A G E N D A

National Collegiate Athletic Association

Division III Management Council

Grand Hyatt Denver
Denver, Colorado

July 20-21, 2009

1. Announcements.

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

3. Review of Summary and minutes.

   a. Summary of Spring 2009 Quarterly Meetings. (Approval)

   b. April 30, 2009, Executive Committee meeting. (Informational)

   c. May 26, 2009, Administrative Committee actions. (Approval)

4. Committee/subcommittee reports.

   a. Association-wide committees.

      (1) Committee on Competitive Safeguards and Medical Aspects of Sports. (Kris Hall)

      (2) Honors Committee. [Supplement No. 1] (Bill Klika)

      (3) Minority Opportunities and Interests Committee. (Rudy Keeling)

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

      (5) Postgraduate Scholarship Committee. [Supplement No. 2] (Chapman)

(6) Research Committee. (Lisa Marsh Ryerson)

(7) Committee on Sportsmanship and Ethical Conduct. [Supplement No. 3 will be distributed at the meeting] (Fredina Ingold)

(8) Walter Byers Scholarship Committee. [Supplement No. 4] (Jack Ohle)

(9) Committee on Women's Athletics. [Supplement No. 5] (Lynn Oberbillig)

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

(1) Convention-Planning Subcommittee. [Supplement No. 6] (Ingold)

(2) Infractions Appeals Subcommittee. [Supplement No. 7 will be distributed at the meeting] (Kareti)

(3) Strategic-Planning and Finance Committee. [Supplement No. 8] (Oberbillig)

(a) Division III budget. [Supplement No. 8a]
(b) 2008-09 draft annual report. [Supplement No. 8b]
(c) Division III Strategic Plan. [Supplement No. 8c]

c. Management Council subcommittees.

(1) Academic Issues Subcommittee. [Supplement No. 9] (Hall)

(2) Playing and Practice Seasons Subcommittee. [Supplement No. 10] (Chris Martin)

(3) Subcommittee for Legislative Relief. [Supplement No. 11] (Chapman)

d. Division III committees.

(1) Championships Committee. [Supplement No. 12] (Jeff Martinez)

(2) Financial Aid Committee. (Lee McKinney)

(3) Committee on Infractions. (Mary Jo Gunning)

(4) Interpretations and Legislation Committee. [Supplement No. 13] (Dan Fulks)

(5) Membership Committee. [Supplement No. 14] (Hall)

(6) Nominating Committee. (Keeling)

(7) Student-Athlete Advisory Committee. [Supplement No. 15 will be distributed at the meeting] (Brooks Royer and Erin Wojtkun)

(8) Student-Athlete Reinstatement Committee. [Supplement No. 16] (Gunning)

5. Proposed legislation for the 2010 NCAA Convention.

a. Review of membership-sponsored legislation. [Supplement No. 17 will be distributed at the meeting]

b. Review of governance-sponsored legislation. [Supplement No. 18]

c. Review of noncontroversial legislation adopted by the Management Council per Constitution 5.3.1.1.1. [Supplement No. 19]

d. Review of administrative regulations adopted by the Management Council per Constitution 5.2.3.1. [Supplement No. 20]

e. Review of modifications of wording adopted by the Management Council per Constitution 5.4.1.1.1. [Supplement No. 21]

f. Review of incorporations of interpretations adopted by the Management Council per Constitution 5.4.1.1.1. [Supplement No. 22]

6. Chair and vice-chair elections. [Supplement No. 23]

7. Division III issues.

a. Division III Identity Initiative. [Supplement No. 24]

b. Presidential leadership. [Supplement No. 25]

c. Academic reporting.

d. Drug education and testing. [Supplement No. 26 will be distributed at the meeting]

e. Virtual Focus Group communication. [Supplement No. 27]

8. Association-wide update and issues.

a. Governmental relations report. [Supplement No. 28 will be distributed at the meeting]

b. Litigation update. [Supplement No. 29]

9. Other Business.

- Division III Management Council Policies and Procedures update. [Supplement No. 30]

10. Adjournment.

SUMMARY OF SUMMER 2009 QUARTERLY MEETINGS
The National Collegiate Athletic Association

Division III Management Council **July 20-21, 2009** **Denver, Colorado**	**Division III Presidents Council** **August 6, 2009** **Indianapolis, IN**
PARTICIPANTS	
Kitty Baldridge, Gallaudet University Susan Chapman, Worcester State College Daniel Fulks, Transylvania University [*vice chair*] Kristen Hall, Bard College Fredina Ingold, Pennsylvania State University, Altoona Rudy Keeling, Eastern College Athletic Conference Bill Klika, Fairleigh Dickinson University, Florham Lisa Marsh Ryerson, Wells College Chris Martin, College Conference of Illinois & Wisconsin Jeff Martinez, University of Redlands Lee McKinney, Fontbonne University Lynn Oberbillig, Smith College *[chair]* Jack Ohle, Gustavus Adolphus College Garnett Purnell, Wittenberg University Charlyn Robert, Nichols College Christopher (Brooks) Royer, Rhodes College Joan Sitterly, State University College at Cortland Erin Wojtkun, Christopher Newport University	Livingston Alexander, University of Pittsburgh, Bradford Kendall Baker, Ohio Northern University James Bultman, Hope College F. Gregory Campbell, Carthage College Daniel Fulks, Transylvania University *[vice chair of Management Council]* James Harris, Widener University *[vice chair]* Catharine Hill, Vassar College David Joyce, Ripon College Lynn Oberbillig, Smith College *[chair of Management Council]* Kathleen Owens, Gwynedd-Mercy College James Schmotter, Western Connecticut State University Ron Thomas, University of Puget Sound Paul Trible, Christopher Newport University *[chair]*
ABSENTEES	
Mary Jo Gunning, Marywood University (participated in portions of the meeting via teleconference) Jack Ohle, Gustavus Adolphus College – Tuesday, July 21 only	Robert Antonucci, Fitchburg State College Pamela Gann, Claremont McKenna-Harvey Mudd-Scripps Colleges Marcia Keizs, York College/CUNY
OTHER PARTICIPANTS	
Jack Copeland, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Eric Hartung, NCAA Jeff Jacobs, Relish Jay Jones, NCAA Leah Nilsson Kareti, NCAA Jennifer Kearns, NCAA Debbie Kresge, NCAA, *recording secretary* Delise O'Meally, NCAA Jeff Myers, NCAA Mark Tschaggeny, NCAA	Rachel Newman Baker, NCAA Elsa Cole, NCAA Jack Copeland, NCAA Dennis Cryder, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Bernard Franklin, NCAA Eric Hartung, NCAA Jeff Jacobs, Relish Jay Jones, NCAA Leah Nilsson Kareti, NCAA Jennifer Kearns, NCAA Debbie Kresge, NCAA, *recording secretary* Leilana McKindra, NCAA Delise O'Meally, NCAA Jeff Myers, NCAA Jo Jo Rinebold, NCAA Justin Sheridan, NCAA

1. WELCOME AND ANNOUNCEMENTS.

Management Council. The meeting was called to order at 8 a.m. by the chair, Lynn Oberbillig. The chair welcomed Council members and Brooks Royer, the new Council representative from the Student-Athlete Advisory Committee (SAAC).

Presidents Council. The meeting was called to order at 8:03 a.m. by the chair, President Paul Trible. The chair welcomed Council members and acknowledged the work of the Presidents and Chancellors Advisory Group (PAG) the evening before.

2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.

a. Management Council Meeting – July 20-21, 2009.

Management Council. The Management Council approved the summary of its April 20-21, 2009, meeting as presented.

Presidents Council. No action necessary.

b. Presidents Council Meeting – August 6, 2009.

Management Council. The Management Council reviewed the summary of the April 30, 2009, Presidents Council meeting. No action was necessary.

Presidents Council. The Presidents Council approved the summary of its April 30, 2009, meeting as presented.

c. Executive Committee Meeting—April 30, 2009.

Management Council. The Management Council reviewed the minutes of the April 30 Executive Committee meeting. No action was necessary.

Presidents Council. The Presidents Council reviewed the minutes of the April 30 Executive Committee meeting. No action was necessary.

d. Administrative Committee Actions.

Management Council. The Management Council approved the minutes of the May 26, 2009, Administrative Committee actions.

Presidents Council. The Presidents Council approved the minutes of the May 26, 2009, Administrative Committee actions.

3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.

a. Association-Wide and Common Committees.

Staff Liaisons: Klossner Wilfert

Council Rep: Hall

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

Management Council. The committee had no formal report.

Presidents Council. No action was necessary.

Staff Liaison: Tufano

Council Rep: Klika

(2) Honors Committee.

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

Presidents Council. No action was necessary.

Staff Liaisons: Arthur, Bracken, Thompson

Council Rep: Keeling

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

Management Council. The Management Council received an oral report. No action was necessary.

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.

Presidents Council. No action was necessary.

Staff Liaison: Strum

Council Rep: Chapman

(5) Postgraduate Scholarship Committee.

Management Council. The Management Council reviewed the committee's report, noting the desire to see the breakdown of awards received by division. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison: Bracken

Council Rep: Ryerson

(6) Research Committee.

Management Council. The committee had no formal report.

Presidents Council. No action was necessary.

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

Council Rep: Ingold

(7) Committee on Sportsmanship and Ethical Conduct.

Management Council. The Management Council reviewed the committee's report and acknowledged the committee's position on the NCAA's championships policy related to sports wagering. The Council took action on that policy in conjunction with the Championships Committee report. [See Page No. 12]

Presidents Council. No action was necessary.

Staff Liaison: Vicente

Council Rep: Ohle

(8) Walter Byers Scholarship Committee.

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

Presidents Council. No action was necessary.

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

Council Rep: Oberbillig

(9) Committee on Women's Athletics (CWA).

Management Council. The Management Council reviewed the committee's report and formally requested that CWA survey the interest of Division III members in sponsoring sand volleyball.

The Council received an update on the Woman of the Year Program and was reminded that the awards dinner is the night before the October Management Council meeting.

Presidents Council. No action was necessary.

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

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

Council Reps: Ingold, Gregory Owens, McKinney, Robert, Sitterly Wojtkun

(1) Convention-Planning Subcommittee.

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

(a) Delegates Reception. The Delegates Reception will be held Thursday from 5:30 to 7 p.m., following the opening Business Session.

(b) Honors Celebration. The Honors Celebration will be a formal program Friday evening following conference meetings.

(c) Scholarly Colloquim. The Council expressed concern about the colloquium meeting during the week where faculty attendees would incur missed class time, and noted that a weekend schedule would likely boost attendance.

(d) Consideration of future Convention formats. The Council reviewed the subcommittee's consideration of future Convention formats that would further condense the presidential meeting schedule and better promote presidential engagement in the legislative process. Ideas raised by the subcommittee include:

- Establish a 24-hour presidential schedule that may include a morning issues forum, afternoon conference meetings, and evening business session. It remains important to allow time for conference discussion of legislative matters, but if this idea is to move forward, conferences should be polled to determine how many are using the Convention meeting to establish or refine positions on legislative proposals, and how many are conducting other business. Further, as a related issue, it should be explored whether or not conferences would ever consider giving up their Convention meetings.
- Shortening the schedule may alleviate financial concerns for all delegates, especially noting the requirement for each Division III institution to be represented at the business session.
- The Convention schedule should be more flexible to allow later revision based on a larger or smaller legislative load.
- There may be an opportunity to encourage people to attend the honors dinner if it directly follows conference meetings.
- Conference meetings are a critical part of SAAC's communication and outreach effort with each member's own and partner conference.

The Council will poll the Division III Commissioners Association and the Presidents Council about the effectiveness of conference meeting time at the Convention.

(e) Division III Governance Sessions. The Council approved the tentative agendas for Division III Governance Sessions. (See Page No. 6 for revisions approved by the Presidents Council)

- Division III Issues Forum.
  - 2010 legislative proposals.
  - Presidential leadership.
  - Drug education and testing pilot.

- Presidents and Chancellors Luncheon and Forum.
  - 2010 legislative proposals.
  - Presidential leadership.
  - Division III identity initiative.
  - Academic reporting pilot.

- Senior Administrator with Athletics Oversight.
  - Presidential leadership.
  - Division III identity initiative.
  - Academic reporting pilot.
  - Best practices review.

- Presidents Council hosted reception.
  - Emphasis on open informal dialogue with Division III presidents and chancellors, with an invitation to the national SAAC.

- Business Session.
  - Division III identity initiative.
  - Voting – 2010 legislative proposals.
  - Academic reporting pilot.

The Council expressed concern about saving the identity initiative presentation until the very end of the Convention, and requested that the Presidents Council discuss the best timing for this topic.

Presidents Council. The Council reviewed the committee's report and recommended the following change to the schedule for Division III Governance Sessions, placing emphasis on discussion regarding the Division III identity initiative.

(a) Division III Issues Forum.
- Division III identity initiative.
- 2010 legislative proposals (Questions and Answers).

(b) Presidents and Chancellors Luncheon and Forum.
- Division III identity initiative.
- Presidential leadership.
- 2010 legislative proposals.

(c) Senior Administrator with Athletics Oversight.
- Division III identity initiative.
- Presidential leadership.
- Best practices review.

(d) Division III Business Session.
- Presidential leadership.
- Voting – 2010 legislative proposals.
- Drug Education and Testing Pilot.
- Division III identity initiative (tentative).

Staff Liaisons: Walters, Smith; Dantzler

Council Reps: Baldridge, McKinney, Hall, Bultman, Ryerson, Fulks

(2) Infractions Appeals Committee.

Management Council. The Management Council approved in concept noncontroversial legislation to change the committee composition and terms of the Infractions Appeals Committee, to include one member of the Management Council, one member of the Presidents Council, one public member and two additional individuals from the membership, at least one of whom must be an athletics director. Terms shall be three years with the opportunity for reappointment, with no individual serving more than nine years.

Currently, the committee is comprised of two members of the NCAA Division III Presidents Council and five members from NCAA Division III Management Council. The committee recommends the change in the composition and terms to one member of the Management Council; one member of the Presidents Council; one public member; and two additional individuals from the members. For the individuals who are not serving as the representatives from Management Council or Presidents Council, the recommended term would be a three-year term and the individual may be reappointed but shall not exceed nine years on the committee. For those who are serving as the representative of the Management Council or Presidents Council, service would coincide with service on those administrative bodies. It is also recommended that the initial terms are staggered to prevent a complete turnover of these positions.

In a related discussion, the Council formally directed the Nominating Committee ensure that a description of committee time commitments be included in the solicitation of nominees for all committees.

Presidents Council. No action was necessary.

(3) Strategic Planning and Finance Committee.

Staff Liaisons: Dutcher, Kareti Barnett, Worlock, Jones, Kresge

Council Reps: Oberbillig, Baker, Harris, Joyce, Schmotter, Fulks, Klika, Martin, Ohle, Royer

(a) 2009-10 Division III Strategic Plan.

Management Council. The Management Council approved the updated Strategic Plan for 2009-10, with the following changes: reorder the list of strategic priorities by placing diversity and gender equity issues before the drug education and testing program and remove the numbers from the list.

The Division III Strategic Plan was developed to align to the NCAA biennial budget and reflect goals and resource allocations for a two-year period. However, due to the development of the White Papers, a mid-term adjustment was made. The revised plan includes White Paper recommendations and establishes specific priorities for 2009-10. The plan reflects the previously approved 2008-10 budget, with no additional financial impact beyond reallocation.

Presidents Council. The Presidents Council approved the Strategic Plan for 2009-10.

(b) Conference Grant Program Structure of Tier Two for the Next Budget Biennium (2010-12).

Management Council. The Management Council approved a recommendation to minimize the prescriptive amounts that must be spent on each topical area and allow conferences to determine the amount to allocate to each of the current Tier Two priorities (sportsmanship, diversity and gender equity, and student-athlete well-being), and added a new Tier Two priority – integration institutes. The conference annually must include a statement about why it selected its chosen category (or categories) over the other available options and still must exhibit support of each of these areas over a four-year period, even if the funding comes from a source other than the grant program.

This recommendation holds conferences accountable to Division III strategic priorities while also allowing greater flexibility for the amount of funding to be spent in each of the strategic priority areas. The addition of integration institutes as a Tier Two priority is consistent with the overall theme of Tier Two – social responsibility and integration. It should be noted the College Sports Project has developed a "turn key" model for conducting these institutes but that model would not be mandatory.

Finally, it will be imperative that the committee closely monitor each conference's attention to the full complement of Tier Two priorities. Staff will present the committee with detailed requisition and impact forms to facilitate such tracking during the committee's November teleconference.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(c) FARA Proposal for Conference Grant Program.

Management Council. The Management Council approved earmarking $75,000 in the 2010-11 budget for FARA to conduct a 2010-11 FARA Fellows Institute Pilot. The pilot will seek to include a faculty athletics representative (FAR) from one-half of the division's member conferences and the Association of Division III Independents.

The institute will be modeled after the successful Division II program and is expected to increase the level of engagement of Division III FARs in NCAA issues, including service in the governance structure. The Strategic Planning and Finance Committee approved the pilot subject to receiving detailed plans and an evaluation mechanism for the institute prior to the committee's February 2010 teleconference. Long term funding commitments will be contingent on the Strategic Planning and Finance Committee's evaluation of the 2010-11 pilot.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(d) Sports Information Director (SID) Request for Conference Grant Program.

Management Council. The Management Council approved a recommendation, effective 2010-11, to modify Tier One of the Conference Grant Program to require and fund annual professional development support of an SID by each conference and the Association of Independents.

Currently, funding for the SID meeting/workshop is provided biannually. The committee noted the group's concern regarding lack of professional development funding currently available for SIDs, and agreed to offer greater support for SIDs through the grant program. Approximately $20,000 annually will be added to the Conference Grant Program.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(e) Minority Opportunities Athletic Association (MOAA) – Opportunities for Tier One Funding.

Management Council. The Management Council agreed to introduce a new, biannual requirement in Tier One of the Conference Grant Program, effective 2010-11, requiring conferences to send a minority athletics administrator to an event whose purpose is to provide educational growth and professional development opportunities for minority athletics administrators.

After review of a proposal from the Minority Opportunities Athletic Association (MOAA) requesting the establishment of a partnership between the MOAA and Division III, and in light of the division's commitment to increase the level of diversity of Division III coaches and administrators, the committee endorsed a new required category in Tier One of the Conference Grant Program. Prior to the start of the 2010-11 grant year, the committee will publish a list of events that may be supported through this new category (e.g., MOAA, NCAA, BCA). Approximately $20,000 annually to be added to the Conference Grant Program, to support this initiative.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(f) Division III 2008-09 Annual Report.

Management Council. The Management Council reviewed the draft of the 2008-09 Annual Report. No action was necessary.

Presidents Council. No action was necessary.

(g) Drug Education and Testing Pilot.

Management Council. The Management Council received an update on the Drug Education and Testing Pilot. A discussion of final pilot results and options to be considered shall occur through the spring of 2010, with a potential membership vote on a deterrence program to occur at the 2011 Convention. Options under consideration include enhanced education and academic year-round drug testing. The guiding principles and resources for the pilot include study findings (pilot and division-wide surveys), student-athlete well-being, competitive equity, health and safety, cost, institutional autonomy, and administrative considerations (e.g. process, sanctioning). While final pilot results are not yet available, preliminary results indicate the following:

- 62%of the student-athletes stated that they would not use any substances whether testing was implemented or not.
- 20% of the student-athletes stated that testing by the NCAA had discouraged them from using banned substances.
- Testing can act as a deterrent for one-fifth of the student-athletes.
- Over 60% of the student-athletes agreed that students should either be tested by the NCAA or their school.
- Over 60% agreed that both testing at the college level and at the NCAA level has deterred them for using drugs.
- Student-athletes did not reach an agreement on whether disqualification of an entire team when one member tests positive is fair or appropriate.
- Findings from both experimental groups – drug testing and education only – are consistent with the overall findings.
- Findings are consistent across the four survey administrations (Pre- and Post-Test in Year 1 and 2).

Presidents Council. No action was necessary.

c. Management Council subcommittees.

(1) Academic Issues Subcommittee.

Staff Liaisons: **Davey, Nesbitt**

Council Reps: Hall, Ingold, Martinez

- **Modification of Wording – Bylaw 14.1.8 – Full-Time Enrollment and 14.1.9 – Graduate Student/Postbaccalaureate Participation.**

Management Council. The Management Council approved in concept a modification of wording to establish one consolidated series of bylaws for full-time enrollment requirements for both practice and competition.

After reviewing the bylaws regarding the requirements for practice and competition, the subcommittee agreed that the legislation is duplicative. By combining the bylaws governing practice and competition, one series of bylaws for all full-time enrollment requirements will be created and

will make the Division III Manual easier to navigate. This proposed by-law consolidation will maintain the integrity of both the current practice and competition full-time requirements legislation. The subcommittee notes this revision mirrors a similar change made within the Division II legislation in 2003.

Presidents Council. No action was necessary.

Staff Liaisons: Jones, Myers,

Council Reps: Martin, Chapman, Klika, McKinney, Oberbillig, Purnell, Wojtkun

(2) Playing and Practice Seasons Subcommittee.

a. 2010 NCAA Convention Legislation – Playing and Practice Seasons – Contest and Segment Limitations – End of the Fall and Spring Nontraditional Segments.

Management Council. The Management Council approved a recommendation to sponsor legislation for the 2010 NCAA Convention to establish that all practice and competition conducted in the nontraditional segment (fall or spring) shall be completed no later than five weekdays before the first day of the institution's final examination period.

Currently, the end date for the spring nontraditional segment is the day before the institution's final examination period. The Student-Athlete Advisory Committee (SAAC), as well as the Academic Issues Subcommittee, reported that this date was not in the best interest of the student-athlete's academic pursuits and that there should be more time prior to final exams to focus on academics. Additionally, the end date for the fall nontraditional segment is not linked to the academic calendar but rather is a defined date (October 30th) which significantly limits institutions on a quarter academic calendar to conduct the fall nontraditional segment. This change would establish consistency between the end dates for the fall and spring nontraditional segments by linking the end of the fall nontraditional segment to the academic calendar, institutions on a quarter academic calendar will have more flexibility to conduct the fall nontraditional segment. The subcommittee identified five weekdays as the appropriate timeframe before the final examination period for both fall and spring nontraditional segments because that amount of time permits the proper balance between the student-athlete's academic pursuits and the institution's flexibility to conduct the nontraditional segment.

The Council entertained a motion to amend the proposal to change the number of days prior to the final exam period by which the nontraditional segment must conclude from five to three. The motion failed.

Presidents Council. The Presidents Council agreed to sponsor the proposal for the 2010 NCAA Convention.

b. Out of Season Athletically Related Activities.

Management Council. The Council accepted information that, as directed by Management Council, the subcommittee discussed the current state of out of season athletically related activities. After insightful conversation, the subcommittee decided that based upon the perceived conflict between the legislation and what is actually occurring, this discussion needs to occur on a much wider scale. The subcommittee discussed exploring the possibility that this issue be a breakout topic at Convention or a subject of a future virtual focus group questionnaire. Ultimately, the subcommittee directed staff to explore options to receive greater feedback from the membership on this issue.

Presidents Council. No action was necessary.

(3) Subcommittee for Legislative Relief.

Staff Liaisons: **Fuchs, Nesbitt**

Council Reps: Chapman, Martin, Purnell, Robert, Sitterly

- **Noncontroversial Legislation – Official Visit Legislation (NCAA Bylaw 13.6.2) – Exception for Extenuating Circumstances.**

Management Council. The Management Council approved in concept noncontroversial legislation to establish an exception to the 48-hour official visit limitation for reasons beyond the control of the prospective student-athlete and the institution. In such instances that the official visit extends beyond 48-hours, the institution must submit a report to the conference office (or, in the case of independent institutions, to the NCAA national office) detailing the circumstances.

Under the current official visit legislation, if extenuating circumstances occur that prevent a prospective student-athlete's immediate departure after the 48-hour period has elapsed, institutions are forced to either submit an urgent request for a legislative relief waiver, or to commit a violation of the rules. The subcommittee is supportive of this change because it will allow institutions more flexibility in dealing with unforeseen circumstances that arise in conjunction with official visits while maintaining accountability. The subcommittee notes this amendment mirrors a similar change in Division II.

Presidents Council. No action was necessary.

d. Division III Committees.

Staff Liaisons: Suscha, Williams

Council Reps: Martinez, Oberbillig, Sitterly

(1) Championships Committee.

(a) Sports Wagering and Championships Hosting Policies.

Management Council. The Management Council forwarded to the NCAA Executive Committee a position that the NCAA policy precluding the hosting of championship events in areas where sports

wagering occurs be limited to predetermined championships hosting opportunities. Further, that the relevant geographical area covered by the policy be defined as the state where the sports wagering occurs.

In a response to a referral from the NCAA Executive Committee, the Division III Management Council and Championships Committee endorsed the position that predetermined championships hosting opportunities should not be awarded in states that permit sports wagering. The Championships Committee believes it is important that the determination of NCAA championship sites be consistent with the core values of the NCAA, specifically an emphasis on integrity and sportsmanship. While acknowledging that the Committee on Sportsmanship and Ethical Conduct endorsed applying the policy to both predetermined and non-predetermined championships sites, the Management Council and Championships Committee made the distinction in an effort to protect hosting opportunities earned by institutions during the regular season. It was noted that a state decision to allow sports wagering should be treated similarly to the state decision to fly the confederate flag where the hosting ban is applied only to predetermined sites. The Council and committee believe that applying the policy to an entire state is the clearest way to apply the standard.

Presidents Council. The Presidents Council acknowledged the Management Council's recommendation but took no action, noting that the Executive Committee will review an alternative staff recommendation regarding this policy focusing on states that permit wagering on a specific contest.

(b) Championships Date Formula – Wrestling.

Management Council. The Management Council approved the date formula for the NCAA Division III Wrestling Championships to be defined as the "second full weekend in March (Thursday through Saturday), and the competition will occur the Friday-Saturday of this weekend."

The current date formula has similar language as stated above, except that the championships take place the first full weekend in March. This change would allow the opportunity to obtain more quality officials for the championships, as the current date formula for the championships conflicts with all of the Division I wrestling qualifying tournaments and numerous state high school tournaments. This change would also hopefully increase attendance and free up more venues that could be used as the host site for the championships as part of any future bid submissions.

Presidents Council. No action was necessary.

(c) White Paper Eight – Championships Bracket Size Projections for Team Sports.

Management Council. The Management Council accepted information from the Championships Committee that, in response to the charge of White Paper Eight, the committee reviewed a report from the NCAA research staff on the sponsorship projections and corresponding bracket sizes and access ratios for team sports, through 2015. The analysis adds perspective to the discussion of Division III membership growth, specifically that growth within the current constraints of bracket maximums and access ratios is more manageable than anticipated. The committee sees the importance of communicating with the membership on the implications of growth and will develop a coordinated communication strategy for the near term. The committee also paid special attention to the projection that three women's championships (basketball, soccer and volleyball) will reach the maximum bracket of 64 by 2015, thereby altering the access ratios, before any men's championships (with the exception of football which is already capped at 32). In response, the committee will analyze the issue of gender equity in overall championship opportunities during its September 2009 meeting. No action was necessary.

Presidents Council. No action was necessary.

(d) 2009 Proposal No. 8 – Selection Criteria – Availability of Data throughout the Season.

Management Council. The Management Council reviewed the committee's report regarding continued discussion about making championships selection data available to the membership throughout the sports seasons, per 2009 Proposal No. 8. In addition to the procedural and educational steps it generated in February to address concerns about the accuracy of the data and education about the selection process, the committee will experiment during 2009-10 with making selection data publicly available via the NCAA Web site. The committee approved the implementation of a pilot program to provide snapshots of information from the NCAA score-reporting system. The snapshots will be provided in a PDF format during the four ranking periods leading up to selections in the sports of men's and women's soccer, men's and women's basketball, baseball and softball. The Championships Committee, the relevant sport committees, and the national office championship staff will evaluate the one-year pilot program through feedback generated by surveying coaches and student-athletes and other interested parties in the selected sports. No action was necessary.

Presidents Council. No action was necessary.

(e) Requirement for Administrators at Team Championships.

Management Council. The Management Council accepted the information that the Championships Committee discussed enforcement of the policy that requires an administrator (other than a member of the particular sports coaching staff) attend the pre-championships administrative meeting and serve on the games committee as necessary. The Council requested that the definition of an administrator for this purpose be clearly communicated in championships handbooks and a first call after a team is selected to a championship.

Presidents Council. No action was necessary.

(f) Sport Committee Appointments.

Management Council. The Management Council accepted the information that the Championships Committee had approved the following recommendations for appointments to the following sports committees; all appointments will be effective September 1, 2009, unless otherwise noted:

- Division III Baseball Committee. New York region: Kris Doorey, head baseball coach/assistant to the director of athletics, Plattsburgh State University of New York.

- Division III Women's Basketball Committee. Great Lakes region (immediate vacancy replacing Roger Ingles): Suzanne Helfant, head women's basketball coach/senior woman administrator, Kenyon College.
- Division III Men's Soccer Committee. North region: Christian DeVries, head men's soccer coach, University of Minnesota, Morris.
- Division III Women's Softball Committee. West region: Kasey Blomquist, head softball coach, University of Mary Hardin-Baylor.
- Division III Men's Tennis Committee. Northeast region: Tracy King, commissioner, Skyline Conference.
- Division III Football Committee. Joy Solomon, director of athletics at Rowan University, be appointed chair of the football committee (effective immediately).
- Division III Men's Soccer Committee. Chris Apple, head men's soccer coach at the University of Rochester, be appointed chair of the men's soccer committee (effective immediately).
- Division III Women's Soccer Committee. Scott McKenzie, head women's soccer coach at Juniata College, be appointed chair of the women's soccer committee (effective immediately).

Presidents Council. No action was necessary.

Staff Liaisons: **Hartung, Myers, Nesbitt**

Council Rep: McKinney

(2) Financial Aid Committee.

Management Council. The committee had no formal report.

Presidents Council. No action was necessary.

Staff Liaisons: **Cooper, Elworth**

Council Rep: Gunning

(3) Committee on Infractions.

Management Council. The committee had no formal report.

Presidents Council. No action was necessary.

Staff Liaisons: **Jones Myers**

Council Rep: Fulks

(4) Interpretations and Legislation Committee (ILC).

(a) Noncontroversial Legislation – Campus Recruiting Visits - Programming or Benefits Available to Prospective Students Generally.

Management Council. The Management Council approved in concept noncontroversial legislation to specify that the official and unofficial visit limitations do not apply to programming and benefits (e.g., entertainment, meals, etc.) provided by the institution's admissions department and available to prospective students generally. Further to specify the official and unofficial visit limitations would apply if an institution's admissions department conducts a program or hosts a recruiting weekend designed exclusively for a group of prospective student-athletes or if funding for activities done by the admissions department is provided by the athletics department.

Through rule and interpretation, the current legislated limitations related to official and unofficial visits for prospective student-athletes are applicable to all campus visits in which any athletics recruitment occurs or in which the athletics department is involved in any of the arrangement for the prospective student's visit. Within Division III, admissions offices commonly host recruitment weekends for students generally and during these events, athletics department staff interact with prospective students. Under current legislation, it would be necessary to apply all official and unofficial visit limitations to those on-campus admissions events in which athletics recruitment occurs. This proposal would specify that a prospective student-athlete can receive the same on-campus benefits and programming as prospective students generally from the institution's admissions office without having to apply the official and unofficial visit limitations, even if athletics recruitment occurs during the admissions event. This issue was discussed during the 2009 NCAA Regional Rules Seminar and the membership was able to provide feedback and input. There was no resistance expressed to this recommendation at that time. As such, it is being recommended as noncontroversial legislation.

Presidents Council. No action was necessary.

(b) Noncontroversial Legislation – Social Networking and Electronic Transmissions with Prospective Student-Athletes.

Management Council. The Management Council approved in legislative format noncontroversial legislation establishing an exception to the electronic transmissions legislation that would allow an institution's athletics department or a campus department acting on behalf of athletics, to send electronically transmitted correspondence in forms other than electronic mail and facsimiles to prospective student-athletes provided the following conditions are met:

- Any electronic transmission that is being delivered to a public group that may include prospective student-athletes must be done through means that are available to any member of the general public;
- All prospective student-athletes who choose to receive electronic transmissions through the electronic service must always maintain the ability to opt-out of the receipt of the communications; and
- The content of any electronic transmission that is being delivered to a public group that may include prospective student-athletes must be the same content for all members of the group (e.g., news alerts, admissions and alumni information, scores) and of a general nature; and

The proposal shall apply retroactively to August 1, 2008, to accommodate all activity since the adoption of the ban on social networking in the recruiting process.

Since the development of the electronic transmission legislation, software and Web sites have been developed that allow for Division III institutions to release information to the public in a variety of ways beyond electronic mail and facsimiles. The current legislation does not allow an athletics department to use these electronic means of communication in dealing with the public unless the school is able to verify that prospective student-athletes are not receiving the information. The current legislation creates practical issues for Division III schools that wish to release general media reports, scores and other public information using new technologies. In developing this proposal, the committee felt the type of information being made available on an institution's Web site should be permissible to send out through other delivery methods without the practical limitations resulting from the current legislation. This proposal is designed to address current technologies, such as Twitter and Facebook groups that Division III schools wish to use; however, the proposal also lays a foundation for fundamental parameters that can be applied to technologies developed in the future. The proposal does not allow direct person-to-person electronic communication with an

individual prospective student-athletes sent by a member of the athletics department staff, or on their behalf, (e.g., instant messaging, comments via MySpace, Wall-to-Wall via Facebook, direct messaging via Twitter) except via electronic mail or facsimile. Further, the proposal ensures the communications are being sent from the athletics department or the institution, and not from individual members of the athletics department acting on their own.

SAAC supported this proposal and noted that these communications provide an additional resource for prospective student-athletes (PSAs) and may be the preferred means by which PSAs receive information. The committee was comfortable with the proposed parameters, stressing the importance of the PSA maintaining control of the information flow.

Presidents Council. No action was necessary.

(c) Interpretations – Specific Individual Workouts.

Management Council. The Management Council archived two official interpretations (5/3/07, Item Nos. 3 and 4) and approved the following official interpretation:

Providing Pre-enrollment Academic and Conditioning Information to Prospective Student-Athletes (III). ILC determined that any necessary pre-enrollment information not provided to all prospective students regarding orientation, academics, workout and conditioning activities may be provided to a prospective student-athlete after the prospective student-athlete's paid acceptance of the institution's written offer of admission and/or financial aid. Permissible workout and conditioning information to be provided to the prospective student-athlete may include an individual-workout program. [References: NCAA Division III Bylaws 13.4.1 (recruiting materials – general regulations) and 17.02.1.1 (athletically related activities); and official interpretation (5/03/07, Item No. 3), which has been archived]

The two interpretations to be archived provide details about general workouts. Based on the adoption of NCAA Division III Proposal No. 2009-2, which specified that an institutional staff member may design a voluntary individual-specific workout program for a student-athlete and the fact that individual workouts can now be tailored to the specific student-athlete, these interpretations should be archived. The interpretation related to prospective student-athletes still provides important details about the delivery of pre-enrollment information, and so it would be modified to remove the prescriptive language regarding the general workouts and reissued as detailed above.

Presidents Council. No action was necessary.

(d) Modification of Wording – Practice After Receipt of Hardship Waiver.

Management Council. The Management Council approved in concept a modification of wording to amend current Bylaw 14.2.5.3 (eligibility for practice after receipt of hardship waiver) to clarify that a student-athlete who is granted a hardship waiver may practice and/or participate in rehabilitative activities for the remainder of the season without using a season of participation, provided the student-athlete does not compete in that sport for the remainder of the season.

Current legislation states that a student-athlete who is granted a hardship waiver may practice and/or participate in rehabilitative activities for the remainder of the season without using a season of participation, provided the student-athletes does not compete in that sport for the remainder of the academic year. Based on the adoption of Division III Proposal 2009-6, it is now possible for student-athletes to compete in the one date of competition during the nontraditional segment without using a season of participation. As a result of this legislative change, the academic year language within the current rule regarding practice after receipt of a hardship waiver is no longer accurately stated and should be replaced with a reference to competition in the season (or traditional segment) instead of the academic year. This clarifies that student-athletes who receive a hardship waiver during the traditional segment can compete in the date of competition during the nontraditional segment without using a season of participation, in the same manner as all other students.

Presidents Council. No action was necessary.

(e) Recommendation for Handling of Issues Surrounding Earmarking of Donated Funds During Team Fundraising.

Management Council. The Management Council waived the obligation for member institutions to seek reinstatement for student-athletes as a result of amateurism violations that occurred prior to July 21, 2009, related to team fundraising issues. Violations of the amateurism legislation that have occurred prior to July 21, 2009, would remain institutional violations and would need to be documented and filed appropriately; however, the student-athlete's eligibility shall not be affected. In addition to this recommendation, the committee noted it will further study the Division III legislation that impacts fundraising during its September in-person meeting. Finally, the committee noted that institutions should continue to apply the legislation in this area as it is currently written, which is best described in a January 2, 2007, educational column.

Based on feedback received following the release of a January 2, 2007, educational column and numerous calls and questions about fundraising through the years, the Division III staff taught an educational session on the rules surrounding team fundraising during the Regional Rules Seminar. The rules sessions led to several discussions from schools who admit to having incorrectly applied the legislation for some time surrounding team fundraising, particularly with respect to the failure to pool team funds and the impermissible activity of individually earmarked fundraised monies. This misapplication results in the reality that there are multiple violations of amateurism legislation among Division III members. The violations pose a larger concern because the violations at issue would require reinstatement of the student-athletes involved and the volume of those violations appears to be substantial.

In addition, there was some feedback and discussion about whether the legislation, as it currently applies, is appropriate for Division III. The committee agreed, due to the depth of the issue, that it should be further studied during an in-person meeting.

Presidents Council. No action was necessary.

(5) Membership Committee.

Staff Liaisons: **Davey, Willett**

Council Rep: Hall

(a) Modification of Wording – Provisional Institutions -- Appointment of Faculty Athletics Representative and Student-Athlete Advisory Committee.

Management Council. The Management Council approved in concept a modification of wording eliminating NCAA Division III Bylaws 20.3.2.1 (appointment of faculty athletics representative) and 20.3.2.2 (appointment of Student-Athlete Advisory Committee) from the NCAA Division III Manual.

The proposed eliminated bylaws are no longer applicable with the commencement of the new Division III provisional process on September 1, 2009. The aforementioned bylaws specify that the appointments must be made by the completion of provisional year one. The new provisional process requires institutions to comply with Association rules immediately per NCAA Bylaw 20.3.4 (compliance with Association rules), including establishment of an institutional SAAC and FAR appointment. Therefore, the appointments of the FAR and SAAC must be made on or before September 1 of a provisional institution's first year.

Presidents Council. No action was necessary.

(b) Provisional Member Annual Reports – Active Membership.

Management Council. The Management Council approved the committee's recommendation and granted the following institutions active Division III membership:

- Mitchell College;
- Mount Mary College;
- Presentation College; and
- SUNY at Morrisville.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(c) Provisional Member Annual Reports – Fourth Year of Provisional Membership.

Management Council. The Management Council approved the committee's recommendation that the following institutions move into the fourth year of Division III provisional membership:

- Lancaster Bible College;
- Lyndon State College;
- North Central University; and
- Saint Vincent College.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(d) Provisional Member Annual Reports – Third Year of Provisional Membership.

Management Council. The Management Council approved the committee's recommendation that the following institutions move into the third year of Division III provisional membership:

- Franciscan University, Stuebenville;
- Geneva College;
- Penn State Harrisburg; and
- St. Joseph's College, New York.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(e) Reclassifying Member Annual Report – Third Year of Reclassifying Membership.

Management Council. The Management Council approved moving Birmingham-Southern College into the third year of Division III reclassifying membership.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(f) Provisional Member – Penn State Harrisburg – Four-Year Provision – Waiver Request per NCAA Bylaw 20.3.3.1.1.

Management Council. The Management Council accepted Penn State Harrisburg's waiver request to accelerate the four-year Division III provisional process and move to the fourth year of provisional membership.

Based on its review of Penn State's Harrisburg's annual report and preliminary program assessment, the committee deemed that the institution satisfied all components of 20.3.3.1.1.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(g) Provisional Member Annual Reports – Second Year of Provisional Membership.

Management Council. The Management Council approved the committee's recommendation that the following institutions be moved into the second year of Division III provisional membership:

- Spaulding University; and
- SUNY at Cobleskill.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(h) Provisional Applicants – First Year of Provisional Membership.

Management Council. The Management Council granted the following institutions acceptance to Division III provisional membership program:

- Berry College (Georgia);
- Covenant College; and
- Penn State Abington.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(i) Provisional Member Annual Report – Dismissal from Provisional Membership.

Management Council. The Management Council referred the case of La Sierra University's provisional membership status back to the Membership Committee. The committee had initially recommended that the institution be removed from the provisional membership process based

on a failure to meet the requirements of provisional membership, including a failure to meet minimum sports sponsorship requirements in 2006-07, a history of demonstrating weak compliance practices and institutional control through its provisional years, and significant financial aid violations uncovered in the Financial Aid Reporting process. On review of the institution's appeal letter, the Management Council deemed that the information being presented by the institution was new information, therefore the case should be sent back to the Membership Committee for additional review. The Council also forwarded the Membership Committee a recommendation that an appropriate penalty for the institution may be the addition of two years to the provisional membership process (2010-11 and 2011-12) and a requirement to respond to specific compliance concerns as part of the provisional member annual report. The Membership Committee will review the appeal information submitted by the institution and make a new recommendation about the institution's provisional membership status for Management Council consideration.

Presidents Council. No action was necessary.

(j) Rosemont College Waiver Request per NCAA Bylaw 20.11.3.6.2 (Single-Gender Institution Transitioning to Coeducational Institution).

Management Council. The Management Council approved the waiver request from Rosemont College per NCAA Bylaw 20.11.3.6.2. The committee noted the institution submitted a thorough, realistic plan for achieving sports sponsorship compliance by 2012. The institution demonstrated intent to add sports and coaches for men's sports every year and demonstrated an ability to sponsor five sports for males and five sports for females by the 2012-13 academic year. The committee will review the institution annually to track its progress.

Presidents Council. No action was necessary.

(k) Wheelock College Waiver Request per NCAA Bylaw 20.11.3.6.1 (Male-Female Enrollment Ratio Waiver).

Management Council. The Management Council approved the waiver request from Wheelock College per NCAA Bylaw 20.11.3.6.1. The committee granted the institution's original request for a male-female enrollment ratio waiver for the 2007-08 and 2008-09 academic years. The rationale for granting this waiver was the institution's low male enrollment (seven-percent) and a continued commitment to enhancing institutional enrollment, specifically, male enrollment.

The committee recognized the institution still faces similar challenges and demographics entering the 2009-10 academic year and should be afforded relief based on low male enrollment. The committee will require

the institution to apply for waiver relief until the institution is able to meet sports sponsorship requirements for both genders.

Presidents Council. No action was necessary.

(l) Wesleyan College (Georgia) Waiver Request per NCAA Bylaw 20.11.3.5.9.1 (Minimum Contests and Participants).

Management Council. The Management Council approved placing Wesleyan College (Georgia) on probation for the 2009-10 academic year for failure to meet sports sponsorship requirements in the 2008-09 academic year.

The institution failed to meet sports sponsorship requirements due to challenges related to its tennis program. The institution cited personnel and roster size issues. The tennis coach did not recruit, failed to conduct practices and did not schedule competition. The committee further noted the institution's low roster size was affected by student-athletes quitting for myriad reasons (e.g., academics, military enlistment). The committee did not feel these challenges were unique or unforeseen.

Presidents Council. No action was necessary.

(m) Menlo College Waiver Request per NCAA Bylaw 20.11.3.1.1 (Waiver).

Management Council. The Management Council approved the waiver request from Menlo College per NCAA Bylaw 20.11.3.1.1, to recognize women's wrestling as an acceptable sport to meet sport sponsorship criteria.

Menlo College sponsors women's wrestling as a varsity sport, yet the sport is not an NCAA championship or emerging sport for women. Menlo College women's wrestling team is comprised solely of females, has a different coach than the men's team and has a different competition schedule and budget. The committee noted the institution's female wrestlers are afforded participation opportunities and adhere to the legislated sport sponsorship minimums for men's wrestling per NCAA Bylaw 20.11.3.5 (Minimum Contests and Participants Requirements for Sports Sponsorship). The committee also recognized that the institution competes against other four-year, varsity women's wrestling programs. The committee finally noted that this waiver is only applicable retroactively for the 2008-09 academic year.

Presidents Council. No action was necessary.

(n) John Jay College of Criminal Justice – Failure to Comply with Terms of Probation.

Management Council. The Management Council noted the Membership Committee's recommendation to place John Jay College of Criminal Justice in restricted status for failure to comply with the terms of probation was withdrawn due to new information and will be reconsidered by the committee. No action was necessary.

Presidents Council. No action was necessary.

(o) Massachusetts College of Liberal Arts Waiver Request.

Management Council. The Management Council conditionally accepted the two-year sports-sponsorship request from Massachusetts College of Liberal Arts. Specifically, the institution will sponsor five sports for males and five sports for females during the 2010-11 and 2011-12 academic years, despite having a full-time undergraduate enrollment greater than 1,000 which would require sponsorship of six sports for each gender. The acceptance is conditioned on the institution adhering to and reporting on its plan to the committee by June 1, 2011.

The committee noted the institution demonstrated its financial hardship and presented a thorough plan for compliance with sports-sponsorship requirements by 2012. The committee recognized a two-year waiver is atypical and noted the institution should be afforded two years conditionally.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(p) Noncontroversial Legislation – General Sports Sponsorship Waiver Requests.

Management Council. The Management Council approved in concept noncontroversial legislation to specify in Bylaw 20.11.3.6 the Membership Committee's authority to review general sports sponsorship waiver requests and make related recommendations to Management Council.

The Membership Committee is charged with reviewing issues related to Division III membership per NCAA Bylaw 21.9.6.8.2 (Duties). However, sports sponsorship waiver legislation (Bylaw 20.11.3.6) specifies the types of waivers the committee may review (e.g., male-female enrollment ratio, single-gender institution transitioning to coeducational institution, three-season sport waiver). General sports sponsorship waiver requests are not currently specified in the sports sponsorship legislation.

The committee has received sports sponsorship waiver requests that include unique mitigating circumstances that are not specifically addressed in the legislation. The committee will likely see more of this unique rationale as a result of the annual membership audit and the current financial environment. The committee believes the exercise of this waiver authority is consistent with its overall charge and in the best interest of the Division III governance structure and membership.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(q) Penalty Structure Review.

Management Council. The Management Council approved in concept noncontroversial legislation to amend the membership requirements penalty structure where failure to meet sport sponsorship requirements would result in a five-year penalty and failure to complete the Institutional Self-Study Guide or to meet the attendance requirements for NCAA Convention or NCAA Regional Rules Seminars would result in a three-year penalty. The effective date is September 1, 2009, applied retroactively to all institutions currently subject to, or facing a related penalty.

The committee recommended a revised membership requirements penalty structure that reduces the penalty timetable yet gives top priority to the fulfillment of sports-sponsorship requirements. The committee considered the current ten-year penalty structure too punitive for any membership requirement infraction and subsequently noted sports sponsorship is the most important requirement. The committee further noted a clear three or five year penalty versus a scaled penalty is fairer and easily understood by those institutions entering the penalty structure. The committee recognized the value of the educational requirements that institutions must complete as part of their sanctions and noted these should remain requirements within the penalty structure. The committee finally noted that rather than institute a scaled penalty structure, it could utilize a limited waiver process to subsequently adjust the applicable five-year or three-year penalty, when appropriate.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(r) White Paper Discussion.

Management Council. The Management Council reviewed the committee's recommendations referred to it from the White Papers on Membership Growth. The committee provided feedback related to the items it was charged with analyzing and discussing:

- Membership Requirements: Use of technology to meet requirements – cost containment. The committee was charged with

discussing potential technology opportunities through which institutions and conferences could fulfill educational obligations of membership (e.g., Regional Rules Seminar, ISSG and Convention). It was noted that requests for funding to attend Regional Rules Seminars are being met so the committee does not feel that attendance is currently a cost issue. The committee noted that by not attending in-person meetings such as seminars and the Convention, individuals would miss professional development opportunities and valuable interaction with staff and other institutional representatives. The committee supported the notion of incorporating and offering additional avenues through which to educate the membership such as video-conferencing, on-line streaming and on-line videos as well as other technological options; however the committee was against allowing institutions to use these methods to meet the in-person obligations of attendance. Enhancing current offerings should be done solely to allow for additional staff members and coaches on campus to benefit from educational initiatives.

- Membership Requirements: Review current conditions and obligations. The committee was charged with reviewing the current conditions and obligations of membership to determine what requirements are most appropriate for the division, and whether the specific activities or commitments should be added or removed from the current list. The committee feels the current requirements are adequate and on-point.

- Division II as a destination. The committee reviewed the recommendation for use of the Division II Financial Simulation tool or a similar exercise as a requirement for those in the exploratory process. The simulation tool focuses on finances and creates a business model to be used in an assessment; it does not consider items such as philosophy. The committee currently does not endorse the requirement that the simulation tool must be completed as a requirement of the exploratory process. Rather, it can continue to be provided as additional tool for institutions to use. The committee asked staff to pursue the potential of developing a more comprehensive, multi-divisional educational program for exploratory members.

No action was necessary by the Management Council.

Presidents Council. No action was necessary.

(s) 2009-10 Exploratory Division III Membership.

Management Council. The Management Council noted that no institutions applied for exploratory membership for 2009-10. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison: Tufano

Council Rep: Keeling

(6) Nominating Committee.

Management Council. The committee had no formal report.

Presidents Council. No action was necessary.

(7) Student-Athlete Advisory Committee.

Staff Liaisons: Conklin Davey, Montgomery

Council Reps: Royer Wojtkun

(a) Division III Identity.

Management Council. The Management Council accepted the information that the Student-Athlete Advisory Committee (SAAC) engaged in a strategic communications exercise with consultant Jeff Jacobs regarding the Division III identity. The SAAC remains engaged in this initiative.

Presidents Council. No action was necessary.

(b) Drug Education and Testing Pilot.

Management Council. The Management Council accepted the information that SAAC received an update on the Drug Education and Testing Pilot. The committee discussed potential drug testing models and distinguished testing for well-being purposes from testing for competitive equity purposes. The committee further considered whether testing would serve as a deterrent to drug use. Several education-related questions were raised and the committee requested that a medical and health expert meet with the committee at its November in-person meeting. The committee considered several drug testing models:

- The status quo which includes drug testing only during championships;
- The championships model plus academic year-round anabolic testing;
- The championships model plus academic year-round anabolic testing and an optional street drug testing program conducted by the institution; and
- The championships model plus academic year-round anabolic and street drug testing.

Presidents Council. No action was necessary.

(c) Relationship between the Student-Athlete Advisory Committee (SAAC) and the Faculty Athletics Representatives Association (FARA).

Management Council. The Management Council accepted the information that SAAC met with representatives from FARA who indicated that FARA hopes to interact more with the SAAC in the future. It was noted

that FARA and SAAC often arrive at the same conclusions and legislative positions. The committee provided feedback to FARA representatives regarding faculty athletics representatives/student-athlete interactions and how best to foster positive relations between faculty and student-athletes. The committee also discussed academic reporting and whether it would be good for the division. It was noted that academic reporting may produce results that would be helpful when the division activates its identity initiative. The committee further noted these results may not be positive and could also result in administrative burden. The committee also discussed class attendance related difficulties with faculty when student-athletes request to miss class due to contests.

Presidents Council. No action was necessary.

(d) Division III SAAC Appointments.

Management Council. The Management Council accepted the information that SAAC elected the following individuals to represent the committee:

- Olympics Sports Liaison Committee: Conor Simpson; Westminster College; swimming and diving student-athlete.
- Minority Opportunities and Interests Committee: Kirin Khan; Mills College, rowing student-athlete.
- NCAA Division III vice-chair: Nathan Studgeon; Keuka College, soccer student-athlete (one-year renewal).

Presidents Council. No action was necessary.

(8) Student-Athlete Reinstatement Committee.

Staff Liaisons: Groddy, Bandy

Council Rep: Gunning

a. 2010 NCAA Convention Legislation – NCAA Division III Bylaw 14.2.5-(c) - Hardship Waiver – Percent Calculation.

Management Council. The Management Council recommended the Presidents Council sponsor legislation for the 2010 NCAA Convention to amend NCAA Bylaw 14.2.5-(c) (Hardship Waiver) to allow a student-athlete's eligibility for a hardship waiver to be determined by the maximum permissible number of contests or dates of competition set forth in NCAA Bylaw 17 for the applicable sport plus one competition. The one additional competition serves the same purpose as the current allowance for conference championship contests.

This proposal accommodates student-athlete well-being by allowing a consistent denominator for all NCAA Division III student-athletes, regardless of an institution's scheduling patterns. Because of conference, budgetary, philosophical and/or geographical constraints, Division III institutions currently schedule different numbers of contests or dates of competition. Since the student-athletes have no role in scheduling, this creates inequitable treatment of student-athletes from institution to

institution. Further, since the scheduling practices of some institutions are incumbent on conference scheduling policies, even institutions cannot completely control the amount of scheduled contests. This proposal establishes a uniform standard that is equal to the largest possible number of contests permitted under current legislation. This proposal allows all Division III student-athletes to be given the same benefit regarding the hardship waiver rule, regardless of their institution's scheduling patterns.

Presidents Council. The Presidents Council agreed to sponsor the proposal for the 2010 Convention.

b. Noncontroversial Legislation – NCAA Division III Bylaw 12.5.1.1-(i) Amateurism – Promotional Activities – Institutional, Charitable, Educational or Nonprofit Promotions.

Management Council. The Management Council approved in concept noncontroversial legislation to amend NCAA Bylaw 12.5.1.1 (Institutional, Charitable, Educational or Nonprofit Promotions) in order to expand situations when violations of Bylaw 12.5.1.1 are considered de minimis and, thus, do not impact the eligibility of the student-athlete for any permissible promotional activity where the legislative requirement not satisfied is the failure to obtain signatures of student-athletes and authorized representative of the charitable, educational or nonprofit agency on a release statement, ensuring that the student-athlete's name, image or appearance is used in a manner consistent with the requirements of this section. A violation of this bylaw shall remain an institutional violation but not impact the student-athlete's eligibility provided the discovery of the violation that had the release statement been presented, it would have been signed.

Many times when the student-athlete reinstatement staff is presented with reinstatement requests involving violations of this legislation, the promotional activity is otherwise permissible and the violation is only triggered based on a failure to obtain receipt of appropriate signatures. In all cases, the signatures are subsequently gathered once the violation is discovered and reinstatement is sought. In all such cases, the eligibility of the involved student-athlete has been reinstated without conditions by the staff. In addition to an effort to reduce bureaucracy, the recommendation is consistent with existing legislation involving a failure to obtain written approval from the institution's chancellor or president involving permissible promotional activities, which is currently de minimus.

Presidents Council. No action was necessary.

c. Noncontroversial Legislation – NCAA Division III Bylaw 13.1.1.2 – Four-Year College Prospective Student-Athletes.

Management Council. The Management Council approved in concept noncontroversial legislation to amend NCAA Bylaw 13.1.1.2 (Four-Year College Prospective Student-Athletes) in order to reflect that violations of Bylaw 13.1.1.2 are considered de minimis and do not impact the eligibility of the student-athlete when permission to contact is subsequently granted in situations where an athletics staff member or other representative of the institution's athletics interests makes contact with the student-athlete of another NCAA or NAIA four-year collegiate institution without first obtaining written permission to do so in accordance with legislation. A violation of this nature shall remain an institutional violation, but not impact the prospective student-athlete's eligibility provided permission to contact is subsequently granted.

Many times when the staff is presented with a reinstatement request involving violations of this legislation, permission to contact has been granted by the first institution as the prospective student-athlete has already transferred to the second institution. In such cases, the staff reinstates the involved prospective student-athlete's eligibility without conditions. In those cases where permission is not granted, existing legislation indicates the second institution should not encourage the transfer. As a result, and in an effort to reduce bureaucracy, the NCAA Division III Committee on Student-Athlete Reinstatement believes a violation of this legislation where permission to contact is subsequently granted should not impact the prospective student-athlete's eligibility, but should remain an institutional violation.

Presidents Council. No action was necessary.

d. Noncontroversial Legislation – NCAA Division III Bylaw 13.02.10 – Electronic Transmissions.

Management Council. The Management Council approved in concept noncontroversial legislation to amend NCAA Bylaw 13.02.10 (Electronic Transmissions) in order to reflect that violations of Bylaw 13.02.10 are considered de minimis and do not impact the eligibility of the prospective student-athlete in situations where the electronic communication is not by e-mail or facsimiles (e.g., instant messaging, text messaging and social networking Web sites). Violations of this nature shall remain institutional violations, but would not impact the prospective student-athlete's eligibility.

Violations of this legislation should not impact eligibility inasmuch as it is an attempt to decrease the number of circumstances in which an institution is required to declare a prospective student-athlete or enrolled student-athlete ineligible (as a result of the prospective student-athlete's or student-athlete's involvement in a violation of NCAA rules) in instances in which the prospective student-athlete or student-athlete did

not receive a benefit and little or no recruiting or competitive advantage occurs. Currently, request for reinstatements related to violations of this legislation always result in immediate restoration of eligibility by the staff without conditions imposed. It is important to note, however, that although violations of these provisions would have no individual eligibility ramifications, the institution still would need to self-report the violation to the NCAA enforcement staff at the NCAA national office and the NCAA Division III Committee on Infractions would remain responsible for assessing institutional responsibility.

Presidents Council. No action was necessary.

e. Modification of Wording – NCAA Division III Bylaw 14.2.5.2.2 – Hardship Waiver – Medical Documentation.

Management Council. The Management Council approved in concept a modification of wording within NCAA Bylaw 14.2.5.2.2 (Medical Documentation) to reflect that the medical documentation from a physician that establishes the student-athlete's inability to compete for the remainder of the traditional season as a result of an injury or illness shall be submitted by the physician who administered care at the time of the injury or illness.

In 2005, the NCAA Division III membership, through modification of wording, made several modifications to the language within the hardship waiver legislation regarding medical documentation. While the intent statement identified that contemporaneous medical documentation in support of a hardship waiver should be submitted by a physician (i.e., medical doctor) who administered care at the time of the injury or illness, the resulting and current legislative wording in Division III does not specifically include such language. In order to better clarify existing requirements and eliminate possible submission of medical documentation from individuals who did not treat the student-athletes during the period of injury or illness, the committee believes such changes are appropriate and consistent with intent of legislation.

Presidents Council. No action was necessary.

4. *PROPOSED LEGISLATION FOR THE 2010 NCAA CONVENTION.*

a. Membership-Sponsored Legislation.

Staff Liaisons: **Dutcher, Kareti, Jones, Myers, Davey**

[NOTE: The Management Council reviewed all proposals noting that six out of seven proposals are not yet properly sponsored. The deadline to obtain co-sponsorship is September 1.]

(1) Recruiting – Electronic Transmissions – Exception – Using Social Networking for Public Information at Prospective Student-Atheltes Option.

Management Council. The Management Council reviewed the membership-sponsored proposal and forwarded it to the Interpretations and Legislative Committee (ILC) and the Student-Athlete Advisory Committee (SAAC) to recommend an official position.

Presidents Council. The Presidents Council approved the committee referral.

(2) Recruiting – Tryout Exception – Local Sports Club Mileage Radius.

Management Council. The Management Council reviewed the membership-sponsored proposal and forwarded it to ILC and SAAC to recommend an official position.

Presidents Council. The Presidents Council approved the committee referral.

(3) Eligibility – Transfer Regulations – Residence Requirement – Disciplinary Suspension – Exception.

Management Council. The Management Council reviewed the membership-sponsored proposal and forwarded it to Academic Issues Subcommittee (AIS), ILC and SAAC for recommendations on an official position.

Presidents Council. The Presidents Council approved the committee referral.

(4) Playing and Practice Seasons – Athletically related activities – Certified Strength and Conditioning Personnel Monitoring and Conducting Workouts.

Management Council. The Management Council reviewed the membership-sponsored proposal and forwarded it to Competitive Safeguards and Medical Aspects of Sports (CSMAS), Playing and Practice Seasons Subcommittee (PPS) and SAAC for recommendations on an official position.

Presidents Council. The Presidents Council approved the committee referral.

(5) Division III Membership Requirements and Playing and Practice Seasons – Minimum Contests Requirements for Sports Sponsorship and Maximum Contest Limitations – Baseball and Softball.

Management Council. The Management Council reviewed the membership-sponsored proposal and forwarded it to the Championships Committee (including the sports committees for baseball and softball), Membership Committee, PPS and SAAC for recommendations on an official position.

Presidents Council. The Presidents Council approved the committee referral.

(6) Playing and Practice Seasons – Football – Walk-Through Sessions During the Five-Day Acclimatization Period.

Management Council. The Management Council reviewed the membership-sponsored proposal and forwarded it to CSMAS, PPS and SAAC for recommendations on an official position.

Presidents Council. The Presidents Council approved the committee referral.

(7) Division III Membership Requirements – Minimum Contests and Participants Requirements for Sports Sponsorship – Baseball and Softball.

Management Council. The Management Council reviewed the membership-sponsored proposal and forwarded it to the Championships Committee (including the sports committees for baseball and softball), Membership Committee, PPS and SAAC for recommendations on an official position.

Presidents Council. The Presidents Council approved the committee referral.

b. Governance-Sponsored Legislation.

(1) Recruiting and Playing and Practice Seasons – Tryout Exception – Recreational Activity – Exception for Facility Monitoring as Part of Normal Employment Arrangement.

Management Council. The Management Council approved in legislative format a proposal to permit an institution's coaching staff member to observe recreational activities of prospective student-athletes and nonorganized sport-specific activities of currently enrolled student-athletes, provided the coach observes these activities while monitoring an institutional facility for purposes of safety and facility security as part of normal employment duties and the facility is not restricted to specific users at the time.

Presidents Council. The Presidents Council agreed to sponsor the proposal for the 2010 Convention and approved it in legislative format.

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

Management Council. The Management Council approved in legislative format a proposal in baseball, field hockey, lacrosse, soccer, softball and women's volleyball, to permit a student-athlete to participate in one date of competition and an alumni contest during the nontraditional segment without using a season of participation.

Presidents Council. The Presidents Council agreed to sponsor the proposal for the 2010 Convention and approved it in legislative format.

(3) Playing and Practice Seasons – First Contest or Date of Competition – Exempted Alumni Contest.

Management Council. The Management Council approved in legislative format a proposal to permit institutions to conduct the exempted alumni contest at any time during the playing season including prior to the first permissible contest date.

Presidents Council. The Presidents Council agreed to sponsor the proposal for the 2010 Convention and approved it in legislative format.

(4) Recruiting – Tryouts – Deregulation and Reformatting of Tryout – Permissible and Nonpermissible Tryouts.

Management Council. The Management Council approved in legislative format a proposal to deregulate and reformat the tryout legislation to specify that a tryout in which prospective student-athletes demonstrate their athletics abilities at a coach's direction, tryout events and varsity competition against high school or preparatory school teams are impermisible; further, to specify that other physical related activities involving prospects that are not specifically prohibited shall be permissible.

Presidents Council. The Presidents Council agreed to sponsor the proposal for the 2010 Convention and approved it in legislative format.

(5) Division Membership – Division III Philosophy Statement – Affirmation of Presidential Leadership at Institutional, Conference and National Governance Levels of Division III.

Management Council. The Management Council approved in legislative format a proposal to specify in the Division III Philosophy Statement the expectation for presidential leadership and authority over intercollegiate athletics at the campus, conference and national governance levels.

Presidents Council. The Presidents Council approved the proposal in legislative format.

c. Noncontroversial Legislation.

(1) NC-2010-6 – 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 adopted in legislative format a proposal to eliminate the 30 consecutive-calendar day limitation for practice once an institution has filed a 10-semester/15-quarter extension waiver request.

Presidents Council. No action was necessary.

(2) NC-2010-7 – Recruiting – Contacts and Evaluations – Contact Restrictions at Prospective Student-Athletes Educational Institution – Contact After School Hours.

Management Council. The Management Council adopted in legislative format a proposal to specify that permission to contact a prospective student-athlete at the prospective student-athlete's eductional institution is not required if the contact is made outside of official school hours.

Presidents Council. No action was necessary.

(3) NC-2010-8 – Awards and Benefits – Expenses Provided by The Institution For Practice and Competition – Exceptions – Meal Provided by Parents of Student-Athletes or Representative of Institution's Athletics Interests.

Management Council. The Management Council adopted in legislative format a proposal to permit a representative of the institution's athletics intersts to pay for or provide a team meal to a team outside of the locale of the institution as long as the meal is in conjunction with, or en route to or from an away-from-home contest; further, to reformat the occasional meals from a relative legislation, as specified.

Presidents Council. No action was necessary.

(4) NC-2010-9 – Committees – Strategic Planning and Finance Committee – Composition – Student-Athlete Representative.

Management Council. The Management Council adopted in legislative format a proposal to increase the NCAA Division III Strategic Planning and Finance Committee from 11 to 12 members and to specify that one member shall be a member of the NCAA Division III Student-Athlete Advisory Committee.

Presidents Council. No action was necessary.

(5) NC-2010-10 – Division Membership – Membership Requirements – Minimum Participants Requirements for Sports Sponsorship – Track and Field – Multiday Meets.

Management Council. The Management Council adopted in legislative format a proposal in track and field, to specify that if the number of student-athletes participating in a multiday meet on behalf of the institution over the course of the entire meet equals or exceeds the minimum number of participants, and the meet is conducted on consecutive days, an institution may use the competition as a contest in meeting the minimum contest requirement.

Presidents Council. No action was necessary.

d. Modification of Wording.

(1) M-2010-2 – Division Membership – Provisional Membership – Average Class Size and Assignment – Average of Four.

Management Council. The Management Council adopted in legislative format a proposal to specify that an average of four institutions may be accepted to the provisional or reclassifying membership program in any one year.

Presidents Council. No action was necessary.

(2) M-2010-3 – Awards and Benefits – Awards – Gift Cards That Cannot be Redeemed For Cash.

Management Council. The Management Council adopted in legislative format a proposal to clarify that it is permissible for student-athletes to receive gift cards that cannot be redeemed for cash.

Presidents Council. No action was necessary.

e. Incorporations of Interpretations.

(1) I-2010-1 – Recruiting – Contacts and Evaluations – Contact Restrictions at Practice or Competition Site – Contact With Prospective Student-Athlete's Relatives or Guardians.

Management Council. The Management Council approved the proposal in legislative format.

Presidents Council. No action was necessary.

(2) I-2010-2 – Recruiting – Electronic Transmissions – Use of Service or Software to Convert Electronic Mail Into Text Message.

Management Council. The Management Council approved the proposal in legislative format.

Presidents Council. No action was necessary.

(3) I-2010-3 – Eligibility – Criteria for Determining Season of Eligibility - Student Managers and Student Coaches Using a Season of Participation.

Management Council. The Management Council approved the proposal in legislative format.

Presidents Council. No action was necessary.

5. CHAIR AND VICE-CHAIR ELECTIONS.

Management Council. The Management Council elected Lynn Oberbillig, director of athletics, Smith College, as chair for the 2010-11 term and Chris Martin, commissioner of the College Conference of Illinois and Wisconsin as vice-chair.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

6. DIVISION III ISSUES.

a. Division III Identity Initiative.

Management Council. The Management Council received a presentation from strategic communications consultant Jeff Jacobs regarding the division's effort to more clearly articulate its identity, both in philosophy and practice. The Council engaged in a verbal positioning exercise to further inform the identity research effort.

Presidents Council. The President's Advisory Group and the Presidents Council received a presentation from strategic communications consultant Jeff Jacobs regarding the division's effort to more clearly articulate its identity, both in philosophy and practice. Mr. Jacobs summarized the process used to examine the Division III student-athlete experience, and shared results of both the qualitative and quantitative research conducted to facilitate this effort. The overall objective of the initiative is to articulate the positive values of the Division III experience, capturing the essence of the philosophy in a clear and concise manner.

(1) Highlights of the research findings include:

- Sports specialization is becoming much more pronounced in youth sport culture, and parents are much more involved in their child's life than they used to be.
- Athletics scholarships have a mythical importance in our culture, as they provide validation for the student-athlete and his or her family.
- Division III athletics is student-athlete focused; it develops a well-rounded individual and is integrated into the educational experience.
- Overwhelmingly, Division III internal audiences in total rate the Division III athletic experience for student-athlete to be very positive.
- There was overwhelming agreement that Division III institutions are fulfilling the division's philosophy. Presidents agreed more strongly than any other constituency (99%) and faculty the least (79%).
- Student-Athletes rate the quality of academics and the quality of academics program for their area of study highest in importance when considering their original decision to attend a college or university.

(2) The presidents reviewed identity themes, including the proper balance of academics and athletics, integration into campus life, opportunities for personal growth, creation of well-rounded individuals, playing for passion, the value of athletics participation, and the student-first philosophy.

(3) The Presidents Council endorsed a draft positioning statement based on those themes, requesting a final draft of the positioning statement and full communications platform to be approved in the next month, which will be followed by a preliminary activation plan for review during the October Presidents Council meeting.

b. Presidential Leadership.

Management Council. The Management Council reviewed and approved language in a draft 2010 Convention proposal to articulate the expectation or presidential leadership at the campus, conference and institutional levels.

Further, the Council reviewed a series of recommendations for future consideration that would allow the Presidents Council and the broader community of Division III presidents to focus on more strategic issues, while empowering the Management Council to assume more leadership related to operation and administrative issues.

Presidents Council. The Presidents Council approved language for a 2010 Convention proposal to specify in the Division III Philosophy Statement the expectation for presidential leadership and authority over intercollegiate athletics at the campus, conference and national governance levels. Further, the Council adopted a policy to establish a more focused 'presidential grouping' of proposals at each year's Convention and endorsed the establishment of a standing Wednesday night planning session in conjunction with each quarterly meeting of the Presidents Council. Adding additional planning sessions for the Presidents Council prior to its regular meetings will allow the group to focus on strategic concerns and key divisional issues and direct attention to working reports and other business items during the regular Thursday meetings. The Council also discussed additional legislative and policy changes to further presidential leadership than may be considered at the 2011 Convention.

c. Academic Reporting.

Management Council. The Management Council received an oral report regarding the Academic Reporting Pilot and desired implementation date of spring of 2010.

Presidents Council. The Presidents Council received an oral report. No action was necessary.

d. Virtual Focus Groups (VFG).

Management Council. The Council reviewed responses from VFG Communication #16, which focused on the role of the SWA. Based on low participation rates, the staff is researching alternative ways to engage the membership on important issues within the division.

Presidents Council. No action was necessary.

7. 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. Litigation Report.

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

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

8. OTHER BUSINESS.

a. Division III Management Council Policies and Procedures Update.

Management Council. The Management Council approved the revision to its policies and procedures regarding the NCAA's conflict of interest policy.

Presidents Council. No action was necessary.

b. Playing Rules Oversight Panel (PROP).

Management Council. The Management Council reviewed a request from the Centennial Conference regarding a recent decision by PROP to implement a recessed shot clock, a tenth-of-a-second display and red light or backboard lights to be in place for the 2010-11 season; as well as mandating that football referees have a wireless microphone to announce penalties starting with the 2010 football season. The Centennial Conference feels that due to the economic uncertainty at the present time, implementation would be a financial hardship to both institutions and conferences and asked that the Councils make a formal request to PROP to repeat or postpone implementation of the rules changes. The Council directed staff to research appropriate steps regarding appeal.

Presidents Council. The Presidents Council approved forwarding a recommendation to PROP for a one year delay, until 2011, requiring a recessed shot clock, a tenth-of-a-second display and red light or backboard lights to be in place for the 2010-11 season; as well as mandating that football referees have a wireless microphone to announce penalties starting with the 2010 football season.

c. Management Council Meetings.

Management Council. The Management Council approved a trial structural change to their meeting schedule. As the October Management Council meeting includes the Woman of the Year Event on Sunday evening, the Council will test the new meeting format at its April 2010 meeting. The proposed change is an attempt to be cost effective, alleviate Sunday travel; and minimize travel time. Short's travel conducted research regarding the availability of flights for a more condensed schedule and noted only those on the West Coast would have difficulty arriving on Monday.

The proposed meeting schedule begins Monday afternoon and concludes at 9 p.m., with a working dinner. Tuesday's schedule would include meeting activities from 8 a.m. to 1 p.m.

Staff will pursue this model for the April 2010 meeting.

Presidents Council. No action was necessary.

d. Joint Meeting with NCAA/NAIA.

Presidents Council. The Presidents Council received an update on the ongoing communication between the NCAA and NAIA, noting the Executive Committee will discuss continued communications between the associations.

9. ADJOURNMENT.

Management Council. The Management Council meeting adjourned at 11:35 a.m.

Presidents Council. The Presidents Council meeting adjourned at 12:45 p.m.