MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION III MEMBERSHIP COMMITTEE

Teleconference March 12, 2009

Participants:

Page Cotton, DePauw University
Chris Graham, Midwest Conference
Kristen Hall, Bard College
Susan Hoffman, State University College of Brockport
Shana Levine, Washington & Lee University
Mark Majeski, Willamette University, Chair
Scott Miller, Bethany College
Christopher Ragsdale, Heartland Collegiate Athletic Conference
Diana Schwartz, Westfield State College
Rubin Stevenson, Frostburg State University
Azure Davey, NCAA
Jay Jones, NCAA
Katie Willett, NCAA, recording secretary

[Note: These minutes contain only actions taken (formal votes or stated "sense of the meeting") in accordance with NCAA policy regarding minutes of all Association entities. While certain items on the committee's agenda were acted on at various times throughout the meeting, all final actions within a given topic are combined in these minutes for convenience of reference.]

The NCAA Division III Membership Committee teleconference was called to order at 1:04 p.m. Eastern time by Mr. Majeski. All members were present as noted above.

1. Review February 10 In-Person Meeting Minutes. The committee reviewed the minutes from the February 10 in-person meeting.

   It was VOTED

   "That the February 10 in-person meeting minutes be approved as amended."

2. Sports Sponsorship Audit. The committee reviewed materials submitted by those institutions selected for the sports sponsorship audit. Materials reviewed were submitted by institutions to corroborate specific sports contests and participants. The committee noted any institution deemed to not meet 2007-08 sports sponsorship requirements would be recommended for probation.

   The committee was informed that there was an error in regard to approval of the sport sponsorship requirements for the University of Pittsburgh, Greensburg and Medgar Evers College. Specifically, it was determined that the institutions did not meet the requirements for sport sponsorship in 2007-08. Staff requested that the institutions submit a waiver for sports sponsorship requirements to the committee for review. Additionally, it was noted that in the future consideration would be given to assigning committee members institutions under review for sport sponsorship to assist staff in determining information that it would like to see.

   a. University of Pittsburgh, Greensburg. Staff indicated that Pittsburgh-Greensburg did not meet the requirements due to scheduling conflicts with women's softball. The head coach of the softball team was pregnant and encountered medical issues that impacted the team's ability to participate in a road trip over spring break, as such the team was unable to participate in the minimum number of contests. Also, the team was not able to schedule additional contests due to the timing of the events and the teams existing schedule. Concern was expressed by the committee related to the two contests that were scheduled against two-year institutions at the end of April. The committee noted that it would like to see more supporting documentation, such as game contracts and an explanation of the gaps in the schedule where the team could have scheduled additional contests. Staff indicated the documentation provided sufficiently supported the institution's claim. It was noted that waiver precedent indicates that the committee has approved such waivers when teams have shown that a full schedule was in place. Additionally, it was indicated that the circumstances surrounding the head coach were unique.

      It was VOTED

      "To approve the waiver request submitted by the University of Pittsburgh, Greensburg for sport sponsorship requirements for the 2007-08 academic year."

   b. Rust College. The committee did not deliberate about Rust College during the February in-person meeting due to lack of documentation, as such staff attempted to collect additional documentation to be reviewed by the committee. It was noted that the burden of proof falls on the institution and that the institution has not been able to supply sufficient documentation to demonstrate that the sport sponsorship

requirements were met. Additionally, it was noted that Rust did not formally submit a waiver.

It was VOTED

"That Rust College be recommended for probation in the 2009-10 academic year due to failure to meet sports sponsorship requirements per NCAA Bylaw 20.11.3 in the 2007-08 academic year."

c. Medgar Evers College. The committee reviewed information for the women's outdoor track and field program submitted by Medgar Evers. The women's outdoor track and field team was one contest short of meeting the minimum number of contests required for sport sponsorship. Additionally, the institution dropped its softball program in 2007-08. The waiver indicated that the women's outdoor track and field team showed up for the conference championship which, had the meet counted, would have gotten the institution to the necessary sports sponsorship requirements. However, not all of the student-athletes present were allowed to compete because of an administrative error when registering the student-athletes for the meet. It was noted that the institution intended to meet the sport sponsorship requirements but for the unintended administrative error related to compliance with a conference rule. The committee indicated that the burden is on the institution to have knowledge of conference and NCAA rules and regulations and to be in compliance with those rules and regulations.

It was VOTED

"That Medgar Evers College be recommended for probation in the 2009-10 academic year due to failure to meet sports sponsorship requirements per NCAA Bylaw 20.11.3 in the 2007-08 academic year."

d. State University of New York Maritime College -- Appeal. The State University of New York Maritime College submitted additional documentation for reconsideration by the committee. Included was a plan of future actions to be taken by the institution as well as details on participation opportunities that will be available to female student-athletes. The information was reviewed by the committee and it was noted that the committee appreciates the information provided and respects the efforts now being made. However, the decision is based on information from 2007-08 at the point when the institution was not in compliance with sports sponsorship. Additionally, the committee did not feel that the institution is unique in nature.

It was VOTED

"To deny the appeal submitted by the State University of New York Maritime College and that the institution be recommended for probation in the 2009-10 academic year due to failure to meet sports sponsorship requirements per NCAA Bylaw 20.11.3 in the 2007-08 academic year."

3. 2009 NCAA Convention Attendance. The committee reviewed institutions' rationale for not attending the 2009 NCAA Convention. Convention attendance is a requirement of Division III per NCAA Constitution 3.2.4.15. It was noted that Convention attendance for Clark University and Menlo College was verified. A mechanical failure of the voting device was noted as the source of confusion.

   a. Endicott College. The committee reviewed materials submitted by Endicott College to corroborate Convention attendance. The committee noted that the institution was represented at Convention. Mechanical failure of the voting device was noted as the source of confusion. The committee noted no action need be taken due to the institution's attendance and vote.

   b. Hartwick College. The committee reviewed materials submitted by Hartwick College regarding lack of attendance at Convention. The institution's rationale for nonattendance was due to extenuating circumstances on its campus that prevented the director of athletics from attending Convention. Specifically, the college has been focusing on aggressive reduction of spending due to economic climate which included personnel related cuts within the athletics department. As such, the director of athletics was asked to remain on campus to deliver the news and participate in campus-wide meetings. The director of athletics was registered to attend Convention and did notify the conference commissioner and Convention staff that the reservation would be canceled.

      The committee noted another individual should have represented the institution at Convention.

      It was VOTED

      "That Hartwick College be recommended for probation in the 2009-10 academic year per NCAA Constitution 3.2.4.15.1 due to failure to attend Convention per NCAA Constitution 3.2.4.15. The institution's mitigation does not account for why another institutional representative did not attend Convention."

   c. Louisiana College. The committee reviewed materials submitted by Louisiana College. The committee noted personal hardship related to an unanticipated medical

condition that was asserted by the institution. The committee further noted the personal hardship was one week prior to the Convention vote.

The committee noted another individual should have represented the institution at Convention.

It was VOTED

"That Louisiana College be recommended for probation in the 2009-10 academic year per NCAA Constitution 3.2.4.15.1 due to failure to attend Convention per NCAA Constitution 3.2.4.15. The institution's mitigation does not account for why another institutional representative did not attend Convention."

d. Medgar Evers College. The committee reviewed materials submitted by Medgar Evers regarding lack of attendance at Convention. It was noted that due to personal mitigating circumstances and the timing of the situation surrounding the circumstances, which occurred during Convention, Medgar Evers was unable to send a representative to Convention. The committee noted the personal mitigating circumstances and the timing associated with those warranted relief.

It was VOTED

"That Medgar Evers College be recommended for a waiver of NCAA Constitution 3.2.4.15.1 due to personal mitigating circumstances."

e. Wisconsin Lutheran College. The committee reviewed materials submitted by Wisconsin Lutheran College to corroborate Convention attendance. The committee noted that the institution was represented at Convention. The president of the college was present at Convention and participated in the NCAA First-Time Chancellors and Presidents session. The committee noted no action need be taken due to the institution's attendance.

Additionally, staff shared with the committee that it determined the committee had originally proposed that there be an attendance requirement every other year at the Convention and that the NCAA Division III Management Council changed the recommendation to make it an annual requirement. Staff indicated that the intent of the requirement was focused on attendance at Convention, not necessarily that a vote be cast during the business session.

4. NCAA Division III Interpretations and Legislation Committee Referral. The committee reviewed the proposal referred by the NCAA Division III Interpretations and Legislation Committee. Noted that the legislation was passed by Division I and pertains to the minimum participant requirements for sport sponsorship in track and field on multi-day events. It was noted that, if supported by the committee, the proposal would need to be adopted as noncontroversial legislation.

   It was VOTED

   "To support the proposal referred by the NCAA Division III Interpretations and Legislation Committee."

5. Mount Mary College -- Regional Rules Request. The committee reviewed a waiver request submitted by Mount Mary College to allow two athletics administrators to replace the director of athletics at the 2009 NCAA Regional Rules Seminar. The institution acknowledged that attendance at the seminar is required for the director of athletics as a provisional member in its last year; however, the director of athletics has scheduling conflicts with the institutions graduation and also has a personal conflict and is unable to attend.

   It was VOTED

   "To approve the waiver request from Mount Mary College to send two athletics administrators to the 2009 NCAA Regional Rules Seminar in place of the director of athletics due to professional and personal conflicts."

6. Massachusetts College of Liberal Arts -- Waiver. The committee considered a request submitted by Massachusetts College of Liberal Arts for a sports sponsorship waiver per Bylaw 20.11.3.2. Specifically, the college would like to delay the sports sponsorship requirements of six sports for men and six sports for women that becomes effective August 1, 2010. It was noted that the institution formed a committee in 2006 to conduct a thorough study of the athletics program which recommended the addition of the sports of men's tennis and women's lacrosse. Additionally, the President's Athletic Advisory Council (PAAC) created a strategic plan to add sports to be in compliance with the legislation. However, after review of Massachusetts Liberal Arts' financial situation, the PAAC recommended application for a waiver to allow the increase in sports sponsorship to occur by 2012-2013. Massachusetts Liberal Arts outlined a plan, including an analysis, steps and involvement, to meet the legislation while maintaining its current student-athlete

experience in 2012-2013. The timing of the waiver was necessary because of budgetary planning purposes.

The committee recommended tabling the waiver request and indicated that it would like to be provided with broad-based guidance from the governance structure related to the financial impact of the legislation. It was noted that staff will try to address the issue with the NCAA Division III Administrative Committee on its upcoming teleconference and that the Management Council will be reviewing the letter from the Massachusetts State College Athletic Conference at its April meeting. The committee would like to be provided with directive related to financial situations. President Brand's position on the financial climate was shared with the committee. Lastly, the committee expressed that it would like to see additional documentation for the waiver. Staff charged the committee with reviewing the information that was submitted and notifying staff of additional documentation that is necessary to render a decision.

7. Other Business.

a. North Atlantic Conference. It was noted that the conference missed the deadline for submission to request conference membership for a new football conference. It was noted that the deadline was moved from June to January and that the institutions have been working together for some time in regard to conference formation and have requested relief from the deadline and for the committee to allow the application to be submitted.

It was VOTED

"To allow the North Atlantic Conference to submit an application for conference membership on behalf of its institutions with football."

b. Online Waiver Application and Submission. The committee was informed that the NCAA is looking to transition to a Web-based waiver system that would allow institutions to complete and submit waiver applications online. The initiative is department wide and is looking at waivers from a global perspective. Staff is currently developing suggestions for the waiver application and will be focusing on creating an application that would place more of the burden on the institutions to do the work upfront in conjunction with submission of the waiver.

8. Adjournment. Ms. Hall adjourned the teleconference at 2:40 p.m. Eastern time.

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