of a season of competition.

Nonchampionship Segment – Option Two (Baseball and softball – Additional dates of competition)

- The period of 45 consecutive calendar days for nonchampionship segment activities does not change.

- The permissible maximum number of 24 practice or competition activity days that occur within the 45 consecutive calendar day period does not change.

- For baseball and softball, two or four dates of competition are added to the nonchampionship segment.

Nonchampionship Segment – Option Three (Exception for season of competition)

- The period of 45 consecutive calendar days for nonchampionship segment activities does not change.

- The permissible maximum number of 24 practice or competition activity days that occur within the 45 consecutive calendar day period does not change.

- Student-athletes may engage in competition during the nonchampionship segment without using a season of competition (must be academically eligible).

  Note: This review will be for sports (e.g., baseball, softball, lacrosse) that currently do not have this exception, and the focus will be on contests that do not count for championships selection purposes.

Nonchampionship Segment – Option Four (Start Date – No changes)

- The period of 45 consecutive calendar days for nonchampionship segment activities does not change.

- The permissible maximum number of 24 practice or competition activity days that occur within the 45 consecutive calendar day period does not change.

- For spring championship sports, the permissible start date of the nonchampionship segment is September 7 or the first day of classes, whichever is earlier.

Nonchampionship Segment – Option Five (Later Start Date)

- The period of 45 consecutive calendar days for nonchampionship segment activities does not change.

- The permissible maximum number of 24 practice or competition activity days that occur within the 45 consecutive calendar day period does not change.

- For spring championship sports, the permissible start date of the nonchampionship segment is September 7 or the fourth day of classes, whichever is earlier.

4. ***20/8-hour rule, skill instruction and counting contests.*** Per the Bylaw 17 daily and weekly hour limitations, a student-athlete's participation in countable athletically related activities during the season is limited to a maximum of four hours per day and 20 hours per week. Whereas, outside the playing season, student-athletes are limited to a maximum of eight hours per week, of which not more than two hours per week may be spent on individual skill instruction.

Review of Countable Athletically Related Activities

The Legislation Committee reviewed 2002 NCAA Convention Division II Proposal No. 20 (playing and practice seasons – countable athletically related activities), which revised the definition of countable athletically related activities and removed the laundry list of activities that were considered countable athletically related activities and a number of official and staff interpretations regarding the same (e.g., captain's practices, preparation of playing field for practice or competition). The committee expressed concerns that institutions are applying the legislation differently and that institutions are not aware of the interpretations on the Legislative Services Database for the Internet (LSDB*i*). The committee further noted that per the GOALS/SCORES study, some student-athletes are spending more than 20 hours per week participating in countable athletically related activities during the championship segment. The Management Council and Legislation Committee agreed that to provide more consistency in the application of how institutions, coaches and student-athletes count athletically related activities; the legislation could be revised via an editorial revision to establish a figure in the Manual that will identify what activities constitute countable athletically related activities.

Review of Skill Instruction Outside of the Playing Season

The Management Council and the Legislation Committee discussed how, if at all, skill instruction outside of the playing season could be amended. Staff provided an update from meetings with the respective sports committees whose members expressed concerns regarding the current structure of skill instruction and that it should be amended to help with the work/life balance of coaches and other athletics administrators on campus. Some sports committees noted that the increase to the size of the groups for the teams with larger starting squads did not help, nor did the change to permit more than one group of student-athletes to participate in skill instruction in the same or different facilities at same time. A few representatives on sports committees recommended that by permitting full team practice to replace the two hours of skill instruction outside of the playing season may assist with this issue. It was agreed that any legislative option to amend skill instruction would need to fit the philosophy of Division II, be consistent with the division's strategic positioning platform and the Life in the Balance initiative.

Start Date of Winter Sports

The Legislation Committee and the Management Council discussed the length of the championship season for winter sport student-athletes (swimming and diving, indoor track and field, wrestling). Staff noted that under current legislation, winter sport student-athletes (except basketball) may begin the first practice on September 7 or the first day of classes, whichever occurs first. Staff also noted that the championship for the winter sports occurs in mid to late-March each year.

Recommendation – 20/8 Hour Rule

The Management Council proposes the following legislative option for consideration related to the 20/8 hour rule.

20/8 Hour Rule – Option

- The definition of a countable athletically related activity does not change.

- Clarify what does and does not constitute a countable athletically related activity by creating a figure that will be included in the NCAA Division II Manual (e.g., captain's practices would be listed as a countable athletically related activity and study hall would be listed as a noncountable athletically related activity).

Recommendations – Skill Instruction

The Management Council proposes the following legislative options for consideration related to skill instruction outside of the playing season. One option or a combination of options may be considered.

Skill Instruction (Sports Other than Football) – Option One (No changes)

- The maximum of eight hours per week, of which no more than two hours may be spent on skill instruction, does not change.

- Permitting more than one group of student-athletes from the same team to participate in skill instruction with the same coaches in the same or different facilities at the same time, provided there is no co-mingling between the groups, does not change.

- The requirement that each group of student-athletes must have a separate coach does not change.

- The maximum number of student-athletes permitted in each group does not change:

    - Individual sports – No more than four student-athletes from the same sport;

    - Team sports with a starting squad size of six or fewer – No more than four student-athletes from the same sport; and

    - Team sports with a starting squad size of seven or more – No more than six student-athletes from the same team.

Skill Instruction (Sports Other than Football) – Option Two (Basketball only)

- The maximum of eight hours per week, of which no more than two hours may be spent on skill instruction, is changed to permit no more than two hours per week of full team activities (skill instruction or practice), outside of the playing season from the first permissible date of preseason conditioning through October 15.

- Outside of the playing season after the Division II basketball championship to one week prior to the beginning of the institution's final examination period at the

conclusion of the academic year, a student-athlete may participate in no more than two hours per week of skill instruction.

- Permitting more than one group of student-athletes from the same team to participate in skill instruction with the same coaches in the same or different facilities at the same time, provided there is no co-mingling between the groups, does not change.

- The requirement that each group of student-athletes must have a separate coach does not change.

- The maximum number of student-athletes permitted in each group does not change:

  - Team sports with a starting squad size of six or fewer – No more than four student-athletes from the same sport.

Skill Instruction (Sports Other than Football) – Option Three (Full Team Activities Outside the Season)

- The maximum of eight hours per week, of which no more than two hours may be spent on skill instruction, is changed to permit no more than two hours per week of full team activities (skill instruction or practice) outside the playing season. If a team participates in skill instruction, the following conditions must be satisfied:

  - Permitting more than one group of student-athletes from the same team to participate in skill instruction with the same coaches in the same or different facilities at the same time, provided there is no co-mingling between the groups, remains the same.

  - The requirement that each group of student-athletes must have a separate coach remains the same.

  - The maximum number of student-athletes permitted in each group remains the same.

    - Individual sports – No more than four student-athletes from the same sport;

    - Team sports with a starting squad size of six or fewer – No more than four student-athletes from the same sport; and

- Team sports with a starting squad size of seven or more – No more than six student-athletes from the same team.

- The remaining six hours of the maximum of eight hours per week outside of the playing season are limited to participation in weight-training and conditioning.

Recommendation – Start Date for Winter Sports

The Management Council and the Legislation Committee agreed that the start date for winter sports (September 7 or the first day of classes, whichever is earlier) should be adjusted to a later date. The committee did not identify a specific date but discussed the option of starting four weeks after the institution's first day of classes. The committee noted that this option may have a greater impact on quarter-system institutions.

The Management Council proposes the following legislative options for consideration related to the start date of countable athletically related activities for winter sports.

Winter Sports – Option One

- The current start date is moved to a later date of September 7 or the fourth day of classes, whichever is earlier.

Winter Sports – Option Two (Consistent Start Date)

- The current start date of is moved to a later date of September 15.

Winter Sports – Option Three

- The current start date is moved to a later date of September 15 or the first day of classes, whichever is later.

Winter Sports – Option Four (Length of Season – Including Basketball)

- In swimming and diving, indoor track and field and wrestling, the current start date of September 7 or the first day of classes, whichever occurs first, does not change.

- The length of the playing season is reduced by one week (seven days).

**Timeline for Review and Outreach Efforts**

| | |
|---|---|
| November 2009 | Division II Legislation Committee meeting |
| December 2009 | Discussion with the American Volleyball Coaches Association |
| January 2010 | Initial Review by Division II Management Council and Division II Presidents Council |
| January 2010 | Discussion with the NCAA Division II Field Hockey Committee |
| January to June 2010 | Outreach to the Division II Athletics Directors Association (ADA) and the Division II Conference Commissioners Association (CCA) |
| February 2010 | NCAA Division II Championships Committee meeting |
| February 2010 | Discussion with the following Division II Sports Committees: (1) Men's and Women's Soccer; (2) Women's Volleyball; (3) Men's Basketball; (4) Football; (5) Softball; and (6) Baseball |
| March 2010 | Division II Legislation Committee meeting |
| March 2010 | Discussion with the following Division II Sports Committees: (1) Women's Golf; (2) Men's and Women's Tennis; and (3) Men's Lacrosse |
| April 2010 | Discussion with the National Association of Basketball Coaches (NABC) |
| April 2010 | Discussion with the Women's Basketball Coaches Association (WBCA) |
| April 2010 | Second Review by Division II Management Council and Presidents Council |
| April 2010 | NCAA Division II Student-Athlete Advisory Committee teleconference |
| April 2010 | Discussion with the following Division II Sports Committees: (1) Cross Country and Track and Field; (2) Women's Basketball; (3) Wrestling; and (4) Swimming and Diving |

| | |
|---|---|
| June 2010 | Division II Championships Committee and Legislation Committee meetings |
| June 2010 | Joint meeting of the Division II Championships Committee and Legislation Committee with representatives from the ADA and CCA |
| June 2010 | Division II Presidents Council meeting |
| June 2010 | Division II Chancellors and Presidents Summit |
| June 2010 | National Association of Collegiate Directors of Athletics (NACDA) meeting |
| July 2010 | Division II Student-Athlete Advisory Committee meeting |
| July 2010 | Division II Management Council/Student-Athlete Advisory Committee Summit |
| July 2010 | Division II Management Council meeting |
| August 2010 | Division II Presidents Council teleconference |
| August 2010 | NCAA Division II Administrative Committee teleconference |

**Conclusion**

That is what the Life in the Balance effort – both phases of it – is all about. The effort is more than providing student-athletes with a better balance between academics and athletics; it is about the total collegiate experience. As chancellors and presidents charged with ensuring the health and vitality of the division and the well-being of all student-athletes, it is essential for this ongoing review of athletics policy to align with our platform.

**Division II Presidents Council**
**Phase II of the Life in the Balance Initiative – Legislative Concepts**

A. Annual or discretionary exemptions.

1. No changes to the current legislation.

2. Maintain the following as annual exemptions: conference championship; independents championship; season-ending tournament; and the Alaska, Hawaii, Puerto Rico exemptions. Move the remaining annual exemptions (e.g., alumni contest, fundraising activity) to the list of discretionary exemptions. Increase the number of discretionary exemptions from three to four, and give institutions the choice of how to use those exemptions.

B. Nonchampionship segment.

1. Baseball and softball.

   a. No changes to the current legislation.

   b. Add two dates of competition in the nonchampionship segment.

   c. Add four dates of competition in the nonchampionship segment.

   d. Permit student-athletes to engage in nonchampionship segment competition without using a season of competition (must be academically eligible).

      Note: This review will be for sports (e.g., baseball, softball, lacrosse) that currently do not have this exception, and the focus will be on contests that do not count for championships selections purposes

2. Amend the start date of the nonchampionship segment for spring sports (current rule – September 7 or the first day of classes, whichever is earlier).

   a. No changes to the current legislation.

   b. September 7 or the fourth day of classes, whichever is earlier.

C. 20/8 hour rule; skill instruction outside the playing season; start date for winter sports. (One option or a combination of options may be considered.)

1. 20/8 hour rule – Clarify what does and does not constitute a countable athletically related activity by creating a figure that will be included in the NCAA Division II

Manual (e.g., captain's practices would be listed as a countable athletically related activity and study hall would be listed as a noncountable athletically related activity).

2. Skill instruction outside of the playing season – sports other than football.

   a. No changes.

   b. Basketball only.

      (1) Permit full team activities (skill instruction or practice) outside of the season for no more than two hours per week from the first permissible date of preseason conditioning through October 15; and

      (2) Outside of the playing season after the Division II basketball championship to one week prior to the beginning of the institution's final examination period at the conclusion of the academic year, a student-athlete may participate in no more than two hours per week of skill instruction.

   c. All sports other than football (including basketball).

      (1) Permit full team activities (skill instruction or practice) outside of the season for no more than two hours per week; and

      (2) Remaining six hours per week outside of the season are limited to participation in weight-training and conditioning.

3. Amend the start date for winter sports, including basketball (current rule for swimming and diving, indoor track and field and wrestling = September 7 or the first day of classes, whichever occurs first).

   a. September 7 or the fourth day of classes, whichever is earlier.

   b. September 15.

   c. September 15 or the first day of classes, whichever is later.

   d. Reduce the length of playing season by one week (seven days).

# EXCERPT FROM THE REPORT OF THE NCAA DIVISION II ACADEMIC REQUIREMENTS COMMITTEE FEBRUARY 25-26, 2010, MEETING

***ACTION ITEMS*.**

**1. Legislative Action Items.**

**a. 2011 Convention Legislation – Bylaw 14.3.1.2.2 – Eligibility – Freshman Academic Requirements – Eligibility for Financial Aid, Practice and Competition – Core-Curriculum Requirements – Nontraditional Courses.**

(1) Recommendation. Sponsor legislation for the 2011 Convention to amend Bylaw 14.3.1.2.2 (nontraditional courses) to specify that for purposes of using a nontraditional course to satisfy NCAA core-course requirements, the course must be one in which the instructor and the student have ongoing access to one another and regular interaction with one another for purposes of teaching, evaluating and providing assistance to the student throughout the duration of the course; the student's work (for example, exams, papers, assignments) is available for review and validation; and a defined time period for completion of the course is included.

(2) Effective Date. August 1, 2011, for any student enrolling at a collegiate institution on or after August 1, 2011.

(3) Rationale. Current legislation permits the use of nontraditional courses (courses taught via the Internet, distance learning, independent study, individualized instruction, correspondence or similar means) to satisfy NCAA initial-eligibility requirements, provided certain conditions are satisfied. The recent increase in the prevalence of nontraditional courses has created a number of challenges in the determination of initial eligibility for prospective student-athletes, particularly related to ensuring that courses are academically sound and meet the NCAA's definition of core courses. Additional challenges are presented by the emergence of institutions providing courses that are not regulated by a regional accrediting agency or state educational authority. After consultation with the NCAA Student Records Review Committee and NCAA High School Review Committee, this recommendation is intended to help ensure that acceptable nontraditional courses provide opportunities for students to demonstrate their work was completed in a manner consistent with the intent and design of the course curriculum. This legislation will allow the NCAA Eligibility Center to determine which courses and institutions are acceptable to satisfy initial-eligibility standards, with the ultimate goal of ensuring that prospective student-athletes are enrolled in quality courses that satisfy the intent of the core-curriculum requirements and prepare prospective student-athletes for college academic work.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

**White Paper Regarding**
**Nontraditional Courses and Online Learning in NCAA Initial Eligibility**

## Executive Summary

1. The online secondary school environment is growing rapidly and has changed significantly in the past five years.

2. NCAA legislation should be reviewed to ensure the academic goals and purposes of the Association are being met with regard to nontraditional courses.

3. The following issues have been identified as potential concerns with some nontraditional high school courses:

    a. The completion of courses in a short timeframe.

    b. Courses that lack a qualified instructor.

    c. Lack of interaction between instructor and student throughout a course.

    d. Courses that do not yield work that can be reviewed.

    e. The completion of a large number of courses in a short timeframe.

    f. Repeated courses that are abbreviated from the original course.

4. Potential recommendations to address these concerns include:

    a. Sponsor a legislative proposal to require student-teacher interaction in nontraditional courses used to satisfy initial-eligibility requirements.

    b. Recommend an interpretation and educational column to clarify the use of credit by examination and repeated courses to meet core-course requirements.

    c. Update NCAA Student Records Review Committee policies to clarify the role of documentation in the review process.

5. The NCAA Division I Academic Cabinet and NCAA Division II Academic Requirements Committee are being asked to consider these concerns and possible recommendations as appropriate.

**White Paper Regarding**
**Non-Traditional Courses and Online Learning in NCAA Initial Eligibility**

## Introduction and Legislative Background.

The delivery of secondary education today is very different than it was even 10 years ago and it will continue to evolve in the future. In order to meet the needs of today's students, to help retain students and prepare them for post-secondary education, schools are using technology to deliver course content in formats other than the traditional in-class, face-to-face structure. This level of diversity of course delivery (nontraditional courses) was contemplated when current NCAA initial-eligibility requirements were established, but it was far from reality. While the evolution of course delivery has provided additional opportunity for all high school students, it has created issues that should be considered in the NCAA initial-eligibility process.

One area where the impact of nontraditional courses is particularly significant for prospective student-athletes and NCAA member institutions is a recent Division I legislative change limiting the number of core courses that a prospective student-athlete can complete after high school graduation for purposes of meeting initial-eligibility requirements. The by law has encouraged on-time graduation from high school, but has also resulted in the increased use of nontraditional coursework to earn one additional core course during the summer immediately following high school graduation. Often, prospective student-athletes find that non traditional courses are the preferred option to complete coursework in the condensed timeframe between high school graduation and the student's initial college enrollment or participation in practice activities. Additionally, prospective student-athletes are also using nontraditional courses to earn credits prior to graduation, either as a supplement to or a replacement for courses taken in a traditional classroom setting.

Prior to 2000, the NCAA specifically prohibited the use of independent study or correspondence courses to meet initial-eligibility requirements; however, legislation did not address other forms of nontraditional course delivery, notably online courses or courses taught through other technology-based curriculum delivery methods.

<u>Current Legislation Regarding Nontraditional Courses</u>.

In 2000, the NCAA, following an extensive process lead by the NCAA Core-Course Review Committee, which included input from several representatives of the secondary-school community, adopted legislation to permit the use of "nontraditional" coursework to meet NCAA initial-eligibility requirements. The new legislation defined non traditional coursework as "courses taught via the Internet, distance learning, independent study, individualized instruction, correspondence, and courses taught by similar means" (NCAA Divisions I and II Bylaw 14.3.1.2.2). The legislation specified conditions that the nontraditional course must meet to be used for initial-eligibility purposes; further, the courses must meet the NCAA definition of a core course as enumerated in Divisions I and II Bylaw 14.3.1.2. The legislation was an attempt to permit prospective student-athletes to access the evolving methods of instruction while continuing to ensure that they received sufficient preparation to attend a four-year college.

**Divisions I and II Bylaw 14.3.1.2.2 (Nontraditional Courses)**.

Courses taught via the Internet, distance learning, independent study, individualized instruction, correspondence, and courses taught by similar means may be used to satisfy NCAA core-course requirements if all of the following conditions are satisfied:

(a) The course meets all requirements for a core course as defined in Bylaw 14.3.1.2;

(b) The instructor and the student have access to one another during the duration of the course for purposes of teaching, evaluating and providing assistance to the student;

(c) Evaluation of the student's work is conducted by the appropriate academic authorities in accordance with the high school's established academic policies; and

(d) The course is acceptable for any student and is placed on the high school transcript.

**Divisions I and II Bylaw 14.3.1.2 (Core-Curriculum Requirements)**.

For purposes of meeting the core-curriculum requirement to establish eligibility at a member institution, a "core course" must meet all of the following criteria:

(a) A course must be a recognized academic course and qualify for high school graduation credit in one or a combination of the following areas: English, mathematics, natural/physical science, social science, foreign language or nondoctrinal religion/philosophy;

(b) A course must be considered college preparatory by the high school. College preparatory is defined for these purposes as any course that prepares a student academically to enter a four-year collegiate institution upon graduation from high school;

(c) A mathematics course must be at the level of Algebra I or a higher level mathematics course;

(d) A course must be taught by a qualified instructor as defined by the appropriate academic authority (e.g., high school, school district or state agency with authority of such matters); and

(e) A course must be taught at or above the high school's regular academic level (remedial, special education or compensatory courses shall not be considered core courses). However, the prohibition against the use of remedial or compensatory courses is not applicable to courses designed for students with education-impacting disabilities (see Bylaw 14.3.1.2.1.2).

More Changes: Initial-Eligibility Trends Working Group.

In 2006, the NCAA Working Group to Review Initial-Eligibility Trends was established at the request of several presidents and chancellors at NCAA member institutions in order to review trends in secondary-school education and the impact on NCAA legislation and policies. The primary outcome of the working group was establishing the authority and procedures for the NCAA to review the academic credentials of any high school and/or any prospective student-athlete to review the integrity of courses used for initial eligibility purposes. A key assumption of this new process was that the use of Internet and other technology-based curricula have created sound educational options that are now an important part of the high school and college educational system; however, in certain instances the integrity of the school offering the course and coursework has been in question.

In addition to new legislation, a number of operational revisions were necessary to address the evolving secondary education environment. Due to the new legislation, programs that offered only nontraditional coursework were able to establish a list of approved core courses with the NCAA Initial-Eligibility Clearinghouse (now NCAA Eligibility Center). The clearinghouse was instructed to ask each program administrator six questions, which mirrored the legislative requirements for nontraditional courses. If the administrator answered these questions affirmatively, the school was generally permitted to establish a list of approved core courses with no additional scrutiny. Programs not answering all questions affirmatively are subject to additional review by Eligibility Center staff and the NCAA High School Review Committee. Under current legislation and practice, all schools wishing to establish a list of NCAA approved core courses are reviewed by the Eligibility Center.

**The Online Educational Environment.**

Since the work of the Initial-Eligibility Trends Working Group was completed in 2006, the number of courses offered and taken via nontraditional delivery formats has grown significantly. While the working group had keen vision regarding the future of the online education environment, the group did not contemplate some of the more recent developments outlined in this paper.

Growth of Distance Learning.

The International Association for K-12 Online Learning (*i*NACOL) is the leading international K-12 nonprofit organization representing the interests of administrators, practitioners, businesses and students involved in online learning in the United States and around the globe. The following

statistics provided by *i*NACOL[1] provide some insight into the rapidly growing world of distance learning.

1. K-12 online learning consists of an estimated $50 million market, which is growing at an estimated annual rate of 30 percent.

2. Forty-four states have significant supplemental online learning programs, significant full-time programs or both.

3. Thirty-four states offer state-led online programs.

4. Fifty-seven percent of public secondary schools provide access to students for online learning.

5. Within six years, 10 percent of all courses will be computer-based, and by 2019 about 50 percent of courses will be delivered online.

Why Distance Learning?

Students elect to take distance learning courses, and high schools place students into such courses, for a variety of reasons which may include one or more of the following:

1. Flexibility to take courses at times/places more suitable for the student.

2. Advanced Placement, International Baccalaureate, college or other advanced courses may not be offered at the student's traditional school.

3. Credit or grade recovery/need to catch up/stay on track.

4. Need to get ahead/graduate early or free up schedule to take other courses.

5. No Child Left Behind.

6. Revenue recovery for dropouts that return to school.

7. Courses otherwise unavailable.

8. Alternative environment better suited to individual student needs.

9. Required by school or state.

10. Access to highly qualified teachers in subjects where qualified teachers are lacking.

[1] Allison Powell, *i*NACOL Vice President, at March 25, 2009, NCAA Student Records Review Committee meeting.

Complexity of Distance Learning.

Distance learning cannot be defined easily; it may include courses taken online, through correspondence programs, credit recovery and independent study. Learning may be in real time (synchronous) or not (asynchronous).[2] Assessments may be rich and variable, including significant teacher interaction, or may require no interaction at all, with limited assessments. To assist in the discussion, a few of the more common delivery methods are outlined below.[3]

1. Online or Virtual Courses: Types of Online Programs.

   a. State-Led Programs.

      These are programs created by state legislatures, governors or state education agencies, and funded by the state. These programs are usually mostly or entirely supplemental, and typically work with local schools that grant course credit and award diplomas. Examples: Florida Virtual, Michigan Virtual, Idaho Digital Learning Academy. These programs often sell their curriculum to schools or school districts in other states; this curriculum may be used in its entirety, or modified by the purchaser to meet state standards or student needs. Therefore, because of this customization, each program that uses a previously approved school's curriculum would need to have their use of that curriculum reviewed to determine its acceptability.

   b. Online Charter Schools.

      These schools are a type of public school available in 40 states. There are two types of charter schools related to online learning: fully online schools and brick-and-mortar charter schools that have added an online component. Online charters may develop their own learning management systems and curriculum, or they may use another entity (or entities) for their platforms, curriculum and teachers.

   c. District Programs.

      These programs are run by school districts, and may be single-district or multidistrict. They may be full time or supplemental. As with other types of programs, district programs may develop their own systems and curriculum to be taught by district teachers, or they may outsource some or all of these functions.

[2] Allison Powell, *i*NACOL Vice President, at March 25, 2009, NCAA Student Records Review Committee meeting.

[3] Allison Powell, *i*NACOL Vice President, at March 25, 2009, NCAA Student Records Review Committee meeting.

d. Consortium Programs.

These network programs are collaborative efforts among school districts or other local education agencies. These networks realize that there is value in combining resources to create courses, train teachers and provide student support. Students often purchase a course through the network, but the network may procure the course from another online or virtual source. That virtual school may have developed its own curriculum, or obtained the curriculum from yet another provider. The teacher or facilitator may come from the source of the course itself, or may be at the home high school where the student attends full time.

e. For-Profit Providers.

These programs are not created by states or districts, but may sell their learning management systems or curriculum to individual schools, districts or states. Customers have the option of using such providers' platforms, curriculum and teachers or any combination thereof.

2. Correspondence Courses.

These courses are those that typically do not require or offer teacher interaction, and are self-paced and self-guided. The student obtains the course materials via mail (paper-based or DVD) or through the Internet, and completes the assessments required to achieve the course credit and/or course grade. The courses are also typically open/exit, which allows the student the flexibility of not being tied to a cohort. Some correspondence programs issue diplomas to students, where others require the home high school to grant credit to the student.

3. Credit by Examination.

The College Level Examination Program (CLEP) exam gives students the opportunity to receive college credit for what students have previously learned by earning qualifying scores on any of 34 examinations. Pursuant to NCAA legislation and interpretations, credit by exam, whether CLEP or other versions in which the course credit is tied to a single assessment, cannot be used in the initial-eligibility process.

4. Credit Recovery.

High schools use credit recovery for a variety of reasons. It is a means for students to receive credit for courses previously failed in an effort to meet high school graduation requirements. This is, in turn, tied to No Child Left Behind, revenue recovery, graduation rates, etc. Some high schools permit students to use credit recovery to increase their grade-point averages, to catch up with their peers, to prevent dropouts or to invite dropouts back. Cases of credit recovery used to allow students to more quickly satisfy graduation or NCAA initial-eligibility requirements have also been seen.

Unlike true virtual or online courses, credit recovery courses employ computer software that is purchased by the school or district, and administered at the high school. This software may be highly customized to meet student needs, and often provides a means for the student to "test out" of topics or modules previously mastered. Therefore, a course "recovered" through this method may not cover the same material offered in the original course, and may not resemble the original course in content, but only in title.

**Current Case Studies and Examples.**

1. School No. 1 – Approved nontraditional course provider.

The following information was taken from a virtual program that has been reviewed and approved by the Eligibility Center. No courses from this school have been subject to additional scrutiny under the prospective student-athlete review process (PSA review).

a. Teachers/Teacher Interaction.

- All courses are taught by state-certified instructors certified in their fields. Teachers communicate with students on a regular basis by phone, e-mail and online discussions.

b. Course Duration/Pacing.

(1) Courses are 16-18 weeks per half credit. The school does not offer reduced content, or summer school. All courses provide the entire spectrum of components required by the state.

(2) All courses have a pace chart embedded in them. This allows students to know exactly what is expected to be submitted on a weekly basis, whether they choose a traditional, extended or accelerated pace. Teachers assist students in modifying the chart to reflect their chosen pace.

(3) Each student is required to submit a specific amount of work each week to maintain the appropriate pace decided on by teacher and student. The number of required weekly submissions depends on the course taken. Failure to maintain pace results in warnings, reduced grades and, if unheeded, withdrawal from the course.

c. Course Administration.

(1) All students are placed on a waitlist when requesting courses. Wait time depends on number of students on the list. Typical wait time regardless of selected course is four to six weeks. The faster seats become open, the faster students get placed.

(2) Courses begin at different times of the year. The school does not follow a traditional school calendar, therefore start time is flexible. When a student registers, he or she can select the preferred start month. The school will try to place the student sometime during the preferred month; however, placement at that time is not guaranteed. As students are assigned to instructors, a welcome call must then be completed. Once the welcome call is complete, the student may begin working in the course.

d. Assessments.

- On entering the course, students have access to all assignments, but access to tests or quizzes may not be available until certain assignments have been completed. Students move sequentially through the course but may be allowed to occasionally move ahead or test out of certain areas, pending instructor approval.

Summary.

a. State-certified teachers have regular interaction with students.

b. Courses to not offer reduced content or compressed timeframe.

c. Weekly submission of assignments and feedback from instructor.

2. School No. 2 – Typical correspondence program.

a. Teachers/Teacher Interaction.

- There is no required interaction with any teacher; the student progresses through the course materials without instruction or direction. If a student has a question about anything in the program, they may call a toll-free instructional support hotline, through which faculty and instructional advisors are available to answer questions.

b. Course Duration/Pacing.

(1) The courses are self-paced and open entry/exit; therefore, there are no pacing guides or guidelines for completing course materials. The student is allowed to progress through the course at his or her own pace.

(2) In the first example transcript provided (Attachment A), the student registered for a course and was allowed access to the online examinations. The student completed both examinations in a two-day period, before the course materials were shipped from the school.

(3) In the second and third example transcripts provided (Attachments B and C), the students completed a large number of courses in abbreviated timeframes.

c. Course Administration.

(1) Students are permitted to enroll in courses at any time, and complete them at their own pace.

(2) Course progress is not monitored. Provided the student successfully passed the assessment examinations, the school grants credit and a grade, even in situations in which the student could not have read the requisite materials or completed the ungraded workbook exercises.

(3) Due to these course administration issues, students are able to enroll in multiple courses in several disciplines and complete those courses in abbreviated timeframes.

d. Assessments.

(1) There are no required or graded assignments, and therefore no monitoring of student learning.

(2) The course credit and grade are based on the successful completion of the end-of-unit examinations.

Summary.

a. No required interaction or instruction between instructor and student.

b. Self-paced format and courses can be completed in two days, even prior to the student receiving the course materials.

3. School No. 3 - Typical credit recovery program (Attachment D).

a. Teachers/Teacher Interaction.

- Interaction occurs through the computer program itself. The classroom teacher may step in and intervene, remediate and monitor student progress, but interaction and instruction with a classroom teacher is not required.

b. Course Duration/Pacing.

- Once the classroom teacher sets up the individualized plan for the student, that student may move through the course at his or her own pace. There are

no required pacing guides other than what the classroom teacher may place on the student.

c. Course Administration.

(1) The program emphasizes individualized learning, and enables schools to narrow the focus of the material to serve the needs of specific populations.

(2) The program specifically addresses credit accrual, dropout recovery, basic skills, summer school, GED/SAT/ACT prep, state test prep, correctional education and extended day.

d. Assessments.

The classroom instructor sets up the individual program modules or curriculum standards for the student. The computer program has built-in tests and quizzes to assess progress in the selected modules. Students may also "test out" of some or most of the content, and focus on areas of specific weakness.

Summary.

a. Interaction and instruction with a classroom teacher is not required.

b. The student may move through the course at his or her own pace.

c. Students may also "test out" of some or most of the content, and only complete a portion of the full course.

**Description of Relevant NCAA Committees.**

In its final report, the Working Group to Review Initial-Eligibility Trends recommended that the NCAA Division I Board of Directors and NCAA Division II Presidents Council formally approve policies and procedures established for determining the validity of high school and prospective student-athlete academic credentials for the purpose of initial eligibility. The policies and procedures provided for the creation of appellate groups to hear appeals of staff decisions in these areas. Members of the appellate group for high school review and appellate group for student academic record review were selected by the Academics/Eligibility/Compliance Cabinet Administrative Committee and the NCAA Division II Academics Requirements Committee in June 2006. The original groups and their duties were codified, and the groups established as formal committees, in January 2007 through the amendments of Divisions I and II Bylaws 14.1.2 and 21.6.

Currently, the NCAA High School Review Committee is authorized, subject to approval by the Academic Cabinet in Division I and Academics Requirements Committee in Division II, to establish policies and procedures related to the academic review of high schools and to determine the validity of a particular high school for the purpose of meeting initial-eligibility requirements. Areas of validation review include, but are not limited to, a particular high school's core courses, curriculum and grades. The High School Records Committee also serves as the appellate body for any appeals of staff decisions in this area, for example a decision to not use a high school course for initial-eligibility certification purposes for any student-athlete who attends the high school based on not meeting the definition of a "core course."

The Student Records Review Committee is authorized, subject to approval by the Academic Cabinet in Division I and Academics Requirements Committee in Division II, to establish policies and procedures related to review a prospective-student athlete's academic credentials and to determine the validity of a prospective student-athlete's academic credentials for the purpose of meeting initial-eligibility requirements. Areas of validation review center on the academic records of specific prospective student-athletes. The Student Records Review Committee also serves as the appellate body for any appeals of staff decisions in this area, for example a decision to not use a course for initial-eligibility certification purposes for a particular student-athlete based on a lack of documentation demonstrating actual or appropriate completion of the course.

**Identification of Issues.**

The NCAA academic and membership affairs staff and the Student Records Review Committee identified several problematic trends arising from the presentation of nontraditional courses by prospective student-athletes for initial-eligibility purposes [see report from March 24-25, 2009, Student Records Committee (Attachment E)]. The following trends regarding nontraditional courses are particularly prevalent in cases involving course work from correspondence programs.

1. Pacing – The completion of a core course in a condensed timeframe.

   Prospective student-athletes present core courses from correspondence programs which are completed in a condensed timeframe (e.g., five hours, seven days, 14 days). This timeframe is much shorter than the guidelines for completion published by the course provider, as well the timeframe for traditional course work completed through traditional secondary school programs.

   Current prospective student-athlete review triggers identify for review those courses completed in less than 30 days (one-half unit) and less than 60 days (one unit). Therefore, a correspondence course completed in seven days will be identified for further review. During the review, the prospective student-athlete's institution often assert that the course was previously approved as a core course, was included on the provider's NCAA list of approved core courses (48-H), and was selected for completion in reliance on its inclusion on a program's 48-H.

Through the PSA review process, the prospective student-athlete is often asked to produce coursework (e.g., assignments, quizzes, tests, final examination) demonstrating valid completion of the course in question. Absent the appropriate coursework, the prospective student-athlete may demonstrate the course was completed in an academically sound manner. For example, the prospective student-athlete completed the course during his or her winter break, was not enrolled in any other courses, was not competing or training in his or her sport, and could focus exclusively on the course in question.

Many nontraditional programs do not permit the completion of their courses in a condensed timeframe, requiring students to pace out course assessments for the duration of the course. However, there are a number of correspondence programs which permit individuals to complete courses in a condensed timeframe, regardless of whether the program publishes guidance on the appropriate timeframe for completion. Further, the NCAA's current legislation does not prohibit the condensed completion of a course, and the academic and membership affairs staff has never issued an interpretation which precludes this practice.

The result is that the staff and/or committee are often in the position of reviewing a course which has been previously approved as a core course, but which has been completed in a condensed timeframe (e.g., American History completed in three days). Further, with the appropriate documentation to support the prospective student-athlete's completion of the course, and without legislative authority to invalidate a core course based solely on the condensed timeframe, the staff or committee must validate the course. These validations result in the use of core course for initial-eligibility certifications which do not possibly provide the type of substance or depth required to be college preparatory.

2. Lack of teaching by a qualified instructor.

The NCAA's legislated definition of a core course requires a course "*be taught by a qualified instructor as defined by the appropriate academic authority.*" Neither the legislation nor the interpretations further explain or define what is meant by the term, "qualified." During its last meeting, the Student Records Review Committee did not discuss teacher qualifications, and focused on the lack of instruction in correspondence courses.

Many correspondence programs enable prospective student-athletes to complete a course without receiving any instruction. The prospective student-athlete simply registers for the course, is shipped the course materials, completes the assignments for the course, and takes the final examination at his or her discretion. Some programs will provide students with the ability to complete the final examination before the course assignments are completed, and many do not require completion of the course assignments before the final examination. In the most extreme example, students are able to complete a final examination before the course materials are even shipped from the course provider.

Correspondence courses at issue in a prospective student-athlete review case presumably meet the legislated definition of a core course, including that the course is taught by a qualified instructor. If the appropriate documentation is provided to support the prospective student-athlete's completion of the course, the staff and/or committee is placed in the position of validating the course, even though the course is not taught by a qualified instructor. Enforcing the current legislation may be useful to assist the staff and/or committee, but will result in decisions which are inconsistent and in direct conflict with decisions made by the core-course review staff in approving a program's list of NCAA approved core courses.

3. Lack of student interaction with a qualified instructor.

The legislated definition of a permissible nontraditional course requires, "*the instructor and student have access to one another during the duration of the course for purposes of teaching, evaluating and providing assistance to the student*." As noted in the previous section regarding the lack of teaching by a qualified instructor, many correspondence courses presented for initial-eligibility purposes are completed without any instruction. Further, these courses often do not require any interaction between the student and instructor.

The practice of many correspondence programs is to only provide access to an instructor at the request of the student. This access is generally limited to the grading of periodic assignments. These assignments are completed by students in preparation for actual course assessments (e.g., exams), and the grading is limited to the instructor identifying incorrect answers, and where the student may find the correct answer in the course materials. This limited access amounts to a student receiving assistance in preparation for course assessments, but does not result in actual instruction.

To this point, the staff and subcommittee have validated courses presented from correspondence programs if the student has access to an instructor. These validations have occurred regardless of whether the student takes advantage of available access to an instructor. The result is that course work is validated through the prospective student-athlete review process which is completed without any legitimate instruction or student-teacher interaction, both of which are required by NCAA legislation.

4. The inability to produce coursework completed throughout the duration of a nontraditional course.

Coursework is the clearest manner for a prospective student-athlete or member institution to substantiate the prospective student-athlete's completion of a nontraditional course. It also is the best evidence used by the staff and/or committee to validate a prospective student-athlete's completion of the coursework in question. However, in many cases involving correspondence courses, coursework is not available. Many of the reasons for this are discussed in the previous sections. For example, the course provider does not require the completion of any assignments prior to the completion of the course assessments; therefore, no coursework exists, a fact which is outside the control of the student.

In lieu of coursework, the staff receives course syllabi or other materials which are not specific to the prospective student-athlete's completion of the course, and do not assist in reaching a determination as to whether the prospective student-athlete's completion of the course was valid. The result is that the staff and committee are often forced to rely on written statements from the prospective student-athlete, administrators from the prospective student-athlete's high school, coaches and family members. These statements almost always lack the specificity evident in actual coursework, and can be self-serving toward the prospective student-athlete.

Review policies permit the validation of courses based on coursework provided. Particularly for recruited student-athletes, there has been more than sufficient notice provided to member institutions regarding prospective student-athlete review identifiers, and the need to advise prospective student-athletes to save coursework from nontraditional courses. However, the current legislation does not require the submission of coursework in order for it to be used as a core course for initial-eligibility purposes. The staff and committee are in the position of viewing those cases in which coursework is available under a different standard than cases in which coursework is not available.

5. Completion of a significant number of core courses late in a secondary school career.

Academic records are often identified for review as a result of the use of correspondence programs to complete a large number of core courses late in an individual's secondary school career (e.g., seven core courses during grade 12; three core courses in the summer after graduation). The completion of core courses in this fashion often also involves sequential coursework out of the normal progression (e.g., Spanish II before Spanish I), or the simultaneous completion of sequential courses (e.g., Algebra I, Algebra II and Geometry).

The cases described above generally occur for two reasons. First, an individual repeats courses previously failed or passed with a low grade in an effort to significantly improve his or her core-course grade-point average. Second, an individual needs a significant number of courses to satisfy the core-course requirement. In either scenario, the number of courses completed subsequent to the sixth semester of high school is disproportionate to the number of core courses previously completed. Additionally, a prospective student-athlete's recovery of core courses is often made while he or she is concurrently enrolled in a traditional high school program, competing in athletics and fulfilling other responsibilities (e.g., full-time job, care of a family member).

To this point, the staff and committee have analyzed cases involving the late recovery of core courses under a standard of academic soundness. A review may also incorporate the prospective student-athlete's entire academic record. However, this standard is largely subjective. Further, it is difficult to determine whether the completion of a large number of core courses is academically sound, particularly when there is no coursework provided to support such completion.

6. Credit recovery programs and repeated courses.

Credit recovery programs, which enable students to recover a failed or low grade without repeating an entire course, are not unique to correspondence programs. They are employed by public and private high schools in an effort to assist students recover graduation requirements, and in some cases, solely to meet initial-eligibility standards. A recent trend in prospective student-athlete review cases involves the use of credit recovery programs by prospective student-athletes to satisfy initial-eligibility requirements after seven semesters of high school, in order to enroll early at an NCAA member institution. Through the use of software, usually provided by an outside entity, the student is able to pretest out of a significant percentage of a course. The result is that the student only repeats a small percentage of the course, and essentially earns credit by examination.

Current NCAA legislation permits prospective student-athletes to repeat a course, with the best grade in the course acceptable for initial-eligibility purposes. However, the legislation prohibits credit by examination. In those cases involving coursework completed through a credit recovery program, member institutions and prospective student-athletes rely on the high school's list of approved core courses. However, the course must be repeated in full in order to be acceptable as a core course.

Institutions argue that the ability to pretest out of a portion of a course, demonstrates mastery of those portions, and prospective student-athletes should not be required to repeat those portions already mastered. This clearly is problematic for the staff and committee, because its charge is to review the validity of the course's completion, not whether the material has been mastered.

Another issue with credit recovery is the highly individualized nature of the programs. The software program allows the school to select the modules, lessons or concepts they feel are those best suited to an individual student. Therefore, what may be Algebra II for one student may be Pre-Algebra for another.

**Possible Solutions.**

The staff considered an array of legislative and nonlegislative options to address the issues identified in the previous section. The staff recommends the cabinet and committee consider the following concepts, which are intended to complement one another and improve the academic integrity related to the use of nontraditional coursework within the initial-eligibility process.

1. Sponsor a legislative proposal to require student-teacher interaction in nontraditional courses used to satisfy initial-eligibility requirements. (Attachment F)

Current legislation regarding the use of nontraditional courses to meet NCAA initial-eligibility requirements was adopted in 2000, and was intended to allow prospective student-athletes to access new course formats in the same manner as other prospective college students. As noted previously, the current bylaw requires that "the instructor and student have access to one another for the purposes of teaching, evaluating and providing assistance." Many courses reviewed by the staff and committees do not provide for more than the opportunity for the student to contact the instructor if desired, which is generally not sufficient for the level of teaching and learning expected in a core course. While the original intent of the legislation was to allow individuals to take advantage of increased learning opportunities without compromising the intent of the core-curriculum legislation, it is important to clarify that there is an expectation that nontraditional courses should offer regular and ongoing access to and interaction between the instructor and the student throughout the duration of the course.

The staff noted that a modest revision to the current bylaw may help address the limited interaction between student and instructor during nontraditional courses. Specifically, the legislation could be revised to specify that "the instructor and student have ***regular and ongoing*** access to ***and interaction with*** one another for the purposes of teaching, evaluating and providing assistance ***throughout the duration of the course***." The suggested amendment clarifies the legislation consistent with the purpose of a core course and provides additional guidance during the eligibility certification and prospective student-athlete review processes. In addition, the proposed change does not represent a new legislative requirement, but an enhancement to existing standards previously adopted by the membership.

Interaction between student and instructor is so important to the educational experience and to the very nature of core courses. Interaction helps to ensure that the course is taught at the appropriate academic level and helps prepare a student academically to enter a collegiate institution, as required by the definition of a core course. This recommendation also addresses concerns about the time to complete some courses since required interaction will not typically permit a course to be completed in a matter of hours or days.

The recommended change will also help ensure that nontraditional courses used for initial-eligibility purposes are delivered consistent with best practices for the industry. Specifically, the International Association for K-12 Online Learning has identified national standards of quality for online courses[4] which include the following elements related to student-instructor interaction:

[4] *National Standards of Quality for Online Courses*, Endorsed in September 2007 by North American Council for Online Learning. Available from International Association for K-12 Online Learning at: http://www.inacol.org/resources/nationalstandards/index.php.

a. The course design provides opportunities for appropriate instructor-student interaction, including timely and frequent feedback about student progress.

b. The course provides opportunities for appropriate instructor-student and student-student interaction to foster mastery and application of the material and a plan for monitoring that interaction.

2. Recommend an interpretation and educational column to clarify the use of credit by examination and repeated courses to meet core-course requirements. (Attachment G)

As noted previously, credit recovery programs are sometimes used to repeat core courses and earn a disproportionately large number of core courses late in a prospective student-athlete's high school career. The programs sometimes incorporate credit by examination to allow students to test-out of portions of a course that he or she is repeating and therefore the student actually repeats only a portion of the course.

A current interpretation of NCAA legislation, issued October 24, 2007, specifies that credit by examination cannot be used to satisfy NCAA core-course requirements; however, the lack of a codified definition of credit by examination leaves the classification of courses an inexact practice. The staff recommends that an educational column be issued related to credit by examination and the October 24, 2007, interpretation to help define the type of coursework that is considered credit by examination and to clarify the application of the October 24, 2007, interpretation. The educational column should provide examples of credit by examination and credit recovery programs.

Similarly, an interpretation related to repeated coursework may help to clarify the use of such courses to meet NCAA initial-eligibility requirements. Current legislation permits the use of repeat coursework, but does not specify when a course shall be considered repeat coursework, particularly when it is completed at a different school from the original course. As a starting point, the interpretation could specify that "a repeat course must be substantially comparable, qualitatively and quantitatively, to the previously completed course." In addition, the courses would still be required to meet the legislated parameters of a core course. The recommended interpretation would help ensure that students who repeat a course receive a similar educational experience to the original course.

Procedurally, both the interpretation and educational column would be subject to review and approval by the appropriate staff and governance bodies. Should that review result in substantial changes to the interpretation, revisions to the educational column may also be necessary to maintain consistency.

3. Update Student Records Review Committee policies to clarify the role of documentation in the review process. [Attachment H]

Whereas the subjective nature of assessing the quality of nontraditional course offerings may limit the opportunity for legislative solutions, amendments to the Student Records Review Committee policies may provide appropriate flexibility in the prospective student-athlete review process. The staff has provided some recommended revisions in Attachment G for the cabinet's and committee's consideration.

Amending the committee's policies can provide the opportunity for greater scrutiny of the coursework submitted for purposes of earning initial eligibility under NCAA legislation. The amended policies can also reinforce the legislative proposal recommended previously by further specifying what means the committee will use to review student-teacher interaction during the review process.

Adding the "review of materials submitted in response to the List of Required Documents" will permit the staff and committee to consider elements such as pacing/time to complete the course and the use of a learning management system to monitor student progress in the course.

Consistent with the committee's current policies, the recommendations do not include details specific to a particular type of course or how the committee will specifically consider a particular item, but does provide authority for the committee to consider additional factors and information than at present. If necessary, an additional document can be developed that includes review standards for the committee, but that information has not traditionally been codified in the committee's policies and procedures.

The staff recommendations will be reviewed by the Student Records Review Committee and the High School Review Committee via teleconference in advance of the June Division I Academic Cabinet meeting. These governance bodies' feedback will be provided to the cabinet and committee during their respective meetings.

The staff also considered revisions to the High School Review Committee's policies, but determined that the existing High School Review Committee's policies and procedures provide the flexibility for reviewing the issues of concern noted previously. In addition, the High School Review Committee staff is going to prepare a "best practices" document that further develops the high school review process.

The staff considered several additional potential recommendations, including possible legislation regarding the pacing/timing of course completion, further specifications regarding "qualified instructors" as legislated in Bylaw 14.3.1.2-(d) and attempts to measure the academic rigor and quality of nontraditional courses. The staff elected to recommend the three concepts presented above in order to address some of the recent changes on the nontraditional course environment, and to allow for appropriate action in the future as course delivery continues to evolve.

## CORRESPONDENCE SCHOOL TRANSCRIPT

0.0 TRANSFER CREDITS AWARDED

**Student N** **Progr... No.:** 00099999 **Enrollment Date:** 06/16/08

| Code | Cour. | Credit | Grade | Date Completed |
|---|---|---|---|---|
| M63H | WORLD GEOGRAP | 1.0 | 80 | 06/18/08 |

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JUN 2 1 2008
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____ Diploma granted

____ Diploma to be awarded upon completion of requirements

D5225 This officially sealed and signed transcript is printed on green security paper with the name of the institution printed in small white type across the face of the document. A raised seal is not required. When photocopied the word copy should appear. A BLACK AND WHITE OR A COLOR COPY SHOULD NOT BE ACCEPTED!

Connie C. Dempsey 06/18/08
*Chief Academic Officer*

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**ATTACHMENT B**

September 25, 2008

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## List and Status of All Courses:

| | | | |
|---|---|---|---|
| EARTH 041 004 | (web) Earth Science 1 - 0.5 Hrs. | **Completed 04/07/08** | **Grade: B** |
| EARTH 043 002 | (web) Earth Science 2 - 0.5 Hrs. | **Completed 04/22/08** | **Grade: C** |
| EARTH 051 004 | (web) General Astronomy - 0.5 Hrs. | **Completed 04/25/08** | **Grade: C+** |
| SOCSC 051 002 | (web) Intro To Sociology - 0.5 Hrs. | **Completed 05/05/08** | **Grade: C** |
| READ 045 004 | (web)reading Comprehension - 0.5 Hrs. | **Completed 05/05/08** | **Grade: B-** |

DEPARTMENT

9/25/2008

NCAA Eligibility Center
Certification Processing
PO Box 7136
Indianapolis, IN 46207-7136

To Whom It May Concern:

The following information is in regards t Missing from the transcripts are the registration dates for each of the following courses:

| Course Name | Registration Date | Completion Date |
|---|---|---|
| EARTH 041 | 03/04/08 | 04/07/08 |
| EARTH 043 | 03/04/08 | 04/22/08 |
| EARTH 051 | 03/04/08 | 04/25/08 |
| SOCSC 051 | 03/04/08 | 05/05/08 |
| READ 045 | 03/04/08 | 05/05/08 |

If you need any further information, please let me know.

Sincerely,

SEP-26-2008 FRI 01:19 P. 03

EARTH 041
#01 03/05/08 C
#02 03/09/08 A
#03 03/11/08 B
#04 03/11/08 C-
#05 03/12/08 D
#06 03/13/08 C
#07 03/13/08 D-
#08 03/13/08 B+
#09 03/13/08 A
#10 03/14/08 A

EARTH 043
#01 03/17/08 C
#02 03/19/08 B+
#03 03/19/08 B-
#04 03/21/08 D
#05 03/25/08 D+

EARTH 051
#01 03/27/08 A
#02 03/27/08 C+
#03 03/27/08 B+
#04 03/27/08 B
#05 03/30/08 A-
#06 03/31/08 A

SOCSC 051
#01 04/21/08 B
#02 04/21/08 B-
#03 04/21/08 C+
#04 04/21/08 C-
#05 04/23/08 B-
#06 04/23/08 B

READ 045
#01 04/14/08 C
#02 04/15/08 C
#03 04/15/08 B
#04 04/15/08 A
#05 04/15/08 C+
#06 04/15/08 A
#07 04/20/08 D+
#08 04/20/08 A-

09/26/2008 3:10PM (GMT-04:00)

**ATTACHMENT C**

VOID VOID VOID VOID VOID VOID

0.0 TRANSFER CREDITS AWARDED

Student No Pr Enrollment Date: 03/07/08

| Code | Course | Credit | Grade | Date Completed |
|---|---|---|---|---|
| MCL6 | PRACTICAL ENGLISH | 1.0 | 81 | 04/19/08 |
| MJJ4 | PHYSICAL SCIENCE | 1.0 | 82 | 06/07/08 |
| MRA8 | AMERICAN LITERATU | 1.0 | 86 | 07/11/08 |
| M63H | WORLD GEOGRAPHY | 1.0 | 92 | 06/29/08 |

1890 HIGH SCHOOL

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AUG 05 2009
NCAA
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_____ Diploma granted

_____ Diploma to be awarded upon completion of requirements

08/01/08

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60899 Business and Industrial
I N Q U I R Y

Page - 1
Date - 07/15/08

Program Number
Student Numbe

User ID. . . . .
Registration Type.
Enrollment Date. . 03/02/05
Study Exp. Date: 09/01/08

Tel. Number -
Social Sec. Number -

| Instruction Text Title | Shipped | Lesson Number | Grading Date | Lesson Grade | Course Grade |
|---|---|---|---|---|---|
| Course/Semester: | | | | | |
| Module No.: MC16 | 03/05/08 | | | | 81 |
| THE PARTS OF SPEECH | | 007072 | 03/22/08 | 95 | |
| WORD USAGE | | 007073 | 03/30/08 | 85 | |
| SENTENCE SKILLS | | 007074 | 03/22/08 | 70 | |
| PART 1 THE WRITING PROCESS | | 007075 | 04/17/08 | 85 | |
| PART 2 THE WRITING PROCESS | | 007076 | 04/19/08 | 73 | |
| Module No.: MJ04 | 04/02/08 | | | | 82 |
| MECHANICS | | 007091 | 05/18/08 | 100 | |
| HEAT | | 007092 | 05/07/08 * | 70 | |
| SOUND | | 007093 | 05/25/08 | 72 | |
| CHEMISTRY | | 007094 | 05/18/08 | 85 | |
| LIGHT | | 007095 | 05/25/08 | 85 | |
| ELECTRICITY AND ELECTRONICS | | 007096 | 05/27/08 | 92 | |
| Module No.: MR48 | 06/05/08 | | | | 86 |
| INTRODUCTION AND THE SHORT | STORY, PART 1 | 007598 | 07/06/08 | 90 | |
| THE SHORT STORY, PART 2 | | 007599 | 07/08/08 | 90 | |
| THE NOVEL | | 007601 | 07/09/08 | 95 | |
| POETRY, PART 1 | | 007602 | 07/06/08 | 80 | |
| POETRY, PART 2 | | 007603 | 07/11/08 * | 70 | |
| NONFICTION | | 007604 | 07/06/08 | 85 | |
| DRAMA | | 007605 | 07/08/08 | 95 | |
| Module No.: M63H | 06/12/08 | | | | 92 |
| WORLD GEOGRAPHY, EXAM 1 | | 6648 Y | 06/29/08 | 95 | |
| WORLD GEOGRAPHY, EXAM 2 | | 6648 Y | 06/29/08 | 88 | |

| | Total | Complete | Excused | Omitted | Lesson Avg | VA Approved (College) | VA Approved Lessons |
|---|---|---|---|---|---|---|---|
| LESSONS: | 20 | 20 | | | 85 | | |

**ATTACHMENT D**

Student Name

| Grade | Gender |
|---|---|
| 12 | M |

Birth Place | Date Of Birth

Parent Guardian

Official Transcript

Enter Date: 07/18/94

Leave Date:

Class Of: 2009

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JAN 08 2009

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ELIGIBILITY CENTER

| Crs ID | Course Title | Mk | Ab | Credit |
|---|---|---|---|---|
| | H SCHOOL Grd 11 1/2008 | | | |
| 1001310 | Eng I | C | 7 | 0.500 |
| 1200310 | Algebra I | F | 2 | A |
| 1501300 | Personal Fit | A | 2 | 0.500 |
| 1503350 | Team Sports I | A | 1 | 0.500 |
| 2001310 | Earth/Spa Sci | B | 2 | 0.500 |
| 8209020 | Bus Sys and Tech | C | 2 | 0.500 |
| Crd Att: 2.500 | Cmp: 2.500 | Dist Wght GPA: | | 3.000 |
| | H SCHOOL Grd 11 4/2008 | | | |
| 0800300 | Health I-Lf Mgmt S | | | 0.500 |
| 1001310 | Eng I | C | 8 | 0.500 |
| 1200310 | Algebra I | F | 5 | A |
| 1502410 | Ind Dual Sports I | A | 3 | 0.50 |
| 2001310 | Earth/Spa Sci | B | 4 | 0.500 |
| 8209020 | Bus Sys and Tech | C | 3 | 0.500 |
| Crd Att: 2.500 | Cmp: 2.500 | Dist Wght GPA: | | 2.600 |
| | SCHOOL Grd 11 6/2008 | | | |
| 0708340 | Spanish I | | | 0.500 |
| 1000410 | Intensive Reading | C | 27 | 0.500 |
| 1001340 | Eng II | C | 20 | 0.500 |
| 1206310 | Geometry | F | 12 | A |
| 2000310 | Biology I | D | 11 | A |
| 2109320 | H World History Hono | C | 12 | 0.500 |
| Crd Att: 2.000 | Cmp: 2.000 | Dist Wght GPA: | | 1.875 |
| | | | | |
| 0708340 | Spanish I | | 12 | 0.500 |
| 1000410 | Intensive Reading | D | 28 | 0.500 |
| 1001340 | Eng II | D | 14 | A |
| 1206310 | Geometry | F | 5 | A |
| 2000310 | Biology I | D | 7 | A |
| 2109320 | H World History Hono | C | 6 | 0.500 |
| Crd Att: 1.500 | Cmp: 1.500 | Dist Wght GPA: | | 1.500 |
| | | | | 0.500 |
| Crd Att: 0.500 | Cmp: 0.500 | Dist Wght GPA: | | 2.000 |
| | Grd 10 7/2007 | | | |
| 1206310 | Geometry | B | | 0.500 |
| Crd Att: 0.500 | Cmp: 0.500 | Dist Wght GPA: | | 3.000 |

| Crs ID | Course Title | Mk | Ab | Credit |
|---|---|---|---|---|
| | H SCHOOL Grd 11 1/2008 | | | |
| 0708350 | Spanish II | D | 9 | 0.500 |
| 1000410 | Intensive Reading | B | 8 | 0.500 |
| 1001370 | Eng III | B | 13 | 0.500 |
| 1200400 | Intensive Math | C | 13 | 0.500 |
| 1208300 | Lib Arts Math | C | 8 | 0.500 |
| 2003340 | Chemistry I | C | 12 | 0.500 |
| Crd Att: 3.000 | Cmp: 3.000 | Dist Wght GPA: | | 2.167 |
| | H SCHOOL Grd 11 4/2008 | | | |
| | I (a) | C | | 0.500 |
| Crd Att: 0.500 | Cmp: 0.500 | Dist Wght GPA: | | 2.000 |
| | H SCHOOL Grd 11 6/2008 | | | |
| | I (b) | C | | 0.500 |
| Crd Att: 0.500 | Cmp: 0.500 | Dist Wght GPA: | | 2.000 |
| | SCHOOL Grd 11 6/2008 | | | |
| | Car, Sc Dev I | A | 6 | 0.500 |
| 0708350 | Spanish II | D | 4 | 0.500 |
| 1001370 | Eng III | C | 9 | 0.500 |
| 1200400 | Intensive Math | C | 11 | 0.500 |
| 1208300 | Lib Arts Math | C | 8 | 0.500 |
| 2003340 | Chemistry I | B | 4 | 0.500 |
| Crd Att: 3.000 | Cmp: 3.000 | Dist Wght GPA: | | 2.333 |
| | H SCHOOL Grd 11 7/2008 | | | |
| | g II (b) | B | | 0.500 |
| 2000310 | Biology I (a) | A | | 0.500 |
| 2000310 | Biology I (b) | A | | 0.500 |
| 2100310 | Amer History (a) | B | | 0.500 |
| 2107300 | Psychology I (a) | A | | 0.500 |
| 2100310 | Amer History (b) | B | | 0.500 |
| Crd Att: 3.000 | Cmp: 3.000 | Dist Wght GPA: | | 3.500 |
| | H SCHOOL Grd 11 7/2008 | | | |
| | ar, Sc Dev I | NM | | 0.000 |
| Crd Att: 0.500 | Cmp: 0.000 | Dist Wght GPA: | | 0.000 |
| | H SCHOOL Grd 11 7/2008 | | | |
| | , Car, Sc Dev I | NM | | 0.000 |
| Crd Att: 0.500 | Cmp: 0.000 | Dist Wght GPA: | | 0.000 |

| Crs ID | Course Title | Mk | Ab | Credit |
|---|---|---|---|---|
| | H SCHOOL Grd 12 10/2008 | | | |
| | cal Sci (a) | B | | 0.500 |
| 1001400 | Eng IV (b) | B | | 0.500 |
| 1200330 | Algebra II (b) | B | | 0.500 |
| Crd Att: 1.500 | Cmp: 1.500 | Dist Wght GPA: | | 3.000 |
| | H SCHOOL Grd 12 1/2009 | | | |
| | Car, Sc Dev I | A | | 0.500 |
| 1001400 | Eng IV | B | | 0.500 |
| 1200330 | Algebra II | C | | 0.500 |
| 1501390 | Comp Fitness | A | | 0.500 |
| 2102310 | Economics | D | | 0.500 |
| 2106310 | Amer Govt | A | | 0.500 |
| Crd Att: 3.000 | Cmp: 3.000 | Dist Wght GPA: | | 3.000 |

GPA Summary

| | |
|---|---|
| Dist Wght GPA: | 2.583 |
| FL St Unweight: | 2.583 |

Testing Information

S A T Scores

| Date | Verbal | Math | Writing | Critical Reading |
|---|---|---|---|---|
| 3/08 | | | | |

THIS IS AN OFFICIAL COPY

OF THE TRANSCRIPT
REQUESTED

Comments:

| | | | | | |
|---|---|---|---|---|---|
| DTaP/DTP | 06/28/89 | 10/02/89 | 10/25/89 | 11/29/90 | 07/20/93 |
| DT | | | | | |
| Td | 08/26/02 | | | | |
| Polio | 06/25/89 | 10/02/89 | 11/28/90 | 07/20/93 | |
| HIB | | | | | |
| MMR | 08/14/90 | 07/29/93 | | | |
| Measles | | | | | |
| Mumps | | | | | |
| Rubella | | | | | |
| Hepatitis B | 08/26/02 | 11/26/02 | 05/03/03 | | |
| TB Test | | | | | |

Transcript is unofficial

School
Official's Sig:

Date: 01/07/09

Detailed Grade Report

Report generated on: 11/3/2008 5:04:13 AM PST

Assignmel [redacted] Semester B v2.0.1.2 [redacted] 78% C

Grade calculated based on completed activities

| Scorable Categories | Score | Activities | Activities Completed | Weight | Weighted Score | Grade |
|---|---|---|---|---|---|---|
| Pretest | 58% | 24 | 24 | 10% | 5.8% | F |
| Pretest - Unit 1 | 90% | | | | | |
| Pretest - Unit 2 | 90% | | | | | |
| Pretest - Unit 3 | 100% | | | | | |
| Pretest - Unit 4 | 100% | | | | | |
| Adding Commas After Introductory Phrases: Application | 75% | | | | | |
| Adding Commas to Indicate Nonessential Information: Application | 0% | Exempt | | | | |
| Fixing Modifier-Subject Mismatches: Application | 29% | | | | | |
| Using Commas with Certain Modifiers: Application | 81% | | | | | |
| A Strategy for Reading Reference Material: Application | 0% | Exempt | | | | |
| Cause and Effect in Reading Directions: Application | 100% | | | | | |
| More Than One Cause or Effect: Application | 0% | Exempt | | | | |
| A Strategy for Reading Directions: Application | 0% | | | | | |
| More Spelling Rules: Application | 100% | | | | | |
| Commonly Misspelled Words: Application | 100% | | | | | |
| Inferring the Answer: Application | 0% | Exempt | | | | |
| Identifying the Main Idea 2: Application | 33% | | | | | |
| Identifying the Main Idea When It Is Implied: Application | 100% | | | | | |
| The Title as the Main Idea 2: Application | 0% | Exempt | | | | |
| Details that Support the Main Idea: Application | 90% | | | | | |
| Kinds of Writing: Application | 94% | | | | | |
| What's a Formal Essay?: Application | 89% | | | | | |
| What's an Informal Essay?: Application | 70% | | | | | |
| Biography and Autobiography: Application | 42% | | | | | |
| Finding Word Meanings: Application | 0% | Exempt | | | | |
| Posttest | 60% | 9 | 9 | 10% | 6% | D |
| Finding the Resources (Eng12B): Problem Solving Activity | 0% | Exempt | | | | |

Grade calculated based on completed activities

| Scorable Categories | Score | Activities | Activities Completed | Weight | Weighted Score | Grade |
|---|---|---|---|---|---|---|
| Preparing for Review (Eng12B): Problem Solving Activity | 0% | Exempt | | | | |
| Understanding History (Eng12B): Problem Solving Activity | 80% | | | | | |
| Asking Questions (Eng12B): Problem Solving Activity | 0% | Exempt | | | | |
| Finding Answers (Eng12B): Problem Solving Activity | 83% | | | | | |
| Posttest - Unit 1 | 95% | | | | | |
| Posttest - Unit 2 | 95% | 95% | | | | |
| Posttest - Unit 3 | 95% | | | | | |
| Posttest - Unit 4 | 95% | | | | | |
| **End of Semester Test** | 90% 90% | 1 | 1 | 20% | 18% | A |
| End of Semester Test - English 12B | 90% | | | | | |
| **Mastery Tests/Quizzes** | 56% | 20 | 20 | 20% | 11.1% | F |
| Fixing Modifier-Subject Mismatches: Mastery Test | 90% | | | | | |
| Adding Commas to Indicate Nonessential Information: Mastery Test | 0% | Exempt | | | | |
| Adding Commas After Introductory Phrases: Mastery Test | 90% | | | | | |
| Using Commas with Certain Modifiers: Mastery Test | 90% | | | | | |
| A Strategy for Reading Reference Material: Mastery Test | 0% | Exempt | | | | |
| Cause and Effect in Reading Directions: Mastery Test | 80% | | | | | |
| More Than One Cause or Effect: Mastery Test | 0% | Exempt | | | | |
| A Strategy for Reading Directions: Mastery Test | 0% | | | | | |
| More Spelling Rules: Mastery Test | 80% | | | | | |
| Commonly Misspelled Words: Mastery Test | 100% | | | | | |
| Inferring the Answer: Mastery Test | 0% | Exempt | | | | |
| Identifying the Main Idea 2: Mastery Test | 100% | | | | | |
| Identifying the Main Idea When It Is Implied: Mastery Test | 80% | | | | | |
| The Title as the Main Idea 2: Mastery Test | 0% | Exempt | | | | |
| Details that Support the Main Idea: Mastery Test | 80% | | | | | |
| Kinds of Writing: Mastery Test | 80% | | | | | |
| What's a Formal Essay?: Mastery Test | 80% | | | | | |
| What's an Informal Essay?: Mastery Test | 80% | | | | | |

| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
|---|---|---|---|---|---|---|
| Magnifying and Autofocusing Viewing Tool | [illegible] | | | | | |
| Reading Glass/Magnifying Viewing Tool | [illegible] | [illegible] | | | | |
| Other Activities | [illegible] | 0 | 0 | [illegible] | [illegible] | [illegible] |
| Hardware Tools | [illegible] | 0 | 0 | [illegible] | [illegible] | [illegible] |
| Other | [illegible] | 0 | 0 | [illegible] | [illegible] | [illegible] |
| | | | | | | |
| Brought or Ordered Medicine | [illegible] | 50 | [illegible] | [illegible] | [illegible] | [illegible] |
| | | | | | | |
| Medical Management Plans | | | | | | |
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |
| Total | | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] |

Canadian Geriatrics

**ATTACHMENT E**

# REPORT OF THE NCAA STUDENT RECORDS REVIEW COMMITTEE MARCH 24-25, 2009 MEETING

## ***ACTION ITEMS.***

- None.

## ***INFORMATIONAL ITEMS.***

1. The NCAA Student Records Review Committee discussed several problematic trends arising from the presentation of nontraditional courses by prospective student-athletes for initial-eligibility purposes. The committee noted the following trends regarding nontraditional courses are particularly prevalent in cases involving coursework from correspondence programs.

   a. Pacing – the completion of a core course in a condensed time frame. Prospective student-athletes often present core courses from correspondence programs that are completed in a condensed time frame (e.g., five hours, seven days, 14 days). This time frame is much shorter than the guidelines for completion published by the course provider, as well as the time frame for traditional coursework completed through traditional secondary school programs.

   Current prospective student-athlete review triggers identify for review those courses completed in less than 30 days (one-half unit) and less than 60 days (one unit). Therefore, a correspondence course completed in seven days will be identified for further review. During the review, the prospective student-athlete's institution will assert the course was previously approved as a core course, was included on the provider's NCAA list of approved core courses and was selected for completion in reliance on its inclusion on a program's list of approved core courses.

   Through the prospective student-athlete review process, the student-athlete may produce coursework (e.g., assignments, quizzes, tests, final examination) demonstrating valid completion of the course in question. Absent the appropriate coursework, the prospective student-athlete may demonstrate the course was completed in an academically sound manner. For example, the prospect completed the course during his or her winter break, was not enrolled in any other courses, was not competing or training in his or her sport and could focus exclusively on the course in question.

   Many nontraditional programs do not permit the completion of their courses in a condensed time frame, requiring students to pace out course assessments for the duration of the course. However, there are a number of correspondence programs

that permit individuals to complete courses in a condensed time frame, regardless of whether the program publishes guidance on the appropriate time frame for completion. Further, the NCAA's current legislation does not prohibit the condensed completion of a course, and the academic and membership affairs staff has never issued an interpretation that precludes this practice.

The result is that the staff and/or committee are often in the position of reviewing a course that has been previously approved as a core course, but has been completed in a condensed time frame (e.g., American History completed in three days). Further, with the appropriate documentation to support the prospective student-athlete's completion of the course, and without the legislative authority to invalidate the course solely on the condensed time frame, the staff or committee must validate the course. These validations result in the use of a core course for initial-eligibility certifications that cannot possibly provide the type of substance or depth required to be college preparatory.

b. Lack of teaching by a qualified instructor. The NCAA's legislated definition of a core course requires a course "*be taught by a qualified instructor as defined by the appropriate academic authority.*" Neither the legislation nor the interpretations further explain or define what is meant by the term, "qualified." During its discussion, the committee did not discuss teacher qualifications, and focused on the lack of instruction in correspondence courses.

Many correspondence programs enable prospective student-athletes to complete a course without receiving any instruction. The prospective student-athlete simply registers for the course, is shipped the course materials, completes the assignments for the course and takes the final examination at his or her discretion. Some programs will provide students with the ability to complete the final examination before the course assignments are completed, and many do not require completion of the course assignments before the final examination. In the most extreme example, students are able to complete a final examination before the course materials are even shipped from the course provider.

Correspondence courses at issue in a review case presumably meet the legislated definition of a core course, including that the course is taught by a qualified instructor. If the appropriate documentation is provided to support the prospective student-athlete's completion of the course, the staff and/or committee is placed in the position of validating the course, even though the course is not taught by a qualified instructor. Enforcing the current legislation may be useful to assist the staff and/or committee, but will result in decisions which are

inconsistent and in direct conflict with decisions made by the core-course review staff in approving a program's list of NCAA approved core courses.

c. Lack of student interaction with a qualified instructor. The legislated definition of a permissible nontraditional course requires, "*the instructor and student have access to one another during the duration of the course for purposes of teaching, evaluating and providing assistance to the student*." As set forth in Item b above, many correspondence courses presented for initial-eligibility purposes are completed without any instruction. Further, these courses often do not require any interaction between the student and instructor.

The practice of many correspondence programs is to only provide access to an instructor at the request of the student. This access is generally limited to the grading of "speed back" assignments. These assignments are completed by students in preparation for actual course assessments (e.g., exams), and the grading is limited to the instructor identifying incorrect answers and where the student may find the correct answer in the course materials. This limited access amounts to a student receiving assistance in preparation for course assessments, but does not result in actual instruction.

To this point, the staff and committee have validated courses presented from correspondence programs if the student has access to an instructor. These validations have occurred regardless of whether the student takes advantage of available access to an instructor. The result is that coursework completed without any legitimate instruction or student-teacher interaction, both of which are required by NCAA legislation, is validated through the prospective-student athlete review process.

d. The inability to produce coursework completed throughout the duration of a correspondence course. Coursework is the clearest manner for a prospective student-athlete or member institution to substantiate the prospect's completion of a nontraditional course. It also is the best evidence used by the staff and/or committee to validate a prospective student-athlete's completion of the coursework in question. However, in many cases involving correspondence courses, coursework is not available. Many of the reasons for this are set forth in Items b and c above. For example, the course provider does not require the completion of any assignments prior to the completion of the course assessments; therefore, no coursework exists, a fact which is outside the control of the student.

In lieu of coursework, the staff receives course syllabi or other materials that are not specific to the prospective student-athlete's completion of the course and do

not assist in reaching a determination as to whether the prospective student-athlete's completion of the course was valid. The result is that the staff and committee are often forced to rely on written statements from the prospective student-athlete, administrators from the prospect's high school, coaches and family members. These statements almost always lack the specificity evident in actual coursework and can be extremely self-serving toward the prospective student-athlete.

Review policies permit the validation of courses based on coursework provided. Particularly for recruited student-athletes, there has been more than sufficient notice provided to member institutions regarding prospective student-athlete review identifiers and the need to advise prospects to save coursework from nontraditional courses. However, the current legislation does not require the submission of coursework in order for it to be used as a core course for initial-eligibility purposes. The staff and committee are in the position of viewing those cases in which coursework is available under a different standard than cases in which coursework is not available.

e. <u>Completion of a significant number of core courses late in a secondary school career</u>. Academic records are often identified for review as a result of the use of correspondence programs to complete a large number of core courses late in an individual's secondary school career (e.g., seven core courses during grade 12; three core courses in the summer after graduation). The completion of core courses in this fashion often also involves sequential coursework out of the normal progression (e.g., Spanish II before Spanish I), or the simultaneous completion of sequential courses (e.g., Algebra I, Algebra II and Geometry).

The cases described above generally result for two reasons. First, an individual repeats courses previously failed or passed with a low grade in an effort to significantly improve his or her core-course grade-point average. Second, an individual needs a significant number of courses to satisfy the core-course requirement. In either scenario, the number of courses completed subsequent to the sixth semester of high school is disproportionate to the number of core courses previously completed. Additionally, a prospective student-athlete's recovery of core courses is often made while he or she is concurrently enrolled in a traditional high school program, competing in athletics and fulfilling other responsibilities (e.g., full-time job, care of a family member).

To this point, the staff and committee have analyzed cases involving the late recovery of core courses under a standard of academic soundness. A review may also incorporate the prospective student-athlete's entire academic record.

However, this standard is largely subjective. Further, it is difficult to determine whether the completion of a large number of core courses is academically sound, particularly when there is no coursework provided to support such completion.

f. Credit-recovery programs. Credit-recovery programs, which enable students to recover a failed or low grade without repeating an entire course, are not unique to correspondence programs. They are employed by public and private high schools in an effort to assist students recover graduation requirements and in some cases, solely to meet initial-eligibility standards. A recent trend in review cases involves the use of credit-recovery programs by prospective student-athletes to satisfy initial-eligibility requirements after seven semesters of high school in order to enroll early at an NCAA member institution. Through the use of software, sometimes provided by an outside entity, the student is able to pretest out of a significant percentage of a course. The result is that the student only repeats a small percentage of the course and essentially earns credit by examination.

Current NCAA legislation permits prospective student-athletes to repeat a course, with the best grade in the course acceptable for initial-eligibility purposes. However, the legislation prohibits credit by examination. In those cases involving coursework completed through a credit-recovery program, member institutions and prospective student-athletes rely on the high school's list of approved core courses. However, the course must be repeated in full in order to be acceptable as a core course.

Institutions argue that the ability to pretest out of a portion of a course, demonstrates mastery of those portions, and prospects should not be required to repeat those portions already mastered. This clearly is problematic for the staff and committee because its charge is to review the validity of the course's completion, not whether the material has been mastered.

2. The committee directed the staff to propose amendments to its policies and procedures to more completely define the staff and committee's authority during the prospective student-athlete review process, and increase the level of documentation necessary to validate an individual's academic credentials. These amendments will permit the staff and committee to carry out the charge of the NCAA Working Group on Initial-Eligibility Trends and more accurately determine the validity of academic credentials presented by prospective student-athletes.

3. The committee amended its policies and procedures to permit the staff and committee to revisit the certification of a prospective student-athlete when information is obtained subsequent to the certification that indicates the certification was based on fraudulent information or activity.

4. The committee incorporated the NCAA Executive Committee's New Committee Member Conflict of Interest Policy into its policies and procedures.

5. The committee reviewed its policy permitting institutional participation during appeal teleconferences and agreed to continue to use the same policy for all appeal teleconferences during the 2009-10 academic year.

6. The committee confirmed that its prohibition against the recording of any appeal teleconference was incorporated into its policies and procedures.

7. The committee reviewed current initial-eligibility legislation, including those bylaws and current proposals applicable to the prospective student-athlete review process.

   In its discussion of NCAA Division I Proposal No. 2008-75, the committee expressed concern that federal privacy laws and institutional policies prohibit an institution from providing a student's transcripts to the NCAA Eligibility Center, as required by the proposed legislation. The committee requested that staff consult with NCAA staff liaisons to the NCAA Division I Legislative Council on this topic.

8. The committee received a summary of prospective student-athlete review cases from the 2008-09 academic year, as well as a three-year statistical summary of review cases. The committee discussed the overarching philosophy for processing prospective student-athlete review cases, both by the staff and committee, in the context of the decreased number of cases during 2008-09 as compared to the previous two academic years.

9. The committee received a presentation from Allison Powell from the North American Council for Online Education (iNACOL). Ms. Powell's presentation covered iNACOL's international standards for online programs, courses and instructors.

10. The committee received an update regarding the high school review and core-course review processes from NCAA staff. The committee also received a presentation from the high school review staff regarding potential academic issues arising from those programs that conduct their athletics programs without the regulatory oversight of a state athletic association or other governing body.

11. The committee discussed the use of nontraditional courses presented by prospective student-athletes for initial-eligibility purposes. As part of this discussion, the committee received a presentation from the high school review staff that included a historical perspective on approval of high school lists of NCAA approved core courses, as well as how current practice regarding lists of NCAA approved core courses impact the prospective student-athlete review process.

12. The committee recognized the departure of Linda Myers (Morley Stanwood Community Schools, Michigan) due to her retirement and the need to recommend a replacement from the secondary school community.

*Committee Chair: Dan Garrick, St. Francis DeSales (Ohio) High School*
*Staff Liaisons: Steve Clar, Academic and Membership Affairs*
*Alex Smith, Academic and Membership Affairs*

**ATTACHMENT F**

**Proposal Number**: 2009-??

**Title**: ELIGIBILITY – FRESHMAN ACADEMIC REQUIREMENTS – CORE-CURRICULUM REQUIREMENTS – NONTRADITIONAL COURSES

**Intent:** To specify that for purposes of using a nontraditional course to satisfy NCAA core-course requirements, the instructor and the student shall have regular and ongoing access to and interaction with one another for purposes of teaching, evaluating and providing assistance to the student throughout the duration of the course.

**Bylaws:** Amend 14.3.1.2.2, as follows:

> 14.3.1.2.2 Nontraditional Courses. Courses taught via the Internet, distance-learning, independent-study, individualized-instruction, correspondence and courses taught by similar means, may be used to satisfy NCAA core-course requirements, if all of the following conditions are satisfied:
>
> (a) The course meets all requirements for a core course as defined in Bylaw 14.3.1.2;
>
> (b) The instructor and the student have **regular and ongoing** access to **and interaction with** one another ~~during the duration of the course~~ for purposes of teaching, evaluating and providing assistance to the student **throughout the duration of the course**;
>
> (c) Evaluation of the student's work is conducted by the appropriate academic authorities in accordance with the high school's established academic policies; and
>
> (d) The course is acceptable for any student and is placed on the high school transcript.

**Source:** NCAA Division I Academic Cabinet.

**Effective Date**: TBD.

**Proposal Category**: Amendment.

**Topical Area**: Eligibility.

**Rationale**: Current legislation permits the use of nontraditional courses (courses taught via the Internet, distance-learning, independent-study, individualized-instruction, correspondence and courses taught by similar means) to be used to satisfy NCAA core-course requirements, provided the course satisfies certain conditions. However, credit earned only by examination may not be used to satisfy core-curriculum legislation. This legislation was adopted at the 2000 NCAA Convention in an attempt to keep pace with trends in educational technology and to streamline initial-eligibility standards. While the original intent of the legislation was to allow individuals

to take advantage of increased learning opportunities without compromising the intent of the core-curriculum legislation, it is important to clarify that there is an expectation that nontraditional courses should offer regular and ongoing access to and interaction between the instructor and the student throughout the duration of the course. The ultimate goal of this legislation is to ensure that individuals are prepared for college work; therefore, it is of utmost importance to ensure that these individuals are enrolled in quality courses that allow for interaction between instructor and students as part of the teaching and learning process.

**Estimated Budget Impact**: None.

**Impact on Student Athlete's Time:** None.

**ATTACHMENT G**

# Nontraditional Courses Discussion:
# Repeat Courses and Credit-by-Examination

**Current NCAA Divisions I and II Bylaw 14.3.1.2.8 (Repeat Courses).**

A repeated course may be used only once to satisfy core-curriculum requirements. The best grade in that course may be used to calculate the grade-point average in the core curriculum.

**Current Staff Interpretation on Credit-By-Examination.**

Use of Credit-by-Examination to Satisfy Minimum Initial-Eligibility Core-Curriculum Requirements (I/II)

Date Issued: October 24, 2007
Date Published: October 24, 2007
Item Ref: 1

Interpretation: The membership services staff confirmed that credit earned only by examination shall not be used to satisfy the requirement of completing the minimum core curriculum for initial-eligibility purposes.

**Proposed Interpretation on Repeat Courses.**

Repeat Courses (I, II). The academic and membership affairs staff determined that in order to be acceptable for initial-eligibility certification, a repeat course must be substantially comparable, qualitatively and quantitatively, to the previously completed course.

[References: Division I Bylaw 14.3.1.2.8 (repeat courses); Division II Bylaw 14.3.1.2.8 (repeat courses).]

**Proposed Educational Column on Repeat Courses and Credit-By-Examination.**

EDUCATIONAL COLUMN

Initial-Eligibility – Core-Curriculum Requirements - Use of Repeat Courses and Credit-By-Examination (I, II).

Division I and II institutions should note that a repeated course may be used only once to satisfy core-curriculum requirements. The best grade in that course may be used to calculate the core-course grade-point average. Additionally, the academic and membership affairs staff has determined that in order to be acceptable under the repeat-courses legislation; a course must be substantially comparable, qualitatively and quantitatively, to the previously attempted course.

Finally, the academic and membership affairs staff previously confirmed that credit earned only by examination shall not be used to satisfy the core-curriculum requirement for initial-eligibility purposes.

In analyzing a repeat course to determine whether it is substantially similar to the initial course attempted by a prospective student-athlete, member institutions should compare the course content, instruction design and assessments for both courses. Analysis should center on, but may not be limited to, a review of the following:

1. Are the syllabi substantially similar?

2. Is the same or a substantially similar textbook used?

3. How similar are the course goals and objectives, tasks and assessments?

4. Is there comparable student/teacher interaction relative to teaching, assessment and feedback?

Division I and II institutions should also specifically note the use of credit-recovery programs by secondary school programs and the specific method in which credit-recovery programs may be conducted. In order to meet high school graduation requirements and/or satisfy initial-eligibility requirements, prospective student-athletes are currently presenting core courses completed through credit-recovery programs. Some high schools employ credit-recovery software that enables an instructor to manipulate a course to meet the needs of an individual student. The course can be individualized in such a way so that only a limited portion of the course is completed by the student, often though a pretesting-out process. The result is that the student completes only those assessments failed initially or a limited portion of a new course, yet earns full credit for the course.

The following scenarios are designed to assist the membership in applying this standard to determine whether a repeat course is acceptable for initial-eligibility certification, or whether the repeat course constitutes credit-by-examination.

**<u>Scenario No. 1</u>.**

A prospective student-athlete repeats a previously completed core course through a credit-recovery program that enables the student to pretest out of a percentage of the course. For example, if the course is comprised of 20 units or modules, the student is given a pretest at the beginning of each of the 20 modules. If the student earns a certain score established by the high school (e.g., greater than 80 percent) on the pretest for each unit or module, he is not required to

complete that module. Is this course acceptable for initial-eligibility purposes if the student earns 80 percent or better on any of the pretests?

**Answer.**

No. Because the prospective student-athlete did not repeat the entire course, it is not permissible under the repeat-course legislation. This is regardless of whether the student completed pretests before each module or unit.

**Scenario No. 2.**

A prospective student-athlete takes a core course (e.g., Algebra I) at his home high school. The course assessments include several quizzes, three unit examinations and a final examination. During his initial completion of the course, the student failed two of the three unit examinations. However, through his performance on quizzes, the third unit examination and the final examination, he passed the course with a grade of D.

Using the school district's credit-recovery software, which was provided by a third-party entity, the student's math instructor administers a repeat of Algebra I for the student. By manipulating the software, the student is only required to complete the two unit examinations that he failed during his initial completion of the course. He passes both examinations and earns a final grade of B in the repeat course. Is the repeat course acceptable for initial-eligibility purposes?

**Answer.**

No. Because the repeat course was not substantially similar, quantitatively and qualitatively, to the initial completion, the course does not constitute an acceptable repeat course.

**Scenario No. 3.**

During the 2008-09 academic year, a prospective student-athlete completes a core course (e.g., Spanish I) at his home high school and earns a grade of D. The course is completed in a traditional classroom setting from September 2008 through May 2009. It is acceptable for initial-eligibility purposes and included in the prospective student-athlete's certification. In order to improve his grade in the course, the prospective student-athlete repeats the course during his high school's 2009 summer school session, which lasts eight weeks, and earns a grade of A. Is the repeat of Spanish I acceptable for use in the prospective student-athlete's certification?

**Answer.**

Provided the material taught in summer school Spanish I is substantially similar to the Spanish I course taught during the 2008-09 academic year, it will likely constitute an acceptable repeat course. This answer is provided even though the student completes the course over a shorter period of time than was required during the regular academic year.

When a prospective student-athlete repeats a course during summer school that was originally attempted and/or completed during a term or terms of the regular academic year, the repeat course will likely be acceptable for initial-eligibility purposes.

**Scenario No. 4.**

The prospective student-athlete in Scenario No. 3 repeats Spanish I during the summer of 2009 using a correspondence course offered by a third-party entity. While completing the correspondence course, the prospective student-athlete is not required to complete any assignments before gaining access to the course assessments, there is no required student/teacher interaction during the duration of the course and no instruction from a qualified instructor during the course. As a result, the prospective student-athlete completes his repeat of Spanish I in seven days, earning a grade of A. Is the repeat of Spanish I acceptable for use in the prospective student-athlete's certification?

**Answer.**

Because the repeat course taken through the correspondence program was not substantially similar to the course initially attempted, it is not likely acceptable for initial-eligibility purposes. Further, the prospective student-athlete's file will likely be identified for the Prospective Student-Athlete Review process as a result of this course.

**ATTACHMENT H**

# Excerpt from the NCAA Student Records Review Committee Policies and Procedures Manual

**Staff and Review Committee Authority and Review Process.**

The review committee has the authority and is expected to render a decision when an institution wishes to appeal an invalidation decision made by the academic and membership affairs staff.

All academic and membership affairs staff and review committee decisions will be based on the following criteria:

a. Reasonable explanation of academic irregularities in the individual's record corroborated in writing by the appropriate academic authorities and other supporting documentation; and

b. Individual's reasonable reliance on information provided by high school personnel or institutional personnel.

**Information to be Considered.**

When deliberating the outcome of any prospective student-athlete review case, the review committee ~~may~~ will consider, as applicable, any information submitted by the applicant institution, prospective student-athlete or NCAA staff relative to or affected by the prospective student-athlete's secondary school academic record. This may include, but is not limited to:

a. Secondary school academic record;

b. SAT and/or ACT scores;

c. Extenuating or mitigating circumstances that may have contributed to the prospective student-athlete's academic record;

d. Letters of recommendation or support;

e. Student-athlete's written comments;

f. Evidence supporting or explaining the prospective student-athlete's academic record (e.g., coursework completed by the prospective student-athlete, course syllabus, detailed timeline for completion of the course by the prospective student-athlete, academic authority statement detailing the prospective student-athlete's completion of the course) including documentation of the specific content, course instruction methodology, instructor/student interaction and student assessment(s) for any particular course at issue; and

g. Any other information the review committee deems appropriate.

The review committee cannot consider coursework completed as either a part-time or full-time student at a collegiate institution. Further, the review committee should not consider the prospective student-athlete's potential to be academically successful at the collegiate institution.

# NCAA Division II
# Candidacy/Provisional Member Institutions
# as of June 2010

| | |
|---|---|
| **Active in 2010-11*** | 1. University of Arkansas, Fort Smith (P) |
| | 2 King College (TN) (P) |
| | 3. Lincoln University (PA) (P) |
| | 4. University of Illinois at Springfield (P) |
| | 5. Urbana University (P) |
| | |
| **Active in 2011-12*** | 1. California State-East Bay (C2) |
| | 2. Dominican University of California (C2) |
| | 3. Maryville University (MO) (C2) |
| | 4. Ohio Dominican University (C2) |
| | |
| **Active 2012-13*** | 1. Academy of Arts University (C1) |
| | 2. Cedarville University (C1) |
| | 3. Lambuth University (C1) |
| | 4. Minot State University (C1) |
| | 5. Notre Dame College (C1) |
| | 6. Simon Fraser University (C1) |
| | 7. University of Sioux Falls (C1) |
| | 8. William Jewell College (C1) |

*Dates are effective pending compliance with all legislation and approval by the Division II Membership Committee.

## 3.3 MEMBER CONFERENCE

### 3.3.1 Eligibility.

**3.3.1.1 Conference Competition Requirement.** Conference membership is available to duly elected athletics conferences of colleges and universities that conduct conference competition and determine a champion in one or more sports in which the Association conducts championships or for which it is responsible for providing playing rules for intercollegiate competition. Voting rights and other membership privileges (e.g., Management Council representation) are available only to those multi-sport conferences that satisfy the requirements set forth in Constitution 3.3.2.2. *(Revised: 1/14/02, effective 8/1/02)*

**3.3.1.2 Composition of Conference.** All of the members of the conference shall be active members of this Association. A conference with six or more active NCAA members may accept an institution in the candidacy period of the Division II membership process (see Bylaw 20.3.2) into active conference membership. *(Revised: 1/11/94 effective 9/2/94, 4/11/06, 4/17/07, 7/24/07, 1/23/09)*

**3.3.1.3 Conference of At Least Six Active Member Institutions.** A conference of at least six active member institutions desiring to attain voting conference status and gain access to voting conference membership privileges must meet the following conditions: *(Adopted: 1/14/02, Revised: 1/14/08)*

(a) Submit an application to the Membership Committee, to be received in the national office not later than December 1. A fee, as determined by the Membership Committee, shall accompany the application. The following information must be submitted at the time of application: *(Revised: 7/22/08)*

(1) A conference strategic plan;

(2) A conference constitution and bylaws;

(3) Documentation affirming the conference satisfies the sports sponsorship requirement;

(4) A business plan for conference office operations; and

(5) A student-athlete advisory committee development plan.

Once the application is approved by the Membership Committee, a conference of at least six active members institutions shall be eligible for privileges of active member conferences, except for automatic qualification (see Bylaws 31.3.4.3 and 31.3.4.5); and

(b) The conference commissioner must attend the NCAA Convention in the year immediately following the submission of the application.

**3.3.1.4 Conference with Fewer Than Six Active Member Institutions.** A conference with fewer than six active member institutions desiring to attain voting conference status and gain access to voting conference membership privileges must meet the following conditions: *(Adopted: 1/14/02, Revised: 1/14/08)*

(a) Submit an application to the Membership Committee, to be received in the national office not later than December 1. A fee, as determined by the Membership Committee, shall accompany the application. The following information must be submitted at the time of application: *(Revised: 7/22/08)*

(1) A conference strategic plan;

(2) A conference constitution and bylaws;

(3) Documentation affirming the conference satisfies the sports sponsorship requirement;

(4) A business plan for conference office operations; and

(5) A student-athlete advisory committee development plan.

Once the application is approved by the Membership Committee and the conference has at least six active member institutions, a conference shall be eligible for privileges of active member conferences, except for automatic qualification (see Bylaws 31.3.4.3 and 31.3.4.5).

(b) The conference must complete an educational assessment program within the first calendar year immediately following submission of the application, as outlined below:

(1) Attendance by the conference commissioner at the NCAA Convention;

(2) Visit to an active member conference office or meeting;

(3) Attendance by the conference commissioner at an NCAA national office visit;

(4) Attendance by the conference commissioner at the NCAA Regional Rules Compliance Seminar;

(5) Visit by Membership Committee representatives to the conference office; and

(6) Submit a conference progress report.

In the event that more than one year is needed to increase the conference membership to at least six active member institutions or to complete the educational assessment program, the conference must repeat all of the conditions of the educational assessment program, except for the visit to an active member conference's office or meeting and a visit by Membership Committee representatives to the conference office.

**3.3.1.5 Grace Period—Application Fee.** An active member conference whose membership falls below six member institutions shall not be required to submit a fee per Constitution 3.3.1.3-(a) or 3.3.1.4-(a) for four years following the date of withdrawal of the institution(s) that causes the conference's membership to fall below six institutions. *(Adopted: 7/22/08)*

### 3.3.2 Privileges.

**3.3.2.1 Privileges of Member Conferences.** Member conferences shall be entitled to all of the privileges of active members except the right to compete as such in NCAA championships.

**3.3.2.2 Voting Rights and Other Conference Membership Privileges.** Only those multi-sport member conferences that meet the criteria listed below shall be permitted to vote on issues before the Association and access other membership privileges (e.g., Management Council representation, Enhancement Fund Distribution) afforded to such conferences. *(Revised: 1/14/02 effective 8/1/02)*

**3.3.2.2.1 Competitive and Legislative Body.** The member conference shall be both a competitive and a legislative body on the conference level (see Constitution 3.02.1 and 3.02.2).

**3.3.2.2.2 Minimum Size and Division Status.**

**3.3.2.2.2.1 Full Voting Privileges.** The member conference shall be composed of at least six members in a single division in order to be eligible for full voting privileges, including voting on federated bylaws (those bylaws that may be amended by one or more divisions acting separately).

**3.3.2.2.2.2 Partial Voting Privileges.** Those member conferences with at least six members but without a minimum of six members in a single division shall be permitted to vote on all dominant or common provisions (those provisions that apply to all three divisions of the Association). On these common provisions, the conference shall vote in the division in which the majority of its membership is classified. In the event that its membership is divided evenly between two divisions, the Executive Committee shall determine its voting division. Such conferences shall not vote on federated provisions (those provisions that may be amended by one or more divisions acting separately).

**3.3.2.2.3 Sports Sponsorship Requirement.** A voting member conference shall conduct conference competition in at least five sports for men and five sports for women or four sports for men and six sports for women. For a sport to count toward the minimum sports sponsorship requirement, the following criteria must be satisfied: *(Revised: 1/14/02 effective 8/1/02)*

(a) The conference must conduct a conference championship (e.g., round robin or tournament play) and name a conference champion in the sport;

(b) In team sports only, the conference must conduct regular-season competition among the conference members sponsoring the sport; and

(c) At least six conference member institutions must sponsor and compete in the sport. *(Revised: 1/14/02 effective 8/1/02)*

**3.3.2.2.3.1 Three-Season Requirement.** A voting member conference shall conduct competition in at least one sport for men in each season and at least one sport for women in each season. *(Adopted: 1/14/02 effective 8/1/02)*

**3.3.2.2.3.2 Waiver.** The Membership Committee, by two-thirds majority of its members present and voting, may waive the requirements of Constitution 3.3.2.2.3 if it deems that unusual circumstances warrant such action. The Management Council shall hear and act on a conference's appeal of a decision made by the Membership Committee in regard to a conference's waiver of the sports sponsorship requirement. *(Adopted: 1/14/02 effective 8/1/02, Revised: 2/21/08*)

**3.3.2.2.3.3 Minimum Contests/Minimum Participant Requirements.** An institution must satisfy the minimum contest and minimum participant requirements set forth in Bylaw 20.10.3.5 in a given sport in order for that sport to be considered when determining whether the conference has six member institutions that sponsor and compete in that sport. *(Adopted: 1/13/03)*

**3.3.2.2.3.4 Conference Member in Selected Sports.** An institution that is a member of a voting conference in only selected sports (e.g., an affiliated conference member only in football) may not be considered when determining whether the conference has six member institutions that sponsor and compete in the sport. *(Adopted: 1/13/03)*

**3.3.2.2.4 Football Issues.** In addition to meeting the requirements of Constitution 3.3.2.2.3 for men's and/or women's sports, conference championship competition shall be conducted in football in order for the conference to vote on issues pertaining only to football.

**3.3.2.3 Use of Association's Registered Marks.** Member conferences may use the registered marks of the Association (i.e., the Association's name, logo or other insignia) only in accordance with guidelines established by the Executive Committee.

### 3.3.3 Election Procedures.

**3.3.3.1 Voting Requirement.** Procedures for election to conference membership under this subsection are common provisions (see Constitution 5.02.1.2) established by majority vote of each of the three divisions voting separately.

**3.3.3.2 Application.** An athletics conference desiring to become a member conference shall make application on a form available from the national office. A check in the appropriate amount for annual dues (see Constitution 3.7.3) shall accompany the application. Should the applicant fail election, the dues paid shall be refunded.

**3.3.3.3 Election.** Athletics conferences may be elected as member conferences by a majority vote of the delegates present and voting at an annual Convention or by a majority vote of the Management Council.

### 3.3.4 Conditions and Obligations of Membership.

**3.3.4.1 General.** The member conferences of this Association agree to administer their athletics programs in accordance with the constitution, bylaws and other legislation of the Association.

**3.3.4.2 Conference Competition.** Member conferences shall conduct conference competition and determine a champion in one or more sports in which the Association conducts championships or for which it is responsible for providing playing rules for intercollegiate competition.

**3.3.4.3 Composition of Conference.** All of the members of the conference shall be active members of this Association. A conference with six or more active NCAA members may accept an institution in the candidacy period of the Division II membership process (see Bylaw 20.3.2) into active conference membership. *(Revised: 6/11/08, 1/23/09)*

**3.3.4.4 Conference Student-Athlete Advisory Committee.** Each active member conference shall establish a student-athlete advisory committee for its member institutions' student-athletes. The composition and duties of the committee shall be determined by the conference. *(Adopted: 1/13/98 effective 8/1/98)*

**3.3.4.4.1 Annual Meeting.** The member conference shall conduct at least one in-person meeting annually of its conference student-athlete advisory committee. *(Adopted: 1/13/03)*

**3.3.4.4.1.1 Failure to Conduct a Conference Student-Athlete Advisory Committee Annual Meeting.** If an active member conference fails to meet the conditions set forth in Constitution 3.3.4.4.1 during a given year, the conference shall immediately be placed on probationary status during the following academic year and would not be eligible for the conference grant that is designated for the enhancement of the conference student-athlete advisory committee. If the conference fails to meet the conditions set forth in Constitution 3.3.4.4.1 during the probationary year, the conference may be reclassified immediately as a corresponding member. *(Adopted: 1/13/03)*

**3.3.4.4.1.2 Waiver.** The Management Council, by a two-thirds majority of its members present and voting, may grant waivers of Constitution 3.3.4.4.1 if it deems that unusual circumstances warrant such action. *(Adopted: 1/13/03)*

**3.3.4.5 Sports Sponsorship Audit Requirement.** A voting member conference shall provide documentation, on request, to show evidence of compliance with sports sponsorship requirements for a given year. *(Adopted: 1/13/03)*

**3.3.5 Loss of Member-Conference Status.**

**3.3.5.1 Failure to Comply with Five-Sport/Three-Season Requirement.** A voting member conference that fails to satisfy minimum sport-sponsorship criteria in a given year shall be placed on probation for one year in the next academic year after noncompliance occurs. During the "probationary year," the conference shall not be eligible to receive the share of the Enhancement Fund that is based on conference sports sponsorship. A conference shall be afforded the one-year probationary period only once in every five-year period. The five-year period shall begin September 1 after the completion of the academic year in which the sports sponsorship criteria is not met. If a conference fails to meet the minimum sports sponsorship criteria at the end of the probationary year, or is ineligible for the once-in-five-year probationary period, it shall forfeit its voting conference membership and all associated privileges immediately. A conference forfeiting voting conference membership in accordance with this legislation shall be ineligible to reapply for voting conference membership for at least one calendar year. *(Adopted: 1/14/02 effective 8/1/02)*

**3.3.5.2 Termination or Suspension.** The membership of any member conference failing to maintain the academic or athletics standards required for membership or failing to meet the conditions and obligations of membership may be suspended or terminated or the member conference otherwise disciplined by a vote of two-thirds of the Presidents Council. Membership shall not be suspended or terminated unless: *(Revised: 1/13/03)*

(a) Notice of intention to suspend or terminate membership, stating the grounds on which such motion will be based, is given in writing to the chair of the Presidents Council and to the president or chancellor of the member conference; and *(Revised: 1/13/03, 10/3/05)*

(b) The Presidents Council approves the notification of intention to move for suspension or termination.

**3.3.5.2.1 Cessation of Rights and Privileges.** All rights and privileges of the member shall cease on any termination or suspension of conference membership.

**3.3.5.3 Ineligible Conference Member Institution.** If any member of an athletics conference is found to be ineligible for active membership in this Association, such conference shall be ineligible for conference membership and its membership terminated, unless the conference has 40 or more members and at least 90 percent of said conference members are active members of the Association.

**3.3.5.4 Failure to Pay Dues.** If a member conference fails to pay its annual dues for one year, its membership shall be automatically terminated.

**3.3.5.5 Reinstatement of Terminated Member.** Any member conference whose membership has been terminated (see Constitution 3.3.5.2) may have it reinstated by a two-thirds vote of the members present and voting at any annual Convention.

**3.3.5.6 Reinstatement of Suspended Member.** Any member conference whose membership has been suspended may be reinstated to good standing in accordance with the terms, if any, of the suspension action, or at any time after six months from the date of such suspension, by vote of a majority of the Presidents Council or by vote of the majority of the members present and voting at any annual Convention.

**3.3.6 Discipline of Member Conferences.** Disciplinary or corrective actions other than suspension or termination of membership may be effected during the period between annual Conventions for violation of NCAA rules. (See Bylaws 19 and 32 for enforcement regulations, policies and procedures.)

**3.3.6.1 Restoration of Good Standing.** Disciplined members shall resume good standing in accordance with the terms of disciplinary action taken, or may be restored to good standing at any time by a vote of at least three members of the Committee on Infractions present and voting in accordance with Bylaw 19.5.2.8, or, at the annual Convention, by vote of a majority of the members present and voting.

**3.3.7 Conference with Fewer Than Six Active Member Institutions—Membership Requirements.** A conference desiring to become a voting conference member must satisfy the membership requirement set forth in Constitution 3.3.1.4 and the requirements set forth in the following provisions. *(Adopted: 1/13/03, Revised: 1/14/08)*

**3.3.7.1 Types of Conferences.** Conference membership is available to conferences that consist of four-year colleges or universities or two-year upper-level collegiate institutions that are currently active or provisional members (see Constitution 3.3.1.2) of Division II and accredited by the appropriate regional accrediting agency. *(Adopted: 1/13/03, Revised: 1/14/08)*

**3.3.7.2 Membership Period.** A newly formed conference desiring to attain voting conference status and gain access to voting conference membership privileges must complete the requirements in Constitution 3.3.1.4. *(Adopted: 1/13/03, Revised: 1/14/08)*

**NCAA Division II Membership Committee**
**Minimum Requirements for a Conference to be Considered for Membership in Division II**

In order for a conference application to be considered by the NCAA Division II Membership Committee for entrance into the Division II membership, a conference must demonstrate that it meets the following minimum requirements. Ultimately, the committee has the authority to accept or not accept a conference's application to enter Division II, even if the conference is meeting the minimum requirements at the time of application.

**Analysis/Feasibility Study**

The conference shall demonstrate that broad-based discussions have occurred regarding membership in Division II, including a discussion of the necessary resources and personnel to effectively operate a Division II conference. The conference should also demonstrate consideration of its overall fit and alignment with the Division II philosophy, attributes and the strategic platform. If the conference used the services of an outside firm or consultant to conduct a feasibility study, the conference must share the findings of the study with the committee.

**Accredited Four-Year Baccalaureate Degree(s) Granting Institutions**

The conference shall demonstrate that its members are accredited by one of the six regional accrediting agencies and that all institutions have been offering four-year baccalaureate degree(s) for a minimum of one academic year prior to the conference submitting an application to enter Division II. Conferences with a Canadian institution(s) must indicate whether the Canadian institution(s) have applied to a United States regional accrediting agency prior to being considered for acceptance into Division II.

**Strategic Plan for the Conference**

The conference shall provide a clear, detailed strategic plan for its operations, including an outline of key goals and priorities, associated timeline and commitment of financial and personnel resources. The conference must demonstrate the documented approval of the strategic plan by the conference's governance structure and that implementation of the strategic plan will occur.

**Financial Model for the Conference**

The conference shall demonstrate that it administers its office with prudent management and fiscal practices to ensure financial stability including, but not limited to, sufficient operating budgets for the effective operation of conference championships.

**Commitment of Personnel and Current Staff**

The conference shall demonstrate that it has the necessary personnel to operate the conference office at the Division II level including, but not limited to, a full-time commissioner and a full-time administrator whose primary responsibility is compliance.

**Sports Sponsorship**

The conference shall demonstrate that it is meeting the Division II minimum sports-sponsorship requirements for a conference, as outlined in NCAA Constitution 3.3.2.2.3, and the three-season requirement, as outlined in Constitution 3.3.2.2.3.1, at the time of application. An institution in the conference would have to satisfy the minimum contest and minimum participant requirements in Bylaw 20.10.3.5 in a given sport in order for that sport to be considered when determining whether the conference has six member institutions that sponsor and compete in that sport.

**Student-Athlete Advisory Committee**

An applicant conference shall demonstrate that it has established at the time of application a student-athlete advisory committee (SAAC) for its member institutions' student-athletes. The conference shall be able to produce bylaws and/or policies and procedures for the duties of the SAAC.

## NCAA Division II Membership Committee
## Additional Evaluation Criteria

The following criteria are important in determining a conference's fit for Division II membership.

**Demonstrated Commitment to the Community**

The conference shall demonstrate that it is committed to the Division II community engagement initiative for developing student-athletes and communities by actively engaging in shared experiences. The conference shall demonstrate, with specific examples for each sport, a commitment to serving the communities in which its member institutions reside and/or where conference championship events are hosted.

**Success of Member Institutions in Athletics**

The conference shall demonstrate that the varsity athletics programs of its members have demonstrated a history of success on the playing fields as measured by athletics accomplishments on a national level.

**Academic Achievement of Student-Athletes**

The conference shall demonstrate a commitment to the academic success of student-athletes at its member institutions, measured by the graduation rate of the student-athletes in each sport being equal to or greater than that of the general student body.

**Demonstrated Commitment to Sportsmanship**

The conference shall have policies in place that demonstrate a commitment to the Division II game environment initiative, including good sportsmanship by all coaches, fans and student-athletes.

# NCAA DIVISION II NEW CONFERENCE

# APPLICATION FORM

General Information

1. Name of Conference: _____

2. Mailing Address of Conference Office: _____

   City and State: _____ Zip Code: _____
   Phone Number: _____ Fax: _____

3. Conference Web Site Address: _____

4. Name of Individual Completing Application: _____

   Telephone Number: _____
   E-mail Address: _____

5. Personnel (Please provide the following information on your conference staff):

| Name | Title | E-mail Address | Telephone Number |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

6. Member Institutions (Please provide the following information on the institutions who are members of your conference):

| School Name | Location | Athletics Web Site | Director of Athletics | # of Sports Sponsored | Accrediting Agency Name |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

7. Intercollegiate Sports in Which the Conference Conducts Competition for Men:

| Sport | Fall | Winter | Spring |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

8. Intercollegiate Sports in Which the Conference Conducts Competition for Women:

| Sport | Fall | Winter | Spring |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Is your conference a Limited Liability Corporation or 501-c-3? Yes_____ No_____

Does your conference conduct an annual audit? Yes_____ No_____

Does your conference have a Presidents Council? Yes_____ No_____

President's Acknowledgment

By signing below each president of a school in your conference is attesting that the answers provided in this document are accurate and truthful. Further, by signing this document the presidents of each of these institutions is agreeing to abide by the bylaws of the conference including the paying of dues for conference membership. (If additional space for signatures is needed, please print this page again.)

**It is important to note that completion of this application form does not guarantee acceptance of your conference into Division II. The NCAA Division II Membership Committee has ultimate authority over conference membership.**

President's Name_____ Signature_____

Name of School _____ Date_____

President's Name_____ Signature_____

Name of School _____ Date_____

President's Name_____ Signature_____

Name of School _____ Date_____

President's Name_____ Signature_____

Name of School _____ Date_____

President's Name_____ Signature_____

Name of School _____ Date_____

President's Name_____ Signature_____

Name of School _____ Date_____

President's Name_____ Signature_____

President's Name_____ Signature_____

Commissioners Acknowledgement

By signing below the commissioner of the conference is attesting that the answers provided in this document are accurate and truthful. Further, by signing this document the commissioner of the conference is agreeing to abide by the bylaws of the conference including the paying of dues for conference membership.

**It is important to note that completion of this application form does not guarantee acceptance of your conference into Division II. The NCAA Division II Membership Committee has ultimate authority over conference membership.**

Name of Conference Commissioner**:** _____

Signature of Conference Commissioner**:** _____

Please provide the following items with your completed application:

1. Budget for conference office for most recent fiscal year and the upcoming fiscal year.

2. Current strategic plan for the conference.

3. Feasibility study conducted by the conference regarding Division II membership (as required in the minimum expectations document).

4. Current conference bylaws and Constitution.

5. Community-engagement efforts over the past year.

6. Game environment initiatives.

7. Plan for creating conference student-athlete advisory committee (SAAC). If a conference SAAC already exists, please detail the initiatives and activities conducted by the SAAC. Also, please provide a conference SAAC handbook if possible.

8. Provide information on how your conference office goals reflect the attributes of the NCAA Division II Strategic Positioning Platform.

9. Conference Championships Policy (e.g., format of championships, policies and procedures).

10. Provide a justification statement that details why your conference should be accepted into Division II.

11. Current membership affiliation of each member institution in the proposed new conference.

Additional Questions (please attach as supplements to the application):

1. Describe the involvement and authority of the presidents/chancellors in your conference including involvement in governance operations, budgets and strategic direction.

2. Describe the involvement of athletics directors in your conference including involvement in governance operations, budgets and strategic direction.

3. Describe the involvement of senior woman administrators in your conference including involvement in governance operations, budgets and strategic direction.

4. Describe the involvement of faculty athletics representatives in your conference including involvement in governance operations, budgets and strategic direction.

5. Describe the process used for creating and maintaining the conference's strategic plan including the individuals involved in the process.

6. Describe how your conference supports the principles of diversity and inclusion.

7. Describe how your conference initiates and supports systems and services for rules education and compliance including the monitoring of rules violations.

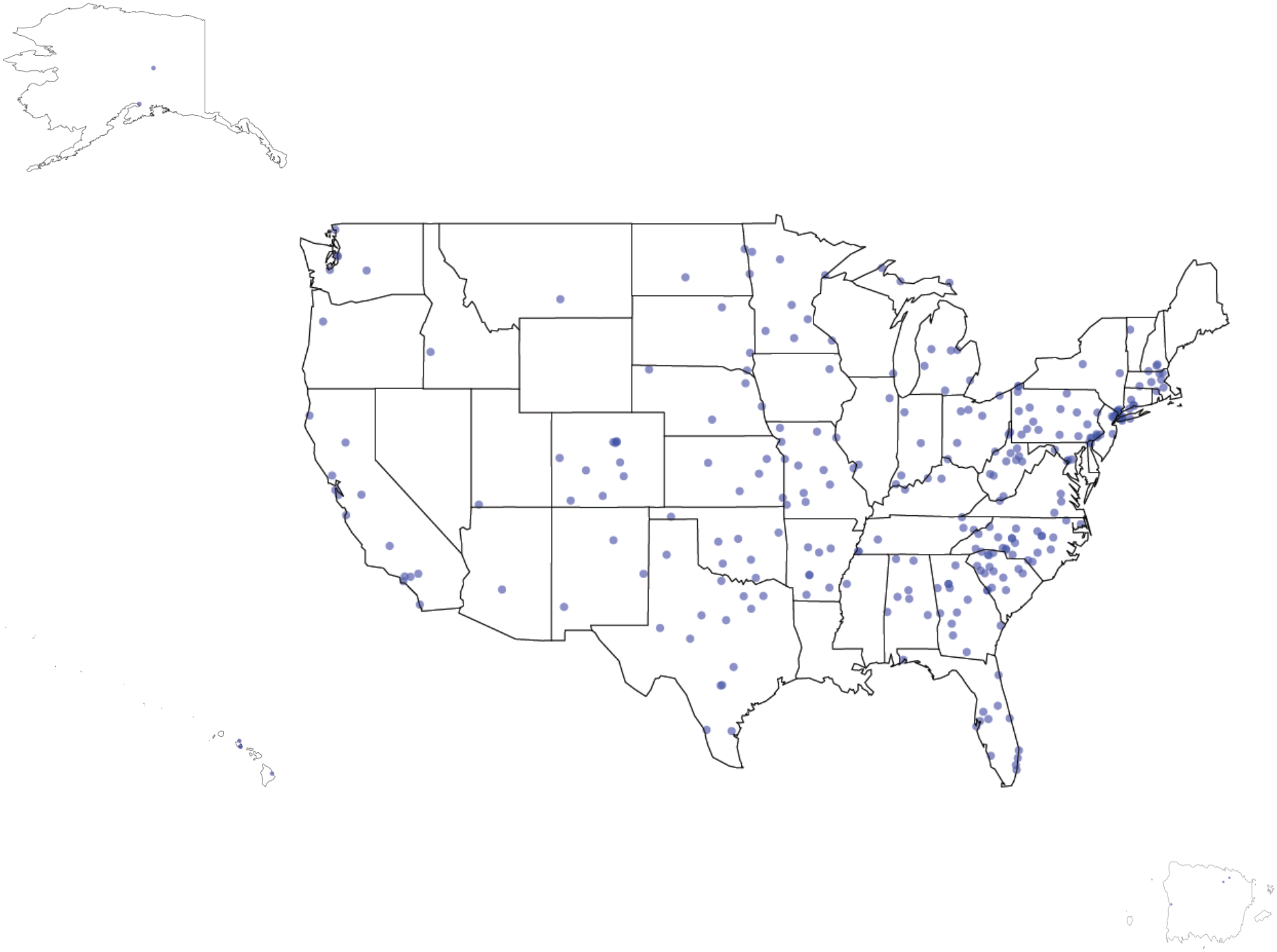
8. What support programs, initiatives and/or services does your conference have in place to support academic achievement by student-athletes?

9. Describe your conference's current initiatives that promote and protect student-athlete well-being.

Please Send Completed Application To:

Jess Rigler or Leslie Schuemann
NCAA
P.O. Box 6222
Indianapolis, IN 46206-6222

Per Membership Committee Policy, the application fee for a conference is a minimum of $60,000. If your conference has more than six institutions, please add $10,000 per institution for every school above six that are a part of your conference.

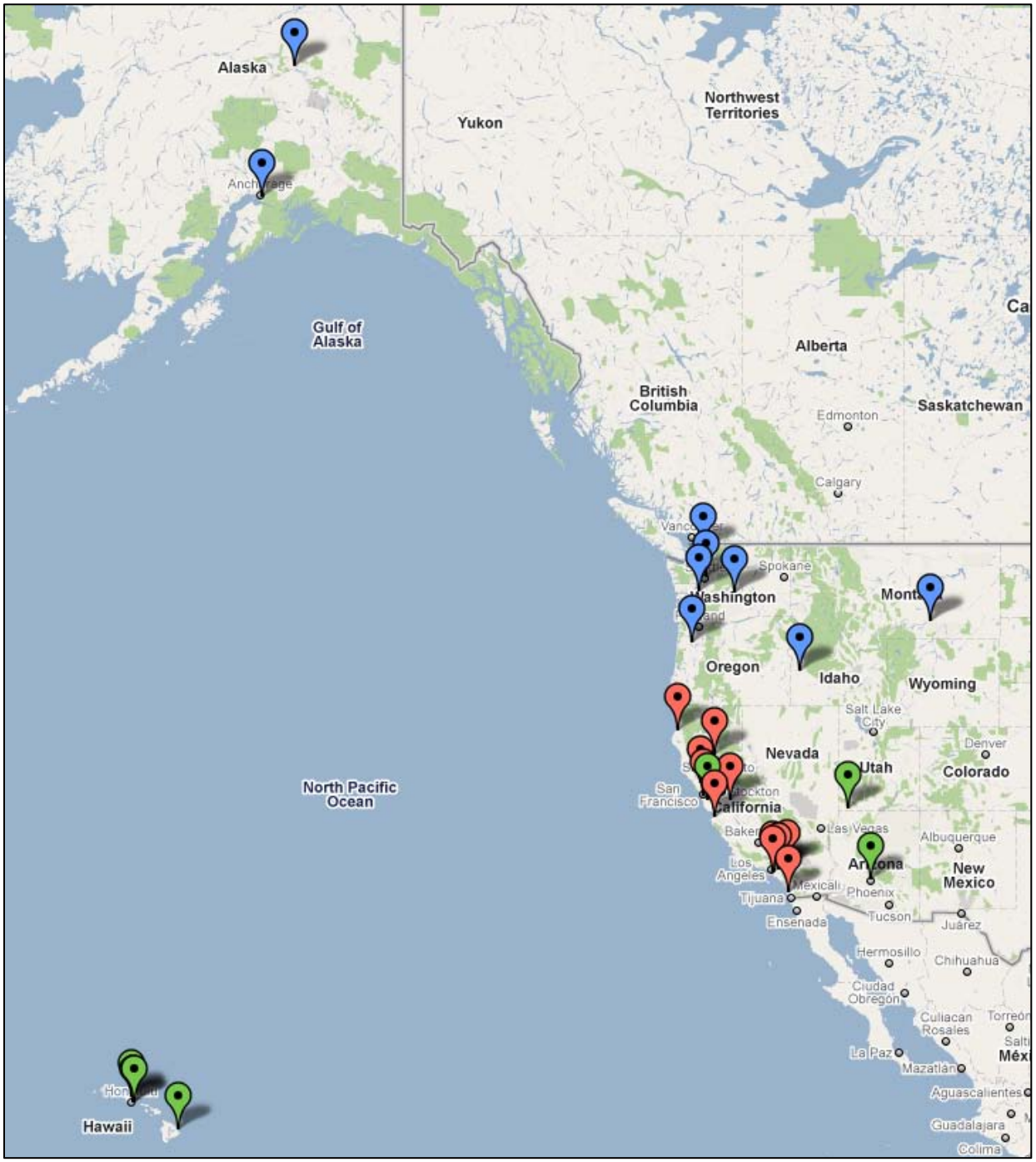


# Division II West Region

California Collegiate Athletic Association

Great Northwest Athletic Conference

Pacific West Conference




*Primary conference of membership, 2009-10; excludes institutions reclassifying to Division I*

# Division II Central Region

Northern Sun Intercollegiate Conference  Rocky Mountain Athletic Conference

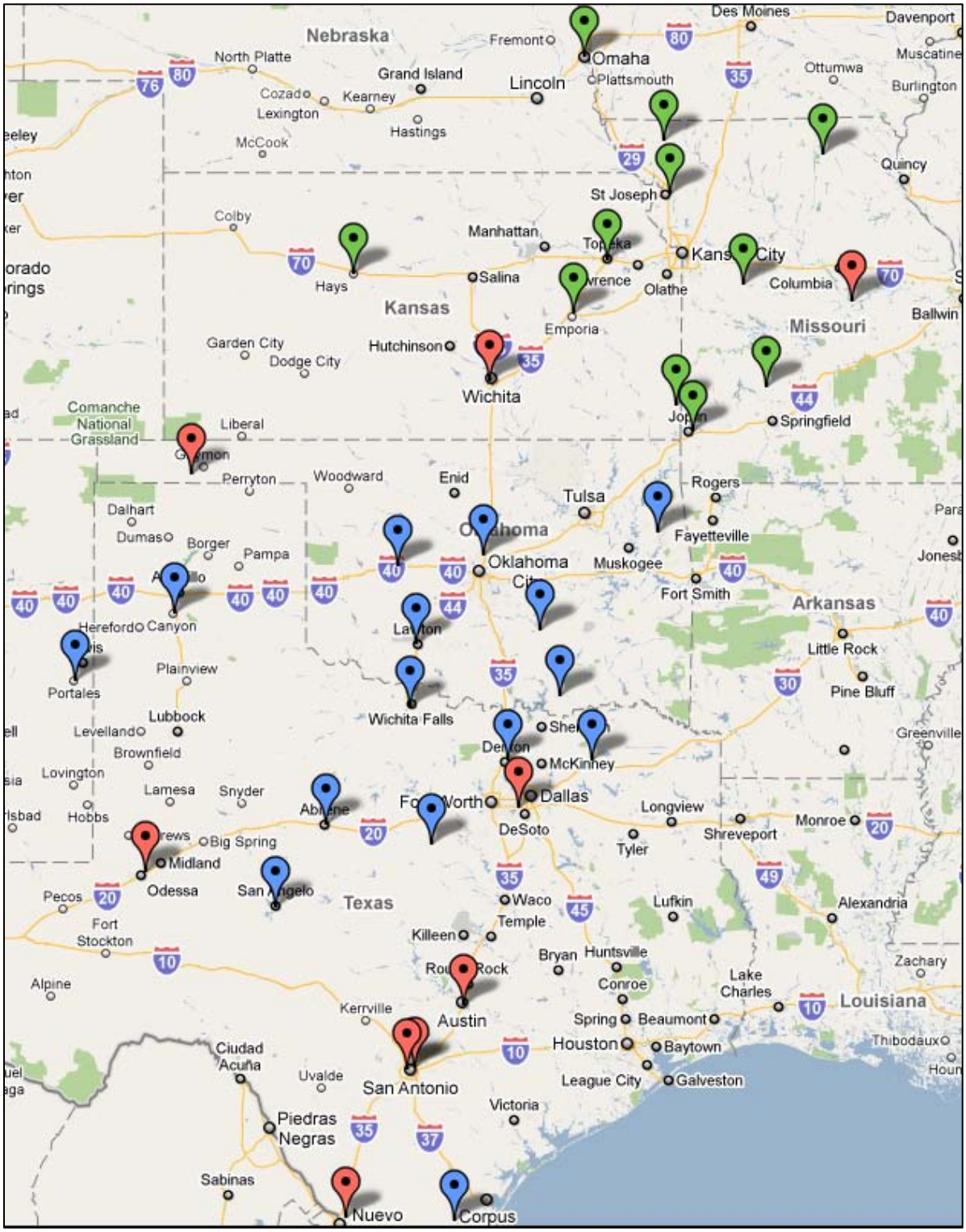
*Primary conference of membership, 2009-10; excludes institutions reclassifying to Division I*

# Division II South Central Region

Heartland Conference

Lone Star Conference

Mid-America Intercollegiate Athletics Association



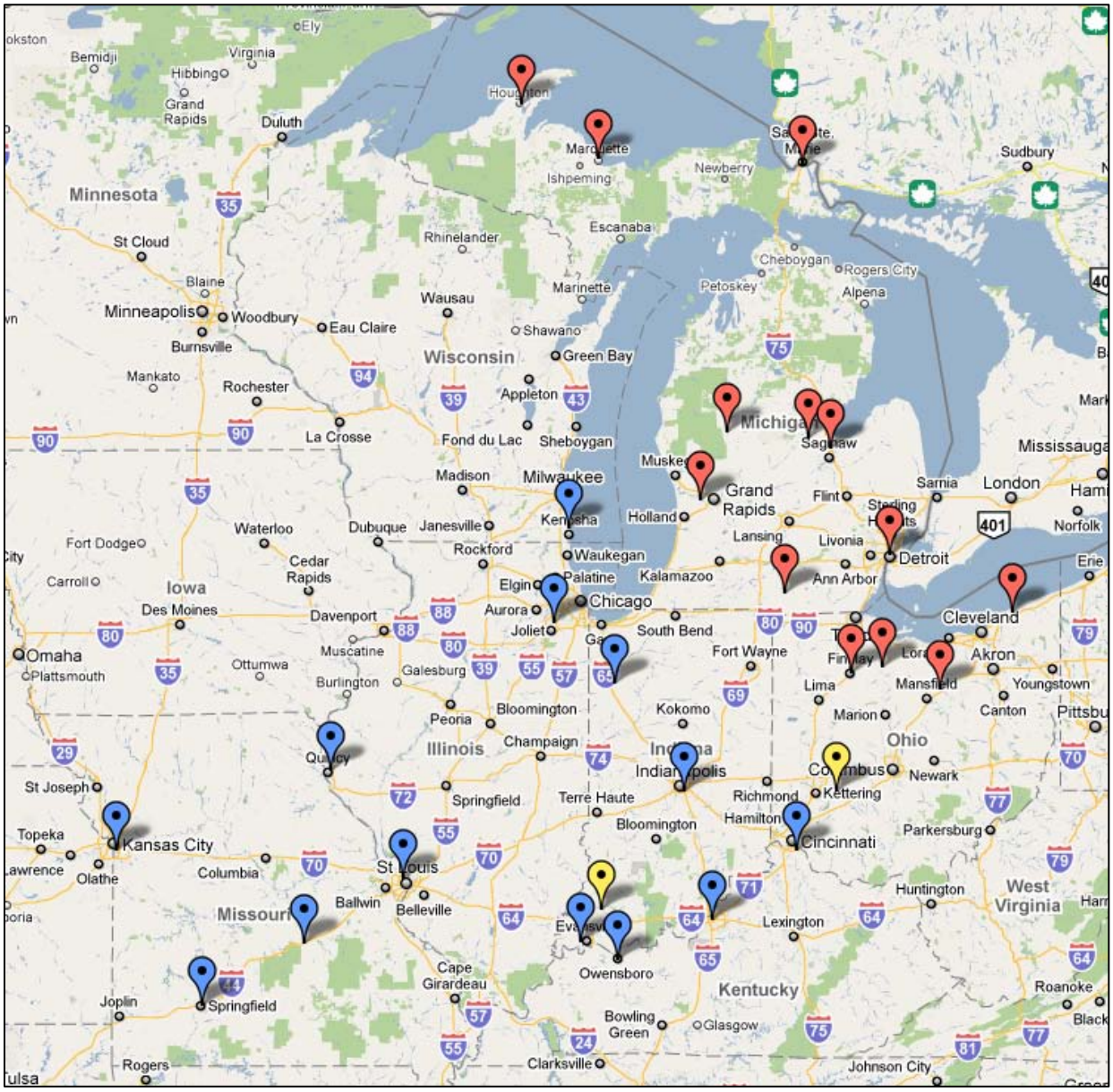

*Primary conference of membership, 2009-10; excludes institutions reclassifying to Division I*

# Division II Midwest Region

Great Lakes Intercollegiate Athletic Conf.

Great Lakes Valley Conference

Independent




*Primary conference of membership, 2009-10; excludes institutions reclassifying to Division I*

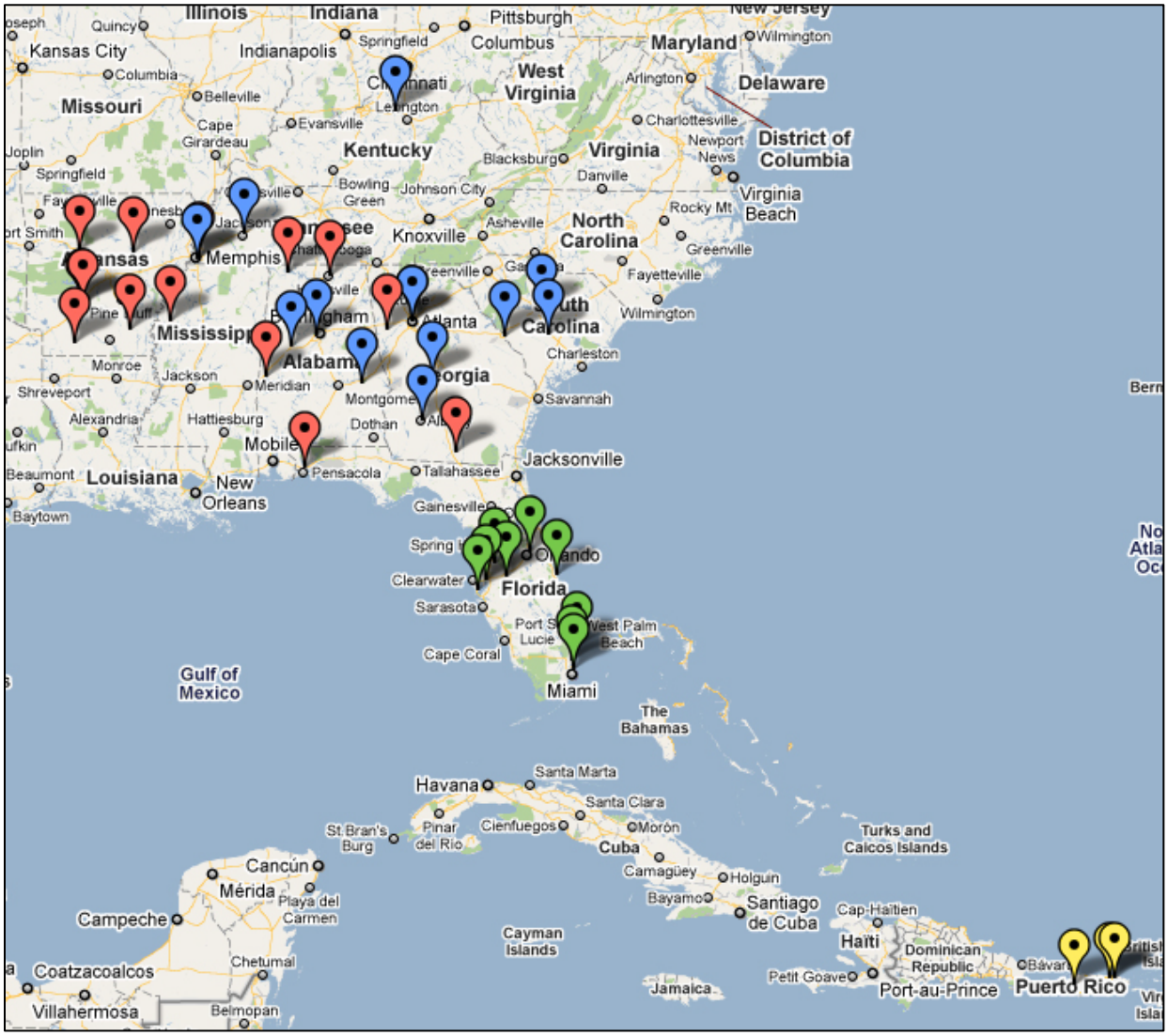
# Division II South Region

Gulf South Conference

Sunshine State Conference

Southern Intercollegiate Athletic Conf.

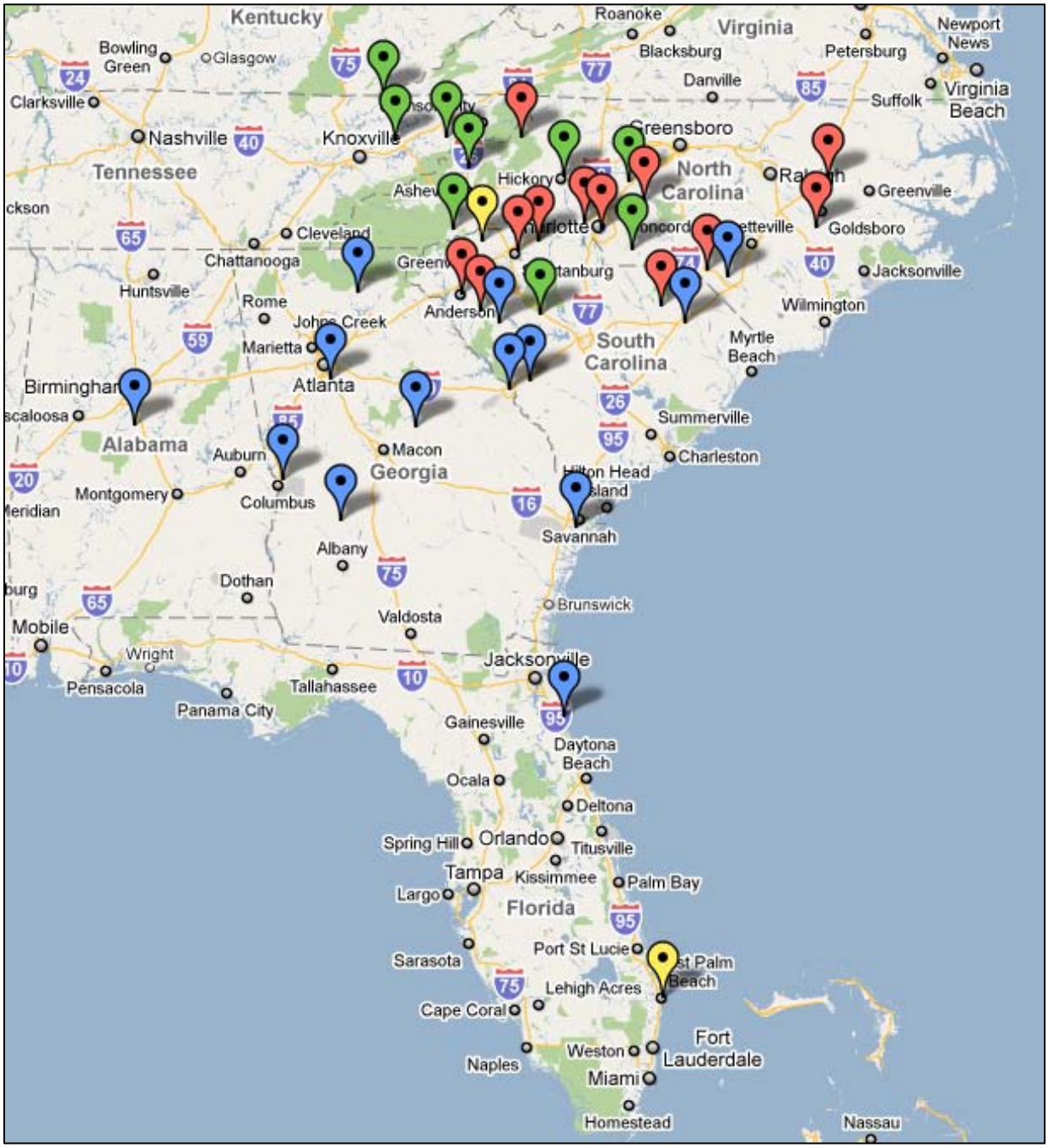
Independent




*Primary conference of membership, 2009-10; excludes institutions reclassifying to Division I*

# Division II Southeast Region

- Conference Carolinas
- South Atlantic Conference
- Peach Belt Conference
- Independent




*Primary conference of membership, 2009-10; excludes institutions reclassifying to Division I*

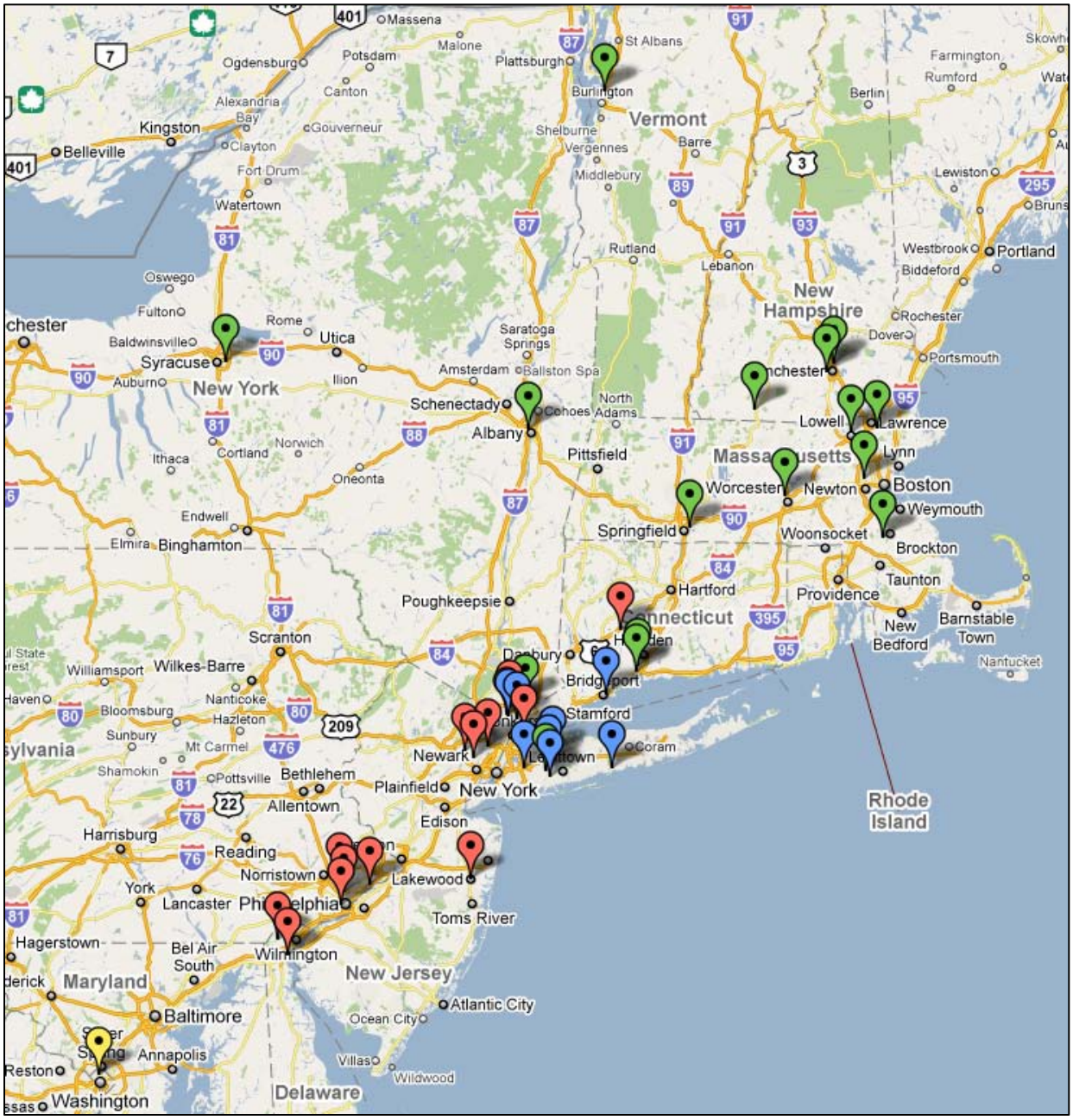
# Division II Atlantic Region

Central Intercollegiate Athletic Association
Pennsylvania State Athletic Conference
West Virginia Intercollegiate Athletic Conf.
Independent

*Primary conference of membership, 2009-10; excludes institutions reclassifying to Division I*

# Division II East Region

Central Atlantic Collegiate Conference
East Coast Conference
Northeast-10 Conference
Independent




*Primary conference of membership, 2009-10; excludes institutions reclassifying to Division I*

# Analysis of 2009 Division II Academic Performance Census Data

Division II Presidents Council
June 19, 2010

1

## 2009-10 APC Data Cycle

- Second year of mandatory submission.
- Institutions reported data on:
  - Student-athletes who first enrolled at the institution full-time in 2008-09 – first-year academic performance.
  - Second- and third-year academic performance of student-athletes who first enrolled at the institution in 2006-07 and 2007-08 (previously entered into ATS).

2

# Cohort Caveats

- This is the ASR cohort.
- Does not include student-athletes who start participating after first year at institution.
- Does not include incoming transfers who do not receive aid during their first year at institution.
- Student-athletes who separate from their team are no longer tracked but remain in the database.

3

# APC Data Collected

- Demographic information: Gender, race/ethnicity, transfer status, sports
- Academic information, for each semester/quarter: Credits attempted and earned, term GPA, cumulative GPA, major (one per year)
- Outcomes, for each semester/quarter:
  - Retention (Did student-athlete return next term?)
  - Academic eligibility (Was student-athlete academically eligible to participate next term?)
- Merged with Eligibility Center data: Overall and core-course credits and GPA, ACT/SAT scores

4

# APC Data Submission

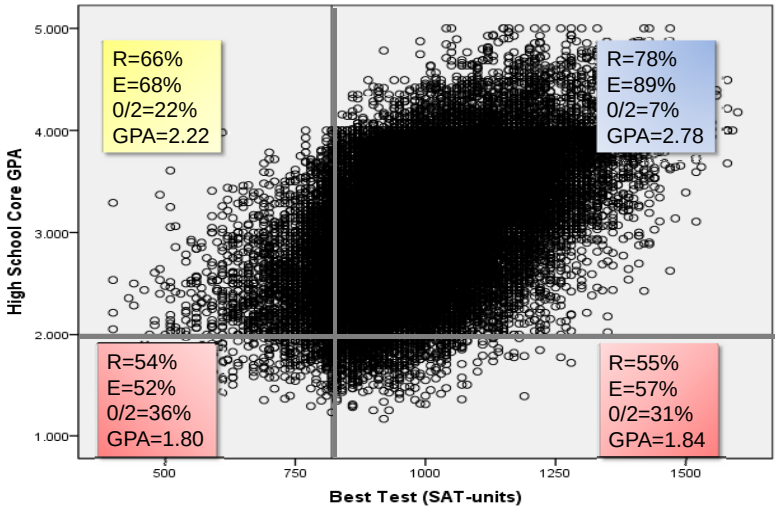
- Data submitted by 273 of 277 Division II institutions required to submit data (98.5%).
  - Does not include exploratory/provisional members and institutions reclassifying to Division I.
- 3.9% of student-athlete records excluded from analyses due to obvious errors in data.



# Academic Performance by Division II Qualifier Status

| | Mean HSGPA | Mean SAT | Mean 1st yr GPA | 1st year Retained | 1st year Eligible | 1st year 0/2 |
|---|---|---|---|---|---|---|
| **Qualifier** | 3.19 | 1020 | 2.79 | 78.7% | 89.6% | 6.7% |
| **Non-/Partial Qualifier** | 2.43 | 812 | 2.14 | 62.2% | 63.4% | 25.3% |

# 1st-Year Outcomes by Qualification Status

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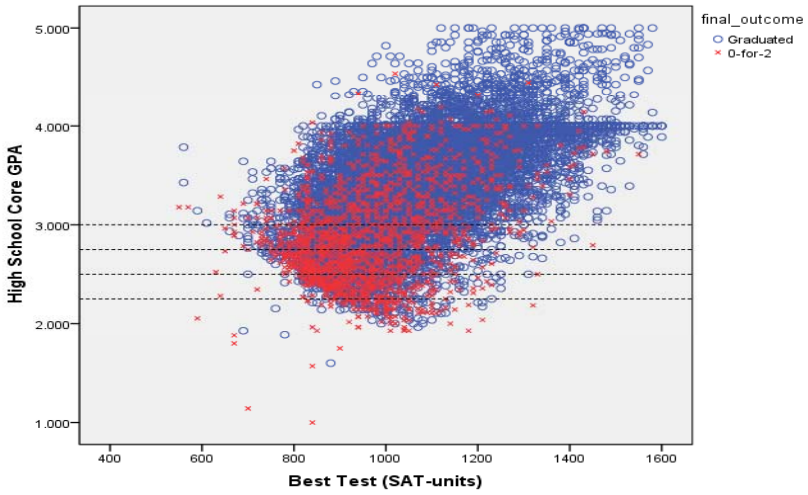
# All Div. I Freshman Student-Athletes, 2003-04

## Graduated vs. 0-for-2

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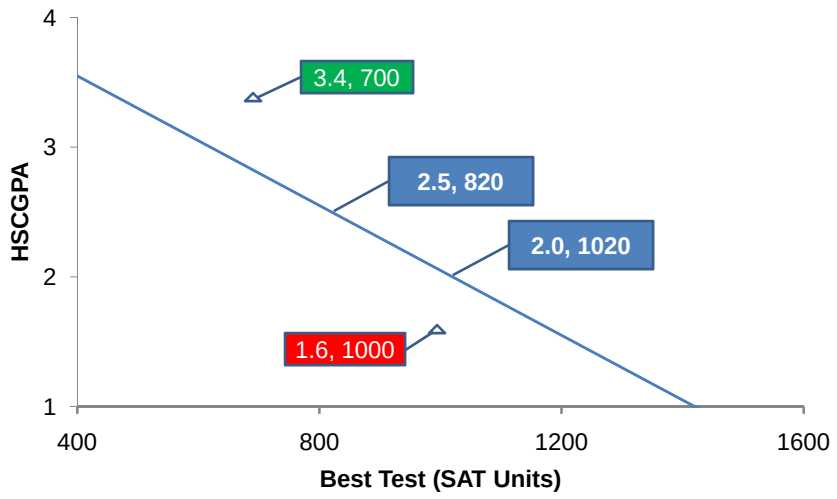
# Expected Impacts and Outcomes of Various Initial-Eligibility Models on Current Division II Student-Athletes

(Data from entering fall freshmen of 2006, 2007 and 2008)

NCAA Research

9

## Sliding Scales

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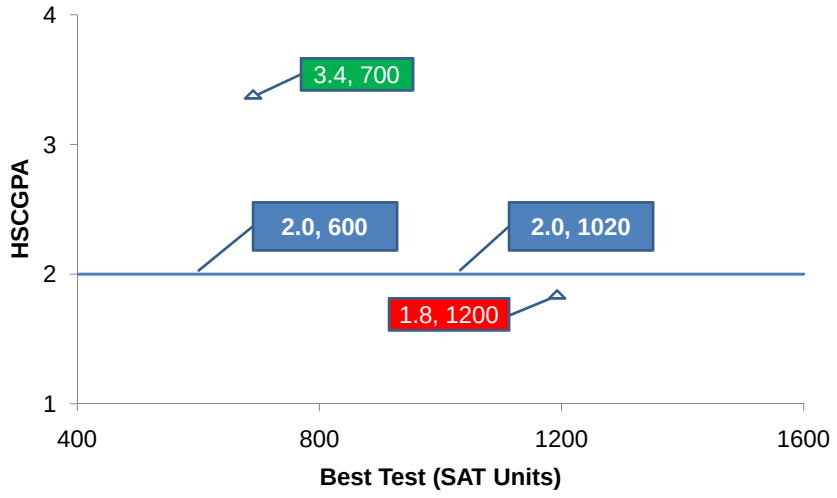
# GPA-Only Scales

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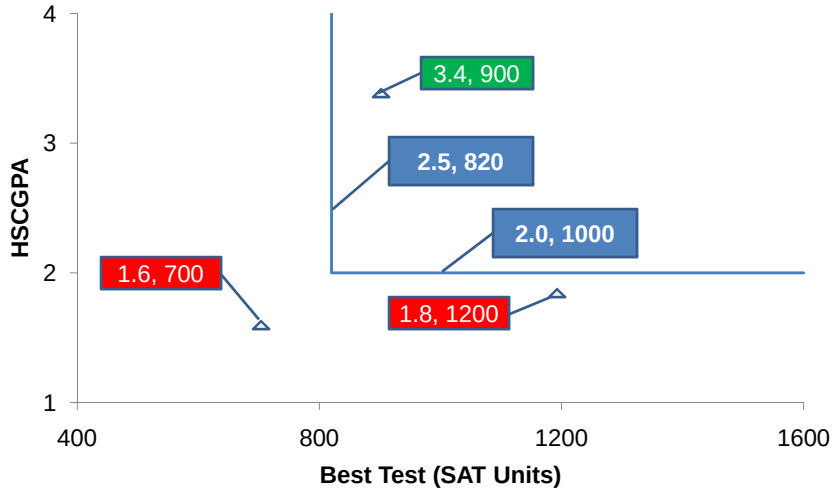
# Conjunctive Scales

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# Comparison of Models With Similar Overall Ineligibility

| | Current Division II | Strict 2.0 & 820 | GPA-Only 2.2 | Sliding Scale Z= -1.18 2.0 min GPA |
|---|---|---|---|---|
| **Ineligibility Rate** | | | | |
| Overall | (0%) | 7.3% | 7.1% | 6.9% |
| Minority | (0%) | 17.2% | 13.0% | 14.8% |
| Non-Minority | (0%) | 4.1% | 5.0% | 4.0% |
| **Qualifiers** | | | | |
| Eligible | 86.7% | 89.1% | 89.2% | 89.5% |
| Retained | 76.1% | 78.8% | 79.0% | 78.4% |
| 0/2 | 8.7% | 7.0% | 6.9% | 6.9% |
| Avg. GPA | 2.74 | 2.78 | 2.79 | 2.79 |
| Avg. Credits Earned | 26.5 | 26.7 | 26.7 | 27.0 |

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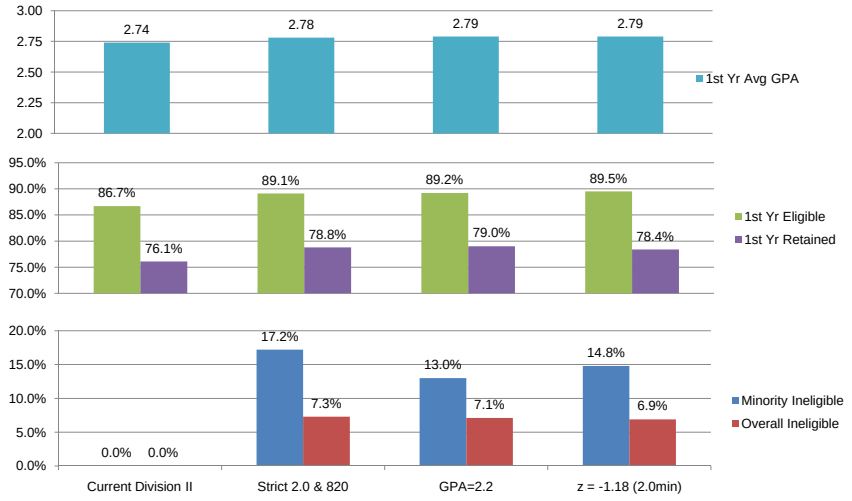
# Comparison of Models With Similar Overall Ineligibility

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# Conclusions and Next Steps

- Data confirm preliminary analyses (Sept.) showing HSCGPA is much better predictor of first-year outcomes than test score.
- If strictly applied, at least two models project similar outcomes with less ineligibility impact than current standard.
- Minimum HSCGPA would reduce impact of partial qualifiers.
- ARC took no action but directed staff to present similar information next year, including projected graduation rates from each model.

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# Questions?

Gregg Summers
gsummers@ncaa.org
(317) 917-6521

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# DIVISION II PRESIDENTS COUNCIL

## ***Policies and Procedures***

### *Structure*

The Division II Presidents Council is a 15-member body composed of presidents or chancellors representing Division II active member institutions. Representation on the Presidents Council is based on weighted regional representation (one representative for every 22 schools within a given region). Constitution 4.13 specifies the geographic regions for the Presidents Council. In addition, two "at-large" positions exist to enhance efforts to achieve diversity representation and to accommodate independent institutions.

To the extent possible, presidents or chancellors from the same conference shall not serve concurrently on the Presidents Council. To the extent possible, members of the Presidents Council and the Management Council shall not be employed at the same institution.

### *Terms of Office*

Presidents Council members serve terms of four years and are not eligible for election to another term on the Presidents Council until three years have elapsed. A member may not serve on the Presidents Council more than two terms.

Presidents Council members appointed to serve half of a term or less (due to interim vacancies) will not be considered to have served a full term and, thus, would be eligible for immediate election and would be eligible to serve one full term beyond their interim service.

A Presidents Council member on sabbatical or other temporary leave for a period not exceeding 12 consecutive months may continue his or her service on the Council. A Presidents Council member on terminal leave or on leave in excess of 12 consecutive months shall not be eligible to serve on the Presidents Council.

If a Presidents Council member's institution has forwarded to the national office written notice of its intention to change its membership classification to Division I, Division III or another association, that individual shall be ineligible to serve on the Presidents Council and an election will occur to replace that member on the Council.

An individual whose status changes to the extent that he or she no longer meets the eligibility requirements for service on the Presidents Council may not continue to serve on the Presidents Council and shall be replaced at the Presidents Council meeting immediately following the change in status.

***Division II Administrative Committee***

The Division II Administrative Committee is authorized to act on behalf of the Division II Presidents Council and Management Council between meetings of those groups. Such actions should include:

- The Division II Administrative Committee is authorized to examine, on or about the legislation deadline each year, all legislation submitted for the NCAA Convention to determine (1) any proposals that might merit Presidents Council support, (2) proposals to be designated for roll-call votes; and (3) those that should be placed early in the Convention agenda to facilitate attendance and participation by chancellors and presidents.
- The Division II Administrative Committee is authorized to serve as a committee of reference, making decisions regarding topics to place on a Presidents Council agenda, to defer to a later agenda, to refer to some other NCAA entity or not to consider at all.
- The Division II presidents and chancellors on the Administrative Committee serve as the Division II Presidents Council screening subcommittee to consider candidates for service on the Presidents Council (from among those nominated by the membership) when vacancies occur. This screening committee may contact candidates to discuss Presidents Council responsibilities, discuss Division II issues and determine a candidate's willingness to serve.
- The Division II presidents and chancellors on the Administrative Committee shall consider Presidents Council representatives' appointments to committees and project teams.
- The Division II presidents and chancellors on the Administrative Committee shall discuss upcoming officer elections for the Presidents Council and call for chair and vice-chair nominations for the Council.

***Chair and Vice-Chair***

The chair and vice-chair of the Presidents Council are elected by the members of the Presidents Council. A member must serve a minimum of one year on the Presidents Council prior to serving as chair or vice-chair. They may serve one or two years as chair or vice-chair; however, there will be an annual election for each position. The chair and vice-chair shall not be eligible for immediate reelection to that position following service as chair or vice-chair for two years.

The terms of office of the chair and vice-chair shall expire on a staggered basis. The term of office of the chair runs from January to January (term ends upon adjournment of the NCAA Executive Committee meeting at the annual Convention) and the term of office of the vice-chair runs from September 1 to August 31.

- <u>Duties of the Chair</u>

  a. Serve as a spokesperson for Division II;
  b. Preside at Division II Presidents Council meetings;
  c. Preside at the Division II business session at the annual Convention;

d. Serve as a member of the Association's Executive Committee;
e. Serve as chair of the Division II Administrative Committee; and
f. Serve as an ex officio, nonvoting member of the Division II Planning and Finance Committee.

- Duties of the Vice-Chair

a. Take the chair's place and perform the chair's duties if the chair is absent or incapacitated;
b. Report to the Division II membership at each annual Convention on the financial affairs of the division;
c. Serve as a member of the Association's Executive Committee;
d. Serve as a member of the Division II Administrative Committee;
e. Serve as chair of the Division II Planning and Finance Committee; and
f. Serve as a member of the Association's Executive Committee Budget Committee.

***Role and Purpose***

The Division II Presidents Council serves as a leadership structure and forum for presidential interests in Division II intercollegiate athletics matters. The Presidents Council is empowered to:

a. Implement policies adopted by the Association's Executive Committee;
b. Establish and direct the general policy of Division II;
c. Establish a strategic plan for Division II;
d. Elect a chair and vice-chair;
e. Sponsor Division II legislation;
f. Identify, prior to the printing of the notice of any Convention, Division II proposals for which a roll-call vote of the eligible voters may be required and designate during the Convention the roll-call votes that must occur;
g. Establish the final sequence of legislative proposals in the agenda for the Division II business session at the annual Convention;
h. Call for a special Convention of Division II;
i. Delegate to the Division II Management Council responsibilities for specific matters it deems appropriate (e.g., noncontroversial legislation, intent based amendments);
j. Approve recommendations of the Division II Management Council;
k. Ratify, amend or rescind the actions of the Division II Management Council;
l. Assure that there is gender and ethnic diversity among its membership, the membership of the Division II Management Council and the membership of each of the other bodies in the Division II governance structure;
m. Develop and approve the budget and the use of funds allotted to Division II (e.g., enhancement funds, funds for the operation of championships);
n. Approve regulations providing for expenditures and income to Division II;
o. Approve regulations providing for the administration of Division II championships;

p. Advise the Executive Committee concerning the employment of the Association's chief executive officer (e.g., president) and concerning the oversight of his or her employment;
q. Convene same-site meetings, as necessary, with the Division II Management Council; and
r. Appoint such committees or subcommittees as may be necessary for executing the provisions of the NCAA Constitution or Division II bylaws.

***Attendance***

- Attendance and participation at all Presidents Council meetings, including the annual NCAA Convention, are required. If a Presidents Council member must miss a meeting, please notify the office of the Division II vice-president.
- A Presidents Council member's absence from two Presidents Council meetings in a calendar year, regardless of the reason, shall constitute that member's resignation from the Presidents Council. The Presidents Council may waive the application of this policy in the case of extenuating circumstances.
- Presidents Council members are encouraged to be in attendance when the meeting is called to order and stay until the meeting is adjourned. Conflicts that require individuals to plan late arrivals or early departures should be communicated before the meeting to the office of the Division II vice-president.
- Presidents Council members should become knowledgeable on all agenda issues and be prepared to discuss items the Presidents Council will be asked to consider.
- A Presidents Council member will provide a report (with appropriate recommendations) when the individual's name appears next to an agenda item.
- Presidents Council members have an opportunity to serve on Division II committees and project teams. Presidents Council members are encouraged to accept such assignments, when possible.

***Meeting Information***

- The Division II Presidents Council meets four times annually: at the NCAA Convention in January, in April, in August and again in the fall (October). The meeting schedule is designed in part to assure that the Presidents Council is enabled to make decisions regarding legislative matters in time to meet its September 1 deadline for submission of legislative proposals. The Division I Board of Directors, the Division II Presidents Council and the Division III Presidents Council shall meet at the same site at the same time (but not together).All meetings must be held in the contiguous 48 states.
- All meetings will be held on weekdays, with the possible exception of the Convention meeting, which is subject to scheduling of other major sessions.
- All meetings should be held in the metropolitan area where the national office is located, with the exception of the meeting held in conjunction with the NCAA Convention.

- For the transaction of business, a quorum shall consist of a majority of the members of the Presidents Council. For the Presidents Council to take action (including action to sponsor, cosponsor, support or oppose a legislative proposal), a simple majority of Presidents Council members present and voting shall be required, unless otherwise specified. Note that abstentions will not be counted in the determination of a simple majority or a two-thirds majority.
- Presidents Council meetings are considered closed business meetings and are not open to any interested chancellor or president. When an issue is extremely sensitive, an "executive session" will be called, alerting the Presidents Council to the fact that the issue cannot be discussed at any time outside the meeting. Calling an "executive session" does not require the staff to leave the meeting.

***Expense Policies***

The Division II Presidents Council is bound by various Association expense policies, including these:

- NCAA travel policies are given to each new member of the Presidents Council. The Association's policies regarding meeting expenses are set forth in Bylaw 31.7.2 in the NCAA Manual. In short, the NCAA pays for transportation to and from Presidents Council meetings, hotel room and tax charges at the meetings, and a $75 per diem for each day or part thereof involved in traveling to and from and attendance at the meeting. All members are expected to use Short's Travel, the Association's travel agency, for their transportation arrangements to Presidents Council meetings or other events sponsored by the NCAA.

- Transportation and the hotel room and tax are billed directly to the NCAA; the member needs only to pay incidental charges to his or her room when leaving the meeting site. After the meeting, each member will receive electronically a form on which to claim per diem and any other expenses permitted under NCAA policies. The member will receive reimbursement for those expenses from the NCAA national office within a reasonable time after each meeting. Also, early in each calendar year, each member will receive a Form 1099 reporting the amounts thus paid during the preceding year if that amount exceeds $600. In such instances, the member then will declare that amount in filing his or her income tax return for that year, so members will want to record their Presidents Council related expenses in order to deduct the appropriate amount. Some Presidents Council members may prefer to have their expense reimbursement paid directly to their institutions to eliminate the need for such personal record keeping.

***Defense and Indemnification Policy***

The Association shall defend and indemnify any present or former employee, committee member or agent of the Association who was or is a party or is threatened to be made a party to, or who is to be subpoenaed to be deposed or to give evidence in, any civil, criminal, administrative or investigative action or proceeding, including those brought by the Association, provided the conditions enumerated below are met. For purposes of this policy, "committee" shall include all Association committees, boards, cabinets, councils, subcommittees and panels.

Conditions for Defense and Indemnification:

1. The person requesting defense and indemnification is being named as a party or subpoenaed to be deposed or to give evidence by reason of the fact that the person was or is an employee, committee member or agent of the Association or is or was serving at the request of the Association as a director, officer, employee or agent of another association, corporation, partnership, joint venture, trust or other enterprise.

2. The person is determined to have been acting within the scope of the person's duties to the Association.

3. The person is determined to have been acting in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the Association in the performance of the person's duties to the Association. In respect to any alleged criminal action or proceeding, the person must also be determined to have had no reasonable cause to believe the alleged conduct was unlawful.

   Note: The termination of any action or proceeding by judgment, order, settlement, conviction or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption in regard to these determinations. However, if a person is adjudged to be liable for negligence or misconduct in the performance of the person's duty to the Association, there shall be no indemnification unless and only to the extent that the court in which such action or suit was brought shall determine that, despite the adjudication of liability but in view of all circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses as the court shall deem proper.

4. The person promptly and timely notifies the Association's general counsel of the actual or threatened service of process, subpoena, notice of deposition or other legal process before incurring attorney fees or other expenses.

5. The person accepts counsel provided or approved by the Association and agrees to accede to the legal strategies approved by the Association's general counsel, including any settlement determinations. In the event that the person wishes to hire other counsel or not accede to the

Association's legal strategies, the Association shall not be obligated to defend or indemnify the person, except when it is determined that a conflict of interest exists with the Association such that retaining separate counsel is warranted.

6. The person agrees to repay any expenses, including attorney fees, incurred in bringing or defending a civil or criminal action or proceeding paid by the Association in advance of the final disposition of such action or proceeding if it is ultimately determined that the person is not entitled to be indemnified by the Association as authorized in this policy.

For purposes of this policy, "indemnification" shall consist of payment against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by the person in connection with such action or proceeding.

Determinations as to whether indemnification is proper in the circumstances because the person has met the applicable standards of conduct set forth in this policy shall be made (1) by the NCAA Executive Committee by a majority vote of a quorum consisting of members who are not parties to such action or proceeding, or (2) if such a quorum is not obtainable, or, even if obtainable if a quorum of disinterested Executive Committee members so directs, by independent legal counsel in a written opinion, or (3) by the Association's president if so delegated by the Executive Committee.

The indemnification provided by this policy is not exclusive of any other rights to which those indemnified may be entitled under any bylaw, agreement, vote of members or disinterested Executive Committee members or otherwise, both as to action in the person's official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be an employee, committee member or agent and shall inure to the benefit of the heirs, executors and administrators of such a person.

The Association may purchase and maintain insurance on behalf of any person who is or was an employee, committee member or agent of the Association, or is or was serving at the request of the Association as a director, officer, employee or agent of another association, corporation, partnership joint venture, trust or other enterprise against any liability asserted against the person and incurred by the person in any such capacity or arising out of the person's status as such, whether or not the Association would have the power to indemnify the person against such liability under the provisions of this policy.

***Guiding Principle Relating to Student-Athlete Well-Being***

The Presidents Council endorsed and should adhere to the following guiding principle in all of its processes and decision making:

*The well-being of student-athletes is at the center of all we do:*

1. *Any process must be flexible and timely and include effective communication.*

2. *Decisions must be fair, reasonable and consider the potential impact on the student-athlete.*

***Policies and Procedures***

The Division II Presidents Council has adopted the following policies and procedures under which it agrees to operate.

- Inasmuch as the Presidents Council should raise the visibility and effectiveness of president/chancellor participation in the NCAA, its members should attend the Association's annual Convention in January.
- The Presidents Council will establish annually those major policy areas that it intends to consider during that year. It then will reject other issues during that year unless something arises that is of "crisis proportion."
- The Presidents Council will deal primarily with those national issues in Division II athletics that prompt widespread concern among Division II chancellors and presidents.
- Although the Presidents Council will resist pressure to call a special Convention, it should be able to do so if the Presidents Council deems it to be in the best interests of the NCAA.
- The Presidents Council will emphasize more effective contacts with chancellors and chancellors to build support for Presidents Council initiatives.
- Any position taken by any subcommittee or ad hoc committee of the Presidents Council is subject to approval by the full Presidents Council.
- The Presidents Council periodically will send a document to all chancellors and presidents at member institutions, reporting and seeking support for positions taken by the Presidents Council.
- In acting for the Presidents Council between Presidents Council meetings, Presidents Council members of the Division II Administrative Committee will take no action that would be contrary to a previous decision by the full Presidents Council.
- The Presidents Council members of the Division II Administrative Committee will be cautious in approving any in-person appearances before the Presidents Council by those wishing to present topics, in light of the Presidents Council's limited meeting time; instead, concise written submissions will be encouraged.
- While legislative recommendations in most cases will be processed through the Division II Management Council, specific constituent groups may formulate legislative recommendations for the Presidents Council to consider and possibly accept as its own.
- While the Presidents Council as a whole should support Presidents Council sponsored proposals, each Presidents Council member, as an individual representing a member institution, is free to vote as he or she wishes on those proposals.

- The Presidents Council will send a newsletter periodically to all Division II chancellors and presidents reporting on activities that are of interest to them.
- The Presidents Council and Management Council shall exchange minutes of their respective meetings.
- The relationship between the Presidents Council and Management Council will be one of regular communication and cooperation, including communications between the chairs of the two groups between meetings.
- The Presidents Council should not request general exceptions to the Association's expense policies.

***Conflict of Interest Statement***

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.

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. *(August 2008 Executive Committee minutes)*

***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. *(April 2001 Executive Committee minutes)*