REPORT OF THE NCAA DIVISION III MEMBERSHIP COMMITTEE

ACTION ITEMS.

1. Legislative Items.

a. Noncontroversial Legislation – Sports Sponsorship – Exception – Multiday Meets – Track and Field.

(1) Recommendation. Approve in concept noncontroversial legislation within NCAA Division III Bylaw 20.11.3.5.5 (individual sports – one or more sites) that specifies that if the number of student-athletes participating in a multiday meet on behalf of the institution over the course of the entire meet equals or exceeds the minimum number of participants required for sports sponsorship and the meet is conducted on consecutive days, an institution may use the competition as a contest in meeting the minimum-contest requirement.

(2) Effective Date. August 1, 2009.

(3) Rationale. In track and field, many meets are conducted over the course of two days for a variety of reasons, including facility availability, weather, hours of daylight, large field sizes and the safety of involved student-athletes. Currently, in the case of a multiday meet, 10 (indoor) or 12 (outdoor), student-athletes must compete on at least one day of the meet in order for the meet to count toward the institution's minimum number of contests for the purpose of sport sponsorship. As a result, in many instances involving multiday meets, coaches are forced to make roster and travel decisions that are not based on competitiveness or the student-athlete's well-being, but on satisfying the requirement that 10 or 12 student-athletes participate on at least one day. This proposal would help assure that student-athletes will no longer be asked to compete in meets based solely on the day that an event is contested and that coaches will not be required to transport an unnecessarily high number of student-athletes. Further, institutions will not be penalized for choosing to attend two-day rather than single-day meets.

(4) Estimated Budget Impact. Potential savings to the institution from traveling with fewer student-athletes on one or more days.

(5) Student-Athlete Impact. Potential for fewer student-athletes being required to travel on multiple days. This change should also help to limit competition to the events that the student-athlete is best suited for.

b. Modification of Wording -- Bylaw 20.3.2 (Class Size and Assignment).

(1) Recommendation. Approve in concept a modification of wording within Bylaw 20.3.2 (class size and assignment) to specify that an average of four institutions may be accepted to the provisional/reclassifying process.

(2) Effective Date. Immediate.

(3) Rationale. Current legislation details that a maximum of four institutions may be accepted to the provisional/reclassifying process each year. The legislation also details a waiver process that allows for more than four institutions to be accepted in any given year. However, legislation does not specify that the NCAA Division III Membership Committee is responsible for ensuring an average of four institutions are accepted when using the waiver process. Rationale from NCAA Division III Proposal No. 2008-08 (waiver) notes that the committee must average four institutions, and the recommended modification will further clarify the committee's responsibility and the language within the legislation.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

2. Nonlegislative Items.

a. Sports Sponsorship Audit Reviews -- Recommendation for Probationary Status.

(1) Recommendation. Place the following institutions on probation for the 2009-10 academic year:

(a) Johnson State College;

(b) Maine Maritime Academy;

(c) Medgar Evers College;

(d) New York City College of Technology;

(e) Rust College; and

(f) State University of New York Maritime College.

(2) Effective Date. September 1, 2009.

(3) Rationale. Based on its review of the aforementioned institution's sports sponsorship materials and their failure to establish compliance with the minimum sports sponsorship criterion, the committee agreed that these institutions should be placed on probation for the 2009-10 academic year for failure to meet the sports sponsorship requirements for the 2007-08 academic year. Relief via sports sponsorship waivers were considered and denied for each institution.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

b. Sports Sponsorship Audit Review -- University of Pittsburgh, Greensburg Waiver Request per Bylaw 20.11.3.5.9.2 (Waivers – Minimum Contests).

(1) Recommendation. Approve University of Pittsburgh, Greensburg's sports sponsorship waiver request per Bylaw 20.11.3.5.9.2 (waivers – minimum contests).

(2) Effective Date. Immediate.

(3) Rationale. After reviewing materials submitted by Pittsburgh-Greensburg, the committee noted Pittsburgh-Greensburg's unforeseen circumstances and attempts to schedule additional contests. Specifically, the institution's softball team was forced to cancel their spring break trip due to the head coach's health issues. The institution also conducted the minimum number of contests for the sport of softball, yet two of these participation opportunities were against two-year colleges and therefore not countable under the normal application of the legislation.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

c. 2009 NCAA Convention Attendance – NCAA Division III Constitution 3.2.4.15 (Convention and Regional Rules Seminar Attendance) -- Recommendation for Probationary Status.

(1) Recommendation. Place the following institutions on probation for the 2009-10 academic year:

(a) Hartwick College; and

(b) Louisiana College.

(2) Effective Date. September 1, 2009.

(3) Rationale. Based on its review of the aforementioned institution's lack of attendance at the 2009 NCAA Convention and waiver submissions, the committee agreed that these institutions should be placed on probation for the 2009-10 academic year, per NCAA Division III Constitution 3.2.4.15.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

d. Medgar Evers Waiver of Convention Attendance Requirement -- Constitution 3.2.4.15 (Convention and Regional Rules Seminar Attendance).

(1) Recommendation. To approve Medgar Evers' waiver request for Convention attendance per Constitution 3.2.4.15.

(2) Effective Date. Immediate.

(3) Rationale. Based on its review of Medgar Evers' waiver request for Convention attendance, the committee agreed that the institution should be granted a waiver for failure to attend the 2009 Convention (Constitution 3.2.4.15) due to personal mitigating circumstances.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

e. Single-Sport Conference Application – Midwest Lacrosse Conference.

(1) Recommendation. Accept the Midwest Lacrosse Conference as an active Division III single-sport conference.

(2) Effective Date. September 1, 2009.

(3) Rationale. Midwest Lacrosse demonstrated presidential oversight, complete and detailed constitution and bylaws and has at least six active member institutions.

(4) Budget Impact. None.

(5) Student-Athlete Impact. The institutions that participate in the conference will have access to automatic qualification after serving the standard two-year waiting period.

f. Massachusetts State College Athletic Conference -- Sports Sponsorship Request – Bylaw 20.11.3 (sports sponsorship).

(1) Recommendation. Not endorse the Massachusetts State College Athletic Conference recommendation to delay the sports sponsorship effective date.

(2) Effective Date. None.

(3) Rationale. The committee reviewed a letter from the MASCAC that detailed concern with the sports sponsorship increase that will be effective August 1, 2010. The conference noted the financial strain this requirement places on institutions during these unprecedented financial times. The Massachusetts State College Athletic Conference Council of Presidents recommended a two-year postponement of the six/six sports sponsorship requirement (Bylaw 20.11.3) from 2010 to 2012. The MASCAC council noted that the economic climate could improve by 2012 and make the requirement more suitable for that time. The committee did not endorse this recommendation and noted that institutions struggling to meet the new sports sponsorship requirement could apply for waiver relief and detail their circumstances. The committee would also like the Division III governance councils to consider this request and provide feedback to the MASCAC governance and the membership committee.

(4) Budget Impact. Unknown. Institutional autonomy and strategic planning differs between campuses. One campus may enhance its sports sponsorship profile in an effort to survive the financial climate while another institution may decrease its sports sponsorship for the same reason.

(5) Student-Athlete Impact. Student-athlete participation opportunities may be decreased with a smaller sports sponsorship profile.

g. Massachusetts College of Liberal Arts Waiver of Sports Sponsorship Requirements – Bylaw 20.11.3 (sports sponsorship) – Committee Guidance Requested.

(1) Recommendation. Provide guidance to the Membership Committee related to waivers seeking relief for financial mitigation.

(2) Effective Date. None.

(3) Rationale. The committee to date has not rendered waiver recommendations to NCAA Division III Management Council related to financial mitigation. The committee is unsure, given the national financial climate, how to proceed with sensitivity and fairness, and deliberate when such mitigation is offered. Specifically, the committee reviewed a waiver request from the Massachusetts College of Liberal Arts seeking relief from the 2010 sports sponsorship requirement. The institution will be required to sponsor six sports for males and six sports for females beginning in 2010-2011, but seeks to delay this requirement until the 2012-2013 academic year. This delay request would provide the institution two additional years to meet the new sports sponsorship requirements. The institution cited financial hardship in its request, and while the institution has demonstrated a plan to add men's tennis and women's lacrosse, the institution's recent required budget cuts have made implementation difficult. The committee noted this is the first sports sponsorship waiver request with financial mitigation and seeks guidance and insight from the councils before its deliberations and formal recommendation.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

INFORMATIONAL ITEMS.

1. Sports Sponsorship Audit and Waivers. The committee reviewed those institutions selected for the sports sponsorship audit. Audited institutions meeting sports sponsorship obligations were verified and approved. Institutions with outstanding issues were reviewed further and considered for waivers. The committee noted when reviewing

waivers that circumstances must be unforeseen and unusual. The committee also noted presidential endorsement must be provided with each waiver request.

2. **2009 Convention Attendance.** The committee examined this year's Convention attendance and registered vote records. Institutions that did not attend Convention were reviewed and considered for waivers. The committee noted when reviewing waivers that circumstances must be unforeseen, unusual and it must be clear that no other institutional representative could have replaced the individual who was unable to attend. The committee also noted presidential endorsement must be provided with each request for relief.

3. **NCAA Division III Institutional Self-Study Guide Audit**. The committee reviewed the NCAA Division III Institutional Self-Study Guide submissions from each institution to ensure the Institutional Self-Study Guide's were submitted and accurately completed.

4. **Evaluation of Current Bylaw 20.11.3.5 (Minimum Contests and Participants Requirements for Sports Sponsorship).** The committee reviewed the legislative requirements for minimum contest and individual sport participant numbers and compared those numbers with the actual contests and individual sport participants reported by institutions for the 2007-08 academic year. Data verifies that the numbers currently legislated are appropriate and an accurate reflection of what the division and institutions sponsor. During this discussion, the committee noted if institutions are unable to meet these minimums, waivers would be considered and these institutions are exceptions to the average Division III institutional profile.

5. **2010 Sports Sponsorship Increase.** The committee noted approximately 30 institutions could be affected by the 2010 sports sponsorship increase. The committee noted these institutions are well educated on the 2010 increase and specifically, the majority of these institutions have been subject to the sports sponsorship audit, are in the provisional/reclassifying process or are operating under a waiver. The committee drafted a letter that will be sent to each of the institutions in an effort to proactively ensure they are aware of the upcoming change in sports sponsorship requirements and its August 1, 2010, effective date.

6. **Waiver Requests.** The committee discussed requiring a presidential endorsement of waivers being submitted that, if denied, could lead to the institution being placed on probation. Most waiver submissions include a letter from the institution’s president, yet the committee will create a waiver application that specifically requires president/chancellor signature.

7. **Automatic Qualifications.** The committee noted its role in approving conference membership. Specifically, the committee is charged with reviewing the constitution and

bylaws of the applicant conference to ensure presidential oversight is in place, membership issues are addressed and that the conference is comprised of at least six active members. The committee's charge is not to analyze the geographic locations of the conference members, yet the committee voiced concern that the Division III philosophy for in-region competition is not an emphasis for new conferences and conferences may be formed, or reconfigured, merely for purposes of gaining automatic qualification to Division III championships. Specifically, the committee noted new conferences and conferences that are realigning may not be emphasizing in-region and conference regular season play, but may be configuring/reconfiguring in an attempt to gain a conference automatic qualification. The committee recommended the NCAA Division III Championships Committee review the automatic qualifications process in conjunction with the in-region competition philosophy to establish whether in-region competition should be an emphasis on regular season conference play.

8. **Review Year Three Preliminary Program Assessments**. The committee reviewed year three preliminary program assessments. Both institutions' assessments were deemed acceptable by the committee. Assessment feedback was provided to both La Sierra University and Lancaster Bible College.

9. **Provisional/Reclassifying Graduate Recognition**. Each provisional/reclassifying institution that is graduating will be provided an active member welcome packet that includes a photo, an institutional trophy/plaque, as well as two banners and 500 lanyards or equivalent items.

10. **Mount Mary College – Regional Rules Seminars Attendance Waiver**. The committee considered Mount Mary College's waiver request related to 2009 NCAA Regional Rules Seminars. As a provisional institution, Mount Mary's athletics director is required to attend the regional rules seminars during provisional years one, two and four. Mount Mary is in its final provisional year and requested that both the senior woman administrator and another athletics administrator attend in lieu of the athletics director. It was noted the athletics director had a personal commitment during both 2009 seminar dates and would review the materials with both athletics administrators when they returned to campus. The committee approved the waiver and also noted the athletics director has a commitment and responsibility to compliance.

11. **Provisional/Reclassifying Process Educational Timeline and Programming.** The committee established a subcommittee to address future provisional/reclassifying educational programming items, tasks and timetable. This subcommittee reviewed the current provisional/reclassifying timeline and tasks and modified the programming for those institutions entering the provisional process beginning with the 2009-10 academic year. These changes were made because entering provisional/reclassifying institutions, beginning with the 2009-10 class and beyond, must adhere to Division III legislation

immediately. Those currently in the provisional/reclassifying process must only apply the rules to the greatest extent possible during their first two years. The new educational programming and timeline are tailored to provide more compliance education earlier in the provisional/reclassifying process and ensure provisional/reclassifying institutions are applying this knowledge at the same level as active Division III institutions by the second half of the provisional/reclassifying process.

12. **Electronic Meeting Materials**. The committee used a secure Web page to house its meeting materials for its most recent in-person meeting. The committee will switch from the secure Web page to memory stick or zip drive use for future meetings. The committee agreed the move from paper materials to electronic materials was a sound decision.

Committee Chair: *Mark Majeski, Willamette University*
Staff Liaison: *Azure Davey, Academic and Membership Affairs*
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