



## A G E N D A

The National Collegiate Athletic Association

Division III Presidents Council

NCAA National Office  
Indianapolis, IN

August 9, 2012

**Thursday, August 9**  
**Joint Divisional Breakfast/Meeting at 7:30 a.m.**  
**[Jesse Owens - Brand Building]**

**Division III Presidents Council Meeting 9 a.m. to noon**  
**[Christine Grant Ballroom B - Brand Building]**

1. Welcome and introductions. [Jim Schmotter]
2. General information. [Schmotter]
  - a. Roster. [Supplement No. 1]
  - b. Committee/Subcommittee assignments. [Supplement No. 2]
3. Minutes, summaries and agendas. [Schmotter]
  - a. Summary of Spring 2012 Quarterly Meeting. [Supplement No. 3a]
  - b. June 19, 2012, Administrative Committee action. [Supplement No. 3b]
  - c. NCAA Executive Committee agenda – August 1. [Supplement No. 3c]
4. Division III Strategic Positioning Platform. [Supplement No. 4] [Dan Dutcher]
- @ 5. Report of Joint Legislative Steering Committee. [See Supplement No. 9b from PAG packet] [Bob Antonucci]
- @ 6. Management Council report. [Supplement No. 5] [Jeff Martinez/Terry Rupert]
- @ 7. Report of Division III Strategic Planning and Finance Committee. [Jack Ohle]
  - a. Budget. [See Supplement Nos. 6b-6d from PAG packet]
  - b. 2012-14 Division III Strategic Plan. [See Supplement No. 6a from PAG packet]

- @ 8. Report of the Presidents Council Nominating Subcommittee. [Supplement No. 6] [Ohle]
  
- @ 9. Working Group on Representation Requirements for Division III Presidents Council and President's Advisory Group. [Supplement No. 7] [Sharon Herzberger]
  
- 10. Nomination process for 2013 Presidents Council leadership and vacancies. [Dutcher]
  
- 11. Governmental relations update. [Supplement No. 8] [Dutcher]
  
- 12. Future meetings.
  - a. October 29, 2012; Indianapolis – Presidents Council Dinner/Meeting – 5 to 9 p.m.
  - b. October 30, 2012; Indianapolis – Presidents Council Meeting – 9 a.m. to noon.
  - c. January 17-19, 2013, Grapevine, Texas in conjunction with the 2013 NCAA Convention. [Updated information regarding the Convention to be forthcoming.]
  - d. May 1, 2013; Indianapolis – Presidents Council Dinner/Meeting – 5 to 9 p.m.
  - e. May 2, 2013; Indianapolis – Presidents Council Meeting – 9 a.m. to noon.
  - f. August 7; 2013 Indianapolis – President's Advisory Group (PAG) Meeting – 5 to 9 p.m. [Annual meeting of conference presidents]
  - g. August 8, 2013; Indianapolis – Presidents Council Meeting – 9 a.m. to noon.
  
- 13. Other Business.
  
- 14. Adjournment.

**@ Denotes action items.**



## 2012 NCAA Division III Presidents Council

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## 2012 PRESIDENTS COUNCIL COMMITTEE/SUBCOMMITTEE ASSIGNMENTS

### Alexander, Livingston [January 2013]

- Working Group on Representation Requirements for Division III PC and PAG, chair

### Antonucci, Robert [January 2015]

- Infractions Appeals
- PC/MC Joint Legislative Steering Committee

### Bitterbaum, Erik [January 2016]

- Convention-Planning Subcommittee

### Bultman, Jim [January 2013]

### Chema, Thomas [January 2013]

- Strategic Planning and Finance Committee

### Edmondson, Charles [January 2015]

- Working Group on Representation Requirements for Division III PC and PAG

### Herzberger, Sharon [January 2015]

- Nominations Subcommittee
- Strategic Planning and Finance Committee
- Working Group on Representation Requirements for Division III PC and PAG

### Marsh Ryerson, Lisa [January 2015]

- Strategic Planning and Finance Committee

### Ohle, Jack [Vice Chair] [January 2014]

- Administrative Committee
- Executive Committee
- Strategic Planning and Finance Committee, chair
- Nominations Subcommittee

### Ohles, Frederik [January 2014]

- Nominations Subcommittee
- Working Group on Representation Requirements for Division III PC and PAG

### Reichard, Rosalind [January 2014]

- Nominations Subcommittee
- PC/MC Joint Legislative Steering Committee

### Reid, Pamela [January 2016]

- Convention-Planning Subcommittee

### Saatkamp, Herman [January 2013]

### Schmotter, James [Chair] [January 2013]

- Administrative Committee
- Executive Committee
- PC/MC Joint Legislative Steering Subcommittee

**SUMMARY OF SPRING 2012 QUARTERLY MEETINGS****The National Collegiate Athletic Association**

<b>Division III Management Council</b> <b>April 16-17, 2012</b> <b>Indianapolis, IN</b>	<b>Division III Presidents Council</b> <b>April 25-26, 2012</b> <b>Indianapolis, IN</b>
Kitty Baldridge, Gallaudet University [Monday only] Kurt Beron, University of Texas at Dallas Stan Ching, Connecticut College Karla Conrad, Manchester College Tim Downes, Emory University Charles Harris, Averett University Janine Hathorn, Washington and Lee University Portia Hoeg, Allegheny College Fredina Ingold, Pennsylvania State University, Altoona Bill Klika, Fairleigh Dickinson University, Florham Chris Martin, College Conference of Illinois & Wisconsin Jeff Martinez, University of Redlands [ <i>chair</i> ] Nancy Meyer, Calvin College Steve Nelson, University of Wisconsin, Superior Charlie Robert, Nichols College Lori Runksmeier, New England College Terry Rupert, Wilmington College (Ohio) [ <i>vice chair</i> ] Chris Thomforde, Moravian College	Livingston Alexander, University of Pittsburgh, Bradford Erik Bitterbaum, State University of New York at Cortland James Bultman, Hope College [ <i>chair</i> ] Thomas Chema, Hiram College Charley Edmonson, Alfred University Sharon Herzberger, Whittier College Brian Levin-Stankevich, University of Wisconsin, Eau Claire Lisa Marsh Ryerson, Wells College Jeff Martinez, University of Redlands [ <i>chair of Management Council</i> ] Jack Ohle, Gustavus Adolphus College [ <i>vice chair</i> ] Rosalind Reichard, Emory and Henry College Terry Rupert, Wilmington College (Ohio) [ <i>vice chair of Management Council</i> ] James Schmotter, Western Connecticut State University [ <i>chair</i> ]
<b>ABSENTEES</b>	<b>ABSENTEES</b>
Tucker Glass, Plattsburgh State University of New York Marjorie Hass, Austin College Lou Stark, Coe College	Robert Antonucci, Fitchburg State College Fred Ohles, Nebraska Wesleyan University Pamela Reid, St. Joseph College Ron Thomas, University of Puget Sound
<b>OTHER PARTICIPANTS</b>	<b>OTHER PARTICIPANTS</b>
Kelly Brooks, NCAA Gary Brown, NCAA Jessica Cherry, York College, Pathway Program Azure Davey, NCAA Daniel T. Dutcher, NCAA Mark Emmert, NCAA Kim Ford, NCAA Bernard Franklin, NCAA Jan Gentry, NCAA Eric Hartung, NCAA Cari Klecka, NCAA David Klossner, NCAA Debbie Kresge, NCAA, recording secretary Louise McCleary, NCAA Jeff Myers, NCAA Kristin Nesbitt, NCAA Gwen Packnett, University of Missouri-St. Louis, ACE Fellow Ronnie Ramos, NCAA Naima Stevenson, NCAA Liz Suscha, NCAA Jason Verdugo, Hamline University, Pathway Program Michelle Walsh, Fitchburg State University, Pathway Program	Gary Brown, NCAA Daniel T. Dutcher, NCAA Mark Emmert, NCAA Kim Ford, NCAA Bernard Franklin, NCAA Eric Hartung, NCAA Debbie Kresge, NCAA, recording secretary Louise McCleary, NCAA Karen Morrison, NCAA Jeff Myers, NCAA Liz Suscha, NCAA



**OTHER PARTICIPANTS**

Wendy Walters, NCAA  
John Williams, NCAA

**1. WELCOME AND ANNOUNCEMENTS.**

April 15 Management Council. The meeting was called to order at 8:02 a.m. by the chair, Jeff Martinez. The chair welcomed Council members; reviewed the agenda for the meeting, and acknowledged guests attending from the Pathway Program.

April 26 Presidents Council. The meeting was called to order at 9:10 a.m. by the chair, President Jim Schmotter. The chair welcomed Council members; reviewed the agenda for the meeting; and thanked Presidents Ron Thomas, Brian Levin-Stankevich and Jim Bultman for their service and commitment to the Council and Division III.

**2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.**

**a. Management Council Meetings – January 11, 2012.**

Management Council. The Management Council approved the summary of its January 11 and January 14 meetings as presented.

Presidents Council. No action necessary.

**b. Presidents Council Meeting – January 12, 2012.**

Management Council. No action necessary.

Presidents Council. The Presidents Council approved the summary of its January 12, 2012, meeting as presented.

**c. Administrative Committee Actions.**

Management Council. The Management Council approved the minutes of the February 9 and March 8, 2012, Administrative Committee actions.

Presidents Council. The Presidents Council approved the minutes of the February 9 and March 8, 2012, Administrative Committee actions.

3. **COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.**

a. **Division III Joint Presidents Council/Management Council Committees or Subcommittees.**

Staff Liaisons:  
Davey, Dutcher,  
Kresge,  
McCleary

Council Reps:  
Beron, Conrad,  
Edmundson,  
Herzberger,  
Meyer, Stark

(1) **Convention-Planning Subcommittee.**

(a) **Possible Educational Topics – 2013 Convention.**

Management Council. The Council reviewed the subcommittee's report noting possible educational topics for the 2013 Convention:

- Rules compliance/legislative hot topics or mini rules seminar. Possibly schedule on the day before or after the core Convention programming.
- Agents and Gambling – Sports Wagering.
- Fund raising/budgets.
- Student life/NASPA AOD Collaborative.
- Orientation program for new Division III athletics directors. Share key components including putting together Strategic Plan for their institution.
- Homophobia.
- Bullying/hazing.
- Financial Aid – best practices.

Presidents Council. No action was necessary.

(b) **Issues Forum Topics – 2013 Convention.**

Management Council. The Council reviewed the subcommittee's report noting the desire to discuss more than one topic at the Issues Forum. The subcommittee identified recruiting and social media as potential topics.

Presidents Council. No action was necessary.

(c) **Convention Special Olympics Activity.**

Management Council. The Council reviewed the subcommittee's report noting a Student-Athlete Advisory Committee (SAAC) recommendation to hold a Special Olympics Activity during the 2013 Convention in Grapevine, Texas. The Council discussed possible times to host the activity and felt that either Wednesday evening or Saturday afternoon would work best for the delegates.

The activity will be coordinated through the local Texas Special Olympics chapter and would include approximately 100 administrators engaging with Special Olympians.

Presidents Council. No action was necessary.

(2) **Strategic-Planning and Finance Committee.**

**Staff Liaisons:**  
Dutcher,  
McCleary, Myers,  
Hartung

**Council Reps:**  
Beron, Chema,  
Glass, Hass,  
Levin-Stankevich,  
Marsh Ryerson,  
Martin, Martinez,  
Schmotter,  
Stark

**a. 2012-15 Nonchampionships Budget Requests.**

Management Council. The Council approved the nonchampionship budget requests for 2012-13, totaling \$698,580. The recommendations will further the objectives identified in the division's Strategic Plan.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

**b. 2012-15 Champs Budget Request.**

Management Council. The Council approved the use of inflationary/reallocation monies totaling \$352,000 in 2012-13, 2013-14 and 2014-15; and reserve base budget adjustments for 2012-13 of \$463,220; 2013-14 of \$324,500 and 2014-15 of \$540,500.

The recommendation will enhance the quality of the Division III championships program.

The committee reviewed in detail a proposal from the Championships Committee regarding the NCAA Men's Final Four 75<sup>th</sup> Anniversary in Atlanta, Georgia April 4-8, 2013. This proposal incorporates all three division's basketball finals in Atlanta, with Division II and III championship games held Sunday, April 7.

The projected grand total was estimated at \$721,250 with a direct cost to Division III of approximately \$180,000, which would be split between the championships and Identity Initiative budgets. Committee members discussed pros and cons related to the proposal, including scheduling and logistical challenges. The committee concluded that it supported the proposal, based on the promotional opportunity for Division III branding and the quality of the student-athlete experience.

Presidents Council. The Presidents Council approved the Management Council's recommendations.

**c. Six-Year Projection.**

Management Council. The Council reviewed the six-year budget projection noting that starting with the 2015-18 budget cycle, projected expenses would exceed the current 80% reserve policy. Plans to address the 2015-18 budget could include adjusting the reserve policy and/or the purchase of additional financial recovery insurance.

Presidents Council. No action was necessary.

**d. Committee on Women's Athletics (CWA) Recommendation Regarding Grant Funding for Coaches.**

Management Council. The Council approved the committee's recommendation to deny the request from CWA by the Alliance for Woman Coaches and the NCAA Women Coaches Academy Directors to modify the Conference Grant to permit coaches, in addition to administrators, to be awarded professional development funds through Tier One and noted the availability of relevant professional development funds in Tier Three.

Presidents Council. No action was necessary.

**e. Replacement of Integration/Identity "Institutes/Symposia" in Tier Two with Integration/Identity "Activities".**

Management Council. The Council approved the recommendation to replace the requirement for Integration/Identity "Institute/Symposium" in Tier Two with Integration/Identity "Activities":

The program's intended goal is to bring key conference members together to discuss how each member institution and conference can best support the division's unique philosophy, identity and Strategic Positioning Platform. While several conferences have hosted various integration institutes with positive results, numerous commissioners have expressed strong concerns about the value of being required to host such events as "institutes" per se. For many conferences, these types of gatherings are hosted on an annual basis (such as annual meetings between presidents, athletics direct reports, athletics directors, senior woman administrators, coaches and student-athletes) which requires the staff and Strategic Planning and Finance Committee (SPFC) to make an unnecessary judgment call on whether such meetings are consistent with the intent of the requirement. By simply changing the working to "activities" (versus "institutes/symposiums") involving identity and integration, such

events could be automatically approved while remaining consistent with the intent of the program. Further, the broadening of the opportunity to conduct such events allows for the continued operation of such gatherings within the framework and context of the regular conference meeting schedule, an important aspect for conference administrators and representatives. This recommendation should be viewed as a means to enhance the identity and integration activities among conferences and conference members as opposed to a lessening of that requirement. The greater flexibility in this area will provide additional opportunities for conferences to further integrate our member institutions and to do so within the proper guideline of the grant program goals.

Presidents Council. No action was necessary.

**f. Eliminating the Annual Requisition/Application from the Conference Grant Program.**

Management Council. The Council approved a recommendation to streamline the application and reporting process of the Conference Grant Program by eliminating the annual Grant Requisition/Application and replacing it with a simple request form.

This recommendation will ease the administrative burden on conference offices, the NCAA staff and the SPFC members by reducing the work required completing the annual Requisition Form. This change would significantly increase the value of the annual Impact Form completed by conference offices and reviewed by the NCAA staff and SPFC members. The reports would more clearly illustrate the proper use of the grant funding by conference offices on an annual basis and the verification of that usage as being consistent with the goals of the Conference Grant Program. The burden for compliance with the program goals would more clearly rest with conference commissioners, a step welcomed by the commissioners, in exchange for the reduced burden in completing the requisition form. This recommendation is a simple, practical change that would benefit all of the parties involved in the administration of the Conference Grant Program.

The Council noted concern regarding the possible inappropriate use of funds and lack of opportunity for prior review. Staff noted that responsibility to be in compliance with the Conference Grant Program would be with the commissioner and any monies not properly used would result in either a verbal warning or monies may be deducted from allocation of funds for the next year. The Best Practices Guide would be updated to help clarify the use of funds. Conference commissioners are encouraged to forward additional questions to the NCAA national office. The Council also recommended the committee establish an audit policy and regular audit program.

Presidents Council. No action was necessary.

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Myers

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Thomforde

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**Council Reps:**

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Downes,  
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**Staff Liaisons:**

Brooks,  
Oakes

**Council Reps:**

Downes,  
Hathorn,  
Martin, Robert,  
Runksmeier

**(3) Joint Legislative Steering Subcommittee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

**b. Management Council Subcommittees.**

**(1) Academic Issues Subcommittee.**

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

**(2) Subcommittee for Legislative Relief.**

**a. NCAA Division III Management Council Subcommittee for Legislative Relief Review of Policies and Procedures as it Relates to Case Archival.**

Management Council. The Council agreed to revise case archival process in the policies and procedures as follows:

The subcommittee may archive cases based on a change in subcommittee philosophy (with appropriate notice given to the membership) or based on the decision date of a case (i.e., cases decided prior to a given date are designated as archived). Cases shall be archived by the staff every three years. The archived cases serve only as a historical resource to the membership and staff.

Currently the policies and procedures indicate that cases shall be archived by the staff every five years. As a result there are sometimes instances where case precedent may not be reflective of the current divisional philosophy. By revising the policy as recommend, the shorter timeframe will ensure the current divisional philosophy is reflected within the available case precedent.

Presidents Council. No action was necessary.

**b. Referral to the NCAA Division III Interpretations and Legislation Committee and NCAA Division III Management Council Subcommittee for Playing and Practice Seasons.**

Management Council. The Council agreed to refer to the NCAA Division III Interpretations and Legislation Committee (ILC) and the NCAA Division III Management Council Subcommittee for Playing and Practice Seasons the issue of allowing member institutions' coaches to provide instruction to student-athletes seeking to qualify for the U.S. Olympic Trials in swimming and diving and determine if a legislative proposal is appropriate.

The subcommittee noted it is best if this issue is discussed by the Subcommittee for Playing and Practice Seasons and the Interpretations and Legislation Committee to determine if a legislative proposal is appropriate. [Note: The final Council referral was to Playing and Practice Seasons Subcommittee but did not include ILC.] [See Page No. 9, Item 3(c)]

Presidents Council. No action was necessary.

**(3) Playing and Practice Seasons Subcommittee.**

**Staff Liaisons:**  
Hataway,  
Nesbitt, Suscha

**Council Reps:**  
Ching, Conrad,  
Harris, Klika,  
Martin, Meyer,  
Nelson

**(a) Legislation – Playing and Practice Seasons – Football – Out-of-Season Athletically Related Activities – Exception – Use of Hand Shields.**

Management Council. The Council approved in concept Convention legislation to permit the use of hand shields during the spring football strength and conditioning period.

The use of hand shields during the strength and conditioning period allows coaches to provide skill instruction to student-athletes who are not “skill position” players or special teams’ players. Specifically, coaches will be able to teach proper stance, hand placement and movement, including blocking which would enhance the safety of the game. The use of hand shields would be restricted to one-on-one and two-on-two skill instruction and would continue to prohibit player-to-player contact. The subcommittee noted that it reviewed a request from the American Southwest Conference to allow the use of additional equipment (e.g., helmets, blocking sleds) but it declined to recommend further allowances, as they would not enhance a student-athlete’s ability to receive skill instruction and may detract from the concept of conditioning. Further, permitting helmets would impact institutional resources for required re-conditioning and certification.

Presidents Council. No action was necessary.

**(b) Referral of Issues Related to Baseball to the NCAA Division III Baseball Committee.**

Management Council. The Council approved the subcommittee’s recommendation to refer to the NCAA Division III Championships Committee a request that the NCAA Division III Baseball Committee review issues related to protecting baseball student-athletes’ academic pursuits and address concerns of missed class and campus time.

The subcommittee received a presentation of the GOALS study results with an emphasis on baseball in comparison to other spring championship sports. The subcommittee noted concern with the athletic emphasis among baseball student-athletes in addition to significant missed class and campus time as compared to other spring championship sports. The subcommittee discussed various legislative changes including:

(1) Requiring baseball student-athletes to be provided with two days off per week from athletically related activities after the first date of competition; (2) Whether the current maximum allowed number of contests are appropriate; (3) Allowing contests completed during the nontraditional segment to be considered for championship requirements; and (4) Whether the current date of the baseball championship should be moved to allow for additional time for institutions to complete contests. Based on its concerns and discussion, the subcommittee referred the issue to the Baseball Committee through the Championships Committee for consideration.

Presidents Council. No action was necessary.

**(c) Out of Season Activities and Expenses to Qualify for the Olympic Trials.**

Management Council. The Council noted the subcommittee reviewed blanket waivers provided each of the last three Olympic years by the Division III Management Council Subcommittee for Legislative Relief. Specifically, the NCAA Division III membership has submitted a waiver request to allow Division III swimming student-athletes to work with their coaches outside the declared playing and practice season to achieve an Olympic Trial qualifying time and prepare for the Olympic trials as well as receive expenses for participation in one qualifying event. The subcommittee determined that based on the complexity and variability, these requests are best handled through the waiver process and recommended the Swimming and Diving Committee consider requesting the waiver on behalf of the membership, as that committee is most knowledgeable in determining the appropriate criteria for such relief. The Council also extended this year's blanket waiver to the entry deadline for the 2012 Olympics (i.e., June 18). [See Page Nos. 7-8, Item 2b]

Presidents Council. No action was necessary.

**c. Division III Committees.**

Staff Liaisons:  
Gentry, Suscha,  
Williams

Council Reps:  
Downes,  
Martinez,  
Nelson

**(1) Championships Committee.**

**(a) Informational Updates from Playing Rules Oversight Panel.**

Management Council. The Council agreed to sponsor legislation requiring the Playing Rules Oversight Panel (PROP) to provide informational updates regarding Division III specific issues to the NCAA Division III Championships Committee.

During the restructuring of the Division I governance structure, it was specified that PROP would report to the Division I Championships/Sports Management Cabinet regarding issues relating to Division I (see NCAA Bylaw 21.7.5.5.4) for sharing of information only. The change did not amend the legislation for PROP in Bylaw 21.1. Division



It recently passed similar legislation, leaving Division III as the only division that does not have language requiring PROP to report issues relating to Division III.

Presidents Council. No action was necessary.

**(b) Selection Criteria.**

Management Council. The Council approved the recommendation that the selection criteria be revised effective 2013-14, such that contests against all Division III opponents are included in the primary criteria, and contests against opponents from other classifications (e.g., NCAA Divisions I and II and NAIA) are included in the secondary criteria. Further, that the requirement that institutions play at least 50 percent of their scheduled competition against in-region, Division III opponents to be considered for selection to NCAA championships for team sports be increased to a minimum of 70 percent.

The proposed revisions to the selection criteria maintain the Division III emphasis on in-region competition by requiring an institution to schedule a minimum of 70 percent of its contests against in-region, Division III opponents in order to be considered for selection for team sports. Institutions will continue to have four ways to meet the in-region requirement: 1) all competition within an institution's defined sport region; 2) all competition within an institution's geographical region per Constitution 4.13.1.1) 3) all competition within a 200-mile radius; and 4) all conference competition.

Once the institutions that have met the 70 percent in-region threshold have been identified, sport committees will then have the ability to rank and select teams based on each institution's full body of work against Division III opponents. The revisions to the selection criteria will make more comparative data available for committees to evaluate and select teams for the national championship.

[Note: The committee will review the current 25 percent in-region requirement for the sports of golf and tennis to determine whether that percentage also should be increased.] Institutions will continue to have an opportunity to request a waiver of the in-region requirement.

Presidents Council. No action was necessary.

**(c) Institutional Eligibility – Bylaw 31.2.1(c).**

Management Council. The Council approved in concept an administrative regulation clarifying that those institutions that do not satisfy Bylaw 20.11.3.8 minimum contests and participant requirements shall not register a team score based on individual participants.

Teams that do not meet the minimum requirements for sport sponsorship should not be permitted to circumvent the intent of the legislation by aggregating points scored by individual qualifiers for a team score that would result in a win or place finish for the institution at a championship.

Presidents Council. No action was necessary.

**(d) Sport Committee Reappointments.**

Management Council. The Council accepted the information that the committee approved the following sport committee reappointments, effective September 1, 2012.

- Division III Baseball Committee - Ben Shipp, vice president for athletics, University of Mary Hardin-Baylor.
- Division III Women's Basketball Committee – Aaron Nester, head women's basketball coach, Oglethorpe University.
- Men's and Women's Fencing Committee – Bruce Gillman, head men's and women's fencing coach/assistant director of athletics, Vassar College.
- Division III Field Hockey Committee – Cory Ward, head field hockey coach, Gordon College.
- Division III Women's Ice Hockey Committee – Jodi McKenna, head women's ice hockey coach, Wesleyan University (Connecticut); and Brad Marshall, head women's ice hockey coach, St. Catherine's University.
- Division III Men's Soccer Committee – Travis Beauchamp, head men's soccer coach, Catholic University.
- Division III Softball Committee – Robin Baker, assistant softball coach/assistant director of athletics, University of Wisconsin, Eau Claire.
- Division III Wrestling Committee – Dick Simmons, associate director of athletics, Cornell College.
- Football Rules Committee – Tim Weaver, head football coach, Bethany College (West Virginia).

Presidents Council. No action was necessary.

**(e) Sport Committee and Rules Committee Appointments.**

Management Council. The Council accepted the information that the committee approved the following sport committee and rules committee appointments, effective September 1, 2012, unless otherwise noted:

- Division III Men's Basketball Committee – South region (immediate vacancy replacing Chris Cage): Jeff Burns, director of athletics, Randolph-Macon College; East region: Bob McVean, head men's basketball coach, Rochester Institute of Technology; West region: Brian Van Haaften, head men's basketball coach, Buena Vista University.

- Division III Women's Basketball Committee – Central region: Keri Carollo, head women's basketball coach, University of Wisconsin, Whitewater.
- Division III Field Hockey Committee – South region: Dawn Chamberlin, assistant director of athletics/head field hockey coach, Salisbury University; and South Atlantic region: Michelle Andre, head field hockey coach, Richard Stockton College of New Jersey.
- Division III Football Committee – East region: John Marzka, head football coach, Albright College; and West region: Duey Naatz, director of athletics, University of Wisconsin, Stout.
- Division III Men's Golf Committee – Mid-Atlantic region: Anthony Berich, director of athletics, University of Pittsburgh, Greensburg; and Southeast region: Bob McEvoy, director of athletics, Methodist University.
- Division III Men's Lacrosse Committee – North region: Sean Quirk, assistant director of athletics/head men's lacrosse coach, Endicott College.
- Division III Men's Soccer Committee – New England region (immediate vacancy replacing David Kulik): Jonathan Tymann, director of athletics, Gordon College.
- Division III Women's Soccer Committee – New England region (immediate vacancy replacing Jonathan Harper): Sean Sullivan, director of athletics, Clark University (Massachusetts); and approve a one-year term extension for Lee Ellis, director of athletics, Principia College. [NOTE: The Women's Soccer requested the term extension due to the recent resignation of the committee chair (Mr. Harper) and need for an experienced committee member to fill that position.]
- Division III Softball Committee – New England region: Joan Howard, assistant director of athletics, University of New England.
- Division III Men's Tennis Committee – Atlantic South region: Mike Bonnell, head men's tennis coach, Methodist University.
- Division III Women's Tennis Committee – West region (immediate vacancy replacing Ann Lebedeff): Erin Ness, head women's tennis coach, University of California, Santa Cruz.
- Division III Men's Volleyball Committee – East region (immediate vacancy replacing Louise McCleary): Terry Wansart, director of athletics, Hunter College.
- Division III Women's Volleyball Committee – New England region: Christi Kelsey, head women's volleyball coach, Williams College.
- Division III Wrestling Committee – Kim Wenger, associate director of athletics, Centennial Conference.
- Women's Basketball Rules Committee – Region 1: Curt Smyth, interim director of athletics, University of New England.

- Men's Lacrosse Rules Committee – Todd Hodgson, head men's lacrosse coach, Lycoming College.
- Women's Lacrosse Rules Committee – Laura Moan, head women's lacrosse coach, Susquehanna University.
- Men's and Women's Swimming and Diving Rules Committee (August 1, 2012, vacancies) – Gregg Parini, assistant director of athletics/head swimming and diving coach, Denison University; and Kevin Ryan, head men's and women's diving coach, U.S. Merchant Marine Academy.
- Men's and Women's Track and Field Rules Committee (August 1, 2012, vacancies) – Jim Nichols, head men's cross country, track and field coach, Ithaca College; and Rick Witt, head men's cross country/track and field coach, University of Wisconsin, Stevens Point.
- Women's Volleyball Rules Committee – Sarah Davis, head women's volleyball coach, College of Wooster.
- Wrestling Rules Committee – Todd Hibbs, head wrestling coach, Alma College; and Jeff Swenson, director of athletics, Augsburg College.

Presidents Council. No action was necessary.

Staff Liaisons:  
Hartung,  
Myers,  
Nesbitt

Council Rep:  
Rupert

(2) **Financial Aid Committee.**

(a) **Level II Reviews.**

Management Council. The Council accepted the committee's report noting it reviewed 36 Level II financial aid reporting cases. During the deliberations, members of the committee recused themselves as necessary in accordance with NCAA and conflict of interest policy. On review, the committee took the following actions:

- No action on 21 Level II cases.
- Took no action on one Level II case, on condition of review in the next review cycle.
- Forwarded 13 Level II cases to the NCAA enforcement staff for additional review.
- Deferred review of one case.

Presidents Council. No action was necessary.

(b) **Referral to NCAA Interpretations and Legislation Committee.**

Management Council. The Council accepted the information that the committee reviewed 30 legislative interpretations concerning existing financial aid and forwarded those interpretations to the NCAA Division III Interpretations and Legislation Committee with recommendations for revision or archival.

Presidents Council. No action was necessary.

Staff Liaisons:  
Cooper,  
Elworth

Council Rep:  
Meyer

(3) **Committee on Infractions.**

• **Statistics Related to Secondary Cases for 2011**

Management Council. The Council reviewed a document submitted by the Committee on Infractions showing that approximately 4,327 secondary infractions cases were processed and/or reviewed by the enforcement staff during the 2011 calendar year. Of the 4,327 cases, approximately 1,838 cases (42%) were processed by institutions and/or conferences as Level II secondary violations.

Approximately 242 Division III secondary infractions cases were processed and/or reviewed during the 2011 calendar year. Of those 242 cases, approximately 69 (29%) were processed by institutions and/or conferences as Level II secondary violations.

Presidents Council. No action was necessary.

Staff Liaisons:  
Dantzler,  
Smith,  
Walters

Council Reps:  
Antonucci,  
Baldrige

(4) **Infractions Appeals Committee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Myers,  
Hataway

Council Rep:  
Beron

(5) **Interpretations and Legislative Committee (ILC).**

(a) **Noncontroversial Legislation – Definition of an Agent.**

Management Council. The Council approved in concept noncontroversial legislation to specify that an agent is any individual who, directly or indirectly represents or attempts to represent an individual for the purpose of marketing his athletic ability or reputation for financial gain, or seeks to obtain any type of financial gain or benefit from securing a prospective student-athlete's enrollment at an educational institution or from a student-athlete's potential earnings as a professional athlete.

Presidents Council. No action was necessary.

(b) **Approval of Revision of Official Interpretation – Institution That Does Not Require a Paid Acceptance of Financial Deposit for Admission or Financial Aid.**

Management Council. The Council approved the revision of official interpretation [Reference: 3/25/11, Item No. 9-d], as follows:

Institution That Does Not Require a Paid Acceptance or Financial Deposit for Admission or Financial Aid (III). The Interpretations and Legislation Committee determined it is permissible for an institution that does not require a paid acceptance or financial deposit in response to a written offer of aid or admission, but has received a commitment from the prospective student-athlete that is required of all incoming students, to release publicity about the prospective student-athlete, and after May 1 of the prospective student-athlete's senior year of high school, may use any form of communication with the prospective student-athlete.

The revision of the interpretation clarifies that the May 1 date referenced in the interpretation only applies to the communication exception and not the publicity exception.

Presidents Council. No action was necessary.

(c) **Archive Official Interpretation and Approval of Official Interpretation – Contest/Date of Competition and Athletically Related Activity Limitations Applicable to Varsity and Junior Varsity Teams.**

Management Council. The Council approved to archive official interpretation [Reference 4/13/06, Item No. 4] and approve the following interpretation:

Contest/Date of Competition and Athletically Related Activity Limitations Applicable to Varsity and Junior Varsity Teams (III). The Interpretations and Legislation Committee determined that multiple squad levels in one sport (e.g., varsity soccer, junior varsity soccer, or freshman soccer) at a member institution may participate separately in the prescribed number of contests or scrimmages during the traditional segment with outside competition; however, during the nontraditional segment, all levels of teams within a sport (e.g., varsity or subvarsity squads) shall be treated as the same sport. Therefore, if any member (at any level) of a team participates in athletically related activities on a particular day during the nontraditional segment, that day must count as one of the 16 days of athletically related activity for the entire sport (all levels). The committee also confirmed that if an institution's multiple squad levels in one sport use the permissible one date of competition in the nontraditional segment, all levels must use the permissible one date of competition on the same actual day. The committee further confirmed that if any member of a sport team (any level) participates on the permissible one date of competition in the nontraditional segment, that participation must count within the eight-hour maximum limit for athletically related activity for the entire sport (all levels), as well as any prescribed competition limits (e.g., 18 innings in baseball, 120 minutes in lacrosse) for the entire sport (all levels).

Presidents Council. No action was necessary.

- (d) **Referral to the NCAA Division III Student-Athlete Advisory Committee – Work Performed Under the Direction or Supervision of a Coaching Staff Member.**

Management Council. The Council referred to the NCAA Division III Student-Athlete Advisory Committee (SAAC) the issue of performing work under the supervision or direction of a coaching staff member and whether that should be considered an athletically related activity.

The committee reviewed a staff interpretation [Reference: 10/20/11] related to a student-athlete performing work under the supervision or direction of a coaching staff member. Specifically, the committee discussed scenarios where student-athletes are participating in field or facility preparation for practice or competition. The committee noted concerns related to whether student-athletes are being required to perform such work and any impact such work has on the student-athlete's required day off during the playing and practice season or outside the playing and practice season. Based on these concerns, the committee referred the issue to SAAC for consideration. [See Page No. 24, Item 8(g)]

Presidents Council. No action was necessary.

- (e) **Referral to NCAA Division III Financial Aid Committee – NCAA Division II Proposal No. 2012-5.**

Management Council. The Council referred to the NCAA Division III Financial Aid Committee NCAA Division II Proposal No. 2012-5 for review and consideration.

Presidents Council. No action was necessary.

- (f) **Review Recruiting Working Group Proposal.**

Management Council. The Council approved the committee's recommendation to form a thirteen person working group to evaluate alternative recruiting models in the context of work-life balance and competitive equity. The primary areas of discussion for potential legislative changes would involve recruiting calendars and limitations on recruiting at nonscholastic events. This working group would address these issues throughout the latter half of 2012 and present the issues for a larger membership discussion at the 2013 NCAA Convention Issues Forum. Any potential legislative changes would be presented to the membership for a vote at the 2014 Convention.

The Interpretations and Legislation Committee recommends the working group consist of 13 individuals representing the following groups:

- One student-athlete;
- Two enrollment management professionals (e.g., vice president of enrollment/director of admissions);
- Two coaches that are involved in the coaches association for two of the following associations: basketball (men or women), football, lacrosse, soccer, volleyball;
- Two directors of athletics;
- One commissioner;
- Two athletics administrators with compliance oversight;
- One faculty athletics representative; and
- Two presidents.

The committee recommends that to the extent possible, the working group be representative of the Division III membership (e.g., public and private, geographical) and is gender and ethnically diverse. Additionally, one of the individuals on the working group should be a senior woman administrator.

There will be a necessary in-person meeting this fall and potentially an in-person meeting in the spring 2013 following the 2013 Convention. There will also be several teleconferences as needed. The cost per in-person meeting is approximately \$8,000.

Presidents Council. No action was necessary.

**(g) Approval of Official Interpretation – Strength and Conditioning Coaches Certified in First Aid, CPR and AED (III).**

Management Council. The Council approved the following interpretation:

Strength and Conditioning Coaches Certified in First Aid, CPR and EAD (III). The Interpretations and Legislation Committee confirmed only strength and conditioning coaches that conduct voluntary workouts outside of the playing season are required to have active certifications in first aid, CPR and AED use. Strength and conditioning coaches, regardless of certification, that conduct workouts in season or merely monitor workouts for safety purposes, outside the season are not required to have certifications in first aid, CPR and AED use. [References: NCAA Division III Bylaws 11.1.6 (sports-safety training), 17.02.1 (athletically related activities), 17.02.1.1 (athletically related activities), 17.02.1.1.1 (exceptions), NCAA Division III Proposal No. 2012-5 and educational column (1/18/12, Item No. 5)]



The committee reviewed the 2012 NCAA Convention question and answer document during its February meeting and agreed to issue a formal official interpretation on Question No. 2 of Proposal No. 2012-5. The committee noted this interpretation will clarify that only strength and conditioning coaches who wish to conduct voluntary workouts outside of the playing season would be required to be certified in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED).

Presidents Council. No action was necessary.

**(h) Approval of Official Interpretation – Use of a Season of Participation in an Alumni Contest Occurring during the Preseason.**

Management Council. The Council approved the following official interpretation:

Use of a Season of Participation in an Alumni Contest Occuring during the Preseason (III). The Interpretations and Legislation Committee confirmed that a student-athlete who competes in an alumni contest prior to the first regular season contest will not use a season of participation. [References: NCAA Division III Bylaws 14.2.4.1 (minimum amount of participation), 14.2.4.1.1 (exceptions), 17.1.4.5.1 (annual exemptions) and 17.1.4.5.1.2 (alumni game)]

During its February meeting, the Interpretations and Legislation Committee reviewed an issue related to a student-athlete in a sport that does not have a legislated preseason (e.g., track and field, ice hockey, swimming and diving) participating in an alumni contest prior to the first regular season contest and whether or not the student-athlete would use a season of participation for competing in such a contest. The committee determined that there is no competitive advantage by allowing such participation provided it occurs prior to the first regular season contest and directed NCAA staff to draft an interpretation for review by the committee.

Presidents Council. No action was necessary.

**(i) Incorporation of Official Interpretation – Definition of a Recruiting or Scouting Service (III).**

Management Council. The Council approved to incorporate the following official interpretation in the NCAA Division III Manual:

Definition of a Recruiting or Scouting Service (III). The Interpretations and Legislation Committee confirmed that a recruiting or scouting service includes any individual, organization, entity or segment of an entity that is primarily involved in providing information about

prospective student-athletes. This definition includes, but is not limited to any service that provides information only to paid subscribers, any service that is only available to a select group of individuals (e.g., coaches), regardless of whether there is a charge associated with the service, and any service that provides information to the public free of charge; however, this definition does not include any individual, organization or entity or segment of an entity that provides information about prospective student-athletes incidental to its primary purpose and is generally available to the public (e.g., news media). [References: NCAA Division III Bylaws 13.12.2.4.1 (camp/clinic providing recruiting or scouting service), 13.14.3 (recruiting or scouting services) and a staff interpretation (4/1/11, Item No. b), which has been archived.]

During its February meeting, the Interpretations and Legislation Committee reviewed an official interpretation that provides guidance in determining entities which would be classified as recruiting or scouting services. The committee noted that incorporation of this interpretation in the Division III Manual will make this information more readily accessible to the Division III membership.

Presidents Council. No action was necessary.

(6) **Membership Committee**

Staff Liaisons:  
Davey, Orr

Council Rep:  
Robert

(a) **Noncontroversial Legislation – NCAA Constitution 3.3.1.2.1 (Composition of Conference) – Application of Grace Period – Expiration.**

Management Council. The Council approved in concept noncontroversial legislation that clarifies that a conference that falls below the minimum number of institutions required for active conference membership enters into restricted status after the end of a two-year grace period. Further, within six months prior to the end of the two year grace period, the conference must provide the Division III Membership Committee with notice as to its progress toward attaining the minimum required number of core institutions. All benefits of conference membership will be removed after the grace period and will not be reinstated until the conference has regained the minimum required number of member institutions. Institutions that are members of the conference will continue to receive benefits of active membership (e.g., grant initiative funding as independents; NCAA Convention voting rights).

The proposed conference penalty process for failure to maintain seven active members on expiration of the two-year grace period is consistent with the institutional penalty process. Restricted status is appropriate for conferences that can't, within a two-year grace period, meet the same minimum standards required of conferences seeking active NCAA Division III membership.

A conference that is in restricted status will lose access to conference-specific funds typically administered via the NCAA Division III Strategic Initiative Grant.

Presidents Council. No action was necessary.

**(b) NCAA Constitution 3.6.3.1.1 (Fee – Provisional Members) – 2012-13 Exploratory Institutions.**

Management Council. The Council approved the 2012-13 nonrefundable fee structure as recommended. Specifically, exploratory members will pay \$500 on application to the exploratory process and will pay the remaining provisional fee balance of \$37,180 by September 1 of the first year of provisional membership.

The fee is effective for 2012-exploratory members and 2013-14 for first year provisional members.

The committee is annually charged with analyzing the expenses and benefits associated with the membership process and making a fee recommendation to the Division III Management Council. This analysis is based on a four-year rolling average. Provisional members in years one through four shall also pay NCAA dues. Exploratory and provisional member institutions will pay fees that cover the cost of administering the division's provisional and exploratory program.

Presidents Council. No action was necessary.

**(c) NCAA Constitution 3.2.4.15 (Convention and Regional Rules Seminar Attendance) – Convention Attendance – Waiver Requests.**

Management Council. The Council approved institutional waiver requests per NCAA Constitution 3.2.4.15 (Convention and regional rules seminar attendance) for those institutions that failed to either attend or cast a vote at the NCAA Convention. The committee recommended waiver approval for the following institutions that were unable to attend or cast a vote at the NCAA Convention due to technical issues, institutional emergencies or personal circumstances:

- Agnes Scott College,
- Albertus Magnus College;
- Anna Marie College;
- Suffolk University; and
- The U.S. Coast Guard Academy.

Waiver relief is applicable for attendance at the 2012 NCAA Convention. The institutions described mitigating circumstances regarding inability to cast a vote at the business session. The committee reviewed the institutions' requests or circumstances and found that the mitigation presented warranted relief.

Presidents Council. No action was necessary.

**(d) Trinity College (District of Columbia) – Sports-Sponsorship Requirements – Waiver Request of NCAA Bylaw 20.11.3 (Sports Sponsorship) per Bylaw 20.11.3.8.9.1 (Minimum Contests and Participants).**

Management Council. The Council approved a sports-sponsorship waiver request of Bylaw 20.11.3 (sports sponsorship) for Trinity (District of Columbia) for the 2010-11 academic year per Bylaw 20.11.3.8.9.1 (minimum contests and participants).

The waiver would provide relief for the 2010-11 academic year.

The committee noted that the institution's women's lacrosse head coach and assistant coach departed the institution two weeks prior to the start of the season. The committee considered the timing of the coaches' departure, the institution's efforts to search for a replacement, and the fact that the institution is currently sponsoring two club sports that will be activated as varsity sports. The committee also noted that the institution has a full roster of student-athletes for participation in the 2011-12 season. Finally, the committee considered the institution's low enrollment and pool from which to draw student-athlete participation late in the academic year.

Presidents Council. No action was necessary.

**(7) Nominating Committee.**

Management Council. The Council approved the following committee appointments:

- Minority Opportunities and Interests Committee – Robert Head, president, Rockford College (immediate vacancy); and Nnenna Akotaobi, coordinator for diversity/achievement in athletics, Grinnell College (September vacancy).
- Committee on Women's Athletics – Timothy Flanagan, president, Framingham State University (immediate vacancy); and Dean Snider, director of athletics, Whitman College.
- Division III Membership Committee – Terri Deike, director of athletics, LeTourneau University (immediate vacancy replacing Stefanie Baker-Watson).

Staff Liaison:  
Tufano

Council Rep:  
Hoeg

- Division III Student-Athlete Advisory Committee (May 2012 vacancies):
  - Liberty League – Chelsea Shoemaker, Rochester Institute of Technology.
  - Midwest Conference – Kelvin Jordan Gipson, Lake Forest College.
  - North Coast Athletic Conference – Jenna Ortega, Ohio Wesleyan University
  - Old Dominion Athletic Conference – Audrey Hester, Randolph-Macon College.
  - Presidents' Athletic Conference – Katelyn Vannoy, Washington and Jefferson College.
  - St. Louis Intercollegiate Athletic Conference – Daniel Lisch, Fontbonne University.

Presidents Council. The Presidents Council approved the Management Council's recommendations.

**(8) Student-Athlete Advisory Committee (SAAC).**

**Staff Liaisons:**  
Davey,  
Krtnick,  
Montgomery,  
Thornburn

**Council Reps:**  
Conrad, Glass

**(a) Inclusion (disability) resources, education and initiatives.**

Management Council. The Council approved a recommendation to formally request the NCAA Minority Opportunities and Interests Committee and inclusion staff to explore the creation of a repository of resources for institutions, related to inclusion issues impacting, lesbian, gay, bisexual and transgender student-athletes, student-athletes with disabilities, student-athletes who are hearing impaired and other underrepresented groups.

The Division III SAAC discussed the current initiatives related to diversity and inclusion and the need to provide educational and other resources to student-athletes, coaches, administrators and presidents to assist institutions with addressing issues related to inclusion. These include, but are not limited to, information regarding issues related to lesbian, gay, bisexual and transgender student-athletes, student-athletes with disabilities, student-athletes who are hearing impaired and other underrepresented groups. The committee recognized the need to emphasize educational resources for coaches, administrators and presidents who can affect campus policy and provide a consistent knowledge base for student-athletes.

Presidents Council. No action was necessary.

**(b) Special Olympics.**

Management Council. The Council approved the recommendation to forward to the NCAA Division III Convention-Planning Subcommittee a request to endorse and assist the committee with planning and conducting a Special Olympics event involving administrators and student-athletes at the 2013 NCAA Convention.

The committee discussed the purpose of the Division III Special Olympics partnership: to enhance the lives of Special Olympics athletes through their involvement with Division III student-athletes and to promote a shared learning experience. The committee believes an event during the 2013 Convention will serve to both further promote the partnership and demonstrate the attributes of Division III.

Presidents Council. No action was necessary.

(c) **Noncontroversial Legislation – Committees – Division III Committees – Student-Athlete Advisory Committee – Composition.**

Management Council. The Council approved in concept noncontroversial legislation that modifies the committee composition legislation (NCAA Bylaw 21.9.5.10.1) as follows:

- When an even number of Division III conferences exist, the conferences are paired and one student-athlete represents a conference and partner conference. The independent institutions are represented by one student-athlete and that representative is unpaired.
- When an odd number of Division III conferences exist, the conferences are paired and one student-athlete represents a conference and partner conference. The independent institutions are paired with the remaining conference and one student-athlete represents both the independents and the conference.

The current legislation does not account for committee composition and representation when an odd number of Division III conferences exist.

Presidents Council. No action was necessary.

(d) **Communication Strategy.**

Management Council. The Council reviewed the committee's report noting the development of a Division III Student-Athlete Advisory Committee communications strategy to assist the committee to push strategic initiatives, guide discussions, assist with decision making and overall continue to tell the Division III student-athlete story. Initial stages of planning over the next several months will determine the ultimate vision for the plan, primary goals and target audience. Preliminary discussions indicate that the focus will include explaining the National Student-Athlete Advisory Committee's purpose, creating opportunities for more feedback from student-athletes and providing information to assist student-athletes.

Presidents Council. No action was necessary.

**(e) Establishing relationships between faculty, student-athletes and athletics departments.**

Management Council. The Council reviewed the committee's report noting that Dennis Leighton, faculty athletic representative at the University of New England, met with them to discuss the best way to foster relationships between the faculty and student-athletes, and also ensure that the Faculty Athletics Representatives Association (FARA) has consistent communication with the committee to assist it with promoting enhanced relationships between student-athletes and faculty. The committee will continue to communicate with FARA and seek opportunities to collaborate.

Presidents Council. No action was necessary.

**(f) 2012 Convention – Student-Athletes Attendance and Programming.**

Management Council. The Council reviewed the committee's report noting a luncheon was hosted for the Division III student-athletes in attendance. The luncheon promoted student-athlete attendance at the Convention and also provided a professional development and mutual learning opportunity. The committee plans to enhance this event at the 2013 Convention.

Presidents Council. No action was necessary.

**(g) NCAA Division III Interpretations and Legislation Committee Referral – Student-Athlete working under the supervision or direction of coaching staff member on required day off.**

Management Council. The Council reviewed the committee's report noting a referral from the Interpretations and Legislation Committee related to student-athletes performing work at the direction or under the supervision of a coaching staff member on the required day off. The committee recognized that work performed on the required day off is generally uncommon, but noted in some sports (e.g., baseball; volleyball) it is more commonplace. The committee further recognized that some student-athletes do not consider work on the required day off as burdensome or invasive, yet the committee also noted that some coaches make last minute requests that impact student-athlete study schedules. Further, the committee noted coaches may deem the work voluntary, but are disappointed when student-athletes are unable to assist on the required day off due to studies or other commitments. The committee concluded that the extent of the work is often limited and is not an abuse of the intent of the required day off legislation. In the case of baseball, the committee noted that the care and maintenance of the field is often essential and baseball student-athletes typically enjoy and take pride in the maintenance of their game facility. [See Page No. 16, Item 5(d)]

Presidents Council. No action was necessary.

Staff Liaisons:  
Ghiloni,  
Groddy

Council Rep:  
Hathorn

**(9) Student-Athlete Reinstatement Committee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

**d. Association-Wide and Common Committees.**

**(1) Competitive Safeguards and Medical Aspects of Sports (CSMAS).**

Staff Liaisons:  
Klossner  
Wilfert

Council Rep:  
Runksmeier

**(a) Football walk-through.**

Management Council. The Council approved to amend Division III Bylaw 17.9.2.2 to align the language with that of Division II, which states that student-athletes must be provided with at least three continuous hours of recovery time between any sessions occurring that day.

The committee reviewed the current permissible walk-through legislation in the sport of football and found inconsistencies across divisions. In the interest of providing consistent safeguards for student-athletes, the committee recommended that the three divisions evaluate this legislation and align the language with that of Division II, which states that student-athletes must be provided with at least three continuous hours of recovery time between any sessions occurring that day. In Division III, removal of the current exception should also be considered: “if the walk-through session occurs first, three hours of recovery time is not required.” The impact of this legislation would ensure student-athletes have recovery from the cumulative effects of on-field activities, especially in the heat.

The committee decided to move this forward as regular governance legislation for the 2013 Convention rather than as non-controversial legislation.

Presidents Council. No action was necessary.

**(b) Marijuana Positive Test Threshold.**

Management Council. The Council noted the committee discussed laboratory testing thresholds for marijuana and asked Drug Free Sport to provide a report in June with information from the NCAA drug-testing lab that identifies marijuana levels in NCAA samples between 5-10 and 10-15 ng/mL. This information will be considered for a potential recommendation to amend the threshold for a positive test for marijuana. A recommendation in June would allow for notice to the membership in advance of fall championship testing.

Presidents Council. No action was necessary.



**(c) Need to Increase Drug-Testing Numbers.**

Management Council. The Council noted in light of increases in championship events and general growth of the membership, including approximately 60,000 additional student-athletes in the last five years, the committee will review in June a plan for expanding drug testing to maintain the necessary deterrence effect and to assist the committee with potential budget recommendations.

Presidents Council. No action was necessary.

**(d) NCAA Study of Substance Use.**

Management Council. The Council noted the committee reviewed and recommended to the NCAA research staff proposed changes to the 2012-13 Substance Use survey instrument, including the addition of questions related to synthetic cannabinoids, growth hormone and insulin. The paper survey will be administered by faculty athletics representatives (FAR) during that academic year; research staff continues to evaluate the potential for an electronic administration, which presents some challenges related to Institutional Review Board (IRB) approval; the preliminary report of the 2009 Substance Use Study was provided for committee final review and comment, noting the report established a new trend line beginning with the 2005 re-weighted data.

Presidents Council. No action was necessary.

**(e) Fall Preseason Sport Models.**

Management Council. The Council noted the committee's recommendation to further develop fall sport preseason best practices and potential regulatory options for sports other than football. Initially this process will begin with a focus on soccer through a multidisciplinary approach.

The committee also recommended that a news story be published for the membership on preseason guidelines for fall sports other than football in late spring that outlines best practices. Even though football has legislated the preseason period in all three divisions, the lack of regulations surround student-athlete activity for other fall sports during the preseason have been a concern since 2003.

Presidents Council. No action was necessary.

**(f) 2011 Athletics Healthcare Survey.**

Management Council. The Council noted that the committee received a report by Eric Hartung, NCAA research staff, on the results of the athletics healthcare survey. The purpose of this survey was to help the NCAA to better understand the state of athletics healthcare access within each

NCAA division. The results of the study will help the NCAA make appropriate policy decisions in each division and identify best practices that institutions can use to support the health and safety principle of the NCAA. More than half of NCAA member institutions responded. No additional action was taken.

Presidents Council. No action was necessary.

**(g) Soccer headbands.**

Management Council. The Council noted the issue regarding the use of protective headgear for the prevention of concussion in sports such as soccer was also addressed by the committee. It was noted that there is still no clinical evidence that the use of such products has a protective effect regarding concussions. It was further noted that the design and recommended use of these devices fail to address the proposed mechanism of concussive injury, that being acceleration and deceleration forces acting on the brain. There is, therefore, little likelihood of these devices being shown to be beneficial. The committee could find no reason to recommend their use.

Presidents Council. No action was necessary.

Staff Liaison:  
Tufano

Council Rep:  
Klika

**(2) Honors Committee.**

**(a) Increase the Today's Top VIII Award to the Today's Top 10 Award.**

Management Council. The Council approved the committee's recommendation that NCAA Bylaw 21.2.3.3 – Duties – be amended to change the Today's Top VIII Award to the Today's Top 10 Award.

The Today Top VIII Award has been at its present number since 1995. The award started in 1973 as the Today's Top V and changed to the Today's Top VI in 1986. The committee is requesting an increase to 10 for the following reasons:

- Increased number of participating student-athletes. In 1995-96, a total of 336,465 student-athletes participated – 130,080 women and 206,305 men. In 2010-11 a total of 446,178 student-athletes participated – 193,232 women and 252,946 men. An increase of 109,713 student-athletes.
- Increased number of NCAA sports. In 1995-96 there were 21 sports. In 2010-11 there were 23 sports. An increase of two sports.
- Increased number of NCAA institutions. In 1995-96 there were 994 NCAA institutions. In 2010-11 there were 1092 institutions. An increase of 98 institutions.

- Increased number of championship opportunities. In 1995-96 there were 80 championships. There are currently 89 championships. An increase of nine championships.

The committee believes the increase in the Today's Top VIII Award will allow the NCAA to recognize additional deserving candidates. [NOTE: Funding for the proposed amendment must be determined through the Association-wide budget process.]

Presidents Council. No action was necessary.

**(b) Today's Top VIII Selection Criteria.**

Management Council. The Council noted the committee voted to make the following changes to the selection criteria for the Today's Top VIII Award:

- Increase the required GPA from 3.000 to 3.2000.
- Reallocate the percentages for the award criteria as follows: athletics achievement – 50 percent; academic achievement – 30 percent; service and leadership – 15 percent; and a discretionary five percent that can be allocated by each committee member. (The discretionary allocation is allowed so that outstanding achievement in any particular area can be recognized.)

Presidents Council. No action was necessary.

**(c) Silver Anniversary Award Criteria.**

Management Council. The Council noted the committee discussed the current selection criteria for the Silver Anniversary Award and did not make any modifications. The committee would like to see more candidates nominated for Divisions II and III.

Presidents Council. No action was necessary.

**(3) Minority Opportunities and Interests Committee (MOIC).**

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

**(4) Olympic Sports Liaison Committee (OSLC).**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Bracken  
Ford,  
Rossello

Council Rep:  
Ching

Staff Liaisons:  
Calandro,  
Smith,  
Suscha

Council Rep:  
Ingold

Staff Liaison:  
Chichester

Council Rep:  
Hathorn

**5) Postgraduate Scholarship Committee.**

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:  
Roxbury

Council Rep:  
Thomforde

**(6) Research Committee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Miller,  
Smith

Council Rep:  
Ingold

**(7) Committee on Sportsmanship and Ethical Conduct.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:  
Chichester

Council Rep:  
Hass

**(8) Walter Byers Scholarship Committee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Barnhart,  
Holzman,  
Morrison

Council Rep:  
Hoeg

**(9) Committee on Women's Athletics (CWA).**

**(a) Equity in Athletics Disclosure Act (EADA) and NCAA Gender Equity Reporting.**

Management Council. The Council noted the committee discussed the current difference between the annual reporting deadlines for the federal EADA and NCAA financial reporting system, which are October and January respectively. The committee previously supported establishing a single deadline for both reports to make it more convenient and efficient for the membership. Consequently, the NCAA staff reached out to the U.S. Department of Education to see if the submission dates could be streamlined. However, the Department of Education did not agree to change the reporting date, noting that their October deadline allows the data to be reviewed earlier by all prospective students. The current NCAA system allows the membership to pull data for the EADA and NCAA at the same time.

Presidents Council. No action was necessary.

**(b) Division III Male Practice Players Legislation.**

Management Council. The Council noted the committee reviewed the Division III SAAC report, noting that the Women's Basketball Coaches Association had requested that Division III SAAC review proposed changes to the current male practice player's legislation. SAAC discussed the proposal at its January 2012 meeting and did not support the proposed changes to the legislation.

Presidents Council. No action was necessary.

**(c) Emerging and Olympic Sports.**

Management Council. The Council reviewed the committee's reporting regarding triathlon, rugby, sand volleyball and acrobatics and tumbling and stunt.

Presidents Council. No action was necessary.

**4. DIVISION III INITIATIVES AND UPDATES.**

**a. Division III Identity Initiative.**

**(1) Division III Purchasing Website.**

Management Council. The Council noted that at the midpoint of the current fiscal year, approximately 45 percent of Division III institutions and 58 percent of multisport conferences had submitted orders for products offered for 2011-12. Institutions averaged spending the entire \$500 credit offered at the website, plus an additional \$35 of institutional funds for items. Conferences averaged spending the entire \$500 credit, plus an additional \$90 of conference funds. The Division III Identity Initiative contractor requested assistance from each conference commissioner in mid-March to encourage schools that had not yet used their 2011-12 credit to do so. The contractor also will directly contact athletics directors and sports information directors this spring at institutions that have not yet used the credit, to encourage purchases. The three most popular items on this year's purchasing website are new products: Co-branded t-shirts; branded water coolers and branded lanyards. The contractor has received feedback throughout the year expressing a continuing preference for co-branded items.

Presidents Council. The Presidents Council reviewed the report. No action was necessary.

**(2) Videos.**

Management Council. The Council noted that seven new Identity Initiative videos, including versions that are customizable and can be co-branded by schools and conferences, were made available to the membership in February through a

download site created by the NCAA championships group, as well as the NCAA Division III YouTube channel. Log-in information for the download site was sent via email to conference commissioners, athletics directors and sports information directors. The videos are cut in lengths suitable for use as public-service announcements in game broadcasts or webcasts (30 seconds long); as “featu-  
rettes” for use on institutional or conference websites (60 seconds long); or for public presentations about the Division III experience (the 3:40-minute version). Most of the downloadable videos are available both in QuickTime (.mov) and Windows Media (.wmv) versions, and the customizable videos include “keyable” QuickTime versions that give editors some flexibility in altering the length of videos and use of graphics. The download site also offers a customization tool kit that includes the various motion and identification graphics used in the videos, as well as examples of how some of those graphics may be used.

Presidents Council. The Presidents Council reviewed the report. No action was necessary.

**(3) Division III Week.**

Management Council. The Council noted that the inaugural Division III week was celebrated April 9-15. Division III asked schools and conferences to schedule and publicize at least one event during the week demonstrating the academic, athletic, and co- and extra-curricular activities of Division III student-athletes. Participating institutions and conferences were asked to submit a brief report of scheduled activities to the national office, to assist staff in calling national attention to the celebration. Based on the submitted reports, approximately one-third of the membership and half of the conferences formally celebrated Division III Week.

Division III provided promotional materials for use on campuses and by conferences, including an online “communications kit” as well as signage that was shipped to conference commissioners and institutional sports information directors. Division III received significant assistance from the NCAA communications staff in this effort. It was noted that the division raised over \$5,000 for Special Olympics during the week primarily through a “like” promotion on the Division III Facebook page as well as a “jeans day” at the NCAA national office. Follow-up to this year’s event will focus on solicitation of membership feedback about Division III Week, including reaction to the timing of the event and experiences with scheduling and promoting activities.

Presidents Council. The Presidents Council reviewed the report. No action was necessary.

**(4) Championships.**

Management Council. The Council noted that the managers of the various Division III championships have increased efforts this year to dress venues with identity signage. They also have worked to increase visibility of the Division

III/Special Olympics partnership by encouraging the scheduling of events involving Special Olympians. Division III has provided each championship with \$1,000 to support Special Olympics-related activities at all team championships.

Presidents Council. No action was necessary.

**(5) Outreach.**

Management Council. The Council noted that Division III is stepping up efforts to reach out to a variety of constituencies, primarily for the purpose of presenting the Division III's identity to prospective student-athletes and their parents. A website specifically adapted to use by coaches on mobile devices such as smart phones and tablet computers, is being developed to assist users in portraying the Division III identity. Division III staff also continues to solicit and receive invitations to meet with national and state organizations of high school athletics administrators and admissions counselors, to enlist their support in describing the Division III model to young athletes. Outreach to prospective student-athletes and their parents will receive heightened attention during the next two years, as indicated in the current Division III Strategic Platform Activation and Planning Calendar. Division III also has increased outreach activities focusing on sports information directors, including supporting the establishment of a working group to identify professional development opportunities for campus and conference SIDs (in support of the Identity Initiative's objective of enhancing Division III messaging locally, within conferences, and nationally). Division III also has joined with the Division III Sports Information Directors of American (D3SIDA) to sponsor a recognition program honoring schools and conferences whose sports information staffs produce outstanding promotional work portraying Division III's model of intercollegiate athletics, including its philosophy and attributes. The program's first awards were presented during Division III Week.

Presidents Council. No action was necessary.

**(6) Division III Strategic Positioning Activation and Planning Calendar.**

Management Council. The Council reviewed the 2012-13 Strategic Positioning Activation and Planning Calendar noting the various opportunities to share the Division III story with the membership and public.

Presidents Council. No action was necessary.

**b. Academic Reporting Pilot.**

**• Executive Summary of Division III Issues Forum.**

Management Council. The Council reviewed the Executive Summary of key issues and membership feedback from the 2012 Issues Forum regarding the results of the division's Academic Reporting Pilot.

**QUESTION 1A: FINDINGS OF THE ACADEMIC REPORT PILOT:  
TELLING THE DIVISION III STORY.**

Convention roundtable feedback:

- Generally, the responses were in favor of the pilot results telling the story of Division III. The pilot helped reinforce the idea that student-athletes are performing better academically and graduating at a greater rate than the rest of the student body. The data also help promote that Division III student-athletes are well-rounded individuals and quantitatively illustrate that Division III places a high value on academics.
- Most responses indicated that these results would help focus on Division III as a whole instead of primarily focusing on individual conferences or institutions.
- Many responses also indicated the pilot was only performed once and the long-term results have yet to be shown. Other concerns questioned whether the sample was representative of the diversity of Division III and if the results were comparable to Divisions I and II.

**QUESTION 1B: FINDINGS OF THE ACADEMIC REPORT PILOT  
SUPPORTING THE DIVISION'S PHILOSOPHY AND STRATEGIC POSI-  
TIONING PLATFORM.**

Convention roundtable feedback:

- Generally, the responses were in favor of the pilot results supporting the Division's Philosophy Statement and Strategic Positioning Platform. The results from the pilot can aid in the recruiting process, strengthen the relationship between athletics and faculty and add data to support the division's philosophy and strategic positioning platform. The data collected can assist in the positive perception and image of Division III student-athletes.
- Most responses indicated that these results help promote graduation in four years among the division's student-athletes.
- Many responses also indicated that it is important to perform a comparative study to provide more insight on transfer students.
- Concern also arose about tracking and counting students who are no longer involved within intercollegiate athletics.

**QUESTION 1C: FINDINGS OF THE ACADEMIC REPORT PILOT AND  
RELEVANCE AT THE CAMPUS LEVEL.**

Convention roundtable feedback:

- Generally, the responses were in favor of the relevance of the pilot findings at the campus level. The pilot can help strengthen the relationship between athletics and aid in the recruitment process. The data also help



with resource allocation, proving that student-athletes are academically performing better than the general student body. The data from this pilot can assist in the evaluation of sport specific programs. Ultimately, this data can help support the positive impact athletics has on Division III campuses.

- Most responses indicated that these results are specific to individual campuses and do not assist in unifying Division III institutions. An additional concern is the tracking of dual sport student-athletes.
- Many responses also indicated there currently is no uniform academic standard across the division, separating student-athletes from the rest of the general student body, and, that student-athletes being accounted for who are no longer associated with the team.

**QUESTION 1D: FINDINGS OF THE ACADEMIC REPORT PILOT - RELEVANCE AT THE CONFERENCE LEVEL.**

Convention roundtable feedback:

- Generally, the responses did not find the pilot findings relevant at the conference level. Division III conferences are very diverse. Conference level data would not promote the division as a whole. The data is similar to the Financial Aid Report and is more relevant at the campus level.
- Most responses indicated that these results would increase competition among institutions within specific conferences instead of unifying the conference as a whole. An additional concern is the negative implications it could have on the division in regards to recruitment.
- Many responses also indicated it would help unify institutions within a conference in regards to recruitment, aid in budget allocation, serve as a best practice and be relevant when conferences are adding institutions for membership.

**QUESTION 2A: BENEFITS OF ACADEMIC REPORTING AND RELATED COSTS: CAMPUS-LEVEL.**

Convention roundtable feedback:

- The majority of applicable responses indicated that current campus-level burdens outweighed the benefits in regards to academic reporting. A majority of responses indicated the results of academic reporting were burdensome and time consuming before they established a campus-wide reporting system. The collaboration of professionals outside of the athletic department and computerized systems were critical to easing the burden.
- Many responses indicated the burden varied among institutions depending on individual institution's rapport among campus constituents, and utilized the Financial Aid Report to lesson time constraints. Many responses indicated it was too early to predict long term burdens.

- There were many concerns of adding an additional report to not only the athletics department, but also other various campus departments.
- Many responses indicated there was no significant benefit in collecting the results from academic reporting. It was also suggested the NCAA National Office provide a technical system in order to ease the burden. There is fear the burden will increase over time, and concern about the reporting capabilities on small campuses
- Responses indicated there was uncertainty in regards to a uniform definition of student-athlete.

**QUESTION 2B: BENEFITS OF ACADEMIC REPORTING AND RELATED COSTS: OVERCOMING BURDENS.**

Convention roundtable feedback:

- The majority of applicable responses indicated burdens related to the academic reporting pilot can be overcome through a uniform avenue for collecting data across the division. This could be implemented by a technological system, NCAA policies regarding data collection, a clear definition of student-athlete, and usage of templates from the pilot. Although many institutions experienced burden the first few years of the pilot, it is believed the burden will lessen over time. A majority of responses indicated time and money were the largest burdens.
- Many responses indicated concerns about allocating resources towards academic reporting, the diversity of Division III campuses, verifying data, and student-athletes who do not participate in athletics for the duration of their collegiate career.
- There were many concerns regarding the priority of the implementation of academic reporting and if it would become mandated or left to institutional choice.
- Many responses indicated there was no significant benefit in collecting the results from academic reporting. It was also suggested the NCAA National Office provide software in order to ease the burden.
- There were responses that indicated there was uncertainty in regards to a uniform definition of student-athlete.

**QUESTION 2B: BENEFITS OF ACADEMIC REPORTING PILOT AND RELATED COSTS: THE ROLE OF THE NCAA AND/OR CONFERENCES IN MANAGING BURDEN.**

Convention roundtable feedback:

- The majority of responses supported funding in order to create a new position or compensate athletic administrators for their overtime work when completing academic reporting. Additional responses indicated institutions should be provided with the average financial cost for

academic reporting for campuses before implementation. Many responses indicated increased funds through Division III conference grants or an institutional stipend. Many responses indicated establishing an NCAA “help desk” to ensure institutions are completing the academic reporting process correctly.

- A majority of responses indicated the need for software to be designed or be provided by the NCAA in order to ensure data collection is consistent and accurate among all Division III institutions. Additional responses indicated the need for a template, best practices guide, standard program or suggested method for collecting data to be released by the NCAA.
- There is a concern over the increase of data collection by the NCAA and many responses recommended incorporating academic reporting into an already existing survey administered and mandated by the NCAA. Many responses also suggested the NCAA become involved with data collection on campuses from beginning to end.

#### **COLLECTION OPTION 1: ANNUAL FROM ALL SCHOOLS.**

##### Convention roundtable feedback:

- Generally the responses indicated the need to mandate academic reporting for all Division III institutions. Many responses ranged from annual reporting to only reporting every few years.
- There was general support for involvement from all Division III institutions in order to ensure validity, statistical significance and consistency.
- Making it mandatory was a key aspect in many responses.
- Many responses indicated a concern about the source of Division III funds in order to participate on an annual basis in order to ease the burden.
- There were also concerns about utilizing a standard template or software for all institutions.

#### **COLLECTION OPTION 2: ANNUAL WITH HALF OF THE SCHOOLS IN ALTERNATING YEARS.**

##### Convention roundtable feedback:

- Generally the responses indicated the need to slowly ease into already existing methods of collecting data both by the individual institutions and the NCAA.
- Making it mandatory was a key aspect in many responses.
- Many responses indicated alternating years rather than mandating data collection annually.
- There were also concerns about institutions collecting data inaccurately.

### **COLLECTION OPTION 3: BIENNIAL.**

#### Convention roundtable feedback:

- Generally the responses indicated this option would increase inconsistency and inaccuracy among data collection.
- There was general concern biennial reporting would not ensure validity, statistical significance and consistency.
- Making it mandatory was a key aspect in many responses.
- There were also concerns a biennial report would increase burden.

### **COLLECTION OPTION 4: OPTIONAL REPORTING.**

#### Convention roundtable feedback:

- Generally the responses indicated the freedom of institutions to choose participation would ease burden and increase response rates. Optional reporting would provide a snapshot of Division III.
- There is a concern optional reporting would be the least effective, but be beneficial to slowly incorporate academic reporting into Division III legislation.
- Making it mandatory was a key aspect in many responses. Many responses indicated mandating academic reporting every five years.
- There were also concerns optional reporting would not be reflective of the entire division and optional reporting would eventually lend itself into mandatory reporting.

### **COLLECTION OPTION 5: NONE OF THE ABOVE.**

#### Convention roundtable feedback:

- Generally these responses supported incorporating academic reporting into an already existing survey administrated and mandated by the NCAA such as the ISSG and EADA.
- There is general support for mandating academic reporting for all institutions in its first year and slowly easing it into a four to five year survey in order to be comprehensive and incorporate it into already existing methods of data collection on campus.
- Making it mandatory was a key aspect in many responses. Many responses indicated mandating academic reporting once every five or ten years.
- Many responses indicated involvement at the conference level.
- There were also concerns about how academic reporting tells the Division III story, the value of the data and how the data would be utilized.

### NUMERICAL RESPONSE SUMMARY

Question	Support	Do Not Support	Undecided or N/A	% Support	% Do Not Support
1a	59	4	23	68%	4%
1b	67	3	16	77.9%	3%
1c	66	9	11	75.8%	10%
1d	29	23	30	33.7%	26.7%
2a	42	15	29	48.8%	17.4%
2b	61	6	16	73.4%	7.2%

### NUMERICAL RESPONSE SUMMARY

Question	Annual from all schools	Annual with half of schools in alternating years	Biennial	Optional Reporting	None of the above
3	32	2	2	18	24
	41%	2%	2%	23%	30.7%

The Management Council identified the following items for the Presidents Council discussion:

- Should the division mandate student-athlete graduation-rate reporting or leave it to institutional choice (voluntary)?
- How significant is the related time demand?
- Is annual reporting necessary?
- What is the validity of the data collected?
- What do graduation-rate data actually measure?

The Council ultimately endorsed two principles for Presidents Council consideration:

- Regular academic reporting is beneficial to the division.
- Representative data is essential.

Presidents Council. The Council endorsed the concept of regular, representative reporting. The Council also endorsed the decision to invite institutions to report student-athlete graduation rates on a voluntary basis (a third year of voluntary reporting) and evaluate the results. A report regarding the results of the third data cohort will be shared with the President's Advisory Group (PAG) during its August meeting. Discussion will then focus on the best way to obtain regular, representative graduation rate data moving forward.

**c. Division III Expense Reporting “Dashboard Indicators”.**

Management Council. The Council noted that the Division III Financial Dashboard Indicator System will be launched in May of 2012. As no feedback regarding revisions was received, the current list of indicators will be in place when the system is launched.

To facilitate the launch, a video introducing the system will be recorded and embedded into the application. This video will appear prominently upon login. Additionally, a letter from the Presidents Council chair will be sent to all presidents and chancellors announcing the launch. Division III staff will coordinate with the NCAA Communications staff to further promote the launch. A report will be shared with the Presidents and Management Councils at their summer meetings and with the Strategic Planning and Finance committee at its November meeting.

Presidents Council. No action was necessary.

**d. Virtual Focus Group Communication.**

Management Council. The Council reviewed the results from the Virtual Focus Group communication on recruiting calendars and noted that they will be forwarded to the Recruiting Working Group.

Presidents Council. No action was necessary

**e. Sickie Cell Trait Testing.**

Management Council. The Council received a presentation by David Klossner, NCAA director of health and safety educational affairs.

During the 2012 Convention, the membership referred to the NCAA CSMAS Division III Proposal No. 2012-3 which would have established that the examination or evaluation of student-athletes who are beginning their initial season of eligibility and students who are trying out for a team shall include a sickle cell solubility test, unless documented results of a prior test are provided to the institution or the student-athlete declines the test and signs a written release.

The Council noted that an NCAA staff group has been formed to address sickle cell trait testing logistics education/resources, legal perspectives, communication challenges and membership concern(s) to identify next steps, including potential 2013 legislation for consideration.

Identified Membership Concerns:

- Timing of implementation.
- Cost(s) associated with testing.
- Why sickle cell trait testing vs. other?
- Waiver Option.
- Administrative challenges (e.g., SA tracking).
- Resources to assist and educate.

Education Initiative:

- Identified concerns guide educational priorities and tasks.
- Efforts to date and projected:
  - Testimonials: NCAA.org; Monthly Update; NATA. [to date]
  - Direct communications: NATA. [to date]
  - Best Practices; Sports Medicine Handbook. [projected]
  - Video. [projected]

Concepts for Consideration/Feedback:

- Student-athletes that execute waiver right must receive education.
- Student-athletes allowed to practice while awaiting test results – education and precautions for ALL teams as general practice.
- Credit for testing.
- Phase-in approach (e.g., incoming student-athletes required).

Presidents Council. The Presidents Council approved the Management Council's recommendation of proceeding with educational efforts regarding sickle cell trait testing in an attempt to determine whether a revised legislative proposal would be supported at the 2013 Convention. The Presidents Council believes this is a student-athlete health and well-being issue and is urging more conversation with Division III constituents, especially presidents, in the coming weeks to help address concerns.

The Council committed to educating the membership during annual meetings; as well as planned outreach during the NCAA Regional Rules Seminars in May and June and at the National Athletics Trainers' Association convention in June.

In addition to educational outreach, the Presidents Council emphasized the need to incorporate testimonials from campuses that already conduct sickle cell trait testing. During a recent survey, 40 percent of more than 230 respondents routinely test for sickle cell trait without issue. Also discussed were modifications of the potential legislation: 1) Require student-athletes who "opt out" of the test to receive a mandatory educational component that makes them aware of symptoms and risks. 2) Allow student-athletes who are waiting for test results to continue practicing with their teams, as long as education and precautions are in place for all student-athletes during that time.

The Council intends to decide next steps during its August meeting with the Presidents and Chancellors Advisory Group (PAG).

**f. NASPA Collaboration.**

Management Council. The Council received an update from Cari Klecka on the NCAA/NASPA Collaboration. The partnership began in September 2011 after the membership decided rather than mandatory drug testing they wanted to focus on education, primarily regarding alcohol.

This collaboration identified four program elements: identify best practices in the Alcohol and Other Drug (AOD) education and develop pathways to share those broadly; develop modules that include baseline information; promote effective resources within the context of the environmental model; and identify the gaps in existing program offerings and develop resources or programming to target those gaps.

Two working groups have been developed: Delivery Working Group which will develop the structure and format to share program content and promote use of the resource within NCAA and NASPA; and the Content Working Group which will identify evidence based content to include in the first iteration of the resource.

Presidents Council. The Presidents Council reviewed the information. No action was necessary.

**g. Presidents Council Working Group on Membership Representational Requirements.**

Presidents Council. The Presidents Council received a report from Livingston Alexander chair of the PC Working Group on Membership Representational Requirements.

The charges of this working group were: 1) Review to legislative and compositional requirements of the Council to the membership at large and 2) Review the role and composition of the President's Advisory Group.

The Council informally supported the expansion of the Presidents Council from 15 to 17 members, as well as opportunities for broader representation within the PAG, noting formal recommendations will be received during its summer meeting.

**h. Presidents Council Subcommittee Assignments.**

Presidents Council. The Presidents Council received a review of subcommittee assignments noting vacancies on the Strategic Planning and Finance Committee and the Presidents Council Nominations Subcommittee due to recent Council vacancies.

**5. PROPOSED LEGISLATION FOR THE 2013 CONVENTION.**

**a. Review noncontroversial legislation approved by the Management Council.**

- **Playing and Practice Seasons – Football and Basketball Scrimmage – Allow Publicity and Official Scoring.**

Management Council. The Council adopted in legislative format in basketball and football, to remove the requirement that a practice scrimmage must be conducted without publicity or official scoring.

Presidents Council. No action was necessary.



- **Playing and Practice Seasons – Reference to Scrimmage or Exhibition.**

Management Council. The Council adopted in legislative format to create consistency within the legislation related to the terms “scrimmage,” “exhibition,” and “exhibition scrimmages.”

Presidents Council. No action was necessary.

- b. **Review of governance-sponsored legislation.**

- **Amateur Status – Before Initial, Full-Time Collegiate Enrollment – Prize Money Based on Team Performance.**

Management Council. The Council noted that this proposal is ready for review by the Joint Legislative Steering Committee. No action was necessary.

Presidents Council. No action was necessary.

6. ***ASSOCIATION-WIDE UPDATES AND ISSUES.***

- a. **Inclusion Initiative.**

Management and Presidents Councils. The Councils received a report from Bernard Franklin, executive vice president, chief inclusion officer, Kim Ford, director of diversity and inclusion; and Karen Morrison, director of gender inclusion initiatives, on Inclusion Strategic Initiatives.

The NCAA has restructured and refocused its diversity and inclusion effort, while maintaining a commitment to education and development. The inclusion initiative emphasizes that an inclusive culture is the best approach to achieving diversity. It represents a shift from embracing diversity as a metric to encouraging inclusion as a value in leadership and decision-making processes.

Inclusion in intercollegiate athletics, as in all areas of the campus, starts with the president. Presidents and chancellors must set an unwavering tone acknowledging the value of diversity and equally importantly, the practice of inclusion. The enterprise represents a shift in primary focus from development and delivery of programmatic elements to advocacy for best practices and policy decisions that strengthen the Association’s commitment to seeking out diverse viewpoints.

Four priorities have emerged through two years of dialogue with the NCAA membership and affiliate organizations:

- Increased engagement of university presidential leadership;
- Increased partnership and dialogue with affiliate organizations that support inclusive efforts in higher education;

- Exploration of policy initiatives that advance an inclusive culture in intercollegiate athletics; and
- A national office system that can model an inclusive business environment.

The NCAA has restructured its internal inclusion team, elevating the groups work to a reporting line with the executive vice president/chief inclusion officer, organized its international affairs efforts under a director, and articulated inclusion as one of the five national office beliefs. Cultural sensitivity to inclusion has been built into performance metrics for the national office and is being promoted and recommended as best practices for athletics programs. The NCAA is expanding its Equity and Inclusion Forum to provide educational programming and discussion of best practices across these broader inclusion topics beginning with the 2012 event. The Association has also restructured its governance system, by:

- Placing a president or chancellor from each division on the Committee on Women's Athletics (CWA) and one from each division on the Minority Opportunities and Interests Committee (MOIC), and conducting joint sessions of these two committees, twice per year;
- Balancing representation on those committees equally amongst divisions, and
- Identifying three new joint subcommittees to address broader inclusion topics: Disabilities; Minority Women and Lesbian, Gay Bisexual and Transgender (LGBT) experiences.

The Council also endorsed in principle a series of "Inclusion Strategic Initiatives" developed in part as an outcome of an Inclusion Summit conducted by the association in September 2011. The Council agreed to revisit the issue with the PAG during its August 2012 meeting.

**b. Communication Update.**

Management Council. The Council received a communication update from Ronnie Ramos, managing director, digital communications and Wendy Walters, director of academic and membership affairs. In an attempt to determine the most efficient way to communicate with the membership, the NCAA has implemented tagging every piece of content on the membership site to streamline the time it takes to locate information. Along with tagging, an email alert system will pilot this summer. This alert will allow the membership to customize the information they want to receive and avoid receiving emails not pertaining to them. Council members were encouraged to engage in this pilot.

Presidents Council. No action was necessary.

**c. Litigation Update.**

Management Council. The Council accepted the Litigation Report. No action was necessary.

Presidents Council. The Council accepted the Litigation Report during their joint presidential breakfast. No action was necessary.

**d. Governmental Relations Report.**

Management Council and Presidents Council. The Councils accepted the Governmental Relations Report. No action was necessary.

**e. 2012-13 Committee Meeting Requests.**

Management Council. The Council approved the Division III committee meeting requests for the 2012-13 year, granting the Championships Committee and Student-Athlete Advisory Committee the opportunity to conduct more than two in-person meetings in 2012-13.

Presidents Council. No action was necessary.

**7. ADJOURNMENT.**

Management Council. The Management Council meeting adjourned at 11:33 a.m. on April 17.

Presidents Council. The Presidents Council meeting adjourned at 11 a.m. on April 26.

**REPORT OF THE NCAA DIVISION III  
ADMINISTRATIVE COMMITTEE  
June 19, 2012 Electronic Mail**

**ACTION ITEMS**

- None.

**INFORMATIONAL ITEM**

- **Composition of the Recruiting Working Group.** The Administrative Committee approved the following selections for the Recruiting Working Group, noting the following parameters were kept in mind per the Interpretations and Legislative Committee's (ILC) recommendation: representative balance of public to private, as well as geographic, gender, racial and conference diversity.
  - Desirai Tongco, student-athlete at Mills College (National SAAC).
  - David Ellis, senior vice president and CFO, Becker College.
  - Fred Pfursich, vice president for enrollment, Whittier College.
  - Luis Reis, head women's soccer coach, Wheaton College.
  - Marci Sanders, head women's volleyball coach, University of Texas at Dallas.
  - Jerry Boyes, football coach/athletics director, Buffalo State College.
  - Steve Fritz, athletics director, University of St. Thomas.
  - Mike Mattia, associate athletics director and compliance officer, John Hopkins University.
  - Karen Tessmer, associate athletics director; compliance officer; head women's basketball coach, Worcester State University.
  - Patricia Aronson, faculty athletics director, Lynchburg College.
  - Keri Luchowski, executive director, North Coast Athletic Conference.
  - Debra Townsley, president, William Peace University.
  - Barney Forsyth, president, Westminster College (Missouri).
  - Terry Rupert, vice president of athletics administration/director of athletics, Wilmington College (Ohio), member of Division III Management Council.

The Recruiting Working Group was approved during the April Management Council meeting as a recommendation from ILC to evaluate alternative recruiting models in the context of work-life balance and competitive equity. Primary areas of discussion will include potential legislative changes involving recruiting calendars and limitations on recruiting at nonscholastic events. The working group will address these issues throughout the latter half of 2012 and present the issues for a larger membership discussion at the 2013 NCAA Convention Issues Forum. Any potential legislative changes would be presented to the membership for a vote at the 2014 Convention.

Administrative Committee Report

June 19, 2012

Page No. 2

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[Note: Patricia Aronson declined the invitation to serve on the working group. Ellen Mayock, faculty athletic representative at Washington & Lee University was appointed.]

*Committee Chair: Jim Schmutter, Western Connecticut State University*

*Staff Liaisons: Dan Dutcher, Division III Governance*

*Debbie Kresge, Division III Governance*

*Louise McCleary, Division III Governance*

June 19, 2012	
Attendees	Absentees
Martinez, Jeff, University of Redlands	
Ohle, Jack, Gustavus Adolphus College	
Rupert, Terry, Wilmington College	
Schmutter, Jim, Western Connecticut State University	
Thomforde, Chris, Moravian College	

DIVISION III STRATEGIC POSITIONING PLATFORM

NCAA Mission

What the brand wants to accomplish

To govern competition in a fair, safe, equitable and sportsmanlike manner, and to integrate intercollegiate athletics into higher education so that the educational experience of the student-athlete is paramount.

DIII Positioning Statement

Who we are

**Follow your passions and discover your potential.** The college experience is a time of learning and growth – a chance to follow passions and develop potential. For student-athletes in Division III, this happens most importantly in the classroom and through earning an academic degree. The Division III experience provides for passionate participation in a competitive athletics environment, where student-athletes push themselves to excellence and build upon their academic success with new challenges and life skills. And student-athletes are encouraged to pursue the full spectrum of opportunities available during their time in college. In this way, Division III provides an integrated environment for student-athletes to take responsibility for their own paths, follow their passions and find their potential through a comprehensive educational experience.

DIII Attributes

What we stand for

- Proportion:** appropriate relation of academics with opportunities to pursue athletics and other passions.
- Comprehensive Learning:** opportunity for broad-based education and success.
- Passion:** playing for the love of the game, competition, fun and self-improvement.
- Responsibility:** development of accountability through personal commitment and choices.
- Sportsmanship:** fair and respectful conduct toward all participants and supporters.
- Citizenship:** dedication to developing responsible leaders and citizens in our communities.

NCAA Brand Attributes

Balance

Learning

Spirit

Character

Fair Play

Community

Audiences

Who we are addressing

- Student-Athletes / Parents
- DIII Internal Constituencies
- General Public / Media

Audience Benefits

Key benefits of the DIII experience

- Continue to compete in a highly competitive athletics program and retain the full spectrum of college life.
  - Focus on academic achievement while graduating with a comprehensive education that builds skills beyond the classroom.
  - Access financial aid for college without the obligations of an athletics scholarship.
  - Opportunities to play more than one sport.
  - Be responsible for your own path, discover potential through opportunities to pursue many interests.
- Academics are the primary focus for student-athletes. Shorter practice and playing seasons, no red-shirting and regional competition minimize time away from their academic studies and keep student-athletes on a path to graduation.
  - Student-athletes are integrated on campus and treated like all other members of the general student-body, keeping them focused on being a student first.
  - Participation in athletics provides valuable “life lessons” for student-athletes (teamwork, discipline, perseverance, leadership, etc.), which often translate into them becoming better students and more responsible citizens.
- Division III institutions develop student-athlete potential through a comprehensive educational approach.
  - Division III institutions offer athletics for the educational value and benefit to the student-athlete, not for the purposes of revenue generation or entertainment.
  - Participation in athletics provides valuable “life lessons” for student-athletes (teamwork, discipline, perseverance, leadership, etc.), which often translate into them becoming better students and more responsible citizens.
  - Student-athletes compete in a highly competitive athletics program and retain the full spectrum of college life.
  - Student-athletes do not receive monetary incentive to play sports but rather participate for the love of the game.

Reasons to Believe

Supporting features of DIII

- 1. Comprehensive educational experience.** Division III institutions develop student-athlete potential through a holistic educational approach that includes rigorous academics, competitive athletics and opportunity to pursue other interests and passions.

**2. Integrated campus environment.** About one-quarter of all students at Division III institutions participate in athletics. Those participating in athletics are integrated into the campus culture and educational missions of their colleges or universities:

  - Student-athletes are subject to admission and academic performance standards consistent with the general student body;
  - Student-athletes are not provided any special housing, services or support from their institution different from other students or student groups;
  - Athletics departments are regulated and managed through the same general procedures and practices as other departments of the institution.

This integration of athletics allows the student-athletes to take full advantage of the many opportunities of campus life and their entire collegiate experience.

**3. Academic focus.** Student-athletes most often attend a college or university in Division III because of the excellent academic programs, creating a primary focus on learning and achievement of their degree. The division minimizes the conflicts between athletics and academics through shorter playing and practice seasons, the number of contests, no red-shirting or out-of-season organized activities, and a focus on regional in-season and conference play.
- 4. Available financial aid.** Three-quarters of all student-athletes in Division III receive some form of grant or non-athletics scholarship. Student-athletes have equal opportunity and access to financial aid as the general student body – but are not awarded aid based on athletics leadership, ability, performance or participation.

  - Division III does not award athletics scholarships. Without the obligation of an athletics scholarship, student-athletes can emphasize academics, athletics and other opportunities of college life appropriate to the necessary commitment and their own passions.

**5. Competitive athletics programs.** Student-athletes do not receive any monetary incentive (athletics scholarship) to play sports in college. They play for the love and passion of the game and to push themselves to be their best, creating an intense, competitive athletics environment for all who participate.

**6. National championship opportunities.** Division III has more than 170,000 student-athletes competing annually, with access to 38 different national championships. These competitions provide an opportunity for student-athletes to compete at the highest level and fulfill their athletics potential.

**7. Commitment to athletics participation.** Division III institutions are committed to a broad-based program of athletics because of the educational value of participation for the student-athlete. The division has a higher number and wider variety of athletics opportunities on average than any other division in the NCAA, emphasizing both competitive men’s and women’s sports.



**REPORT OF THE  
NCAA DIVISION III MANAGEMENT COUNCIL**

The Division III Management Council conducted its July 23-24, 2012, meeting in Indianapolis, Indiana. Listed below are specific recommendations for review and consideration by the Presidents Council.

**ACTION ITEMS**

The following Management Council recommendations require action by the Presidents Council:

**1. Committee Appointments.**

- a. Recommendation. Approve the following committee appointments:
  - (1) Division III Financial Aid Committee (immediate vacancy replacing Donald Cragen) – Robert Coleman, director of athletics, Whittier College.
  - (2) Division III Interpretations and Legislation Committee (immediate vacancy replacing Lisa Wisniowicz) – Melissa Cruice, assistant athletic trainer/compliance coordinator, Haverford College.
  - (3) Minority Opportunities and Interests Committee – Ralph Bertrand, faculty athletics representative, Colorado College.
  - (4) Division III Nominating Committee (immediate vacancy replacing Christyn Abaray) – Angela Baumann, commissioner, Massachusetts State Collegiate Athletic Conference.
- b. Effective Date. Immediate, unless otherwise noted.
- c. Rationale. The committee reviewed the slate of nominees for each committee and forwards these individuals for appointment.
- d. Estimated Budget Impact. None.
- e. Student-Athlete Impact. None.

**2. 2012-15 Division III Strategic Plan Draft.**

- a. Recommendation. Approval of the 2012-15 budget triennium's Strategic Plan and Initiatives draft. [See Supplement No. 6a from PAG packet]
- b. Effective Date. September 1, 2012

- c. Rationale. Upon recommendation of the Strategic Planning and Finance Committee, the Management Council reviewed the six strategic priorities for the 2012-15 budget triennium including key components and changes. The Council supports the Strategic Plan for the 2012-15 triennium. This includes the administration of a survey of the membership during the next budget triennium to help establish the division's future strategic priorities and budget initiatives.
- d. Budget Impact. None.
- e. Student-Athlete Impact. None.

**3. 2013 Convention Legislation – NCAA Bylaw 20.6.9 (Championships Eligibility) - Division Membership – Championship and Grant Funding - Institutions Reclassifying from Division III to Division II.**

- a. Recommendation. Approve in concept legislation that modifies Bylaw 20.6.9 (championships eligibility) to stipulate that a Division III member institution is ineligible for Division III championships and Division III grant funding once it is officially accepted into and commences with the Division II reclassification program.
- b. Effective Date. Immediate.
- c. Rationale. Division III legislation currently allows a Division III member institution that is reclassifying to Division II to access Division III championships and grant funding during the first year of its Division II candidacy, provided the Division III institution does not provide athletically related financial aid. The current legislation is challenging for the reclassifying institution because the institution intends to function and follow Division II legislation, yet it hopes to maintain eligibility for access to Division III championships and grant funding by complying with Division III legislation. Further, there is an inherent competitive advantage for a Division III institution reclassifying to Division II due to the future commitment to award athletically related aid upon the announcement of the transition.
- d. Estimated Budget Impact. Loss of Division III grant funding once the institution commences the Division II reclassification process.
- e. Student-Athlete Impact. Student-athletes that attend an institution that is reclassifying to Division II would not have a participation opportunity in Division II or III championships during the three year transition.

**4. Sickle Cell Trait (SCT) Status Confirmation in Division III.**

- a. Recommendation. Sponsor proposed legislation to require institutions to provide education regarding sickle cell trait for all student-athletes and provide additional mandatory education for those that do not confirm their status. Further, require confirmation of sickle cell trait status for all student-athletes no later than the 2014-15 academic year



including mandatory confirmation of status of all incoming student-athletes (first year and transfers) in the 2013-14 academic year.

- b. Effective date. The 2014-15 academic year including mandatory confirmation of status of all incoming student-athletes (first year and transfers) in the 2013-14 academic year.
- c. Rationale. By encouraging awareness of one's sickle cell trait (SCT) status, this proposal promotes the health and safety of all student-athletes. Knowledge by the student-athlete and education by key institutional staff that conduct and monitor workouts continues to be the most important factor for determining appropriate precautions and interventions and ultimately preventing catastrophic events. Education is required for all student-athletes, and those that either waive the test or want to participate before results of the test are confirmed shall be provided additional education regarding the implications of their decision and the risks, impact and precautions related to sickle cell trait. Combining knowledge of SCT status with a robust educational program puts all of our institutions in the best position to protect our student-athletes' health and well-being.
- d. Estimated Budget Impact. Cost and options will vary by institution. Test results already are available for many student-athletes. Institutions and student-athletes are not required to use the NCAA's national contract with Quest Diagnostics labs.
- e. Student-Athlete Impact. Knowledge of SCT will provide student-athletes and those charged with protecting their health and safety the necessary information to ensure safeguards are in place and to ensure appropriate response where indicated.

### **NO ACTION REQUIRED**

The following Management Council actions do not require formal action by the Presidents Council and are being reported to the Presidents Council for informational purposes only.

1. **Recruiting Working Group Composition.** The Management Council approved the Administrative Committee's recommendation for the following selections for the Recruiting Working Group noting that the following parameters were kept in mind per the Interpretations and Legislative Committee's (ILC) recommendation: representative balance of public to private, as well as geographic, gender, racial and conference diversity.

- Desirai Tongco, student-athlete at Mills College (National SAAC).
- David Ellis, senior vice president and CFO, Becker College.
- Fred Pfursich, vice president for enrollment, Whittier College.
- Luis Reis, head women's soccer coach, Wheaton College (Massachusetts).
- Marci Sanders, head women's volleyball coach, University of Texas at Dallas.
- Jerry Boyes, football coach/athletics director, Buffalo State College.
- Steve Fritz, athletics director, University of St. Thomas.
- Mike Mattia, associate athletics director & compliance officer, John Hopkins University.

- Karen Tessmer, associate athletics director; compliance officer; head women's basketball coach, Worcester State University.
- Ellen Mayock, faculty athletics director, Washington & Lee University.
- Keri Luchowski, executive director, North Coast Athletic Conference.
- Debra Townsley, president, William Peace University.
- Barney Forsyth, president, Westminster College (Missouri).
- Terry Rupert, vice president of athletics administration/director of athletics, Wilmington College (Ohio), member of Division III Management Council.

2. **Strategic Initiatives Grant Assessment Process.** The Management Council approved the recommendation from the Strategic Planning and Finance Committee to create a working group to review and establish "better business practices" associated with the administration of the Conference Grant Program, including the potential standards for a formal review (e.g. assessment). The Conference Grant Program has grown to over \$2 million in annual allocations, yet only limited business practices and accountability standards have been established regarding the administration of the program. In April, the Management and Presidents Councils recommended the establishment of a periodic audit of conference use of this grant money.

After reviewing a proposed auditing process similar to that established in Division II, concern was expressed about the increased administrative burden that a mandatory, periodic audit "without cause" could place on conference office staff. The committee believes a formal working group will allow for further discussion as well as capturing and accommodating the perspective of the conference offices. The working group will outline the best business practices for tracking and reporting on grant funds, the expectations of conference offices, and the consequences for not meeting these expectations.

3. **First Date of Competition in Ice Hockey.** The Management Council approved the recommendation by the Playing and Practice Seasons Subcommittee to move the first date of competition for men's and women's ice hockey to November 1<sup>st</sup>. Currently the first practice and competition date are the same date, and it has raised concerns in regard to student-athletes' health and well-being. Based on a review of the issue by the Committee on Safeguards and Medical Aspects of Sport that student-athletes cannot rapidly be conditioned into shape, and that as a result, the student-athlete should be protected from premature exposure to the full rigors of sports, the subcommittee noted that student-athletes would benefit by designating November 1<sup>st</sup> as the first permissible contest date.

4. **Selection Criteria – Golf and Tennis.** The Management Council approved the recommendation from the Championships Committee that the selection criteria for men's and women's golf and men's and women's tennis be revised such that contests against Division III opponents are included in the primary criteria, and contests against opponents from other classifications (i.e., NCAA Divisions I and II and NAIA) are included in the secondary criteria. Further, in the sport of tennis, that the requirement that institutions play at least 25 percent of their scheduled competition against in-region, Division III opponents to be considered for selection to NCAA

championships be increased to a minimum of 50 percent. For the sport of golf, the requirement will remain at 25 percent. As with the adopted changes for team sports, the proposed revisions to the selection criteria maintain the Division III emphasis on in-region competition by requiring an institution to schedule a minimum of 50 percent of its tennis contests against in-region, Division III opponents in order to be considered for selection. For golf, this requirement will remain at 25 percent.

5. **Men's Basketball – 2013 Preliminary Round Dates of Competition.** The Management Council approved the recommendation from the Championships Committee that for the 2013 NCAA Division III Men's Basketball Championship, the following schedule will be used - preliminary rounds: first round – March 2, 2013; second round – March 9, 2013; sectional round – March 16, 2013; quarterfinals/semifinals – March 22-23, 2013 in Salem, Virginia. The schedule change is necessary to accommodate the NCAA Men's Basketball Championship 75th Anniversary Celebration and the related date change for the final game (April 7).

When considering the possible options for the schedule change, primary importance was placed on minimizing change for the greatest number of participating teams, minimizing the length of the playing season, and reducing potential facility conflicts with spring sports. With single game rounds leading up to the quarterfinals and semifinals, half of the championship field will be finished with competition by March 2.

6. **Active and Provisional Membership.** The Management Council approved the recommendation from the Membership Committee to elect the following institutions to active Division III membership per Constitution 3.2.3.3 (election):

- a. Pennsylvania State University, Abington;
- b. Spalding University; and
- c. State University of New York at Cobleskill.

The Management Council approved the recommendation from the Membership Committee to elect the following institutions for provisional Division III membership per Constitution 3.6.3.3 (election):

- a. Houghton College;
- b. Sarah Lawrence College;
- c. Southern Virginia University;
- d. State University of New York at Canton; and
- e. Valley Forge Christian College.

7. **Four-Year College Transfers.** The Management Council approved the sponsorship of 2013 NCAA Convention legislation specifying that if a transfer student-athlete practiced or competed at a Division III institution, then the student-athlete shall be athletically and academically eligible at the original institution to be immediately eligible upon transfer. Currently, the four-year transfer exception allows a student-athlete to transfer and be immediately eligible if the student-athlete has not used a season of participation at a Division III institution, and has never practiced or competed in intercollegiate athletics at a non-Division III institution. Effectively, a student-athlete that is academically ineligible at one Division III institution could transfer to another Division III institution and be immediately eligible provided the student-athlete has not used a season of participation. For example, the current rule allows a student-athlete to participate and compete in the nontraditional segment (which does not trigger the use of a season of participation) in the fall, become academically ineligible, and then transfer to another Division III institution mid-year and become immediately eligible for competition in the spring championship segment. In this situation the student-athlete has transferred out of an academic ineligibility. The proposal affirms that academic eligibility should be the primary consideration when determining eligibility status for a transfer student-athlete.
8. **Study Abroad Programs and Student-Athlete Athletic Eligibility.** The Management Council approved the sponsorship of 2013 NCAA Convention legislation to specify that if a Division III student-athlete participates in athletics in conjunction with a study abroad or foreign exchange program that is recognized by his or her institution, then the student-athlete shall not trigger the outside competition legislation or the transfer legislation if the student-athlete returns to his or her home institution; further, to specify that a student-athlete participating in such a program shall not trigger the use of a season of participation.
9. **Amendment to Bylaw 21.9.2.1 – Length of Term.** The Management Council approved in concept the recommendation from the Committee on Infractions that members of the Committee on Infractions be eligible to be appointed to a second four-year term to be served consecutive to the first term. However, the Council referred the recommendation to the Nominating Committee to provide additional feedback. [NOTE: On its July 26, 2012 teleconference, the Nominating Committee reviewed the recommendation. It did not support the four-year extension, but was open to a shorter term (e.g., two three-year terms).]

In previous years, the Division III Committee on Infractions met infrequently, as major infractions at member institutions were rarely alleged by the enforcement staff and cases were resolved without the need for in-person hearings. However, since 2010 the division has seen a significant increase in allegations of major infractions, in large part due to the Committee on Financial Aid referring member institutions that are not in compliance with financial aid bylaws. Further, the first in-person, contested committee hearing in six years occurred in March 2012. For these reasons, it is important that the Division III Committee on Infractions be comprised of individuals with experience in adjudicating the matters that come before the committee. Allowing the Committee on Infractions members to possibly serve for a total of eight years, rather than a limit of four, will allow the members to gain greater knowledge and familiarity, and better resolve the infractions cases presented to them.

10. **Brighton Declaration.** The Management Council took no action on a recommendation by the Committee on Women's Athletics (CWA) to endorse the concepts expressed in the Brighton Declaration on Women and Sport. Women Sport International's Brighton Declaration, a complement to all current laws and regulations, contains guiding principles that encourage a global culture that promotes and values full involvement of women in every aspect of sport. The Brighton Declaration will be presented to the Executive Committee in early August, and Management Council will review a more formal report during its October meetings.
11. **Intersex Policy.** The Management Council took no action on a recommendation by the Committee on Women's Athletics and Minority Opportunities and Interests Committee to support the position adopted by the Women's Sports Foundation and the NCAA Competitive Safeguards and Medical Aspects of Sport to address participation by individuals with intersex medical conditions. The committee supports an educational approach to assist the membership with understanding of what intersex conditions are and best practices to including student-athletes with intersex conditions in full and fair athletics participation. The Intersex Policy will be presented to the Executive Committee in early August, and Management Council will review a more formal report during its October meetings.
12. **Membership-Sponsored Proposals.** The Management Council reviewed the four membership-sponsored proposals submitted for the 2013 Convention and referred each to relevant Division III committees to develop a position statement and legislative recommendation.
13. **Chair and Vice Chair Elections.** The Management Council elected Terry Rupert, director of athletics, Wilmington College (Ohio), as chair for 2013 and Portia Lowe Hoeg, director of athletics, Allegheny College, as vice chair.

**REPORT OF THE  
DIVISION III PRESIDENTS COUNCIL NOMINATIONS SUBCOMMITTEE**

**ACTION ITEMS**

- None.

**INFORMATIONAL ITEMS.**

1. Presidents Council Appointment. Upon recommendation by the Division III Presidents Council Nominations Subcommittee and as approved by the Administrative Committee, the following president has been appointed to the Division III Presidents Council:

- President Herman Saatkamp, Richard Stockton College, was appointed to fulfill the remaining term of Ron Thomas. President Saatkamp's term expires at the conclusion of the January 2013 Convention when he will be eligible for reelection to an additional term not to exceed four years.

The remaining term, expiring at the conclusion of the January 2014 Convention, for President Brian Levin-Stankevich has not been filled at this time. The subcommittee continues to focus on presidents that will meet the criteria needed to fulfill this term.

2. Presidents Council Nominations. The subcommittee began to identify prospective candidates to serve on the Presidents Council beginning in 2013. Some mandatory requirements include: Region 3, ethnic minority, female representation; and large student representation (4,000 or larger). The Presidents Council Nominations Subcommittee will discuss these vacancies further during its September teleconference.

# # # # #

*Committee Chair: Jack Ohle, Gustavus Adolphus College*

*Staff Liaisons: Dan Dutcher; Louise McCleary; Debbie Kresge and Sharon Tufano*

June 4, 2012	
Attendees	Absentees
Sharon Herzberger, Whittier College	
Jack Ohle, Gustavus Adolphus College	
Fred Ohles, Nebraska Wesleyan University	
Rosalind Reichard, Emory and Henry College	
Other Participants: Dan Dutcher, NCAA Louise McCleary, NCAA Sharon Tufano, NCAA	

**REPORT OF THE DIVISION III WORKING GROUP  
ON REPRESENTATIONAL REQUIREMENTS FOR DIVISION III PRESIDENTS  
COUNCIL AND PRESIDENTS/CHANCELLORS ADVISORY GROUP  
July 2012 Electronic Mail**

**ACTION ITEMS.**

**1. Legislative Requirements on Composition of Divisional Presidents Councils and Board.**

- a. Recommendation. To increase the Presidents Council membership from 15 to 18 members and amend the specific representational requirements regarding the enrollment and public/private status of the institutions being represented as well as the gender composition of the Council.
- b. Effective Date. August 1, 2013 [Note: May be immediate].
- c. Rationale. The compositional requirements for Presidents Council have not changed since 1998, when the membership increased the composition of the Division III Presidents Council from 11 to 15, to allow the Council to better perform its duties. Those four additional positions were “at large” positions. Over that period, Division III has experienced significant growth. The proposed increase recognizes that growth and enhances presidential representation and involvement. The specific representational requirements more accurately reflect the current Division III membership.

The proposed legislation is to read as follows:

**Amend 4.4.1, as follows:**

The Presidents Council shall include ~~15~~ **18** members and shall be comprised of Division III presidents or chancellors. At least two members of the Council shall be included from each Division III geographical region (see Constitution 4.13.1.1 for geographical regions) and seven members shall serve "at large." In addition, appropriate consideration shall be given to appointing Division III presidents or chancellors from historically black colleges and universities. The members of the Council shall include:

- (a) At least ~~two~~ **three** institutional presidents or chancellors from colleges or universities with full-time undergraduate enrollment of ~~4,000~~ **2,400** or more;
- (b) At least ~~two~~ **three** institutional presidents or chancellors from colleges or universities with full-time undergraduate enrollment ~~of less than 2,000~~ **between 1,400 and 2,400;**
- (c) **At least three institutional presidents or chancellors from colleges or universities with full-time undergraduate enrollment of less than 1,400;**
- (~~e~~-d) At least ~~two~~ **three** institutional presidents or chancellors from public colleges or universities;
- (~~d~~ e) At least ~~two~~ **three** institutional presidents or chancellors from private colleges or universities;

- (~~e~~ **f**) At least ~~three~~ **four** institutional presidents or chancellors who are women;
  - (~~f~~ **g**) At least ~~three~~ **four** institutional presidents or chancellors who are men;
  - (~~g~~ **h**) At least two institutional presidents or chancellors who are members of an ethnic minority; and
  - (~~h~~ **i**) At least two institutional presidents or chancellors who are not ethnic minorities.
- d. Budget Impact. \$20,000 annual increase (Association-wide committee budget).
- e. Student-Athlete Impact. None

**2. Representative Requirements and Role of the Presidents/Chancellors Advisory Group (PAG).**

- a. Recommendation. To permit a second president of the same conference be appointed to PAG in the event that conference already has a president serving on the Presidents/Management Councils and has a second president who is interested in serving in a leadership capacity (especially a president from a group historically underrepresented in the governance structure).
- b. Effective date. Immediate.
- c. Rationale. The working group reviewed the rationale for the establishment of PAG and noted the group was established several years ago in response to the desire of the Division III Presidents Council to more directly and effectively engage presidents and chancellors in governance discussions at the national, conference and institutional levels.

Since PAG is not a legislated entity within the governance structure, this allows the opportunity to develop a meeting structure and schedule that best benefits the Division III presidents/chancellors, conferences and the Division III Presidents Council.

The main objectives of the Division PAG are:

- To enhance the level of understanding by chancellors/presidents in the NCAA governance process related to key issues facing Division III.
- To enhance the leadership of chancellors/presidents in the governance of intercollegiate athletics at the national, conference/independent and institutional levels. Special emphasis will be placed on key legislative proposals and policies and strategic direction.
- To enhance the integration of athletics programs within the educational mission of Division III schools and conferences. Special emphasis will be



placed on strategic initiatives implemented through the new Division III Conference Grant Program.

- To better recognize and accommodate the differing models of conference governance and expectations of leadership by chancellor/presidents within Division III.

Currently, the composition of PAG consists of one president or chancellor from each Division III voting conference not currently represented on the Presidents Council or by a president/chancellor on the Management Council. The group also includes two representatives for the Association of Division III Independents. Appropriate efforts are made to ensure the diversity of the group. As a minimal goal, group membership should include at least one person who is an ethnic minority and at least two persons of each gender; a single member shall not be considered to meet both minimums.

The working group discussed the composition of PAG in filling vacancies on the Division III Presidents Council. It was noted that although PAG membership is used to fulfill vacancies on the Council, it is **not** mandated or a prerequisite.

- d. Budget Impact. The dollar amount may increase approximately \$750 per person depending on the number of additional presidents/chancellors added to PAG (Association-wide committee budget).
- e. Student-Athlete Impact. None.

*Committee Chair: Livingston Alexander, University of Pittsburgh, Bradford*

*Staff Liaisons: Dan Dutcher, Division III Governance*

*Eric Hartung, Research*

*Debbie Kresge, Division III Governance*

*Louise McCleary, Division III Governance*

July 13, 2012	
Attendees	Absentees
Livingston Alexander, University of Pittsburgh, Bradford	
Charley Edmondson, Alfred University	
Eric Hartung, NCAA	
Sharon Herzberger, Whittier College	
Fred Ohles, Nebraska Wesleyan University	
Other: Dan Dutcher, NCAA Debbie Kresge, NCAA Louise McCleary, NCAA Jeff Myers, NCAA	

**NCAA Government Relations Report**

(July 2012)

**1. Congressional Overview.**

As Congress enters the summer months, a number of legislative battles loom. The Republican leadership in the House of Representatives has announced plans to hold votes on pieces of legislation that would repeal portions of the Patient Protection and Affordable Care Act, make the Bush-era tax cuts permanent and diminish energy regulations. Many of these policy issues, along with the automatic spending cuts to federal agencies scheduled to occur in January, are not expected to be resolved before Congress adjourns for its August recess. It is likely that some of these issues will not be addressed until after the November elections.

While the Democratic and Republican parties will officially select their candidates for President and Vice President during their national conventions held in Charlotte, North Carolina on September 3-6, and Tampa, Florida on August 27-30, respectively, President Barack Obama and former Massachusetts Governor Mitt Romney are already deeply engaged in their campaign efforts. Due to redistricting and a variety of other factors, the races for control in the U.S. House and U.S. Senate have already seen several heated primaries. Fundraising efforts are moving at a fast pace with the possibility that over \$1 billion will be spent by both parties before the November elections.

Congress has continued to demonstrate an interest in a variety of matters related to the health, safety and overall welfare of student-athletes. NCAA government relations staff has continued to be responsive to inquiries from members of Congress and their staffs regarding the best way to prevent and manage concussions, protect against intentional acts to injure opponents, and ensure that student-athletes succeed academically and are treated in a fair and equitable manner throughout their collegiate experience.

**2. Federal Issues.**

**a. Bounty Programs in Sports.**

Congress has continued to display an interest in protecting the health and safety of athletes at all levels of play. Following the release of information regarding an alleged bounty scandal in the NFL, Senate Assistant Majority Leader Richard Durbin (D-IL) called for hearings. His comments on the Senate floor stated that the hearing would include all four major professional leagues and the NCAA, and would examine

the prevalence of bounties in sports and determine whether federal law is needed to address these improper activities.

Although there is no indication that bounty programs are a problem within college athletics, the NCAA is committed to protecting the health and safety of student-athletes and has taken steps to remain proactive and vigilant in this area. The NCAA has been working to ensure that the proper rules, safeguards and education efforts are in place to prevent these types of occurrences and to properly identify and punish anyone who decides to engage in a bounty system. It is clear that any type of bounty system is against the rules and sportsmanship principles that govern collegiate and professional athletic competition.

On June 11, 2012, NCAA President Mark Emmert met with Senator Durbin to outline a plan that is designed to ensure that a culture of bounties does not develop within college athletics. Over the coming months the NCAA will take a number of steps to educate athletic department personnel and student-athletes about bounties; NCAA bylaws, which prohibit such conduct and ways to anonymously report allegations of bounty systems. Following the meeting with President Emmert and a subsequent meeting with NFL Commissioner Goodell, Senator Durbin announced that he would withdraw the hearing.

The NCAA government relations office will continue to educate members of Congress and their staffs about our continuing commitment to ensuring the health and safety of all NCAA student-athletes.

**b. Academic Performance of Teams at NCAA Membership Institutions.**

Recent announcements that some teams at NCAA membership institutions will not be able to participate in post-season play next season for failure to meet minimum academic standards has led to some concern from several members of Congress. Specifically, on April 18, 2012, several members of the Connecticut delegation sent a letter to NCAA President Mark Emmert expressing their dismay with the use of data from already completed academic years in the calculation of a teams' Academic Progress Rate (APR). The letter also highlighted a concern with how current student-athletes are being penalized for something in which they did not play a role.

On April 25, 2012, President Emmert participated in a call with the Connecticut Congressional delegation to explain the current academic reform effort and answer their questions. Additionally, NCAA government relations staff along with Donald Remy and Wally Renfro, met with Congressman Larson (D-CT), chairman of the House Democratic Caucus to discuss a variety of student-athlete welfare issues.

NCAA staff has worked to educate members of Congress and their staffs about the academic reform efforts undertaken to improve the academic success of all student-athletes. In addition, staff has also provided an overview of the associated penalty structure and the process for schools to seek a waiver or an appeal of the postseason restrictions.

**c. Stadium Flyover Restrictions.**

Immediately following the terrorist attacks of September 11, 2001, the FAA implemented flight restrictions over stadiums. Following those temporary restrictions, Congress codified the flyover ban into law by balancing the need for security of large stadiums while minimizing any disruption to general aviation. Although these restrictions have had large-scale support in Congress, there have been several recent attempts to undermine the overflight ban. In an attempt to ensure that the current flight restrictions remain intact, the NCAA, NASCAR, MLB, NFL and The Walt Disney Company have authored a joint letter to members of Congress urging their support.

In the coming months a number of outreach efforts will be taken by the sports community to educate members of Congress about our security needs and the need to protect the airspace above our stadiums. We are hopeful that the current restrictions will remain in place for the foreseeable future.

**d. Electronic Monitoring.**

On April 27, 2012, Representative Eliot Engel (D-NY) introduced H.R. 5050, the Social Networking Online Protection Act. The Act would prohibit employers, institutions of higher education and local educational agencies from requiring or requesting that an employee, student or potential student provide a user name, password or other means for accessing a personal account on any social networking

website. The measure has been referred to the House Committee on Education and the Workforce. To date, no additional action has been taken on H.R. 5050.

The NCAA government relations staff will continue to monitor this bill and any related developments in this area.

### **3. State Issues.**

#### **a. Sports Wagering – New Jersey and California.**

As states continue to look for new streams of revenue to address state budget deficits, the enactment of licensed sports betting operations continues to be an idea explored by several state legislatures. In January 2012, the New Jersey legislature passed a measure allowing wagering on professional and collegiate athletic events at the state's casinos and racetracks. Specifically excluded were those athletic events in which a New Jersey school participates or where the collegiate athletic event occurs in New Jersey. The measure was signed into law by Governor Chris Christie on January 17, 2012.

Although the Professional and Amateur Sports Protection Act (PASPA) prohibits any form of sports betting in all states except the grandfathered states of Nevada, Delaware, Oregon and Montana, Governor Christie has pledged to move forward with regulations that would allow bettors to place wagers on collegiate and professional sports events at racetracks and Atlantic City casinos by Fall 2012. With these efforts being in obvious violation of PASPA, the NCAA and the four professional leagues have sent a letter to Attorney General Holder seeking the Department of Justice to require New Jersey to remain in compliance with current federal law.

On February 24, 2012, California State Senator Roderick Wright introduced SB 1390. The measure would amend the state constitution and allow a licensed owner or operator of a gambling establishment, horse racing track or satellite wagering facility, to conduct wagering on professional and collegiate athletic events. After consideration by the California Senate Committees on Governmental Organizations and Appropriations, SB 1390 was passed by the Senate by a vote of 33-2. Similar to

the efforts in New Jersey, passage of SB 1390 would not have any effect unless PASPA is amended or overturned.

The NCAA and the professional sports leagues are closely following developments in New Jersey and California. We are collectively prepared to defend PASPA and to prevent any further expansion of sports betting opportunities.

**b. Electronic Monitoring.**

During the 2012 state legislative cycle, several state legislatures have considered bills that would prohibit public or non-public academic institutions from requiring a student or an applicant for admission to disclose any username, password or other means for accessing that individual's social networking profile or account. Measures have been introduced in California (S.B. 1349), Delaware (H.B. 309), Maryland (S.B. 434, H.B. 746), Michigan (H.B. 5523), and New Jersey (A.B. 2879). To date, the Delaware legislature passed its bill on July 1, 2012, and it is awaiting signature by the Governor. The Maryland legislature approved a similar measure that was subsequently signed into law, which made it illegal for an employer to request or require an employee or an applicant to disclose a username, password or other means for accessing a personal account or service.

We will continue to monitor bills and related developments in states where the legislature has yet to adjourn.

**c. Student-Athlete Bill of Rights.**

On February 24, 2012, California State Senator Alex Padilla (D-Pacoima) introduced SB 1525, the Student-Athlete Bill of Rights. The measure mandates certain guidelines in regards to scholarships and medical coverage for California institutions, which on average generate over \$10 million in media revenue annually. The bill would require institutions, which meet this threshold to provide an equivalent scholarship if a student-athlete loses their scholarship after being medically disqualified due to an injury suffered while participating in collegiate athletics. In addition, a qualifying institution would be required to provide an equivalent scholarship if a student-athlete loses their athletic scholarship for a non-disciplinary reason unless the athletics program has a graduation rate above 60 percent. These institutions would also be required to pay the medical premiums for low-income

student-athletes and the healthcare deductibles for services resulting from injuries suffered while participating in college athletics for up to five years after the date of injury. To cover the costs associated with these requirements, the academic institutions must rely exclusively on revenue derived from media rights for intercollegiate athletics. Currently, the impacted California institutions are working with their state legislatures to make amendments to the legislation.

SB 1525 was passed by the California Senate by a vote of 22-14 on May 31, 2012. The bill has been received in the Assembly and has been assigned to the Committee on Higher Education and the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media for consideration. The NCAA government relations office will continue to monitor this measure and provide information as requested to the institutions, which this measure would apply.

**d. Uniform Athlete Agents Act (UAAA).**

The Uniform Athlete Agents Act (UAAA) is a state model act designed to protect student-athletes and membership institutions from the unscrupulous conduct of some athlete agents. The act establishes uniform athlete agent registration procedures and places limitations on the type of conduct in which an athlete agent may engage when dealing with a student-athlete. In addition, the Act imposes criminal, civil and/or administrative penalties against unscrupulous agents. To date, 40 states, Washington D.C., and the U.S. Virgin Islands have adopted the Act.

During the last several months there has been a continued effort by various state legislatures to consider ways to improve the Act. In addition to legislative proposals aimed at increasing the efficiency and effectiveness of the specific state laws, the National Conference of Commissioners on Uniform State Laws (NCCUSL) announced that it would be convening a study committee. The study committee will be charged with examining the Act and determining if any formal changes to the model act are necessary. It is expected that stakeholders will be included in the process and will have an opportunity to provide input during this inclusive and transparent process.

**e. Lystedt Law.**

The NCAA and the NFL have continued their efforts to seek adoption of the Lystedt law throughout the country. The Lystedt law, which was initially passed in the state of Washington in 2009, establishes a concussion management policy for youth athletes. Under the law, athletes, parents and coaches will be educated about the dangers associated with concussions. Also, any student-athlete who is suspected of having a concussion must be removed from play and the athlete will not be allowed to return to play until cleared by a licensed physician.

To date, the law has been passed in 35 states and the District of Columbia. On April 23, 2012, a related measure was passed by the Hawaii legislature and has been sent to the Governor for approval. The NCAA will continue to work with the NFL to seek passage of related measures in all states that have yet to adopt the law.

**f. Higher Education Associations.**

NCAA government relations staff continues to build strong relationships with various higher education associations. The American Council on Education (ACE), the Association of American Universities (AAU), the Association of Public and Land-grant Universities (APLU), and the National Association of College and University Business Officers (NACUBO), among others, continue to provide guidance and support on issues of common interest. The NCAA government relations staff looks forward to continuing these mutually beneficial relationships to better formulate and further the NCAA's legislative goals.



**SUMMARY OF SUMMER 2012 QUARTERLY MEETINGS**  
**The National Collegiate Athletic Association**

<b>Division III Management Council</b> <b>July 23-24, 2012</b> <b>Indianapolis, IN</b>	<b>Division III Presidents Council</b> <b>August 9, 2012</b> <b>Indianapolis, IN</b>
Kitty Baldrige, Gallaudet University [Monday only] Kurt Beron, University of Texas at Dallas Stan Ching, Connecticut College Karla Conrad, Manchester College Tim Downes, Emory University Tucker Glass, Plattsburgh State University of New York Charles Harris, Averett University Marjorie Hass, Austin College Janine Hathorn, Washington and Lee University Portia Hoeg, Allegheny College Fredina Ingold, Pennsylvania State University, Altoona Bill Klika, Fairleigh Dickinson University, Florham Chris Martin, College Conference of Illinois & Wisconsin Jeff Martinez, University of Redlands [chair] Nancy Meyer, Calvin College Steve Nelson, University of Wisconsin, Superior Charlie Robert, Nichols College Lori Runksmeier, New England College Terry Rupert, Wilmington College (Ohio) [vice chair] Lou Stark, Coe College	Robert Antonucci, Fitchburg State College Erik Bitterbaum, State University of New York at Cortland James Bultman, Hope College [chair] Thomas Chema, Hiram College Sharon Herzberger, Whittier College Jeff Martinez, University of Redlands [chair of Management Council] Jack Ohle, Gustavus Adolphus College [vice chair] Fred Ohles, Nebraska Wesleyan University Rosalind Reichard, Emory and Henry College Pamela Reid, St. Joseph College Terry Rupert, Wilmington College (Ohio) [vice chair of Management Council] Herman Saatkamp, Richard Stockton College of New Jersey James Schmotter, Western Connecticut State University [chair]
<b>ABSENTEES</b>	<b>ABSENTEES</b>
Chris Thomforde, Moravian College	Livingston Alexander, University of Pittsburgh, Bradford Charley Edmondson, Alfred University Lisa Marsh Ryerson, Wells College
<b>OTHER PARTICIPANTS</b>	<b>OTHER PARTICIPANTS</b>
Gary Brown, NCAA Daniel T. Dutcher, NCAA Bernard Franklin, NCAA Jan Gentry, NCAA Eric Hartung, NCAA Leah Kareti, NCAA consultant David Klossner, NCAA Debbie Kresge, NCAA, recording secretary Louise McCleary, NCAA Jeff Myers, NCAA Kristin Nesbitt, NCAA Chris Ruckdaschel, NCAA Liz Suscha, NCAA	Gary Brown, NCAA Daniel T. Dutcher, NCAA Bernard Franklin, NCAA Eric Hartung, NCAA Debbie Kresge, NCAA, recording secretary Louise McCleary, NCAA Karen Morrison, NCAA Jeff Myers, NCAA Delise O'Meally, NCAA Donald Remy, NCAA

**1. WELCOME AND ANNOUNCEMENTS.**

July 23 Management Council. The meeting was called to order at 8:42 a.m. by the chair, Jeff Martinez. The chair welcomed Council members and introduced Kate Carrico, the new governance intern from DePauw University.

August 9 Presidents Council. The meeting was called to order at 9:10 a.m. by the chair, President Jim Schmotter. The chair welcomed Council members; reviewed the agenda for the meeting and welcome President Saatkamp to his first Presidents Council meeting.

**2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.**

**a. Management Council Meetings – July 23, 2012.**

Management Council. The Management Council approved the summary of its April 16-17, 2012, meetings as presented.

Presidents Council. No action necessary.

**b. Presidents Council Meeting – April 25, 2012.**

Management Council. No action necessary.

Presidents Council. The Presidents Council approved the summary of its April 25-26, 2012, meetings as presented.

**c. Administrative Committee Actions.**

Management Council. The Management Council approved the minutes of the June 19, 2012, Administrative Committee actions noting that Patricia Aronson, faculty athletics director at Lynchburg College declined the appointment. The Council approved the addition of Ellen Mayok, faculty athletics representative from Washington and Lee University as a replacement.

Presidents Council. The Presidents Council approved the minutes of the June 19 and August 3, 2012, Administrative Committee actions.

**3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.**

**a. Division III Joint Presidents Council/Management Council Committees or Subcommittees.**

**Staff Liaisons:**  
Davey, Dutcher,  
Kresge,  
McCleary

**Council Reps:**  
Beron, Conrad,  
Edmondson,  
Herzberger,  
Meyer, Stark

**(1) Convention-Planning Subcommittee.**

**(a) Division III Special Olympics Event.**

Management Council. The Council accepted the committee's report noting the proposal by the Student-Athlete Advisory Committee (SAAC) for the 2013 Convention to showcase its partnership with Special Olympics with a large-scale community service event.

Presidents Council. No action was necessary.

**(b) Issues Forum Topics – 2013 Convention.**

Management Council. The Council noted the following as possible Issues Forum topics and will finalize the list on its next teleconference:

- (1) 2013 Legislative Proposals.
- (2) Report from the Recruiting Working Group.
- (3) Social Media.
- (4) Step Up Program – Student-Athlete Well-being.
- (5) Open Forum with NCAA staff.
- (6) Championships.

The Council discussed the possibility of using voting units for straw poll voting during the Issues Forum. It also noted a desire to further integrate schools and conferences at the individual round tables.

Presidents Council. No action was necessary.

**(c) Educational Sessions at the 2013 Convention.**

Management Council. The Council accepted the following topics for the Division III educational sessions at Convention.

- (1) Rules Compliance.
- (2) Student-Athlete Experience.
- (3) Budgeting and Fundraising – NADIII AA to present on this topic.

Presidents Council. No action was necessary.

**(2) Strategic-Planning and Finance Committee.**

**a. Nonchampionships Budget Review (2012-15).**

Management Council. The Council approved a budget increase in the amount of \$42,000 for new personnel – Associate Director in Governance and Assistant Directors in Academic and Membership Services (AMA) during the 2012-15 triennium, effective September 1, 2012.

**Staff Liaisons:**  
Dutcher,  
McCleary, Myers,  
Hartung

**Council Reps:**  
Beron, Chema,  
Glass, Hass,  
Levin-Stankevich,  
Marsh Ryerson,  
Martin, Martinez,  
Schmotter,  
Stark

The original nonchampionships budget did not take into account sufficient overhead and benefits for the new staff positions created in governance and AMA.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

**b. 2012-15 Division III Strategic Plan Draft.**

Management Council. The Council approved the 2012-15 triennium's Strategic Plan and Initiatives.

The Council reviewed the six strategic priorities for the 2012-15 budget triennium including key components and changes. It further supported the Strategic Plan and the administration of a survey of the membership during the next budget triennium to help establish the division's future strategic priorities and budget initiatives.

Presidents Council. The Presidents Council approved the Management Council's recommendations.

**c. 2012-13 Division III Strategic Initiatives Conference Grant Program Policies and Procedures.**

Management Council. The Council approved the Division III Strategic Initiatives Conference Grant Program Policies and Procedures.

The 2012-13 Division III Strategic Initiatives Grant Program outlined the general grant program policies and specified the guidelines for using funds within each tier.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

**d. Strategic Initiative Grants – Better Business Practices.**

Management Council. The Council approved a working group to review and establish "better business practices" associated with the administration of the Conference Grant Program, including the potential standards for a formal review (e.g., audit).

The Conference Grant Program has grown to over \$2 million in annual allocations, yet only limited business practices and accountability standards have been established regarding the administration of the program. In April, the Management and Presidents Councils recommended the establishment of a periodic audit of conference use of this grant money.

After reviewing a proposed auditing process similar to that established in Division II, some members of the committee expressed concern about the increased administrative burden that a mandatory, periodic audit “without cause” could place on conference office employee’s staff. The committee believes a formal working group will allow for further discussion as well as capturing and accommodating the perspective of the conference offices. The working group will outline the best business practices for tracking and reporting on grant funds, the expectations of conference offices, and the consequences for not meeting these expectations.

Presidents Council. The Presidents Council approved the Management Council’s recommendation.

**e. NACWAA Grant.**

Management Council. The Council approved an increase in the annual grant funding to NACWAA from \$20,000 to \$26,000.

The past several years, the NCAA has provided NACWAA with \$20,000 to fund Division III female administrators to attend the NACWAA leadership institutes. This money funds the participation of approximately 16 women. This past summer, 20 Division III female athletic administrators attended one of the three NACWAA institutes. The increase in funding will allow 20 Division III female athletic administrators to attend the NACWAA Leadership institutes in future years.

Presidents Council. The Presidents Council approved the Management Council’s recommendation.

**f. Minority Opportunities Athletic Association (MOAA).**

Management Council. The Council reviewed the committee’s report noting that the governance staff will partner with the Office of Inclusion regarding any formal proposals submitted by MOAA to assist with the hiring and professional development of existing athletics administrators in Division III.

Presidents Council. No action was necessary.

**g. Graduation-Rate Reporting.**

Management Council. The Council reviewed the committee’s report noting the preliminary numbers for graduation-rate reporting indicate that 136 institutions participated in the graduation-rate reporting program. Out of these institutions, 25 institutions were reporting for the first time, while 78 institutions have reported in each of the three years the report has been available. An update will be provided to the Management and Presidents Councils in the coming weeks and a full report will be provided to the committee in November.

Presidents Council. No action was necessary.

**Staff Liaisons:**  
Dutcher,  
McCleary,  
Myers

**Council Reps:**  
Antonucci,  
Bultman,  
Harris,  
Hass, Martin,  
Reichard,  
Stark,  
Thomforde

**Staff Liaisons:**  
Davey,  
Nesbitt

**Council Reps:**  
Ching,  
Downes,  
Harris

**Staff Liaisons:**  
Brooks,  
Oakes

**Council Reps:**  
Downes,  
Hathorn,  
Martin, Robert,  
Runksmeier

**Staff Liaisons:**  
Hataway,  
Nesbitt, Suscha

**Council Reps:**  
Ching, Conrad,  
Harris, Klika,  
Martin, Meyer,  
Nelson

**(3) Joint Legislative Steering Subcommittee.**

Management Council. The Council reviewed the subcommittee's report noting one membership-sponsored proposal deemed presidential in nature; as well as three governance proposals. [See Attachment]

Presidents Council. The Presidents Council approved the Management Council's recommendations.

**Management Council Subcommittees.**

**(1) Academic Issues Subcommittee.**

• **Increase in Subcommittee Composition.**

Management Council. The Council adopted a change to the NCAA Division III Management Council policies and procedures to specify that the size of the Division III Management Council Academic Issues Subcommittee should be increased from three to five members.

Often, the subcommittee receives requests that require the recusal of one or more of its three members. This results in only two individuals making waiver decisions. Further, due to the unpredictable pattern of waiver submissions that have student-athlete competition pending, it is often difficult to quickly assemble enough subcommittee members to deliberate. Increasing the size of the subcommittee, will help ensure enough members can consider a waiver request or appeal in a timely manner.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

**(2) Subcommittee for Legislative Relief.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

**(3) Playing and Practice Seasons Subcommittee.**

**(a) 2013 Convention Legislation – Playing and Practice Seasons – Ice Hockey – First Permissible Contest Date – November 1<sup>st</sup>.**

Management Council. The Council agreed to sponsor 2013 NCAA Convention legislation specifying that the first permissible contest date for ice hockey be November 1.

In ice hockey the first permissible contest date and practice date are the same, which raises concerns for student-athletes' health and well-being. The Committee on Competitive Safeguards and Medical Aspects of Sports reasoned that student-athletes cannot rapidly be conditioned into shape, and that as a result, the student-athlete should be protected from premature exposure to the full rigors of competition. Consequently, the subcommittee determined that student-athletes would benefit by designating November 1 as the first permissible contest date. The subcommittee recognized that a two-week delay between the first practice date and the first contest is typical in many sports and with the length of the ice hockey season; institutions would not be negatively impacted by such a delay. Lastly, this recommendation would not impact institutions that have signed a contract prior to the membership being provided notice of the proposal.

Presidents Council. No action was necessary.

**c. Division III Committees.**

**Staff Liaisons:**  
Gentry, Suscha,  
Williams

**Council Reps:**  
Downes,  
Martinez,  
Nelson

**(1) Championships Committee.**

**(a) Selection Criteria – Golf and Tennis.**

Management Council. The Council approved the selection criteria for men's and women's golf and men's and women's tennis be revised such that contests against Division III opponents are included in the primary criteria, and contests against opponents from other classifications (i.e., NCAA Divisions I and II and NAIA) are included in the secondary criteria. Further, in the sport of tennis, that the requirement that institutions play at least 25 percent of their scheduled competition against in-region, Division III opponents to be considered for selection to NCAA championships be increased to a minimum of 50 percent. For the sport of golf, the requirement will remain at 25 percent.

As with the adopted changes for team sports, the proposed revisions to the selection criteria maintain the Division III emphasis on in-region competition by requiring an institution to schedule a minimum of 50 percent of its tennis contests against in-region, Division III opponents in order to be considered for selection. For golf, this requirement will remain at 25 percent.

Institutions will continue to have the following four ways to meet the in-region requirement: 1) all competition within an institution's defined sport region; 2) all competition within an institution's geographical region per Constitution 4.13.1; 3) all competition within a 200-mile radius; and 4) all conference competition. Once the institutions that have met the 50 (tennis) or 25 (golf) percent in-region threshold have been identified, sport committees will then have the ability to rank and select teams based on each institution's full body of work against Division III opponents. Institutions will continue to have an opportunity to request a waiver of the in-region requirement.

The NCAA Division III Championships Committee noted that the percentage requirement applies only to the team selection component, not the selection of individual participants in the championships (e.g., singles and doubles players, or golfers who compete as individuals and not as members of a team).

Presidents Council. The Presidents Council approved the Management Council's recommendation.

**(b) Selection Criteria – Last 25 Percent of the Season.**

Management Council. The Council approved that, in instances where sport committees have received approval from the Championships Committee to evaluate team's won-lost percentage during the last 25 percent of the season (i.e., end-of-season performance), the criterion is included in primary criteria for consideration against Division III opponents.

For those sports that have sought approval from the Championships Committee, an analysis of the last 25 percent of the season has provided an additional criterion by which to evaluate teams. With the approved changes to selection criteria, Division III opponents are clearly differentiated from non-Division III opponents, specifically that primary criteria include only Division III opponents. By including this criterion in primary criteria, sport committees will be able to fully leverage its application when evaluating teams against Division III opponents.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

**(c) Men's Basketball – 2013 Preliminary Round Dates of Competition.**

Management Council. The Council approved the following schedule for the 2013 NCAA Division III Men's Basketball Championship preliminary rounds: first round – March 2, 2013; second round – March 9, 2013; sectional round: March 16, 2013; quarterfinals/semifinals – March 22-23, 2013 in Salem, Virginia. The schedule change is necessary to accommodate the NCAA Men's Basketball Championship 75<sup>th</sup> Anniversary Celebration and the related date change for the final game (April 7). When considering the possible options for the schedule change, the committee placed primary importance on minimizing change for the greatest number of participating teams. With single game rounds leading up to the quarterfinals and semifinals, half of the championship field will be finished with competition by March 2. The committee preferred this approach over the recommendation provided by the NCAA Division III Men's Basketball Committee which called for first and second round competition to take place at the same site the weekend of March 7-9, 2013, which results in a 10- or 11-day wait following the championship selections announcement.



The committee acknowledged several concerns for the single game model raised by the men's basketball committee, including limitations in creating a tournament-like setting, the rest time afforded to the two teams receiving first-round byes, and the increased potential for conference match-ups in the first round of competition. However, extension of the season for 30 of the 62 participating teams and potential facility constraints that may arise for those same teams outweighed these concerns.

Presidents Council. The Presidents Council approved the Management Council's recommendation, noting the possible impact of additional expenses for flights beyond the traditional tourney format (i.e., additional one to three flights) and the use of existing Division III and Association-wide funds to meet these expenses.

**(d) 75<sup>th</sup> Basketball Celebration in Atlanta.**

Management Council. The Council received an update on the 75<sup>th</sup> Basketball Celebration in Atlanta by Mark Lewis, executive vice president of championships and alliances and Elisa Halpin, coordinator for men's basketball championships, noting the following:

- NCAA representatives will be in Macy's Thanksgiving Day parade this year to promote the 75<sup>th</sup> Anniversary celebration. Division III will be able to incorporate Division III icons other than athletes (e.g., business leaders, politicians).
- Opportunity to use basketball to highlight Division III.
- Objective is that Divisions II and III student-athletes and fans have a great experience.
- Games admission will be free or at minimal expense and promoted to those that have purchased tickets to the Division I Final Four and great Atlanta community.
- Alternative format will be established to accommodate institutions that can't compete on Sunday.
- Logos to be consistent with the 75<sup>th</sup> Anniversary and the Division I's basketball logo.
- Working to have Division III apparel available.
- Looking at the formatting/presentation of the Division I men's basketball game in the Georgia Dome and how they can best involve attendance by the Division II and III teams.

Presidents Council. No action was necessary.

**(e) Sport Committee and Rules Committee Appointments.**

Management Council. The Council accepted the information that the committee approved the following sport committee and rules committee appointments, effective September 1, 2012, unless otherwise noted:

- Division III Baseball Committee – Central region: Joel Holst, head baseball coach, Wartburg College.

- Men's and Women's Fencing Committee – West region: Carla Corbit, head men's and women's fencing coach, California Institute of Technology.
- Division III Women's Golf Committee – Midwest region: Josh Schroeder, director of information/assistant to the commissioner, Iowa Intercollegiate Athletic Conference.
- Division III Men's Ice Hockey Committee – East region: Joseph Sassi, director of athletics, Western New England University; West region: Don Olson, director of athletics, The College of St. Scholastica.
- Division III Men's Soccer Committee – South Atlantic region: Carrie Gardner, assistant director of athletics/senior woman administrator, Christopher Newport University.
- Division III Women's Soccer Committee – South Atlantic region (immediate vacancy replacing Robert Anckaitis): Gregory Jarvis, assistant director of athletics, Meredith College; Mid-Atlantic region (immediate vacancy replacing Brianne Weaver) – Mark Stauffer, head women's soccer coach, Misericordia University.
- Division III Men's and Women's Swimming and Diving Committee: Peggy Carl, director of athletics, Beloit College; Jason Glorius, head diving coach, Denison University.
- Division III Men's and Women's Track and Field Committee – Central region: Chris Daymont, associate professor/head women's cross country coach/compliance officer, St. Olaf College.
- Division III Women's Volleyball Committee – Central region: Maria Eftink, director of athletics, Fontbonne University.
- Football Rules Committee – Region 2: Michael Mattia, associate director of athletics, Johns Hopkins University.
- Men's and Women's Ice Hockey Rules Committee – women's interests: Ann Ninnemann, head women's ice hockey coach, University of Wisconsin, Stevens Point; men's interests: Doug Schueller, head men's ice hockey coach, St. John's University (Minnesota).

Presidents Council. No action was necessary.

Staff Liaisons:  
Hartung,  
Myers,  
Nesbitt

Council Rep:  
Rupert

(2) **Financial Aid Committee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Cooper,  
Elworth

Council Rep:  
Meyer

(3) **Committee on Infractions.**

(a) **Amend Bylaw 32.7.**

Management Council. The Council approved the following amendment to Bylaw 32.7.1:

**32.7.1 Summary Disposition Election.** In major infractions cases, ~~involving institutions that are not subject to the provisions of Bylaw 19.5.2.3, the member institution,~~ institutions, involved individuals if participating, and the enforcement staff may elect to process the case through the summary disposition procedures specified below. The enforcement staff, involved individuals, if participating, and the institution must agree to use the summary disposition process. **In making a decision on whether to agree to use the summary disposition process, the institution, any involved individual or the enforcement staff may elect to require as a condition of agreement that the parties jointly submit the proposed findings to the chair of the committee or his/her designee for a preliminary assessment as to whether it is appropriate to process the case via summary disposition.**

The intent of the summary disposition process is to allow institutions and individuals who agree to their involvement in major violations to expedite the processing of their infractions cases by submitting a written detail of the violations and evidence, thereby avoiding the cost and time associated with full infractions hearings. However, in instances when the Committee on Infractions disagrees that the case can be reviewed via the written record and remands the matter to a hearing, the timing of the processing of the case is delayed even further. As such, the proposed amendment to the legislation is a remedy designed to avoid the additional time and costs associated with the remanding of a summary disposition report.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(b) **Amend Bylaw 21.9.2.1.**

Management Council. The Council considered the following amend to Bylaw 21.9.2.1:

Division III presidents or chancellors serving on all Division III general committees (per Bylaw 21.9.5) are limited to a two-year term of service. Presidents or chancellors may be reappointed or re-elected to one additional term, resulting in four years of service. Unless otherwise specified, all other Division III members of committees shall be appointed or elected for one four-year term. **Members of the Committee**

**on Infractions are eligible to be appointed to a second four-year term, to be served consecutive to the first term.** Unless otherwise specified, the terms of service of general committee members (per Bylaw 21.9.5) shall commence in January following the adjournment of the annual NCAA Convention following the member's election or appointment. The terms of service of all other committee members shall commence on the first day of September following the member's election or appointment. (*Adopted: 1/14/97 effective 8/1/97, Revised: 1/10/05, 10/3/05*)

The committee noted that in previous years, it met infrequently, as major infractions at member institutions were rarely alleged by the enforcement staff. As a result, some Division III Committee on Infractions members served full four-year terms without ever considering a major infractions case, and it was not a concern that the committee was composed of individuals who had no experience dealing with such cases.

Since 2010 the division has seen a significant increase in allegations of major infractions, in large part due to the Committee on Financial Aid referring member institutions that are not in compliance with financial aid bylaws to the enforcement staff for processing. For that reason, one position of the five-member committee is filled by a financial aid officer from a member institution. There has also been an increase in Division III cases involving such violations as extra benefits, ineligible participation by student-athletes and unethical conduct by coaches. In 2012, the first in-person infractions hearing in six years, was held for a Division III institution.

For these reasons, it is important that the Division III Committee on Infractions be comprised of individuals with experience in adjudicating the matters that come before the committee. Such experience is gained over time. Allowing the Committee on Infractions members to possibly serve for a total of eight years, rather than a limit of four, will allow the members to gain the knowledge and familiarity necessary to preside over the infractions cases presented to them.

The Management Council tentatively approved the recommendation, conditioned on review and approval by the Nominating Committee. The Nominating Committee subsequently expressed concern regarding a "4+4" model and concluded that a total term of six years (e.g., "3+3" or "4+2") would be more appropriate.

**Presidents Council.** The Presidents Council considered the committee's initial recommendation, as well as the perspectives of the Nominating Committee and the Management Council. The Presidents Council adopted noncontroversial legislation to establish a "3+3" term of service

for Committee on Infraction (COI) members, noting that term was responsive to the underlying goals cited by the COI, responsive to concerns noted by the Nominating Committee and Management Council, and consistent with the term of service for members of the Division III Infractions Appeals Committee.

Staff Liaisons:  
Dantzler,  
Smith,  
Walters

Council Reps:  
Antonucci,  
Baldrige

**(4) Infractions Appeals Committee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Myers,  
Hataway

Council Rep:  
Beron

**(5) Interpretations and Legislative Committee (ILC).**

**(a) Approval of Noncontroversial Legislation – Post Baccalaureate Eligibility – Postseason Event Following Last Term of Eligibility.**

Management Council. The Council approved in concept noncontroversial legislation to specify that eligibility for participation in athletics after the end of the term in which a student-athlete completes the requirements for his or her degree shall extend to any postseason event. Further, to incorporate an official interpretation [Reference: 6/30/92] to clarify that it is permissible for student-athletes to participate in regular season competition during this time.

Current legislation allows a student-athlete who is eligible during the term in which degree work is completed to participate in an NCAA championship that begins within 60 days after the end of the term in which the student-athlete completed the requirements for his or her degree. This proposal would allow a deserving student-athlete to participate with his or her teammates in an postseason event for which the institution qualifies and would clarify that the student-athlete is permitted to participate in regular season contests during this time.

Presidents Council. No action was necessary.

**(b) Approval of an Official Interpretation – Review of Film during Football Strength and Conditioning Period.**

Management Council. The Council approved the following official interpretation:

Review of Film During Football Strength and Conditioning Period.  
(DIII) The NCAA Division III Interpretations and Legislation Committee confirmed that the review of film is considered limited skill

instruction and would be permissible during the football strength and conditioning period.

Current legislation permits athletically related activities to occur during the football strength and conditioning period. Because the review of film is considered an athletically related activity it should be permitted during this period.

Presidents Council. No action was necessary.

(c) **2013 NCAA Convention Legislation – Eligibility – Four-Year College Transfers – Exceptions – Transfer from a Division III Institution – Change from Season of Participation to Any Participation.**

Management Council. The Council agreed to sponsor 2013 NCAA Convention legislation specifying that if a transfer student-athlete practiced or competed at a Division III institution, then the student-athlete shall be athletically and academically eligible at the original institution to be immediately eligible upon transfer.

Currently, the four-year transfer exception allows a student-athlete to transfer and be immediately eligible if the student-athlete has not used a season of participation at a Division III institution, and has never practiced or competed in intercollegiate athletics at a non-Division III institution. Effectively, a student-athlete that is academically ineligible at one Division III institution could transfer to another Division III institution and be immediately eligible provided the student-athlete has not used a season of participation. For example, the current rule allows a student-athlete to participate and compete in the nontraditional segment (which does not trigger the use of a season of participation) in the fall, become academically ineligible, and then transfer to another Division III institution mid-year and become immediately eligible for competition in the spring championship segment. In this situation the student-athlete has transferred out of an academic ineligibility. The proposal affirms that academic eligibility should be the primary consideration when determining eligibility status for a transfer student-athlete.

Presidents Council. The Presidents Council acknowledged the Management Council's intent to sponsor legislation for the 2013 Convention.

**(d) 2013 Convention Legislation – Playing Seasons – Tennis – Fall Period – Exception to Playing Season – Intercollegiate Tennis Association – National Small College Championship.**

Management Council. The Council agreed to sponsor 2013 NCAA Convention legislation specifying that a student-athlete's practice for or participation in the Intercollegiate Tennis Association (ITA) National Small College Championship is not considered part of the institution's declared playing season.

The Intercollegiate Tennis Association (ITA) National Small College Championships began in 1986 and annually crowns men's and women's singles and doubles national champions in each of the ITA's four small college divisions [NCAA Divisions II and III, National Association of Intercollegiate Athletics (NAIA) and Junior/Community College] during the month of October. These championships are the only national tournaments for singles and doubles at the NCAA Division II and NAIA level, and the only tournaments that combine all levels of Junior/Community Colleges (National Junior College Athletic Association Divisions I, II and III, and California Community Colleges). Participants are determined through the ITA Regional Championships, held in September and October, which serve as qualifying tournaments. The ITA championships are conducted during the fall period in tennis. Under the current rules, if coaches work with the one or two student-athletes that qualify for the national championships, then that interaction has to count against the 19 week playing season. This proposal allows the few student-athletes that qualify for the ITA championship to continue to receive coaching and not have the entire team disadvantaged by losing weeks of the playing season [This recommendation resulted from a review of NCAA Division II Proposal No. NC-2013-4].

Presidents Council. The Presidents Council acknowledged the Management Council's intent to sponsor legislation for the 2013 Convention.

**(e) Approval of Official Interpretation – Coach Speaking at a Banquet or Meeting that Occurs off Campus and Includes Prospective Student-Athletes.**

Management Council. The Council approved the following official interpretation:

“Coach Speaking at a Banquet or Meeting that Occurs Off Campus and includes Prospective Student-Athletes (III). The NCAA Division III Interpretations and Legislation Committee confirmed that a coach may speak at a banquet or meeting at an off campus site to a group that

includes prospective student-athletes who have not completed their junior year in high school provided:

- The event is initiated and conducted by an entity other than the coach's institution;
- The coach does not make a recruiting presentation in conjunction with the appearance;
- The coach does not have any direct contact with any prospective student-athlete (or a prospective student-athlete's parents or legal guardians) in attendance; and
- The primary purpose of the event is unrelated to fundraising for prospective student-athletes."

At its April teleconference, the Interpretations and Legislation Committee reviewed the issue related to institutions' coaches speaking at a banquet where prospective student-athletes are present. After reviewing the current legislation in Divisions I and II that specifically addresses this topic, the committee instructed the staff to draft an official interpretation that mirrors the conditions set forth in the Divisions I and II legislation.

Presidents Council. No action was necessary.

**(f) 2013 NCAA Convention Legislation – Study Abroad Programs and Student-Athlete Athletic Eligibility.**

Management Council. The Council agreed to sponsor 2013 NCAA Convention legislation to specify that if a Division III student-athlete participates in athletics in conjunction with a study abroad or foreign exchange program that is recognized by his or her institution, then the student-athlete shall not trigger the outside competition legislation; further, to specify that a student-athlete participating in such a program shall not trigger the use of a season of participation.

Many student-athletes participate in a foreign exchange or student-abroad program as a part of their collegiate experience. Currently, when a student-athlete participates in such a program, participating in athletics during this period could render the student-athlete ineligible by triggering the outside competition legislation. In addition, student-athletes who participate in athletics while abroad could trigger the use of a season of participation. The Interpretations and Legislation Committee agreed that modifying the legislation to prevent these consequences is consistent with the practice of permitting incoming exchange students to participate in athletics on Division III campuses. The committee noted that an institution's recognition of a study-abroad or foreign exchange program is not limited only to those programs that are conducted by the institution itself; so long as the program is recognized by the institution,



this exception will apply. This exception does not, however, apply to participation by a student-athlete who takes a leave of absence to attend a foreign-exchange or study-abroad program. The committee will review the implications of the transfer legislation on this issue at its next meeting, which may result in an amended legislative recommendation.

Presidents Council. The Presidents Council acknowledged the Management Council's intent to sponsor legislation for the 2013 Convention.

**(g) Noncontroversial Legislation – Amateurism – Loss of Amateurism – Practice Prohibition.**

Management Council. The Council agreed to sponsor noncontroversial legislation clarifying that when a student-athlete loses his or her amateurism status, that student-athlete is prohibited from participating in practice as well as competition.

The general principle sections of both NCAA Division III Bylaws 12 and 14 state that a student-athlete shall not be eligible for participation (practice or competition) in an intercollegiate sport if the individual has violated any of the amateurism regulations. Bylaws 12.1.3.2 and 12.1.5.2 identify activities that are impermissible and will result in the loss of amateurism. Those bylaws however, specifically state that the loss of amateurism precludes intercollegiate competition but does not specifically reference all participation. This proposal makes the bylaws consistent with the general principles and clarifies that the loss of amateurism results in the prohibition of all participation (practice and competition) in that sport.

Presidents Council. No action was necessary.

**(h) Review of Text Messaging and Telephone Calls at Competition Site Issue.**

Management Council. The Council noted the committee reviewed the issue of whether a contact as prohibited by NCAA Division III Bylaw 13.1.4.2 (practice or competition site) includes any communication and instructed the NCAA staff to draft an official interpretation clarifying that a contact, for the purpose of Bylaw 13.1.4.2, includes any communication; however it does not extend to athletics personnel that are not attending and are unaware of the competition.

Several Council members expressed concern if a coach is texting a prospective student-athlete during his or her competition; however, the point was made that the impact may be different when talking about an individual sport athlete (e.g., swimmer between races).

Presidents Council. No action was necessary.

Staff Liaisons:  
Davey, Orr

Council Rep:  
Robert

**(6) Membership Committee**

**(a) 2013 Convention Legislation – NCAA Bylaw 20.6.9 (Championships Eligibility) – Division Membership – Championship and Grant Funding – Institutions Reclassifying from Division III to Division II.**

Management Council. The Council approved in concept legislation that modifies Bylaw 20.6.9 (championships eligibility) to stipulate that a Division III member institution is ineligible for Division III championships and Division III grant funding once it is officially accepted and commences with the Division II reclassification program.

Division III legislation currently allows a Division III member institution that is reclassifying to Division II to access Division III championships and grant funding during the first year of its Division II candidacy, provided the Division III institution does not provide athletically related financial aid. The current legislation is challenging to the reclassifying institution because the institution intends to function and follow Division II legislation, yet it hopes to maintain eligibility for access to Division III championships and grant funding by complying with Division III legislation. Further, there is an inherent competitive advantage for a Division III institution reclassifying to Division II due to the promise of athletically related aid and announcement of the transition.

Presidents Council. The Presidents Council approved the Management Council's recommendation to sponsor legislation for the 2013 Convention.

**(b) Active Membership – NCAA Constitution 3.2.3.3 (Election).**

Management Council. The Council approved the following institutions for active Division III membership per Constitution 3.2.3.3 (election):

- Pennsylvania State University, Abington;
- Spalding University; and
- State University of New York at Cobleskill.

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

Presidents Council. No action was necessary.

**(c) Provisional Membership – Constitution 3.6.3.3 (Election).**

Management Council. The Council approved the following institutions for provisional Division III membership per Constitution 3.6.3.3 (election):

- Houghton College;
- Sarah Lawrence College;
- Southern Virginia University;
- State University of New York at Canton; and
- Valley Forge Christian College.

Based on its review of the aforementioned institutions' applications, the committee agreed that the institutions should be elected into provisional membership.

Presidents Council. No action was necessary.

**(d) Athletics Consortium Request – Constitution 3.1.2 – Emerson College in Consort with Massachusetts College of Art and Design and Berklee College of Music.**

Management Council. The Council approved the request from Emerson College per Constitution 3.1.2 to renew its athletics consortium with the Massachusetts College of Art and Design and Berklee College of Music, both of which are non-NCAA institutions. Further, the committee recommends the renewal of a waiver of Constitution 3.1.2.8 (NCAA member involvement) to allow two nonmember institutions and one NCAA institution to comprise the athletics consortium.

The committee recommends a continuation of the athletics consortium agreement for Emerson College, Massachusetts College of Art and Design and Berklee College of Music noting that the institutions are in geographic proximity and that the institutions had a prior academic consortium relationship. In addition, the institutions share academic, enrollment, recruitment and financial aid policies. The committee believes a waiver of Constitution 3.1.2.8 is warranted to permit a second nonmember institution to join the consortium because the institutions have a previous academic relationship and have consistent policies. The committee also noted these consortium and waiver requests were previously granted for the aforementioned rationale.

Presidents Council. No action was necessary.

**(e) Sports Sponsorship Requirements – Waiver Request of Bylaw 20.11.3 per Bylaw 20.11.31.2 (Single-Gender Institution Transitioning to Coeducational Institution) – William Peace University.**

Management Council. The Council approved conditionally a waiver request from William Peace University of Bylaw 20.11.3 (Sports Sponsorship) per Bylaw 20.11.3.10.2 (single-gender institution transitioning to coeducational institution). The conditions are as follows:

- William Peace must provide an annual update detailing adherence to its institutional plan to comply with sports sponsorship requirements for males by June 1 of each year the waiver is in effect.
- The waiver is only applicable to sports sponsorship requirements for males and the institution must continue to adhere to sports sponsorship requirements for females during the academic years the waiver is in effect.

William Peace provided a detailed action plan outlining the steps that will be taken to ensure compliance with sport sponsorship requirements for males at the end of the three-year period.

Presidents Council. No action was necessary.

**(f) Referral to the Division III Financial Aid Committee – Financial Aid Reporting Process – Automatic Review of Provisional and Reclassifying Members.**

Management Council. The Council referred to the Financial Aid Committee, the recommendation that all provisional and reclassifying institutions be automatically reviewed each year of their provisional/reclassifying status, until they reach active status.

The committee endorses this review as an integral element of the provisional/reclassifying process that will enhance both the educational and accountability elements of the process. The enhanced education will occur via the review process where the institution would engage in a comprehensive review of all policies and procedures for administering student financial aid and the impact of those policies and procedures. Further, accountability would be enhanced by providing the committee the opportunity to take action on provisional members that are not fulfilling the expectation of compliance with Bylaw 15 when the Financial Aid Committee finds evidence of noncompliance.

Presidents Council. No action was necessary.

**(g) Sports-Sponsorship Requirements – Waiver Request per Bylaw 20.11.3.8 (Minimum Contests and Participants Requirements for Sports Sponsorship) – U.S. Merchant Marine Academy.**

Management Council. The Council approved a waiver request from the U.S. Merchant Marine Academy per Bylaw 20.11.3.8 (minimum contests and participants requirements for sports sponsorship).

The committee noted the unique circumstances surrounding the institution's failure to meet the sponsorship requirements. Specifically, the institution had several issues that led to attrition of the softball team, including federally mandated staff reductions, the loss of a training vessel and injuries sustained by two players.

Presidents Council. No action was necessary.

**(h) New England Compliance Seminar.**

Management Council. The Council noted the committee's report on the update on the New England Compliance Seminar held June 12 at Babson College. It noted overwhelming positive feedback from the attendees. Further, the committee recognized that majority number of attendees were coaches. Committee members discussed the length of the seminar in terms of whether key educational points were thoroughly covered. The committee noted several considerations when planning future regional seminars, including location, conference sponsorship, budget, audience, calendar timing, length of seminar, staff involvement and establishing guidelines. The committee endorsed the regionalized concept and intends to develop a national model for regionalized compliance education. NCAA staff was charged with developing several regionalized models for future committee consideration.

Presidents Council. No action was necessary.

**(i) 2012-13 NCAA Division III Rules Test.**

Management Council. The Council noted the committee conducted its annual review of the Division III Rules Test and provided feedback as to subject areas that should be included on the 2012-13 version of the exam. Further, the committee suggested offering a hard copy of the test and providing a PowerPoint version of the test in an effort to assist institutions that administer the exam in a group format (e.g., athletics department staff meeting).

Presidents Council. No action was necessary.

**(j) Digital Conference Self-Study Guide.**

Management Council. The Council noted that the committee received an overview of the digital conference self-study guide (CSSG) and explained the process that the conferences could expect while completing the self-study in a digital-only format. Committee members noted that this will be the first group to complete the CSSG in the new format. The staff noted that the CSSG will be available prior to commencement of the 2012-13 academic year, and all conferences will be required to complete the self-study for consistency purposes.

Presidents Council. No action was necessary.

Staff Liaison:  
Tufano

Council Rep:  
Hoeg

**(7) Nominating Committee.**

Management Council. The Council approved the following committee appointments:

- Division III Financial Aid Committee (immediate vacancy replacing Donald Cragen) – Robert Coleman, director of athletics, Whittier College.
- Division III Interpretations and Legislation Committee (immediate vacancy replacing Lisa Wisniowicz) – Melissa Cruice, assistant athletic trainer/compliance coordinator, Haverford College.
- Minority Opportunities and Interests Committee – Ralph Bertrand, faculty athletics representative, Colorado College.
- Division III Nominating Committee (immediate vacancy replacing Christyn Abaray) – Angela Baumann, commissioner, Massachusetts State Collegiate Athletic Conference.

Presidents Council. The Presidents Council approved the Management Council's recommendations, noting its future intent that appointments become effective when approved by the Management Council.

**(8) Student-Athlete Advisory Committee (SAAC).**

Staff Liaisons:  
Krtnick,  
Montgomery,  
Thorburn

Council Reps:  
Glass,  
Whitlock

**(a) Enhanced Communications Strategy, Increased Involvement of Student-Athletes at Convention, Continued Development of the Division III – Special Olympics Partnership.**

Management Council. The Council noted the committee established three subcommittees (communications, student-athlete involvement at Convention and Special Olympics) to address key initiatives throughout the 2012-13 academic year.

Presidents Council. No action was necessary.

**(b) Special Olympics.**

Management Council. The Council noted the committee discussed the implementation of the Division III – Special Olympics partnership during the 2011-12 academic year. Approximately 140 activities were reported by campuses and conferences resulting in interactions between thousands of Division III student-athletes and Special Olympics athletes and fundraising of over \$118,000 for Special Olympics organizations around the country. The partnership was also activated at nearly all Division III championships. These activities included Special Olympics clinics, recognition of Special Olympics athletes at the events, Special Olympics athletes serving as honorary captains and the promotion of awareness for Special Olympics. The committee discussed continuing to build upon these successes during the 2012-13 academic year. The committee will participate in the Law Enforcement Torch Run (LETR) Convention in November 2012 and lead an event at the 2013 Convention

with Special Olympics Texas. Further, the committee will develop a best practices guide, provide suggested enhancements to the Division III-Special Olympics website and continues to commit to leading the initiative at their campus and conferences.

Presidents Council. No action was necessary.

**(c) Legislation.**

Management Council. The Council noted the committee's initial position regarding the following legislation:

- Permitting all forms of private electronic correspondence. The committee discussed allowing private communications through a social networking site. The committee continued to express concern regarding intrusion into a prospective student-athlete's personal life and indicated that a prospective student-athlete may feel compelled to allow a coach additional access via social media, e.g. accepting a coach's "Friend" request via Facebook. However, it was noted that private messaging is the same as electronic messaging and does not require accepting a coach as a "Friend." The committee was in favor of the proposed legislation. The committee reasoned that the proposed legislation was consistent with the evolution of communication via social media.
- Post graduate scholarship that takes into account athletics, academics and community service. The committee discussed the division's philosophy regarding aid based upon athletics ability, but noted that the proposed legislation would not affect the current philosophy. It was in favor of permitting postgraduate awards as proposed and reasoned that the legislation provided additional opportunities for former student-athletes, while not compromising the divisional philosophy because the student-athletes are required to have exhausted or forfeited their eligibility.
- To permit the use of hand shields during spring football strength and conditioning. The committee discussed both the use of hand shields and a proposal that was sponsored by a member conference that would permit field equipment and helmets. It was concerned that by providing additional equipment, even hand shields, it would result in impermissible contact spring strength and conditioning. At the same time, the committee noted that if hand shields are utilized it may increase the need for student-athletes to wear helmets for safety considerations. The committee will consult with its conferences to obtain a better understanding of the potential effects on football student-athletes.

- Sickle cell trait status testing. The committee supports testing for sickle cell trait status and indicated that this is a student-athlete well-being issue. It discussed the need to educate conferences and partner conferences regarding the recommendations from the Committee on Competitive Safeguards and Medical Aspects of Sport and noted that the phased-in approach to the legislation and mandatory education address potential concerns from the membership.

Presidents Council. No action was necessary.

Staff Liaisons:  
Ghiloni,  
Groddy

Council Rep:  
Hathorn

**(9) Student-Athlete Reinstatement Committee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

**d. Association-Wide and Common Committees.**

Staff Liaisons:  
Klossner  
Wilfert

Council Rep:  
Runksmeier

**(1) Competitive Safeguards and Medical Aspects of Sports (CSMAS).**

**(a) Safety Legislation Package.**

Management Council. The Council deferred a recommendation from the Committee on Competitive Safeguards and Medical Aspects of Sports to sponsor legislation for the 2013 NCAA Convention that would require (in all three divisions): a designated team physician; coach safety training, certification for strength coaches, and catastrophic sport injury reporting.

The Council noted the importance of this legislation regarding student-athlete well-being, but also noted that its primary concern for the 2013 Convention was the sickle cell legislation. It noted the Association-wide nature of the legislation and concluded it would like to gather additional information regarding the safety legislation package prior to any consideration of the proposals during the legislative cycle for the 2014 NCAA Convention.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

**(b) Sickle Cell Trait (SCT) Status Confirmation.**

Management Council. The Council approved the committee's recommendation for the Division III Presidents Council to sponsor legislation to require that SCT status be confirmed as part of the medical examination process through a sickle cell solubility test, unless documented results of a prior test are provided to the institution or the student-athlete



declines the test and signs a written release for student-athletes who are beginning their initial season of eligibility and students who are trying out for a team. In addition, the committee recommended three new additions based on feedback by the Division III membership:

- All student-athletes shall be provided education regarding SCT.
- If the student-athlete elects to opt out of confirmation of SCT status, the student-athlete shall engage in mandatory education regarding the implications of exercising the waiver option and additional information related to the risks, impact and precautions related to SCT before signing the waiver and prior to athletics participation.
- Student-athletes may be allowed to practice while awaiting the results of their SCT testing provided the institution treats them with the identical precautions and education as the institution would treat a SCT positive student-athlete.

It is not uncommon for organizations unfamiliar with the NCAA or its student-athlete issues to take a different stance than the NCAA position. The committee carefully considered multiple view points, research and opinions when formulating this policy recommendation. The committee reaffirmed that knowledge and education of SCT status is important for all student-athletes in relation to student-athlete safety, health and well-being.

Therefore, the committee recommends a consistent policy across all divisions that requires the medical examination or evaluation of student-athletes who are beginning their initial season of eligibility and students who are trying out for a team shall include a sickle cell solubility test, unless documented results of a prior test are provided to the institution or the student-athlete declines the test and signs a written release. Institutions will have the autonomy to implement confirmation for all student-athletes in the first year. The committee first made this recommendation to the membership in 2009 that sickle cell trait status be confirmed in all student-athletes in all divisions as an addition to the NCAA's Sports Medicine Handbook.

Currently, the NCAA has published educational fact sheets and a video that can be used for student-athlete education. The student-athlete educational requirement could also be met by using online modules. This would also allow for coach education as the committee emphasized this as a critical component to the success of prevention and precaution implementation.

The committee supported the concept of allowing student-athletes awaiting sickle cell trait diagnostic test results the opportunity to participate. However, the committee emphasized that serious sickle cell trait incidents, and other causes of sudden death, most frequently occur during transitional periods such as the initial days of preseason practices when

student-athletes' bodies are becoming conditioned to the rigors of training. Conditioning periods should be phased in gradually and progressively to encourage proper exercise acclimatization and to minimize the risk of adverse effects on health. The first seven to 10 days of any new conditioning cycle (including, but not limited to: return in January, after spring break, return in summer, return for fall preseason or return after an injury) are referred to as transitional periods. A 2011 study that examined the impact of the Division I sickle cell trait screening legislation, which went into effect in 2010, concluded that more than 2,000 NCAA Division I student-athletes with sickle cell trait would be identified under the screening policy. Without intervention, the study estimated that seven NCAA Division I student-athletes would die from complications related to the trait over a 10-year period. Another study, published in 2012, concluded that student-athletes with sickle cell trait have a relative risk of exertion-related death that is 37 times higher than those without it. Knowledge of SCT can be a gateway to precaution implementation.

Student-athletes may elect to seek their SCT status through newborn screening. Sickle cell trait screening is performed on nearly all U.S. babies at birth. Nearly 70 percent of states have tested since 1994, but many student-athletes may not know whether they have the trait. In an effort to provide a more efficient and effective process for sickle cell trait (SCT) screening, the NCAA has an agreement with Quest Diagnostics to provide three different service models for member institutions and their student-athletes to access affordable screening exams to determine SCT status as part of the student-athlete's medical examination process. Effective October 1, 2011, institutions can select from the following three service models by calling 1-866-226-8046: institution on-site services model, patient service center model, and a student-athlete service model.

Presidents Council. The Presidents Council approved the Management Council's recommendation to sponsor the proposed legislation at the 2013 Convention effective in 2013-14 for incoming student-athletes and 2014-15 for all other student-athletes. The committee also noted: 1) the need for more Division III-specific data to support the proposal; and 2) the need for continued, division-wide education to support the proposal, especially with presidents; as well as with athletics directors, trainers and other key constituents.

**(c) For Divisions I and III – Football Three-Hour Recovery Period.**

Management Council. The Council reviewed and approved the committee's recommendation to sponsor legislation for the 2013 Convention specifying that, in the interest of providing consistent safeguards for student-athletes, Divisions I and III require at least three continuous hours of designated recovery time between ANY sessions occurring in a

calendar day for football practices and walk-throughs during the preseason, including the segment subsequent to the five-day acclimatization period. This recovery period is important to allow student-athletes to dissipate and reduce body heat, eat food for energy, rehydrate and to prepare the body, both mentally and physically, for the next session. The impact of this legislation would ensure student-athletes receive minimal recovery from the cumulative effects of on-field and physical activities, especially in the heat.

Recovery periods were part of the original 2003 football model. Though studies support the three-hour recovery period, more time may be needed depending on the practice conditions and participant needs. The opinion of sports medicine and sports science research experts is that three hours generally provides adequate recovery time to achieve the goals of recovery between practice sessions, and reducing this recovery time increases risk of negative effects associated with inadequate recovery. Dehydration has been shown to influence player safety as well as decrease exercise performance. Participation in strenuous activities while incurring environmental stress with additional equipment and/or clothing has also been proven to increase the risk of Exertional Heat Illness (EHI) occurrence in football. Although deaths from football drills have been reduced, risk exists and is greatest throughout the preseason period, not just the first five days. Research supports heat acclimatization extending over a 14-day period, therefore risk extends beyond the five days with additive effects of the environment, physical activity and equipment playing a role. Staying diligent on the prevention of heat illness is important as it still occurs during the preseason period.

Recovery periods are a best practice as cited in the NCAA Sports Medicine Handbook guideline “Preseason Preparation.” An institution should ensure student-athletes have continuous recovery time (i.e., three hours) between multiple practice sessions on the same calendar day.

Presidents Council. No action was necessary.

**(d) Concussion and Mild Traumatic Brain Injury.**

Management Council. The Council reviewed the committee’s report regarding injury data and update on concussions by Kevin Guskiewicz. The committee supports establishing a standing committee to monitor the role of concussions in NCAA sports to include but not limited to concussion management plans, research; education outcomes; playing rules, equipment, injury surveillance and other concussion related topics.

The committee discussed the Ivy League practice limitations in the sport of football to reduce the amount of “helmet or head hit” exposures. The committee recommended that these practice limitation concepts be the

first agenda item for the standing committee on concussions to review and make recommendations for CSMAS to consider. The committee will reach out to the Ivy League to continue conversations on how to best address concussions for their student-athletes.

Presidents Council. No action was necessary.

Staff Liaisons:  
Miller,  
Smith

Council Rep:  
Ingold

**(2) Committee on Sportsmanship and Ethical Conduct.**

**(a) Strategic Plan.**

Management Council. The Council reviewed the subcommittees updated strategic plan objectives outlined at its November 2011 meeting. The working document should be completed by next summer.

- RESPECT Campaign. Its objective is to promote sportsmanship and ethical conduct among student-athletes, coaches, administrators and fans in intercollegiate athletics by expanding the RESPECT campaign and creating brand awareness through strategic partnerships with conferences, professional leagues and corporate sponsors.
- Violence Prevention. Its objective is to address violence as a campus issue to promote a positive student-athlete experience. Violence Prevention Think Tank participants will help examine and advance understanding of the violence prevention issue.
- Sportsmanship Awards. Its objective is to recognize model acts of sportsmanship through divisional and national awards program. To increase the quality of future nominations, the form will ask for a specific act, which will help define what sportsmanship is as distinguished from tremendous leadership, community service and inspirational characteristics.

Presidents Council. No action was necessary.

**(b) Sportsmanship Awards.**

Management Council. The Council reviewed the Bob Frederick Sportsmanship Award winner and five divisional Sportsmanship Awards winners selected by the committee. The overall male and female national Sportsmanship Awards were not awarded, as the committee agreed the divisional acts of sportsmanship did not rise to a national award level.

Division I Female – Jessica Slagle, Bowling Green State University, women’s basketball.

Division I Male – Black McJunkin, Southern Methodist University, football.

Division II Female – Georgia Court University, women’s soccer team.

Division II Male – John Sgromolo, Flagler College, baseball.

Division III Female – Erica McGuire, Rose Hulman Institute of Technology, women's volleyball.

Bob Frederick Sportsmanship Award – Rick Byrd, Belmont University.

Presidents Council. No action was necessary.

**Staff Liaisons:**  
**Barnhart,**  
**Holzman,**  
**Morrison**

**Council Rep:**  
**Hoeg**

**(3) Committee on Women's Athletics (CWA).**

**(a) Brighton Declaration.**

Management Council. The Council reviewed the Committee on Women's Athletics (CWA) support of the concepts expressed in the Brighton Declaration on Women and Sport and recommended no formal action at this time, noting that subsequent review will occur that will culminate in review of the issue by the NCAA Executive Committee.

It noted that the Women Sport International's Brighton Declaration, a complement to all current laws and regulations, contains guiding principles that encourage a global culture that promotes and values full involvement of women in every aspect of sport. The CWA supports the overall concept of the Brighton Declaration, as it recognizes the intrinsic value of girls and women's involvement in sport at all levels, supports the NCAA's leadership in support of girls and women's fair access to sport opportunities. Current endorsements include the Women's Sports Foundation, the International Olympic Committee, National Association of Girls and Women in Sport and USA Volleyball.

Presidents Council. No action was necessary.

**(b) Potential Emerging Sports for Women.**

Management Council. The Council reviewed the committee's report in regard to potential emerging sports for women. No action was necessary.

- STUNT and Acrobatics and Tumbling. The emerging sports subcommittee and full committee reviewed and discussed the separate proposals submitted by STUNT and Acrobatics and Tumbling. The committee determined that, prior to considering either proposal for the emerging sports list to be considered complete, a minimum of three additional years is necessary to evaluate the broad development of the new sports, collect data on prevention and rate of occurrence of injuries, growth of participation, and start up and ongoing operational costs. Additionally, the committee noted that these three years will provide the groups with the opportunity to create more awareness of the sport within the membership and increase the likelihood of a full and fair membership discussion of their requests to be added to the emerging sports list. The committee will explain in writing

to both organizations the process it is and has been following for these and other emerging sport requests, and reiterates that schools can offer either sport as varsity without the sport being on the emerging sport list or an NCAA championship sport.

- Triathlon. Due to the Division I legislative moratorium on new legislation and the division's focus on legislative evaluation across broad areas of NCAA rules, the committee voted to permit Triathlon's current six letters of support to remain valid for one additional year. If the additional four letters of commitment are received, the committee will request updated information about the sport and schedule an in-person discussion about advancing the proposal to all three divisions for consideration and vote.

Presidents Council. No action was necessary.

(c) **Emerging and Olympic Sports.**

Management Council. The Council reviewed the committee's report regarding the following emerging and Olympic sports. No action was necessary.

- Sand Volleyball. The committee received an update on the American Volleyball Coaches Association's (AVCA) national championship held in April 2012. Additionally, the committee reviewed a memo from the AVCA about the status of sand volleyball at the Division I and Division II level, the various models of sponsorship that are emerging, and those institutions who may add it as a varsity sport in the next several years. The committee noted the tremendous growth and the timeline for legislative and budgetary approval should the sport request championship status.
- Equestrian. Equestrian had previously passed their 10-year mark on the emerging sports list, and the number of programs sponsored has remained static. The committee also received an update on the reorganization of the national governing body, now called the National Collegiate Equestrian Association. The committee agreed to evaluate equestrian's status on the emerging sports list at a future meeting.
- Rugby. Rugby has reached its 10-year mark on the emerging sports list, and the number of varsity intercollegiate programs has remained the same. The committee received an update on discussions with USA Rugby and representatives from all three divisions about organizational changes supporting rugby at the collegiate level, modifications being made to the playing rules

and the anticipated impact of the 2016 Olympic Games. An overview was provided about the NCAA legislative modifications that would be necessary to support both 7s and 15s competition formats.

Presidents Council. No action was necessary.

**(d) Work Life Integration Award.**

Management Council. The Council noted that the committee endorsed the Work-Life Integration Award, which will be presented by the Women's Leadership Symposium. The purpose of the award is to recognize athletic departments who demonstrate leadership in promoting work-life balance for employees. The first award will be presented in May 2013 in conjunction with the Midwest Women's Leadership Symposium.

Presidents Council. No action was necessary.

**(e) Woman of the Year Award.**

Management Council. The Council noted the committee's report updating the institutional nomination process. There were approximately 420 nominations this year.

Presidents Council. No action was necessary.

Staff Liaison:  
Tufano

Council Rep:  
Klika

**(4) Honors Committee**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Bracken  
Ford,  
Rossello

Council Rep:  
Ching

**(5) Minority Opportunities and Interests Committee (MOIC).**

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Calandro,  
Smith,  
Suscha

Council Rep:  
Ingold

**(6) Olympic Sports Liaison Committee (OSLC).**

• **Update on OSLC/NGB/USOC Working Group Recommendations.**

Management Council. The Council reviewed the committee's report regarding the ongoing efforts of this working group, noting that the group will later conduct a teleconference. Key initiatives of the working group include the upcoming launch of a webpage within NCAA.org to feature NCAA student-athletes who will be competing in the 2012 Olympics and

discussion of concepts to promote access to campus facilities for NGB-related activities. The working group will meet again in conjunction with the OSLC's September in-person meeting and the Olympic Assembly.

Presidents Council. No action was necessary.

Staff Liaison:  
Chichester

Council Rep:  
Hathorn

(7) **Postgraduate Scholarship Committee.**

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:  
Roxbury

Council Rep:  
Thomforde

(8) **Research Committee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:  
Fluker; Sales,  
Thorburn;  
Willett

Council Rep:  
Whitlock

(9) **Student-Athlete Affairs Advisory Group.**

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:  
Chichester

Council Rep:  
Hass

(10) **Walter Byers Scholarship Committee.**

- **Increase Membership of the Committee.**

Management Council. The Council approved non-controversial legislation to revise Bylaw 21.2.9.1 to increase the number of committee members from five to six.

The Council noted that when a committee member(s) is unable to participate in the review, personal interviews, and/or selection process, the burden of responsibility falls on too few members to represent the membership, particularly in light of the distinction of the scholarship awards.

The estimated Association-wide budget impact includes one additional member's travel/lodging costs to participate in interview and selection process one time a year in Indianapolis.

Presidents Council. No action was necessary.



Staff Liaisons:  
Barnhart,  
Bracken, Ford,  
Holzman,  
Morrison,  
Rossello

Council Reps:  
Ching, Hoeg

(11) **Joint CWA and MOIC Report.**

- **Intersex Issues.**

Management Council. The Council reviewed the recommendation that the CWA and MOIC support the position adopted by the Women's Sports Foundation and the NCAA Competitive Safeguards and Medical Aspects of Sport (CSMAS) to address participation by individuals with intersex medical conditions and recommended that no action be taken until their October meeting. The Council noted the committee's support of an education approach to assist the membership with understanding of what intersex conditions are and the best practices to include student-athletes with intersex conditions in full and fair athletics participation. The committees request the NCAA Executive Committee's endorsement of this position and educational approach.

The joint committees support the proactive approach of the CSMAS to provide educational information about intersex as a recognized medical condition. The committee agreed that addressing the needs of student-athletes as it relates to access to participation opportunities and providing precedent to future committees will protect student-athlete well-being.

Presidents Council. The Presidents Council approved the Management Council's recommendation to formally address the issue during their October meetings.

[See Association-wide updates and issues, item (a), page 40.]

**4. DIVISION III INITIATIVES AND UPDATES.**

**a. Division III Identity Initiative.**

**(1) Division III Week.**

Management Council. The Council received an update regarding Division III Week, noting that in 2013 it will be held April 8-14. In addition, a separate activity may be scheduled for the fall of 2013 in conjunction with the 40<sup>th</sup> Anniversary of the division.

Presidents Council. No action was necessary.

**(2) Division III Purchasing Website.**

Management Council. The Council noted that during 2012-13, the division plans to offer a credit for website purchases and is currently exploring adding a number of new co-branded and Division III branded products, including additional apparel and practical-use items. Significant changes in administration of this program are under consideration, including 1) establishing a new online platform for the program capable of offering products from and handling orders for products provided by a variety of vendors; 2) providing the next credit opportunity beginning in January 2013, in conjunction with the debut of a new online platform; and 3) providing a separate credit specifically for use by conferences and institutions in activating the Division III/Special Olympics partnership.

The Council shared concerns with closing the current website in the fall due to fall and winter sports not being able to purchase items they may need. It supported taking an aggressive approach in seeking an RFP; however felt whatever approach taken, we should continue dialogue with the membership.

Presidents Council. No action was necessary.

**(3) Promotional Activities.**

Management Council. The Council noted in addition to continuing maintenance of a Purchasing Website, Division III is planning to provide a new branded product – most likely a form of signage, banner or flag, this fall to every conference and institution. It also will provide new signage for use with the Q-frames provided as part of the activation kit that was shipped in fall 2011 to each conference and institution. The identity initiative consultant also is planning to create a best-practices guide and an “activation newsletter” to support and encourage ongoing membership activation efforts.

Presidents Council. No action was necessary.

**(4) Championships.**

Management Council. The Council noted efforts continued during the 2012 spring championships to dress venues with identity signage and to increase visibility of the Division III/Special Olympics partnership. Division III currently is evaluating activation of the partnership at championships, including the effectiveness of a \$1,000 allocation during 2011-12 at each predetermined-finals site to support Special Olympics-related activities. It also will review activation of the identity initiative at championships, following completion of current reorganizational activities under the direction of Mark Lewis, the new NCAA executive vice president of championships and alliances. (This activity includes combining oversight of Divisions I, II and III basketball championships into newly organized men’s and women’s basketball staff groups). Division III’s review will include evaluation of signage and other materials such as field stencils used

at championships sites; scripts for public-service announcements used at sites; and usage of Division III's new identity videos during championships webcasts. The Division III staff and identity initiative consultant also will closely monitor and participate in planning of Division III's involvement in the upcoming 75<sup>th</sup> Anniversary of March Madness celebration, culminating in playing the Division III Men's Basketball Championship final in Atlanta during the weekend of the Division I Men's Final Four.

Presidents Council. No action was necessary.

**(5) Special Olympics Partnership.**

Management Council. The Council noted the division actively has been soliciting year-end reports on activation and fund-raising activities sponsored by conferences and institutions during the first year of Division III's partnership with Special Olympics. Preliminary indications are that the membership raised more than \$118,000 to benefit the organization.

Presidents Council. No action was necessary.

**(6) Outreach to Athletics Communications.**

Management Council. The Council noted that as reported in the spring, Division III is increasing outreach activities focusing on sports information directors and other conference and institutional staff members engaged in athletics communication. A Division III/College Sports Information Directors of America Strategic Communications Working Group was formed in May and met in-person June 25 in St. Louis, during the annual CoSIDA convention. The working group is studying ways in which Division III can support professional-development activities and improve participation in conference and institutional strategic planning by athletics communicators, while also supporting goals of the Division III Strategic Plan and the identity initiative. In another activity involving D3SIDA, Division III also continues to develop its program to recognize outstanding work by sports information staffs to portray Division III's model of intercollegiate athletics. The program thus far has publicly recognized work by Albion College, Denison University, the University of Mount Union and Pacific University (Oregon), and also awarded additional credits for the Division III Purchasing Website to those institutions.

Presidents Council. No action was necessary.

**(7) Outreach to Prospective Student-Athletes and Parents.**

Management Council. The Council noted that efforts are continuing to develop programs and tools for presenting the Division III identity to prospective student-athletes and their parents. Work continues on a website specially designed for use by coaches on mobile devices such as Smartphones and tablet computers, to

provide quick access to identity initiative materials such as talking points, videos and social-media feeds. The website's features are being developed after receiving feedback from approximately 950 coaches who responded to a survey regarding the Coaches Mobile Website. The new tool is scheduled to be introduced in late August. Coaches will be informed of the new website's availability when they complete the online Division III rules test, and a communication plan for guiding coaches in using the website is being completed.

Presidents Council. No action was necessary.

**b. Sickle Cell Trait Status.**

[See Competitive Safeguards and Medical Aspects of Sports Report item (b), pages 24-26.]

**c. Recruiting Working Group.**

Management Council. The Council noted the NCAA Division III Administrative Committee approved the NCAA Division III Recruiting Working Group, with the parameters of representative balance of public to private; as well as geographic, gender, racial and conference diversity.

Presidents Council. No action was necessary.

**d. Division III/CoSIDA Strategic Communications Working Group.**

Management Council. The Council reviewed the CoSIDA Strategic Communications Working Group update regarding the ways in which Division III can support professional-development activities and improve participation in conference and institutional strategic planning by athletics communicators, while also supporting goals of the Division III Strategic Plan and the Identity Initiative.

During its in-person meeting, the group discussed the Division II Communications Plan; defined strategic communication; outlined athletic communication director's responsibilities and their colleagues and constituents' perceptions and expectations.

The working group discussed an initial list of outcomes that will continue to develop over the next several months.

- Best practices document.
- Certification of athletics communication directors (also known as sports information directors) perhaps in partnership with CoSIDA.
- Further education of administrators regarding athletics communications.
- Flexible models for strategic athletics communications, taking into account geography, size and type of school, types of communication, needs of communicators, etc.

- Additional survey data.
- Regional events for athletics communication directors.
- Funding for communicators' participation in professional meetings.
- Funding for targeted professional-development activities (training in video, design, etc.).
- Funding for additional staffing via grants and internships.

The Council discussed whether CoSIDA could focus primarily on Division III programming during two days of the five-day meeting. It also noted that CoSIDA is looking at the structure of its meetings.

Presidents Council. No action was necessary.

**e. NCAA/NASPA Alcohol and Other Drugs Collaboration.**

Management Council. The Council reviewed the update regarding the partnership with NASPA on alcohol and other drug (AOD) collaboration. The partnership was designed to provide resources to deliver effective AOD education for the well-being and success of all students, including a focus on student-athletes. The steering committee established some overall goals that the resource developed must include:

- (1) Reduce the consequences of alcohol use and enhance student success;
- (2) Achieve campus collaboration and integration; and
- (3) Build a model that can be expanded to other well-being issues and other institutions.

After six months of discussion and development, the resource has begun to take shape. It will include three main elements, offered via a web portal, and accompanied by a training and implementation program and a branding and promotional effort.

The three main elements of the program include:

- (1) A Personalized Feedback Intervention, which is an on-line survey instrument that provides feedback to students about their behavior and that of their peers. Immediately after completing a survey that includes questions about reasons for drinking, perceived norms, and drinking behavior, students receive feedback detailing their own drinking behavior, their perceptions of typical student drinking, and actual typical student drinking. This mechanism has been empirically shown to reduce the negative consequences of alcohol use by college students.
- (2) A campus assessment, which is a self-study instrument designed to help institutions assess where improvements can be made in the areas of policy, enforcement, education and prevention/intervention programs.
- (3) A best practices tool, which will include information from the National Institute on Alcohol Abuse and Alcoholism about the empirically proven levels of effectiveness of different intervention strategies.

The three elements are connected by a conceptual framework which is focused on the belief that any one thing a campus does is a piece of an overall puzzle. Using student-athletes as an example, if a campus works very hard with one student-athlete, that individual still goes back to their team (or fraternity, group of friends, other student group) and is impacted by those traditions, norms, and what those students have heard. If

a campus works very hard with one team, those team members are still, first and foremost, students on the campus, and are impacted by policies and other student behaviors. Ultimately, campuses should consider what to offer to individual students, teams, and the entire campus in the creation of a strategic plan. And, plans should include four elements:

- (1) Policies – The policies a campus enacts impact the larger campus-community and the student body as a whole.
- (2) Enforcement – Consistent enforcement of existing policies is critical.
- (3) Education – This can include education about policies, as well as education about alcohol and related consequences as a component of other prevention and intervention activities.
- (4) Prevention/Intervention programs. These can be done with teams, small groups, or individuals.

The collaborative will offer a training and implementation program to help campuses establish the infrastructure necessary to effectively use and sustain this resource over time and will also engage in a promotional effort to communicate the value of the resource to different campuses audiences, ranging from presidents and faculty to the practitioners in student-affairs and athletics.

The Personalized Feedback Intervention will be piloted in 2012-13 and the remaining program elements will be piloted in 2013-14. The full program will launch for the fall of 2014.

The Council noted the potential of other partners; high school sports organizations and Greek/Panhellenic groups. The study indicates the biggest influence on a team's drinking behavior is the behavior/words of their team captain. The first correspondence, scheduled for mid to late August, will be soliciting pilot participants primarily with the athletics directors and vice president of student affairs. The Council also discussed that the Council for Independent Colleges would be a great audience to present this information and address the role of the president in alcohol awareness.

Presidents Council. No action was necessary.

## **5. *PROPOSED LEGISLATION FOR THE 2013 CONVENTION.***

### **a. Review noncontroversial legislation approved by the Management Council.**

#### **(1) NC-2013-12 – Amateurism – Definitions and Applications – Agent.**

Management Council. The Council adopted in legislative format to specify that an agent is any individual who, directly or indirectly, represents or attempts to represent an individual for the purpose of marketing his or her athletics ability or reputation for financial gain, or seeks to obtain any type of financial gain or benefit from securing a prospective student-athlete's enrollment at an educational institution or from a student-athlete's potential earnings as a professional athlete.

Presidents Council. No action was necessary.

**(2) NC-2013-13 – NCAA Membership – Member Conference – Composition of Conference – Application of Grace Period – Expiration.**

Management Council. The Council adopted in legislative format to clarify the application of restricted membership status and a two-year grace period for those conferences which fall below the required minimum number of institutions for active Division III conference membership.

Presidents Council. No action was necessary.

**(3) NC-2013-14 – Committees – Division III Committees – Student-Athlete Advisory Committee – Composition.**

Management Council. The Council adopted in legislative format to specify that the Student-Athlete Advisory Committee shall consist of one student-athlete from each unit represented in the Division III Student-Athlete Advisory Committee partnership program; further, to specify that independent institutions shall collectively be represented as one additional unit and that if there is an odd number of Division III conferences, the unpaired conference and all independent institutions shall collectively be represented as one additional unit.

Presidents Council. No action was necessary.

**(4) NC-2013-15 – Committees – Division III Committees – Championships Committee – Informational Updates from Playing Rules Oversight Panel on Issues Related to Division III.**

Management Council. The Council adopted in legislative format to specify that the Playing Rules Oversight Panel shall provide informational updates to the Division III Championships Committee on issues relating to Division III.

Presidents Council. No action was necessary.

**b. Review of administrative regulations legislation.**

**(1) ADM-2013-1 – Executive Regulations – Eligibility for Championships - Institutional Eligibility.**

Management Council. The Council adopted in legislative format to specify that institutions that do not satisfy the minimum contest and participant requirements in Bylaw 20 shall not be permitted to register a team score based on individual participants.

Presidents Council. No action was necessary.

**(2) ADM – 2013-2 – Executive Regulations – Selection of Teams and Individuals for Championships Participation – Seventy Percent in Region Requirement and all Division III Contests Considered Primary Criteria.**

Management Council. The Council adopted in legislative format to specify that the selection criteria include contests against Division III opponents in the

primary criteria and contests against opponents from other classifications (i.e., NCAA Divisions I and II and NAIA) are included in the secondary criteria. Further, to specify that institutions play at least 70 percent of their scheduled competition against in-region, Division III opponents to be considered for selection to NCAA championships for team sports other than golf and tennis. In tennis, to specify that an institution's team must play at least 50 percent of its scheduled competition against in-region opponents to be eligible for selection to the Division III championships.

Presidents Council. No action was necessary.

**c. Review of governance-sponsored legislation.**

**(1) Playing and Practice Seasons – Football – Out-Of-Season Athletically Related Activities.**

Management Council. The Council noted this proposal was reviewed by the Joint Legislative Steering Committee. No action was necessary.

Presidents Council. No action was necessary.

**(2) Playing and Practice Seasons – Football – Five-Day acclimatization Period – Three-Hour Recovery Period.**

Management Council. The Council noted this proposal was reviewed by the Joint Legislative Steering Committee. No action was necessary.

Presidents Council. No action was necessary.

**6. ASSOCIATION-WIDE UPDATES AND ISSUES.**

**a. Intersex Conditions and Sports Participation.**

Management Council. The Council received a presentation on Intersex Conditions and Sports Participation by Mary Wilfert, associate director of health and safety and Karen Morrison, director of gender inclusion. The Council noted that it was not being requested to create policy at this time; however it would soon be asked for comment, culminating formal review by the Presidents Council and NCAA Executive Committee, seeking statement of position to guide committees and inform member schools.

The NCAA Competitive Safeguards Committee reviewed and supported an educational approach plan to provide information to the membership to assist with understanding of what intersex conditions are and best practices to including student-athletes with intersex conditions in full athletics participation. The Committee on Women's Athletics and Minority Opportunities and Interests Committee have also endorsed this approach.

Presidents Council. No action was necessary.



**b. Executive Committee Update.**

Presidents Council. The Presidents Council received an update on various Association-wide issues to be considered by the Executive Committee:

**c. Litigation Update.**

Management Council. The Council accepted the Litigation Report. No action was necessary.

Presidents Council. The Council accepted the Litigation Report during their joint presidential breakfast. No action was necessary.

**d. Governmental Relations Report.**

Management Council and Presidents Council. The Councils accepted the Governmental Relations Report. No action was necessary.

**e. Inclusion Strategic Initiatives.**

Management Council. The Council received a presentation on Inclusion Strategic Initiatives from Chris Ruckdaschel, assistant director of inclusion and Bernard Franklin, executive vice president/chief inclusion officer from the office of inclusion. The NCAA has restructured and refocused its diversity and inclusion effort under the leadership of President Mark Emmert. While it maintains a commitment to education and development, priorities of the inclusion effort have shifted to include strategies to develop a culture that recognizes and values diversity as a means to organizational excellence and to providing better service to the ever-more-diverse and complex higher education community and our student-athletes. The Inclusion Initiative at the NCAA emphasizes that an inclusive culture is the best approach to achieving diversity. It represents a shift from embracing diversity as a metric to encouraging inclusion as a value in leadership and decision-making processes.

Inclusion in intercollegiate athletics, as in all areas of the campus, starts with the president. Presidents and chancellors must set an unwavering tone acknowledging the value of diversity and equally importantly, the practice of inclusion. The mission of higher education includes creating and fostering a diverse community where male and female students from all backgrounds, races, ethnicities, national origin, with differing experiences, who look at life through dissimilar lenses converge to learn and grow from each other. This commitment should resonate throughout the athletics department and will then be demonstrated by our student-athletes. In many cases, athletics has led the institution in seeking a more diverse student-athlete population. The doors to many higher education opportunities throughout the nation were opened to students of color in part because they already were open to student-athletes of color. This initiative seeks to further that leadership.

The enterprise represents a shift in primary focus from development and delivery of programmatic elements to advocacy for best practices and policy decisions that strengthen the Association's commitment to seeking out diverse viewpoints.

Four priorities have emerged through two years of dialogue with the NCAA membership and affiliate organizations:

- Increased engagement of university presidential leadership;
- Increased partnership and dialogue with affiliate organizations that support inclusive efforts in higher education;
- Exploration of policy initiatives that advance an inclusive culture in intercollegiate athletics; and
- A national office system that can model an inclusive business environment.

The Association was restructured its governance system by 1) placing a president or chancellor from each division on the Committee on Women's Athletics (CWA) and one from each division on the Minority Opportunities and Interests Committee (MOIC), and conducting joint sessions of these two committees, twice per year; 2) balancing representation on those committees equally amongst divisions; and 3) identifying three new joint subcommittees to address broader inclusion topics: Disabilities; Minority Women and Lesbian, Gay, Bisexual and Transgender (LGBT) experiences.

The Council noted the presentation was very comprehensive and the Inclusion staff's willingness to present at institutions and conferences. It would be a great opportunity for the membership to do more with inclusion.

Presidents Council. The Council received a similar report during its August 8 meeting with the President's Advisory Group. No action was necessary.

## **7. *ADJOURNMENT.***

Management Council. The Management Council meeting adjourned at 11:34 a.m. on July 24.

Presidents Council. The Presidents Council meeting adjourned at 11:16 a.m. on August 9.

## NCAA Division III Sponsored Legislation for 2013 NCAA Convention

**Membership Sponsored Proposals (4):** An asterisk deems strategic and should be reviewed by NCAA Division III President Council.

Title and Intent	Rationale	Source and Committee Referrals
<p>1. AMATEURISM -- PROMOTIONAL ACTIVITIES -- PROSPECTIVE STUDENT-ATHLETE'S PARTICIPATION IN INSTITUTIONAL FUNDRAISERS</p> <p><b>Intent:</b> To permit prospective student-athletes to participate in institutional fundraisers prior to their initial collegiate enrollment provided the prospect has graduated and has forwarded the paid acceptance of the institution's written offer of admission and/or financial aid.</p>	<p>Currently, prospective student-athletes are prohibited from participating in institutional fundraisers prior to their attending classes or reporting for practice activities. This prohibition precludes those prospective student-athletes who have made a determination on their institution of attendance from participating in fundraisers that may be intended to pay or supplement the costs associated with preseason practice (e.g., food, lodging) and/or other participation-related expenses.</p>	<p><b>Source:</b> Wisconsin Intercollegiate Athletic Conference</p> <p><b>Committee Referrals:</b> NCAA Division III Interpretations and Legislation Committee and NCAA Division III Student-Athlete Advisory Committee</p>
<p>2. RECRUITING -- ELECTRONIC TRANSMISSIONS -- ALL FORMS OF PRIVATE ELECTRONIC CORRESPONDENCE PERMITTED</p> <p><b>Intent:</b> To specify that any form of electronically transmitted correspondence (e.g., electronic mail, Instant Messages, text messages or facsimiles) including private communication through a social networking site may be sent to a prospective student-athlete (or the prospective student-athlete's parents or legal guardians), provided the correspondence is sent directly to the prospective student-athlete (or his or her parents or legal guardians) and is private between only the sender and recipient (e.g., no use of public chat rooms, message boards, or public communication through a social networking site).</p>	<p>There is a growing concern that current prohibitions on electronic transmissions are outdated and lagging behind prospective student-athletes' use of technology. Current limitations are inhibiting the exchange of information in the most efficient, cost effective and least intrusive means as compared to other forms of communication, such as telephone calls. Developments in technology have made it easier and less expensive to communicate through the expanded availability and prevalence of mobile communication devices that are multifunctional and often provide options for the user to define his or her communication preferences. Institutions have been permitted to send an unlimited number of emails to student-athletes for several years and there have not been any concerns regarding frequency or intrusion. This proposal seeks to deregulate the current restrictions on private electronic communication through social networking sites as well as define private electronic correspondence in a broad manner in order to account for future advancement in technology. In addition, the burden and expenditure of resources related to rules monitoring will be greatly decreased.</p>	<p><b>Source:</b> Minnesota Intercollegiate Athletic Conference, St. Louis Intercollegiate Athletic Conference</p> <p><b>Committee Referrals:</b> Interpretations and Legislation Committee and Student-Athlete Advisory Committee</p>

Title and Intent	Rationale	Source and Committee Referrals
<p>*3. AWARDS AND BENEFITS -- SPECIAL ACHIEVEMENT AWARDS -- CONFERENCE POSTGRADUATE SCHOLARSHIP</p> <p><b>Intent:</b> To permit NCAA member conferences to provide an award granting a scholarship for graduate school to one male and one female student-athlete that have excelled in the classroom, in athletics and the community and who have exhausted their eligibility.</p>	<p>Similar to the NCAA Postgraduate Scholarship, a conference postgraduate scholarship award (not administered or awarded by a member institution) would permit a conference to recognize one male and one female student-athlete in the form of an award based on their overall collegiate accomplishments including academic, athletic and community involvement to assist with the student-athletes' postgraduate studies.</p>	<p><b>Source:</b> St. Louis Intercollegiate Athletic Conference</p> <p><b>Committee Referrals:</b> Interpretations and Legislation Committee, NCAA Division III Financial Aid Committee, and Student-Athlete Advisory Committee *</p>
<p>4. PLAYING SEASONS -- FOOTBALL -- OUT OF SEASON ATHLETICALLY RELATED ACTIVITIES -- PERMISSIBLE USE OF HELMETS AND FIELD EQUIPMENT</p> <p><b>Intent:</b> To permit an institution to use field equipment and helmets during athletically-related activities in the football conditioning, strength training and limited skill instruction period.</p>	<p>The addition of the permissible use of football-related skill, training and safety equipment during the 16-day strength, conditioning and limited skill instruction period will allow coaches broader and more comprehensive options to teach and train their student-athletes in a safe environment. The overall safety and well-being of the student-athlete is addressed with the permissible use of helmets during the strength, conditioning and limited skill instruction period. Student-athletes in the offensive and defensive line positions will be able to learn, develop and practice skills specific for their positions more effectively by using sports training equipment designed for those positions (i.e., blocking sleds, hand shields). On field physical contact remains impermissible during the strength, conditioning and limited skill instruction period.</p>	<p><b>Source:</b> American Southwest Conference</p> <p><b>Committee Referrals:</b> Interpretations and Legislation Committee, NCAA Division III Management Council Playing and Practice Seasons Subcommittee, NCAA Committee on Competitive Safeguards and Medical Aspects of Sports, and Student-Athlete Advisory Committee</p>

**Governance Proposals (10):** An asterisk deems strategic and should be sponsored by Presidents Council. No asterisks means it may be sponsored by Management Council.

Title and Intent	Rationale	Source
<p>1. AMATEUR STATUS -- BEFORE INITIAL, FULL-TIME COLLEGIATE ENROLLMENT - PRIZE MONEY BASED ON TEAM PERFORMANCE</p> <p><b>Intent:</b> To specify that before initial full-time collegiate enrollment, an individual may accept payment based on the individual's or his or her team's place finish or performance, or given on an incentive basis (e.g., bonus) from a team, provided the combination of such payments and expenses provided to the individual does not exceed his or her actual and necessary expenses.</p>	<p>Prior to initial full-time collegiate enrollment an individual may compete in an open event and receive prize money based on his or her place finish or performance. Such prize money is not limited to actual and necessary expenses. Individuals that compete on a team are not afforded the same opportunity to receive prize money based on performance. NCAA Divisions I and II permit individuals to receive prize money based on a team's performance without jeopardizing their amateur status. Consequently, individuals in team sports are being put in a difficult situation. The individual on a winning team may accept prize money while her teammate who is considering a Division III institution could not accept the money. It is not equitable to treat the team sport athletes differently, nor is it reasonable for an individual to discern these amateurism nuances between divisions. Consistency as well as fairness for these individuals justifies allowing receipt of prize money based on a team's performance, so long as the prize money does not exceed actual and necessary expenses.</p>	<p>NCAA Division III Management Council (Interpretations and Legislation Committee).</p>
<p>2. PLAYING AND PRACTICE SEASONS -- FOOTBALL -- OUT-OF-SEASON ATHLETICALLY RELATED ACTIVITIES</p> <p><b>Intent:</b> To permit the use of hand shields during the spring football strength and conditioning period.</p>	<p>The use of hand shields during the strength and conditioning period allows coaches to provide skill instruction to student-athletes who are not "skill position" players or special teams' players. Specifically, coaches will be able to teach proper stance, hand placement and movement, including blocking which would enhance the safety of the game. The use of hand shields would be restricted to one-on-one and two-on-two skill instruction and would continue to prohibit player-to-player contact.</p>	<p>NCAA Division III Management Council (Playing and Practice Seasons Subcommittee).</p>

Title and Intent	Rationale	Source
<p>3. PLAYING AND PRACTICE SEASONS -- FOOTBALL -- FIVE-DAY ACCLIMATIZATION PERIOD -- THREE-HOUR RECOVERY PERIOD</p> <p><b>Intent:</b> In football, to establish that on any day during the five-day acclimatization period, student-athletes must be provided with at least three continuous hours of recovery time between all sessions.</p>	<p>The current legislation regarding the five-day acclimatization period in football permits a member institution to conduct an on-field practice or testing session in conjunction with a walk-through session without a three-hour recovery period between the two sessions if the walk-through session occurs first. The NCAA Committee on Competitive Safeguards and Medical Aspects of Sports reviewed the current permissible walk-through legislation in football and found inconsistencies across the three divisions. In the interest of providing consistent safeguards for student-athletes, the committee recommended that the three divisions evaluate this legislation and align the language with that of Division II, which states that student-athletes must be provided with at least three continuous hours of recovery time between any sessions occurring that day. Amending the legislation to require a three-hour period between all sessions would ensure that Division III student-athletes have recovery from the cumulative effects of on-field activities, especially in the heat.</p>	<p>NCAA Division III Management Council (Committee on Competitive Safeguards and Medical Aspects of Sports).</p>
<p>*4. DIVISION MEMBERSHIP -- CHAMPIONSHIP ELIGIBILITY AND GRANT FUNDING -- INSTITUTIONS RECLASSIFYING FROM DIVISION III TO DIVISION II</p> <p><b>Intent:</b> Stipulating that a Division III member institution is ineligible for Division III championships and Division III grant funding once it is officially accepted and commences with the Division II reclassification program.</p>	<p>Division III legislation currently allows a Division III member institution that is reclassifying to Division II to access Division III championships and grant funding during the first year of its Division II candidacy, provided the Division III institution does not provide athletically related financial aid. The current legislation is challenging for the reclassifying institution because the institution intends to function and follow Division II legislation, yet it hopes to maintain eligibility for access to Division III championships and grant funding by complying with Division III legislation. Further, there is an inherent competitive advantage for a Division III institution reclassifying to Division II due to the promise of athletically related aid and announcement of the transition.</p>	<p>Division III Presidents Council [Management Council, Membership Committee]*</p>

Title and Intent	Rationale	Source
<p>5. ELIGIBILITY -- FOUR-YEAR COLLEGE TRANSFERS -- EXCEPTIONS -- TRANSFER FROM A DIVISION III INSTITUTION -- CHANGE FROM SEASON OF PARTICIPATION TO ANY PARTICIPATION.</p> <p><b>Intent:</b> Specifying that if a transfer student-athlete practiced or competed at a Division III institution, then the student-athlete shall be athletically and academically eligible at the original institution to be immediately eligible upon transfer.</p>	<p>Currently, the four-year transfer exception allows a student-athlete to transfer and be immediately eligible if the student-athlete has not used a season of participation at a Division III institution, and has never practiced or competed in intercollegiate athletics at a non-Division III institution. Effectively, a student-athlete that is academically ineligible at one Division III institution could transfer to another Division III institution and be immediately eligible provided the student-athlete has not used a season of participation. For example, the current rule allows a student-athlete to participate and compete in the nontraditional segment (which does not trigger the use of a season of participation) in the fall, become academically ineligible, and then transfer to another Division III institution mid-year and become immediately eligible for competition in the spring championship segment. In this situation the student-athlete has transferred out of an academic ineligibility. The proposal affirms that academic eligibility should be the primary consideration when determining eligibility status for a transfer student-athlete.</p>	<p>NCAA Division III Management Council (Interpretations and Legislation Committee)</p>
<p>6. PLAYING SEASONS -- TENNIS -- FALL PERIOD -- EXCEPTION TO PLAYING SEASON -- INTERCOLLEGIATE TENNIS ASSOCIATION -- NATIONAL SMALL COLLEGE CHAMPIONSHIP.</p> <p><b>Intent:</b> Specifying that a student-athlete's practice for or participation in the Intercollegiate Tennis Association (ITA) National Small College Championship is not considered part of the institution's declared playing season.</p>	<p>The Intercollegiate Tennis Association (ITA) National Small College Championships began in 1986 and annually crowns men's and women's singles and doubles national champions in each of the ITA's four small college divisions [NCAA Divisions II and III, National Association of Intercollegiate Athletics (NAIA) and Junior/Community College] during the month of October. Participants are determined through the ITA Regional Championships, held in September and October, which serve as qualifying tournaments. The ITA championships are conducted during the fall period in tennis. Under the current rules, if coaches work with the one or two student-athletes that qualify for the national championships, then that interaction has to count against the 19 week playing season. This proposal allows the few student-athletes that qualify for the ITA championship to continue to receive coaching and not have the entire team disadvantaged by losing weeks of the playing season [This recommendation resulted from a review of NCAA Division II Proposal No. NC-2013-4].</p>	<p>NCAA Division III Management Council (Interpretations and Legislation Committee).</p>

Title and Intent	Rationale	Source
<p>7. ELIGIBILITY -- RECOGNIZED STUDY ABROAD PROGRAMS -- OUTSIDE COMPETITION AND TRANSFER EXCEPTION</p> <p><b>Intent:</b> Specifying that a student-athlete that participates in athletics while engaging in a study abroad or foreign exchange program that is recognized by his or her institution, shall not trigger the outside competition legislation; further, to specify that a student-athlete participating in such a program shall not be considered a transfer student-athlete upon return to his or her institution.</p>	<p>When a student-athlete participates in a foreign exchange or study-abroad program as a part of their collegiate experience, they could trigger transfer status, or render themselves ineligible if they compete on an outside team while engaging in that program. Under this proposal a student-athlete would not have to be concerned with those consequences if the program is recognized by his or her institution. This simplifies the eligibility analysis and promotes participation in study abroad programs.</p>	<p>NCAA Division III Management Council (Interpretations and Legislation Committee).</p>
<p>8. PLAYING AND PRACTICE SEASONS -- ICE HOCKEY -- FIRST PERMISSIBLE CONTEST DATE -- NOVEMBER 1</p> <p><b>Intent:</b> Specifying that the first permissible contest date for ice hockey be November 1.</p>	<p>In ice hockey the first permissible contest date and practice date are the same, which raises concerns for student-athletes' health and well-being. The Committee on Competitive Safeguards and Medical Aspects of Sports reasoned that student-athletes cannot rapidly be conditioned into shape, and that as a result, the student-athlete should be protected from premature exposure to the full rigors of competition. Consequently, the subcommittee determined that student-athletes would benefit by designating November 1 as the first permissible contest date. The subcommittee recognized that a two-week delay between the first practice date and the first contest is typical in many sports and with the length of the ice hockey season, institutions would not be negatively impacted by such a delay.</p>	<p>Management Council (Playing and Practice Seasons Subcommittee)</p>



Title and Intent	Rationale	Source
<p>*9. PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING-SEASON REGULATIONS -- SICKLE-CELL TRAIT STATUS</p> <p><b>Intent:</b> To provide education regarding sickle-cell trait for all students-athletes and provide additional mandatory education for those that do not confirm their status. Further, require confirmation of sickle-cell trait status for all student-athletes not later than the 2014-15 academic year including mandatory confirmation of status of all incoming student-athletes (first year and transfers) in the 2013-14 academic year.</p>	<p>By encouraging awareness of one's sickle-cell trait (SCT) status, this proposal promotes the health and safety of all student-athletes. Knowledge by the student-athlete and education by key institutional staff that conducts and monitors workouts continues to be the most important factor for determining appropriate precautions and interventions and ultimately preventing catastrophic events. Consequently, education, in addition to knowledge of one's own trait status, is a key component to the overall health and well being of the student-athlete. Education is required for all student-athletes, and those that either waive the test or want to participate before results of the test are confirmed shall be provided additional education regarding the implications of their decision and the risks, impact and precautions related to sickle cell trait. Many Division III institutions already confirm SCT status as part of their medical examination process confirming both the need and feasibility of this health and safety measure. Likewise, the Committee on Competitive Safeguards and Medical Aspects of Sport (CSMAS) has determined the need of these measures for Division III, based on Division III specific data and research. Combining knowledge of SCT status with a robust educational program puts all of our institutions in the best position to protect our student-athletes' health and well-being.</p>	<p>Division III Presidents Council – [Management Council, Competitive Safeguards and Medical Aspects of Sports]*</p>
<p>*10. ORGANIZATION -- PRESIDENTS COUNCIL -- INCREASE COMPOSITION TO 18 MEMBERS -- AMEND REPRESENTATIONAL REQUIREMENTS</p> <p><b>Intent:</b> To increase the Presidents Council membership from 15 to 18 members and amend the specific representational requirements regarding the enrollment and public/private status of the institutions being represented as well as the gender composition of the Council.</p>	<p>The compositional requirements for Presidents Council have not changed since 1998, when the membership increased the composition of the Division III Presidents Council from 11 to 15, to allow the Council to better perform its duties. Those four additional positions were "at large" positions. Over that period, Division III has experienced significant growth. The proposed increase recognizes that growth and enhances presidential representation and involvement. The specific representational requirements more accurately reflect the current Division III membership.</p>	<p>Division III Presidents Council* [Working Group on Representational Requirements]</p>