A G E N D A

National Collegiate Athletic Association

Division III Management Council

NCAA National Office
Indianapolis, Indiana

April 14-15, 2008

1. Announcements.

2. Rosters, future meeting schedule and Division III newsletter.

3. Review of Summary and minutes.

   a. Summary of Winter 2008 Quarterly Meetings. (Approval)

   b. January 14, 2008, Executive Committee meeting. (Informational)

   c. January 11-12 and March 10, 2008, Administrative Committee actions. (Approval)

4. Committee/subcommittee reports.

   a. Association-wide committees.

      (1) Committee on Competitive Safeguards and Medical Aspects of Sports. [Supplement No. 1] (Charlie Wilson)

      (2) Honors Committee. (Tim Gleason)

      (3) Minority Opportunities and Interests Committee. [Supplement No. 2] (Rudy Keeling)

(4) Olympic Sports Liaison Committee. [Supplement No. 3] (Susan Chapman)

(5) Postgraduate Scholarship Committee. [Supplement No. 4] (Rosalie Resch)

(6) Research Committee. (Stuart Gulley)

(7) Committee on Sportsmanship and Ethical Conduct. [Supplement No. 5] (Patty Epps)

(8) Walter Byers Scholarship Committee. (Jack Ohle)

(9) Committee on Women's Athletics. [Supplement No. 6] (Lynn Oberbillig)

(10) Joint Report of the Minority Opportunities and Interests Committee and the Committee on Women's Athletics. [Supplement No. 7] (Keeling and Oberbillig)

b. Division III joint Presidents Council/Management Council committees or subcommittees.

(1) Convention-Planning Subcommittee. [Supplement No. 8] (Tim Gleason)

(2) Strategic-Planning and Finance Committee. [Supplement No. 9] (Del Malloy)

(3) Division III Working Group on Membership Issues. [Supplement No. 10] (Keeling)

c. Management Council subcommittees.

(1) Academic Issues Subcommittee. [Supplement No. 11] (Resch)

(2) Administrative Review Subcommittee. [Supplement No. 12] (Charlie Wilson)

(3) Playing and Practice Seasons Subcommittee. [Supplement No. 13 will be distributed at the meeting] (Kay Whitley)

d. Division III committees.

(1) Championships Committee. [Supplement No. 14] (Resch)

(2) Financial Aid Committee. [Supplement No. 15] (Lee McKinney)

(3) Committee on Infractions. (Rita Wiggs)

(4) Interpretations and Legislation Committee. [Supplement No. 16] (Dan Fulks)

(5) Membership Committee. [Supplement No. 17] (Kris Hall)

(6) Nominating Committee. [Supplement No. 18] (Keeling)

(7) Student-Athlete Advisory Committee. [Supplement No. 19 will be distributed at the meeting] Kayla Hinkley and Chris Wolfe)

(8) Student-Athlete Reinstatement Committee. [Supplement No. 20] (Malloy)

5. Proposed legislation for the 2009 NCAA Convention.

a. Review of noncontroversial legislation adopted by the Management Council per Constitution 5.3.1.1.1. [Supplement No. 21]

b. Review of administrative regulations approved by the Management Council per Constitution 5.4.1.1.1. [Supplement No. 22]

c. Review of modifications of word approved by the Management Council per Constitution 5.4.1.1.1. [Supplement No. 23]

6. Litigation update. [Supplement No. 24 will be distributed at the meeting]

7. Association-wide update and issues.

   a. Governmental relations report. [Supplement No. 25]

   b. 2008-09 committee meeting requests. [Supplement No. 26]

   c. NCAA's Best Practices: Achieving Excellence through Diversity and Inclusion Brochure. [Will be distributed at the meeting]

   d. Life/Work Balance update.

8. Other Business.

9. Adjournment.

SUMMARY OF SPRING 2008 QUARTERLY MEETINGS

The National Collegiate Athletic Association

Division III Management Council April 14-15, 2008 Indianapolis, IN	Division III Presidents Council April 24, 2008 Indianapolis, IN
PARTICIPANTS	
Susan Chapman, Worcester State College Patricia Epps, Franklin & Marshall College Daniel Fulks, Transylvania University Stuart Gulley, LaGrange College Kristen Hall, Bard College Kayla Hinkley, student-athlete, University of New England Rudy Keeling, Emerson College Del Malloy, Salve Regina University *[chair]* Lynn Oberbillig, Smith College *[vice chair]* Jack Ohle, Wartburg College Garnett Purnell, Wittenberg University Rosalie Resch, University of Chicago Joan Sitterly, State University College at Cortland Kay Whitley, Sul Ross State University Rita Wiggs, USA South Athletic Conference Charlie Wilson, Olivet College Christopher Wolf, Nebraska Wesleyan University	Livingston Alexander, University of Pittsburgh, Bradford Walter Bortz, Hampden-Sydney College F. Gregory Campbell, Carthage College Richard Flynn, Springfield College John Fry, Franklin & Marshall College *[chair]* James Harris, Widener University Catharine Hill, Vassar College Marcia Keizs, York College/CUNY James Moseley, Franklin College John Nazarian, Rhode Island College Kathleen Owens, Gwynedd-Mercy College Morton Schapiro, Williams College Richard Torgerson, Luther College Paul Trible, Christopher Newport University *[vice chair]*
ABSENTEES	
Tim Gleason, Ohio Athletic Conference	Pamela Gann, Claremont McKenna-Harvey Mudd-Scripps College
OTHER PARTICIPANTS	
Myles Brand, NCAA Elsa Cole, NCAA Jack Copeland, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Bernard Franklin, NCAA Eric Hartung, NCAA Jay Jones, NCAA Jennifer Kearns, NCAA Debbie Kresge, NCAA, *recording secretary* Delise O'Meally, NCAA Michael Miranda, NCAA Jeff Myers, NCAA Leah Nilsson, NCAA	Myles Brand, NCAA Elsa Cole, NCAA Jack Copeland, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Bernard Franklin, NCAA Eric Hartung, NCAA Jay Jones, NCAA Jennifer Kearns, NCAA Debbie Kresge, NCAA, *recording secretary* Delise O'Meally, NCAA Michael Miranda, NCAA Jeff Myers, NCAA Leah Nilsson, NCAA

1. WELCOME AND ANNOUNCEMENTS.

Management Council. The meeting was called to order at 8:13 a.m. by the chair, Del Malloy. The chair welcomed Council members and announced that he will be leaving his current position at Salve Regina University to become the commissioner for the newly formed New England Collegiate Conference, effective June 30. Mr. Malloy will remain the Council chair through the 2009 Convention.

Presidents Council. The meeting was called to order at 8:09 a.m. by the chair, President John Fry. President Fry welcomed new members to the Council; Livingston Alexander, University of Pittsburgh, Bradford; Walter Bortz, Hampden-Sydney College; and Catharine Hill, Vassar College. He also acknowledged that President Nazarian would be retiring from Rhode Island College in June and this was his last Presidents Council meeting.

2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.

a. Management Council Meeting – January 11 and January 14, 2008.

Management Council. The Management Council approved the summary of its January 11 and January 14, 2008 meetings, as presented.

Presidents Council. No action necessary.

b. Presidents Council Meeting – January 12, 2008.

Management Council. The Management Council reviewed the summary of the January 12 Presidents Council meeting. No action was necessary.

Presidents Council. The Presidents Council approved the summary of its January 12, 2008 meeting, as presented.

c. Executive Committee Meeting—January 14, 2008.

Management Council. The Management Council reviewed the minutes of the January 14 Executive Committee meeting. No action was necessary.

Presidents Council. The Presidents Council reviewed the minutes of the January 14 Executive Committee meeting. No action was necessary.

d. Administrative Committee Actions.

Management Council. The Management Council approved the minutes of the January 11-12 and March 10, 2008, Administrative Committee actions.

Presidents Council. The Presidents Council approved the minutes of the January 11-12 and March 10, 2008, Administrative Committee actions.

3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.

a. Association-Wide and Common Committees.

(1) Competitive Safeguards and Medical Aspects of Sports.

Staff Liaisons: **Klossner Wilfert**

Council Rep: Wilson

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

Presidents Council. No action was necessary.

(2) Honors Committee.

Staff Liaison: **Tufano**

Council Rep: Gleason

Management Council. The committee had no formal report.

Presidents Council. No action was necessary.

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

Staff Liaisons: **Jackson, Castro, Holloman, Thompson**

Council Rep: Keeling

Management Council. The Management Council reviewed the committee's report and, in response to the committee's proposed monitoring of the demographics of the governance structure, requested that staff provide a future report on the career paths of individuals that participate in the Division III internship or Strategic Alliance Matching Grant programs. No formal action was taken.

Presidents Council. No action was necessary.

(4) Olympic Sports Liaison Committee.

Staff Liaisons: **Burrow, Calandro, Clarke, Rail**

Council Rep: Chapman

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

Presidents Council. No action was necessary.

(5) Postgraduate Scholarship Committee.

Staff Liaison: **Castro**

Council Rep: Resch

Management Council. The Management Council reviewed the committee's report noting the increased number of applications due to the on-line system and the importance of involvement by the faculty athletic representative. No formal action was taken.

Presidents Council. No action was necessary.

(6) Committee on Sportsmanship and Ethical Conduct.

Staff Liaisons: **Halpin, Roe**

Council Rep: Epps

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

Presidents Council. No action was necessary.

(7) Committee on Women's Athletics.

Staff Liaisons: **Ford, Holzman, Morrison**

Council Rep: Oberbillig

Management Council. The Management Council reviewed the committee's report noting that emerging sports continues to be a hot topic. The committee is working on a Q & A document regarding Equestrian for Division III. The Council discussed the definition of a sport and how it relates to competitive cheerleading. The Council also noted that the demographics of participants of current emerging sports lack diversity. It was also noted that the Woman of the Year Dinner will take place Sunday, October 19, prior to the October Management Council meetings. Council members are encouraged to attend. No formal action was taken.

Presidents Council. No action was necessary.

(8) Joint meeting of Committee on Women's Athletics and Minority Opportunities and Interests Committee (MOIC).

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

Presidents Council. No action was necessary.

b. Division III Committees.

(1) Convention-Planning Subcommittee.

Staff Liaisons: **Dutcher, Nilsson, Davey, Kresge**

Council Rep: Gleason

Management Council. The Management Council reviewed the committee's report noting the following:

(a) The 2009 Convention schedule is shifted back two days from the historical Monday business session format in order to avoid a conflict with Martin Luther King Day. The new Saturday business session format is scheduled for the foreseeable future.

(b) Moving the Honors Celebration to a luncheon would reduce the formality of event and negatively impact attendance at conference meetings that afternoon.

(c) The Council discussed how to better manage Convention floor discussion, including seating assignments and the appointment of a floor manager.

(d) The Colloquium would enjoy greater faculty attendance if it were moved closer to the weekend.

Presidents Council. No action was necessary.

(2) Strategic Planning and Finance Committee.

Staff Liaisons: **Dutcher, Nilsson Barnett, Worlock, Jones, Kresge**

Council Rep: Malloy

(a) Championship Budget Requests.

Management Council. The Management Council approved the recommended championship budget requests for the 2008-09 and 2009-10 fiscal years, including the use of inflationary monies totaling $366,627 for 2008-09 and $462,214 for 2009-10. In 2008-09, championship budget requests include $190,321 to increase championships per diem by $3 in all sports; $8,800 to fund additional umpires in baseball; $1,000 to increase the stipend for directors of rules and course administration in men's golf; $8,184 to increase the number of rules officials in men's golf; $8,000 to increase host operational expenses for preliminary rounds in men's tennis; $8,000 to increase host operational expenses for preliminary rounds in women's tennis; $81,000 to increase the field size for men's and women's indoor track and field; $21,780 to provide mileage and per diem for line judges for all rounds in volleyball; $23,000 to increase officials per diem by $5 in all sports and $26,532 to increase officials fees in all sports.

In 2009-10, championship budget requests included $120,214 in inflationary spending to increase championships per diem by $2 in all sports. In addition, $342,800 of inflationary spending will be specifically allocated by the Championships Committee prior to the start of the 2009-10 year. The championships budget request did not include any new initiatives; it requests only inflationary funds to maintain the current championships program, where Division III per diems and officials fees have lagged significantly behind the other divisions.

Presidents Council. The Presidents Council approved the recommended championship budget requests for the 2008-09 and 2009-10 fiscal years.

(b) Non-championship Budget Requests.

Management Council. The Management Council approved the recommended budget requests for non-championship initiatives for the 2008-09 and 2009-10 fiscal years, including non-championship initiatives totaling $260,995 for each of 2008-09 and 2009-10. The non-championship budget requests include a total increase to the Strategic Initiative Conference Grant Program of $90,000, including $83,000 in inflationary dollars and $16,000 in reallocations, and covering a $9,000 overhead charge. Additional requests include a $1,495 inflationary adjustment for the National Association of Division III Athletics Administrators Association Summer Forum; a $3,000 inflationary adjustment for the Senior Woman Administrator Enhancement Grant

Program; a $110,000 increase for the Division III Women & Minority Internship Program; a $15,000 increase for the conference commissioners meeting; and a $32,500 increase to support a full-time Division III NCAA research position.

The Council noted that adjustments to the conference grant program enhance key Division III priorities outside of the championships program (e.g., professional development, diversity and gender equity, sportsmanship and student-athlete well being). Enhancements to the Division III Women and Minority Internship Program will support the division's efforts to increase diversity in its administrative ranks. The increase to the conference commissioners meeting funding reflects a need to cover in-meeting expenses after the previous budget for this program was put into the conference grant program. Finally, the funding to support a full-time person dedicated to Division III research initiatives is necessary to support data-based decision making in the study of membership issues, the financial aid reporting process, the drug education and testing pilot and other governance initiatives.

Presidents Council. The Presidents Council approved the recommended budget requests for non-championship initiatives for the 2008-09 and 2009-10 fiscal years.

(3) Division III Working Group on Membership Issues.

Staff Liaisons: **Dutcher, Nilsson, Jones, Myers Davey, Hartung, Kresge**

Council Rep: Keeling

Both Councils received a report on the results of the February Membership Survey.

(a) Division III Governance Structure.

Management Council. The Management Council approved the committee's recommendation, and the recommendation of the Executive Committee Working Group, based upon the Division III membership survey results and related feedback, to disband the current Executive Committee and Division III membership working groups, which have focused primarily on changing the Division III governance structure (i.e., subdivision or new division) to address membership growth and diversity in Division III.

In order to address some challenges regarding growth, the Council charged the following committees within the governance structure and staff with the following Division III issues:

- Branding and image of Division III (Division III Strategic Planning and Finance; Executive Committee Finance; Branding and Communications).

- Division II as a membership destination (e.g., membership standards and financial model) (Division III Membership; Division II governance structure and staff).
- Future staffing and support (Division III Strategic Planning and Finance; Executive Committee Finance).
- Championships access (Division III Championships).
- Membership standards, education, compliance and accountability (Division III Membership).
- Budget priorities and dues structure (Division III Strategic Planning and Finance; Executive Committee Finance).
- Financial aid (Division III Financial Aid).
- Sports Sponsorship (Division III Membership).
- Playing and practice seasons (Division III Playing and Practice Seasons Subcommittee).

Council members expressed the following regarding the process of the membership issues:

- The study of this issue was productive and created significant dialogue.
- There was distrust among the membership with the process used and how information was presented.
- The governance structure needs to explain consequences of the status quo and the effect it will have on the division in the future.
- Town Hall meetings should be used as a productive tool to engage the membership in a discussion of the survey results and where the division should go from here.
- Athletics reporting lines should be reviewed (Division III Membership Committee).
- Also explore eligibility standards, including redshirting (Division III Management Council).

Presidents Council. The Presidents Council approved the Management Council's recommendation and committed to drafting a series of white papers that will detail the division's future challenges related to membership growth and will emphasize the importance of membership (and especially presidential) input in future growth management discussions. The series will be shared with the Chancellors and Presidents Advisory Group in August prior to a full membership mailing.

(b) Association-Wide Governance Structure.

Management Council. The Management Council noted the Executive Committee Working Group did not endorse the recommendation to establish a new Association-wide working group to focus on possible structural changes that respond more directly to the institutions that

most recently have joined or are expected to join each division. The working group felt the Association would be better served by the passage of more time following the conclusion of the recent, Division III focused discussions. It also noted that the Executive Committee could decide to establish a new working group at a later date, if and when the need for such a group became more apparent.

Presidents Council. No action was necessary.

(4) Academic Issues Subcommitee.

Staff Liaisons: Levine, Nesbitt

Council Rep: Resch

- **Early Registration for Student-Athletes.**

Management Council. The Management Council opposed the sponsorship of legislation for the 2009 Convention to amend NCAA Bylaw 16.11.1 to allow institutions to permit early registration exclusive to student-athletes regardless of whether the same benefit is available to any other groups of students outside of athletics. The Management Council felt this proposal would constitute an inappropriate extra benefit for student-athletes and is contrary to the Division III philosophy of integrating student-athletes into the student body.

Presidents Council. No action was necessary.

(5) Administrative Review Subcommittee.

Staff Liaisons: Bandy, Fuchs

Council Rep: Wilson

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

Presidents Council. No action was necessary.

(6) Playing and Practice Seasons Subcommittee.

Staff Liaisons: Jones, Myers, Nesbitt

Council Rep: Whitley

(a) 2009 Convention Legislation – Bylaw 17.1.6.1 (Playing and Practice Seasons – General Playing-Season Regulations – Required Days Off) – Week of Conference Championship.

Management Council. The Management Council failed to recommend sponsorship of legislation for the 2009 Convention to modify Bylaw 17.1.6.1 (required days off – all sports) to allow institutions to exclude the week of a conference championship event from the required days off legislation. The Council valued the protection of student-athletes' time and felt this proposal unnecessarily eroded the division's commitment to a limited playing season.

Presidents Council. No action was necessary.

(b) 2009 Convention Legislation – Bylaw 17.02.1.1 (Playing and Practice Seasons – Athletically Related Activities) – Specific Workout Programs.

Management Council. The Management Council approved a recommendation to sponsor legislation for the 2009 Convention to modify Bylaw 17.02.1.1-(f) (athletically related activities) to allow individual-specific workout programs to be designed and provided to student-athletes, noting that it would continue to be impermissible for an institutional staff member to conduct these workouts outside of the declared playing season and that all workouts during the off-season must still adhere to the voluntary activities requirements.

Division III legislation currently allows coaches to design a voluntary general individual-workout program for student-athletes as opposed to a specific workout program for specific days. This proposal would help to insure the health and safety of student-athletes by allowing the off-season workout program to be tailored to their specific needs and limitations. By allowing specific workout programs to be designed, the coach would be able to provide a program that gives more accurate guidance for the individual student-athlete and would therefore be focused on that individual's well-being. It would continue to be impermissible for an institutional staff member to conduct the workouts outside of the declared playing season and all workouts during the off season would continue to be required to meet the prescribed elements within the voluntary activities legislation. If adopted, the immediate effective date would allow institutions to take advantage of this change in the spring and summer of 2009. The health and safety of student-athletes would benefit from having a workout program tailored to the individual's specific needs.

In its approval, the Council asked staff to clarify Bylaw 17.02.1-1 regarding which individuals may design the out of season workouts (e.g., sport coaches, strength coaches or other athletics personnel).

Presidents Council. The Presidents Council agreed to sponsor the proposal for the 2009 Convention.

(c) 2009 Convention Legislation – Bylaw 17.02.1.1 (Playing and Practice Seasons – Athletically Related Activities) – Programmatic Feedback Concerning Off Season Workouts.

Management Council. The Management Council failed to recommend sponsorship of legislation for the 2009 Convention to modify Bylaw 17.02.1.1-(f) (athletically related activities) to allow a coaching staff member to provide programmatic feedback about appropriate workout program adjustments during the off season, noting that the workout program must continue to adhere to the voluntary activities

requirements and that any feedback must be requested from the student-athlete before being provided. The Management Council felt this recommendation compromised the Division III standards to limit formal athletically related activities outside of official playing and practice seasons, and that the recommendation related to the individual-specific workout provides adequate opportunities for student-athletes to receive information and support for training efforts outside of the playing season.

Presidents Council. No action was necessary.

(d) Noncontroversial Legislation – Bylaw 17.1.9 (General Regulations for Computing Playing Seasons) – Redesignation of a 'week' during a segment.

Management Council. The Management Council adopted noncontroversial legislation in Bylaw 17.1.9 (general regulations for computing playing seasons) to permit an institution to redesignate the institution's designated 'week' during a segment if the institution has taken at least seven or more consecutive days off during a holiday, vacation or exam period and continues to maintain their 19-week season limitation.

Under current legislation, an institution must designate its 'week' for the purposes of calculating the playing season and cannot change that designated 'week' during the course of the defined playing segment. For practical purposes, an institution typically designates its 'week' for the season as the seven-consecutive days starting with the first practice. Current legislation also allows for a full 'week' that includes a vacation, final-examination period or holiday period to not count as part of the playing season and not constitute a break, provided that the institution takes seven consecutive days off. Under current legislation it is not sufficient to take any seven-consecutive days off if those days do not coincide with the institutions designated week, because practice during any part of the designated 'week' constitutes usage of the entire 'week'. Because of the current legislative requirements, an institution may choose not to schedule practice or competition for a period of time in excess of the seven days; however, only the seven days that coincide with the designated 'week' will not be counted as part of the playing season. This proposal would allow an institution to redesignate their week following the period that includes seven consecutive days off, therefore making it possible to use the true number of weeks afforded to the institution by the legislation and allowing coaches to give student-athletes more days off during the holiday period if they so chose, without losing practice time. The proposal would not change the reality that the use of any one day within the defined 'week' would constitute use of the full 'week'; it would rather

provide a more practical application for the use of the holiday break period.

Presidents Council. No action was necessary.

(7) Championships Committee.

(a) Fifty-Percent Requirement [NCAA Bylaw 31.3.3.2.1.1].

Staff Liaisons: Fagan, Williams

Council Rep: Resch

Management Council. The Management Council adopted an administrative regulation to adjust the timeline for waivers of the 50 percent requirement [NCAA Bylaw 31.3.3.2.1.1] to require submission of all information in December, rather than one year in advance of the championship on a sport-by-sport basis.

The change would reflect what is currently happening. Institutions requesting a waiver are asked to submit their information in December for a waiver of the following year (i.e., waiver requests for 2009-10 shall be submitted in December, 2008). This will allow the NCAA Division III Championships Committee to submit waiver recommendations to the Management Council for its April meeting.

Presidents Council. No action was necessary.

(b) Individual/Team Sports – Twenty-Five Percent In-Region Requirement.

Management Council. The Management Council referred back to the Championships Committee the adoption of an administrative regulation to implement a 25 percent in-region requirement for at-large selections for the individual/team sports that select participants as teams (i.e., men's and women's golf, tennis and cross country).

The committee indicated that requiring institutions to complete twenty-five percent of their schedules versus Division III in-region competition will ensure the emphasis of regular-season competition remains at the regional and conference level, consistent with the Division III philosophy.

The Council requested that the committee review the proposed legislation to clarify if the requirement applies to the host of the event or all opponents in the event. The Council also requested the committee consider the budgeting impact of this recommendation and establish an effective date for the proposed regulation.

Presidents Council. No action was necessary.

(c) National Statistics Program [Bylaw 31.9].

Management Council. The Management Council referred back to the Championships Committee the adoption of administrative regulation to remove Bylaw 31.9 (national statistics program) from the NCAA Manual until such time that the NCAA statistics staff may weigh in on the proposed change.

Presidents Council. No action was necessary.

(d) Championship Date Formula – Field Hockey.

Management Council. The Management Council approved the change to the NCAA Division III Field Hockey Championship date formula to the Saturday/Sunday one week prior to Thanksgiving from Friday/Saturday of that week. The Council also requested the committee consider the budgeting impact of this recommendation and establish an effective date for the proposed regulation.

There are currently two institutions that sponsor field hockey with a policy against competition on a particular day for religious reasons [NCAA Bylaw 31.1.4.1]. Based on the recent interpretation by the Interpretations and Legislation Committee requiring consistency amongst sports by an institution, both institutions with the policy that sponsor field hockey have indicated they will compete on Sundays. One institution has confirmed they will host on Sundays and one will not. The NCAA Division III Field Hockey Committee will continue to accommodate the institution that will not host on Sundays if they are deemed to be an institution that should host a second/third-round site.

A change in the date formula would limit missed class time as teams could travel a day later and return to campus Saturday or Sunday following games. The student-athlete experience could be enhanced as a Saturday/Sunday format would allow the potential of more fans on the semi-final day, including youth and school groups that currently cannot attend the 11 a.m. and 2 p.m. games on a Friday.

Presidents Council. No action was necessary.

(e) Sports Committee Recommendations.

Management Council. The Management Council took the following actions related to Sports Committee recommendations:

(1) Field Hockey.

(i) Automatic Qualification. Approved the following conferences to receive automatic qualification to the 2008 championship: Centennial Conference; Commonwealth Conference; Commonwealth Coast Conference; Empire 8 Conference; Freedom Conference, Liberty League; Little East Conference; New England Small College Athletic Conference; New England Women's and Men's Athletics Conference; New Jersey Athletic Conference; North Atlantic Conference; North Coast Athletic Conference; Old Dominion Athletic Conference; and the Pennsylvania Athletic Conference.

(ii) 2008 Championship Site Selection. Approved Ursinus College to serve as host for the 2008 championship to be held at Eleanor Frost Snell Alumnae Field in Collegeville, Pennsylvania.

(iii) Committee Chair. Approved Nancy Bals, associate athletics director, Westfield State College to serve as chair of the committee.

(iv) Survey Request. Approved the field hockey committee to survey the Division III member institutions that sponsor field hockey regarding playing surfaces.

(2) Women's Golf.

- Range Finders. Accepted the information that per a new United States Golf Association (USGA) rule, the use of range finders that measure distances only will be permitted for use by student-athletes competing in the NCAA Division III Women's Golf Championships, effective with the 2008 championships. Per USGA Rule 14-3, use of devices that measure factors in addition to distance (e.g., slope, wind) will not be permitted.

(3) Men's Lacrosse.

- 2009 Championship Site Selection. Approved Harvard University to serve as host for the 2009 NCAA Division III Men's Lacrosse Championship to be held at Gillette Stadium in Boston, Massachusetts.

(4) Men's and Women's Soccer.

- Survey Request. Approved the NCAA Division III Men's and Women's Soccer Committees' request to survey the Division III member institutions that sponsor field hockey regarding regional alignment.

(5) Softball.

- Regional Alignment. Approved that Finlandia University be realigned to the Great Lakes region from the Central region, effective 2008-09.

(6) Men's Tennis.

- 2010 Men's Tennis Championships Site. Approved Oberlin College and the Cleveland Sports Commission to serve as co-hosts of the 2010 NCAA Division III Men's Tennis Championships to be held at Oberlin College in Oberlin, Ohio.

(7) Men's and Women's Track and Field.

(i) 2008 Men's and Women's Cross Country Regional Sites. Approved the following institutions to serve as regional hosts for the 2008 regional cross country championships: Atlantic – St. Lawrence University; Central – Grinnell College; Great Lakes – Otterbein College; Mideast – Waynesburg College; Midwest – Augustana College (Illinois); New England – Williams College; South/Southeast – Texas Lutheran University; and West – Williamette University.

(ii) 2009 Men's and Women's Cross Country Championships Site. Approved Baldwin-Wallace College and the Cleveland Sports Commission to serve as co-hosts of the 2009 NCAA Division III Men's and Women's Cross Country Championships to be held at Highland Hills in Cleveland, Ohio.

(iii) Championships Date Formula – Men's and Women's Outdoor Track and Field. Approved that the date formula for the Division III Outdoor Track and Field Championships be defined as follows: "Conclude the last full weekend in May prior to Memorial Day."

(8) Women's Volleyball.

(i) Committee Chair. Approved J.J. O'Connell, head women's volleyball coach, Stevens Institute of Technology to serve as chair of the NCAA Division III Women's Volleyball Committee.

(ii) Regional Realignment. Approved the previously submitted realignment recommendations, based on support from the institutions impacted, effective 2008-09.

Presidents Council. No action was necessary.

(f) Sports Committee Appointments.

Management Council. The Management Council ratified the following sports committee appointments:

(1) Division III Baseball Committee. Reappoint Gregory Wallace, head baseball coach, Augustana College (Illinois). Appoint Matt Newman, commissioner, Northwest Conference (West region).

(2) Division III Women's Basketball Committee. Central region: Kim Chandler, director of athletics, Beloit College. South region: Carolyn Hunter, head women's basketball coach/senior woman administrator, Christopher Newport University.

(3) Division III Field Hockey Committee. South region: Jennifer Crispen, head field hockey coach, Sweet Briar College. South Atlantic region: Robyn Fedor-Stahovic, senior woman administrator/head field hockey and women's lacrosse coach, Misericordia University.

(4) Division III Football Committee. East region: Joy Solomen, director of athletics, Rowan University. West Region: Chad Eisele, director of athletics, Knox College.

(5) Division III Men's Golf Committee. Mid-Atlantic region: Adam Hertz, director of athletics, Swarthmore College.

(6) Division III Men's Ice Hockey Committee. West region: Timothy Bald, director of athletics, St. Norbert College.

(7) Division III Women's Ice Hockey Committee. Reappoint Garnet Asmundson, head ice hockey coach, Hamline University.

(8) Division III Men's Lacrosse Committee. North region: Fran Shields, director of athletics, Connecticut College.

(9) Division III Men's Soccer Committee. Reappoint Jay Gardiner, director of athletics, Oglethorpe University.

(10) Division III Women's Soccer Committee. Central region: Lee Ellis, associate director of athletics/head women's soccer coach, Principia College.

(11) Division III Softball Committee. New England region: John Sutyak, assistant director of athletics, Wheaton College.

(12) Division III Women's Volleyball Committee. New England region: Timothy Byram, compliance coordinator/volleyball coach, Endicott College.

(13) Division III Wrestling Committee. Midwest region: Frank O'Brien, director of athletics, University of Wisconsin, Stevens Point.

(14) Women's Basketball Rules Committee. Mary Ellen Burt, head women's basketball coach, Union College (New York).

(15) Men's and Women's Ice Hockey Rules Committee. Men's interests: William Gorman, director of athletics, Wentworth Institute of Technology.

(16) Men's Lacrosse Rules Committee. Jon Hunt, head men's lacrosse coach, University of New England.

(17) Women's Lacrosse Rules Committee. Gail Cummings-Danson, director of athletics, Skidmore College.

(18) Women's Volleyball Rules Committee. Tammy Swearingen, head volleyball coach/assistant director of athletics, Westminster College (Pennsylvania).

Presidents Council. No action was necessary.

(8) Financial Aid Committee.

Staff Liaisons: Hartung, Myers, Nesbitt

Council Rep: McKinney

(a) Modification of Wording – NCAA Bylaw 21.9.6.6.2 (Committees – Division III Committees – Financial Aid Committee – Duties).

Management Council. The Management Council adopted in legislative format a modification of wording to specify that the NCAA

Division III Financial Aid Committee is responsible for the administration of the financial aid reporting process.

The committee has administered oversight of the financial aid reporting process since the inception of the process; however, this responsibility was not specifically set forth in Bylaw 21. The proposed change accurately reflects the scope of the committee's duties and responsibilities.

Presidents Council. No action was necessary.

(b) Modification of Wording – Bylaw 15.4.1.1 (Financial Aid - Consistent Financial Aid Package – Financial Aid Reporting Process – Policies and Procedures).

Management Council. The Management Council adopted in legislative format a modification of wording clarifying that the policies and procedures of the financial aid reporting process shall be established by the committee and approved by the Management Council.

The modification was proposed to more accurately reflect the original intent of the legislation and the current practice which is that the committee is responsible for establishing the policies and procedures of the financial aid reporting process. Since the establishment of the financial aid reporting process, the committee has incorporated and amended the policies and procedures of the process.

Presidents Council. No action was necessary.

(c) Financial Aid Committee Policies and Procedures.

Management Council. The Management Council approved the committee policies and procedures as recommended. The proposed change simply appends additional language to the "Conflict of Interest, Recusal and Confidentiality Committee Protocol" section of the Division III Financial Aid Committee Policies and Procedures to reflect the current practices of the committee. The conflict of interest and recusal policies set forth in the policies and procedures did not account for the fact that the review process is a blind review in which the committee members are not aware of the identity of the institution being reviewed. The proposed change would only require recusal when the committee member had actual knowledge that a conflict existed. The proposed change is intended to clarify the recusal policy in accordance with the blind review process and accurately reflect the current practice.

Presidents Council. No action was necessary.

(d) Financial Aid Reporting Process Policies and Procedures - Penalty Recommendations.

Management Council. The Management Council approved a change to the Financial Aid Reporting Process Policies and Procedures that establishes a wider range of disciplinary measures the committee may recommend for violations of financial aid legislation than the educational penalties the committee now recommends. The proposal provides the committee flexibility to analyze each case individually and recommend appropriate sanctions in its referral to enforcement. The proposed change sets forth a menu of options for the committee to refer to when recommending sanctions. This change would be incorporated into the "Division III Financial Aid Annual Electronic Reporting Process and Financial Aid Data Management System User's Manual" that serves as the policies and procedures of the reporting process.

Presidents Council. The Presidents Council approved the recommendation.

(e) Financial Aid Reporting Process – Level II Reviews.

Management Council. The Council accepted the information that the committee conducted Level II reviews on 28 institutions. These institutions were forwarded to a Level II review because the Level I review yielded information that pointed to advantages to student-athletes in financial aid packaging. The Level II review permits the institutions the opportunity to submit written justification for its policies and procedures that pointed to the advantage.

The committee may do the following when conducting a Level II review: (a) approve the institution's justification; (b) approve the justification with the condition of being reviewed during the next reporting cycle; (c) request additional information; or (d) refer the institution to the NCAA enforcement.

Of the 28 reviews, the committee approved 12 institutions; approved one institution with the condition it would be reviewed again during the next reporting cycle; referred 11 institutions to enforcement and requested additional information and on review the committee approved three of the institutions and referred one institution to enforcement.

Presidents Council. No action was necessary.

(f) Eligibility for Committee Service.

Management Council. In its review of the 2007-08 reporting process, the Council referred to the Nominating Committee the issue of eligibility for committee service of an institutional staff member whose institution faces penalties or sanctions in an area related to the work of a specific committee (e.g., service on the Financial Aid committee by an individual whose institution was discovered to be in violation of the Financial Aid Bylaws; service on the Membership Committee by an individual whose institution did not meet conditions and obligations of membership). The Nominating Committee should consider situations in which the violation is discovered before an individual's nomination or during an individual's term of service.

Presidents Council. No action was necessary.

(9) Committee on Infractions.

Staff Liaisons: **Cooper, Elworth**

Council Rep: Wiggs

Management Council. The committee had no formal report.

Presidents Council. No action was necessary.

(10) Interpretations and Legislation Committee. (ILC)

Staff Liaisons: **Jones Myers**

Council Rep: Fulks

(a) Noncontroversial Legislation – Figure 16-3 (Awards, Benefits and Expenses – Special Achievement Awards – Conference Student-Athlete of the Year and Conference Academic Scholar-Athlete of the Year Awards).

Management Council. The Management Council adopted noncontroversial legislation in Figure 16-3 to establish a value for a conference student-athlete of the year award and a conference scholar-athlete of the year award to one male and one female student-athlete each year, respectively, as specified; further, to include a conference as a permissible awarding agency that may provide an award to a student-athlete for special attainments or contribution to a conference team's season (see 2008 NCAA Convention Division II Proposal No. NC-34).

Current legislation indicates that a conference may provide athlete of the year awards and conference academic awards and may provide actual and necessary expenses for a student-athlete's travel to receive these conference awards, but it does not specify a value for the actual awards (e.g., trophy, plaque and ring). This proposed change will permit a conference to provide specific student-athlete of the year and scholar-athlete of the year awards to one male and one female each year, with the value of such awards not to exceed $350 each.

Conference student-athlete of the year and scholar-athlete of the year awards are special in the sense that they recognize the best student-athletes among all sports within a conference. As such, the maximum value of the award should be set at $350. In addition, a conference should be permitted to provide student-athletes with special attainment or contribution awards. Current legislation lists institutions as the only permissible awarding agency for these awards. These recommended changes will allow conferences to award the student-athlete for his or her achievements at the conference level.

Presidents Council. No action was necessary.

(b) Noncontroversial Legislation – NCAA Bylaw 16.8.1.3 (Expenses Provided by the Institution for Practice and Competition – Other Competition).

Management Council. The Management Council adopted noncontroversial legislation in Bylaw 16.8.1.3 (expenses provided by the institution for practice and competition – other competition) to permit an institution to provide actual and necessary expenses related to a student-athlete's participation in one national team tryout competition event per academic year (or in the following summer) from which participants are selected for the team that will participate in the Olympic Games, Pan American Games, World Championships or World University Games (see 2008 Division II Proposal No. NC-16).

Current legislation does not permit an institution to pay for expenses related to participation in a national team tryout event. This proposal will allow an institution the discretion to provide actual and necessary expenses for a student-athelte to attend one national team tryout event for each of the listed elite events per academic year. Actual and necessary expenses could be provided for one event even if there are multiple qualifying competition events for the elite competition (e.g., multiple national team tryout events). Finally, per current legislation the institution will continue to be able to provide expenses for student-athletes to participate in the specific events by which the national teams qualify for the listed elite international competitions.

Presidents Council. No action was necessary.

(c) Noncontroversial Legislation – Bylaw 14.2.5.2 (Criteria for Administration of Hardship Waiver).

Management Council. The Management Council adopted noncontroversial legislation in Bylaw 14.2.5.2 (criteria for administration of hardship waiver) to specify that for purposes of applying the hardship waiver legislation, the NCAA Regional Cross Country Meet may be counted as one date of competition in determining the institution's

scheduled or completed dates of competition, provided no qualifying standards exist for participation in the meet (see 2007 Division II Proposal No. NC-27).

Currently, institutions are permitted to use the regional cross country meet to fulfill minimum contest requirements for sports sponsorship per Bylaw 20.11.3.5.2 (regional cross country qualifying meets); however, the meet cannot be used in determining hardship calculations, such as the percent calculation. This creates a student-athlete well-being issue, as the student-athlete is placed at a disadvantage while the institution benefits from the use of the meet to fulfill sports sponsorship requirements. The meet does not have any qualification standards and is typically considered a regular season competition within the cross country community. As such, the meet should be treated as any other regular season competition when determining eligibility for a hardship waiver.

Presidents Council. No action was necessary.

(d) Noncontroversial Legislation – Bylaw 12.3.3 (Scholarship Agent).

Management Council. The Management Council adopted noncontroversial legislation to eliminate Bylaw 12.3.3 (scholarship agent).

For purposes of deregulation and because a Division III student-athlete may not permissibly receive financial aid based on his or her athletics involvement, there is not a practical need for this amateurism regulation within Division III.

Presidents Council. No action was necessary.

(e) Noncontroversial Legislation – Bylaw 17.32.2 (Sanctioned Outside-Team Tours).

Management Council. The Management Council approved a recommendation to sponsor legislation for the 2009 Convention to amend Bylaw 17.32.2 (sanctioned outside-team tours) to reinstate the limits on the number of team members from one institution that may participate on an outside team tour, in the same manner that it was limited prior to the adoption of 2006 Division III Proposal No. NC-69.

Prior to the adoption of 2006 Division III Proposal No. NC-69, a member institution was charged with its foreign-tour opportunity in a sport and had to apply the once-in-three-years limitation if that institution was represented by more than a limited number of student-athletes on an outside team participating in a foreign tour. The current legislation does not count an outside-team tour against the once-in-three years institutional foreign-tour limitation unless every

member of the outside team participating in the tour is from the same institution. This proposal would reinstate the previous limitations on the number of team members from one institution that may participate on an outside-team tour. This change is necessary based on reported concerns that Division III coaches have been coaching on outside-team tours comprised of a majority of members of their own team and only a few athletes from other teams. Under this proposal, if a coach wanted to participate in a foreign tour with more student-athletes from their institution than allowed by the limits, they could still use the institutional foreign-tour legislation (with the once-in-three-years limitation) in order to do so.

Presidents Council. The Presidents Council agreed to sponsor the proposal for the 2009 Convention.

(f) Noncontroversial Legislation – Bylaws 14.5.1.5.1 (Bona Fide Foreign Exchange Student Exception) and 14.5.5.1.2 (Exchange Student Exception).

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaws 14.5.1.5.1 (bona fide foreign exchange student exception) and 14.5.5.1.2 (exchange student exception), such that the language of these two exceptions reads more similarly and places more emphasis on the ability of the institution's academic authorities to determine the validity of the exchange program for purposes of academic transfer regulations.

This proposal clarifies the autonomy afforded to the institution's academic authorities in determining whether a transfer student-athlete attending their institution is participating in a bona fide exchange program. In addition, this will clarify that the previously noted list of organizations offering bona fide exchange programs are only to serve as examples and should not be treated as an all-inclusive list. This proposal is the result of a charge from the NCAA Division III Presidents Council to the NCAA Division III Interpretations and Legislation Committee to review Bylaw 14 (eligibility) for any academic-based programming legislation that is not currently being given proper institutional autonomy.

Presidents Council. No action was necessary.

(g) Modification of Wording – Bylaws 16.3 (Academic and Other Support Services) and 16.4 (Medical Expenses).

Management Council. The Management Council adopted in legislative format a modification of wording to amend current legislation under Bylaws 16.3 (academic and other support services) and 16.4

(medical expenses) to provide clarity to the proper application of legislation in these areas.

This modification clarifies and groups the types of permissible academic and other support services that may be provided to student-athletes based on the adoption of 2008 Division III Convention Proposal No. 5. This modification is a result of confusion expressed by the membership during the 2008 NCAA Convention Division III business session regarding the current permissibility of various types of support services within Division III. This modification does not change the application of current Division III legislation in any way.

Presidents Council. No action was necessary.

(h) Modification of Wording – Bylaw 14.1.9 (Graduate Student/Postbaccalaureate Participation).

Management Council. The Management Council adopted a modification of wording to amend current Bylaw 14.1.9 (graduate student/postbaccalaureate participation) in order to clarify that a Division III student-athlete cannot participate in intercollegiate athletics as a graduate/postbaccalaureate student at a school that he or she previously attended, but later transferred from and can only participate as a graduate/postbaccalaureate student-athlete at the institution he or she most recently attended as an undergraduate student.

The language of the current legislation gives the incorrect impression that it is permissible for a graduate/postbaccalaureate student to participate in intercollegiate athletics if the student-athlete ever attended the school where he or she is not attending graduate/postbaccalaureate classes. The language of the current legislation was derived from Case No. 123 during the early 1980's and a situation involving a student-athlete that was in a five-year academic program that awarded a bachelors and masters degree on completion. The current legislative language was attempting to address the specific situation within that case and was not meant to allow for participation in the case of a student wishing to participate as a graduate/postbaccalaureate student at a school that he or she previously attended, but later transferred from. Further, the current language's reference to "the institution" and not "an institution" makes it clear that the application of the legislation was meant to be for a student-athlete who is enrolled in a graduate/postbaccalaureate program at the institution he or she most recently attended as an undergraduate student.

Presidents Council. No action was necessary.

(i) Incorporation of Official Interpretation – Participation in Physical Activities Prior to Undergoing Mandatory Medical Examination.

Management Council. The Management Council adopted an incorporation into the manual of the following language from an official interpretation:

Participation in Physical Activities Prior to Undergoing Mandatory Medical Examination (III) (6/12/07). The committee confirmed that a student-athlete may not participate in any athletically related activity prior to undergoing a medical examination or receiving an updated medical history, even if that student-athlete has not been named as a member of the institution's team (e.g., walk-on tryouts). [References: Bylaws 17.02.1.1 (athletically related activities) and 17.1.5 (mandatory medical examinations)]

Presidents Council. No action was necessary.

(j) Incorporation of Official Interpretation – Athletics Department Staff Involvement with Admissions Office.

Management Council. The Management Council adopted an incorporation into the manual of the following language from an official interpretation (Reference: 9/19/05, Item No. 2):

"It is permissible for a coach who is working in the admissions office of the institution to be involved in off-campus admissions programs directed at prospective students in general, provided any contact made with a prospect prior to the completion of the prospect's junior year in high school is not for the purpose of athletics recruitment (e.g., athletics recruiting presentation)."

The clarification on the dual role of an athletics department staff member's involvement with the admissions office warrants inclusion in the Manual. This incorporation (in combination with the editorial revision detailed in informational item number eight below) helps to clarify and codify the application of the NCAA recruiting rules relative to institutional admissions departments.

Presidents Council. No action was necessary.

(k) Official Interpretation – Institutional Financial Aid with Language Preferential to Student-Athletes.

Management Council. The Management Council approved the following official interpretation:

Institutional Financial Aid with Language Preferential to Student-Athletes (III). The committee confirmed that it is not permissible for an institution to award financial aid to a student-athlete from any institutional source of funds (e.g., endowments) which includes criteria indicating a preference for awarding the funds to a student-athlete. [References: Bylaws 15.01.3 (institutional financial aid), 15.01.5 (student-athlete financial aid endowments or funds) and 15.4.1 (consistent financial aid package); and a staff interpretation (11/7/01, Item No. 1) which has been archived]

This elevates a previously issued staff interpretation to the official interpretation level. The interpretation clarifies the application of the financial aid legislation relative to endowments.

Presidents Council. No action was necessary.

(l) Official Interpretation – Use of Service or Software that Converts Electronic Mail into a Text Message.

Management Council. The Management Council approved the following official interpretation:

Use of Service or Software that Converts Electronic Mail into a Text Message (III). The committee determined that it is not permissible for institutional staff members to use a service or software that converts electronic mail (e.g., e-mail) sent by an institutional staff member into a text message when received by the prospective student-athlete. [References: Bylaw 13.02.9 (electronic transmissions) and 2008 Division III Proposal No. 4]

An identical version of this interpretation was previously issued by the NCAA Division I Legislative Review/Interpretations Committee based on questions that resulted subsequent to the adoption of a Division I text-messaging ban last year. Because Division III has now adopted a similar text-messaging ban, through 2008 Division III Convention Proposal No. 4, it is reasonable to anticipate that similar questions will arise within Division III. This interpretation will address those questions.

Presidents Council. No action was necessary.

(m) Official Interpretation – Practice during Year of Residence.

Management Council. The Management Council approved the following official interpretation:

Practice during Year of Residence (III). The committee confirmed that the residence requirement set forth in Bylaw 14.5.1 (residence

requirement – general principle) applies exclusively to competition and would not preclude a student-athlete from participating in practice during the year in residence. By practicing, the student-athlete would use a season of participation during the year in residence if the student-athlete participates in practice during or after the first contest in the traditional segment following the student-athlete's initial participation of that academic year at that institution. [References: Bylaws 14.5.1 (residence requirement – general principle) and 13.2.4.1 (criteria for determining season of eligibility – minimum amount of participation)]

This interpretation addresses a frequently asked question about a student-athlete's ability to practice while serving an academic year in residence.

Presidents Council. No action was necessary.

(n) Official Interpretation – Student-Athlete's Participation in Intramurals.

Management Council. The Management Council approved the following official interpretation:

Student-Athlete's Participation in Intramurals (III). The committee determined that campus intramural activities are not considered outside competition. [References: Bylaws 14.02.7 (outside competition) and 14.7.1 (outside competition, effects on eligibility); and a staff interpretation (12/1/89, item f)]

This interpretation addresses a frequently asked question about a student-athlete's ability to participate in campus intramural activities and clarifies a previously issued staff interpretation.

Presidents Council. No action was necessary.

(11) Membership Committee.

Staff Liaison: Davey,

Council Rep: Hall

(a) Modification of Wording – NCAA Bylaw 11.8 (NCAA Division III Rules Test – Annual Requirement).

Management Council. The Management Council adopted a modification of wording to amend current NCAA Bylaw 11.8 (NCAA Division III Rules Test – annual requirement) in order to indicate that violations of the Rules Test requirement will be treated as secondary violations.

2008 NCAA Convention Division III Proposal No. NC-10 was defeated at the 2008 Convention. As a result of Convention floor

discussion and the subsequent vote, failure to administer the Rules Test to all head coaches and administrators with compliance responsibilities should be a secondary violation. Administration of the Rules Test should still be considered a membership requirement despite the unique penalty. There is a need to revise Bylaw 11.8 to clarify that such a violation would be secondary. Violations of this Bylaw should be filed on an annual basis.

In its approval, the Council referred to the Membership Committee a request to review the penalties associated with conditions and obligations of membership. Specifically, the committee should consider an appropriate window of time for the probationary period (currently effective for 10 years) and whether all conditions and obligations of membership shall have the same penalty structure. The Council also requested that the Membership Committee provide additional education on the waiver process related to Convention attendance; do an attendance check after two year of required attendance for the Regional Rules Seminar with related warnings sent to institutions in jeopardy of not satisfying the condition and obligation of membership; and consider alternative delivery methods for Regional Rules Seminar information (e.g., dates outside of the spring period, Webcasting, other electronic medium).

Presidents Council. No action was necessary.

(b) Modification of Wording – NCAA Constitution 3.6.3.1 (Provisional Membership – Election Procedures – Application).

Management Council. The Management Council adopted a modification of wording of Constitution 3.6.3.1 (provisional membership – election procedures – application) to create a consistent deadline for the provisional and reclassifying application submission of May 15.

Under current legislation, there are two conflicting provisional and reclassifying application deadlines. One deadline May 15 was noted on the application form and was the intent of the NCAA Division III Membership Committee. There was also a later date legislated in Constitution 3.6.3.1.

Presidents Council. No action was necessary.

(c) Finlandia University Waiver Request of Sport Sponsorship Requirements – Bylaw 20.11.3.5.9.1 (Minimum Contests and Participants).

Management Council. The Management Council approved the recommendation to deny Finlandia University's request to waive 2006-07 sports sponsorship requirements per Bylaw 20.11.3.5.9.1.

Based on review of Finlandia's waiver request, the committee agreed that the institution should be denied a waiver for failure to satisfy sports sponsorship requirements, specifically for its failure to sponsor five sports for males.

Presidents Council. The Presidents Council referred the issue back to the Membership Committee on receipt of new information from the institution.

(d) Convention Attendance – Constitution 3.2.4.15 (Convention and Regional Rules Seminar Attendance) – Recommendation for Probationary Status.

Management Council. The Management Council placed the following institutions on probation for the 2008-09 academic year:

(i) Benedictine University (Illinois).

The Membership Committee found that the institution was not represented by a voting delegate at the 2008 NCAA Division III Convention Business Session, the prescribed penalty for which is to place the institution on probation for the next academic year after noncompliance is discovered.

(ii) John Jay College of Criminal Justice.

The Membership Committee found that the institution was not represented by a voting delegate at the 2008 NCAA Division III Convention Business Session, the prescribed penalty for which is to place the institution on probation for the next academic year after noncompliance is discovered. The institution requested that the Management Council consider mitigation of the penalty as it viewed the failure to meet this condition and obligation of membership as one administrator's error. In its recommendation to uphold the penalty for this institution, the Management Council noted that it is the institution's (and not just the athletics department's) responsibility to adhere to conditions and obligations of membership.

(iii) Menlo College.

The Membership Committee found that the institution was not represented by a voting delegate at the 2008 NCAA Division III Convention Business Session, the prescribed penalty for which is to place the institution on probation for the next academic year after noncompliance is discovered. The institution requested that the Management Council retroactively waive the Convention attendance requirement due to staff transition

and scheduling conflicts. In its recommendation to uphold the penalty for this institution, the Management Council noted the institution's appeal did not warrant a waiver of the Convention attendance requirement.

Presidents Council. The Presidents Council approved the recommendations.

(e) State University College at Old Westbury Waiver of Convention Attendance Requirement – Constitution 3.2.4.15 (Convention and Regional Rules Seminar Attendance).

Management Council. The Management Council approved the waiver request of State University College at Old Westbury regarding Constitution 3.2.4.15.3, failure to attend the 2008 Convention.

Presidents Council. The Presidents Council approved the recommendation

(f) Simmons College Waiver of Convention Attendance Requirement – Constitution 3.2.4.15 (Convention and Regional Rules Seminar Attendance).

Management Council. The Management Council approved the waiver request of Simmons College regarding Constitution 3.2.4.15.3, failure to attend the 2008 Convention.

Presidents Council. The Presidents Council approved the recommendation.

(g) Wheelock College Waiver Request per Bylaw 20.11.3.6.1 (Waivers of Sports Sponsorship – Male-Female Enrollment Ratio Waiver).

Management Council. The Management Council approved the waiver request of Wheelock College per Bylaw 20.11.3.6.1 (waivers of sports sponsorships – male-female enrollment ratio).

Presidents Council. The Presidents Council approved the recommendation.

(h) Referral to Championships Committee.

Management Council. The Membership Committee noted its difficulty in tracking sports information for individual sports in the sports sponsorship audit process. The committee requested the Championships Committee review the possibility of requiring institutions to submit results for individual sports. The committee cited the

requirement that an institution submit golf statistics in GolfStat in order to be eligible for NCAA Division III championships. Further, the committee noted a Championships Committee staff liaison could be a helpful resource during future sports sponsorship reviews.

Presidents Council. No action was necessary.

(12) Nominating Committee.

Staff Liaison: Tufano

Council Rep: Keeling

Management Council. The Management Council approved the reappointment of Zak Ivkovic, commissioner, City University of New York Athletic Conference, to the Minority Opportunity and Interests Committee.

The Council reviewed and approved an appointment to the Committee on Women's Athletics but that recommendation was voided on discovering that the nominee left his position in athletics. The Nominating Committee will resolicit for the vacancy.

Presidents Council. No action was necessary.

(13) Student-Athlete Advisory Committee.

Staff Liaisons: Centor, Davey, MacInnis

Council Reps: Hinkley, Wolf

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

The Council noted that SAAC discussed its momentum for pursuing a similar legislative proposal to 2008 Division III Convention Proposal No. 9 at the 2009 Convention. 2008 Division III Convention Proposal No. 9 related to the establishment of sports safety certification of athletics personnel present at practice and competition. The committee is divided between continuing to pursue certification requirements and taking a different educational approach. The committee's legislative subcommittee will continue to research with the NCAA legal staff the issue of liability for institutions as well as review specific membership concerns shared at the 2008 Convention to determine the future approach.

Presidents Council. No action was necessary. The Presidents Council noted that the sports safety certification concept would benefit from an Association-wide approach. The Presidents Council extended an invitation to SAAC and Committee on Competitive Safeguards and Medical Aspects of Sports to discuss this issue at its August meeting.

(14) Student-Athlete Reinstatement Committee.

Staff Liaisons: Groddy, Teixeira

Council Rep: Malloy

Management Council. The Management Council reviewed the committee's report. In its review, the Council requested that the Student-Athlete Reinstatement Committee and the Academic Issues Subcommittee jointly review

standards for waivers related to practice or competition while not enrolled full-time (less than 12 credit hours).

Presidents Council. No action was necessary.

4. Proposed Legislation for the 2009 NCAA Convention.

- **Noncontroversial Legislation.**

Staff Liaisons: Dutcher, Nilsson, Jones, Myers, Davey

NC-5 - Committees – Association-Wide Committees – General Committees – Honors Committee – Terms of Office.

Management Council. The Management Council approved in legislative format the proposal to specify that the term of office for a member of the NCAA Honors Committee shall begin on the day following adjournment of the NCAA Convention following the member's appointment.

Presidents Council. No action was necessary.

5. Litigation Update.

Management Council. The Management Council accepted the litigation update. No formal action was necessary.

Presidents Council. The Presidents Council accepted the litigation update. No formal action was necessary.

6. Association-wide Update and Issues.

a. Governmental Relations Report.

Management Council. The Management Council accepted the Government Relations Report. No formal action was necessary.

Presidents Council. The Presidents Council accepted the Government Relations Report. No formal action was necessary.

b. 2008-09 Committee Meeting Requests.

Management Council. The Management Council approved the Division III committee meeting requests for the 2008-09 year.

Presidents Council. No action was necessary.

c. NCAA's Best Practices: Achieving Excellence through Diversity and Inclusion Brochure.

Management Council. The Management Council received the NCAA Best Practice: Achieving Excellence through Diversity and Inclusion brochure. No formal action was necessary.

Presidents Council. The Presidents Council received the NCAA Best Practice: Achieving Excellence through Diversity and Inclusion brochure. No formal action was necessary.

d. Life/Work Balance update.

Management Council. The Management Council received a report on Life/Work Balance initiatives. No action was necessary.

Presidents Council. No action was necessary.

7. ADJOURNMENT.

Management Council. The Management Council meeting adjourned at 9:35a.m.

Presidents Council. The Presidents Council meeting adjourned at 11:56 a.m.