# REPORT OF THE NCAA DIVISION III MEMBERSHIP COMMITTEE

***ACTION ITEMS.***

**1. Legislative Items.**

**a. Noncontroversial Legislation – NCAA Division III Constitution 3.2.4.15 (Convention and Regional Rules Seminar Attendance), Constitution 6.3.1.2 (Failure to Conduct the Institutional Self-Study Guide) and NCAA Bylaw 20.2.5.1.2 (Failure to Meet Minimum Sports Sponsorship Criteria) - Membership Requirements Penalty Structure.**

(1) Recommendation. Approve in concept noncontroversial legislation that modifies the membership requirements penalty structure such that any membership requirement violation that occurs subsequent to an institution being placed on probation for sports sponsorship shall result in an escalated, progressive penalty-designation (i.e., restricted status; dismissal from the division) within the penalty structure. This recommendation maintains the current penalty structure in which an institution that triggers probationary status for either failure to complete an Institutional Self-Study Guide (ISSG) or attend the NCAA Convention and Regional Rules Seminars is subject to an escalated penalty by failing to comply with the membership requirement for which it was originally placed on probation (i.e., failure to complete an ISSG; failure to attend either NCAA Convention or Regional Rules Seminars once-in-three years).

(2) Effective Date. Immediate.

(3) Rationale. Presently, there are four membership requirements: (1) NCAA Convention attendance; (2) Regional Rules Seminar attendance; (3) completion of ISSG and (4) compliance with sports sponsorship requirements. Current legislation describes three distinct membership requirements penalty tracks an institution may be on at any one time. For example, an institution may be on probation for sports sponsorship noncompliance, while concurrently being on probation for failure to complete its ISSG. Any second violation is considered a 'strike' within the respective membership requirement track, but does not affect an institution's penalty status within any other membership requirement track. In other words, each requirement and associated penalty operates independent of the other requirements and penalties.

Conversely, the committee historically has communicated and applied a penalty structure model that includes all four membership requirements and any violation of these requirements are considered and applied collectively. A violation of any membership requirement triggers a first strike, and a violation of a second and different membership requirement triggers a second strike.

The committee noted that combining the different penalty tracks into one structure, [See Attachment A] while placing emphasis on the sport sponsorship requirement, is a viable solution to connecting and streamlining the current penalty structure. The committee recommended considering the ISSG and attendance requirement within a separate penalty "silo", but that any membership requirement violation subsequent to an institution being placed on probation for sports sponsorship noncompliance would result in the institution advancing in the penalty structure and earning an additional strike. The institution could potentially earn additional penalty years for failure to comply with the conditions of probation triggered for failure to comply with sports sponsorship requirements. With this approach, the committee is effectively emphasizing the sports sponsorship requirement.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

**b. Noncontroversial Legislation – NCAA Division III Constitution 3.3.1.2 and 3.3.4.2 (Composition of Conference) – Conference Composition.**

(1) Recommendation. Approve in concept noncontroversial legislation that increases the conference composition active member requirement from six institutions to seven.

(2) Effective Date. September 1, 2012.

(3) Rationale. There is inconsistency between the minimum number of active members needed for a conference to satisfy the membership requirements and to be eligible for an automatic qualification berth for championships. In order for a conference to be eligible for an automatic qualification, it must have at least seven active members that sponsor the sport. In order for a conference to comply with its membership obligation and receive the associated benefits (e.g., vote at Convention, Division III grant funds), it must have at least six active members.

The Championships Committee requested the Membership Committee consider increasing the conference composition requirement to seven to provide consistency and reduce confusion. The Membership Committee noted that all Division III conferences are currently comprised of at least seven active member institutions. Therefore, this change should not be detrimental to current conference composition.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

**c. Noncontroversial Legislation – NCAA Division III Constitution 3.6.3.1 (Application) and Bylaw 20.6.2.1 (Application).**

(1) Recommendation. Approve in concept noncontroversial legislation that moves the exploratory and provisional/reclassifying application deadlines from May 15 to January 15.

(2) Effective Date. September 1, 2011, for those institutions applying for the 2012-13 academic year and subsequent years.

(3) Rationale. The current May 15 deadline provides little time to prepare for institutional transition to the exploratory and provisional/reclassifying processes. The May 15 deadline dictates that the committee review applications during its June in-person meeting. Institutions are then informally notified of their recommended status, yet final, formal approval is not granted until the NCAA Division III Management Council convenes in July. The committee noted that by moving the deadline to January 15, institutions and the committee are afforded several additional months of preparation. This allows the committee and institutions the opportunity to further acclimate, release communications and enhance proposed and required Division III policies and procedures for the upcoming academic year.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

**2. Nonlegislative Items.**

**a. Sports Sponsorship Waiver– Sports-Sponsorship Audit 2008-09 - New York City College of Technology Waiver Request of Bylaw 20.11.3 (Sports Sponsorship).**

(1) Recommendation. Deny a sports sponsorship waiver per Bylaw 20.11.3.5.9.1 (Minimum Contests and Participants) and subsequent appeal from New York City College of Technology for the 2008-09 academic year.

(2) Effective Date. The institution would be placed on restricted status September 1, 2010. The institution will maintain its penalty designation until September 1, 2014.

(3) Rationale. The institution failed to produce sufficient documentation when attempting to verify sports sponsorship compliance for the 2008-09 academic year. The institution is currently on probation for failure to adhere to sports sponsorship requirements for the 2007-08 academic year. The institution cited difficulties maintaining records related to its men's and women's track and field programs. Specifically, the institution noted the 2008-09 academic year was the first year the institution conducted track and field teams since 2003. The institution also cited communication difficulties with those who hosted the competitions [See Attachment B]. The committee noted that institutions are obligated to maintain records that detail when student-athletes participate; this is an obligation that both serves to verify sports sponsorship requirements adherence as well as eligibility requirements compliance. The committee also noted that City Tech is currently on probation and as such, has a heightened responsibility to comply with divisional rules and regulations, including sports sponsorship.

(4) Budget Impact. The institution will be ineligible to receive Division III grant and initiative funding during the 2010-11 academic year. The institution will also lose its voting privilege at the 2011 NCAA Convention.

(5) Student-Athlete Impact. The institution's student-athletes will be ineligible to compete in NCAA championships during the 2010-11 academic year.

**b. Sports Sponsorship Waiver – University of California, Santa Cruz Waiver of NCAA Bylaw 20.11.3 (Sports Sponsorship).**

(1) Recommendation. Approve the sports sponsorship waiver request from University of California, Santa Cruz. Specifically, the institution will sponsor five sports for males during the 2010-11 academic year, despite having a full-time undergraduate enrollment greater than 1,000 which would require sponsorship of six sports for each gender.

(2) Effective Date. September 1, 2010 – September 1, 2011.

(3) Rationale. The committee noted the institution demonstrated its financial hardship, inability to satisfy NCAA requirements despite pursuing potential solutions and presented a thorough plan for compliance with sports-sponsorship requirements by the 2011-12 academic year.

(4) Budget Impact. The institution will not need to add an additional sport for males until 2011-12.

(5) Student-Athlete Impact. None.

**c. Sports Sponsorship Waiver – College of New Rochelle Waiver of NCAA Bylaw 20.11.3 (Sports Sponsorship).**

(1) Recommendation. Approve the sport sponsorship waiver request submitted by the College of New Rochelle per NCAA Division III Bylaw 20.11.3.6.1 (male-female enrollment ratio waiver) for a three-year period with the opportunity to reapply at the end of the three-year period.

(2) Effective Date. Immediate.

(3) Rationale. New Rochelle cited its commitment and mission to maintain its status as a women's college. New Rochelle noted that it has a college of nursing and a college of arts and sciences. While New Rochelle is legally obligated to admit males to its nursing program, they are not required to do so in their arts and sciences college. As a result, the institution, while attempting to maintain its status as a women's college, technically has undergraduate males enrolled in its nursing program. The institution noted they have approximately 600 female undergraduates and 11 male undergraduates. The committee considered the uniqueness of the situation in recommending approval of this request. New Rochelle will be obligated to reapply for a waiver at the end of the three-year period or sponsor sports for males.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

**d. Provisional Member Annual Reports – Active Membership – NCAA Constitution 3.2.3.1 (Application).**

(1) Recommendation. Elect the following institutions to active Division III membership per NCAA Constitution 3.2.3.1 (Application):

(a) Lancaster Bible College;

(b) Lyndon State College;

(c) North Central University;

(d) Penn State, Harrisburg; and

(e) Saint Vincent College.

(2) Effective Date. September 1, 2010.

(3) Rationale. Based on its review of the aforementioned institutions' annual reports, the committee agreed that the institutions should be elected into active membership.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

**e. Reclassification Election - Applicants – NCAA Bylaw 20.6.3 (Election) – Centenary College (Louisiana).**

(1) Recommendation. Approve Centenary College's (Louisiana) application for the Division III reclassification process.

(2) Effective Date. September 1, 2010.

(3) Rationale: Based on its review of Centenary College's application, viability statement, compliance assessment and active Division III member sponsorship letter, the committee agreed that the institution should be approved for reclassification membership.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

**f. Reclassification Election - Applicants – NCAA Bylaw 20.6.3 (Election) – University of New Orleans.**

(1) Recommendation. Conditionally approve the University of New Orleans for the Division III reclassification process.

(2) Effective Date. September 1, 2010.

(3) Rationale. Based on its review of the University of New Orleans' application, viability statement, compliance assessment and active Division III member sponsorship letter, the committee agreed that the institution should be conditionally approved for reclassification membership.

Specifically, the committee recommended the University of New Orleans serve a conditional year during the 2010-11 academic year, prior to commencing Year One of the regular reclassification process, during which the institution is required to satisfy the following conditions:

- Satisfaction of all educational programming affiliated with Year One of the reclassification program;

- Adherence to the institution's sports sponsorship plan (i.e., sponsorship of six men's and six women's sports effective 2011-12) and any other plan submitted as part of its reclassification application;

- Development and modification of all institutional communications documents, handbooks or manuals, and any other internal or external communications and materials (e.g. Web site, press releases) in order to demonstrate an understanding and comprehensive commitment to Division III. The institution must use the Division III Philosophy Statement and Strategic Platform when developing and revising its materials and communications;

- Regular dialogue with a Division III mentor institution, including implementation of relevant recommendations or best practices.

Additionally, the committee recommended the institution conduct a site visit to an "exemplary" Division III institution during the 2010-11 academic year with members of the athletics department (e.g. administrators, coaches, FAR) and individuals outside of athletics with rules compliance responsibilities (e.g. registrar, admissions, financial aid) in order to observe and learn best practices to facilitate its transition to Division III. The committee also encouraged these same individuals participate in 2011 NCAA Regional Rules Seminars.

The committee noted that the institution currently sponsors four sports for females and five sports for males, but recognized the institution is operating under a waiver of Division I membership requirements through the 2011-12 academic year. In considering the institution's application, the committee noted the extraordinary impact of the recent natural disaster in combination with the national economic downturn. The committee also recognized that the institution is located in a geographic location that lacks Division III members. Accordingly, the committee believes the extreme and unusual circumstances presented warrants conditional approval. The conditions and timetable recommended by the committee was crafted to ensure that the institution is accountable and prepared for Division III membership while also maintaining a commitment to the quality of the division and its member institutions.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

**g. Provisional/Reclassifying Member Waiver to Accelerate – SUNY Cobleskill – NCAA Bylaw 20.3.3.1.1 (General).**

(1) Recommendation. Deny SUNY Cobleskill a waiver to accelerate the four-year Division III provisional process.

(2) Effective Date. Immediate.

(3) Rationale. Based on its review of SUNY Cobleskill's annual report and preliminary program assessment, the committee deemed that the institution did not satisfy all components of 20.3.3.1.1. Specifically, the committee cited SUNY Cobleskill's continuing compliance development and enhancements.

The waiver is provided to those institutions that are fully prepared for active membership and should not be conferred on those institutions that are still developing and enhancing institutional policies and procedures. Requiring institutions that are still developing and implementing the division's philosophy and any related policies and procedures to fulfill the regular four-year process is in the best interest of the institution.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

***INFORMATIONAL ITEMS.***

**1. Accreditation Requirements**. The committee was asked to consider the concept of expanding the current regional accreditation standard from a requirement that institutions be accredited by one of the six regional accreditation agencies to a standard that institutions be accredited by any accreditation agency recognized by the U.S Department of Education. The committee noted that the six regional accreditation agencies have rigorous standards that hold institutions accountable and afford institutions an appellate process. The committee considered the student-athlete educational experience in conjunction with the Division III philosophy and its emphasis on integration and academic excellence and accountability. The committee was opposed to changing the current standards and noted that the current standard is appropriate.

2. **Corresponding and affiliated membership.** The committee reviewed preliminary options that will be forwarded to the NCAA Executive Committee regarding the membership categories of "corresponding" and "affiliated" The committee provided feedback related to possible elimination of the 'corresponding' membership category and supported the concept that the 'affiliated' membership category be further defined to limit membership to coaches and sports associations for sports sponsored by the NCAA and associations comprised of college/university administrators. This feedback will be provided the NCAA Executive Committee for consideration in combination with the other divisions input in order to determine a possible resolution.

3. **Compliance Assessments Review - Probation Institutions – 2009-10**. Seven compliance assessments were reviewed by the committee. Institutions that are in their first year of probation are required to complete the assessment as a condition of probation. Five of the assessments were deemed acceptable and the institutions will be provided feedback to enhance their athletics departments and institutional policies and procedures. Two institutions will be required to enhance their assessments and respond to the committee by December 2010.

4. **Sports sponsorship audit – 2010-11.** The committee reviewed the sports sponsorship audit process and timetable. It was noted that the contractors have begun reviewing the 2009-10 sports sponsorship profiles of 12 randomly selected institutions. Additional institutions will be added to the 2009-10 review process following submission of the NCAA Sports Sponsorship and Demographic Form deadline of August 15, 2010.

5. **NCAA Constitution 3.2.4.15 (Convention and Regional Rules Seminar Attendance) – Regional Rules Seminar Attendance.** The committee reviewed the 2008, 2009 and 2010 Regional Rules Seminars attendance lists, noting 2010 is the final year of the first three-year attendance cycle. All active members satisfied the attendance requirement.

6. **Northern Collegiate Hockey Association.** The Northern Collegiate Hockey Association requested a waiver to maintain its current structure for the 2010-11 academic year. The conference currently sponsors ice hockey for both males and females. Since the conference sponsors two sports, it cannot be considered a single-sport conference. The institution was notified by the committee in a May 2010 letter indicating that the current structure was not considered a single-sport conference. The conference responded to the committee noting that the communication timeline did not afford the conference the opportunity to explore its structural options. The committee recognized the timetable for notification presents challenges for the conference and therefore, was amenable to allowing the conference to

maintain its current structure for the 2010-11 academic year. The conference is expected to reach resolution in regard to its structure prior to the 2011-12 academic year. The committee extended the same flexibility to the Western Water Polo Association, which is similarly structured.

**7.** **Provisional/Reclassifying Process and Advancement**. The committee reviewed annual reports and educational materials for each provisional and reclassifying institution currently in the provisional/reclassifying process. As a result of each respective institution's advancement in the provisional/reclassifying program, the following designations will take effect September 1, 2010:

- **Year One to Year Two**: Berry College; Covenant College; Penn State Abington.
- **Year Two to Year Three**: Spalding University; SUNY at Cobleskill.
- **Year Three to Year Four**: Birmingham-Southern College; Franciscan University at Steubenville; Geneva College; St. Joseph's College (Brooklyn).

**8.** **Championships access.** The committee reviewed the current regulation that specifies provisional and reclassifying institutions are not granted access to NCAA Division III championships until they have completed the provisional/reclassifying program requirements and been accepted as active Division III members.

The committee noted that the provisional/reclassifying program is structured to prepare and educate institutions prior to their gaining access to NCAA championships. It was noted that there is a waiver to accelerate the process, but the committee reaffirmed its position that the benefit of four years dedicated to education and institutional assimilation to the division's philosophy is critical prior to being eligible for championships. The committee also considered the current championships access ratio and did not endorse any action that would dilute opportunities for active member institutions.

**9.** **Gender Equity Forum attendance.** The committee supported a recommendation by the NCAA Committee on Women's Athletics (CWA) to add a requirement to the provisional/reclassifying educational program that at least one institutional senior level administrative official (e.g., athletics direct report, president or chancellor, Title IX officer) attend the Gender Equity and Issues Forum during at least one year of the provisional/reclassification process. The committee noted this will be implemented beginning September 1, 2010, for those institutions entering the provisional/reclassifying process on or after this date. The committee recommended to CWA that the programming intended for these individuals be administered in a one-day format.

**10. Provisional/Reclassifying Convention Reception.** The committee scheduled the Provisional/reclassifying Convention Reception for 4 to 5 p.m., Friday, January 14.

*Committee Chair:* *Shana Levine, Washington and Lee University*
*Staff Liaison:* *Azure Davey, Academic and Membership Affairs*
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