# REPORT OF THE NCAA DIVISION III MEMBERSHIP COMMITTEE

***ACTION ITEMS*.**

**1. Legislative Items.**

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

(1) Recommendation. Approve 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.

(2) Effective Date. Immediate.

(3) Rationale. 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.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. This revision provides the student a choice between accepting athletically related financial aid previously promised and no longer pursuing athletics, or pursuing athletics and no longer accepting athletically related financial aid. Current legislation does not allow for this choice for institutions that seek to revoke their multidivisional classification.

**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).**

(1) Recommendation. Approve in concept noncontroversial legislation that ensures institutions placed on restricted membership status are not subject to revocation of catastrophic-injury insurance.

(2) Effective Date. Immediate.

(3) Rationale. 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 the catastrophic-injury insurance were unavailable was significant and overly punitive.

(4) Estimated Budget Impact. There is no national office budget impact. 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.

(5) Student-Athlete Impact. The NCAA catastrophic-injury insurance program may be invaluable to an effected student-athlete. For example, one student-athlete with a severe head trauma injury has had $4.8 million in costs in the seven years since his injury. Another student-athlete with a spinal cord injury that left her a paraplegic has had $3.4 million in costs

since her injury 10 years ago. In both cases, their primary insurance has run out and the catastrophic program is the only insurance they have. Without it, these student-athletes would be in Medicaid/Medicare programs and possibly in state-run facilities.

**2. Nonlegislative Items.**

**a. 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).**

(1) Recommendation. Conditionally approve a sport-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.

(2) Effective Date. September 1, 2010 – September 1, 2013.

(3) Rationale. 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:

(a) Eastern Nazarene must document that students in the adult studies program are ineligible for intercollegiate athletics; and

(b) 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.

(4) Budget Impact. The institution will not need to add a men's sport for a three-year time period.

(5) Student-Athlete Impact. None.

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

(1) Recommendation. Approve the following waiver requests for the 2010 NCAA Convention attendance per Constitution 3.2.4.15 (convention and regional rules seminars attendance):

(a) North Carolina Wesleyan College; and

(b) Rust College.

(2) Effective Date. September 1, 2009 – September 1, 2010.

(3) Rationale. 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.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

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

(1) Recommendation. Grant 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.

(2) Effective Date. September 1, 2010.

(3) Rationale. 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.

(4) Budget Impact. None.

(5) Student-Athlete Impact. The student-athletes are afforded a choice between accepting athletically related financial aid and no longer pursuing athletics, or pursuing athletics and no longer accepting athletically related financial aid, but are not permitted to both accept athletically related financial aid and participate for the men's volleyball team.

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

(1) Recommendation. Elect the following single-sport conferences to active Division III single-sport conference status:

(a) Mid-Atlantic Rowing Conference;

(b) Midwest Women's Lacrosse Conference; and

(c) United Volleyball Conference.

(2) Effective Date. September 1, 2010.

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

(4) Budget Impact. None.

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

***INFORMATIONAL ITEMS*.**

**1. Membership Requirements – Penalty Structure.** The committee reviewed the current penalty structure. Specifically, the committee noted the current three-strike practice recognizes any membership requirement failure collectively; any strike, regardless of the unsatisfied membership requirement, counts as a strike toward the three-strike total. Conversely, legislation appears to indicate the three-strike process is applicable to each of the following requirements separately: sports sponsorship; NCAA institutional self-study guide; and Convention/NCAA Regional Rules Seminars attendance. Given the current legislation is not consistent with the committee's intent, the committee will review penalty structure models at its next in-person meeting and will provide recommendations to Management Council for its July meeting.

**2. NCAA Convention Attendance Requirement.** The committee reviewed the Convention attendance requirement and the committee's current position related to satisfying the requirement. It was noted that, to satisfy the requirement, an institution must cast a vote at the Division III business session. The committee also recognized that the tone of the letter provided to institutions that do not vote is strong and may need to be

modified to better articulate the intended message. The standard to meet the requirement was reviewed, and ultimately, the committee provided staff the autonomy to make decisions related to the attendance requirement where there is clear precedent. In cases where there is no precedent or relief is not justified, staff will bring the case before the committee for review. When staff can verify that an institutional representative is at Convention and attends educational sessions and programming, flexibility will be exercised and the institution will be reminded to cast a vote at future Conventions.

- Massachusetts Maritime Academy. Massachusetts Maritime Academy attended Convention and attempted to cast a vote at the business session. However, the institution's voting unit was faulty and a vote was not recorded. It was noted the institution met the intent of the legislation and this would be a case when staff had the autonomy to exercise flexibility.

**3. Sports Sponsorship Audit Reviews – Probationary Status – Hollins University.** Hollins University will be on probation for the 2010-11 academic year for failure to meet sports sponsorship during the 2008-09 academic year. This probationary status will be effective from September 1, 2010 until September 1, 2015. The committee reviewed Hollins' sports-sponsorship materials in order to establish the institution failed to meet minimum sports-sponsorship criteria. Hollins did not pursue a waiver of the sports-sponsorship requirements due to a lack of mitigation.

**4. NCAA Division III Institutional Self-Study Guide and Conference Self-Study Guide.** The 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.

**5. Division III Conference Application.** The committee modified the conference application to include additional requirements. Specifically, the committee added the following: required letter of viability and rationale for seeking active conference status from the president/chancellor contact; designation of student-athlete advisory committee liaison; required signature from president/chancellor contact; and required signatures from both the director of athletics and individual to whom athletics reports for each institution in the proposed conference. These additions were made in an effort to ensure conference compliance with Constitution 3.3.4.4 (president or chancellor involvement) and institutional oversight.

6. **Single-Sport Conferences.** It was noted there are currently two Division III single-sport conferences that sponsor the same sport for men and women. These single-sport conferences do not fit the single-sport conference definition as was confirmed by the NCAA Division III Interpretations and Legislation Committee. The committee supported allowing the two conferences to establish themselves as two single-sport conferences without going through the formal application process if they chose to do so. Should the conferences choose to be two single-sport conferences, the conferences would need to ensure that all requirements for member application are on file at the conference offices (e.g., separate bylaws and constitution). Additionally, moving forward the conferences will be required to submit annual dues for both single-sport conferences.

7. **Athletics Program Assessment Review.** The committee reviewed athletics program assessments for the following institutions:

   a. Birmingham-Southern College (requirement of reclassification process);

   b. Franciscan University of Steubenville (requirement of provisional process);

   c. Geneva College (requirement of provisional process);

   d. John Jay College of Criminal Justice (requirement of probation status);

   e. St. Joseph's College (Brooklyn) (requirement of provisional process); and

   f. State University of New York Maritime College (requirement of probation status).

8. **Committee Mentor Program.** The committee reviewed the exploratory and provisional/reclassifying process and noted there is a slight lack of support for exploratory institutions intending to pursue provisional/reclassifying status. These institutions must be compliant with all Division III legislation beginning their first provisional/reclassifying year and much time is spent during the exploratory process to refine policies and procedures and ensure compliance. These institutions should be provided more guidance during this process. As a result, each institution in the exploratory process will be provided a mentor beginning 2010-11.

9. **Joint Meetings with NCAA Division II Membership Committee.** The committee discussed the practicality and potential benefits of meeting jointly with the NCAA Division II Membership Committee. The committee supported the concept of joint

meetings with the NCAA Division II Membership Committee and directed staff to further investigate.

**10. Committee Designations and Elections.**

a. NCAA Division III Convention Planning Subcommittee. Chris Ragsdale, commissioner, Heartland Collegiate Athletic Conference, was appointed to the NCAA Division III Convention Planning Subcommittee.

b. Membership Committee Chair. Shana Levine, senior woman administrator, Washington and Lee University, was appointed chair of the committee.

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