A G E N D A

National Collegiate Athletic Association

Division III Management Council

National Office
Indianapolis, Indiana

October 20-21, 2008

1. Announcements.

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

3. Review of Summary and minutes.

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

   b. August 7, 2008, Executive Committee meeting. (Informational)

   c. July 31, August 28, September 8, September 17, September 26 and September 30, 2008, Administrative Committee actions. (Approval)

4. Committee/subcommittee reports.

   a. Association-wide committees.

      (1) Committee on Competitive Safeguards and Medical Aspects of Sports. (Charlie Wilson)

      (2) Honors Committee. (Tim Gleason)

      (3) Minority Opportunities and Interests Committee. [Supplement No. 1] (Rudy Keeling)

      (4) Olympic Sports Liaison Committee. (Susan Chapman)

(5) Postgraduate Scholarship Committee. (Rosalie Resch)

(6) Research Committee. (Stuart Gulley)

(7) Committee on Sportsmanship and Ethical Conduct. (Patty Epps)

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

(9) Committee on Women's Athletics. (Lynn Oberbillig)

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

(1) Convention-Planning Subcommittee. [Supplement No. 2] (Tim Gleason)

(2) Strategic-Planning and Finance Committee. [Supplement No. 3a] (Del Malloy)

- Division III budget. [Supplement No. 3b]
- Draft of Division III Annual Report. [Supplement No. 3c]

c. Management Council subcommittees.

(1) Academic Issues Subcommittee. [Supplement No. 4] (Resch)

(2) Playing and Practice Seasons Subcommittee. [Supplement No. 5 will be distributed at the meeting] (Kay Whitley)

(3) Subcommittee on Legislative Review. [Supplement No. 6 will be distributed at the meeting] (Charlie Wilson)

d. Division III committees.

(1) Championships Committee. [Supplement No. 7] (Resch)

(2) Financial Aid Committee. (Lee McKinney)

(3) Committee on Infractions. (Rita Wiggs)

(4) Interpretations and Legislation Committee. [Supplement No. 8] (Dan Fulks)

(5) Membership Committee. [Supplement No. 9] (Kris Hall)

(6) Nominating Committee. [Supplement No. 10] (Keeling)

(7) Student-Athlete Advisory Committee. [Supplement No. 11] (Ashley Snell and Chris Wolfe)

(8) Student-Athlete Reinstatement Committee. (Whitley)

5. 2009 NCAA Convention.

a. Convention registration process. [Supplement No. 12]

b. Convention proposal groupings. [Supplement No. 13]

c. Proposed legislation. [Supplement No. 14]

d. Convention speaker assignments and recommended positions. [Supplement No. 15]

e. Review of noncontroversial legislation adopted by the Management Council per Constitution 5.3.1.1.1. [Supplement No. 16]

f. Review of administrative regulations adopted by the Management Council per Constitution 5.2.3.1. [Supplement No. 17]

g. Review of modifications of wording adopted by the Management Council per Constitution 5.4.1.1.1. [Supplement No. 18]

h. Review of incorporations of interpretations adopted by the Management Council per Constitution 5.4.1.1.1. [Supplement No. 19]

6. 2008 Solicitation of Association-wide and Division III committee/subcommittee assignments. [Supplement No. 20]

7. Membership Communication. [Supplement No. 21]

- Conference/independent meetings update.

8. Drug education and testing pilot update. [Supplement No. 22 will be distributed at the meeting]

9. Association-wide update and issues.

a. Governmental relations report. [Supplement No. 23]

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

c. Conflict of Interest Policy. [Supplement No. 25]

10. Other Business.

- Receive update on available student-athlete nutrition resources.

11. Adjournment.

SUMMARY OF FALL 2008 QUARTERLY MEETINGS

The National Collegiate Athletic Association

Division III Management Council **October 20-21, 2008** **Indianapolis, IN**	**Division III Presidents Council** **October 30, 2008** **Indianapolis, IN**
PARTICIPANTS	
Susan Chapman, Worcester State College Patricia Epps, Franklin & Marshall College Daniel Fulks, Transylvania University Tim Gleason, Ohio Athletic Conference Kristen Hall, Bard College Rudy Keeling, Emerson College Del Malloy, New England Collegiate Conference *[chair]* Lee McKinney, Fontbonne University Lynn Oberbillig, Smith College *[vice chair]* Jack Ohle, Gustavus Adolphus College Garnett Purnell, Wittenberg University Rosy Resch, University of Chicago Joan Sitterly, State University College at Cortland Ashley Snell, Student-Athlete Advisory Committee Kay Whitley, Sul Ross State University Rita Wiggs, USA South Athletic Conference Charlie Wilson, Olivet College Christopher Wolf, Student-Athlete Advisory Committee	Livingston Alexander, University of Pittsburgh, Bradford Walter Bortz, Hampden-Sydney College F. Gregory Campbell, Carthage College John Fry, Franklin & Marshall College *[chair]* Pamela Gann, Claremont McKenna-Harvey Mudd-Scripps College James Harris, Widener University David Joyce, Ripon College Marcia Keizs, York College/CUNY Del Malloy, New England Collegiate Conference *[chair, Management Council]* James Moseley, Franklin College Lynn Oberbillig, Smith College *[vice-chair, Management Council]* Kathleen Owens, Gwynedd-Mercy College Richard Torgerson, Luther College Paul Trible, Christopher Newport University *[vice chair]*
ABSENTEES	
Stuart Gulley, LaGrange College Christopher Wolf – absent Tuesday, October 21	Richard Flynn, Springfield College Catharine Hill, Vassar College Morton Schapiro, Williams College
OTHER PARTICIPANTS	
Brady Barke, 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 Jeff Myers, NCAA Leah Nilsson, NCAA Bridget Rigney, NCAA John Williams, NCAA	Myles Brand, NCAA Elsa Cole, NCAA Joni Comstock, NCAA Jack Copeland, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Abe Frank, NCAA Bernard Franklin, NCAA Eric Hartung, NCAA Jim Isch, NCAA Jay Jones, NCAA Jennifer Kearns, NCAA Debbie Kresge, NCAA, *recording secretary* Delise O'Meally, NCAA Jeff Myers, NCAA Leah Nilsson, NCAA John Williams, NCAA

1. WELCOME AND ANNOUNCEMENTS.

Management Council. The meeting was called to order at 8:02 a.m. by the chair, Del Malloy. The chair welcomed Council members and reviewed logistics for the meeting.

Presidents Council. The meeting was called to order at 8:01 a.m. by the chair, President John Fry. The chair welcomed Council members and reviewed logistics for the meeting.

2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.

a. Management Council Meeting – July 21-22, 2008.

Management Council. The Management Council approved the summary of its July 21-22, 2008 meeting, as presented.

Presidents Council. No action necessary.

b. Presidents Council Meeting – August 7, 2008.

Management Council. The Management Council reviewed the summary of the August 8, 2008 Presidents Council meeting. No action was necessary.

Presidents Council. The Presidents Council approved the summary of its August 7, 2008 meeting, as presented.

c. Executive Committee Meeting—August 7, 2008.

Management Council. The Management Council reviewed the minutes of the August 7 Executive Committee meeting. No action was necessary.

Presidents Council. The Presidents Council reviewed the minutes of the August 7 Executive Committee meeting. No action was necessary.

d. Administrative Committee Actions.

Management Council. The Management Council approved the minutes of the July 31, August 28, September 8, September 17, September 26 and September 30, 2008, Administrative Committee actions.

Presidents Council. The Presidents Council approved the minutes of the July 31, August 28, September 8, September 17, September 26 and September 30, 2008, Administrative Committee actions.

3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.

a. Association-Wide and Common Committees.

Staff Liaisons: **Klossner Wilfert**

Council Rep: Wilson

(1) Competitive Safeguards and Medical Aspects of Sports.

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

Presidents Council. No action was necessary.

Staff Liaison: **Tufano**

Council Rep: Gleason

(2) Honors Committee.

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

Presidents Council. No action was necessary.

Staff Liaisons: **Bracken, Jackson, Thompson**

Council Rep: Keeling

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

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

The Council discussed the need for Division III to enhance its pool of minority athletics administrators to help improve the level of diversity in the governance structure. The Association is set to embark on a comprehensive review of all of its diversity programming and the Division III Strategic Planning and Finance Committee is engaged in a related review of currently funded Division III programs. Review efforts are focused on ensuring that NCAA programming accomplishes specific goals, including the diversity of athletics administrators in the membership and in the governance structure.

Presidents Council. No action was necessary.

Staff Liaisons: **Burrow, Calandro, Perez**

Council Rep: Chapman

(4) Olympic Sports Liaison Committee.

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

Presidents Council. No action was necessary.

Staff Liaison: **Erickson**

Council Rep: Resch

(5) Postgraduate Scholarship Committee.

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

Presidents Council. No action was necessary.

(6) Committee on Sportsmanship and Ethical Conduct.

Staff Liaisons: **Halpin, Newman, Roe**

Council Rep: Epps

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

Presidents Council. No action was necessary.

(7) Walter Byers Scholarship Committee.

Staff Liaisons: Vicente

Council Rep: Ohle

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

Presidents Council. No action was necessary.

(8) Committee on Women's Athletics.

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

Council Rep: Oberbillig

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

Presidents Council. No action was necessary.

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

(1) Convention-Planning Subcommittee.

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

Council Reps: Gleason Campbell Fulks Malloy Oberbillig Owens Sitterly Snell

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

(a) 2009 NCAA Convention schedule.

(b) Role and responsibility of subcommittee members.

(c) Division III specific session agendas; including Friday Issues Forum, Chancellors/Presidents Luncheon and Issues Forum, Senior Administrator with Athletics Oversight Luncheon and Forum and Division III Business Session.

(d) Association-wide educational topics, specifically the session titled "Academics, Athletics and Today's Sports Culture: Expectations and Realities" that will be held Thursday, January 15 at 9:30 a.m. The Council discussed that this session, based on a recent New York Times series of articles, will be of interest to the Division III membership and could provide insight into the discussions regarding the Division III identity. Richard Ekman, president, Council of Independent Colleges, has agreed to serve as moderator for this session.

The Council directed the staff to communicate with senior administrators with athletics oversight regarding the Convention luncheon and forum.

Presidents Council. The Presidents Council approved the Convention schedule and topics as recommended by the Management Council, with the exception of the draft agenda for the Chancellors and Presidents Issues Forum and Luncheon. The Council concluded that the White Papers should be the main focus of this agenda and if time permits, 2009 Convention legislation may be discussed at the end of the session.

(2) Strategic Planning and Finance Committee.

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

Council Reps: Malloy, Epps, Flynn, Gleason, Keeling, Moseley, Oberbillig, Ohle, Trible, Whitley, Wolf

(a) Strategic Considerations for 2008-2010 Budget Biennium.

Management Council. The Management Council approved the following measureable outcomes for inclusion in the 2008-10 strategic plan or continued examination.

- Participation in the Strategic Initiative Conference Grant Program. There is a strategic expectation that all institutions access strategic initiative conference grant dollars over a four-year period, and that all conferences are optimally using the full allocation of funds each year.

- Results of the Woman and Minority Internship Program and the Strategic Alliance Matching Grant. There is a strategic goal that a specific percentage of participants in these two programs remain in the athletics administration profession serving the Division III community. There should be specific benchmarks for three, five and ten years after completion of the program. Further, the division should adjust its goal regarding the expected increase of the percentage of women and minorities serving as Division III athletics administrators to a goal that is reasonably attainable. Staff will present the committee with a specific recommendation for approval during its November teleconference.

- Diversity of the Division III Student-Athlete Population. The strategic plan should clarify its goal related to the demographic composition of the division's student-athlete population. Staff is to consider the impact of a branding initiative to increase interest in Division III athletics of minority student-athletes, and should also study the reasons why current participation numbers include an under-representation of minority student-athletes compared to minority students on Division III campuses. It was noted that institutional efforts related to recruitment of minority students have expanded.

- Presidential Attendance at the NCAA Convention. The strategic goal related to Division III presidential attendance at the NCAA Convention shall be three per multi-sport conference. The committee noted that the NCAA already funds the attendance of one president per conference via the President's Advisory Group, and that the goal of three per conference represents a 25% attendance rate.

- Division III Identity, Marketing, and Public Relations. The division's strategic goals in this area should be reconsidered after the circulation of the White Papers in fall 2008 and the 2009 Convention discussion regarding the division's brand and identity.

- Senior Administrator with Athletics Oversight - Convention Attendance. Given the division's incidence of athletics directors reporting to someone other than the president, the Strategic Planning and Finance Committee should establish a Convention attendance goal for this population. This goal should acknowledge that Strategic Initiative Conference Grant funding is available for this purpose.

Presidents Council. The Presidents Council approved the recommendations of the Management Council.

(b) Division III Budget.

Management Council. The Management Council reviewed the budget-to-actual, noting that final numbers will not be available until November. It noted the importance of maintaining a significant fund balance to bridge potential funding gaps in the transition to the next broadcast agreement.

Presidents Council. No action was necessary.

(c) Division III Annual Report.

Management Council. The Management Council reviewed the draft of the 2007-08 Division III Annual Report noting it will be released at the 2009 Convention.

Presidents Council. No action was necessary.

(d) Strategic Initiative Conference Grant Program.

Management Council. The Management Council reviewed the report regarding online submissions, noting the following:

- Many conference submissions lacked detailed information in both requisition and impact forms and conferences will be required to supply additional information prior to fund distribution. The Council discussed the need to emphasize with conferences the expected level of detail for the requisition and impact forms.

- Funds received through the grant program should not be used for daily operational expenses. The administrative fee may be used to support an individual's salary, but other grant funds may not be used on personnel other than contractors employed for a specific purpose. [Note: In related discussion, the Presidents Council requested that staff pursue, with the Division III Commissioners Association and the NCAA travel and insurance staff, the opportunity to provide group benefits to conference commissioners.]

- Future grant program education should identify best and worst practices and clarify grant policies, including fund transfers.

- A conference shall be penalized for repeated lack of support of a particular group in Tier One, effective in 2009-10. The Council noted its specific concern with lack of attendance at the FARA Fall Forum and limited faculty athletics representatives (FAR) involvement in the Conference Grant program.

- The committee charged the staff to develop a sliding penalty scale for late submission of grant requisitions and impact information for use in the next grant year. Conferences shall lose a portion of the $2,500 administrative fee based on the lateness of submission.

- Future ideas for Tier Two parameters include the specific addition of nutrition and mental health, as well as a format that would specify one theme for all conferences in an academic year.

- The committee discussed the proposal from The Minority Opportunities Athletic Association (MOAA) and its desire to partner with Division III in providing minority individuals educational growth and enhancement opportunities through Tier One of the grant program. The committee will continue

to explore how best to support minority individuals through the grant program.

- The conference SAAC should be kept informed of the conference's requisition and impact information.

c. Management Council Subcommittees.

(1) Academic Issues Subcommitee.

Staff Liaisons: **Nesbitt**

Council Reps: Resch, Hall, Chapman

Management Council. The Management Council reviewed the committee's report noting the modification of its meeting schedule to include one additional meeting during the months January, August and September. The additional meetings are designed to accommodate time sensitive waiver requests that arise at the start of each semester, effective January 1, 2009. No action was necessary.

Presidents Council. No action was necessary.

(2) Playing and Practice Seasons Subcommittee.

Staff Liaisons: **Jones, Myers, Nesbitt**

Council Reps: Whitley, Malloy, Purnell, McKinney, Resch, Wiggs, Snell

(a) Noncontroversial Legislation – Bylaw 17.02.1.1.1 (Playing and Practice Seasons – Athletically Related Activities – Exceptions).

Management Council. Adopted noncontroversial legislation that incorporates an exception to the definition of athletically related activities that was set forth in an Educational Column dated April 17, 2006. The exception would allow a coach to observe certain activities, which would otherwise be considered an athletically related activity provided the coach is observing these activities while monitoring facilities as part of the coach's duties that the coach normally performs as a part of their employment on campus and the facility is available to all students. This legislation would not permit a coach to provide instruction while monitoring the facility, but would permit the coach to instruct a student-athlete to stop an activity that would be dangerous to the student-athletes or others.

Currently, observing enrolled student-athletes in nonorganized sport specific activities (e.g., "pick-up games") is considered an athletically related activity per Bylaw 17.02.1.1-(k). There is, however, an April 17, 2006, Educational Column in which it is stated that coaches can observe these activities if they are monitoring facilities in conjunction with their usual campus duties and the facilities are open to all students. Because this information is found within an education column and appears to be in conflict with Bylaw 17.02.1.1. (k), this exception should be set forth in the legislation to resolve the conflict. The subcommittee noted that it was appropriate to adopt the exception because personnel considerations put institutions in the difficult

position of having to choose between not providing proper oversight of facilities or violating NCAA legislation. While the subcommittee recognized that there is room for abuse with this legislation, ultimately this protects those institutions that are trying to act pursuant to the rules by providing them flexibility to manage their own facilities without unnecessary impediments created by NCAA legislation. The legislation should be noncontroversial based upon the existence of the educational column stating the exception and the reliance of the Division III membership upon that educational column since its release in 2006.

Presidents Council. No action was necessary.

(b) Official Subcommittee Positions on Membership- Sponsored Proposals for 2009 NCAA Convention.

Management Council. The Council reviewed the subcommittee's position on the following membership-sponsored proposals, noting positions are published with the proposal in the Legislative Services Database for the Internet (LSDBi) and the Official Notice for the 2009 Convention. See page 22-25 for further information.

- 2009 NCAA Convention Division III Proposal No. 1-4: Eligibility – Criteria for Determining Season of Eligibility - Minimum Amount of Participation – Competition During the Nontraditional Segment – Baseball, Field Hockey, Lacrosse, Soccer, Softball and Women's Volleyball.
- 2009 NCAA Convention Division III Proposal No. 1-5: Playing and Practice Seasons – General Playing Season Regulations – Required Days Off – All Sports – Conference and Postseason Tournaments.
- 2009 NCAA Convention Division III Proposal No. 1-6: Playing and Practice Seasons – Preseason Practice – Traditional Segment – Cross Country, Field Hockey, Golf, Rugby, Soccer, Tennis and Women's Volleyball.

Presidents Council. The Council noted the subcommittee's position on the membership-sponsored proposals for the 2009 Convention.

Staff Liaisons: Fuchs, Nesbitt

Council Reps: Wilson, Sitterly, Epps, Purnell, Chapman

(3) Subcommittee on Legislative Review.

- NCAA Division III Presidents and Management Councils' Directive Regarding Waivers of NCAA Bylaw 14.1.9 (graduate student/postbaccalaureate participation).

Management Council. The Council revised the directive establishing limited circumstances that allow a graduate student-athlete to participate when transferring to clarify that in situations

involving illness or injury, a student-athlete must present two years or more in which a incapacitating injury or illness prevented him or her from participating in intercollegiate athletics in order to be granted a waiver. In addition, to specify that documentation must be provided demonstrating that a physician diagnosed the student-athlete's injury or illness as incapacitating, and as a result, the student-athlete was unable to participate in athletics for the year in which the injury or illness was sustained.

Consistent with the positions of the Presidents and Management Councils and the Division III Philosophy Statement, the subcommittee believes that Division III intercollegiate athletics is primarily an undergraduate experience. The subcommittee does not believe that a transfer student-athlete who has missed only one year of participation has been deprived of the opportunity for meaningful undergraduate athletic participation; neither does the subcommittee believe that a transfer student-athlete who chooses not to participate after suffering a non-incapacitating injury or illness has been deprived of that opportunity. The subcommittee believes that clarifying the directive would provide better direction for both institutions and the subcommittee in the future.

Presidents Council. The Presidents Council approved the Management Councils recommendation.

d. Division III Committees.

(1) Championships Committee.

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

Staff Liaisons: Campbell, Williams

Council Reps: Resch, Malloy, Wiggs

Management Council. The Council adopted an administration 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 and tennis). All opponents (as opposed to just host institutions) shall be considered in the in-region opponent percentage.

In response to a referral from the Management Council, the NCAA Division III Men's and Women's Golf, Tennis and Cross Country Committees provided feedback regarding the process of tracking/counting an in-region requirement for at-large selections. With this feedback, the Championships Committee concluded that since the in-region requirement should ensure that Division III institutions are competing against a majority of in-region opponents, the calculation must include all opponents, and not just the hosts of individual/team sport competitions. The golf committees determined they could

extract the necessary data from the existing Golfstat program. The tennis committees indicated that it would be difficult to obtain the necessary data because no centralized score reporting system exists at this time. It should be noted, however, that the tennis committees are currently pursuing the establishment of a centralized score reporting system. It was determined that cross country would not need this data, because the regional round of the championship invites all Division III teams and the sport does not have at-large selections. Finally, delaying the effective date to August 1, 2009, would allow teams to adjust schedules to meet the 25 percent in-region criteria. It would also allow the tennis committee time to establish its score reporting system.

Presidents Council. No action was necessary.

(b) Minimum-Contest Requirement for Championships Participation.

Management Council. The Management Council amended championship selection policies to require that institutions meet minimum contest requirements in a sport to be eligible for NCAA championship competition in that sport. The minimum contest requirement shall be consistent with the minimums required for membership, as set forth in NCAA Division III Bylaw 20.11.3.5 unless the sport has established a higher minimum. The Championships Committee shall have the authority to waive this requirement for circumstances beyond an institution's control.

This proposal would make it easier on institutions and conferences to calculate minimum contests for both membership eligibility and eligibility for championships, effective August 1, 2009. It also links membership requirements with championships eligibility, which is consistent with the requirements for an institution to count as one of its conference's seven minimum members to be eligible for automatic qualification.

Presidents Council. No action was necessary.

(c) Travel Cost Management/Airline Capacity.

Management Council. John Williams, director of Division III Championships, spoke to the Council regarding travel cost management/airline capacity as it relates to future NCAA championships travel costs. In one year, the Association's championships travel costs have increased over 23%; Division III had an increase of approximately 8%.

The Championships Committee had considerable discussion on Tier One recommendation number one, which would revise championship

selection times to allow a minimum of 48 hours between selection releases to the time a team has to depart for the competition site. The committee drafted the following concept which it will forward to the sports committees for feedback by the Championships Committee's February meeting:

"A championship that starts its first contest on Wednesday would start the selection process on the previous Saturday at 6 p.m. and make its announcement on Sunday, effectively requiring that all regular season competition be completed by Saturday at 6 p.m. A championship that starts its first contest on Thursday or later in the week would start its selection process on the previous Sunday at 6 p.m. and make its announcement on Monday."

The Council also noted that the Championships Committee already has a policy in place that addresses the frequency of hosting championships at high-cost destinations. When reviewing sports committee bids, it is common practice to look at the future dates and sites chart to make sure that Division III is not sending two or more championships to high-cost destinations in the same year.

With regards to excluding Wednesday through Sunday of the Thanksgiving week as game or travel days, the committee approved on its last conference call that men's and women's soccer would move its championship finals to the week after Thanksgiving. With this move, it left only football that will participate on Thanksgiving weekend.

The committee also discussed the proposal to impose a moratorium on any new bracket expansion. The Championships Committee will continue to allow bracket expansion through the current structure as it relates to the 1:6.5 access ratio, with the maximum bracket size set at 64 teams, but agrees with the proposal in that it will not accept proposals from sports committees to increase bracket size for reasons other than membership growth.

The Management Council will receive an update on championships travel at its January meeting.

Presidents Council. The Presidents Council received a PowerPoint presentation from Joni Comstock; senior vice president for championships and Jim Isch, chief financial officer, regarding travel cost management. The Presidents Council requested that the Championships Committee review its selection principles in consideration of regular season travel expenses (e.g., do current selection policies discourage local competition and encourage longer trips?)

An update on championships travel will be presented at the January Presidents Council meeting.

(d) Championship Bench Size.

Management Council. The Management Council noted that the Championships and Sports Committees reconsidered a proposal to permit greater flexibility with championships bench sizes. In this discussion, it was discovered that sports are not consistently applying current bench size policies. The Championships Committee will enforce current bench size and squad size policies immediately. Further, the Championships Committee has endorsed for further review a revised bench size policy. That proposed policy is consistent across all team sports, and would state that the bench size shall start with the currently approved travel party size and allow the following additional individuals to be in the bench area:

- Outdoor Championships will permit five extra people (including two medical staff), except that Football will retain its current policy of 10 extra people (including two medical staff).

- Indoor Championships will permit three extra people (including two medical staff).

The medical staff positions can only be used by the institutions' medical staff, (i.e., if an institution only brings a trainer they cannot add a non-medical person to their bench party).

It was also noted that in Bylaw 31.1.5, student-athletes in uniform are not permitted on the bench beyond the squad size. There are currently two championships that are in violation of this bylaw and will be required to abide by this rule in spring of 2009.

The Championships Committee has asked the NCAA championship managers to take this back to their sports committees for their feedback on the proposed policy for its February meeting, targeting an effective date of fall 2009.

Presidents Council. No action was necessary.

(e) Championships Committee Position on IPOPL Number 8 – Executive Regulations – Selection of teams and Individuals for Championships Participation – Selection Criteria – Availability of Data Throughout Season.

Management Council. The Council reviewed the committee's position on this membership-sponsored proposal, noting the position will

be published with the proposal in the LSDBi and the Official Notice for the 2009 Convention. See page 22-25 for further information.

Presidents Council. The Council noted the committee's position on the membership-sponsored proposal for the 2009 Convention.

Staff Liaisons: Hartung, Myers, Nesbitt

Council Rep: McKinney

(2) Financial Aid Committee.

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

Presidents Council. No action was necessary.

Staff Liaisons: Cooper, Elworth

Council Rep: Wiggs

(3) Committee on Infractions

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

Presidents Council. No action was necessary.

Staff Liaisons: Jones, Myers, Fraser

Council Rep: Fulks

(4) Interpretations and Legislation Committee. (ILC)

(a) Official Interpretation – Coaches and Managers Serving as Practice Players.

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

Coaches and Managers Serving as Practice Players (III). The committee confirmed coaches and managers, who have eligibility remaining, may not participate as practice players with the institution's team if they are not eligible student-athletes per NCAA Bylaws 14.1.8.1 (requirement for practice) or 14.1.11 (male practice player eligibility). A coach or manager's role should be limited to performing coaching or managerial duties and not serving as a practice player under the guise of being a coach or manager. For example, a coach should perform coaching duties such as running practice drills, demonstrating a drill or technique, explaining game strategy or other distinctive coaching duties. [References: Bylaws 14.1.8.1 (requirement for practice) and 14.1.11 (male practice player eligibility), and an official interpretation (8/13/08, Item No. 4)]

This interpretation provides clarification on the general concept that coaches and managers may not be used as practice players. This is a particularly important issue because of the recent change in the male practice player legislation.

After approving this interpretation, the Council referred to ILC a request to further clarify the appropriate use of practice players.

Presidents Council. No action was necessary.

(b) Official Interpretation – Student-Managers and Student-Coaches Using a Season of Participation.

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

Student-Managers and Student-Coaches Using a Season of Participation (III). The committee confirmed that if a student-manager or a student-coach (regardless of gender or team) participates as a team member in practice or other physical activities during the timeframe set forth in Bylaw 14.2.4.1 (minimum amount of participation), the student would be charged with a season of participation. A student-coach or student-manager's role should be limited to performing coaching or managerial duties and not serving as a quasi-team member under the guise of being a coach or a manager. [Reference: Bylaw 14.2.4.1 (minimum amount of participation), and an official interpretation 8/13/08, Item No. 3].

This interpretation makes it clear that when student-coaches or student-managers (regardless of gender or team) step outside their managerial duties and participate in practice, they use a season of participation (provided they participate during the timeframe set forth in Bylaw 14.2.4.1). In particular, the committee decided it would be beneficial to clarify that an institution cannot effectively provide a "redshirt" year to a student-athlete merely by classifying them as a student-coach or a student-manager. This clarification is important to make because Division III does not have coaching limits within its legislation.

Presidents Council. No action was necessary.

(c) Official Interpretation – Shared Use of Facilities and Joint Practice Sessions.

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

Shared Use of Facilities and Joint Practice Sessions (III). The committee confirmed that two different institutions may use the same facility at the same time without the use of the facility constituting a joint practice session, and thus being required to count as a contest. The institutions must conduct their practices independently so as not to be considered a joint practice session. Factors that should be con-

sidered when determining if the practice sessions are being conducted independently include: (1) whether institutional personnel are working with and/or directing the activities of student-athletes from other institutions; (2) whether student-athletes are working with and/or against student-athletes from other institutions; and (3) whether student-athletes from more than one institution are engaging in the same or similar activity. [References: Bylaws 17.02.2 (contest) and 17.02.3 (contest, countable, institutional)].

This interpretation clarifies a common issue with Division III institutions sharing facilities for practice sessions, especially on extended road trips such as spring training trips.

Presidents Council. No action was necessary.

(d) Official Committee Position on Membership-Sponsored Proposals for 2009 NCAA Convention.

Management Council. The Council reviewed the committee's position on the following membership-sponsored proposals, noting positions are published with the proposal in the LSDBi and the Official Notice for the 2009 Convention. See page 22-25 for further information.

- 2009 NCAA Convention Division III Proposal No. 1-2: Recruiting – Tryout Exceptions – Facility Usage by Outside Organization.
- 2009 NCAA Convention Division III Proposal No. 1-3: Recruiting – Tryout Exceptions – Use of Facilities for Activities Related to a Nonsponsored Sport.
- 2009 NCAA Convention Division III Proposal No. 1-4: Eligibility – Criteria for Determining Season of Eligibility - Minimum Amount of Participation – Competition During the Nontraditional Segment – Baseball, Field Hockey, Lacrosse, Soccer, Softball and Women's Volleyball.

Presidents Council. The Council noted the committee's position on the membership-sponsored proposals for the 2009 Convention.

(5) Membership Committee.

Staff Liaison: Davey, Willett

Council Rep: Hall

(a) Noncontroversial Legislation – Conference Self-Study Guide (CSSG) – Single Sport Conferences.

Management Council. The Council adopted noncontroversial legislation within NCAA Constitution 3.3.4.6 (self-study report) clarifying that the CSSG requirement is a multi-sport conference requirement and not a single-sport conference requirement.

The intent of the CSSG requirement is that multi-sport conferences complete the CSSG once in five years. The committee also noted nearly all members of single-sport conferences are also part of multi-sport conferences and are completing a CSSG as part of this multi-sport affiliation. The committee finally noted single-sport conferences do not have the same privileges as multi-sport conferences and should not be required to complete a CSSG, while not reaping benefits, such as an NCAA Convention vote.

Presidents Council. No action was necessary.

(b) Noncontroversial Legislation – Conference Self-Study Guide (CSSG) – Due Date.

Management Council. The Council adopted noncontroversial legislation to align the CSSG due date in a similar manner to the institutional self-study guide (ISSG) legislation per Constitution 6.3.1.2 (failure to conduct the institutional self-study guide). This legislation establishes a grace period for conferences submitting their CSSGs.

The CSSG should be administered in the same manner as the ISSG. Consistency in policies and procedures allows for similar relief for conferences not submitting the self-study by the appointed due date. Therefore, should a conference miss its August 1 deadline, the conference will be afforded one year (e.g., August 1 of the following year) with which to complete its CSSG and submit its complete signature page to the NCAA national office. CSSGs will be considered late during that grace period, but no punitive action will be taken until the end of the grace period. The committee will track the conference's submission progress throughout the grace period. This is currently the ISSG policy and procedure and legislated per Constitution 6.3.1.2.

Presidents Council. No action was necessary.

(c) Noncontroversial Legislation – Provisional and Reclassifying Institutions – NCAA Bylaws 20.3.4.1 and 20.6.5.1 – Athletically Related Financial Aid Exception.

Management Council. The Council adopted noncontroversial legislation that allows for student-athletes no longer participating in intercollegiate athletics at provisional and reclassifying institutions to continue to accept athletically related financial aid as previously granted by the institution.

The committee noted, in its review of Bylaws 20.3.4.1 (athletically related financial aid exception) and 20.6.5.1 (athletically related financial aid exception), that no athletically related financial aid may be

given to any student following the completion of year two of the provisional or reclassification process. The committee noted many provisional institutions award aid for a period of four years and awards could have been made several years before the institution anticipated joining the NCAA and Division III. As a result of the aforementioned circumstances and the legislation, institutions would be forced to advise their currently enrolled upper-class student-athletes that they may no longer receive athletically related scholarship monies guaranteed them several years earlier. The committee considered the inherent student-athlete well-being principle and noted if the student-athlete no longer competed in athletics, the remaining scholarship funds could be administered. The student would have a choice to continue with his or her athletics career and no longer accept athletically related financial aid or accept the promised award and no longer participate in athletics at the institution.

Presidents Council. The Presidents Council requested that the Division III exploratory or provisional membership program incorporate a prior notice provision to explain this policy to the student-athletes that may face the choice between athletics participation and receipt of athletically related financial aid.

(d) Exploratory/Provisional Process Transition.

Management Council. The Council acknowledged the committee's report on exploratory/provisional process transition. It was noted there are currently seven institutions in the exploratory process for Division III and the Membership Committee annually accepts four institutions to the provisional process. As such, there may be institutions that are not accepted into the provisional process, yet these institutions may have already satisfied the Bylaw 20.3.1 (application standards) criteria. The committee discussed what should be asked in future years of the institutions that are not accepted into the provisional process and what guidance should be provided to these institutions moving forward.

The committee suggested institutions be required to submit an affirmation statement that all requirements remain true if application for the provisional process is made the following year. The deadline for this affirmation statement will remain consistent with the existing timeline and would need to be submitted by May 15. Additionally, the committee requested that an institution be provided with an opportunity to create an addendum to supply additional information to support its application to Division III, if warranted. The committee further noted these institutions are accountable for meeting sports sponsorship requirements in the year prior to provisional acceptance and must specifically certify this requirement. It was noted that communication to institutions not accepted into the provisional

process should include language articulating the pool of applicants is different each year and as such, a unique analysis is required to be performed with each class. The committee also considered providing feedback to institutions that are not accepted and identifying areas of concern. Also noted by the committee was its latitude to invite more than four institutions into the provisional process if it feels more should
be accepted.

Presidents Council. No action was necessary.

(6) Nominating Committee.

Staff Liaison: **Tufano**

Council Rep: Keeling

(a) Committee appointments and reappointments.

Management Council. The Management Council approved the following committee appointments and reappointments. Terms begin at the close of the 2009 NCAA Convention unless otherwise noted:

- Division III Management Council. William Klika, director of athletics, Fairleigh Dickinson University, Florham; Fredina Ingold, director of athletics/senior woman administrator, Pennsylvania State University, Altoona; John Krogman, faculty athletics representative/vice chancellor, University of Wisconsin, Platteville. [NOTE: John Krogman has since declined appointment to the Council, as he is leaving Division III.] The committee also recommends a one-year term extension for Rudy Keeling, commissioner, Eastern College Athletic Conference.
- Division III Financial Aid Committee. Reappoint Charles Edmonson, president, Alfred University (two-year term); Michael Hendricks, vice-president for enrollment, Catholic University.
- Division III Committee on Infractions. Dea Shipps, associate commissioner/senior woman administrator, Eastern College Athletic Conference.
- Division III Interpretations and Legislation Committee. Julie Muller, commissioner, North Atlantic Conference.
- Division III Membership Committee. Rubin Stevenson, associate director of athletics, Frostburg State University.
- Division III Strategic Planning and Finance Committee. (Immediate vacancy replacing Diane Torres): David Neilson, commissioner, Michigan Intercollegiate Athletic Association.

- Division III Student-Athlete Reinstatement Committee. Alice Kemnitz, senior woman administrator, King's College (Penn-

sylania). Reappoint Danny Miller, director of compliance, Averett University.

Presidents Council. The Presidents Council approved the Management Council's recommendation for committee appointments and reappointments.

(b) NCAA Committee Gender and Ethnic Diversity Report.

Management Council. The Council received a report from the Nominating Committee that it reviewed the September 2008 NCAA Committee Gender and Ethnic Diversity Report (Attachment). The committee noted the disparity between the Division III male to female ratio of student-athletes (40 percent male/60 percent female) to the ratio of male to female committee members (62 percent male/38 percent female). The committee also noted the low percentage of ethnic minority committee members (11 percent) in the Division III structure. The committee discussed the issue with a broader focus on the lack of women and minorities in athletics administration at Division III institutions. The committee:

i. Identified the following committees to focus on increasing women and minority participation – Division III Football Committee, Division III Men's and Women's Track and Field Committee, Division III Women's Volleyball Committee, and Division III Women's Ice Hockey Committee.

ii. Expressed concern regarding the lack of women and minorities pursuing careers in athletics. The committee urges the NCAA to conduct research into the reason for the decline in athletics careers. The committee cited possible reasons as a perception of higher incomes outside of athletics and work/life balance issues.

The committee also recommends that the NCAA conduct an Association-wide initiative for institutions to encourage careers in athletics.

The committee also recommended the following actions to help educate the membership on committee service opportunities:

i. NCAA News article encouraging committee service.

ii. Presentations/distribution of materials at affiliated members meetings (e.g., BCAA, NACDA, MOAA, NACWAA, coaches' association meetings).

Presidents Council. The Presidents Council requested that this item be highlighted on a future Presidents Council agenda for strategic

consideration. The Presidents Council also requested that it receive the Coaching Gender Report at a future meeting.

(c) Failure to comply with conditions and obligations of membership.

Management Council. The Management Council acknowledged that the Nominating Committee acted on the referral from the July Management Council meeting to consider whether any action should be taken by the committee regarding nominations from institutions that have failed to comply with any Division III conditions of membership or other significant standards. The committee recommended that a revision be made to committee's policies and procedures document to reflect that failure to comply with such requirements would be taken into consideration when reviewing nominees.

Presidents Council. No action was necessary.

Staff Liaisons: MacInnis, Davey, Montgomery

Council Rep: Snell Wolf

(7) Student-Athlete Advisory Committee.

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

Presidents Council. No action was necessary.

Staff Liaisons: Groddy, Teixeira

Council Rep: Whitley

(8) Student-Athlete Reinstatement Committee.

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

Presidents Council. No action was necessary.

4. PROPOSED LEGISLATION FOR THE 2009 CONVENTION.

a. 2009 NCAA Convention – Tentative Proposal Groupings.

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

Management Council. The Management Council approved the following proposal groupings and voting order for the 2009 Convention:

Presidents Council. The Presidents Council approved the proposal groupings and voting order for the 2009 Convention as recommended by the Management Council:

Presidents Council Grouping (10 Roll-Call Votes)

1 (2-11) Playing and Practice Seasons – Foreign Tours – Sanctioned Outside – Team Tours.

2 (2-6) Playing and Practice Seasons – Athletically Related Activities - Specific Workout Programs.

3 (2-9) Playing and Practice Seasons – Preseason Practice – Traditional Segment – Cross Country, Field Hockey, Golf, Rugby, Soccer, Tennis and Women's Volleyball.

4 (2-10) Playing and Practice Seasons – Ice Hockey – Preseason Practice - October 15.

5 (2-7) Playing and Practice Seasons – General Playing Season Regulations – Required Days Off – All Sports – Conference and Postseason Tournaments.

6 (2-5) Eligibility – Criteria for Determining Season of Eligibility – Minimum Amount of Participation – Competition During the Nontraditional Segment – Baseball, Field Hockey, Lacrosse, Soccer, Softball and Women's Volleyball.

7 (2-4) Division Membership – Definitions and Applications – Emerging Sports for Women – Removal of Archery, Badminton, Synchronized Swimming, Team Handball From List of Emerging Sports for Women and Addition of Equestrian to List of Emerging Sports for Women.

8 (2-12) Executive Regulations – Selection of Teams and Individuals for Championships Participation – Selection Criteria – Availability of Data Throughout Season.

9 (2-1) Personnel – Conduct of Athletics Personnel – Sports-Safety Training.

10 (2-3) Recruiting – Tryout Exceptions – Facility Usage by Outside Organization.

General Grouping (Two Non-Roll Call Votes)

11 (2-2) Recruiting – Tryout Exceptions – Use of Facilities for Activities Related to a Nonsponsored Sport.

12 (2-8) Playing and Practice Seasons – End of Regular Season – All Sports with a Fall Nontraditional Segment.

b. **2009 Division III Convention Proposal Positions Speaker Assignments.** The Councils reviewed responsibilities associated with Convention proposal speaking assignments and after review of committee statements, took formal positions on membership sponsored proposals.

- **CON-3 – Playing and Practice Seasons – Preseason Practice - Traditional Segment – Cross Country, Field Hockey, Golf, Rugby, Soccer, Tennis and Women's Volleyball**.

  Presidents Council. The Council opposed this proposal.

  Management Council. The Council opposed this proposal. The Council noted that this would have an impact on part-time staff members who work other jobs, as well as an institution's ability to host campus events beyond August 15.

  Playing and Practice Seasons Subcommittee. The subcommittee opposed this proposal. The subcommittee noted that the current process for determining

the first permissible practice date provides a formula that is equitable to all institutions regardless of differing academic calendars. Standardizing the date at August 15th would have an unfavorable financial impact on institutions by lengthening the preseason and upon the student-athletes by decreasing their summer employment opportunities.

SAAC. The committee informally took no position on this proposal (official position not available until November); however, the committee considered the idea that a fixed date could allow for additional days that the current formula does not allow for in certain scenarios. The committee also noted that passage of this proposal could mean that some teams get a longer preseason than others. The committee finally noted that a couple of days make a difference when a student-athlete is returning from traveling abroad, completing a summer internship or finishing a summer job. Despite these considerations, the committee took no position and intends to communicate with the broader student-athlete population on this issue and receive feedback prior to its November meeting.

- **CON-5 – Playing and Practice Seasons – General Playing Season Regulations – Required Days Off – All Sports – Conference and Postseason Tournaments.**

  Presidents Council. The Council opposed this proposal.

  Management Council. The Council opposed this proposal.

  Playing and Practice Seasons Subcommittee. The subcommittee opposed this proposal. The committee feels it is not in the student-athlete's best interest to extend the potential weeks in which there would not be a required day off. Additionally, the subcommittee recognized that conference tournaments are not as unpredictable as NCAA championships and therefore the same rationale that allows the exception for NCAA championships does not apply to conference tournaments.

  SAAC. The committee informally opposes this proposal (official position not available until November). In its consideration, the committee cited student-athlete well-being. The committee noted a need to have a day off to allow student-athletes' bodies to recover from weekly rigors. This day off allows the body to regenerate itself, and there is no distinction between a regular season week and conference championship week when it comes to recovery. The committee further noted consistency is best especially during the time of the academic year when championships are conducted.

- **CON-6 – Eligibility – Criteria for Determining Season of Eligibility – Minimum Amount of Participation – Competition During the Nontradi-**

tional Segment – Baseball, Field Hockey, Lacrosse, Soccer, Softball and Women's Volleyball.

Presidents Council. The Council supports this proposal noting that the non-traditional segment functions primarily as a tryout opportunity.

Management Council. The Council supports this proposal.

ILC. The committee took no position. The committee felt the governance structure had previously adjusted the legislation in this area and since that time, there had been movement to change the legislation back to its original form. The committee noted this proposal essentially completes that return to original form, and felt the membership would need to determine on its own its desire for that return.

Playing and Practice Seasons Subcommittee. The subcommittee supports this proposal. The subcommittee noted that the nontraditional segment is primarily a time for teaching and providing tryouts for students interested in athletics participation. The one date of competition is an integral part of this process. Additionally, the subcommittee believed that the one date of competition should be treated the same as a preseason scrimmage in the traditional segment. Finally, the subcommittee noted that the nontraditional segment was also an opportunity for the student-athlete to determine if they ultimately wanted to participate with the team and the student-athlete should be permitted to explore this opportunity without being charged an entire year of participation for just one game in the nontraditional segment.

SAAC. The committee informally supports (official position not available until November) this proposal. In its consideration, the committee cited no competitive advantage would be gained by any one institution or team since all institutions may use the allowance. The committee also noted that student-athletes injured in their traditional segment should be allowed the one date of competition in the nontraditional segment to be reacquainted with competition.

- **CON 8 – Executive Regulations – Selection of Teams and Individuals for Championships Participation – Selection Criteria – Availability of Data Throughout Season.**

Presidents Council. The Council opposed this proposal and noted that the Colonial States Athletic Conference withdrew their sponsorship of the proposal.

Management Council. The Council opposed this proposal. The Council noted concern with both how the information would be used and shared and also with the cost of implementing this proposal.
Championships Committee. The committee opposed this proposal. The committee believes that by having access to this raw data without the privi-

lege of hearing all of the discussions that respective sports committees engage in during their ranking and selection sessions, the membership would not be equipped with all of the necessary information that the committees have, which impact the decisions that the committees make.

- **CON 10 – Recruiting – Tryout Exceptions – Facility Usage by Outside Organization.**

  Presidents Council. The Council supports this proposal.

  Management Council. The Council supports this proposal. It was noted that this change makes it easier for institutions to conduct events that are largely being done as fundraisers. The Council also noted that they do not see any advantage gained by any schools with having these types of events since the proposal excludes the institution from promoting the event or soliciting individual prospects to participate in the event.

  ILC. The committee took no position on this proposal. Noting the need for broader tryout exceptions in this area, the committee expressed concern that the language of this proposal could create confusion.

- **CON 11 – Recruiting – Tryout Exceptions – Use of Facilities For Activities Related to a Nonsponsored Sport.**

  Presidents Council. The Council supports this proposal.

  Management Council. The Council supports this proposal.

  ILC. The committee supports this proposal. It felt that the proposal provides a logical exception to the tryout rule and could be a benefit to Division III institutions that wish to host various types of fundraising events.

[NOTE: In review of CON 2 – Playing and Practice Seasons – Athletically Related Activities – Specific Workout Programs, the Presidents Council referred to the Playing and Practice Seasons Subcommittee a request to consider the safety and well-being issues related to captain's practices.]

c. **Noncontroversial Legislation for 2009 Convention.** Noncontroversial proposals numbers one through 15 have already been approved and are ready for consideration at Convention.

- **NC-16 – Legislative Process – Other Legislative and Amendment Procedures – Interpretation Process – Staff Interpretation**.

  Management Council. The Management Council adopted in legislative format a proposal to specify that a staff interpretation that has been reviewed and approved by the Interpretations and Legislation Committee shall be binding on all institutions on publication to the membership.

Presidents Council. No action was necessary.

- **NC-17 – Eligibility – Definitions and Applications – Education-Impacting Disability.**

  Management Council. The Management Council adopted in legislative format a proposal to establish a definition of "education-impacting disability" as a current impairment that has a substantial educational impact on a student's academic performance; further, to replace all legislative references of "learning disability" to "education-impacting disability."

  Presidents Council. No action was necessary.

- **NC-18 – Eligibility – Seasons of Participation: 10-Semester/15-Quarter Rule – 10-Semester/15-Quarter Extension Request – Practice While Waiver is Pending.**

  Management Council. The Management Council referred back to the Student-Athlete Reinstatement Committee its proposal to eliminate the 30 consecutive-calendar day limitation for practice once an institution has filed a 10-semester/15-quarter extension waiver request. In its referral, the Council requested the committee clarify the eligibility status of the student-athlete during appeal of a waiver decision.

  Presidents Council. No action was necessary.

- **NC-19 – Eligibility – Hardship Waiver – Criteria for Administration of Hardship Waiver – Medical Documentation – Chiropractor Records.**

  Management Council. The Management Council adopted in legislative format a proposal to specify that chiropractic records do not constitute medical documentation for purposes of administering a hardship-waiver request.

  Presidents Council. No action was necessary.

- **NC-20 – Playing and Practice Seasons – General Playing-Season Regulations – Required Days Off – Multisport Student-Athlete.**

  Management Council. The Management Council adopted in legislative format a proposal to specify that all athletically related activities shall be prohibited during one calendar day per week for every student-athlete, regardless of the number of sports in which a student-athlete participates. The Council delayed the effective date of this proposal to August 1, 2009, to facilitate the adjustment of practice schedules, if necessary.

  Presidents Council. No action was necessary.

- **NC-21 – Championships – Criteria For Establishment or Continuation of Championships – Minimum Sponsorship for Championships – Women's Sports.**

  Management Council. The Management Council adopted in legislative format a proposal to specify that a National Collegiate Championship or a division championship may be established in a women's sport if at least 40 institutions sponsor the sport.

  Presidents Council. No action was necessary.

d. **Administrative Regulations for 2009 Convention.** Administrative regulations numbers one through three have already been adopted and are ready for consideration at Convention.

- **ADM-4 – Executive Regulations – Definitions and Applications - Misconduct.**

  Management Council. The Management Council adopted in legislative format a proposal to specify that misconduct in an NCAA championship is any act of dishonesty, unsportsmanlike conduct, unprofessional behavior or breach of law, occurring from the time the championship field is announced through the end of the championship that discredits the event or intercollegiate athletics.

  Presidents Council. No action was necessary.

- **ADM-5 – Executive Regulations – Team Sport Championship - Countable In-Region Competition – Conference Competition.**

  Management Council. The Management Council adopted in legislative format a proposal to specify that for team sport championships selection purposes, conference competition is countable as in-region competition.

  Presidents Council. No action was necessary.

- **ADM-6 – Executive Regulations – National Statistics Program – Policies and Procedures.**

  Management Council. The Management Council adopted in legislative format a proposal to specify that the Management Council shall oversee the national statistics program and approve its policies and procedures; further, to remove the specific policies and procedures from the Division III Manual and specify that they shall be published on the NCAA Web site.

  Presidents Council. No action was necessary.

e. **Modifications of Wording for 2009 Convention.**

Management Council. No action was necessary.

Presidents Council. No action was necessary.

f. **Incorporations of Interpretations for 2009 Convention.** Incorporation of Interpretation I-1 has already been approved by the Management Council and is ready for ratification at the Convention.

- **I-2 – Recruiting – Contacts and Evaluations – Contact Restrictions at Practice or Competition Site – Contact with Prospective Student-Athlete During Tournament or on an Extended Road Trip.**

Management Council. The Management Council adopted in legislative format the following Incorporation into the manual:

> 13.1.1.1.1. Contact by Coach Employed in Admissions Office. It is permissible for a coach who is employed in the admissions office of the institution to be involved in off-campus admissions programs directed at prospective students in general, provided contact made with a prospective student-athlete prior to the completion of his or her junior year in high school is not for the purpose of athletics recruitment (e.g., athletics recruiting presentation).

Presidents Council. No action was necessary.

5. 2009 SOLICITATION OF ASSOCIATION-WIDE AND DIVISION III COMMITTEE/SUBCOMMITTEE ASSIGNMENTS.

Management Council. The Management Council reviewed the draft document of the Committee/Subcommittee assignments for 2009. A conference call will be held in December to determine new assignments.

Presidents Council. The Presidents Council reviewed the draft document of the Committee/Subcommittee assignments for 2009. Presidents Trible and Harris will review the draft of new assignments via e-mail.

6. MEMBERSHIP COMMUNICATION – WHITE PAPERS ON MEMBERSHIP GROWTH.

Management Council. The Management Council reviewed the Conference Meeting schedule and discussed feedback to date on the White Papers, outlining key issues related to the growth of Division III. No action was necessary.

Presidents Council. The Presidents Council considered recent feedback on the White Papers and its communication strategy for the Convention. Regarding the White Papers, President Brand shared his perspective that the papers represent a step forward into conversation on the

substantive issues brought to light in the examination of structural options for the division to address membership growth and diversity.

President Brand warned the Presidents Council to be careful of competitive urges that push the boundaries of the core Division III philosophy and continue to uphold the Division III student-athlete as a student first and foremost. He noted that the division is well positioned, in that its current philosophy works so well.

Turning to Convention communication strategy, the Presidents Council emphasized its' intent to keep early, detailed discussions at the presidential level. The membership presentation in the business session should report on that presidential perspective, as well as a timeline for future discussions.

In specifically considering the issue of presidential leadership from the first White Paper, the Presidents Council noted its desire to be less involved in legislative details and more strategic in its work. The division should consider whether it wants to give up the Town Hall style of governance and move to a more representative structure. The Council seeks to examine Convention schedules that could limit presidential attendance to one day, or even to highlight every second or third Convention for presidential issues.

The Council also endorsed in concept the development of a marketing initiative to share the many positive aspects of Division III. The effort should emphasize the Division III philosophy, which was strongly endorsed in the recent membership survey, and focus on related efforts to educate both internal and external constituents.

7. DRUG EDUCATION AND TESTING PILOT UPDATE.

Management and President Councils. The Councils received an update by Eric Hartung, associate director of research for Division III, on the drug education and testing pilot.

8. ASSOCIATION-WIDE UPDATE AND ISSUES.

a. Governmental Relations Report.

Management and President Councils. The Councils accepted the Government Relations Report. No action was necessary.

b. Litigation Update.

Management and President Councils. The Councils accepted the litigation update. No action was necessary.

c. Conflict of Interest Policy.

Management and President Councils. The Councils received an update regarding the policy noting that each Council member will be required to electronically acknowledge the new policy and declare any conflicts of interest. No other action was necessary.

d. New NCAA Scholarship.

Management and President Councils. Delise O'Meally updated the Councils regarding a new NCAA scholarship. The Jim McKay scholarship will issue two awards annually in the amount of $10,000 to individuals that show potential to make an impact in the field of sports broadcasting. Application deadline is January 15, with the winner announced in April. No action was necessary.

e. New NCAA Facility.

Management and President Councils. Bernard Franklin updated the Councils on the NCAA's exploration of a new facility. Need for additional space was generated by an expansion of the staff, including the creation of the NCAA Eligibility Center. Planning for facility expansion will explore the creation of an NCAA campus and an increase of in-house conference space. Groundbreaking could occur in April 2009.

f. Lack of Diversity in Athletics Administrative Positions.

Management and President Councils. Bernard Franklin reported that MOIC reviewed a report that dispelled the concern that the NCAA was recycling committee members of color. What remains of great concern is the lack of persons of color in campus positions that feed into the NCAA governance structure. The NCAA needs to embrace this issue for all three divisions and will begin to engage committees on how best to address this situation. The national office has also been charged with reviewing existing diversity-related programs for efficacy and reach.

g. Presidents Report.

Presidents Council. President Brand addressed the Council on the current financial challenges facing the nation, noting that while the broadcasting of sports (and therefore the main source of NCAA revenue) seems less effected than other sectors of the economy, higher education as a whole will be impacted by this crisis.

President Brand also updated the Presidents Council on his recent trip to China, a nation that would like to shift away from its previous system of raising elite athletes in sports academies that lack formal education. China is looking at the NCAA model as it plans to incorporate health, fitness and athletics into its education system. The

NCAA is considering an exchange partnership with China, where NCAA basketball teams would visit China in the pre or post season and will engage in education about the country. In future years, Chinese teams may visit the United States, and if successful, this program may be expanded to other sports. This international venture is a breakthrough for the Association.

h. Data Sharing.

Management and President Councils. The Councils received an update on behalf of the NCAA's Data Sharing Working Group. As a follow-up to the Academic Colloquium at the 2008 Convention, where researchers raised concern over the lack of access to NCAA data, the NCAA formed a working group to construct a plan to better share this data. The priorities of the working group are to maintain confidentiality of research subjects, to establish a prompt, efficient system to respond to requests, and to effectively manage the costs of any data sharing system. It is expected that the plan will be unveiled at the 2009 Convention. No action was necessary.

9. OTHER BUSINESS.

a. Student-Athlete Nutrition Resources.

Management Council. The Management Council reviewed results of an NCAA Student-Athlete Advisory Committee (SAAC) initiated study regarding student-athlete nutrition, a brief overview of the July focus group conducted on this topic as well as the list of currently available NCAA nutrition resources. The Management Council referred this issue to SAAC requesting that it be provided with a subject matter expert for its deliberations on this issue as well as all of the resources presented to the Management Council. The SAAC should determine the best course of action for the division based on recent research findings (e.g., best practices guide, greater focus in the Strategic Initiative Conference Grant Program, better promotion of existing resources, policy recommendations in the area of per diem, etc.). This topic will be discussed further during the joint MC/PC/SAAC breakfast at the 2009 Convention.

Presidents Council. No action was necessary.

b. Overlap of Waiver Requests Between the Division III Student-Athlete Reinstatement Committee (SAR) and Academic Issues Subcommittee.

Management Council. As a follow-up to the Management Council's request that the NCAA ensure that the Student-Athlete Reinstatement Committee (SAR) is aware of less than full-time enrollment waivers granted by the Academic Issues Subcommittee (AIS) when granting clock extensions, the staff updated the Council on the new

waiver database that will present an individual's waiver history to the staff member considering the subsequent waiver request. Further, the less than full-time enrollment waiver letter issued by AIS shall explain that the term in question does count against the individual's 10-semester eligibility clock.

10. ADJOURNMENT.

Management Council. The Management Council meeting adjourned at 10 a.m. Tuesday, October 21.

Presidents Council. The Presidents Council meeting adjourned at 12:22 p.m.