REPORT OF THE NCAA DIVISION III MEMBERSHIP COMMITTEE

***ACTION ITEMS*.**

1. Legislative Items.

a. Modification of Wording – NCAA Convention Attendance.

(1) Recommendation. Approve in concept a modification of wording that clarifies that an institutional voting delegate must be present at the NCAA Division III business session in order to meet the legislated attendance requirement.

(2) Effective Date. Immediate.

(3) Rationale. The current legislation specifies that an institution may satisfy the NCAA Convention attendance requirement through representation by a 'voting delegate.' This language suggests that the institution will have satisfied the legislated attendance requirement if a conference representative casts the institution's vote, as permitted in NCAA Constitution 5.1.3.4 (certification and voting of delegates). However, such a scenario does not comply with the intent and rationale of the Convention attendance legislation. The NCAA Division III Membership Committee noted the attendance requirement may only be satisfied if an institutional staff member attends the Division III business session and casts a vote.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

b. Noncontroversial Legislation – Establishment and Compliance with Division Criteria – Noncompliance and the Enforcement Process – Authority of the Membership Committee.

(1) Recommendation. Approve in concept noncontroversial legislation to clarify the Membership Committee has the jurisdiction to impose any penalties for membership requirements that are discovered during the enforcement process and will notify the NCAA enforcement staff and the NCAA Division III Committee on Infractions of any action taken.

(2) Effective Date. Immediate.

(3) Rationale. During the enforcement process, it may be discovered that an active Division III institution is not meeting membership requirements (e.g., minimum sports sponsorship). The committee has the authority to impose penalties when an institution does not meet one or more membership requirements. This recommendation will clarify that when it is discovered during the enforcement process that an institution is not meeting membership requirements, it shall be the Membership Committee that has jurisdiction to impose any penalties and that it will notify the NCAA enforcement staff and the Committee on Infractions of any action taken.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

2. Nonlegislative Items.

a. Constitution 3.2.4.15.3 (Waiver) – NCAA Convention Attendance Waiver Requests.

(1) Recommendation. Approve the following waiver requests for the 2011 NCAA Convention attendance requirement per Constitution 3.2.4.15.3 (waiver):

(a) Keystone College;

(b) University of Maine, Farmington;

(c) State University College at Oneonta;

(d) Rhode Island College;

(e) U.S. Merchant Marine Academy; and

(f) Waynesburg University.

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

(3) Rationale. The committee recognized that the aforementioned institutions cast their votes through their respective conferences. Further, the institutions were unable to attend due to extraordinary weather conditions, personal hardships or a combination of both factors.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

b. Constitution 3.2.4.15 (Convention and Regional Rules Seminar attendance) - Northeast Regional Compliance Pilot.

(1) Recommendation. Approve attendance at the Northeast compliance seminar pilot as a means of satisfying the NCAA Regional Rules Seminars attendance requirement.

(2) Effective Date. September 1, 2011 – September 1, 2012.

(3) Rationale. The committee reviewed a request from eight Northeast conferences to conduct a compliance seminar at one of their member institutions on a biennial basis, beginning in spring 2012. The request also sought to use the Northeast compliance seminar toward the once-in-three-years legislative requirement to attend the NCAA Regional Rules Seminars.

The committee voted to approve a pilot compliance seminar during the 2011-12 academic year for the purpose of gathering additional information to determine whether a Division III-specific compliance seminar(s) is feasible on a more permanent basis. The committee cited a number of criteria, including but not limited to the following:

- Impact on the NCAA Regional Rules Seminars;
- Impact on National Association of Division III Athletic Administrators (NADIIIAA) summer forum;
- NCAA strategic initiative conference grant funds use;
- NCAA staff impact;
- Division III membership impacted;

- Cost;
- Length and structure of sessions; and
- Administrative challenges.

Further, the committee committed to reviewing additional compliance-based educational models at its next in-person meeting.

(4) Budget Impact. The proximity of the pilot to Northeast Division III institutions should reduce travel costs for these institutions.

(5) Student-Athlete Impact. None.

c. Continental Volleyball Conference – Single-Sport Conference Application – Constitution 3.3.3.2 (election).

(1) Recommendation. Elect the Continental Volleyball Conference to active Division III single-sport conference status.

(2) Effective Date. September 1, 2011.

(3) Rationale. The single-sport conference 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 conferences may have access to automatic qualification (if applicable).

d. Franciscan University of Steubenville – Sports-Sponsorship Requirements – Waiver Request of NCAA Division III Bylaw 20.11.3 (Sports Sponsorship) per Bylaw 20.11.3.4.1 (Waiver).

(1) Recommendation. Conditionally approve a sports-sponsorship waiver request of NCAA Division III Bylaw 20.11.3 (sports sponsorship) for Franciscan University of Steubenville for the 2011-12 academic year per Bylaw 20.11.3.4.1 (waiver). Specifically, the institution will be permitted to designate men's rugby as a sport that may be used to meet the division sports sponsorship criteria. The waiver is contingent on the institution

providing an update to the committee of adherence to its institutional plan not later than December 15, 2011.

(2) Effective Date. September 1, 2011 – September 1, 2012.

(3) Rationale. The committee noted that while Franciscan would be compliant with the total number of sport offerings (i.e., six sports for males and six sports for females) in the 2011-12 academic year, the institution would be deficient one team sport in the three team sports requirement for males without a waiver. The committee noted that sponsorship of men's rugby continues to afford student-athletes participation opportunities despite the sport not satisfying the legislated requirements to count.

Further, the committee recognized the institution's commitment to sponsor rugby at the same competitive and participatory level as an NCAA championship sport (e.g., maximum contest requirements, minimum contest and participants requirements). Therefore, the institution should be permitted to use the sport to count toward its three team sports for males' requirement. The committee also noted Franciscan's plan to sponsor a full NCAA championship sports athletics program and be compliant with sports-sponsorship requirements in the 2012-13 academic year and thereafter.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

e. NCAA Membership Information.

(1) Recommendation. Endorse committee proposed educational models and concepts [see Attachment] and provide feedback and guidance to appropriate association-wide groups.

(2) Effective Date. Immediate.

(3) Rationale. At its recent meetings, including a joint meeting with the NCAA Division II Membership Committee, the committee discussed how to enhance the NCAA membership inquiry process. Institutions that are currently interested in joining the NCAA or reclassifying to another division learn about the respective divisions through resources developed by division-specific NCAA staff but there are no specific documents or

resource tools available to directly compare the divisions. The committee recognized a need to create a comprehensive tool(s) to assist institutions in analyzing membership requirements and expectations to aid in the strategic planning process. As a result, the committee noted that institutions will be better informed in selecting divisional affiliations after using resources that facilitate a thorough, comprehensive examination.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

INFORMATIONAL ITEMS.

1. **NCAA Constitution 3.3 (Member Conference) - Core.** The committee reviewed the NCAA Division III Championships Committee recommendation that an institution should only count as core in one conference for automatic qualification purposes and similarly endorsed the concept for membership purposes. The committee noted that although the fiscal aspects of an umbrella conference may be attractive, permitting the umbrella model minimizes the philosophical aspects of conference affiliation and leads institutions to make decisions based less on affinity and more on the ability to procure automatic qualification.

The committee will review the member conference legislation and its correlation to the core concept at its next in-person meeting with a focus on consistent standards and language. This review will also take into account legislative areas that overlap with Constitution 3.3 such as Bylaw 31.3 (selection of teams and individuals for championships participation).

2. **Convention Attendance - Staff Authority.** The committee granted NCAA staff the authority to approve waiver requests (subject to committee review) in circumstances where there is clear precedent and an institution transferred its vote to its conference.

3. **Sports-Sponsorship Audit.** The 2010-11 sports-sponsorship audit did not produce any institutions that were in violation of sports-sponsorship requirements for the 2009-10 academic year. This is the first year the committee conducted a sports-sponsorship audit that has not resulted in the need for a waiver. The committee will review audit data at its next in-person meeting.

4. **NCAA Division III Institutional Self-Study Guide (ISSG) and Conference Self-Study Guide (CSSG).** The committee enhanced the NCAA Division III Institutional Self-Study Guide and Conference Self-Study Guide to include a section specific to multidivisional institutions per a recommendation from the NCAA Division III Management Council. The committee added questions related to Division I requirements (e.g., date of institution's last Division I rules compliance evaluation, Division I initial-eligibility certification processes). The committee also noted that staff should highlight the Division I compliance review requirement through the NCAA Division III monthly update and emphasize NCAA Division I Regional Rules Seminars programming to Division III multidivisional institutions.

5. **University of New Orleans – Reclassification Status.** The committee provided feedback in response to a written update the institution provided to the committee. The institution noted its intent to pursue Division II membership and its concurrent failure to comply with Division III reclassification standards. Specifically, certain elements of the reclassification process have not been met and cannot be rectified as noted in their plan. The committee noted that although the institution's intent is to pursue Division II membership, the institution will be reviewed in accordance with the committee's declared timeline and policies and procedures for any institution in the reclassification process since the institution is officially designated a Division I institution reclassifying to Division III for the 2010-11 academic year and any decision rendered by the Division II Membership Committee would not be in effect until after the conclusion of the 2010-11 academic year. The committee further noted the institution currently is not in good standing due to a failure to comply with required elements of reclassification membership (e.g., fall campus visit, provisional/reclassifying session at Convention).

6. **New York City College of Technology – Penalty Status – Athletics Program Assessment.** The committee reviewed the institution's most recent submission of its athletics program assessment. The institution was required to complete the assessment as a term of its penalty. New York City College of Technology is currently on restricted status for two years of failure to meet sports-sponsorship requirements. The institution submitted its original assessment in May 2010 and the committee deemed it inadequate. The institution resubmitted its assessment in December 2010 and the committee again noted its failure to thoroughly address the assessment questions. The committee recommended the institution be granted an additional opportunity to complete the assessment in accordance with committee guidance. In order to ensure the institution is fully of aware of the committee's concerns regarding the assessment and potential implications, a president and athletics direct report from the committee agreed to speak with City Tech's athletics direct report and president. If City Tech does not satisfy the terms of its current membership penalty, it may lose its active member status.

7. Single-Sport Conferences – Two Sports. The committee reviewed the status of the two Division III single-sport conferences that offer one sport for both genders. The committee noted these conferences are neither a single-sport conference nor compliant with the multisport conference conditions and obligations. The conferences have been provided deadlines by which to clarify their status (e.g., two single-sport conference titles) with the NCAA.

8. Joint Division II and III Membership Committee Meeting. The committee met jointly with its Division II counterpart at the most recent in-person meeting. Both committees learned about the respective membership processes and standards. The committees also collaborated on how to better educate potential new members. In order to maintain continuity and continued collaboration, it is anticipated that the Division III Membership Committee chair will provide an annual update to the Division II committee and a Division II representative will do the same for the Division III committee.

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