A G E N D A

National Collegiate Athletic Association

Division III Interpretations and Legislation Committee

The Westin
Ft. Lauderdale, Florida

February 5-6, 2009

1. Welcome and announcements.

2. NCAA Division III Interpretations and Legislation Committee roster. [Supplement No. 1]

3. Review December 10, 2008, teleconference minutes. [Supplement No. 2]

4. Review and update committee policies and procedures document. [Supplement No. 3]

5. Review NCAA Division III Strategic Plan. [Supplement No. 4]

6. Review recently issued staff interpretations (February 2008 – January 2009). [Supplement No. 5]

7. Review recent Division III official interpretations for possible incorporation (February 2008 – January 2009). [Supplement No. 6]

8. Review recent NCAA Divisions I and II official interpretations (May 29, 2008 – January 31, 2009). [Supplement No. 7]

9. Review recent Divisions I and II legislative actions (July 2008 – January 31, 2009). [Supplement No. 8]

10. Review recent Division III editorial revisions (February 2008 – January 2009). [Supplement No. 9]

11. Review recent Division III educational columns and hot topics (February 2008 – January 2009). [Supplement No. 10]

12. Review 2009 NCAA Convention Division III legislation.

    a. Review post-Convention usage of question and answer document.

    b. Other post-Convention business.

        1) Review redraft of tryout legislation. [Supplement No. 11]

        2) Review redraft of practice opportunities formula legislation. [Supplement No. 12]

13. Consider Division III interpretive issues:

    a. Consider issuing interpretation regarding contacting a recruit at high school after school hours – do you need permission from principal? [Supplement No. 13]

    b. Consider issuing interpretation regarding whether a prospective student-athlete using facilities open to the public is a tryout, or could be seen as an 'open' event (e.g., swimmer uses pool when coach is monitoring the facilities). [Supplement No. 14]

    c. Consider adding a chart within No. 13 explaining what a coach can and cannot do with regard to recruiting. [Supplement No. 15]

        1) Consider redraft of recruiting legislation that would provide clarity on timing of telephone calls, e-mails and recruiting materials. [Supplement Nos. 16 and 16-a]

        2) Discuss appropriateness of timing of contacts and recruiting activity.

    d. Review an official interpretation [1/30/03, Item No. 16-(a)] and consider adding language related to conferences. [Supplement No. 17]

e. Review of NCAA Bylaw 13 prefederation legislation for more Division III focus. [Supplement No. 18]

f. Review issue of in-person delivery of enrollment forms. [Supplement Nos. 19 and 19-a]

g. Review and consider redraft of amateurism bylaws for clarity. [Supplement No. 20]

h. Review legislation regarding cash versus gift cards. [Supplement No. 21]

i. Review limitations of scouting opponents using videotape. [Supplement No. 22]

j. Discussion of meals being provided to teams by boosters on road trips. [Supplement No. 23]

14. Development of list of video education topics.

15. Future meetings.

a. Next in-person meeting September 21-22, 2009, Indianapolis, Indiana.

b. Select date and location for February 2010 in-person meeting. [Supplement Nos. 24 and 24-a]

c. Pick dates for fall 2010 in-person meeting in Indianapolis, Indiana. [Supplement No. 25]

c. Set future teleconference schedule for 2009.

16. Other business.

17. Adjournment.

MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION III INTERPRETATIONS AND LEGISLATION COMMITTEE

The Westin
Ft. Lauderdale, Florida

February 5-6, 2009

Participants:

Mark Dienhart, University of St. Thomas (Minnesota)
Dan Fulks, Transylvania University
Portia Lowe, Lake Forest College
Julie Muller, North Atlantic Conference
Kent Reeves, East Texas Baptist University
Lori Runksmeier, New England College
Terry Rupert, Wilmington College (Ohio), chair
Phil Tonucci, Bowdoin College
Jay Jones, NCAA, recording secretary
Jeff Myers, NCAA

Leah Nilsson, NCAA, attended a portion of the meeting, via telephone.

[Note: These minutes contain only action 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 or reference.]

The NCAA Division III Interpretations and Legislation Committee meeting was called to order at 9 a.m. Thursday, February 5, by the chair, Mr. Rupert. All members were present as noted above.

1. Welcome and Announcements. Mr. Rupert welcomed the committee and noted it was the first in-person meeting for Mark Dienhart, Julie Muller, Lori Runksmeier and Phil Tonucci.

2. Review of Committee Roster. The committee reviewed the names and contact information on the committee roster and noted the following necessary updates:

   a. Mr. Dienhart's title was not included in the roster, and should be noted as executive vice president/chief administrative officer.

b. Ms. Lowe's title has changed, and should now be noted as associate athletics director/senior woman administrator.

c. Ms. Runksmeier's title was not included in the roster, and should be noted as assistant to the president/director of athletics.

3. Review of Previous Minutes.

It was VOTED

"That the December 10, 2008, teleconference meeting minutes be approved."

4. Review of Committee Policies and Procedures. The committee reviewed its policies and procedures document and noted the following changes to be made to the document:

a. The speaking agency policy is repeated twice within the document on page five. One of the two sections should be removed; and

b. There is language in bold font on page seven and 10 that should be in normal font.

5. Review of NCAA Division III Strategic Plan. The committee reviewed the NCAA Division III Strategic Plan, noting items relevant to this committee. Mr. Fulks voiced concern about the lack of items related to outreach efforts with the NCAA Division III faculty athletics representatives.

6. Staff Interpretations. The committee reviewed five staff interpretations that were issued between February 2008 and January 2009.

a. The committee reviewed a staff interpretation: [Reference: 4/2/08, item a] and took the following action:

It was VOTED

"That the NCAA Division III Management Council approve an official interpretation as follows:

Eligibility for Foreign Tour If Ineligible During a Term of the Previous Academic Year (III). The NCAA Division III Interpretations and Legislation Committee determined that a student-athlete who is eligible for any term during the previous academic year would be eligible to compete in the institution's foreign tour taken during the summer immediately following that same academic year. For example, if a student-athlete is eligible in the fall term, but not eligible in the spring term of the same academic year, the student-athlete would be eligible to compete in the institution's summer foreign tour taken during the summer after the conclusion of the preceding academic year. The committee noted that institutions have autonomy to exercise more stringent eligibility requirements if they chose to do so." [References: NCAA Division III Bylaw 30.7.2 (eligibility of student-athletes) and staff interpretation (4/2/08, item a), which has been archived for Division III]

b. The committee took no action on the following staff interpretations:

(1) Staff interpretation: [Reference: 3/5/08, item a];

(2) Staff interpretation: [Reference: 9/10/08, item a];

(3) Staff interpretation: [Reference: 10/15/08, item a]; and

(4) Staff interpretation: [Reference: 10/15/08, item c].

7. Incorporation of Division III Official Interpretations. The committee reviewed and discussed recent NCAA Division III official interpretations for possible incorporation into the 2009-10 NCAA Division III Manual. The committee focused its review on interpretations issued between February 2008 and January 2009. The committee took the following actions:

a. It was VOTED

"To recommend Management Council to incorporate the following two official interpretations into the Manual:

(1) Official interpretation: [Reference: 3/24/08, Item No. 12-c]; and

(2) Official interpretation: [Reference: 8/13/08, Item No. 4]."

b. During its review of official interpretation: [Reference: 6/10/08, Item No. 5], the committee took the following action:

It was VOTED

"To recommend the Management Council approve in concept a modification of wording to amend current Division III legislation under Bylaws 14.2.4.1 (minimum amount of participation) and 17.4.5.3.2 (alumni game) to provide clarity on the application of the permissible timing of an alumni contest and the impact of participation in the alumni game to a student-athlete's use of a season of participation based on the adoption of NCAA Division III Proposal No. 2009-6."

c. The committee took no action on the following 12 official interpretations:

(1) Official interpretation: [Reference: 3/24/08, Item No. 6];

(2) Official interpretation: [Reference: 3/24/08, Item No. 13-c];

(3) Official interpretation: [Reference: 3/24/08, Item No. 13-h];

(4) Official interpretation: [Reference: 6/10/08, Item No. 4];

(5) Official interpretation: [Reference: 6/10/08, Item No. 6];

(6) Official interpretation: [Reference: 6/10/08, Item No. 7];

(7) Official interpretation: [Reference: 7/21/08, Item No. 6-b];

(8) Official interpretation: [Reference: 8/13/08, Item No. 3];

(9) Official interpretation: [Reference: 9/10/08, Item No. 6];

(10) Official interpretation: [Reference: 11/5/08, Item No. 3];

(11) Official interpretation: [Reference: 11/5/08, Item No. 4-a]; and

(12) Official interpretation: [Reference: 11/5/08, Item No. 4-b].

8. Review Recent NCAA Divisions I and II Official Interpretations. The committee reviewed NCAA Divisions I and II official interpretations issued from May 29, 2008, to January 31, 2009, for possible adoption in Division III.

a. The committee reviewed a Division II official interpretation: [Reference: 11/7/08, Item No. 1], and took the following action:

It was VOTED

"That the Management Council approve an official interpretation as follows:

Organized Competition or Training Prior to Initial Collegiate Enrollment -- Expected Date of Graduation -- CEGEP (III). The NCAA Division III Interpretations and Legislation Committee determined that for purposes of identifying the expected date of high school graduation pursuant to the organized competition prior to initial collegiate enrollment legislation, the *College d'Enseignement General et Professional* (*CEGEP*) is a two-year program that a prospective student-athlete from Quebec, Canada, may complete after earning a *Diplome d'Etudes Secondaires* (*DES*). Enrollment in the *CEGEP* will not constitute a delay of enrollment, provided the student-athlete enrolls in the *CEGEP* immediately after earning a *DES* and he or she earns a *Diplome d'Etudes Collegialles* (*DEC*) at the conclusion of the consecutive two-year program." [Reference: Bylaw 14.2.4.3 (participation in organized competition prior to initial collegiate enrollment)]

b. The committee reviewed a Division II official interpretation: [Reference: 11/7/08, Item No. 6] and took the following action:

It was VOTED

"That the Management Council approve an official interpretation as follows:

Definition of "Monitor" (III). The NCAA Division III Interpretations and Legislation Committee determined that for purposes of the exception to athletically related activities for strength and conditioning personnel, the term "monitor" includes observing and watching closely to ensure that student-athletes are provided a safe and controlled environment. Such personnel may demonstrate proper technique and give advice to ensure that the workout is taking place in a safe fashion." [Reference: Bylaw 17.02.1.1.1 (exceptions – athletically related activities)]

Further, during its review of the Division II official interpretation: [Reference: 11/7/08, Item No. 6]:

It was VOTED

"To recommend the Management Council begin discussions related to growing concerns with the legislation surrounding current out-of-season athletically related activities within Division III and how best to address the concerns. As a part of this referral, the committee discussed the current trends in strength and conditioning activities, the societal trends of specialization within a specific sport from a young age for student-athletes and noted that to be competitive, a student-athlete must be engaged in year-round activities related to their sport. The committee feels that the Division III ideals are not that nothing athletically related will occur out-of-season, but that athletics will not interfere with a student-athlete's scholastic activity. The committee feels the legislation may not be reflective of the current realities and ask the Management Council to begin directing efforts within the governance structure to begin trying to resolve these concerns."

c. The committee took no action on the following six official interpretations:

(1) Division I official interpretation: [Reference: 6/25/08, Item No. 1];

(2) Division I official interpretation: [Reference: 7/2/08, Item No. 1];

(3) Division I official interpretation: [Reference: 8/27/08, Item No. 1-a];

(4) Division I official interpretation: [Reference: 1/15/09, Item No. 2-a];

(5) Division II official interpretation: [Reference: 11/7/08, Item No. 4]; and

(6) Division II official interpretation: [Reference: 11/7/08, Item No. 7].

9. Review Recent Divisions I and II Legislative Actions. The committee reviewed Divisions I and II legislative actions dating from July 2008 to January 2009 for possible inclusion within Division III legislation. The committee took no formal actions, but made the following referrals to other committees for further review:

a. Refer Division I Proposal Nos. 2008-53 and 2008-56 and Division II Proposal No. 2009-13 to the NCAA Division III Management Council Playing and Practice Seasons Subcommittee for further review;

b. Refer Division I Proposal No. 2008-63 to the NCAA Division III Membership Committee for further review;

c. Refer Division II Proposal Nos. 2009-8 and M-2009-4 to the NCAA Division III Committee on Student-Athlete Reinstatement for further review; and

d. Refer Division II Proposal No. NC-2009-22 to the NCAA Division III Management Council Subcommittee for Legislative Relief for further review.

e. In addition, during its review of Division II Proposal No. M-2009-2, the committee noted that the NCAA staff should editorially change references to video/audio materials as needed within the Manual.

f. The committee took no action on the following Divisions I and II legislative proposals:

(1) Division I Proposal No. 2008-14;

(2) Division I Proposal No. 2008-23;

(3) Division I Proposal No. 2008-30-b;

(4) Division I Proposal No. 2008-42;

(5) Division I Proposal No. 2008-49;

(6) Division I Proposal No. 2008-65;

(7) Division I Proposal No. 2008-76;

(8) Division II Proposal No. 2009-1;

(9) Division II Proposal No. I-2009-2;

(10) Division II Proposal No. NC-2009-14;

(11) Division II Proposal No. I-2008-4; and

(12) Division II Proposal No. NC-2008-10.

10. Review Recent Division III Editorial Revisions. The committee reviewed editorial revisions issued by the staff from February 2008 through January 2009. The committee noted a drafting error within Proposal No. ER-2009-14 and asked that the staff redraft that proposal in order to correct the error.

11. Review Recent Division III Educational Columns. The committee reviewed education columns in Division III issued from February 2008 to January 2009 and took the information as presented with no modification or action.

12. Review 2009 NCAA Convention Legislation.

a. Review Post-Convention Use of 2009 NCAA Convention Division III Question and Answer Guide. The committee noted the staff has placed all questions and answers from the 2009 NCAA Convention Division III question and answer guide for the adopted proposals onto the legislative database in the form of educational columns, and alerted the Division III membership to this course of action by way of the NCAA Division III Monthly Update and NCAA Division III Newsletter.

b. Review Tryout Legislation Based On Outcomes of Voting on Division III Proposal Nos. 2009-10 and -11. The passage of the Division III Proposal Nos. 2009-10 and -11 further refined the Division III tryout legislation. Despite these two proposals, the staff noted that the entirety of the tryout legislation is largely a product of prefederation legislation that may or may not speak to the current needs of Division III and that Division III institutions often struggle in applying the current legislation. For these reasons, the committee reviewed the tryout legislation in its entirety in order to determine if the current status of the tryout legislation is the best fit for Division III. The committee recommended that the staff draft two versions of legislative language for the committee to review at a future point. The committee recommended that draft option one be a pure deregulation on the current rules, stating the use of facilities by a prospect is not a tryout unless ‘x,’ ‘y’ or ‘z’ occurs. Some of the criteria should include that combine activities would be impermissible, that regulation should still exist that would guard against coaches watching current student-athletes and prospective student-athletes playing against each other in organized pick-up games, and finally that schools could not target specific groups of prospective student-athletes

to use the facilities. The committee recommended the second draft option be a rewrite of the current legislation, making the various permissible versus impermissible activities more clear. The committee noted that while the current legislation attempts to do this, the first two items in the nonpermissible list are actually things that you can permissibly do, such that the headers of the sections cause confusion and could benefit from a rewrite. The committee agreed that it would review the two draft options at a future meeting and then provide a recommendation for how to address this legislation at that time.

c. Review Redraft of Practice Opportunities Formula Legislation. The committee reviewed a draft of an editorial revision prepared by the staff to the section of the Manual relating to the practice opportunities formula used to determine the permissible start date for fall preseason practice in sports other than football. The committee recommended only slight changes to the draft and recommended the staff issue the editorial revision to the membership as soon as possible so that schools could begin using the easier to read language.

13. Division III Interpretive Issues.

a. Discussion Regarding Contacting a Prospective Student-Athlete at High School After School Hours. The committee discussed whether further clarification was necessary regarding permissible recruiting contact at practices or competitions that occur at a prospective student-athlete's educational institution.

It was VOTED

"To recommend that the Management Council approve in concept noncontroversial legislation to amend Bylaw 13.1.4.1 (prospective student-athlete's educational institution) in order to clarify that contact with a student-athlete at a practice or competition site that is also the prospective student-athlete's educational institution that occurs after school hours is not subject to the restrictions set forth in Bylaw 13.1.4.1 and does not need the permission of the institution's executive officer."

b. Discussion Regarding a Prospective Student-Athlete Using Facilities Open to the Public When an Athletics Department Staff Member is Monitoring the Facility. The committee discussed whether an impermissible tryout occurs when an athletics department staff member, in the course of their institutional job responsibilities (e.g., lifeguard, facilities supervisor), observes a prospective student-athlete using the institution's facilities that is open to the public. The

committee noted this question was raised during the 2008 NCAA Regional Rules Seminars and it appears current legislation would not allow this activity as it would be deemed to be an impermissible tryout.

It was VOTED

"To recommend the Management Council sponsor legislation for the 2010 Convention to amend the tryout legislation so that it would be permissible for an athletics department staff member, in the course of their institutional job responsibilities (e.g., lifeguard, facilities supervisor), to observe a prospective student-athlete using the institution's facilities that are open to the public without that observation being considered a tryout, provided the staff member is only providing safety monitoring and facility security and not directing the prospective student-athlete's athletics activity. The committee recommends the Management Council include this proposal as a second part to Division III Convention Proposal No. 2010-1, which also deals with facility monitoring. The committee feels that the two parts of the proposal both deal with the reality on Division III campuses that athletics department staff members are often serving as monitors of facilities as a part of their employment obligations and the two proposed concepts both focus on the reality of the position of facility monitors."

c. Review Division III Recruiting Quick Reference Guide. The committee reviewed a one-page quick flyer and a tri-fold version of a Division III recruiting quick reference guide that was produced by the staff. The committee noted some minor changes within the guide and recommended the staff immediately distribute the guide to member institutions. In addition, the committee discussed whether the one-page version of the information should be included as a chart within the Manual. It was determined that inclusion within the Manual could possibly cause confusion between the purposely annotated chart and the full text of the legislation. As such, the committee took no action.

d. Clarification on Timing of Recruiting Legislation. The committee reviewed a draft version of proposed language for legislation within Bylaw 13 (recruiting) that is designed to provide clarity on the timing of the Division III recruiting legislation.

It was VOTED

"That the Management Council approve in concept a modification of wording within Bylaw 13 (recruiting) to provide clarity regarding the current application of the timing of the recruiting legislation."

e. Discuss Appropriateness of Timing of Contacts and Recruiting Activity. The committee discussed the current time frame for the legislation controlling the recruiting process within Division III and whether this legislation was functioning appropriately. The committee agreed that Division III institutions are typically waiting on Division I and II institutions to sign their recruits prior to those prospective student-athletes finalizing their college decisions. Because of this reality, the committee felt there was no need to adjust the current timeline for these rules and noted that if that were done, it could create some imbalances for both the coaches and prospective student-athletes. The committee took no action.

f. Review of Interpretation Related to Ticket Brochures and Flyers Promoting Championships. The committee reviewed an official interpretation: [Reference: 1/30/03, Item No. 16-a] to determine whether the same promotional efforts should be permissible at the conference level.

It was VOTED

"That the Management Council approve an official interpretation as follows:

Printed Promotional Materials for Conference or NCAA Championships (III). The Division III Interpretations and Legislation Committee determined that a member institution or conference that is hosting any portion of a Division III conference or NCAA championship may send printed materials promoting the championship event (e.g., ticket application or promotional brochures, flyers or posters) to a high school or two-year college coach or administrator, but not to specific prospective student-athletes, provided:

(1) The printed material includes only information relevant to the championship event;

(2) The printed material is available to the general public, including all high schools in the local area; and

(3) The printed material contains no information related to the institution's athletics program."

The committee noted that under such circumstances, such an item would not be considered a recruiting item. [Reference: Bylaw 13.4.1 (recruiting materials) and an official interpretation: [Reference: 1/30/03, Item No. 16-a], which has been archived.

g. Review of Bylaw 13 (Recruiting) Legislation Created Prior to Federation for More Division III Focus. Similar to the work the committee undertook within Bylaw 14 (eligibility) in 2008, the committee reviewed all of the Bylaw 13 (recruiting) legislation to determine whether some of the prefederation legislation should be amended based on the current culture within Division III recruiting.

The committee reviewed the number of meals allowed that trigger an official (versus unofficial) visit, and how this limit often interplays with the admissions department involvement in campus visits. The committee asked the staff to draft a legislative language option for further review and consideration during a later meeting. The committee directed the staff to focus on guidelines that would permit and clarify that a prospective student-athlete can receive the same meals as a regular prospective student and not trigger the official visit legislation, even if the recruitment is being done through the athletics department. The committee expressed their feeling that the official visit legislation should only be triggered if the athletics department itself pays for more than one meal or pays other expenses.

The committee reviewed Bylaw 13.1.4 (contact restrictions at specified sites) and requested the staff draft an official interpretation for approval on the next committee teleconference clarifying the ability to contact the parents of a prospective student-athlete during competition and indicated they would also recommend incorporating that interpretation into the Manual based on approval.

h. Review of Issue Related to Delivery of Enrollment Forms. Based on the concerns expressed by a Division III conference commissioner, the committee discussed the ability to hand deliver admissions forms or written offers of admission to prospective student-athletes. The concerns expressed by the commissioner relate to the pressure this might put on a prospective student-athlete to sign the documents and the issues this could cause. The committee noted there is currently no legislation within Division III that would prohibit a hand delivery of any recruiting materials, including a written offer of admissions. They also noted that current legislation does not allow a coach to be present when a prospective student-athlete is signing an admission's offer and media is also present. The focus of the current legislation is centered on media presence during signing, as opposed to delivery of the admission's documents. Finally, during its review the committee noted that delivery of a written offer of institutional financial aid is seemingly limited by Bylaw 15.4.3 (written offer of aid) and it would not be permissible for that offer of financial aid to be hand delivered by a coach or athletics department staff member. The committee recommended to formally

refer this issue to both the Faculty Athletics Representatives Association and the NCAA Division III Student-Athlete Advisory Committee for further study and discussion.

i. Review of Current Structure of Bylaw 12 (Amateurism) Legislation. The committee reviewed a recommendation from a former committee member about possibly restructuring Bylaw 12 (amateurism) such that the legislation is more clearly understood within the Manual. The committee recommended the staff redraft the legislation editorially so that the rules are grouped into three parts: prior to collegiate enrollment, student-athlete who delays collegiate enrollment and currently enrolled student-athletes. The staff agreed that it would attempt to draft the legislation in this manner. In addition, the committee requested the staff attempt to develop a chart for the Manual detailing the amateurism basics.

As a part of the same discussion, the committee endorsed the staff's indication that editorial revisions would be done in the following three areas:

(1) Clarify Bylaw 12.2.3.2 (competition with professionals) so that it more directly mirrors Bylaw 12.1.1-(e).

(2) Clarify within Bylaw 12 (amateurism) making references where needed, that delayed enrollment by a student-athlete would trigger the application of the seasons of participation legislation within Bylaw 14.2.4.3 (participation in organized competition prior to collegiate enrollment).

(3) Clarify the application of the Major Junior A hockey rule and how Bylaw 14.2.4.3 (participation in organized competition prior to collegiate enrollment) is always triggered by participation within Major Junior A hockey.

j. Review of Issues Related to Use of Gift Cards. The committee reviewed the history related to Bylaw 16.1.3.2 (gift certificates) and received input from the staff regarding the staff guidance related to plastic gift cards given both through institutions and as prizes in various outside tournaments. The committee also noted the current application of Bylaw 16.1.1.2 (student-athlete not enrolled) related to awards received in the summer, noting that gift cards are being treated as permissible by various amateurism bodies such as the United States Golf Association. Based on the history and reality of the use of a 'gift certificate' at the time the original Bylaw 16.1.3.2 was developed and possible confusion

between that language and how a modern 'gift card' is being treated, the committee took the following action:

It was VOTED

"To recommend the Management Council approve in concept a modification of wording within Bylaws 16.1.3.1 (cash or equivalent) and 16.1.3.2 (gift certificates) to clarify that gift cards that cannot be redeemed for cash are permissible for student-athletes to receive."

k. Review Limitations of Scouting Opponents Using Third Party Videotape. At the request of a Division III commissioner, the committee reviewed an issue related to third party videotaping of competitions for the purpose of scouting future opponents. The commissioner's particular concerns were not directed towards conference arranged video tape exchange, but rather on third parties videotaping competitions outside of the tape exchange arrangement and giving those to the team's coach for purposes of scouting. The committee felt this issue is better managed at the campus and conference levels, and would be extremely difficult to enforce from a national level. The committee noted a discomfort with recommending NCAA legislation that could force event management staffs to need to monitor activities within the crowds at their contest. The committee also noted that in some cases, the videos being taken at games were being shown in the public domain on sites such as You Tube. The committee suggested that one possible approach would be for conferences experiencing these issues to focus on banning the acceptance of such tapes by coaches within their conference, as opposed to the actual filming of the video. The committee noted that third party video is prohibited during NCAA championships; however, recognized that the enforceability of that prohibition is based on the proprietary rights of ownership over the game footage, and therefore has a legal enforceability if such footage appears within the marketplace, as opposed to a legislative enforceability against a member school.

l. Review of Issue Involving Meals Being Provided on Road Trips. The committee reviewed the current occasional meal legislation, noting its lack of application to institutional road trips. The committee agreed that legislation should be modified to allow for representative of athletics interest, especially parents of student-athletes, to be able to provide meals during team road trips.

It was VOTED

"To recommend the Management Council approve in concept noncontroversial legislation that allows representatives of athletics interest (including parents of student-athletes) to pay for or provide a team meal to a team outside of the locale of the institution, only if that meal is in connection with an away-from-home contest or en route to or from such a contest."

14. Development of Rules Education Topics for 2009. The committee discussed opportunities for rules education efforts for 2009 and recommended the following discussion items to the staff for production:

a. Gambling Information for Student-Athletes.

- Two flyers (one for fantasy leagues and one for tournament pools).

b. Audio Segments.

(1) Top five rules violations;

(2) Contact with parents while recruiting at events; and

(3) International student-athletes (amateurism, where they went to school, what to do, etc.)

c. Video Segments.

(1) Convention recap;

(2) Monitoring of workouts;

(3) Reporting secondary rules violations;

(4) Financial aid topic number one;

(5) Sports sponsorship;

- Related educational column = probationary timelines and results.

(6) Academic support services – providing similar tutoring, priority registration, etc.;

(7) Financial aid topic number two; and

(8) 2010 Convention proposals (three-part series).

15. Future Meetings.

a. September In-Person Meeting. Dates for the meeting will be September 21-22 in Indianapolis, Indiana.

b. Select Dates and Location for 2010 In-Person Meetings. The committee reviewed the updated NCAA approved cities list for committee meetings and recommended Phoenix, Arizona; Denver, Colorado; and New Orleans, Louisiana, as the top three choices, respectively, for its meeting to be held February 11-12, 2010. The staff noted that by 2010 it was possible that all meetings would be held in Indianapolis.

The committee chose September 23-24, 2010, for the second 2010 in-person meeting, to be held in Indianapolis, Indiana.

c. Future Teleconference Schedule. The committee asked the staff to identify dates and times for future teleconferences and e-mail the list following the meeting. The staff identified the following dates and times for future teleconferences:

(1) 3 p.m. Wednesday, March 25;

(2) 3 p.m. Wednesday, May 27;

(3) 3 p.m. Wednesday, June 24;

(4) 3 p.m. Wednesday, July 29;

(5) 3 p.m. Wednesday, August 26;

(6) 3 p.m. Wednesday, October 28; and

(7) 3 p.m. Wednesday, November 18.

16. Adjournment. Mr. Rupert adjourned the meeting at 11 a.m. Friday, February 6.

# # # # #