A G E N D A

National Collegiate Athletic Association

Division III Management Council

NCAA national office
Indianapolis, Indiana

April 12-13, 2010

1. Welcome and announcements.

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

3. Review of Summary and minutes.

   a. Summary of Winter 2010 Quarterly Meetings. (Approval)

   b. January 16, 2010, Executive Committee meeting. (Informational)

   c. January 22, February 4 and February 23 and March 23, 2010, Administrative Committee actions. (Approval)

4. Review Division III Strategic Positioning Platform. [Supplement No. 1]

5. Committee/subcommittee reports.

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

      (1) Convention-Planning Subcommittee. [Supplement No. 2] (Fredina Ingold)

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

b. Management Council subcommittees.

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

(2) Subcommittee for Legislative Relief. [Supplement No. 5] (Sue Chapman)

(3) Playing and Practice Seasons Subcommittee. [Supplement No. 6] (Chris Martin)

c. Division III committees.

(1) Championships Committee. [Supplement No. 7] (Tim Downes)

(2) Financial Aid Committee. [Supplement No. 8] (Lee McKinney)

(3) Committee on Infractions. [Supplement Nos. 9a and 9b] (Mary Jo Gunning)

(4) Membership Committee. [Supplement No. 10] (Charlie Robert)

(5) Nominating Committee. [Supplement No. 11] (Portia Lowe)

(6) Student-Athlete Advisory Committee. (Brooks Royer/Erin Wojtkun)

(7) Student-Athlete Reinstatement Committee. (Gunning)

(8) Interpretations and Legislative Committee. [Supplement No. 12] (Dan Fulks)

d. Association-wide committees.

(1) Committee on Competitive Safeguards and Medical Aspects of Sports. [Supplement No. 13] (Jeff Martinez)

(2) Honors Committee. (Bill Klika)

(3) Minority Opportunities and Interests Committee. [Supplement No. 14] (Stanton Ching)

(4) Olympic Sports Liaison Committee. (Chapman)

(5) Postgraduate Scholarship Committee. [Supplement No. 15] (Chapman)

(6) Research Committee. (Lisa Marsh Ryerson)

(7) Committee on Sportsmanship and Ethical Conduct. (Ingold)

(8) Walter Byers Scholarship Committee. (Chris Thomforde)

(9) Committee on Women's Athletics. [Supplement No. 16a] (Oberbillig)

- Sand volleyball survey results. [Supplement No. 16b]

6. Division III Initiatives.

a. Division III Identity Initiative. [See Supplement No. 1 and Supplement No. 3, Attachment B]

b. Presidential leadership. [Supplement Nos. 17, 18 and 28]

c. Drug education and testing.

d. Academic reporting.

7. Proposed Legislation for the 2011 Convention.

a. Review of governance-sponsored legislation. [Supplement No. 19]

b. Review of noncontroversial legislation adopted by the Management Council per Constitution 5.3.1.1.1. [Supplement No. 20 will be distributed at the meeting]

c. Review of administrative regulations approved by the Management Council per Constitution 5.4.1.1.1. [Supplement No. 21]

d. Review of modifications of wording adopted by the Management Council per Constitution 5.4.1.1.1. [Supplement No. 22]

e. Review of incorporations of interpretations adopted by the Management Council per Constitution 5.4.1.1.1. [Supplement No. 23]

8. Association-wide update and issues.

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

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

c. 2010-2011 committee meeting requests. [Supplement No. 26]

d. Update on Sports Wagering. [Supplement No. 27]

9. Virtual Focus Group communication. [Supplement No. 28]

10. Other Business.

11. Adjournment.

DIVISION III MANAGEMENT AND PRESIDENTS COUNCIL
SPRING 2010 QUARTERLY SUMMARY
The National Collegiate Athletic Association

Division III Management Council **April 12-13, 2010** **Indianapolis, IN**	**Division III Presidents Council** **April 28, 2010** **Indianapolis, IN**
ARTICIPANTS	
Kitty Baldridge, Gallaudet University Susan Chapman, Worcester State College Stan Ching, Connecticut College Tim Downes, Emory University Daniel Fulks, Transylvania University Mary Jo Gunning, Marywood University Fredina Ingold, Pennsylvania State University, Altoona Portia Lowe, Lake Forest College Chris Martin, College Conference of Illinois & Wisconsin [*vice chair*] Jeff Martinez, University of Redlands Lee McKinney, Fontbonne University Lynn Oberbillig, Smith College *[chair]* Charlie Robert, Nichols College Terry Rupert, Wilmington College (Ohio) Chris Thomforde, Moravian College Erin Wojtkun, Christopher Newport University	Livingston Alexander, University of Pittsburgh, Bradford Robert Antonucci, Fitchburg State College Ken Baker, Ohio Northern University Jim Bultman, Hope College [*vice chair*] James Harris, Widener University *[chair]* David Joyce, Ripon College Marcia Keizs, York College (CUNY) Brian Levin-Stankevich, University of Wisconsin, Eau Claire Chris Martin, College Conference of Illinois & Wisconsin [*vice chair of Management Council*] Lynn Oberbillig, Smith College *[chair of Management Council]* Fred Ohles, Nebraska Wesleyan University Kathy Owens, Gwynedd-Mercy College Rosalind Reichard, Emory and Henry College Jim Schmotter, Western Connecticut State University Ron Thomas, University of Puget Sound
ABSENTEES	
Bill Klika, Fairleigh Dickinson University, Florham Lisa Marsh Ryerson, Wells College Christopher (Brooks) Royer, Rhodes College	Catharine Hill, Vassar College Jack Ohle, Gustavus Adolphus College
OTHER PARTICIPANTS	
Gary Brown, NCAA Elsa Cole, NCAA Angie Cretors, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Bernard Franklin, NCAA Eric Hartung, NCAA Amy Huchthausen, NCAA Leah Kareti, NCAA, *recording secretary* Debbie Kresge, NCAA Jeff Myers, NCAA Delise O'Meally, NCAA Tom Paskus, NCAA Felicia Prater, Smith College Jennifer Royer, NCAA	Gary Brown, NCAA Elsa Cole, NCAA Angie Cretors, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Mark Emmert, NCAA President Elect Eric Hartung, NCAA Amy Huchthausen, NCAA Leah Kareti, NCAA, *recording secretary* David Klossner, NCAA Debbie Kresge, NCAA Jeff Myers, NCAA Rachel Newman Baker, NCAA Delise O'Meally, NCAA Tom Paskus, NCAA Wally Renfro, NCAA Jennifer Royer, NCAA Wendy Walters, NCAA

1. WELCOME AND ANNOUNCEMENTS.

Management Council. The meeting was called to order at 2:05 p.m. by the chair, Lynn Oberbillig. The chair welcomed new Council members, Terry Rupert, Wilmington College (Ohio); Chris Thomforde, Moravian College and also Gary Brown, Director of NCAA News; and Felicia Prater, Intern Athletic Administrator at Smith College. This is the first official meeting for Terry Rupert and Chris Thomforde on the Management Council.

Presidents Council. The meeting was called to order at 8 a.m. by the chair, President Jim Harris. The chair welcomed Council new members Brian Levin-Stankevich, University of Wisconsin, Eau Clare; Fred Ohles, Nebraska Wesleyan University and Rosalind Reichard, Emory and Henry College to their first official meeting. President Harris also welcomed Gary Brown, Director of the NCAA News, to his first meeting.

2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.

a. Management Council Meeting – January 13, 2010.

Management Council. The Management Council approved the summary of its January 13 and January 16, 2010, meetings as presented.

Presidents Council. No action was necessary.

b. Presidents Council Meeting – January 14, 2010.

Management Council. The Management Council reviewed the summary of the January 14, 2010, Presidents Council meeting. No action was necessary.

Presidents Council. The Presidents Council approved the summary of its January 14, 2010, meeting as presented.

c. Executive Committee Meeting – January 16, 2010

Management Council. The Management Council reviewed the minutes of the January 16, 2010, Executive Committee meeting. No action was necessary.

Presidents Council. The Presidents Council reviewed the minutes of the January 16, 2010, Executive Committee meeting. No action was necessary.

d. Administrative Committee Actions.

Management Council. The Management Council approved the minutes of the January 22, February 4, February 23 and March 23, 2010, Administrative Committee actions.

Presidents Council. The Presidents Council approved the minutes of the January 22, February 4, February 23 and March 23, 2010, Administrative Committee actions.

3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.

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

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

Council Reps: Ingold, Levin-Stankevich, McKinney, Ohles, Robert, Wojtkun

(1) Convention-Planning Subcommittee.

Management Council. The Council reviewed the subcommittee's report and offered additional suggestions for Convention educational programming:

- Defining the educational value of the intercollegiate athletics experience. What are the specific values that come forth from athletic competition?
- Financial Aid review process. Now that institutions are being sanctioned for violations discovered in the review process, it may be helpful to remind institutions of the depth and breadth of the review.

Presidents Council. No action was necessary.

(2) Strategic Planning and Finance Committee.

Staff Liaisons: **Dutcher, Kareti Barnett, Worlock, Huch-thausen, Kresge**

Council Reps: Baker, Bult-man, Fulks, Joyce, Klika, Martin, Royer, Schmotter, Thomforde

(a) Championship Budget Request.

Management Council. The Management Council approved the use of inflationary/reallocation monies totaling $675,600 in 2010-11 and $358,000 in 2011-12 to fund championship budget requests.

2010-12 championship budget requests include $350,000 to increase championships per diem by $5 in all sports over the next two years; $683,600 for other championship initiatives may include a change in golf championship format, increase in officials' fees, volunteer apparel, and field size increases for wrestling, swimming and diving and track and field.

Note that this championships budget request does not include any new base budget initiatives; it requests only reallocation and inflationary funds through the 4% inflationary increase for Division III to maintain the current championships program or fund previously approved policies. This budget request maintains the current quality of the Division III championships experience.

Presidents Council. The Presidents Council approved the use of inflationary/reallocation monies totaling $675,600 in 2010-11 and $358,000 in 2011-12 to fund championship budget requests. The Council also noted that some minimal adjustments may be necessary in 2011-12 due to recent changes in the division's revenue projection. The division's reserve may be used to cover all approved 2011-12 commitments.

(b) Division III Men's Volleyball Championship.

Management Council. The Management Council approved new funds totaling $387,500 to establish a Division III Men's Volleyball Championship for 2011-12. A Division III Men's Volleyball Championship may be established by a vote of the membership if at least 50 Division III institutions sponsor men's volleyball for two consecutive academic years (NCAA Bylaws 18.2.4.3.1, 18.2.4.1). Legislation to establish the championship may be proposed during the second year in which 50 institutions sponsor men's volleyball in accordance with minimum contest requirements established in Bylaw 20.11.3.5. Based on these legislative requirements, it is expected that such a proposal will be submitted for the 2011 NCAA Convention, with a 2011-12 effective date.

The $387,500 included an overhead allocation of 25% and will provide Division III championship access to men's volleyball student-athletes.

Presidents Council. The Presidents Council approved new funds totaling $387,500 to establish a Division III Men's Volley Championship for 2011-12.

(c) Division III Identity Initiative.

Management Council. The Management Council approved funding for the activation of the Division III Identity Initiative through reallocation of $350,000 from existing Drug Education and Testing and Student-Athlete Regional Leadership Conference budgets; and new funding of $150,000 plus a 25% overhead charge of $37,500, with an effective date of September 1, 2010.

With the prior 09-10 reallocation of $100,000, total funds available each year of the biennium will be $600,000. $150,000 will be reallocated from the Drug Education and Testing budget and $200,000 from the Student-Athlete Regional Leadership Conference budget. Proposed annual allocations are $450,000 to member institutions ($1,000 per institution); $50,000 to conferences/independents ($1,000 per conference); and $100,000 for national activation (e.g., videos, tool kits, etc.). The identity initiative will enhance communication about the student-athlete experience and guide the establishment of policies affecting student-athletes.

Presidents Council. The Presidents Council approved funding for the activation of the Division III Identity Initiative through reallocation of $350,000 from existing Drug Education and Testing and Student-Athlete Regional Leadership Conference budgets; and new funding of $150,000 plus a 25% overhead charge of $37,500, with an effective date of September 1, 2010.

(d) Academic Reporting Pilot.

Management Council. The Management Council approved a one-time reallocation of $50,000 from the 2010-11 Drug Education and Testing budget to fund an honorarium for institutions that participate in the Academic Reporting Pilot.

An honorarium for member schools participating in the program was approved in concept by the Division III Management and Presidents Councils this past year. The Division III Strategic Planning and Finance Committee endorsed this one-time $50,000 reallocation in November 2009. Funds will be distributed to participating schools to defray administrative expenses and to encourage participation in the program. The recommendation is to reallocate from the 2010-11 budget; however, because the pilot program spans two years, 2010-11 and 2011-12, the monies will be divided equally across each year.

Equal portions of the $25,000 will be distributed to schools that complete the data submission properly and within the program's established timeframe, during each reporting cycle. The program coordinators, Maria DeJulio, Research Contractor, and Eric Hartung, Associate Director for Research for Division III, will determine which schools are eligible for the honorarium at the completion of the reporting cycle each year. That list will then be forwarded to the Division III governance staff to process the delivery of the honorarium to the eligible schools.

Presidents Council. The Presidents Council approved a one-time reallocation of $50,000 from the 2010-11 Drug Education and Testing budget to fund an honorarium for institutions that participate in the Academic Reporting Pilot.

(e) Division III Strategic Initiatives Conference Grant Program.

Management Council. The Management Council approved the 2010-12 allocations for the Strategic Initiatives Conference Grant Program. The 2010-12 grant budget of $2,233,250 includes an $80,000 inflationary increase and $301,000 in new funding.

This recommendation supports the previously endorsed addition of $21,500 to fund biannual professional development of ethnic minority administrators, $21,500 in additional funding for sports information director professional development, and the addition of $258,000 to Tier Three of the grant program. The additional Tier Three funding was provided to help conferences maintain flexibility with use of the grant funds in light of Tier Two being reformatted in a way that essentially removed flexible spending from that tier. The recommended Tier Three allocations provide all conferences with an equivalent base share equal to last year's Tier Three funding, plus a four percent inflationary increase ($11,418) and an additional $600 per member. This funding model is designed to accommodate for both the fixed and variable costs per member that conferences incur in areas historically supported by Tier

Three (technology, health and safety, officiating improvement, marketing and promotions, championships enhancements, etc.). Additional program details were approved by the committee as included in its January report.

Presidents Council. The Presidents Council approved the 2010-12 allocations for the Strategic Initiatives Conference Grant Program. The 2010-12 grant budget of $2,233,250 includes an $80,000 inflationary increase and $301,000 in new funding.

(f) Establishment of a Faculty Athletic Representative (FAR) Institute.

Management Council. The Management Council approved $75,000, plus 25% administrative overhead in new funds to support the establishment of an FAR Institute.

Current FARA programming offered at the Annual Faculty Athletics Representatives Meeting and Symposium is geared toward orienting new FARs and to examining proposed legislation in advance of the NCAA Convention. While FARA is very effective in meeting these specific objectives, the FAR needs to be professionally prepared and viewed by campus constituencies more widely as a helping partner in advancing student-athlete well-being.

The Division III FAR Fellows Institute, to be held annually, will provide professional development and leadership training to 30 Division III FARs representing FARs from a wide range of athletic conferences each year, plus FARs from Independent institutions.

Presidents Council. The Presidents Council approved $75,000 plus 25% administrative overhead in new funds to support the establishment of an FAR Institute.

(g) 2010-11 Financial Support of ArbiterSports.

Management Council. The Management Council recommended the division discontinue the $150,000 allocation previously earmarked to subsidize Division III officials' participation in ArbiterSports, and referred the issue back to the committee for further discussion. The Council supports allocating these funds towards officiating improvement, with additional details to be established by the Strategic Planning and Finance Committee working in conjunction with the Division III Commissioners Association advisory group on officiating improvement.

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

(h) Conduct Foul Proposal.

Management Council. The Management Council approved the use of an additional $5,500 to support the Conduct Foul Program. These funds already exist in the division's Sportsmanship Initiative budget.

Since the inception of the NCAA Conduct Foul Program, participation rates have significantly increased. This past year more than 2,500 institution athletic teams participated in this voluntary program.

The goal of the program has been to increase awareness of unsporting behavior and compel members to action. Considering the numerous educational programs and policies implemented across Division III as a result of the conference/institution statistics and the incredibly high participation rate, it is very appropriate to further enhance this popular and valuable program. Expansion will further support the Division III strategic goal of enriching collegiate athletics experience based on fair and reasonable standards and a commitment to sportsmanship.

The additional money would be used for the following:

- To expand the NCAA Division III Conduct Foul Program to include detail/categorization of yellow/red cards issued for men's and women's soccer; and
- Report yellow and red cards for women's and men's volleyball.

Presidents Council. The Presidents Council approved the use of an additional $5,500 to support the Conduct Foul Program.

(i) Campus Based Leadership Programming.

Management Council. The Management Council approved reallocating $80,000 from the Division III Regional Leadership Conference budget to support campus-based leadership programming.

Beginning in 2010-11, the previous format of five divisional leadership conferences is being replaced by one Super-Regional Conference, where student-athletes from all divisions will be invited to engage in personal development and leadership programming in a collective setting. While some sessions will be conducted jointly between all three divisions, portions of the conference will retain a divisional focus. The new format will generate greater efficiency and cost savings. The annual Super-Regional Conferences will be supplemented by the establishment of opportunities for related campus-based programming. The economies of scale resulting from the creation of the Super Regional Conference also provide the division with an opportunity to reallocate funds from the Leadership Conference Program to the Identity Initiative ($200,000).

Presidents Council. The Presidents Council approved reallocating $80,000 from the Division III Regional Leadership Conference budget to support campus-based leadership programming.

Staff Liasons: **Davey, Nesbitt**

Council Reps: Ching, Downes, Ingold

b. Management Council subcommittees.

(1) Academic Issues Subcommittee.

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

Presidents Council. No action was necessary.

Staff Liaisons: **Fuchs, Nesbitt**

Council Reps: Chapman, Fulks, Gunning, Robert, Rupert

(2) Subcommittee for Legislative Relief.

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

Presidents Council. No action was necessary.

Staff Liaisons: **Huchthausen, Myers**

Council Reps: Chapman Klika Lowe Martin McKinney Oberbilling Wojtkun

(3) Playing and Practice Seasons Subcommittee.

(a) Noncontroversial Legislation – Playing and Practice Seasons – Golf, Rowing, Tennis, Designation of Segments of Playing Season.

Management Council. The Management Council approved in concept noncontroversial legislation to eliminate the designation of traditional and nontraditional segments in golf, rowing, and tennis in favor of a defined season as follows:

- Fall start date: The date that permits a maximum of 16 units in the preseason practice formula before the first scheduled intercollegiate competition.
- Fall end date: Five weekdays before the first day of the fall final examination period.
- Spring start date: January 15.
- Spring end date: The conclusion of the NCAA championships.

This proposal would alleviate the concerns expressed at the 2010 NCAA Convention regarding NCAA Division III Proposal No. 2010-5 as applied to golf, rowing and tennis while maintaining the academic principles on which Proposal No. 2010-5 was based. These sports do not have separate contest and practice limitations applicable to the different segments thus making the designation of "traditional" and "nontraditional" inaccurate and meaningless. Therefore, as long as the five weekday limitation set forth in Proposal No. 2010-5 applies to at least one of the segments the principle of Proposal No. 2010-5 is upheld. This proposal would mandate that the five-weekday limitation apply in the fall ensuring that student-athletes in these sports would not have any athletic commitments during the fall final exam period while providing flexibility during the period of time in which the NCAA championship is held. The analysis of the playing and practice seasons legislation applicable to these sports made it clear that designating the segments as set forth in the proposal is consistent with the practical reality of how these sports are conducted while supporting the academic interests of Proposal No.

2010-5. It should be noted that while the original subcommittee recommendation established a February 1 spring start date, the subcommittee subsequently revised its recommendation to January 15 via e mail deliberations.

Presidents Council. No action was necessary.

(b) Noncontroversial Legislation – Playing and Practice Seasons - Playing Season-Waiver Process for Nontraditional Calendars.

Management Council. The Management Council approved in concept noncontroversial legislation establishing a process by which a member institution with nontraditional academic calendar may apply to the NCAA Division III Management Council Playing and Practice Seasons Subcommittee for a waiver from the parameters which define the playing season. Such waivers could not extend the playing season.

Currently there is not a waiver process to address when institutions have a nontraditional academic calendar that makes compliance with the NCAA Division III Bylaw 17 playing and practice season's legislation practically prohibitive. Establishing a waiver process would recognize the diversity of institutions in Division III and support the concept that the playing and practice seasons legislation is intended to minimize interference with the academic programs of its student-athletes.

Presidents Council. No action was necessary.

(c) Modification of Wording – Playing and Practicing Seasons – Length of Playing Seasons – End of the Fall and Spring – Nontraditional Segment.

Management Council. The Management Council approved in concept a modification of wording to clarify that the five-weekday limitation set forth in NCAA Division III Proposal No. 2010-5 applies to the regular fall and spring exam periods and to establish the end of the spring nontraditional segment to be the end of the academic year.

This change is necessary to clarify how Proposal No. 2010-5 affects quarter schools in which the winter exams may occur during the nontraditional segment as well as those schools that currently conduct the nontraditional segment during a May term. Proposal No. 2010-5 was only intended to modify the previous rule in two ways: (1) change the fall nontraditional segment end date from October 30th to five weekdays before the fall final exam period; and (2) change the spring nontraditional segment end date from the date before the final exam period to five weekdays before the final exam period. Under the previous rule, the

spring nontraditional segment was based on the final exam period at the end of the institution's academic year which, for some schools, includes a May term. However, the language of the legislation adopted with Proposal No. 2010-5 does not clearly state this same intended application regarding when the playing season should end or to which terms the five-weekday limitation applies. Therefore, to recognize that some institutions conduct a spring nontraditional segment during a May term that is included as part of the regular academic year, there had to be a distinction made between the five-weekday limitation in the spring segment and the end of the spring nontraditional segment. This modification would keep intact the ability for schools to conduct their nontraditional spring segment up to the end of the regular academic year, while maintaining the intent of Proposal No. 2010-5.

Presidents Council. No action was necessary.

(d) Noncontroversial Legislation – Playing and Practice Seasons - Playing Season-Nontraditional Segment – Five-Weekday Limitation – Any Regular Exam Period.

Management Council. The Management Council approved in concept noncontroversial legislation to specify that the five-weekday limitation that applies to the fall and spring final exam periods shall also apply to final exam periods of all regular academic terms during the nontraditional segment. While this recommendation was offered by the subcommittee as Convention legislation, the Council determined that its consistency with the intent of Proposal No. 2010-5 warranted the noncontroversial designation, and the establishment of the waiver provision in item b above will guard against any individual institutions being adversely impacted.

Specifically, it is consistent with the academic intent of Proposal No. 2010-5 that the five-weekday limitation should apply to final exam periods of all regular academic terms during the nontraditional segment. However, when the subcommittee initially proposed Proposal No. 2010-5 it did not contemplate its effect on institutions on a quarter system or other nontraditional academic calendar. The subcommittee believes the principle of Proposal No. 2010-5 was that the nontraditional segment should not be conducted five weekdays prior to or during an institution's regular final exam period and for that reason, it should be extended to any regular final exam period during the nontraditional segment.

Presidents Council. No action was necessary.

(e) Noncontroversial legislation – Eligibility – Seasons of Participation – Hardship Waiver – Percent Calculation – Indoor/Outdoor Track and Field.

Management Council. The Management Council approved in concept and legislative format noncontroversial legislation establishing nine as the standard denominator for both indoor and outdoor track and field for purposes of hardship waiver application.

NCAA Division III Proposal No. 2010-7 standardized the hardship waiver condition based on the Bylaw 17 maximums for each sport plus one to take into account a conference tournament. One unintended consequence of this proposal was how this applies to indoor and outdoor track and field. The problem is that the Bylaw 17 maximum is a combined number but the sports are treated separately for seasons of participation purposes. Under Proposal No. 2010-7 the standard denominator for both indoor and outdoor track and field is 19 which effectively permits a student-athlete to compete in seven dates of competition for indoor track and field prior to the 10th date of competition and qualify for a hardship waiver. This is significantly more liberal than the standard for any other sport. Under the proposal, establishing the standard denominator as nine would permit a student-athlete to compete in three dates of competition for indoor track and field prior to the fifth date of competition and qualify for a hardship waiver and compete in three dates of competition for outdoor track and field prior to the fifth date of competition and qualify for a hardship waiver. This result mirrors the intent of Proposal No. 2010-7.

Presidents Council. No action was necessary.

c. Division III Committees.

Staff Liaisons: Suscha, Williams

Council Reps: Downes, Martin, Oberbillig

(1) Championships Committee.

(a) Noncontroversial Legislation – Bylaw 17.1.7 – Missed Class Time-Practice.

Management Council. The Management Council approved in concept noncontroversial legislation to amend Bylaw 17.1.7 to allow an exception for student-athletes of the host institution to miss class for practice scheduled in conjunction with NCAA championships. However, missed class time for the host institution should remain a primary consideration when governing sport committees establish practice assignments.

Allowing the NCAA championships exception would provide greater flexibility for championship scheduling with minimal impact on missed class time for student-athletes. Since it is often difficult for the governing sport committee to schedule practice times on a weekday without student-athletes missing some class time, this proposal seeks to put the team from the host institution on par with other teams participating in the

championship by enabling the host team to participate in a full practice. Missed class time should remain a primary consideration when scheduling championship practices, but flexibility within the legislation to allow missed class time can be applied if the circumstances deem it appropriate. The Championships Committee does not recommend extending the exception to conference championships.

Presidents Council. No action was necessary.

(b) Noncontroversial Legislation – Bylaw 18.4.2 – Institutional Eligibility and Bylaw 31 – Executive Regulations.

Management Council. The Management Council approved in concept and legislative format noncontroversial legislation to eliminate Bylaw 18.4.2 – Institutional Eligibility and amend Bylaw 31.2 – Eligibility for Championships and Bylaw 31.3 – Selection of Teams and Individuals for Championships Selection to clarify and reorganize legislation. As part of the reorganization, Bylaw 18.4.2 will be eliminated and subsumed within Bylaw 31.2.1 – Institutional Eligibility. In addition, Bylaw 31.3.1.1 – Maximum Bracket Size will explicitly state that there shall be a minimum of two Pool C berths in every team championship bracket.

The proposed changes reorganize and clarify the Bylaws that address institutional eligibility and selection for championships. With the exception of the changes to Bylaw 18.4.2 – Institutional Eligibility and Bylaw 31.3.1.1 – Maximum Bracket Size as noted above, the changes are not substantive in nature and, in some cases, eliminate language that is either redundant or has been successfully incorporated as Championships Committee policy. Through the reorganization, the Championships Committee anticipates greater comprehension on the part of the Division III membership regarding institutional eligibility and selection for championships.

Presidents Council. No action was necessary.

(c) Sports Committee Appointments. The Management Council accepted the information that the Championships Committee's approved appointments to the following sports committees. All appointments will be effective September 1, 2010, unless otherwise noted:

- Division III Baseball Committee. Reappoint: New York region – Kris Doorey, coach/administrator, Plattsburgh State University of New York. Appoint: New England region – Gregg Kaye, commissioner, The Commonwealth Coast Conference.
- Division III Men's Basketball Committee. Midwest region: Mike McGrath, men's basketball coach, University of Chicago; Northeast region: Dave Lindberg, assistant director of athletics/men's basketball coach, Worcester State College.
- Division III Women's Basketball Committee. Atlantic region: Matthew Donohue, head women's basketball coach, Catholic

University; Northeast region: Joseph Walsh, commissioner, Great Northeast Athletic Conference.

- Men's and Women's Fencing Committee. Reappoint Barb Bolich, assistant director of athletics, Massachusetts Institute of Technology.
- Division III Field Hockey Committee. New England West region: Nicky Pearson, senior woman administrator/head field hockey coach, Bowd**o**in College.
- Division III Football Committee. East region: Clayton Kendrick-Holmes, associate director of athletics/football coach, State University of New York Maritime.
- Division III Men's Golf Committee. Great Lakes region: Brian Lane, golf coach, Transylvania University; Northeast region: Kevin Beattie, associate director of athletics/sports information director, Rensselaer Polytechnic Institute.
- Division III Women's Golf Committee. West region: Darla Kirby, senior women's administrator/head women's golf coach, University of Mary Hardin-Baylor.
- Division III Women's Lacrosse Committee. Reappoint: West region – Wynne Lobel, coach/administrator, Pacific University (Oregon). Appoint: New England region – Brett Allen, head women's lacrosse coach, Bates College.
- Division III Women's Soccer Committee. Great Lakes region: Keri Luchowski, associate executive director, North Coast Athletic Conference; Mid-Atlantic region: Robert Anckaitis, head women's soccer coach, Swarthmore College; North region: Erin Coppernoll, head women's soccer coach, University of Wisconsin, Oshkosh.
- Division III Softball Committee. Central region (immediate vacancy replacing Donna Newberry): Michelle Manning, senior woman administrator/head softball coach, Transylvania University. In addition, appoint Anita Kubicka, assistant director of athletics and head softball coach at Montclair State University, as chair of the NCAA Division III Softball Committee, effective immediately.
- Division III Men's Tennis Committee. Central region: Michael Zapolski, director of athletics, Augustana College (Illinois).
- Division III Women's Tennis Committee. Reappoint Mindy Mangels, associate director of athletics, Wellesley College.
- Division III Women's Volleyball Committee. Mid-Atlantic region: Sue DuMars, senior woman administrator/head volleyball coach, York College (Pennsylvania).
- Men's Water Polo Committee. Brian Streeter, director of athletics, Pennsylvania State University, Erie, the Behrend College.
- Division III Wrestling Committee. East region: Jason Robinson, head wrestling coach, Washington and Jefferson College.
- Playing Rules Oversight Panel. Dick Hack, director of athletics, State University of New York Maritime College.
- Men's Basketball Rules Committee. James Zalacca, director of athletics, State University of New York at Potsdam.

- Women's Basketball Rules Committee. John Dzik, director of athletics, Piedmont College.
- Football Rules Committee. Gregory Wallace, director of athletics and recreation, Grinnell College.
- Men's Lacrosse Rules Committee. Jon Hind, director of athletics, Hamilton College.
- Men's and Women's Soccer Rules Committee. Colleen Bruley, head women's soccer coach, State University College at New Paltz.
- Women's Volleyball Rules Committee. Reappoint Bonnie May, assistant director of athletics, Smith College.

Presidents Council. No action was necessary.

(d) Waiver of Bylaw 31.1.12.1.2 - Sponsorships.

Management Council. The Management Council accepted the information that the Championships Committee approved a waiver of Bylaw 31.1.12.1.2 - sponsorships to permit the involvement of professional sports teams and organizations in sponsorship arrangements for the remainder of the 2009-10 academic year in the following Division III championships: men's lacrosse, women's lacrosse and women's rowing. The championships were identified as they are combined with at least one other division at the final championship site. Consequently, the waiver does not extend to any other Division III championship.

The committee agreed it was important to provide relief for the designated championships given that the joint effort in these championships is due, in part, to leveraging various opportunities to promote the particular championship and sport. Further, it was practical to provide limited relief as a waiver has been supported for Divisions I and II under the authority of the NCAA President.

The limited scope of this approval is a result of the Division III governance structure's past position in regard to the involvement of professional sports teams or organizations in other activities. Specifically, the Division III governance structure has not expanded opportunities involving professional sports teams or organizations in the same manner as Divisions I and II in recent years and a request seeking full relief for all Division III championships would have been a significant leap from current philosophy. The issue will be placed on the committee's June in-person meeting agenda for further consideration in order to determine whether a permanent legislative change is appropriate.

Presidents Council. No action was necessary.

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

Council Rep: McKinney

(2) Financial Aid Committee.

(a) Financial Aid Reporting Process - Level II Reviews.

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

The committee may do the following when conducting a Level II review: (1) take no further action during this reporting cycle; (2) take no further action during this reporting cycle conditioned on further review during the next reporting cycle; (3) request additional information; or (4) refer the institution to NCAA enforcement.

Of the 28 reviews, the committee decided: (1) for 18 institutions, take no further action during this reporting cycle; (2) for one institution, take no further action during this reporting cycle conditioned on further review during the next reporting cycle; (3) referred 9 institutions to enforcement along with recommended penalties.

Presidents Council. No action was necessary.

(b) Nontraditional populations of students within the cohort.

Management Council. The Management Council accepted the information that during the next reporting cycle, those institutions that trigger a Level I review will have the opportunity to submit an alternative cohort that may better represent their institutional enrollment. This additional information will provide institutions a means of explaining perceived advantages discovered through the reporting process and will likely result in more accurate and precise information for committee review.

Presidents Council. No action was necessary.

Staff Liaisons: **Cooper, Elworth**

Council Rep: Gunning

(3) Committee on Infractions.

(a) Amend Bylaw 19.02.2.1

Management Council. The Management Council ratified an enforcement policy and procedure to clarify and specify what constitutes a secondary violation:

19.02.2.2.1 Violation, Secondary.

A secondary violation is a violation that is isolated or ~~inadvertent~~ *inadvertent* in nature, provides or is intended to provide only a minimal recruiting, competitive or other advantage and does not include any significant ~~recruiting inducement or extra benefit~~ *impermissible benefit (including, but not limited to, extra benefit, recruiting inducement, preferential treatment, financial aid).* Multiple secondary violations by a member institution may collectively be considered as a major violation.

This amendment clarifies the scope of what a secondary violation is, and specifies that other significant impermissible benefits are major violations.

Presidents Council. No action was necessary.

(b) Statistics Related to Secondary Cases for 2009.

Management Council. The Management Council accepted the information that approximately 391 Division III secondary infractions cases were processed and/or reviewed during the 2009 calendar year. Of those 391 cases, approximately 65 (17%) were processed by institutions and/or conferences as Level II secondary violations. Men's sports reporting the most violations include baseball, football and soccer. Women's sports reporting the most violations include softball, basketball and volleyball. The most commonly reported violations in Division III occur in the bylaws regarding recruiting, playing and practice seasons, and eligibility. No action was necessary.

Presidents Council. No action was necessary.

(4) Membership Committee.

Staff Liaisons: **Davey, Willett**

Council Rep: Robert

(a) Noncontroversial Legislation – NCAA Division III Bylaw 20.4.3.2 (Compliance with Criteria and Athletically Related Financial Aid Exception).

Management Council. The Management Council approved in concept noncontroversial legislation that allows for student-athletes no longer participating in intercollegiate athletics at Division III institutions that sponsor a sport in another division and are reclassifying that sport to Division III to continue to accept athletically related financial aid as previously granted or promised by the institution. This allowance is similar to that afforded to provisional and reclassifying institutions that award athletically related financial aid.

The committee noted, in its review of NCAA Division III Bylaw 20.4.3.2 (compliance with criteria and athletically related financial aid exception), that no athletically related financial aid may be renewed for any student once the institution's application to revoke multidivisional classification is accepted. The committee further noted a multidivisional institution may have committed athletically related financial aid prior taking action

to reclassify the sport to Division III. As a result of the aforementioned circumstances and the legislation, institutions would be required to advise their currently enrolled student-athletes that they may no longer receive athletically related aid, regardless of whether they continued to participate in athletics. The committee considered the inherent student-athlete well-being principle and noted if the student-athlete no longer competed in athletics, it would be appropriate to permit future distribution of athletics aid to continuing students as an option. The student would then have a choice to continue with his or her athletics career and no longer accept athletically related financial aid or accept the award and no longer participate in athletics at the institution. As previously noted, this is consistent with existing legislation for provisional and reclassifying institutions and the committee believes it is appropriate to extend this to situations in which an institution revokes its multidivisional classification in a particular sport.

Presidents Council. No action was necessary.

(b) Noncontroversial Legislation – NCAA Division III Constitution 3.02.3.1.2.2 (Restricted) – Constitution 3.2.4.15.2 (Application of Restricted Membership Status) – Bylaw 20.02.5 (Restricted Membership) – Bylaw 20.3.7.4 (First Year of Active Division III Membership) – Bylaw 20.6.8.4 (First Year of Active Division III Membership – Catastrophic-Injury Clause).

Management Council. The Management Council approved in concept noncontroversial legislation that ensures institutions placed on restricted membership status are not subject to revocation of catastrophic-injury insurance.

The committee reviewed a referral from NCAA Division III Management Council that it examine the impact on institutions and student-athletes of losing catastrophic-injury insurance when placed in restricted membership. In its review, the NCAA Division III Membership Committee noted the financial impact on institutions and student-athletes if catastrophic-injury insurance were unavailable was significant and overly punitive.

There is no national office budget impact to this proposal. A member institution could purchase a similar insurance program for approximately $15,000, yet the coverage would not provide the same benefits as the NCAA catastrophic-injury insurance. A program with benefits equal to the NCAA program would not be available at any price to an institution on an individual basis.

Presidents Council. No action was necessary.

(c) Sports-Sponsorship Requirements – Eastern Nazarene College Waiver Request of Bylaw 20.11.3.2 (Institution with Enrollment of more than 1,000 Students) and Bylaw 20.11.3.3. (Calculation of Enrollment Figures).

Management Council. The Management Council conditionally approved a sports-sponsorship waiver request of Bylaw 20.11.3.2 (institution with enrollment of more than 1,000 students) and Bylaw 20.11.3.3 (calculation of enrollment figures) for Eastern Nazarene College for a three-year period beginning with the 2010-11 academic year.

Eastern Nazarene noted that per Integrated Postsecondary Education Data Systems (IPEDS) definition it is has a four-year average full-time undergraduate enrollment of more than 1,000 students. However, many of these students are enrolled in the adult studies program, and the structure of the program renders those students enrolled in the program ineligible to compete in athletics. As a result, Eastern Nazarene requested these students not be included in the full-time undergraduate enrollment calculation for sports sponsorship purposes. Should these students be discounted from the enrollment number, Eastern Nazarene would have fewer than 1,000 students and be required to sponsor fewer sports per Bylaw 20.11.3.1 (institution with enrollment of 1,000 students or less).

In its review, the Membership Committee noted the NCAA Division III Financial Aid Committee permitted Eastern Nazarene to exclude the aforementioned segment of students for purposes of financial aid review and reporting. The Membership Committee also noted the students in the adult studies program are ineligible for participation in intercollegiate athletics based on course credit requirements and program structure. Further, the committee recognized the institution intended to add sport(s) but has not implemented men's volleyball due to economic difficulties.

The Membership Committee recommended approval of the waiver with the following conditions:

- Eastern Nazarene must document that students in the adult studies program are ineligible for intercollegiate athletics; and
- Eastern Nazarene must track its rolling four-year average of traditional undergraduate students each year as the waiver would be null and void at the point in time that enrollment number exceeds 1,000.

Presidents Council. No action was necessary.

(d) NCAA Convention Attendance Requirement – Constitution 3.2.4.15 (Convention and Regional Rules Seminar Attendance).

Management Council. The Management Council approved the following waiver requests for 2010 NCAA Convention attendance per Constitution 3.2.4.15 (Convention and regional rules seminars attendance):

- North Carolina Wesleyan College; and
- Rust College.

Based on its new directive to provide more latitude with the Convention attendance requirement, the committee recognized that the aforementioned institutions attended the Convention yet failed to cast a vote. The institutions are encouraged to cast a vote in future years, but it was acknowledged that the institutions met the intent of the legislation in that they both attended educational programs and sessions.

Presidents Council. No action was necessary.

(e) Rutgers, The State University of New Jersey, Newark – Revoking Multidivisional Status Application Request – Waiver of Bylaw 20.4.3.2 (Compliance Criteria).

Management Council. The Management Council approved partial relief of the institution's waiver request of Bylaw 20.4.3.2 (compliance with criteria). Specifically, Rutgers, The State University of New Jersey, Newark may reclassify its Division I men's volleyball program to Division III in accordance with Bylaw 20.4.3.2 (compliance with criteria) and continue to award athletically related financial aid to the men's volleyball student-athletes that no longer participate, but the institution would not be permitted to award athletically related financial aid to active men's volleyball participants.

The committee received an application from this institution to revoke its multidivisional classification in men's volleyball. Along with its application, the institution submitted a waiver request to permit the awarding of athletics aid to student-athletes who intend to continue participation in athletics. Under current legislation, the institution would not be permitted to provide athletics aid under any circumstance, including if a student chose to no longer participate in athletics. The committee noted its previous legislative recommendation to afford student-athletes at an institution revoking its multidivisional classification the opportunity to choose to accept athletically related financial aid and discontinue participation in athletics or choose to participate in athletics and no longer accept athletically related financial aid. The committee also recognized the institution's transition period is two years and athletically related financial aid should not be granted to active student-athletes during that

time period in an effort to ensure the institution's team assimilates to the Division III philosophy and practices during the two years. Accordingly, the committee agreed it was appropriate to provide partial relief, consistent with their previous legislative recommendation.

Presidents Council. No action was necessary.

(f) Single-Sport Conference Applications – Constitution 3.3.3.2 (election).

Management Council. The Management Council granted the following single-sport conferences active Division III conference status:

- Mid-Atlantic Rowing Conference;
- Midwest Women's Lacrosse Conference; and
- United Volleyball Conference.

The single-sport conferences demonstrated presidential oversight, complete and detailed constitution and bylaws and each have at least six active member institutions.

Presidents Council. No action was necessary.

(g) NCAA Division III Institutional Self-Study Guide and Conference Self-Study Guide.

Management Council. The Management Council accepted the information that the membership committee will restructure the documents to incorporate the six attributes noted in the division's Strategic Positioning Platform as well as other key concepts such as presidential involvement. Applicable legislative changes will also be incorporated.

Presidents Council. No action was necessary.

(5) Nominating Committee.

Staff Liaison: **Tufano**

Council Rep: Lowe

- **Committee Appointments.**

Management Council. The Management Council approved the following committee appointments and reappointments. Terms begin September 1, 2010:

- Olympic Sports Liaison Committee. Zak Ivkovic, commissioner, City University of New York Athletic Conference.
- Research Committee. Michelle Walsh, compliance coordinator, Fitchburg State College.

- Committee on Women's Athletics. Sarah Feyerherm, associate vice president for student affairs, Washington College (Maryland).

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

Staff Liaisons: Conklin, Davey, Montgomery

Council Reps: Royer, Wojtkun

(6) Student-Athlete Advisory Committee (SAAC).

- **Haitian Fundraiser.**

Management Council. The Management Council received a verbal update on the progress of the committee's Haitian fundraising effort. To date, SAACs across the division have reported contributions of $90,000 towards the $100,000 goal.

Presidents Council. No action was necessary.

Staff Liaisons: Bandy, Groddy

Council Rep: Gunning

(7) Student-Athlete Reinstatement Committee.

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

Presidents Council. No action was necessary.

Staff Liaisons: Huchthausen, Myers

Council Rep: Fulks

(8) Interpretations and Legislative Committee.

(a) 2011 NCAA Convention Proposal – Amateurism – Exception for Prize Money for Enrolled Student-Athletes – Outside the Playing Season During the Academic Year – Individual Sports.

Management Council. Sponsor legislation for the 2011 NCAA Convention that would permit a student-athlete in an individual sport to accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's playing season during the institution's summer vacation period and the prize money does not exceed actual and necessary expenses and is provided only by the sponsor of the open event.

The committee reviewed NCAA Division I Proposal No. 2009-12-B regarding the acceptance of prize money during the summer by enrolled student-athletes in individual sports. The committee noted that currently a prospective student-athlete may accept prize money based on place

finish, up to actual and necessary expenses, in order to offset costs incurred while participating in an open athletics event. In the interest of student-athlete well-being and consistency in the rules, the committee believed the same opportunity should be available to enrolled student-athletes. Specifically, the current post-enrollment amateurism rule adversely affects student-athletes in individual sports. Student-athletes who participate in team sports and who compete on outside teams during summer vacation periods are able to travel and have their expenses paid in full or subsidized by their teams, team sponsors and/or event organizers. The committee believed student-athletes in individual sports should have the same opportunity to compete at a high level during summer vacation periods while having some or all of their expenses covered. The committee noted this should be limited to the receipt of actual, incurred, out-of-pocket expenses. A student-athlete would not be able to profit from competing in events and accepting money based on place finish. Moreover, in order to safeguard against student-athletes missing class and minimize the potential intrusion and distraction during the academic year, the committee believed this should apply only to open events taking place outside of the playing and practice season during institutional summer vacation periods. Finally, the committee agreed the calculation of actual and necessary expenses under this proposal should not include the expenses of fees for anyone other than the student-athlete (e.g., coach's fees or expenses, parent's expenses) as noted in the Division I rule.

Presidents Council. The Presidents Council agreed to sponsor a proposal for the 2011 Convention that would permit a student-athlete in an individual sports to accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's playing season during the institution's summer vacation period and the prize money does not exceed actual and necessary expenses and is provided only b the sponsor of the open event.

(b) Noncontroversial Legislation – Ethical Conduct – Unethical Conduct – Application to Institutional Staff.

Management Council. The Management Council approved in concept noncontroversial legislation to clarify in NCAA Division III Bylaw 10.1 (unethical conduct) that an institutional staff member includes any individual who performs work for the institution or the athletics department and/or does not receive compensation from the institution for performing such services.

In a review of Divisions I, II and III legislation, the committee noted that in Division I, the list of individuals to whom Bylaw 10.1 applies contains examples which help clarify the legislation. The committee agreed such clarity would be helpful in educating Division III institutions regarding

the extent of the legislation's application and believes specifying that "institutional staff member" includes any individual who performs work for the institution or the athletics department and/or does not receive compensation from the institution for performing such services is appropriate given the variety of staff situations, such as volunteer or part-time positions, that exist in the Division III membership.

Presidents Council. No action was necessary.

(c) Noncontroversial Legislation – Ethical Conduct – Unethical Conduct.

Management Council. The Management Council approved in concept noncontroversial legislation to amend Bylaw 10.1 (unethical conduct) to include the following additional examples of unethical conduct: (1) failure to provide complete and accurate information to the NCAA, the NCAA Eligibility Center or an institution's admissions office regarding an individual's academic record (e.g., schools attended, completion of coursework, grades and test scores); (2) fraudulence or misconduct in connection with entrance or placement examinations; (3) engaging in any athletics competition under an assumed name or with intent to otherwise deceive; and (4) failure to provide complete and accurate information to the NCAA, the NCAA Eligibility Center or the institution's athletics department regarding an individual's amateur status.

In a review of Divisions I, II and III legislation in this area, the committee noted that four examples of unethical conduct are not listed in the Division III version. While not an exhaustive list, the codification of such examples provide clear situations in which unethical conduct may be found which will be helpful to the membership and staff.

Presidents Council. No action was necessary.

(d) Noncontroversial Legislation – Administrative Regulations - Dissolution and Reorganization.

Management Council. The Management Council approved in concept and legislative format noncontroversial legislation to dissolve Bylaw 30 by shifting all provisions of Bylaw 30 into other area of the legislation.

The committee noted the staff's recent efforts to consolidate and bring consistency to the NCAA Manual in all three divisions. The committee noted these changes are not substantive, but rather a re-direction of the provisions into sections of the Manual that are more topically specific. Additionally, this redirection involves changing administrative bylaws to operational bylaws which results in a change in the method by which these bylaws may be amended in the future. Administrative bylaws may

be changed by a majority of the NCAA Division III Management Council and are not subject to ratification by the membership. The operational bylaws, however, may not be changed by this method, but rather may be changed by noncontroversial legislation which needs the approval of three-fourths of the Management Council and is subject to membership ratification.

Presidents Council. No action was necessary.

(e) Noncontroversial Legislation – Playing and Practice Seasons - Nontraditional Segment Limitations – Final Examination Periods During Nontraditional Segment.

Management Council. As noted in the Playing and Practice Seasons Subcommittee report on page 10, the Management Council approved in concept noncontroversial legislation to specify the five-weekday prohibition on athletically related activities surrounding final examinations for the spring academic term applies to any regular final examination period that falls during an institution's nontraditional segment (e.g., winter quarter) even if the institution's playing season will not end with that final examination period.

[NOTE: This is the same recommendation as found in the playing and practice seasons section of report with the two recommendations yielding one proposal.]

The intent of Proposal No. 2010-5 was to provide sufficient time for student-athletes to prepare for final examinations. While the original intent and discussion of the proposal did not contemplate application to final examination periods that do not end the institution's playing season, it is consistent with the proposal's intent to extend its application to any regular final examination period that falls during an institution's nontraditional segment. For example, under current legislation a quarter-based institution could begin its nontraditional segment during the winter quarter and continue to practice and/or compete prior to and during the winter quarter final examination period. Such practice is contrary to the intent of Proposal No. 2010-5 and the committee found no reason to treat the winter quarter different than the spring quarter for purposes of the nontraditional segment.

Presidents Council. No action was necessary.

(f) Modification of Wording – Playing and Practice Seasons - Athletically Related Activities – Observation of Student-Athletes in Sport Other Than Coaching Staff's Sport.

Management Council. The Management Council approved in concept a modification of wording to clarify that Bylaw 17.02.1.1-(k) (athletically related activities) which prohibits any coaching staff member from observing any student-athletes engaging in nonorganized sport-specific activities is sport specific and only applies to student-athletes in the coach's sport.

While a strict reading of the legislation would suggest that the legislation applies to student-athletes in any sport, the legislative and interpretive history demonstrate the original intent was intended to apply only to student-athletes in the coach's sport. Specifically, the legislation is a result of Proposal No. I-2005-3 which incorporated an official interpretation [Reference: 7/2/93, Item No. a] which implies that it was sport specific. Therefore, this change is necessary to clarify the intended application of this legislation.

Presidents Council. No action was necessary.

(g) Incorporation of Official Interpretation into the Legislation - Advertising of Collegiate Contests Held in Conjunction with High School, Preparatory School or Two-Year College Contests.

Management Council. The Management Council approved in concept the incorporation of the following portion of an interpretation:

"The institution may not publicize the appearance of any specific prospective student-athletes nor may it use individual or team photographs of participating prospective student-athletes in any advertising activities." [Reference: 1/22/10, Item No. 1]

Incorporation of this part of the official interpretation will clarify the application of the legislation for advertising and promotional efforts for collegiate contests held in conjunction with high school, preparatory school and two-year college contests to bring consistency across the membership when promoting these events in order to eliminate any perceived recruiting advantage. The remaining portion of the interpretation that permits an institution to advertise the event, as well as the names of the participating teams, through those media outlets normally used by the institution will remain as an official interpretation."

Presidents Council. No action was necessary.

(h) Approval of Official Interpretation – Observation of Prospective Student-Athletes in Recreational Activities.

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

"Observation of Prospective Student-Athletes in Recreational Activities. The NCAA Division III Management Council confirmed that for purposes of the tryout exception that permits coaching staff members to observe prospective student-athletes engaging in recreational activities, such observation shall only be permissible provided the facilities are available to all visiting prospective students generally." [Reference: Bylaw 13.11.2.1.1 (permissible observation of recreational activities)]

This information was included in the 2010 Convention Legislation Question and Answer Guide. The committee believes it should be codified as an official interpretation to ensure the intended application of the legislation is formally recorded.

Presidents Council. No action was necessary.

(i) Approval of Official Interpretation – Observation of Enrolled Student-Athletes in Nonorganized Sport-Specific Activities.

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

"Observation of Enrolled Student-Athletes in Nonorganized Sport-Specific Activities. The NCAA Division III Management Council confirmed that for purposes of the athletically related activities exception that permits coaching staff members to observe enrolled student-athletes engaging in nonorganized sport-specific activities (e.g., open gym); such observation shall only be permissible provided the facilities are open to the general student body, as opposed to a group of students that may include student-athletes." [Reference: Bylaw 17.02.1.1.1 (athletically related activities – exceptions)]

This information was included in the 2010 Convention Legislation Question and Answer Guide. The committee believes it should be codified as an official interpretation to ensure the intended application of the legislation is formally recorded.

Presidents Council. No action was necessary.

(j) Approval of Official Interpretation – Facility Monitoring as Part of Normal Employment Arrangement.

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

"Facility Monitoring as Part of Normal Employment Arrangement. The NCAA Division III Management Council confirmed that for purposes of the tryout exception and the athletically related activities exception regarding observation of prospective and/or enrolled student-athletes:

(i) A coach may have interaction with the prospective or enrolled student-athlete that is necessary to stop a dangerous or unsafe activity; however, a coach is not permitted to instruct the prospective or enrolled student-athlete as how to properly perform the activity;
(ii) The coach's job duties for facility monitoring must be properly documented in a manner consistent with all employees of the institution; and
(iii) The coach's job duties for facility monitoring must be specifically noted, as opposed to a broad provision such as "other duties" as assigned, and observation of prospective or enrolled student-athletes is only permitted if it occurs in the specific facilities for which the coach has designated monitoring duties."

[References: Bylaws 13.11.2.1.1 (permissible observation of recreational activities) and 17.02.1.1.1 (athletically related activities - exceptions)]

This information was included in the 2010 Convention Legislation Question and Answer Guide. The committee believes it should be codified as an official interpretation to ensure the intended application of the legislation is formally recorded.

Presidents Council. No action was necessary.

(k) Approval of Official Interpretation – Contact with Prospective Student-Athlete on Day or Days of Competition or Practice.

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

"Contact with Prospective Student-Athlete on Day or Days of Competition or Practice. The NCAA Division III Management Council determined that contact between a coach and a prospective student-athlete on the day or days of competition or practice is permissible only if:

(i) The contact occurred on the institution's campus;
(ii) The prospective student-athlete's competition or practice occurred off the institution's campus or facility not typically used by the institution for practice or competition;
(iii) The institution is not involved with the event in which the prospective student-athlete is a participant; and
(iv) The coaching staff did not initiate the contact in any manner."

[References: Bylaw 13.1.4.2 (practice or competition site) and an official interpretation (8/11/93, Item No. 3)]

During its September 21, 2009, meeting the committee considered the legislation in Bylaw 13.1.4.2 (practice or competition site) that prohibits contact restrictions on the day or days of competition in situations in which a prospective student-athlete makes contact with a coach on the day or days of competition. Specifically, the committee reviewed a fact scenario in which a prospective student-athlete was participating in a three-day event in the locale of the institution, the institution was not affiliated with the event, the coach did not initiate the contact and the prospective student-athlete visited on the second day of the tournament. The committee believed that such contact is outside the scope of the legislation given the institution and coach were not involved or aware the prospective student-athlete intended to visit campus during the event, therefore, such an institution and coach should not be bound by the restrictions in the legislation in such circumstances. Finally, the committee believes the conditions detailed in the interpretation safeguard against potential abuses.

Presidents Council. No action was necessary.

(l) Approval of Official Interpretation – Awarding Academic Credit for Athletics Participation.

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

"Awarding Academic Credit for Athletics Participation. The NCAA Division III Management Council confirmed that an institution may award academic credit to student-athletes for participation in athletics, provided it is consistent with institutional policy for other extra- or co-curricular activities or is a course available to all students. Further, such credit may be used in determining full-time enrollment, including the 12-semester or quarter-hour requirement for competition, consistent with institutional policy." [Reference: Bylaw 14.1.8.1 (requirement for practice or competition)]

The committee examined the issue of whether it is permissible for an institution to consider credits earned for athletics participation in satisfying the full-time enrollment requirement in order to compete. The committee recognized this as a matter of institutional integrity and discretion. Accordingly, the committee agreed that if the credit is awarded in a manner that is consistent for the general student body, or other segments of the student body on a basis unrelated to athletics, then institutional policy should determine how that credit is used and that no legislative authority exists to interpret a more restrictive position.

Presidents Council. No action was necessary.

(m) Approval of Official Interpretation – Definition of Single-Sport Conference.

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

"Definition of a Single-Sport Conference. The NCAA Division III Management Council confirmed that a single-sport conference is a conference that only sponsors one sport. A conference that sponsors one sport, but sponsors both men's and women's competition in that sport is a multisport conference and would not qualify for a single-sport conference waiver for purposes of automatic qualification for either the men's or women's competition. It would be permissible, however, to establish two separate single-sport conferences (i.e., men's sport conference, women's sport conference) for purposes of requesting a single-sport conference waiver in each sport." [Reference: Bylaw 31.3.4.3.2 (single-sport conference waiver)]

The committee discussed the question of whether, for purposes of determining automatic qualification for championships, a conference that sponsors one sport but sponsors competition for both genders in that sport (e.g., men's and women's ice hockey) is considered a multisport conference or a single-sport conference. The committee reviewed a situation in which a conference that presently sponsors a men's sport, and receives a single-sport waiver for automatic qualification purposes, intends to sponsor the same sport for women. The committee agreed that adding a women's sport effectively resulted in the conference sponsoring two sports. Thus, the conference was no longer a single-sport conference but rather a multisport conference. The committee noted the fact that these are considered two separate sports for all other purposes (e.g., sports sponsorship, separate championships, separate playing rules) and, therefore, should not be considered the same sport only for this purpose.

Presidents Council. No action was necessary.

(n) Review Application of Hardship Waiver Legislation to Transfers.

Management Council. The Management Council referred to the Student-Athlete Reinstatement Committee the application of hardship waiver legislation to transfers.

During its February 11, 2010, meeting ILC reviewed a Division I official interpretation [Reference: 9/17/09, Item No. 1] and a Division II official interpretation [Reference: 10/31/97, Item No. 1-d] which provide greater flexibility to transfers regarding the application of hardship waiver legislation that a Division III official interpretation [Reference: 9/1/97, Item No. 3]. Specifically, the Division III interpretation requires that the legislation of the division in which the injury or illness occurred must be applied, while the Divisions I and II interpretations permits an institution to use either the legislation in which the injury or illness occurred or the division to which the student-athlete has transferred. The committee supports a modification be made in Division III to provide this same flexibility. In supporting a modification, the committee believes that transfers to Division III institutions should not be disadvantaged when compared to other divisions and that this restriction is not substantial enough to influence a student's decision to enroll at a member institution. During its March 17, 2010, conference call, however, the committee was informed that the Committee on Student-Athlete Reinstatement reviewed this same issue in the past year and believes the Division III interpretation should not change because they did not believe it was appropriate to factor in the potential status of a hardship waiver into a student-athlete's decision to transfer. After learning this information, ILC agreed to refer this issue back to the Committee on Student-Athlete Reinstatement prior to making a final recommendation to the Management Council in an effort to potentially reconcile the differing positions and to factor in the new hardship waiver legislation as a result of Proposal No. 2010-7.

Presidents Council. No action was necessary.

(o) Review of Recent Division I and II Legislative Actions.

Management Council. The Management Council referred the following Division I or II proposals to Division III committees for consideration:

(i) Referred Division I Proposal No. 2009-71 to the NCAA Division III Committee on Student-Athlete Reinstatement for further review with general support of the concept presented;
(ii) Referred Division I Proposal No. 2009-43 to the NCAA Division III Student-Athlete Advisory Committee for further review; and
(iii) Referred to the Division III Management Council Playing and Practice Seasons Subcommittee the concept of decreasing the maximum contest limits for the sports of baseball and softball. This issue was raised after reviewing Division II's "Life in the

Balance" legislative initiative. Decreasing the Bylaw 17 maximum contest limits and Bylaw 20 minimum contest requirements was a concept submitted for possible legislation by the Division III membership, but it never received proper sponsorship to go forward for a vote at the 2010 Convention. Based on the concerns expressed at that time, the committee agreed this issue should be reviewed from a governance perspective and should start with the Playing and Practice Seasons Subcommittee for further review.

Presidents Council. No action was necessary.

d. Association-Wide and Common Committees.

Staff Liaisons: **Klossner Wilfert**

Council Rep: Martinez

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

(a) Sport Playing Rule – Concussions.

Management Council. The Management Council acknowledged that the NCAA Playing Rules Oversight Panel received a recommendation to consider a common sport playing rule for concussion management in all NCAA sports for which the NCAA writes rules and to consider adopting a modification to playing rules not governed by the NCAA.

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

- "An athlete who exhibits signs, symptoms, or behaviors consistent with a concussion (such as unconsciousness, amnesia, headache, dizziness, confusion, or balance problems), either at rest or exertion, shall be immediately removed from practice or competition or shall not return to play until cleared by a physician or her/his designee."
- "Athletes who are rendered unconscious or have amnesia or persistent confusion shall not be permitted to continue for the remainder of the day. These athletes shall not return to any participation until cleared by a physician."

As part of the committee's ongoing evaluation of concussions in NCAA sports, the committee has determined that a common playing rule is necessary to provide an emphasis on the significance of head injuries, their prevalence, and the importance to refer for appropriate medical care. This action also is accompanied by a Concussion in Collegiate Sports

Summit in 2010 to review policies for medical management of concussions and prevention strategies appropriate to the collegiate environment. In addition, the committee will lead a collaborative educational initiative for coaches, officials, and student-athletes.

Presidents Council. The Council received a report from David Klossner, NCAA Director of Health and Safety, regarding a recommendation to the Executive Committee to approve the establishment of an Association-wide concussion management plan and related best practices. No action was necessary.

(b) Sport Playing Rule – Soccer.

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

The committee believes a mechanism should be in place that allows the sideline to communicate to the head referee about the need to remove an injured player (i.e., designated flag at the center table).

Presidents Council. No action was necessary.

(c) Sport Playing Rule – Wrestling.

Management Council. The Management Council acknowledged that the Wrestling Rules Committee received a recommendation to modify a current rule pertaining to the unconscious contestant.

Due to recent trends in concussion management, competition time constraints and a limited injury evaluation period, the committee believes it is appropriate to either adopt of the newly proposed concussion rule or to edit the current rule language.

Presidents Council. No action was necessary.

(d) Student-Athletes Treated for Gender Identity Disorder.

Management Council. The Management Council accepted the information that treatment for student-athletes with gender identity disorder who are transitioning from female-to-male gender includes prescribed testosterone on an ongoing basis. Testosterone is an NCAA banned anabolic agent, for which the NCAA provides a medical exception review to seek

approval for use prior to competition. CSMAS is the appropriate committee to request a review for pre-approval for testosterone treatment. In addition, CSMAS is a resource to those committees and membership bodies that will be called on to make participation decisions for transgender student-athletes.

Presidents Council. No action was necessary.

(2) Honors Committee.

Staff Liaison: Tufano

Council Rep: Klika

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

Presidents Council. No action was necessary.

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

Staff Liaisons: Arthur, Bracken, Ford

Council Rep: Ching

Management Council. The Management Council accepted the information that, in response to Council's referral to MOIC, it has begun its review of introducing a Senior Ethnic Minority Administrator designation into the governance structure. The committee discussed the referral and suggested that the use of participation in NCAA professional development programming be considered as an evaluation criterion for committee service. It was determined that the next step would be to establish a project team of Division III committee members to obtain more information and to further clarify the intended objectives.

Presidents Council. No action was necessary.

(4) Olympic Sports Liaison Committee.

Staff Liaison: Calandro, Smith, Suscha Turner

Council Rep: Chapman

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

Presidents Council. No action was necessary.

(5) Postgraduate Scholarship Committee.

Staff Liaison: Strum

Council Rep: Chapman

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

Presidents Council. No action was necessary.

(6) Research Committee.

Staff Liaison: Bracken

Council Rep: Ryerson

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

Presidents Council. No action was necessary.

Staff Liaisons: **Ahlgren Bedics, Miller, Smith**

Council Rep: Ingold

(7) Committee on Sportsmanship and Ethical Conduct.

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

Presidents Council. No action was necessary.

Staff Liaison: Chichester

Council Rep: Thomforde

(8) Walter Byers Scholarship Committee.

Management Council. The committee had no formal 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 on emerging sports for women's programs regarding sand volleyball. In Division I, the override vote of Proposal No. 2008-59 failed at the 2010 NCAA Convention. Therefore, sand volleyball is on the Emerging Sports for Women list for Divisions I and II. The Division I Board of Directors adopted Proposal No. 2010-1 to delay the effective date of sand volleyball being included on the list for Division I to August 1, 2011. The Division I governance structure is working to develop the framework for the sport with proposals relating to recruiting, coaching limitations, financial aid and playing and practice seasons to be part of the 2010-11 legislative cycle. Division II adopted NCAA Division II Proposal No. 2010-7, which established the maximum institutional grant-in-aid equivalency limit, the playing and practice season regulations and the minimum contests and participant requirements for sports sponsorship, at the 2010 NCAA Convention.

The Council reviewed the Executive Summary from a recent survey on Division III Sand Volleyball, noting the following:

- A total of 314 institutions provided survey responses resulting in a 70.7 percent response rate.
- Of the individuals that responded, senior woman administrators represented 23.2 percent of the total respondents.
- Of the individuals that responded, directors of athletics represented 68.8 percent of the total respondents.
- The remaining 8.0 percent of respondents represent the institutions whose director of athletics was also the senior woman administrator.
- Approximately 14 percent indicated high level of agreement that their institution currently has facilities on campus that are able to support sand volleyball.
- 9 percent indicated that they have access to facilities near their campuses to support sand volleyball.
- 7.3 percent of respondents indicated that their budget could potentially support sand volleyball.

- Approximately three-fourths of the respondents indicated student-athletes (current or potential) would not be interested in participating in sand volleyball if added as an emerging sport.
- 12.9 percent of respondents indicated that sand volleyball should be added to the list of emerging sports; only 7 percent indicated that their institution would consider sponsoring sand volleyball if it was added.

After reviewing the survey results, the Management Council agreed to maintain its position not to endorse sand volleyball as an emerging sport for Division III. The Council noted that interested member institutions could sponsor related legislation at a future convention to add the sport to the list.

Presidents Council. No action was necessary.

4. *DIVISION III INITIATIVES*

a. Division III Identity Initiative.

Management Council. The Council reviewed the Division III Identity Activation and Communications Plan approved by the Strategic Planning and Finance Committee, and endorsed the plans established to date. The Council received an update on the plans for summer promotion of available resources, including the development of a relationship with the leadership of CoSIDA and a presence at its summer meeting. The SIDs will receive the first launch of the activation tool kit. Other significant plans include a session at the January 2011 Convention to highlight the work of early adopters in the division, where staff would conduct an in-depth discussion session with those institutions that have developed best practices on identity activation. The Council was also updated on the effort to reach the student-affairs community and presidential meetings outside the NCAA structure. Staff is working to get on the agendas of the Council of Independent Colleges (CIC), the National Association of Independent Colleges and Universities (NAICU) and Student Affairs Administrators in Higher Education (NASPA). The Council suggested that the division needs to help institutions understand how to incorporate this message into overall institutional marketing, as institutions need help thinking through the connection between the platform and institutional marketing plans outside of athletics. It was also noted that outreach efforts should include current student-athletes, and it is important for the division to continue to focus on the actual content of the platform, beyond just marketing applications.

Presidents Council. The Council reviewed the Division III Identity Activation and Communications Plan approved by the Strategic Planning and Finance Committee, and endorsed the plans established to date. The Council commented on the need to keep its presidential base energized, and the related importance of the Presidents Advisory Group meeting.

b. Presidential Leadership.

- **2011 Convention Proposals or Policy Changes.**

Management Council. The Management Council endorsed the following recommendations for Presidents Council consideration as a 2011 Convention legislative package on presidential leadership:

- Eliminate the need for the Presidents Council to serve as the sponsor for all of the governance-sponsored proposals for Convention vote. This change would allow the Management Council to develop and sponsor operational legislation and will provide a clear delineation of operational and strategic responsibilities within the governance structure.

- Establish a subcommittee of the Management Council to determine which concepts warrant review by the Presidents Council and formalize the guidelines for such determinations. Also, allow this group to approve the final legislative drafts of proposals endorsed by the Presidents Council. This change would eliminate the Presidents Council's current practice of reviewing all proposals and concepts. Establishing objective review guidelines that focus on clear, fundamental tenets of the Division III Philosophy Statement would set the proper framework for identifying issues that warrant the Presidents Council's attention.

  Membership on the subcommittee would likely include the two presidents serving on the Management Council as well as the Athletics Direct Reports (assuming bullet three below is implemented). Further, it may be beneficial for this group to be constituted as a subcommittee of both Presidents and Management Council members.

- Add Athletics Direct Reports to the Management Council. The addition of these two individuals (non-presidents who oversee an athletics director) could broaden the perspective of the Council by including a voice that, while responsible for managing athletics on campus, has not historically been included in governance discussions. This may be particularly helpful in legislative discussions, and could smooth the transition of any greater legislative authority being given to the Management Council. As noted above, it may be appropriate for these individuals to serve on the subcommittee described in bullet two.

- Hold conferences accountable for demonstrating presidential leadership. Despite the current legislative requirement for presidential oversight, it appears that presidents may not actively lead some Division III conferences. While the existing NCAA Division III Conference Self-Study Guide (CSSG) addresses the importance of presidential leadership, the division may benefit from adopting a more specific standard of participation (e.g., minimum annual conference calls of conference's presidential

leadership group) to permit presidents to exercise strategic leadership at the conference level.

A suggestion offered by the Management Council is to require two meetings per year of either all the conference presidents, or a subgroup of presidents exercising specific oversight of the conference if such a group has been established. Such meetings could occur in person or via tele or videoconference.

- Consider the use of the division dominant voting line to highlight significant legislative provisions as fundamental to the division. The use of this voting line could be employed in both the short and long term, and represents a way to protect core principles with the change in legislative process described in bullets one and two above. Early concepts identified for such a designation include financial aid and extra benefit provisions. The division dominant voting line would only be evoked for those bylaws with a direct connection to the Division III philosophy statement, and require a two-thirds (or supermajority) vote to establish.

Presidents Council. The Presidents Council endorsed the following recommendations for development of 2011 Convention Legislation or new policy initiatives. The Council will not vote to formally sponsor any of the proposals or refine any of the proposed policy initiatives until its August meeting.

- 2011 Convention Legislation: Eliminate the need for the Presidents Council to serve as the sponsor for all of the governance-sponsored proposals for Convention vote. This change would allow the Management Council to develop and sponsor operational legislation and will provide a clear delineation of operational and strategic responsibilities within the governance structure.

- 2011 Convention Legislation: Establish a joint subcommittee of the Presidents and Management Councils to determine which concepts warrant review by the Presidents Council and formalize the guidelines for such determinations. The subcommittee will establish objective review guidelines that focus on clear, fundamental tenets of the Division III Philosophy Statement and set the proper framework for identifying issues that warrant the Presidents Council's attention. Membership on the subcommittee would likely include the two presidents serving on the Management Council as well as the athletics direct reports (assuming the concept below is implemented), in addition to selected presidents from the Presidents Council.

- 2011 Convention Legislation: Add Athletics Direct Reports to the Management Council. The addition of these two individuals (non-presidents who oversee an athletics director) could broaden the perspective of the

Council by including a voice that, while responsible for managing athletics on campus, has not historically been included in governance discussions. This may be particularly helpful in legislative discussions, and could smooth the transition of any greater legislative authority being given to the Management Council. It may be appropriate for these individuals to serve on the subcommittee described in the concept above.

- New Policy Initiative: Establish an expectation for conferences to demonstrate presidential leadership. Despite the current legislative requirement for conference presidential oversight, it appears that presidents may not actively lead some Division III conferences. The division will benefit from clearly establishing the expectation of strategic leadership at the conference level, and will establish a clear goal in the division's strategic plan as well as offer incentives to conferences exhibiting leadership activity. Such incentives could include financial support of presidential meetings via the Conference Grant Program.

- Future Policy Initiative: Consider the use of the division dominant voting line to highlight significant legislative provisions as fundamental to the division. The Presidents Council may use this existing legislative tool in future years, after the initial legislative package regarding Presidential Leadership has been adopted and implemented.

c. Drug Education and Testing Pilot

Management Council. The Council reviewed the drug education and testing options under consideration and the timeline for policy discussion and potential legislative action. The governance structure will establish a position to be vetted at the 2011 Convention, with any formal legislation action occurring not earlier than the 2012 Convention.

Presidents Council. No action was necessary.

d. Academic Reporting Pilot

Management Council. The Council reviewed the recent Administrative Committee action establishing an Academic Reporting Working Group of 15 members to guide the development, analysis and evaluation of the academic reporting pilot. The research staff will provide the Council with an update on the number of participating institutions for the July meeting, with preliminary data available in October.

Presidents Council. No action was necessary.

5. PROPOSED LEGISLATION FOR THE 2011 NCAA CONVENTION.

a. Noncontroversial Legislation.

- **NC-2011 – Division Membership – Change of Division Membership - Exploratory Year.**

  Management Council. The Management Council approved in legislative format a proposal to require a member institution seeking reclassification to Division III to complete an exploratory year prior to making application for reclassification; to clarify the exploratory year process and requirements; further, to clarify consistent due dates for applications for exploratory year registration and provisional membership application.

  Presidents Council. No action was necessary.

b. Modifications of Wording.

- **Playing and Practice Seasons – Length of Playing Seasons – End of Fall and Spring Nontraditional Segments.**

  Management Council. The Management Council approved in legislative format a proposal to specify that the nontraditional segment in rowing, skiing and men's water polo end no later than five weekdays before the first day of final exams.

  Presidents Council. No action was necessary.

6. ASSOCIATION-WIDE UPDATE AND ISSUES.

a. Litigation Report.

Management and Presidents Councils. The Councils accepted the Litigation Report. No action was necessary.

b. Governmental Relations Report.

Management and Presidents Councils. The Councils accepted the Governmental Relations Report. No action was necessary.

c. 2010-2011 Committee Meeting Request.

Management Council. The Management Council approved the Division III committee meeting requests for the 2010-11 year, granting the Championships Committee and Student-Athlete Advisory Committee the opportunity to conduct more than two in-person meetings in 2010-11.

Presidents Council. No action was necessary

d. Update on Sports Wagering.

Management Council. The Council received a presentation on the results of the 2008 Study on Collegiate Wagering, as well as the educational resources offered by the NCAA Agents, Gambling and Amateurism staff. As a result of this presentation, the Council referred to the Strategic Planning and Finance Committee the formal inclusion of sports wagering resources in the student-athlete well-being section of the Conference Grant Program. The Council also suggested that Division III consider offering a Sports Wagering presentation for the 2011 Convention and consider other ways to enhance the division's use of existing resources.

Presidents Council. The Council received a presentation on the results of the 2008 Study on Collegiate Wagering and the educational resources offered by the NCAA Agents, Gambling and Amateurism staff and endorsed the Management Council's related action plan.

e. Executive Committee meeting update.

Management Council. Bernard Franklin and Delise O'Meally provided the Council with an update on significant issues in front of the NCAA Executive Committee. Ms. O'Meally updated the group on the progress of the working group studying membership issues, which was created as an outgrowth of conversations with the NAIA and its interest in pursuing a structural relationship with the NCAA. Last August, the Executive Committee chose to take no action on pursuing such a structural relationship, but rather, began an overarching discussion on membership growth from an Association-wide perspective. This discussion included a session at the 2010 Convention where each division delivered an update on membership issues and future direction. In January, the Executive Committee appointed an Association-wide working group to further study this issue. Division III members are President Bultman of Hope College and Chris Graham, commissioner of the Midwest Conference. The broad charge of the working group is to consider membership growth from an Association-wide perspective. The working group will be asked to be forward thinking and examine trends in higher education as well as the internal and external factors influencing membership growth. The first group meeting will occur after April governance meetings with an update going to the Executive Committee not later than October.

Dr. Franklin updated the Council on the 14 internal task forces working to prepare the Association for its next President. Many topics are being reviewed, such as internal climate and overall NCAA communications practices. In regards to the Communications Task Force, its first task was to inventory all communications sent out to the membership from the national office. Findings indicated that, on an annual basis, the NCAA sends out over 19,000 pieces of information to the membership. Given certain roles on campuses, some individuals receive over 700 communications from the NCAA, or two per day every day of the year. One of the first things the task force will do is develop a philosophical framework around the notion of communication to create consistency across the national office. The task force will then identify focus groups to talk to the membership about how the national office is communicating as it works to establish the NCAA's overall communications guidelines.

Presidents Council. Delise O'Meally, NCAA director of Membership and Student-Athlete Affairs, updated the Presidents Council on the progress of the working group studying membership issues, as noted above. Wendy Walters, NCAA director of Membership and Student-Athlete Affairs, updated the group on the work of the Executive Committee Ad Hoc Working Group on accreditation, which was established based on a request from St. Andrews Presbyterian, which submitted a request for the NCAA to waive the requirement that all member institutions must be accredited by one of the six regional accrediting agencies. The working group recommended to the Executive Committee the waiver request be denied, but that each division should modify its Constitution to remove the requirement for accreditation by one of the six regional accrediting agency that has been recognized by the US Department of Education. In its review of this issue, the Presidents Council expressed caution with the idea of changing the accreditation bylaws as they currently stand, noting that the regional accrediting bodies may be less subject to political pressures than the Department of Education and the current standards seem to be appropriately rigorous for institutions of higher education.

7. *VIRTUAL FOCUS GROUP COMMUNICATION.*

Management Council. The Management Council reviewed the Virtual Focus Group Summary regarding presidential leadership. No action was necessary.

Presidents Council. No action was necessary.

8. OTHER BUSINESS.

Presidents Council. The Presidents Council received a visit from NCAA President-Elect, Mark Emmert. The Council welcomed President Emmert to the Association and engaged in a conversation about division-specific and Association-wide issues, including the challenge for a new NCAA President to effectively lead all three NCAA divisions.

9. ADJOURNMENT.

Management Council. The Management Council meeting adjourned at 11:04 a.m.

Presidents Council. The Presidents Council meeting adjourned at 11:58 a.m.