A G E N D A

The National Collegiate Athletic Association

Division III Presidents Council

Hall of Champions
Indianapolis, IN

October 26-27, 2011

Wednesday, October 26, from 5 to 8:30 p.m.
Joint Session with Division II Presidents Council
[Champion Hall]

1. Welcome and announcements. (Drew Bogner and Jim Bultman)

2. Presentation—Enforcement Experience. (Enforcement Staff Members)

3. Recess for evening. (Bogner and Bultman)

Thursday, October 27
Joint Divisional Breakfast/Meeting at 7:30 a.m.
[Theodore Roosevelt Atrium/Walter Byers Auditorium]
Division III Presidents Council Meeting 9 a.m. to 1 p.m.
[The Gallery]

4. Reconvene and announcements. (Bultman)

5. General information. (Bultman)

   a. Roster. [Supplement No. 1]
   b. Subcommittee assignments. [Supplement No. 2]

6. Minutes, summaries and agendas. (Bultman)

   a. Summary of Summer 2011 Quarterly Meeting; and August 29 Administrative Committee actions. [Supplement No. 3]
   b. Minutes of August 11, 2011, Executive Committee meeting. [Supplement No. 4]

7. Division III Strategic Positioning Platform. (Dan Dutcher) [Supplement No. 5]

@* 8. Management Council report. (Chris Martin/Leah Kareti) [Supplement No. 6]

9. Joint Legislative Steering Committee report. (Bob Antonnuci) [Supplement No. 7]

10. 2012 NCAA Division III Convention.

    a. Convention registration process. (Debbie Kresge) [Supplement No. 8a]
    b. Review schedules. (Kareti) [Supplement No. 8b]
    @ c. Approve proposal groupings. (Jeff Myers) [Supplement No. 8c]
    @ d. Review proposed legislation and approve governance structure positions and speaker assignments. (Myers) [Supplement No. 8d]

@ 11. Report of the Presidents Council Nominating Subcommittee. (Ron Thomas) [Supplement No. 9]

* 12. Academic Reporting. (Eric Hartung) [Supplement No. 10]

13. Governmental relations update. (Bultman) [Supplement No. 11]

14. Future meetings. (Bultman)

    a. January 12-13, 2012, Indianapolis (Presidents Council and Presidents Advisory Group meetings in conjunction with the 2012 NCAA Convention).
    b. April 25-26, 2012, Indianapolis.
    c. August 1-2, 2012, Indianapolis – President's Advisory Group (PAG) Meeting – and Presidents Council Meeting.
    d. October 29-30, 2012, Indianapolis.

15. Other Business. (Bultman)

    - ArbiterSports update. [Supplement No. 12]

16. Adjournment.

@ Denotes key action items.

**** Denotes key discussion topics.***

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2012 PRESIDENTS COUNCIL COMMITTEE/SUBCOMMITTEE ASSIGNMENTS

Antonucci, Robert *(January 2015)*
- Infractions Appeals
- PC/MC Joint Legislative Steering Committee

Bultman, James *(January 2013)*
- Administrative Committee
- Executive Committee

Chema, Thomas *[January 2013]*
- Strategic Planning and Finance Committee

Edmundson, Charles *(January 2015)*
- Convention-Planning Subcommittee

Herzberger, Sharon *(January 2015)*
- Nominations Subcommittee
- Convention-Planning Subcommittee

Levin-Stankevich, Brian *(January 2014)*
- Strategic Planning and Finance Committee

Marsh Ryerson, Lisa *(January 2015)*
- Strategic Planning and Finance Committee

Ohle, Jack *(January 2014)*
- Executive Committee Subcommitee on Gender and Diversity Issues.

Ohles, Frederik (*January 2014*)
- Nominations Subcommittee

Reichard, Rosalind *(January 2014)*
- Nominations Subcommittee
- PC/MC Joint Legislative Steering Committee

Schmotter, James *(January 2013)*
- Strategic Planning and Finance Committee – Chair
- Administrative Committee
- Executive Committee

Thomas, Ron *(January 2013)*
- Nominations Subcommittee

Note: The Executive Committee Subcommittee on Gender and Diversity Issues disbanded in 2011. The committees that must include member(s) of the Presidents Council for 2012 include:
- Infractions Appeals
- PC/MC Joint Legislative Steering Committee
- Administrative Committee
- Executive Committee
- Strategic Planning and Finance Committee
- Convention-Planning Subcommittee
- Nominations Subcommittee

SUPPLEMENT NO. 03
DIII President's Council 10/11

MINUTES OF THE

NCAA DIVISION III ADMINISTRATIVE COMMITTEE CONFERENCE NO. 9

Those participating were James Bultman, Division III Presidents Council chair; Chris Martin, Division III Management Council chair; Jeff Martinez, Division III Management Council vice chair; Jim Schmotter, Division III Presidents Council vice chair; Chris Thomforde, Division III Management Council; Dan Dutcher, NCAA; Amy Huchthausen, NCAA; Leah Kareti, NCAA, recording secretary; Kiera Miller, NCAA; Jeff Myers, NCAA and Kristin Nesbitt, NCAA.

[NOTE: These minutes contain only actions taken (formal votes or stated "sense of the meeting") in accordance with NCAA policy regarding minutes of all Association entities. While certain items on the committee's agenda were acted on at various times throughout the meeting, all final actions within a given topic are combined in these minutes for convenience of reference.]

The teleconference occurred August 29, 2011, as was called to order at 2:02 p.m.

Acting for the Division III Presidents Council and Management Council, the Administrative Committee took the following actions:

1. 2012 NCAA Convention Legislation. Reviewed and approved as written or as amended the following legislative drafts of 2012 NCAA Convention legislation sponsored by the NCAA Division III Presidents and Management Councils, consistent with the September 1 deadline.

    a. Amateurism and Executive Regulations – Financial Donations and Advertising and Sponsorship of NCAA Championships – Professional Sports Organizations. To specify that a professional sports organization may serve as a financial sponsor of an intercollegiate competition event, provided the organization is not publically identified as such; and that a professional sports organization may serve as a financial sponsor of an activity or promotion that is ancillary to the competition event and may be publically identified as such; further, to eliminate the prohibition on sponsorship of NCAA championship activities or promotions by professional sports organizations or teams.

    b. NCAA Membership – Member Conference – Conditions, Obligations Privileges and Automatic Qualification – Core Institution. To align the membership requirements for a conference with the automatic qualification requirements for a conference, by doing the following: (1) confirming that member conferences must be comprised of at least seven core Division III institutions; (2) specifying that institutions may be a core member in only one multi-sport conference; and (3) specifying that a member conference is entitled to a two-year grace period if it fails to satisfy the membership requirements. Finally, any institution considered a core institution in more than one multi-sport conference prior to September 1, 2011, may continue as a core institution in those conferences for purposes of satisfying the automatic qualification and conference membership requirements.

c. Division Membership – Division III Philosophy Statement – Affirmation and Clarification of Undergraduate Experience, Broad-Based Athletics Programs, Participation in Non-Athletic Pursuits and Autonomy in Eligibility Standards. To specify in the philosophy statement that Division III institutions: emphasize intercollegiate athletics as primarily focused on a four-year, undergraduate experience; encourage participation by maximizing the number and variety of sport offerings for their students through broad-based athletics program; assure that student-athletes are supported in their efforts to meaningfully participate in non-athletic pursuits to enhance their overall educational experience; and exercise institutional and/or conference autonomy in the establishment of initial and continuing eligibility standards for student-athletes.

d. Personnel – Conduct of Athletics Personnel – Certified Strength and Conditioning Coaches – Required Sports-Safety Training. To require certified strength and conditioning coaches to maintain current certification in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use if they conduct voluntary strength and conditioning activities outside the playing season.

e. Playing and Practice Seasons – General Playing-Season Regulations – Required Sickle-Cell Testing. To require a sickle cell solubility test as part of the mandatory medical examination, unless documented results of a prior test are provided to the institution or the student-athlete declines the test and signs a written release; applicable to all student-athletes beginning their initial season of eligibility and continuing student-athletes.

f. Recruiting – Electronic Transmissions – Allowing Text Messaging. To allow text messaging to be used in the recruiting process.

2. Sage Colleges Appeal of a Denied Sports Sponsorship Waiver. The Administrative Committee granted the institution's appeal request, noting that, based on the correspondence sent to the institution at the time the initial sports sponsorship waiver was granted, it was reasonable for the institution to assume that the original sports sponsorship waiver covered the 2010-11 year. Specifically, the committee's interpretation of the waiver letter was such that the terms of the waiver covered 2008-09, 2009-10 and 2010-11. Regarding the application of the original waiver to women's sports, the committee agreed that the original correspondence was ambiguous as to which sports it covered, and believed the institution acted in good faith by interpreting the letter to cover both men's and women's sports in the 2010-11 year.

With this decision, the committee indicated that the appeal decision letter should include a statement of admonishment about scheduling practices. It is considered bad policy to schedule only the minimum number of required contests in any sport needed for sports sponsorship purposes. The committee also recommended that the Division III Membership Committee require an annual reporting process for institutions covered by multi-year sports sponsorship waivers where resulting correspondence is clear about expectations for the upcoming year.

3. Division III Interpretations and Legislation Committee Vacancy. The Administrative Committee approved the following committee appointments for one immediate and two January 2012 vacancies.

- Immediate vacancy: Donna Ledwin, commissioner, Allegheny Mountain Collegiate Conference.
- January 2012 vacancies: Jason Fein, director of athletics, Drew University; and Lisa Wisniowicz, compliance coordinator, Aurora University.

4. The teleconference adjourned at 3 p.m.

# # # # #

SUMMARY OF SUMMER 2011 QUARTERLY MEETINGS
The National Collegiate Athletic Association

Division III Management Council
July 25-26, 2011
Indianapolis, IN

Kitty Baldridge, Gallaudet University
Kurt Beron, University of Texas at Dallas
Tim Downes, Emory University
Tucker Glass, Plattsburgh State University of New York
Mary Jo Gunning, Marywood University
Marjorie Hass, Austin College
Janine Hathorn, Washington and Lee University
Portia Hoeg, Lake Forest College
Kirin Khan, Mills College
Bill Klika, Fairleigh Dickinson University, Florham
Chris Martin, College Conference of Illinois & Wisconsin [*chair*]
Jeff Martinez, University of Redlands [*vice chair*]
Nancy Meyer, Calvin College
Steve Nelson, University of Wisconsin, Superior
Charlie Robert, Nichols College
Terry Rupert, Wilmington College (Ohio)
Lou Stark, Coe College
Chris Thomforde, Moravian College

ABSENTEES

Stan Ching, Connecticut College
Charles Harris, Averett University
Fredina Ingold, Pennsylvania State University, Altoona

OTHER PARTICIPANTS

Scott Bearby, NCAA
Gary Brown, NCAA
Azure Davey, NCAA
Daniel T. Dutcher, NCAA
Mark Emmert, NCAA
Bernard Franklin, NCAA
Eric Hartung, NCAA
Amy Huchthausen, NCAA
Leah Kareti, NCAA, *recording secretary*
David Klossner, NCAA
Debbie Kresge, NCAA
Kat Krtnick, NCAA
Kiera Miller, NCAA
Karen Morrison, NCAA

Division III Presidents Council
August 11, 2011
Indianapolis, IN

Livingston Alexander, University of Pittsburgh, Bradford
Robert Antonucci, Fitchburg State College
James Bultman, Hope College [*chair*]
Thomas Chema, Hiram College
Charley Edmondson, Alfred University
Sharon Herzberger, Whittier College
Catharine Hill, Vassar College
Brian Levin-Stankevich, University of Wisconsin, Eau Claire
Lisa Marsh Ryerson, Wells College
Chris Martin, College Conference of Illinois & Wisconsin [*chair of Management Council*]
Jeff Martinez, University of Redlands *[vice-chair of Management Council]*
Fred Ohles, Nebraska Wesleyan University
Rosalind Reichard, Emory and Henry College
James Schmotter, Western Connecticut State University [*vice-chair*]

ABSENTEES

Marcia Keizs, York College
Jack Ohle, Gustavus Adolphus College
Ron Thomas, University of Puget Sound

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Azure Davey, NCAA
Daniel T. Dutcher, NCAA
Mark Emmert, NCAA
Bernard Franklin, NCAA
Eric Hartung, NCAA
Amy Huchthausen, NCAA
Leah Kareti, NCAA, *recording secretary*
Annie Kearns, NCAA
David Klossner, NCAA
Debbie Kresge, NCAA
Kat Krtnick, NCAA
Kiera Miller, NCAA
Jeff Myers, NCAA

Jeff Myers, NCAA Kristin Nesbitt, NCAA Delise O'Meally, NCAA Juanita Sheely, NCAA Liz Suscha, NCAA Mary Wilfert, NCAA John Williams, NCAA	Delise O'Meally, NCAA

1. WELCOME AND ANNOUNCEMENTS.

Management Council. The meeting was called to order at 8:03 a.m. by the chair, Chris Martin. The chair welcomed Council members and reviewed the agenda for the meeting.

Presidents Council. The meeting was called to order at 9:09 a.m. by the chair, President Jim Bultman. The Presidents Council attended a joint breakfast of the NCAA Division I Board of Directors and Division II Presidents Council immediately prior to the meeting. This joint breakfast included an update on Association-wide items of interest, including a report on the NCAA Communications task force and litigation update.

2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.

a. Management Council Meetings – April 11-12, 2011.

Management Council. The Management Council approved the summary of its April 11-12, 2011, meetings as presented.

Presidents Council. No action necessary.

b. Presidents Council Meeting – April 28, 2011.

Management Council. No action necessary.

Presidents Council. The Presidents Council approved the summary of its April 28, 2011, meeting as presented.

c. Executive Committee Meeting – April 28, 2011.

Management Council. The Management Council reviewed the minutes of the April 28, 2011, Executive Committee meeting. No action was necessary.

Presidents Council. The Presidents Council reviewed the minutes of the April 28, 2011, Executive Committee meeting. No action was necessary.

d. Administrative Committee Actions.

Management Council. The Management Council approved the minutes of the May 10, May 16, June 9 and July 6, 2011, Administrative Committee actions.

Presidents Council. The Presidents Council approved the minutes of the May 10, May 16, June 9 and July 6, 2011, Administrative Committee actions.

3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.

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

(1) Convention-Planning Subcommittee.

Staff Liaisons:
Davey,
Dutcher,
Kareti,
Kresge

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

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

- Legislative Hot Topics- Recruiting. The session should cover current legislation, highlighting rules application and recent non-controversial updates and then include a discussion of the impact of recruiting rules on institutional enrollment strategy, life-work balance of coaches, and other hot topics.

- Division III Student-Athlete Experience. This session will use the results of the NCAA Growth, Opportunities, Aspirations, and Learning of Students in College (GOALS) and the Higher Educational Research Institute (HERI) study at UCLA to highlight significant elements of the student-athlete experience and discuss what institutions or conference could do with these findings. Examples of information covered include college choice, satisfaction with academic, athletics and extracurricular activities, time demands, community engagement, and self gains.

- NADIIIAAA programming. The division will again give NADIIIAA one if its 90 minutes Convention programming slots, and will request that NADIIIAA consider covering budgeting of Division III athletics departments and use of technology in Division III athletics departments, based on the membership survey results.

Presidents Council. No action was necessary. The Council noted that the 2012 Convention will include the same core schedule as 2011, with Presidents Council commitments beginning with a breakfast meeting on Thursday, January 12 and ending with the business session scheduled for 8 am to noon on Saturday, January 14. The Convention will be held in Indianapolis.

(2) Strategic-Planning and Finance Committee.

Staff Liaisons:
Barnett,
Dutcher,
Hartung,
Huchthausen,
Kareti
Kresge
Worlock,

Council Reps:
Baker,
Beron,
Glass,
Hass,
Levin-Stankevich,
Ryerson,
Martin,
Martinez,
Schmotter,
Stark

(a) 2012 Division III Strategic Plan.

Management Council. The Council approved the 2011-12 Division III Strategic Plan noting the addition of specific divisional priorities to successfully:

- Implement the partnership with Special Olympics;
- Establish a Division III-specific Academic All-America program;
- Partner with Divisions I and II to better establish an Association-wide approach to membership growth management;
- Incorporate the policy focus of the NCAA's Office of Inclusion in the division's management of diversity and gender equity issues; and
- Pursue a substance use deterrence model focusing primarily on education, in partnership with the student affairs community and including appropriate emphasis on the role of coaches. This shall be supplemented by opportunities for voluntary, local testing while the division maintains its championships drug testing program.

The Management Council concluded that these priorities are consistent with previously approved budget items and serve the best interests of student-athletes.

Presidents Council. The Presidents Council approved the Strategic Plan, with the exception of the recommendation related to the financial support of voluntary, local drug testing [See item (b) below].

(b) Drug Testing Models.

Management Council. The Council approved the committee's recommendation to conduct further analysis and refinement of the following drug testing options:

- Matching grant, no required protocol.
- NCAA administered mini grants, both with and without required protocol; and
- Pursue a volume discount through a request for proposal (RFP) for a limited menu of drug testing options. The division would subsidize a portion of this expense using a similar concept to the Identity Purchasing Website.

First, regarding a matching grant program, the committee supported some level of institutional investment in the program, while maintaining ultimate flexibility for institutions by not requiring specific testing protocols. It was noted this will be the most attractive option for institutions already conducting campus-based drug testing.

Second, regarding NCAA administered mini-grants; the committee supported this option, both with and without required protocols, as a way to support institutions that may not have matching funds to dedicate to drug testing. The mini-grant program would provide for some control by the division of how the funds are used, while still affording a campus the flexibility to address local needs and concerns.

Finally, the committee supported the option to pursue a volume discount through RFP for a limited menu of drug testing options where the division would subsidize a portion of this expense (similar to the Identity Purchasing Website concept). This option represents a favorable balance of flexibility in protocol, limiting administrative burden, and maximizing economies of scale.

The committee did not endorse models that would be connected to the Conference Grant Program or otherwise focused on the conference as an entire group, noting the desire of the conference commissioners to maintain the campus-based focus of this initiative. Also, options relying on a single protocol were not endorsed for further study. The committee expressed concern that the ultimate financial allocation for the drug testing program must be consistent with the division's reluctance to launch a national testing program, and that the final testing model must be sensitive to both the Division III philosophy of not treating student-athletes different than the general student body and the usage rates of performance enhancing versus street drugs by student-athletes.

A financial analysis will be included in the refinement of selected proposals for inclusion in the 2012-14 budget.

Presidents Council. In consultation with the Presidents and Chancellors Advisory Group (PAG), the Presidents Council determined that the Division III substance use deterrence strategy should not include the use of financial resources to support optional, campus based drug testing. The PAG and Council concluded that the level of use of performance enhancing substances, as reflected in the results of the division's drug education and testing pilot, does not warrant such an allocation of resources. Rather, the division should focus its efforts and financial resources on education that targets alcohol and other drugs.

(c) Ice Hockey Officiating Stipend.

Management Council. The Council approved the committee's recommendation to deny the funding request of $15,000 ($50 per registrant) to subsidize Division III Ice Hockey officials' registration with ArbiterSports.

The national coordinator of Division III ice hockey officials sought this financial support because ice hockey has a preponderance of single sport conferences in an environment where officiating improvement funds are given to multi-sport conferences. With this request, it was noted that officiating improvement has been identified as a priority by the Division III membership and ice hockey is the first predominately single-sport conference sport to be provided education and training under the NCAA/ArbiterSports joint system.

While the Strategic Planning and Finance Committee appreciates the uniqueness of ice hockey, providing a sport-specific subsidy is inconsistent with both the division's normal treatment of officiating improvement and the ArbiterSports fee structure. Ice hockey sponsoring institutions may seek support through their multi-sport conferences, and the ice hockey officiating community has already negotiated a $24 discount with ArbiterSports by opting to forgo receipt of the standard welcome packet.

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

(d) Identity Activation for 2011-12.

Management Council. The Council reviewed both existing and in-progress identity activation resources. Regarding Division III week, the Council endorsed an early April timeframe to accommodate outdoor activities, involve prospective student-athletes who may have recently committed to attending an institution, and to ensure that all Division III institutions are in a regular academic term. The division should consider moving Division III week to different times in different years, targeting an October implementation for 2012-13.

The Council reviewed the use of the Purchasing Website and institutional and conference credits, and discussed items to be made available for the 2011-12 site. Consistent with the findings of the Strategic Planning and Finance Committee, the Council expressed that the communication efforts need to give greater emphasis to the high school community, including prospective student-athletes and their parents, and high school coaches and admissions counselors. The division should also consider whether different areas of the country would benefit from a different

communications strategy (based on the concentration of Division III institutions in the region). The Council advised that the division should provide materials and talking points to campuses, who can then reach out to applicable high school audiences. As part of this strategy, the division must ensure that its message points are relevant to college coaches, prospective student-athletes and their parents and coaches. The division should also consider the impact on institutions of having many messages to convey (institutional, conference, NCAA, and other affiliations such as religious or state.)

The Council also reviewed plans to develop a customizable video that communicates the overarching Division III platform and also allows for an institution or conference to add local content. A set of instructions or best practices should accompany the video to provide guidance on how to effectively accomplish the customization.

Finally, the Council received an update on the Division III Special Olympics partnership, which officially launched August 1, 2011. Representatives from Special Olympics or North America and guest speaker Jason Plante from Special Olympics Indiana joined the Council for its joint meeting with the Student-Athlete Advisory Committee. It was noted that most Division III championships will include Special Olympics events in 2011-12, and that the division will launch a website supporting this initiative on August 1.

Presidents Council. No action was necessary.

(e) Drug Education/NASPA Collaboration.

Management Council. The Council reviewed the committee's report regarding a proposal for an NCAA Division III-NASPA Alcohol and Other Drug Education Collaboration. The proposal was drafted in response to the results of the division's drug education and testing pilot and presents a framework for collaboration between the NCAA and NASPA (Student-Affairs Administrators in Higher Education) on the creation and maintenance of a drug education resource for use by both NCAA and NASPA members. The division is awaiting formal response from NASPA on this proposal. No action was necessary.

Presidents Council. No action was necessary.

(f) Academic Reporting Pilot.

Management Council. The Council reviewed the Academic Reporting timeline for 2011-12 and noted that a full report of aggregate findings will be shared in October. It is expected that these findings will be shared with the full membership at the 2012 Convention.

Presidents Council. No action was necessary.

(g) Conference Presidential Leadership Update.

Management Council. The Council reviewed the findings of a survey to assess the role of presidential leadership at the conference level regarding roles, participation and expectation of the institutions' presidents. Essentially, only two of the 42 multi-sports conferences did not conduct a presidential meeting in 2010-11. The committee noted the positive momentum represented in the survey findings and suggests that the best way to reach 100% conference participation in a presidential meeting is through personal outreach to the impacted individuals. Further, the committee requested that the staff produce a resource on conducting effective teleconference or video conference meetings for those conferences that are either geographically dispersed or otherwise not able to conduct in-person meetings. No action was necessary.

Presidents Council. No action was necessary.

(h) Division III Budget.

Management Council. The Council reviewed the division's budget report as of June 27, 2011. The results include $23,914,000 in revenue and $18,848,799 in expenses, which reflects a majority of the championship expenses, but excludes many spring events. The Division III reserve balance is expected to be $16,965,255 at year end. No action was necessary.

Presidents Council. The Presidents Council reviewed the division's budget report as of June 27, 2011. No action was necessary.

(3) Joint Legislative Steering Subcommittee.

Staff Liaisons:
Dutcher,
Huchthausen,
Kareti
Myers

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

(a) Approval of guiding principles.

Management Council. The Management Council accepted the guiding principles developed by the subcommittee for its evaluation of legislative proposals. These guiding principles will serve as a standard filter by which the subcommittee can conduct its work in an efficient manner. Further, it will bring a level of transparency to the process for the membership and governance structure to better understand the lens through which the subcommittee will evaluate legislative proposals as to its either strategic or operational focus. The subcommittee noted the importance of maintaining the discretion to forward any proposal to the Presidents Council as it deems necessary; however, it agreed the following principles would establish a framework for its work:

i. Significant financial impact;
ii. Significant effect on legislative principles as addressed in the Division III philosophy statement or strategic positioning platform;
iii. Other issues affecting strategic priorities of the division; and
iv. Significant Association-wide impact.

Presidents Council. The Council accepted the information.

(b) Referral of 2012 NCAA Convention Legislation to NCAA Division III Presidents Council (Membership – Conference Membership Benefits, Conditions and Obligations).

Management Council. The Council referred to the Presidents Council for consideration the 2012 NCAA Convention legislative recommendation from the NCAA Membership Committee regarding conference membership benefits, conditions and obligations. (See page 25 for related action.)

This proposal is a companion to the proposal already sponsored by the Presidents Council regarding core membership for automatic qualification purposes. While this recommendation largely brings consistency to the legislated benefits, conditions and obligations regarding conference membership, its connection to the automatic qualification proposal and impact on conference membership warrants presidential review.

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

(c) Referral of 2012 Convention Legislation to Presidents Council (Playing and Practice Seasons – Required Sickle-Cell Testing).

Management Council. The Council referred to the Presidents Council for consideration the 2012 Convention legislative recommendation from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports regarding required sickle-cell testing. (See page 40 for related action.)

This recommendation addresses an issue that has received regular attention by the governance structure, including the Presidents Council, for nearly two years. The significant health and safety impact along with the potential liability issues support the Presidents Council continued involvement on this matter.

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

(d) Referral of 2012 Convention Legislation to Presidents Council (Executive Regulations – Professional Sports Organizations' Financial Sponsorship of Intercollegiate Competition Events and Ancillary Activities).

Management Council. The Council referred to the Presidents Council for consideration the 2012 Convention legislative recommendation from the NCAA Division III Championships Committee regarding professional sports organizations financial sponsorship of intercollegiate athletics competition events and ancillary activities. (See page 16 for related action.)

This recommendation is in response to the Presidents Council withdrawal of NCAA Division III Proposal No. 2011-13 during the 2011 NCAA Convention. The Presidents Council agreed to withdraw the proposal and charged the national office to more thoroughly examine the issue and return with a more complete proposal to address the involvement of professional sports organizations with intercollegiate competition and other events in a manner consistent with the Association's amateurism principles. This same proposal will be considered in all three divisions as it has an Association-wide impact regarding the administration of NCAA championships. For these reasons, this proposal warrants presidential review.

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

(e) Referral of 2012 Convention Legislation to NCAA Division III Management Council (Personnel – Certified Strength and Conditioning Coaches – Required Sports-Safety Training).

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 Convention legislative recommendation from the NCAA Division III Interpretations and Legislation Committee regarding required sports-safety training for certified strength and conditioning coaches. (See page 36 for related action.)

While this proposal is based on health and safety concerns, it addresses them through an operational requirement that is an extension of existing legislation.

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

(f) Referral of 2012 Convention Legislation to Management Council (Playing and Practice Seasons – Football – Testing During Five-Day Acclimatization Period).

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 Convention legislative recommendation from the Committee on Competitive Safeguards and Medical Aspects of Sports regarding testing during the five-day acclimatization period in football. (See page 41 for related action.)

This proposal modifies the methods of communication that can be used during the recruitment process, but does not materially impact the principles of recruiting, thereby rendering it an operational matter.

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

(g) Referral of 2012 Convention Legislation to Management Council (Recruiting – Permissible Electronic Transmissions).

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 membership-sponsored Convention legislation regarding the elimination of the restrictions on electronic correspondence. (See page 47 for related action.)

This proposal modifies the methods of communication that can be used during the recruitment process, but does not materially impact the principles of recruiting, thereby rendering it an operational matter.

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

(h) Referral of 2012 Convention Legislation to Management Council (Eligibility – Hardship Waiver – Practice After Injury).

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 membership-sponsored Convention legislation regarding practice after a season-ending injury. (See page 47 for related action.)

This proposal is operational in nature as it impacts a student-athlete's eligibility for a hardship waiver.

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

(i) Referral of 2012 Convention Legislation to Management Council (NCAA Membership – Conditions and Obligations of Membership – Eliminating Regional Rules Seminar Attendance Requirement).

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 membership-sponsored Convention legislation regarding elimination of the Regional Rules Seminar attendance requirement to the Management Council for consideration. (See page 46 for related action.)

This proposal is operational in nature as the elimination of this requirement does not have a significant philosophical or strategic impact.

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

(j) Referral of 2012 Convention Legislation to Management Council (Playing and Practice Seasons – Required Day Off – Voluntary Strength and Conditioning Activities Prohibited During Required Day Off).

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 membership-sponsored Convention legislation regarding the prohibition of voluntary workouts conducted by a certified strength and conditioning coach on the mandatory day off during the playing season and outside the playing season. (See page 47 for related action.)

This proposal is operational in nature as the extension of the mandatory day off legislation does not have a significant philosophical or strategic impact.

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

(k) Referral of 2012 Convention Legislation to Management Council (Playing and Practice Seasons – General Playing Season Regulations – Post-season Activities Exempting One Postseason Championship from the 18 or 19 Week Declared Playing Season).

Management Council. The Council accepted for consideration, but did not forward to the Presidents Council, the 2012 membership-sponsored Convention legislation regarding one postseason championship to occur outside the playing season and to exempt one postseason championship from the maximum contest limits. (See page 47 for related action.)

This proposal is operational in nature since it primarily involves scheduling matters which is handled at the administrative, rather than presidential, level at each institution.

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

b. Management Council Subcommittees.

Staff Liaisons: Davey, Nesbitt

Council Reps: Ching, Downes, Harris

(1) Academic Issues Subcommittee.

- **Waiver Directive – Cooperative Educational Work Experience.**

Management Council. The Council approved the subcommittee's recommendation to issue the following directive:

For waivers of NCAA Bylaw 14.1.8.1 for those student-athletes seeking a waiver of full-time enrollment for the 2011-12 academic year and thereafter, a waiver shall be granted for student-athletes participating in a cooperative educational work experience program that is not a required element of the institution's degree program, if the request demonstrates the experience is common or highly recommended in the field of study. To substantiate this assertion, the following documentation must be provided:

1. Official Statement. A statement from the institution's academic authority that confirms both:

   a. The program is common and/or highly recommended in the student-athlete's field of study, and
   b. The student-athlete meets the institutional requirements necessary for participation in the program.

2. Institutional Materials. The pertinent portion(s) of any institutional material(s) that reflect that cooperative educational work experience is common and/or highly recommended in the student-athlete's field of study (e.g., the institution's course catalog, program literature or the official bulletin specific to the student-athlete's degree program or major).

In addition, when reviewing these requests, the subcommittee will refer to the applicant institution's academic eligibility standards to gauge the student-athlete's academic achievement. This policy is consistent with the Division III philosophy that the institution's own academic standards are the appropriate benchmarks for academic success.

The Management Council had referred this issue to the subcommittee on recommendation from the NCAA Division III Interpretations and Legislative Committee after noting the subcommittee often grants full-time waivers for nonrequired programs if the institution can demonstrate that

the program is recommended and/or common for the field of study or profession. As a result, the committee agreed that a waiver directive for nonrequired programs would clarify and reduce the burden on schools submitting waivers in these circumstances.

Presidents Council. No action was necessary.

Staff Liaisons: Brooks, Oakes

Council Reps: Downes, Gunning, Hathorn, Robert, Rupert

(2) Subcommittee for Legislative Relief.

Management Council. The Council received an oral report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons: Myers, Nesbitt

Council Reps: Ching, Harris, Khan, Klika, Martin, Meyer, Nelson

(3) Playing and Practice Seasons Subcommittee.

- **Review of waiver per NCAA Division III Bylaw 17.1.13.**

Management Council. The Council approved the committee's recommendation to deny a request from North Central College to conduct its nontraditional segment for the sport of softball during its "D-term," a nonrequired period that comprises the first portion of the institution's regular winter term. The subcommittee determined that the institution's nontraditional academic calendar did not interfere with the institution's ability to conduct its non-traditional segment. The institution had nine weeks in the fall term, ample time to conduct the four or five week nontraditional segment. The subcommittee was sympathetic to the institution's plight regarding lack of facility time, but indicated this was a concern for many institutions and was not sufficient rationale for waiving the requirements of Bylaw 17. Granting the waiver would not positively impact student-athlete well being and could provide a greater competitive advantage by condensing the time period between the nontraditional segment and traditional segment.

Presidents Council. No action was necessary.

c. Division III Committees.

(1) Championships Committee.

Staff Liaisons: Gentry, Suscha, Williams

Council Reps: Downes, Martin, Nelson

(a) NCAA Bylaw 21.3 Association-Wide Committees – Rules committees without Championships Administration Responsibilities.

Management Council. The Management Council approved in concept noncontroversial legislation to modify NCAA Division III Bylaw 21.3 to include new stand-alone rules committees for the sports of swimming and diving, track and field and cross country, and wrestling. The new

rules committees will consist of nine members (four Division I representatives, two Division II representatives, two Division III representatives and a secretary-rules editor). The modification will create corresponding changes to Bylaws 21.4 and 21.7.5.5.5.

In response to a request for feedback from the NCAA Playing Rules Oversight Panel (PROP), the relevant sport committees discussed the creation of separate rules-making committees and identified several positive outcomes, including a more focused effort on the part of divisional representatives to the rules-making process and greater reach among the membership with respect to sport-focused committee composition. In addition, a move to separate rules committees underscores the importance of a rules-making process that addresses the entirety of the competition season.

The sport committees emphasize the need for regular dialogue with the new rules-making committees to allow for meaningful input in the rules-making process, including the development of rules surveys. For the sports of track and field and cross country and swimming and diving, the committees suggest that, as individuals are evaluated in the nominating process, attention be paid to expertise in the various disciplines within the sport (e.g., diving for swimming and diving, distance running, throws, pole vault, etc. for track and field and cross country).

The estimated budget impact is $30,000 ($10,000 per committee). The rules committees will conduct one in-person meeting on an annual basis. The expense will be covered through a reallocation within the existing budget.

In its approval, the Council expressed concern that the Association-wide rules committees consider the financial impact on Division III campuses of any rules changes.

Presidents Council. No action was necessary.

(b) Bylaw 31.3.3.2.2 Secondary Criteria – Ranking and Selection.

Management Council. The Council approved the committee's recommendation for football only, to modify Bylaw 31.3.3.2.2 to reflect that, when all criteria are equal among teams with undefeated records in the primary criteria, the NCAA Division III Football Committee can evaluate a team's performance in the previous championship season in the secondary criteria for ranking purposes only.

The maximum number of games that a football team can play is 10. The conference schedule typically determines 80 to 90 percent of those games, which is significantly higher than any other sport. After taking into account conference games (an automatic .500 strength-of-schedule), the committee is left with only one or two games that have statistical significance with the existing criteria. Thus, the rankings/selections data provides very little objective information to use in ranking teams. The data that is available in the primary criteria for the first two rankings, and sometimes also for the third ranking, often includes only the win-loss percentage and strength-of-schedule [opponents' win-loss percentage (OWP) and opponents' opponents' win-loss percentage (OOWP)].

Limited or no data is available for in-region head-to-head competition, in-region results versus common opponents and in-region results versus ranked teams. It is also very common for fifteen or more teams to have no losses.

Under the existing selection criteria, a good team in a strong conference is at a significant disadvantage. For example, College A and College B are both 10-0. Ninety percent of their schedules reflect a .500 OOWP, since each conference has an equal number of wins and losses, even though College A plays in a strong conference and had a much tougher road getting to 9-0 than College B. Moreover, no teams in contention are willing to play College A in a 10th contest, so it is forced to schedule a weaker team, resulting in strength-of-schedule slightly less than .500. In contrast, College B, from a weaker conference, has many opportunities to schedule a 10th contest, so it schedules and beats a decent team, resulting in strength-of-strength slightly over .500. Based on the data, the committee has no choice but to rank College B over College A, even though it believes that College A is superior to College B.

Permitting the committee to consider a team's performance in the previous championship season would provide an additional criterion to use to evaluate the teams and distinguish one undefeated team from another. Unlike many sports, a football team's success is based on the performance of a significant number of players; thus the rise and fall of a team is usually not affected by the graduation of a few players. If a team has done well in the previous championship and is currently undefeated, there is a significant probability that the team's prior success is an indicator of future success.

Presidents Council. No action was necessary.

(c) Bylaw 12.6.1 Professional Sports Organizations and Bylaw 31.1.12 Restricted Advertising and Sponsorship Activities.

Management Council. The Council approved the committee's recommendation to sponsor legislation for the 2012 Convention to specify that a professional sports organization (1) may serve as a financial sponsor of an intercollegiate competition event (e.g., regular season, conference

championship, NCAA championship, other postseason completion), provided the organization is not publically identified as such; and (2) may serve as a financial sponsor of an activity or promotion that is ancillary to the competition event and may be publically identified as such.

In the fall of 2010, the NCAA Division III Presidents Council withdrew NCAA Division III Proposal No. 2011-2-6 regarding advertising and sponsorship by professional sports organizations for NCAA championships. The original impetus for the proposal focused solely on marketing and promotional activities and did not fully contemplate other financial arrangements that are typically associated with various contracts used in the overall championships process. For example, elements such as control of concession revenue, operation of suites and assignment of tickets are often negotiated as part of the overall agreement with a stadium or venue and host institution or conference. Inherent to these contractual issues is a mutual agreement between the NCAA, host institution or conference and facility regarding any number of operational and financial considerations that flow in both directions. In some cases, the facility used is owned or controlled by a professional sports organization (e.g., National Football League team, minor league baseball team).

Each division has been operating under a waiver for NCAA championships that have occurred since the issue was originally raised and a legislative change is necessary for future NCAA championships.

While the original issue centered on NCAA championships, the proposed legislative action item is presented to apply for any intercollegiate competition event so that institutions and conferences would not be held to a different standard than the NCAA. Each division is not required to have the same legislation for institutions, conferences and the NCAA within its own division. It is strongly advised, however, that each division agree on the same legislation for NCAA championships (competition and ancillary events) in order to ensure a consistent championships experience for student-athletes in all divisions. In particular, for combined championships such as men's lacrosse (Divisions I, II and III), women's lacrosse (Divisions II and III), and women's rowing (Divisions I, II and III), a result that has the divisions with different legislation for NCAA championships creates practical implications that would likely mean combined championships would no longer occur.

Presidents Council. The Presidents Council agreed to sponsor legislation for the 2012 Convention.

(d) Bylaw 31.1.9.1 Failure to Adhere to Policies and Procedures - Financial Penalties.

Management Council. The Council approved in concept the committee's recommendation to adopt an administrative regulation to modify Bylaw 31.1.9.1 to increase the maximum penalty that may be imposed

for an institution's failure to adhere to published administrative procedures for the submission of regular-season results, availability questionnaires and/or entry forms, from $300 to $600.

The $300 maximum financial penalty for failure to adhere to policies and procedures governing championships administration has not increased since the adoption of the provision. Research suggests that $600 in today's dollars is the equivalent of $300 when the original legislation was adopted. This proposal increases the maximum fine that may be imposed without seeking prior Championships Committee approval. Any fine above $600 would continue to require prior Championships Committee approval.

Presidents Council. No action was necessary.

(e) Championship Bench Size Limits.

Management Council. The Council approved the committee's recommendation to adjust bench size limits for the championships noted below for the 2011-12 academic year. The additional positions are to be filled at the institution's discretion with student-athletes permitted to be in uniform and participate in practice and warm-ups (refer to Nonlegislative Action Item b). Established squad size limits (i.e., the number of student-athletes permitted to participate in a contest) will remain unchanged.

- Baseball – from 34 to 35;
- Field hockey – from 32 to 34;
- Football – from 72 to 75;
- Men's lacrosse – from 38 to 42;
- Men's and women's soccer – from 32 to 35;
- Men's and women's tennis – bench area not applicable, but the number of participants eligible for practice and pre-match warm-up changes from eight to nine; and
- Men's and women's ice hockey – due to current playing rules, bench area remains at 27 and number of participants eligible for pre-game warm-up remains at 22 (not more than 19 skaters and three goalkeepers) for the 2012 championships, but number of participants changes from 21 to 23.

The committee is recommending the bench size increases in response to a resolution adopted at the 2011 NCAA Convention that promised to study the appropriate number of student-athletes allowed in the bench area at various Division III championships. The Management Council should anticipate a follow-up recommendation for review during its October 2011 meeting for corresponding increases to the squad size and travel party of the applicable sports as part of the 2012-14 biennium championships budget request.

The committee suggests this two-step approach in order to respond to immediate concerns about providing additional student-athletes access to the championships experience while focusing on the interest to fully fund the experience whenever possible. And, while the committee considered an unfunded or partially funded approach to bench size expansion, it determined that a fully funded experience better controls for competitive equity and undue pressure on facilities.

By sport recommendations were based on data compiled from previous championships, including a review of the average squad sizes of previous championship participants, and input requested from sport committees. The committee concluded that the existing limits in some sports were adequate and, as a result, did not recommend changes for those sports. As part of its analysis, the committee evaluated total championship opportunities by gender to ensure that the proposed bench size increases do not disproportionately favor one gender over the other.

Funding for the additional bench size positions will be at the institution's expense in 2011-12, since additional personnel above and beyond the squad size and travel party are not reimbursed by the NCAA. In subsequent years, the Championships Committee recommends that the increases would be fully funded, pending budget approval.

Management Council members noted that their endorsement of the policy changes regarding the bench area for 2011-12 should not be interpreted as a blanket endorsement for budget allocations for squad size adjustments in subsequent years. The Council pointed out that it is only one of several enhancements to the student-athlete championships experience that will be considered when the 2012-14 budget is considered (increases in per diem and more flexibility with ground transportation are examples of others).

Presidents Council. No action was necessary.

(f) Bylaw 31.1.5 Squad Limits.

Management Council. The Council approved the committee's recommendation to approve a one-year waiver of the administrative regulation contained within Bylaw 31.1.5 for those sports contained within the championships bench size limits recommendation, specifically baseball, field hockey, football, men's lacrosse, men's and women's soccer, and men's and women's tennis.

The existing bylaw limits the number of student-athletes permitted in competitive uniform at the start of the competition to the squad size established for the sport. With expanded championships access allowed through the championships bench size limits recommendation, the

permissible number of student-athletes in competitive uniform can exceed the squad size limit. A one-year waiver would allow the designation of the appropriate number of student-athletes in competitive uniform to comply with the recommendation contained within the championships bench size limits recommendation.

Presidents Council. No action was necessary.

(g) Team Personnel – Travel Party and Bench Size Requirement.

Management Council. The Council reviewed the committee's report regarding travel party and bench size requirements. As a part of its discussion concerning championships bench size limits, the committee also considered recommendations to accommodate non-student-athlete personnel as part of the bench area limits. Pending the approval of the forthcoming recommendation concerning squad size increases, the committee anticipates submission of a companion proposal that, by the 2012-13 academic year, will require institutions in team sports other than golf and tennis to include an athletic trainer or team physician as a member of the existing travel party in order to receive travel expenses for that position in the travel party. For football, the requirement will be applicable for two such positions. If an institution does not comply, then that spot(s) in the travel party will not be eligible for reimbursement. Institutions also will be allowed to include one additional medical personnel (which could be a student-athlete trainer) – or two additional for football – in the bench area at the institution's expense. In addition, the committee intends to propose that an additional member of the travel party be designated for a team administrator as part of the 2012-14 biennium championships budget request. Currently, while it is required for participating institutions to bring an administrator who does not have other specified duties at the championship, that person is not funded. No action was necessary.

Presidents Council. No action was necessary.

(h) Sport Committee Appointments.

Management Council. The Council accepted the information that the committee's made the following appointments to sports committees. All appointments will be effective September 1, 2011, unless otherwise noted.

- Division III Baseball Committee. Mid-Atlantic region: Bill Stiles, director of athletics and recreation, Alvernia University.
- Division III Women's Basketball Committee. East region: Tara Ruckh, women's basketball coach, State University of New York at Potsdam. Great Lakes region: Dixie Jeffers, women's basketball coach/senior woman administrator, Capital University.

- Division III Field Hockey Committee. North Atlantic region: Wendy Andreatta, head field hockey coach, University of Rochester.
- Division III Football Committee. South region: Loren Dawson, head football coach, Austin College.
- Division III Women's Ice Hockey Committee. ECAC East Hockey League: Renee Hellert, assistant director of athletics, New England College.
- Division III Men's and Women's Track and Field Committee. Atlantic region: Mary Kate Curran, head women's track and field coach, St. Lawrence University.
- Division III Women's Volleyball Committee. Immediate vacancy replacing Sue DuMars – Mid-Atlantic region: Pamela Samuelson, director of athletics, Susquehanna University. Immediate vacancy replacing Elise Cooper – New York region: Jonathan Penn, head women's volleyball coach, Vassar College. September vacancy – West region: Mari Burningham, head women's volleyball coach, University of Redlands.
- Division III Wrestling Committee. Immediate vacancy replacing Frank O'Brien – Midwest region: Dick Simmons, associate director of athletics, Cornell College.

Presidents Council. No action was necessary.

(i) Men's and Women's Basketball Officials ArbiterSports Test.

Management Council. The Council accepted the information that the committee approved a proposal from the NCAA Division III Men's and Women's Basketball Committees (and supported by Division III conference commissioners) that all basketball officials must take and pass an online test on ArbiterSports in order to be considered for selection to work the NCAA Division III Men's or Women's Basketball Championships. The policy is effective with the 2011-12 season.

In order to access the test, an official must register through ArbiterSports and pay a $100 membership fee. Therefore, any official who wants to be considered for NCAA championship selection must register on this website.

Presidents Council. No action was necessary.

(j) Go Ground Transportation Program.

Management Council. Juanita Sheely, NCAA travel and insurance manager, visited the Council to provide an update and receive feedback on the NCAA's Go Ground Transportation pilot program.

Presidents Council. No action was necessary.

Staff Liaisons: Hartung, Myers, Nesbitt

Council Rep: Rupert

(2) Financial Aid Committee.

Management Council. The Council received an oral report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons: Cooper, Elworth

Council Rep: Gunning

(3) Committee on Infractions.

- **NCAA Bylaw 19.5.2 – Penalties for Major Violations.**

Management Council. The Council ratified a policy and procedure to revise Bylaw 19.5.2, per the following:

19.5.2 Penalties for Major Violations

19.5.2.1 Presumptive Penalty. The presumptive penalty for a major violation, subject to exceptions authorized by the Committee on Infractions on the basis of specifically stated reasons, shall include all of the following:

(a) A two-year probationary period (including a periodic in-person monitoring system and written institutional reports);

(b) The reduction in the number of expense-paid recruiting visits to the institution in the involved sport for one recruiting year;

(c) **A restriction on activities and benefits provided during un-official visits**.

(d) A requirement that all coaching staff members in the sport be prohibited from engaging in any off-campus recruiting activities for up to one recruiting year;

(e) A requirement that all institutional staff members determined by the committee knowingly to have engaged in or condoned a major violation be subject to:

- Termination of employment;
- Suspension without pay for at least one year;
- Reassignment of duties within the institution to a position that does not include contact with prospective or enrolled student-athletes or representatives of the institution's athletics interests for at least one year; or
- Other disciplinary action approved by the committee.

(f) Sanctions precluding postseason competition in the sport, particularly in those cases in which:

- Involved individuals remain active in the program;
- A significant competitive advantage results from the violation(s); or
- The violation(s) reflect a lack of institutional control.

(g) Institutional recertification that the current athletics policies and practices conform to all requirements of NCAA regulations.

[Remainder of 19.5.2 unchanged]

It has come to the attention of the office of the Committees on Infractions that, over the past decade or so, many institutions have moved away from using official paid visits as a recruiting tool in favor of unofficial visits. A limitation on the number of expense-paid ("official") visits is a penalty available to the Committees on Infractions in all three divisions under Bylaw 19.5.2. (2010-11 NCAA Manuals). There is currently no penalty available that addresses unofficial visits. In Division III, there are no limits on the number of official or unofficial visits and it would be difficult to restrict prospects in making unofficial visits to campuses. However, it would appear that there could be restrictions placed on the benefits and activities made available to prospects by institutions during unofficial visits. In Division III, examples of such include the following (See: Bylaw 13.7):

- Tickets or passes to athletics contests.
- Transportation to view practice and competition sites on the institution's campus.
- A meal for the prospective student-athlete and his or her relative or legal guardian.
- Housing.
- Contact with institutional staff members.

The members of the Division III COI have approved the proposed new penalty relating to unofficial visits. The new penalty would restrict or prohibit activities and benefits allowed during unofficial visits. As reflected above, it would be inserted after the penalty which allows for a reduction in the number of expense-paid ("official") recruiting visits and would read "Restrictions on activities and benefits available during unofficial visits." The specifics of the restrictions would be spelled out in each case as deemed appropriate by the Committees on Infractions.

With this action, the Management Council directs the committee to focus on applying this penalty in an athletics context only and not impact general recruiting efforts by the institution.

Presidents Council. No action was necessary.

Staff Liaisons: Dantzler, Smith, Walters

Council Reps: Antonucci, Baldridge

(4) Infractions Appeals Committee.

- **Renaming the NCAA Division III Infractions Appeals Committee hearing.**

Management Council. The Council ratified a policy and procedure to revise NCAA Bylaws 19 and 32 to change "hearing" to "oral argument" in sections related to the Infractions Appeals Committee.

The NCAA Division I Committee on Infractions and the NCAA Division I Infractions Appeals Committee Clarification Task Force were charged by the NCAA Division I Board of Directors to review recommendations implemented as a result of the 2006 Enforcement Audit Report May 2006 (Duff Report). A particular area of focus for this working group was on those recommendations that addressed procedures for conducting hearings of the Committee on Infractions and the Infractions Appeals Committee, as well as reviewing and clarifying the relationship between Committee on Infractions and Infractions Appeals Committee.

One of the recommendations from this group was to rename the Infractions Appeals' hearing. The Infractions Appeals Committee process should not be called a "hearing." It is not a hearing which would include the submission of evidence and witness testimony. It is an oral argument where an oral presentation of the party's position and reasoning behind it is presented to an appellate body. The task force believed this change further clarified the process.

Given the purpose of the Infractions Appeals Committee process is consistent across divisions, the Division III Infractions Appeals Committee recommends renaming its hearing to "oral argument".

Presidents Council. No action was necessary.

Staff Liaisons: Davey, Orr

Council Rep: Robert

(5) Membership Committee

(a) Modification of Wording – NCAA Division III Constitution 3.2.4.15 (Convention and Regional Rules Seminar Attendance).

Management Council. The Council approved in concept and final legislative format a modification of wording to clarify that an institutional voting delegate must be present and vote at the NCAA Convention business session in order to meet the legislated attendance requirement. The NCAA Division III Membership Committee noted the original intent of

the NCAA Convention attendance legislation was that it be satisfied by an institutional staff member casting a vote. The committee has been operating under this threshold since the legislation was adopted. This modification of wording will reflect the committee's intent and better clarify the requirement for member institutions.

Presidents Council. No action was necessary.

(b) Convention Legislation – NCAA Division III Constitution 3.3 (Member Conference) – Core and Member Conference Consistency.

Management Council. The Council approved a recommendation to sponsor legislation for the 2012 Convention to clarify the benefits, conditions and obligations of conference membership and align conference membership requirements with those required for automatic qualification (AQ) standards as outlined in a separate 2012 Convention proposal.

The governance structure supported legislation for the 2012 NCAA Convention to permit institutions to only be core members in one conference for AQ purposes. In its support of this proposal, the governance structure charged the Membership Committee with reviewing conference membership regulations to ensure consistency and clarify in conference benefits, conditions and obligation regulations. This proposal reflects the committee's review of the regulations and brings increased consistency and clarity to the member conference regulations.

Presidents Council. The Presidents Council agreed to sponsor legislation for the 2012 Convention.

(c) Noncontroversial Legislation – NCAA Division III Constitution 3.6.3.1.1 (Fee for Provisional Members).

Management Council. The Council approved in concept noncontroversial legislation to modify the provisional and reclassifying membership fee structure such that the amount of the fee(s) will be determined annually by the Division III Membership Committee based on the continual analysis of expenses and benefits associated with the membership process.

As expenses to provide educational services and support to provisional and reclassifying members increase due to changes in programming and costs, it has become necessary to change the fee structure to cover NCAA national office programming expenses. Therefore, it will be

necessary to periodically evaluate this fee and increase as appropriate. Further, use of the NCAA mark (e.g., blue disk) provides financial value and benefits to institutions and the committee recognizes that the blue disk value should be a factor in any future provisional and reclassifying fee(s).

Presidents Council. No action was necessary.

(d) Constitution 3.2.4.15.3 (Waiver) – NCAA Convention Attendance Waiver Request.

Management Council. The Council approved a waiver of the 2011 NCAA Convention attendance requirement per Constitution 3.2.4.15.3 (waiver) for Southern Vermont College. The effective date is September 1, 2010, through September 1, 2011; for the 2011 NCAA Convention.

The institution was unable to attend due to extraordinary weather conditions, personal hardship and the combination of both factors. The committee recognized, however, that the institution still took measures to ensure its vote was cast through its conference commissioner.

Presidents Council. No action was necessary.

(e) Sports Sponsorship Waiver – Wheelock College Waiver of 20.11.3 (Sports Sponsorship).

Management Council. The Council approved a sport sponsorship waiver for Wheelock College (2010-11 academic year) per NCAA Division III Bylaw 20.11.3.6.1 (male-female enrollment ratio waiver).

The committee noted that the institution was granted a sports sponsorship waiver per NCAA Bylaw 20.11.3.9.2 (single-gender institution transitioning to coeducational institution) during the 2007-08, 2008-09, 2009-10 academic years. Specifically, the institution anticipated the full integration of males during this three-year transition period. However, during the 2010-11 academic year the institution still had a disproportionate enrollment ratio and few men had enrolled. The institution sponsors the requisite number of sports for males, but was unsuccessful in meeting the minimum participant requirement in one sport. The institution provided the committee a plan that demonstrated how the institution will meet future sports sponsorship requirements and outlined active measures the institution takes to solicit male student-athletes. Further, the institution demonstrated that a large number of male students are student-athletes and are provided participation opportunities.

Presidents Council. No action was necessary.

(f) NCAA Division III Constitution 3.2.5.1 (Termination or Suspension – Membership Termination – New York City College of Technology.

Management Council. The Management Council accepted the information that New York City College of Technology withdrew its NCAA membership, effective on conclusion of the 2010-11 academic year. The Membership Committee in July had recommended terminating the school's NCAA membership for failure to satisfy penalty terms. At that time, the institution was in restricted status for failure to adhere to sports sponsorship requirements for the 2007-08 and 2008-09 academic years. Since the Membership Committee's meeting, however, the institution informed the NCAA that it is withdrawing its membership. Thus, the institution will no longer be considered an NCAA member as of the 2011-12 academic year.

Presidents Council. No action was necessary.

(g) NCAA Constitution 3.1.2 (athletics consortiums) – Claremont McKenna-Harvey Mudd-Scripps Colleges – Athletics Consortium Request.

Management Council. The Council approved renewal of a four-year athletics consortium between the Claremont McKenna-Harvey Mudd-Scripps Colleges, subject to renewal prior to the 2015-16 academic year.

Claremont-Mudd-Scripps Colleges have a prior, ongoing academic consortium relationship. The institutions also have a long-standing athletics consortium and this request is a renewal of the previously approved athletics consortium. Further, the conference(s) in which the institutions are a member have approved the requested athletics consortium. Renewal of the athletics consortium permits student-athletes from each institution to continue to participate as part of one athletics program.

[Please note that during the discussion and voting on this recommendation, the director of athletics at University of Redlands recused himself and did not participate.]

Presidents Council. No action was necessary.

(h) NCAA Constitution 3.1.2 (athletics consortiums) – Pomona-Pitzer Colleges – Athletics Consortium Request.

Management Council. The Council approved renewal of a four-year athletics consortium membership between the Pomona-Pitzer Colleges, subject to renewal prior to the 2015-16 academic year.

The Pomona-Pitzer Colleges have a prior, ongoing academic consortium relationship. The institutions also have a long-standing athletics consortium and this request is a renewal of the previously approved athletics consortium. Further, the conference(s) in which the institutions are a member have approved the requested athletics consortium. Renewal of the athletics consortium permits student-athletes from each institution to continue to participate as part of one athletics program.

[Please note that during the discussion and voting on this recommendation, the director of athletics at University of Redlands recused himself and did not participate.]

Presidents Council. No action was necessary.

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

Management Council. The Council approved the committee's recommendation to elect the following institutions to active Division III membership per NCAA Constitution 3.2.3.1 (application):

- Franciscan University Steubenville;
- Geneva College; and
- St. Joseph's College (Brooklyn)

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.

(j) Reclassifying Member Annual Reports – Active Membership – NCAA Constitution 3.2.3.1 (Application).

Management Council. The Council approved the committee's recommendation to elect Birmingham-Southern College to active Division III membership per NCAA Constitution 3.2.3.1 (application).

Based on its review of Birmingham-Southern's annual report, the committee agreed that the institution should be elected into active membership.

Presidents Council. No action was necessary.

(k) Provisional/Reclassifying Member Waiver of the Four-Year Provisional Period – Penn State Abington – NCAA Bylaw 20.3.3.1.1 (General).

Management Council. The Council approved a waiver of the four-year provisional period per Bylaw 20.3.3.1.1 (general) for Penn State Abington.

The committee noted that the institution has been exemplary during provisional years one and two, reflecting the ideals of Division III and deserves to be exempt from year three of the standard four-year process consistent with established waiver criteria. For example, the committee noted the institution prepared for Division III membership prior to commencing the provisional process. Further, several institutional administrators (e.g., chancellor, provost/vice president, director of athletics) have been involved and active within the division and its programming opportunities.

Presidents Council. No action was necessary.

(l) Sports Sponsorship – Minimum Contest and Participants Review.

Management Council. The Council accepted the information that the committee reviewed contest and student-athlete participant data. The committee considered the variation in institutional contests and participants and noted that the current contest and participant minimums as legislated in NCAA Bylaw 20.11.3.8 (minimum contests and participants requirements for sports sponsorship) are still appropriate. The committee agreed to solidify the process and criteria it would use to make modifications to the minimums at a future meeting.

The committee also considered a number of sports sponsorship minimum related topics as follows:

a. Women's Golf. The committee reviewed a request from the Division III Women's Golf Committee that sought to reduce the minimum participant number per Bylaw 20.11.3.8 from five to four. The committee observed unique challenges exist in recruiting women's golf student-athletes in Division III and the corresponding lower participant numbers, but did not find that the reported data supported a reduction in the participant minimum. The committee recognized that relief could be provided through a Championships Committee waiver and, therefore, was not in favor of a permanent, legislative reduction. Further, the committee agreed that, generally, the minimum participant and minimum contest numbers should be standardized

across gender within the same sport; therefore, the committee also considered whether to reduce the minimum participant number for both men's and women's golf. The committee noted that lowering the minimums for both genders may not benefit either gender and, consequently, took no action.

b. Swimming and Diving. The committee reviewed a referral from the Interpretations and Legislation Committee (ILC). ILC referred Division I Proposal No. 2010-103 which reduces the Division I contest minimums in swimming and diving. The Division I sports sponsorship minimums were higher than Division III standards. The committee reviewed Division III swimming and diving sports sponsorship data and noted that current Division III swimming and diving minimums are appropriate.

c. Club Competition. The committee reviewed a request to consider permitting contests against club teams of four-year degree granting institutions to count toward meeting contest minimums detailed in Bylaw 20.11.3.8. The committee discussed the issue and declined to take action. In reaching its decision, the committee noted a lack of rigor in regulations and consistency for club teams that is contrary to the regulations that must be followed by Division III institutions.

Presidents Council. No action was necessary.

(m) Dashboard Indicators.

Management Council. The Council reviewed the committee's report noting that the NCAA Executive Committee charged the Division II and III Membership Committees with developing an educational initiative that would take the form of a mandatory, broad-based preliminary educational model for institutions interested in entering the provisional or reclassifying membership process in any division. An institution pursuing NCAA membership should be required to study its potential affiliations in order to ensure the institution reaches a well-informed decision. The Executive Committee indicated this model should include detailed and "user-friendly" comparisons of each division and a comparison model that highlights differences among divisions prior to an institution entering a provisional membership process. In its consideration of the Executive Committee's charge, the committee considered possible indicators that would be of value to any institution considering NCAA membership. The committee suggested that data be included among dashboard indicators such as ethnic/minority enrollment and participation; facility structure and use; personnel salary information (including athletic training staff); budget with scholarships (Divisions I and II institutions)

versus budget without scholarships; length of the playing season and its financial impact on an institution; and the population of residential and nonresidential students. The committee noted the aforementioned elements should be considered in conjunction with any previous recommendations.

Presidents Council. No action was necessary.

(n) Provisional/Reclassifying Process and Advancement.

Management Council. The Council acknowledged that the committee reviewed annual reports and educational materials for each provisional and reclassifying institution currently in the provisional/reclassifying process. As a result of each respective institution's performance in the provisional/reclassifying program, the following designations will take effect September 1, 2011:

- Year One to Year Two: Centenary College (Louisiana).
- Year Two to Year Three: Berry College and Covenant College.
- Year Three to Year Four: Penn State Abington, Spalding University, and State University of New York at Cobleskill.

Presidents Council. No action was necessary.

(o) Exploratory Membership.

Management Council. The Council acknowledged the committee's report accepting the following institutions to the Division III exploratory process for the 2011-12 academic year.

- Georgetown College.
- Houghton College.
- Kentucky Wesleyan College.
- Sarah Lawrence College.
- Southern Virginia University.
- State University of New York at Canton.
- Valley Forge Christian College.

Presidents Council. No action was necessary.

Staff Liaison: Tufano

Council Rep: Hoeg

(6) Nominating Committee.

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

Presidents Council. No action was necessary.

Staff Liaisons: Davey, Hollomon Montgomery,

Council Reps: Glass, Khan

(7) Student-Athlete Advisory Committee (SAAC).

(a) Noncontroversial Legislation – Committees - Student-Athlete Advisory Committee – Vacancies.

Management Council. The Management Council approved in concept noncontroversial legislation to shift the SAAC selection process wholly to the Division III Nominating Committee. Further, a student-athlete shall serve on the Nominating Committee in an ex-officio capacity to advice on selections to Division III SAAC.

The SAAC discussed the legislation requiring that the committee review and nominate candidates to fill committee vacancies. The committee indicated that committee nominations and selections should be handled in the same manner as other Division III committees. SAAC noted its preference for involvement in some capacity (e.g., ex-officio on student-athlete committee selections) to provide student-athlete specific guidance to the Nominations Committee.

Presidents Council. No action was necessary.

(b) Referral to NCAA Division III Nominating Committee: Student-Athlete Advisory Committee – Composition.

Management Council. The Council referred to the Division III Nominating Committee a request that it consider decreasing the ethnic minority composition requirement (NCAA Bylaw 21.9.5.10.1) for the Student-Athlete Advisory Committee.

The committee reviewed data related to ethnic minority enrollment at Division III institutions and current ethnic minority requirements for all Division III committees and Division I and II SAACs. The committee recognized that its ethnic minority composition requirement is high and creates administrative challenges and potential imposed commitments and appointments. The committee also recognized that it should be an advocate for diversity and have an ethnic minority composition requirement that is slightly higher than other committees. Therefore, the committee referred this issue to the Nominating Committee for a review and potential decrease.

Presidents Council. No action was necessary.

(c) Referral to NCAA Division III Men's and Women's Swimming and Diving Committee – Championships.

Management Council. The Council referred to the Division III Men's and Women's Swimming and Diving Committee a request that it review the current championship format for men's and women's swimming and diving and consider separating the championships.

The SAAC discussed the co-ed Division III Swimming and Diving Championships. The committee was concerned with several aspects that negatively affect student-athletes including crowded deck space that may result in reduced roster sizes, missed class time due to the expansion of days to accommodate both championships, less opportunity to rest between competition because of a condensed schedule and less opportunity for quality warm-up due to both genders sharing lanes. Further, it was noted that this model results in decreased opportunities for institutions with smaller facilities to host swimming championships and would have a disparate impact on single-gender institutions. There was a concern that one gender's student-athletes may receive more attention from coaches who are responsible for both men's and women's teams at a particular institution.

In its referral, the Management Council also requested the Swimming and Diving Committee consider the reason why these championships are currently combined, and to consider the impact of shared coaches and combined programs at the institutional level.

Presidents Council. No action was necessary.

(d) Response to Referrals from the Interpretations and Legislation Committee.

Management Council. The Council accepted the information that the SAAC responded to referral requests from ILC:

i. Text messaging to prospective student-athletes on club teams. The committee was in favor of allowing text messaging to prospective student-athletes that participate on a team coaches by a Division III athletics staff member for administrative-related purposes (e.g., cancel practice). The committee noted that its concerns relative to informality and personal intrusion were not relevant because a coach in this situation already has a relationship with the prospective student-athlete. The committee concluded practical aspects outweighed other communication concerns.

ii. Transfer exception for a student-athlete who is academically ineligible but has not used a season of participation. The committee discussed the potential for student-athletes to participate in a

nontraditional segment, render themselves academically ineligible, transfer and be immediately eligible for competition at a second institution. The committee noted that the division should hold student-athletes accountable for academic standards rather than providing opportunities to student-athletes who render themselves academically ineligible. The committee discussed the concept that a student-athlete should not be allowed to transfer out of trouble. Further, it noted that recently adopted legislation that allows participation in the nontraditional segment without using a season of participation produced an unintended loophole that should be closed. The committee would be in favor of adjusting the legislation to eliminate the unintended loophole. The committee reasoned that allowing student-athletes to transfer out of trouble is inconsistent with Division III values and emphasis on academics.

iii. Certified strength and conditioning coaches. The committee considered whether all strength and conditioning coaches should be certified in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use, similar to the requirement for head coaches. The committee noted that certification in first aid, CPR and AED use is a safety consideration and strength and conditioning coaches should be trained in these areas since they are now allowed to conduct voluntary workouts.

Presidents Council. No action was necessary.

(e) Special Olympics Partnership.

Management Council. The Council accepted the information that the committee received an update on the relationship between Division III Championships and Special Olympics. The committee reviewed its role and potential ideas for a continued, enhanced relationship between Special Olympics and championships. The committee noted that conducting Special Olympics activities and involving Special Olympics Athletes in Division III championship finals will be both rewarding for Division III student-athletes and Special Olympics Athletes. Further, these efforts work well with the division-wide initiative. SAAC members will work with NCAA championships staff, host conferences and institutions and state Special Olympics representatives to conduct Special Olympics events or involvement at all championships sites that are predetermined.

Presidents Council. No action was necessary.

(f) Committee on Women's Athletics and Minority Opportunities and Interests Committee structural changes.

Management Council. The Council accepted the information that the committee reviewed the proposed restructuring of the inclusion advocacy committees within the governance structure, and, while it recognized the value of combining the efforts of the two committees, it also noted the subcommittees‟ historical focuses and expertise have been on race and gender. SAAC supports the restructuring only if the nominations process for the newly composed committees specifically seeks individuals that are equipped to handle issues beyond the scope of race and gender (e.g., sexual orientation, disabilities).

Presidents Council. No action was necessary.

(g) Minority Opportunities and Interests Committee – Confederate Flag.

Management Council. The Council accepted the information that the committee discussed the NCAA championships policy regarding states that fly the Confederate flag. The committee discussed the meaning of and emotion evoked by the flag. It was noted the messaging that is associated with the Confederate flag is not only contrary to equity that intercollegiate athletics represents, but also may make student-athletes feel unsafe and unwelcome. The committee discussed whether the policy should extend to both predetermined and non-predetermined championships sites and determined that any institution in a state that has the Confederate flag as part of its state flag should not be considered a safe site for all student-athletes. It was recognized that institutions are not in control of state policy and there may be an impact on student-athletes that attend these institutions, but the committee concluded that when an institution hosts an event, the event and its related activities are not just conducted on the campus but are also in the town, community and state that may endorse anti-NCAA value(s).

Presidents Council. No action was necessary.

Staff Liaisons: Ghiloni, Groddy

Council Rep: Gunning

(8) Student-Athlete Reinstatement Committee.

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

Presidents Council. No action was necessary.

Staff Liaisons: Huchthausen, Myers

Council Rep: Beron

(9) Interpretations and Legislative Committee (ILC).

(a) 2012 NCAA Convention Legislation – Personnel – Conduct of Athletics Personnel – Sports-Safety Training for Certified Strength and Conditioning Personnel.

Management Council. The Council agreed to sponsor legislation for the 2012 NCAA Convention to amend NCAA Division III Bylaw 11.1.6 (sports-safety training) to require certified strength and conditioning coaches to maintain certification in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use.

The NCAA Division III Interpretations and Legislation Committee reviewed NCAA Division I Proposal No. 2010-85 that requires strength and conditioning coaches that conduct voluntary weight training and conditioning to hold an active certification in first aid, CPR and AED use. The committee noted recent legislation that permits only certified strength and conditioning coaches to conduct voluntary workouts and agreed that first aid, CPR and AED certification would provide additional safety measures for student-athletes. The committee observed that some organizations that offer strength and conditioning certifications already require individuals to have some first aid, CPR and/or AED certification but it is unclear whether all entities require this and whether it needs to be active at all times. In light of these considerations, the committee agreed that limiting first aid, CPR and AED certification requirements only to certified strength and conditioning personnel is the option that is most consistent with the current legislation requiring certification only for head coaches and provides additional health and safety benefits to student-athletes.

Minimal for certification ($0 to $30 per coach) since institutions can outsource the training or train their own staff as instructors. Moreover, this is not an annual cost since first-aid certification is valid for three years and CPR certification is valid for one to two years (depending on the certifying organization). Division III grant and initiative funding may be used to offset these costs.

Presidents Council. No action was necessary.

(b) Approval of Official Interpretation – Contact at Prospective Student-Athlete's Practice or Competition Site.

Management Council. The Council approved the following official interpretation:

Contact at Prospective Student-Athlete's Practice or Competition Site (III). The NCAA Division III Interpretations and Legislation Committee confirmed it is permissible for an institution's coach to contact a prospective student-athlete at the prospective student-athlete's away-from-home practice or competition site provided the competition has been completed, the prospect has departed the meeting and dressing facility and the prospective student-athlete's coach has released the prospective student-athlete. A prospective student-athlete may be "released" for purposes of allowing contact even if the prospective student-athlete will be traveling back home with the team. [References: NCAA Division III Bylaw 13.1.4.2 (practice or competition site)]

The committee reviewed issues that arose from the 2011 NCAA Regional Rules Seminars and agreed to issue a formal official interpretation on this particular question.

Presidents Council. No action was necessary.

(c) Approval of Official Interpretation – Expenses for Mandatory Medical Exam Prior to Becoming a Student-Athlete.

Management Council. The Council approved the following official interpretation:

Expenses for Mandatory Medical Exam Prior to Becoming a Student-Athlete (III). The NCAA Division III Interpretations and Legislation Committee confirmed that an institution may conduct a medical examination of a prospective student-athlete during an official or unofficial visit, or in conjunction with the prospective student-athlete's arrival to campus prior to the beginning of preseason practice and/or the academic year, provided the prospective student-athlete has been accepted for regular full-time enrollment at the institution. [Reference: NCAA Division III Bylaws 13.02.6 (prospective student-athlete), 13.11.1 (prospective student-athlete defined for tryout-rule purposes), 16.4 (medical expenses), 16.5.1-(a) (preseason practice expenses) and a staff interpretation (6/9/04, Item Ref. 1)]

The committee reviewed issues that arose from the Regional Rules Seminars and agreed to issue a formal official interpretation on this particular question.

President Council. No action was necessary.

(d) Approval of Official Interpretation – Uniformity of Participation Awards.

Management Council. The Council approved the committee's recommendation to archive an official interpretation (12/13/91, Item Ref. e) and approve the following official interpretation:

Uniformity of Participation Awards (III). The NCAA Division III Interpretations and Legislation Committee determined that a member institution, conference or other approved agency may provide different partcipation awards based on the year or class (e.g., freshman, sophomore, first year participant, second year participant) of a student-athlete, provided the awards are uniform for all recipients within a given year or class. [Reference: NCAA Division III Bylaw 16.1.2 (uniformity of awards) and a staff interpretation (12/13/91, Item Ref. e), which has been archived)]

The committee reviewed issues that arose from the Regional Rules Seminars and agreed to issue a formal official interpretation on this particular question.

Presidents Council. No action was necessary.

(e) Approval of Official Interpretation – Demonstrators at Coaches' Clinics and Institutional Camps and Clinics.

Management Council. The Council approved the following official interpretation:

Demonstrators at Coaches' Clinics and Institutional Camps and Clinics (III). The NCAA Division III Interpretations and Legislation Committee determined that a prospective student-athlete may serve as a demonstrator during a coach's clinic or session conducted by an institutional staff member or during an institutional camp or clinic without such participation constituting an impermissible tryout. An enrolled student-athlete may serve as a demonstrator at an institutional camp or clinic with staff members from any institution. Further, an enrolled student-athlete may serve as a demonstrator at a coaches clinic; however, if the coaches clinic is conducted outside the playing season, the student-athlete may serve as a demonstrator only if he or she participates with coaching staff members from institutions other than his or her own. [References: NCAA Division III Bylaws 13.11.2 (prohibited physical activities involving prospective student-athletes), 13.11.3 (permissible physical activities involving prospective student-athletes), 13.12.2.1 (prospective student-athletes), 17.1.1.1 (playing season – athletically related activities), and a staff interpretation (2/14/90, Item Ref. a) which has been archived]

The committee re-examined its recent official interpretation regarding demonstrators at coaches' clinics [Reference: 2/10/11, Item Ref. 14-b]. The rationale for the original interpretation was to address whether the tryout prohibition allowed prospective student-athletes and/or enrolled student-athletes to be used as demonstrators at coaches' clinics. The wording of the original interpretation unintentionally seemed to prohibit an enrolled student-athlete from serving as a demonstrator at a coach's clinic or an institutional camp or clinic that is governed by Bylaw 13.12, if in either circumstance the student-athlete were to serve as a demonstrator for his or her own coach. The committee noted that Bylaw 13.12.2 specifically allows both prospective student-athletes and enrolled student-athletes to be employed at an institutional camp or clinic, and Bylaw 13.12.2.2.1(c) implies that enrolled student-athletes can be used as demonstrators at an institutional camp or clinic. The committee further noted that Bylaw 17 specifies that outside of the playing season, |student-athletes may be employed in camps and clinics but are prohibited from participating as campers in their own institution's camp or clinic. For these reasons, prohibiting student-athletes from serving as demonstrators for their own coaches at coaches' clinics is consistent with the legislation, but prohibiting demonstration for a student-athlete's own coach at the institution's camp or clinic is contrary to the legislation.

Presidents Council. No action was necessary.

(f) Approval of Official Interpretation – Playing Season Waivers.

Management Council. The Council approved the following official interpretation:

Scope of Playing-Season Waivers for Institutions with Nontraditional Academic Calendars (III). The NCAA Division III Interpretations and Legislation Committee confirmed that the scope of playing-season waivers for institutions with nontraditional academic calendars shall extend only to those situations in which the institution's nontraditional academic calendar interferes with its ability to adhere to playing season regulations, as opposed to a one-time or limited request which is handled through a separate waiver provision. [References: NCAA Division III Bylaws 5.4.1.7 (review authority of Management Council) and 17.1.13 (playing-season waiver)]

The committee noted the NCAA Division III Management Council Playing and Practice Seasons Subcommittee has more expertise in addressing adjustments to the playing season regulations for schools with nontraditional academic calendars, thereby establishing a waiver that could apply for as long as the institution needs, provided its academic calendar did

not change. This type of waiver can be distinguished from the authority of the NCAA Division III Management Council Subcommittee for Legislative Relief which is designed to address unique circumstances that warrant relief only on a limited or one-time basis. Further, the Subcommittee for Legislative Relief has oversight of all operating by-laws and, therefore, is not a substantive authority on any given bylaw.

Presidents Council. No action was necessary.

e. Association-Wide and Common Committees.

Staff Liaisons: Klossner Wilfert

Council Rep: Martinez

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

(a) Student-Athlete Sickle Cell Train (SCT) Status.

Management Council. The Council approved a recommendation to sponsor legislation for the 2012 NCAA Convention to require a sickle cell solubility test (SCT) as part of NCAA Bylaw 17.1.5 (mandatory medical examination) 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 committee believes that requirements for SCT status testing should be consistent across divisions. The committee reviewed the 2011 sickle cell trait membership survey and estimated that approximately 40 percent of responding Division II and Division III institutions currently confirm sickle cell trait status as part of their medical examination process. Even though there is a lack of death cases in Division III athletes and one within Division II, the committee assumes the potential for collapse and complications from sickle cell trait is not dependant on the division. In addition, student-athletes' positive SCT tests are not dependant on division, sport, gender or race. Within the recent study, a higher percentage of Division I institutions had knowledge about student-athletes sickle cell trait status; educated medical staff, coaches and strength staff; and provided consulting to student-athletes with a positive test. The committee stressed that the education of staff conducting workouts continues to be the most important factor for preventing catastrophic events, as SCT generally does not result in a medical emergency unless the student-athlete is driven beyond their physiological limit. Typically, athletes that self regulate their workload and intensity are able to modify the overall stress placed on them and still succeed athletically at the highest level. Division II and III often have fewer sports medicine staff available during workouts; therefore, knowledge of sickle cell trait of student-athletes by key staff can be a gateway to precaution implementation, preparation and emergency response activation. Finally, in an effort to ensure student-athletes make an informed decision, the committee recommends institutions educate student-athletes about the risks of the condition if the student-athlete elects to sign a written release.

The effective date is August 2012 for all student-athletes, including both new and continuing student-athletes as well as those trying out for a Division II team in the 2012-13 academic year.

SCT testing costs can range from $15-20 for the initial screening especially if negotiated with a laboratory or campus health clinic in advance. The costs are rarely covered by an athlete's insurance plan. Costs may fluctuate locally, regionally and nationally. The NCAA is examining a service agreement for laboratory services that would make the testing available to all member institutions for a set cost.

Presidents Council. The Presidents Council agreed to sponsor legislation for the 2012 Convention.

(b) Football Preseason Conditioning.

Management Council. The Council approved in concept and legislative format a noncontroversial proposal to amend the football preseason period to allow a one-hour conditioning test (e.g., speed, conditioning, agility) period and a two-hour practice period to occur only on the first day of the five-day period as an option to the current three-hour practice period.

The committee discussed allowing a conditioning test (e.g., speed, conditioning, agility) period the day before the first preseason practice day in Division III; however, further discussion narrowed the option for Division III to only allowing this option to occur on the first day of the five day acclimatization period or on any single day of the five day period. A three-hour recovery period would still need to be applied between the test period and the practice session that day. Division I currently allows a one-hour conditioning session and two-hour practice session during the five-day acclimatization period as an option to the single three-hour practice period. The intent of the conditioning test is to serve as a brief assessment of an athlete's physical preparedness for beginning the rigors of the practice period and not as a conditioning session. Student-athletes performing under expectations should not be punished or required to perform additional physical activity beyond what is required for the rest of the team as the accumulated effects of this additional workload can increase an athlete's risk of injury. The committee discussed the importance of having consistency across divisions for issues impacting student-athlete well-being. During any part of a new practice period, institutions should consider factors of increased risk such as student-athletes within underlying medical conditions (e.g., sickle cell trait, previous heat illness, flu, medications, etc.)

Presidents Council. No action was necessary.

(c) Certification Standards for Strength and Conditioning Personnel.

Management Council. The Council received an update that the committee developed an educational piece about appropriate certification standards for strength and conditioning personnel. This resource was developed in light of recent legislative action to permit strength and conditioning coaches to conduct out of season workouts. The resources will be distributed to the Division III membership in the coming weeks.

Presidents Council. No action was necessary.

Staff Liaison: Tufano

Council Rep: Klika

(2) Honors Committee.

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

Presidents Council. No action was necessary.

Staff Liaisons: Ford, Bracken, Rossello

Council Rep: Ching

(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.

Staff Liaisons: Calandro, Smith, Suscha

Council Rep: Ingold

(4) Olympic Sports Liaison Committee (OSLC).

(a) NCAA Division I Bylaw 16.8.1.3-(c) Expenses Provided by the Institution for Practice and Competition – Other Competition.

Management Council. The Council agreed to sponsor noncontroversial legislation to modify NCAA Bylaw 16.8.1.3-(c) to allow institutions to provide actual and necessary expenses for a student-athlete to attend two national team tryouts. Current legislation restricts institutions to providing a student-athlete the actual and necessary expenses to attend only one such national team tryout.

Current national team selection processes for many Olympic sports include more than one tier. Often, student-athletes who are athletically successful in the first tier are required to shoulder the financial burden in order to continue through additional levels within the existing tier structures or withdraw from the tryout process prior to being identified as viable national team candidates. While there is no standardized tier system among the various national governing bodies, an expansion of Bylaw 16.8.1.-(c) to allow for two team tryout competitions would allow student-athletes greater potential access to the current selection processes.

Institutions with eligible student-athlete(s) may bear the expense of additional national team tryouts. By covering the expense of a second national team tryout opportunity, institutions will better assist student-athletes to become viable national team candidates for international competition.

Presidents Council. No action was necessary.

(b) World University Championships in Select NCAA Bylaws.

Management Council. The Council agreed to sponsor noncontroversial legislation to modify several NCAA bylaws that reference the World University Games to also reference the World University Championships.

The U.S. Intercollegiate University Sport Federation (USIUSF), an official member of the International University Sports Federation (FISU), is the rights holder to the U.S. World University Games and Championships. The USIUSF also works in collaboration with the U.S. Olympic Committee (USOC) and various National Governing Bodies (NGBs) to select U.S. national team members for the two events.

Budget impact varies, depending on the relevant bylaws and eligibility of student-athletes to participate in the World University Championships. By expanding the noted bylaws to include the World University Championships, student-athletes participating in baseball, softball, cross country and women's equestrian at the World University Championships will receive the same opportunities/benefits afforded student-athletes who participate in the World University Games.

Presidents Council. No action was necessary.

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: Bracken

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 Council reviewed the committee's report noting the 2011 honorees: Jessica Pixler, a track and cross country runner form Seattle Pacific University and David Gats, a swimmer from Ohio Wesleyan University.

Presidents Council. No action was necessary.

Staff Liaisons: Barnhart, Holzman, Morrison

Council Rep: Hoeg

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

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

Presidents Council. No action was necessary.

(10) Legislative Changes to MOIC and CWA.

Management Council. The Council approved in concept noncontroversial legislation to amend the composition of the CWA and MOIC by increasing the committee size from 15 to 18 respectively and specifying that the three additional positions be filled by a president from each division. Further, the distribution of members shall be equal among each division.

The Council reviewed a memorandum from Bernard Franklin, Executive Vice President of Membership and Student-Athlete Affairs/Executive Committee Liaison/Chief Inclusion Officer regarding committee restructuring. During its April 29, 2011, meeting the NCAA Executive Committee took action to restructure the inclusion advocacy committees within the governance structure. This action included the dissolution of the NCAA Executive Committee Subcommittee on Gender and Diversity Issues; the creation of a joint body of representatives of the NCAA Committee on Women's Athletics (CWA) and the NCAA Minority Opportunities and Interests Committee (MOIC) to provide broad oversight on inclusion matters and manage specific agendas beyond those related to race and gender; and the creation of joint CWA/MOIC subcommittees to focus on lesbian, gay, bisexual and transgender issues, physical disability, and other inclusion priorities that may arise. Additionally, the committee noted the need for greater involvement of presidents within the substructure to provide guidance and insight at the policy development level.

The impetus for these changes was the adoption, in 2010, of an expanded framework around diversity, inclusion and gender equity that provides for greater focus across dimensions of diversity including, but not limited to, age, race, sex, class, creed, national origin, educational background, disability and gender expression, and the internal reorganization of the NCAA's inclusion office to support this mission. An examination of the charge and duties of the three primary advocacy committees within the governance structure indicated some overlap of mission but also areas where the structure was not adequately positioned to handle specific issues beyond race and gender. Additionally, there was an identified need for increased presidential involvement at the policy development level. Current composition requirements prescribe six members from Division I and three members each from Divisions II and III, with three unallocated members. The committee supports equal representation from all divisions on these very important issues. The addition of three members per committee will permit an equal distribution of six members from each division.

Presidents Council. The Presidents Council acknowledged the memorandum from Bernard Franklin, Executive Vice President of Membership and Student-Athlete Affairs/Executive Committee Liaison/Chief Inclusion Officer regarding committee restructuring and the action taken by the Management Council. No additional action was necessary.

4. MANAGEMENT AND PRESIDENTS COUNCIL APPOINTEMENTS AND ELECTIONS.

a. Management Council Elections.

Management Council. The Management Council elected Jeff Martinez, Director of Athletics, University of Redlands as chair for the 2012-13 and Terry Rupert, Director of Athletics, Wilmington College as vice-chair.

Presidents Council. No action was necessary.

b. Presidents Council Appointments.

Presidents Council. Upon recommendation by the Division III Presidents Council Nominations Subcommittee and approved by the Administrative Committee on June 9, President Thomas Chema was appointed to the Presidents Council fulfilling the remaining term of Ken Baker. President Chema's term expires at the conclusion of the January 2013 Convention, with an opportunity for reappointment.

The Presidents Council Nominations Subcommittee has begun to identify prospective candidates to serve on the Presidents Council beginning in 2012. 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 during its September teleconference.

5. DIVISION III INITIATIVES.

a. Virtual Focus Group Communication (VFG).

Management Council. The Council reviewed the VFG responses regarding Communication #22 and the best way to make the membership aware of Division III week, Division III Facebook and use of the Purchasing Website. The Council noted the importance of input from the membership serving on the focus groups.

Presidents Council. No action was necessary.

b. The Student-Athlete Experience: Finding from the CIRP Studies.

Presidents Council. The Council heard a presentation on research conducted by the Cooperative Institutional Research Program through the Higher Education Research Institute at UCLA. The surveys are similar to the NCAA's GOALS study. Overall, the studies strongly reinforced the positive experience of Division III student-athletes and statements included in the Division III strategic positioning platform. In particular, the findings indicate that Division III student-athletes:

(1) Are highly engaged in campus activities,
(2) Report active academic engagement and participation in academic "extras" that are offered by their institution (e.g., research with faculty, study abroad, capstone/senior thesis),
(3) Report significant gains in personal skills and attributes, including problems solving, ability to get along with other races and leadership, and
(4) Report significantly greater gains in time management and leadership when compared with non-athletes.

Further analysis of this data will be shared with the Council at a future meeting and findings from this study and NCAA GOALS will be shared with the membership at the 2012 Convention.

6. PROPOSED LEGISLATION FOR THE 2012 CONVENTION.

a. Membership-Sponsored Legislation.

[NOTE: The Management Council reviewed all proposals noting that three out of five proposals were not yet properly sponsored. The deadline to obtain co-sponsorship is September 1.]

(1) NCAA Membership – Conditions and Obligations of Membership – Eliminating Regional Rules Seminar Attendance Requirement.

Management Council. The Council reviewed the membership-sponsored proposal and forwarded it to the Membership Committee, ILC and SAAC to recommend an official position.

Presidents Council. No action was necessary.

(2) Playing and Practice Seasons – Required Day Off – Voluntary Strength and Conditioning Activities Prohibited During Required Day Off.

Management Council. The Council reviewed the membership-sponsored proposal and forwarded it to ILC, the Playing and Practice Seasons Subcommittee and SAAC to recommend an official position.

Presidents Council. No action was necessary.

(3) Playing and Practice Seasons – General Playing Season Regulations – Postseason Activities Exempting One Postseason Championship from the 18 or 19 Week Declared Playing Season.

Management Council. The Council reviewed the membership-sponsored proposal and forwarded it to ILC, the Playing and Practice Seasons Subcommittee, SAAC and the Championships Committee to recommend an official position.

Presidents Council. No action was necessary.

(4) Eligibility – Hardship Waiver – Practice after Injury.

Management Council. The Council reviewed the membership-sponsored proposal and forwarded it to the Academic Issues Subcommittee, ILC, the Student-Athlete Reinstatement Committee, and SAAC to recommend an official position.

Presidents Council. No action was necessary.

(5) Recruiting – Permissible Electronic Transmissions.

Management Council. The Council reviewed the membership-sponsored proposal and forwarded it to ILC and SAAC to recommend an official position.

Presidents Council. No action was necessary.

b. Governance-Sponsored Proposals.

(1) Convention Legislation – Recruiting – Electronic Transmissions – Allowing Text Messaging.

Management Council. The Management Council agreed to sponsor legislation for the 2012 NCAA Convention to permit the use of text messaging to a prospective student-athlete by athletics department staff. Text messaging would be regulated in the same manner as e-mail, for which there are no restrictions on the timing or amount of the communication.

In its review of a membership-sponsored proposal to permit both text messaging and the use of social media platforms (e.g., Facebook, Twitter), in the recruiting process, the Council recognized the need to sponsor a proposal specific to the use of text messaging. While the Council does not support the use of social media platforms in the recruiting process (because those platforms represent "personal" space that should not be invaded by coaches in the recruiting process) it agreed that the realities of how current prospect-aged individuals communicate, including a proclivity of text messaging, justifies lifting the division's current ban on texting. This position was similar to the unofficial position taken by SAAC, which included support to lift the ban on texting, while agreeing that the prohibition on the use of social media should remain.

The financial concerns that helped prompt the initial texting ban have since been mitigated by the evolution of text messaging plans, with most prospects now able to manage expenses through unlimited or low-cost texting options. Also, the Council noted the awkward nature of not being able to respond to a prospect in the same medium the prospect uses to contact a coach, and that texting will not completely replace use of the phone or other forms of communication in the recruiting process. To be a successful recruiter, coaches will still need to engage in direct contact. The Management Council used its new authority to sponsor legislation deemed operational in nature, and will communicate to the sponsors of the broader electronic transmission proposal their opportunity to collaborate on the text messaging portion of the Council's proposal, especially if the sponsoring conference is not able to find a co-sponsor to officially offer the proposal for the 2012 Convention.

The estimated budget impact would be minimal, because most athletics personnel and perspective student-athletes have unlimited or low-cost testing plans. The effective date would be August 1, 2012.

Presidents Council. No action was necessary.

(2) Convention Legislation – Division III Membership – Division III Philosophy Statement – Affirmation and Clarification of Undergraduate Experience, Broad-Based Athletics Programs, Participation in Non-Athletic Pursuits and Autonomy in Eligibility Standards.

Management Council. The Management Council reviewed draft language of philosophy statement amendments under consideration by the Presidents Council. No action was necessary.

Presidents Council. The Presidents Council agreed to sponsor legislation for the 2012 Convention to amend the Division III philosophy statement as follows:

- Emphasize that Division III intercollegiate athletics is primarily focused on a four-year, undergraduate experience.

- Clarify that initial-eligibility and continuing-eligibility progress-toward-degree standards are best left to institutional and conference autonomy.

- Express a commitment to supporting a student-athlete's right to meaningful participation in non-athletic pursuits as a method of enriching the overall educational experience.

- Clarify expectations related to broad based sports sponsorship.

The modifications address issues included in the Division's 2008 white papers on membership growth and are a reflection of strategies to best manage the large and diverse Division III membership under a unifying philosophy statement.

c. Review of Modifications of Wording Approved by the Management Council per Constitution 5.4.1.1.1.

(1) NCAA Membership – Conditions and Obligations of Membership – NCAA Convention – Attendance – Representation and Vote by Certified Voting Delegate.

Management Council. The Council adopted in legislative format a proposal to clarify that each year an active member institution must be represented by an institutional staff member who is certified as a voting delegate and who votes at the NCAA Convention Division III business session.

Presidents Council. No action was necessary.

(2) Eligibility – Outside Competition, Effects on Eligibility – Wrestling.

Management Council. The Council adopted in legislative format a proposal in wrestling, to clarify that a student-athlete shall not participate in outside competition (on a team or as an individual) between the beginning of the institution's academic year and November 1.

Presidents Council. No action was necessary.

(3) Amateurism – Promotional Activities – Permissible – Prospective Student-Athlete's Participation in Institutional Fundraisers or Promotional Activities.

Management Council. The Council adopted in legislative format a proposal to clarify that prospective student-athletes may not be involved in institutional fundraisers of promotional activities.

Presidents Council. No action was necessary.

d. Review of Noncontroversial Legislation approved by the Management Council per Constitution 5.4.1.1.1.

(1) Division Membership – Establishment and Compliance with Division Criteria – Noncompliance and the Enforcement Process – Authority of the Membership Committee.

Management Council. The Council adopted in legislative format a proposal to specify that the NCAA Division III Membership Committee shall review issues regarding membership requirements that are discovered during the enforcement process and may impose penalties for not satisfying membership requirements.

Presidents Council. No action was necessary.

(2) Eligibility – General Eligibility Requirements – Full-time Enrollment - Requirement for Practice or Competition – Exception – Cooperative Educational Work Experience.

Management Council. The Council adopted in legislative format a proposal to permit a student-athlete to practice and represent the certifying institution in intercollegiate athletics while he or she is enrolled in a cooperative educational work experience program (e.g., co-op, internship, practicum, student-teaching) offered by the institution that is a required part of the student's academic program, provided the student is considered to be enrolled in a full-time program of studies, regardless of the credit value of the program.

Presidents Council. No action was necessary.

(3) Recruiting – Unofficial Visit – Entertainment/Tickets – General Restrictions – Complimentary Admissions for a Prospective Student-Athlete's Parents, Guardian(s), Spouse or Individual of a Comparable Relationship.

Management Council. The Council adopted in legislative format a proposal to permit an institution to provide additional complimentary admissions to a home athletics event to a prospective student-athlete's parents, guardian(s), spouse or individual of a comparable relationship accompanying the prospective student-athlete during an unofficial visit.

Presidents Council. No action was necessary.

(4) Awards, Benefits and Expenses – Participation Awards – Maximum Value of Award – Increase to Maximum Values.

Management Council. The Council adopted in legislative format a proposal to increase the limitation on the maximum value of the annual participation award for a senior by $100 and to increase the limitation on the maximum value for all other participation awards by $50, as specified.

Presidents Council. No action was necessary.

(5) Amateurism – Preferential Treatment – Exception – Designation of Fundraising Money – Prospective Student-Athletes.

Management Council. The Council adopted in legislative format a proposal to permit the designation of funds raised through fundraisers for individuals before initial, full-time collegiate enrollment provided the amount raised does not exceed actual and necessary expenses for athletics participation.

Presidents Council. No action was necessary.

(6) Eligibility – Full-Time Enrollment – Requirement for Practice – Waiver – U.S. Olympic Committee/National Governing Body – Former Student-Athlete Practicing at Another Institution – Individual Sports and Women's Rowing.

Management Council. The Council adopted in legislative format a proposal in individual sports and women's rowing, in a case in which the U.S. Olympic Committee or national governing body in the sport has recommended the individual's participation, to permit a former student-athlete who has graduated and has no eligibility remaining to participate in organized practice sessions at an institution other than the one he or she previously attended.

Presidents Council. No action was necessary.

7. ASSOCIATION-WIDE UPDATES AND ISSUES.

a. Litigation Update.

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

b. Governmental Relations Report.

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

c. Student-Athlete Affairs Advisory Group Meeting.

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

Presidents Council. No action was necessary.

d. Transgender Student-Athlete Policy.

Management Council. The Management Council received an update from NCAA staff Karen Morrison and Mary Wilfert on the draft policy to assist the membership with questions about fair and equitable participation by student-athletes who identify as transgender, i.e., a psychological and social identification as a man or a woman that differs from the person's sex at birth. The Presidents Council endorsed the draft policy language at it April meeting, and the Executive Committee will review the policy for adoption at its August 2011 meeting. In addition to developing the policy, the Committee on Competitive Safeguards and Medical Aspects of Sports and the Committee on Women's Athletics have developed a resource handbook and a video to help the membership with a full understanding of the issues.

Presidents Council. No action was necessary.

e. NCAA President's Report.

Management and Presidents Councils. The Councils received a visit from NCAA President, Mark Emmert, who provided an update on the Division I Presidential retreat.

f. Executive Committee Update.

Management and Presidents Councils. The Councils received a visit from NCAA Executive Vice President, Bernard Franklin, and Director of Membership and Student-Athlete Affairs, Delise O'Meally. The staff provided an update on the Executive Committee working group on membership issues, the upcoming policy consideration on transgender student-athlete eligibility, the NCAA's confederate flag policy and the continued study of its application to pre-determined and non pre-determined championship sites, a request to amend the composition of CWA and MOIC (see page 44), the NCAA communications task force, and the plans for the September NCAA Inclusion summit.

8. *OTHER BUSINESS.*

- **Conference Meeting Feedback.**

Management Council. The Council reviewed the input received from spring conference meetings.

Presidents Council. No action was necessary.

9. ADJOURNMENT.

Management Council. The Management Council meeting adjourned at 11:28 a.m.

Presidents Council. The Presidents Council meeting adjourned at 12:10 p.m.

MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

EXECUTIVE COMMITTEE

Westin Indianapolis
Indianapolis, Indiana

August 11, 2011

Participants:

Michael Alden, University of Missouri, Columbia
William Beauchamp, University of Portland
Drew Bogner, Molloy College
James Bultman, Hope College
Rick Cole Jr., Dowling College
Judy Genshaft, University of South Florida
Nathan Hatch, Wake Forest University
Chris Martin, College Conference of Illinois and Wisconsin
Sidney McPhee, Middle Tennessee State University
William Meehan, Jacksonville State University
Ann Millner, Weber State University
J. Patrick O'Brien, West Texas A&M University
Harris Pastides, University of South Carolina, Columbia
John Peters, Northern Illinois University
Edward Ray, Oregon State University, chair
David Schmidly, University of New Mexico
James Schmotter, Western Connecticut State University
Lou Anna Simon, Michigan State University
Mark Emmert, NCAA
Bernard Franklin, NCAA
Delise O'Meally, NCAA, recording secretary

William Harvey, Hampton University, was unable to attend.

Also in attendance were: Gary Brown, director of NCAA News; Joni Comstock, senior vice president of championships/senior woman administrator; Jim Isch, chief operating officer; Julie Lach, vice president of enforcement services; Kevin Lennon, vice president of academic and membership affairs; Kathleen McNeely, vice president of administration and chief financial officer; Karen Morrison, director of gender inclusion; Todd Petr, managing director of research; Donald Remy, vice president of legal affairs/general counsel; Wallace Renfro, vice president and chief policy advisor; Greg Shaheen, interim executive vice president of championships and alliances; Robert Vowels, vice president of student-athlete affairs and leadership development programs and resources; Bob Williams, vice president of communications; David Berst,

Daniel Dutcher and Mike Racy, NCAA governance vice presidents; and Jackie Campbell, Leah Kareti and Terri Steeb, NCAA governance directors.

[Note: These minutes contain only actions taken (formal votes or stated "sense of the meeting") in accordance with NCAA policy regarding minutes of all Association entities. While certain items on the Committee's agenda were acted on at various times throughout the meeting, all final actions within a given topic are combined in these minutes for convenience of reference.]

The meeting was called to order at 1:15 p.m. by the chair, President Ray. All members were present as noted above.

1. Welcome and announcements. Ray welcomed William Beauchamp, president of the University of Portland, and William Meehan, president of Jacksonville State University.

2. Approval of April 28, 2011, meeting minutes.

   It was VOTED

   "To approve the Executive Committee minutes of the April 28, 2011, meeting as distributed."

3. Update from national student-athlete advisory committee (SAAC). Representatives from each of the divisional national SAACs shared key issues with the presidents. Scott Krapf, the Division I national SAAC chair, discussed the creation of a student-athlete voice project team that will focus on ensuring that student-athletes are included in significant matters that impact well-being. Krapf also discussed the division's interest in a division-wide community service initiative. Lastly, he covered other key topics areas on the Division I SAAC agenda including text messaging, men's basketball recruiting and opportunities for transgender student-athletes. Division II initiatives were presented by Sarah Hebberd, the Division II national SAAC vice chair, and she discussed the Make-a-Wish Foundation fundraiser, efforts to educate on student athlete mental health, as well as multimedia communication initiatives designed to increase the Division II student-athlete voice. Finally, Division III topics were presented by Azure Davey, NCAA staff liaison, and focused on issues around text messaging, as well as the Division III partnership with Special Olympics.

4. NCAA President's report. President Emmert called on Jim Isch to provide an overview of the national office "One Team, One Future" initiative. The initiative, which was launched in May of this year, focuses directly on the mission-critical priorities of embedding academics; protecting and sustaining the collegiate model; and delivering membership-defined value. Isch noted that the national office also would focus on accountability and the implementation of various performance metrics. At its next meeting, the Committee will receive additional updates on the One Team, One Future initiative and will be asked to review and approve a presidential scorecard.

   Emmert also provided an update on the Native American Mascot Policy and called on Bernard Franklin to alert the Committee to a meeting that is to be held with representatives from the University of North Dakota, the North Dakota state legislature, and the North Dakota governor's office. Franklin noted that the parties would discuss the recent North Dakota state law that requires the institution to maintain its logo and nickname despite the settlement agreement between the institution and the Association. The Committee expressed continued support for the implementation of the policy, as well as the terms of the settlement agreement.

5. NCAA Executive Committee Finance Committee report.

   a. Audit Charter proposed changes. The Finance Committee recommended a change to the Audit Charter that would add an additional member to serve as a financial expert. The addition of a financial expert is a best practice for not-for-profit organizations and will assist the Finance Committee in fulfilling its financial oversight responsibilities.

      The Finance Committee noted the following:

      (1) In order to obtain the financial expertise, the financial expert could be an individual who is outside the NCAA committee structure.

      (2) The financial expert committee member would have a term of four years, with the option for renewal by the Executive Committee for one additional four-year term.

      (3) Other minor changes to the charter include the addition of the chief operating officer as part of management that would meet separately with the committee.

      The Finance Committee recommended the appointment of David E. Lechner, vice president for business and finance, University of Nebraska System, as the financial expert for the Finance Committee for the next four years. Lechner is a

certified public accountant and has been the chief financial officer of the Nebraska system for 11 years and, prior to joining Nebraska, was a director with Deloitte in its audit practice.

It was VOTED

"To approve the changes to the Audit Charter and to appoint David Lechner as the financial expert."

b. Third Quarter FY 2010-11 budget-to-actual. The Finance Committee reviewed the third quarter budget-to-actual report and noted that the Association is on track to meet its budget projections

(1) Revenue. The Association has received 99 percent of budgeted revenues, which is in line with the prior year.

(2) Expenses. Total Association-wide expenses through the first nine months were 69 percent of budget, which also aligns with the prior year. The remaining amounts will be distributed in the fourth quarter of the year.

(3) Audit firm. As reported in April, the Finance Committee interviewed three audit and tax firms (KPMG, Deloitte and Crowe Horwath). Unanimously, the committee voted to offer the engagement to Deloitte for the next five years. The agreement with Deloitte is complete, and work on the 2010-11 audit has started.

6. Transgender student-athlete participation policy. The Committee reviewed a request from the NCAA Competitive Safeguards and Medical Aspects of Sport Committee (CSMAS) and the NCAA Committee on Women's Athletics (CWA) to consider adopting a policy that would assist the membership with questions about fair and equitable participation by student-athletes who identify as transgender. A person who was born female and transitions to male is termed trans-male. A person who was born male and transitions to female is termed trans-female.

In consultation with medical and research experts who have advised both the Olympic committee and others working with transgender athletes, CSMAS and CWA support the following to provide direction regarding the participation of a transgender student-athlete:

(1) A [trans-male] student-athlete who has received a medical exception for treatment with testosterone for diagnosed Gender Identity Disorder (GID), for the purposes of NCAA competition may compete on a men's team, but is no longer eligible to compete on a women's team without changing that team status to a mixed team.

(2) A [trans-female] student-athlete being treated with testosterone suppression medication for GID, for the purposes of NCAA competition may continue to compete on a men's team but may not compete on a women's team without changing it to a mixed team status until completing one calendar year of testosterone suppression treatment.

(3) It is the responsibility of the NCAA institution to submit the request for a medical exception for testosterone treatment prior to the student-athlete competing while undergoing treatment. In the case of testosterone suppression, the institution must submit written documentation of the year of treatment and ongoing monitoring of testosterone suppression.

(4) For the purpose of NCAA competition, cases of GID treatment being interrupted will be reviewed on a case-by-case basis.

In addition to addressing policy, the above committees and NCAA staff have developed a resource handbook and a video to help the membership with full understanding of the issues.

It was VOTED

"To approve the policy for transgender student-athlete participation as noted above."

7. NCAA Division I Board of Directors and Divisions II and III Presidents Councils reports.

a. Division I Board of Directors. The Committee received an update on the actions of the Division I Board of Directors that included the following:

(1) Presidential Retreat. Received a report on the Presidential Retreat and directed President Emmert to bring to the Board in October an action plan to address the various issues discussed at the retreat, which may include legislation for immediate adoption.

(2) Committee reports. Received several updates and expects final reports in October related to men's basketball recruiting, NCAA postseason bowl licensing and NCAA Division I Committee on Academic Progress penalty structure, including an academic performance requirement for championships eligibility.

(3) Committee restructuring. Adopted noncontroversial legislation to modify the composition of the CWA and the NCAA Minority Opportunities and

Interests Committee by increasing the size of each committee from 15 to 18 members and to specify that the three additional positions be filled by a president from each division. Further, that there be an equal distribution of committee members from each division.

(4) Membership. Elected Florida Gulf Coast University, Houston Baptist University, University of North Carolina Central and the University of South Carolina Upstate to active Division I membership status. The Board also approved conference applications from the Great West Conference, a multisport conference, and the single-sport National Lacrosse Conference.

b. Division II Presidents Council. The Committee received an update on the actions of the Division II Presidents Council that included the following:

(1) Presidents Council-sponsored legislation.

a. Membership. Sponsored a set of proposals that support the strategic growth of the Division II membership. The proposals deal with the required number of institutions to be considered an active Division II conference; the benefits provided to conferences; and the process related to conference membership.

b. Recruitment. Sponsored three legislative proposals that align recruitment of student-athletes with overall institutional recruitment efforts and provide an ease of burden on Division II administrators and coaches. The concepts will allow for an unlimited number of in-person, off-campus recruiting contacts made with a prospective student-athlete each year; permit unlimited electronic communication (e.g., text messaging, instant messaging) with prospects; and permit an unlimited number of telephone calls to prospective student-athletes, all starting June 15 prior to the prospect's junior year in high school.

c. Sickle Cell Testing. Agreed to sponsor legislation for the 2012 NCAA Convention to require a sickle cell solubility test as part of the mandatory medical examination, unless documented results of a prior test are provided to the institution or the student-athlete declines the test and signs a written release.

(2) Model strategic communications document for Division II. Endorsed a model communications document, which was developed by members of the College Sports Information Directors of America, Division II Sports Information Directors of America, Division II Athletics Directors Associa-

tion, Division II Conference Commissioners Association and NCAA staff, and builds on the work of the Division II Model Strategic Communications Toolkit, reflecting the need to develop strategic and purposeful communications.

(3) Transgender student-athlete participation. Endorsed the proposed policy regarding participation of transgender student-athletes.

c. Division III Presidents Council. The Committee received an update on the actions of the Division III Presidents Council. These included:

(1) Identity activation. Received an update on the Division III Identity initiative activation.

(a) Special Olympics partnership. Student-athletes will work events, coach teams or fund-raise on behalf of Special Olympics. All Division III championships will include Special Olympics events. A website has been launched to support and track on this initiative.

(b) Division III week. During a seven-day period beginning April 6, National Student-Athlete Day, every member institution and conference will be asked to conduct an outreach activity related to academic accomplishment, athletics experience or community outreach. The division will communicate nationally the number of student-athletes and projects, and institutions can locally describe their contributions.

(2) Amendments to Division III Philosophy Statement. Formally sponsored a series of amendments to the Division III philosophy statement. As a final action related to the division's 2008 white paper series on membership growth, the Presidents Council will sponsor a proposal for the 2012 NCAA Convention that will update the philosophy statement to:

(a) Emphasize that Division III intercollegiate athletics is primarily focused on a four-year, undergraduate experience.

(b) Clarify that initial- and continuing-eligibility standards are best left to institutional and conference autonomy.

(c) Express a commitment to supporting a student-athlete's right to meaningful participation in nonathletics pursuits as a method of enriching the overall educational experience.

(3) Other legislative actions.

(a) Sponsored 2012 Convention legislation relaxing current restrictions on how professional sports organizations may serve as financial sponsors of competitions and ancillary events, consistent with the other divisions.

(b) Also sponsored legislation to mirror the Division I requirements around the sickle cell solubility test.

(c) Received an update that the Management Council sponsored a proposal to allow coaches to use text messaging in the recruiting process.

(d) In response to a related Executive Committee action to dissolve its subcommittee on gender and diversity, ratified the Management Council vote to increase MOIC's and CWA's size from 15 to 18 members, with the three additional positions to be filled by a president from each division.

(4) Strategic initiatives. The Presidential Advisory Group advised the Presidents Council on a series of the division's strategic initiatives. Specifically, the Advisory Group advised the Council on:

(a) Future drug-education models, endorsing the pursuit of a partnership with the student-affairs community through the National Association of Student Personnel Administrators and advising that the division should not allocate any funding towards year round drug testing.

(b) Financial aid education for nonathletics staff.

(c) How to best leverage the positive results of the division's ongoing academic reporting pilot.

(d) Enhancing presidential leadership in Division III.

(5) The student-athlete experience – findings from the Cooperative Institutional Research Program (CIRP) studies. Heard a presentation on research conducted by the CIRP through the Higher Education Research Institute at University of California, Los Angeles. The surveys are similar to the

NCAA's GOALS and SCORE studies, but they contain much more Division III-specific data. Overall, the studies strongly reinforced the positive experience of Division III student-athletes. In particular, the findings indicated Division III student-athletes:

(a) Are highly engaged in campus activities;

(b) Report active academic engagement and participation in academic "extras" that are offered by their institution (e.g., research with faculty, study abroad, capstone/senior thesis);

(c) Report significant gains in personal skills and attributes, including problems solving, ability to get along with other races and leadership; and

(d) Report significantly greater gains in time management and leadership when compared with nonathletes.

8. Future meetings. The Committee reviewed its future meetings schedule.

9. Adjournment. Ray adjourned the meeting at 2:32 p.m.

# # # # #

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 & 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

Student-Athletes / Parents

- 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.

DIII Internal Constituencies

- 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 becoming a better student and more responsible citizen.

General Public / Media

- 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 becoming a better student and more responsible citizen.
- 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 practicing 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 over 155,000 student-athletes competing annually in 36 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.

NCAA Division III
DISCOVER | DEVELOP | DEDICATE

ATTACHMENT
SUPPLEMENT NO. 06
DIII President's Council 10/11

DIVISION III IDENTITY INITIATIVE

Following is a status report on recent and current activation of the Division III Identity Initiative.

September 2010-August 2011:

- Ninety-two percent of Division III member institutions and 95 percent of Division III multisport conferences (as well as six single-sport conferences) purchased resources from the Division III Purchasing Website.

- Institutions averaged spending $683 of the $1,000 credit allocated by Division III for Purchasing Website orders. Multisport conferences averaged spending $920 of the $1,000 credit. The single-sport conferences averaged spending $456 of a $500 credit available to each conference.

- Overall, Division III institutions and conferences spent $306,880 (62 percent) of the $495,500 allocated to credits during 2010-11.

- Identity Initiative signage, banners and/or flags were obtained by the championships staff and displayed at 18 Division III championships, at a cost of approximately $42,000.
-
- Selected spring championships hosted the first programs activating the partnership between Division III and Special Olympics.

- Division III introduced a video spotlighting the partnership with Special Olympics at the 2011 NCAA Convention.

- Division III introduced a Facebook page focusing on student-athlete achievements and activities, and featuring links to material on institutional and conference websites.

September 2011 – current:

- With a budgeted allocation of $600,500 for 2011-12 (plus a surplus from 2010-11 of approximately $240,000 attributable primarily to unspent credit amounts), Division III is initiating the following activation activities:

- Member institutions and conferences will receive a $500 credit at the Division III Purchasing Website, which continues to feature most of the customizable/co-branded materials that were offered during 2010-11, as well as new items including co-branded T-shirts. (Total allocation $250,500)

- Member institutions and multisport conferences also will receive kits containing various types of signage (including banners and flags) bearing Division III "Discover/Develop/Dedicate" logos and messaging, and adaptable to indoor and outdoor use. (Total allocation $318,000)

- Division III will produce a new generation of videos to be introduced at the 2012 NCAA Convention, including a variety of videos that will be customizable to institutional or conference use. (Total allocation $52,000)

- The championships staff will maintain signage and obtain additional materials for use at Division III championships sites, and also will be allocated funds for activation of the partnership with Special Olympics at all pre-determined sites of championship finals. (Total allocation $35,000)

- A "Division III Week" is being planned for April 2012 to encourage member institutions and conferences to join in a national celebration of student-athletes' athletic, academic and community-service activities and to call attention to the Division III attributes of proportion, comprehensive learning, passion, responsibility, sportsmanship and citizenship. (Total allocation $50,000)

- Division III in collaboration with the Division III Sports Information Directors of America (D3SIDA) will begin a monthly recognition program to call attention to materials produced by athletics communications staffs that exemplify Division III attributes. Each month's honored institution or conference will receive an additional credit for use at the Division III Purchasing Website. (Total allocation $4,500)

[Note: Division III is achieving significant reductions in unit costs of materials provided in institutional and conference activation kits and available through the Purchasing Website in 2011-12, via bulk purchases of resources at the beginning of the year.]

REPORT OF THE NCAA DIVISION III MANAGEMENT COUNCIL

The Division III Management Council conducted its October 17-18, 2011, meeting in Indianapolis, IN. Listed below are specific recommendations for review and consideration by the Presidents Council.

ACTION REQUIRED.

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

1. Voting Method for 2012 Convention Proposals.

a. Recommendation. Designate votes for all proposals at the 2012 Convention to be taken using the roll call method, regardless of grouping (presidential or general).

b. Effective Date. Immediate.

c. Rationale. The Interpretations and Legislation Committee discussed voting methods noting that roll-call voting has historically only been designated for the presidential grouping. While a mechanism exists for the membership to consider changing the voting method on the Convention floor, the committee agreed that since the electronic voting units and technology permit the recording of all votes in an expeditious manner, the committee agreed that votes for all proposals (presidential and general grouping) should be taken using the roll-call method as it provides transparency for the membership.

d. Estimated Budget Impact. None.

e. Student-Athlete Impact. None.

2. Nominating Committee - Appointments and Reappointments.

a. Recommendation. Approve the following committee appointments and reappointments:

(1) Division III Management Council. Terry Rupert, director of athletics, Wilmington College (Ohio); Steven Nelson, director of athletics, University of Wisconsin, Superior; and Lori Runksmeier, director of athletics, New England College.

(2) Division III Infractions Appeals Committee. Michele Krantz, senior counsel, Case Western Reserve University (term 2).

(3) Division III Championships Committee. Division III Championships Committee. Monica Severson, associate director of athletics/senior woman administrator, Wartburg College; Joseph Onderko, executive director, Presidents' Athletic Conference.

(4) Division III Financial Aid Committee. Donald Cragen, faculty athletics representative, Thomas College; Bob Ward, director of athletics, St. John Fisher College; Laurie Coulter, executive director of financial aid, Austin College.

(5) Division III Membership Committee. Dale Knobel, president, Denison University (two-year term); Kris Diaz, director of athletics, Baldwin-Wallace College.

(6) Division III Nominating Committee. Alan Cureton, president, Northwestern College (two-year term); Kiki Jacobs, associate director of athletics, Springfield College.

(7) Division III Student-Athlete Reinstatement Committee. Immediate vacancy replacing Donald Brooks – Charlie Wilson, faculty athletics representative, Olivet College. January 2012 vacancy – Jennifer Dubow, interim commissioner, Colonial States Athletic Conference.

b. Effective Date. Terms begin at the close of the 2012 NCAA Convention unless otherwise noted.

c. Rationale. The Nominating Committee determined these were the best candidates to fill the open committee positions.

d. Estimated Budget Impact. None.

e. Student-Athlete Impact. None.

NO ACTION REQUIRED.

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

1. NCAA Bylaw 21 – Committees. The Management Council considered a recommendation to remove Bylaw 21 (Committees) from the Division III manual and move the provisions to a committee handbook, which would be maintained on the NCAA website and would be readily available for the membership and governance structure to review as necessary. The proposal

would not substantively change any current committee policies and procedures; however, the Management Council would have the flexibility to change elements related to committees as deemed necessary without the need to propose legislation. This concept has been supported by the Interpretations and Legislation Committee and opposed by the Nominating Committee. The Management Council referred this proposal back to the Nominating Committee and requested that staff draft a streamlined version of committee bylaws to incorporate into Constitution 4 (Organization) and ultimately reconsider this proposal with the knowledge of whether Division I adopts or Division II sponsors the proposal in January.

2. **Budget Priorities for 2012-15 Triennium - Championships.** The Management Council accepted the information that the championships committee solicited feedback from sport committee chairs regarding potential budget priorities for the next budget cycle. The committee expressed concern regarding whether the current reimbursement policies fully cover the expenses of institutions participating in NCAA championships and agreed that upcoming budget discussions should focus on providing a truly fully funded championship experience. Top priorities include increasing the per diem rate, increasing the number of per diem days (for all teams or for selected championships) and increasing the squad size for the championships that were previously approved to include additional student-athletes in the bench size at the institution's expense for the 2011-12 year. An additional budget priority is officials' fees.

3. **Selection Criteria.** The Management Council accepted the information that the championships committee discussed the selection principle that teams are selected for Division III championships on a national basis using regional selection criteria and noted that sport committees often find it challenging to compare teams from different regions if the teams have no head-to-head contests or common opponents; there is little data in the regional (primary) criteria to compare. The committee discussed including all contests against Division III opponents in the primary criteria and including all contests against non-Division III opponents in the secondary criteria (i.e., "a game is a game" against Division III opponents). To maintain the Division III philosophy of emphasizing in-region and conference competition, an institution would be required to meet a minimum threshold (e.g., 70 percent) of in-region contests to be eligible for selection. Initial feedback from the sport committee chairs was positive. The committee noted its understanding that the potential change to the selection criteria, the implementation of the regional alignment models and any changes to the ranking process (e.g., sport committees to rank 15 percent of the teams in each region, with an established minimum and/or maximum number of teams ranked) would occur at the same time (i.e., 2013-14 academic year). It is anticipated that regardless of changes to the selection criteria or ranking process, many institutions will continue to schedule the majority of their contests based on geographic proximity to minimize travel expenses.

4. **Field Hockey Eyewear.** The Management Council accepted the information that the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports is recommending that NCAA field hockey student-athletes be required to wear protective American Society for Testing and Materials (ASTM)-approved eyewear during play. The committee noted the recent action of the National Federation of State High School Associations to mandate the use of ASTM-approved eyewear in 2011-12 for high school field hockey players. The issue has been referred to the NCAA Division III Field Hockey Committee for formal feedback and will be referred to the Playing Rules Oversight Panel. The Division III Championships committee warned that if ASTM-approved eyewear is mandated, the implementation should be no earlier than August 2012 to allow institutions to plan for the equipment purchase in their budget cycle.

5. **Special Olympics.** The formal launch of the Special Olympics initiative in 2011-12, has been spearheaded by the national Student-Athlete Advisory Committee with support from championship hosts and championship managers. Expectations of activation include 1) interaction with Special Olympic athletes (e.g., team social); 2) a platform to recognize the Special Olympic athletes (e.g., scrimmage, first pitch, team introductions, etc.); and 3) promotion of the initiative to elevate awareness (e.g., signage, public address announcements). Each championship will receive $1,000 to activate, and the funds may be used for such items as a clinic, T-shirts, transportation reimbursement for SAAC members to travel to the championship site, etc. Equipment suppliers will be encouraged to participate, and a detailed website also will offer resources.

6. **Division III Identity Initiative.** NCAA staff provided an update regarding Division III Identity Initiative activation. (See Attachment) In 2010-11, over 90 percent of institutions and conferences purchased identity activation resources. The most popular purchased items were media backdrops, feather flags and A-frame banners. Approximately 85 percent of championships finals sites displayed initiative signage. The inventory of available signage for use at championships will increase each year, and division-specific messaging will be added to webcasts of championship competition (e.g., during timeouts, at halftime, etc.). In addition, institutions will receive a $500 credit in 2011-12 to purchase Division III Identity Initiative items on the purchasing website as well as receive activation kits in October 2011 and February 2012.

7. **Committee on Infractions Policies and Procedures.** The Management Council ratified a series of amendments to infractions policies and procedures including a new penalty structure for major violations cases. Penalties for major violations were previously divided into two subsections: presumptive penalties and disciplinary measures. The presumptive penalties had to be imposed by the Committee on Infractions in every case unless there was a

reason to deviate. The disciplinary measures could be imposed by the committee in addition to the presumptive penalties and the penalties available for secondary infractions. The policy and procedure change combines the penalties for simplification and will allow the committee to impose any available penalty without a mandate to impose certain penalties, regardless of the circumstances of a particular case. This will allow the committee to determine an order of probation that is tailored to the issues of each institution in the major violations process.

8. OSLC/National Governing Bodies (NGBs) Working Group Update. The Council accepted the information from the Olympic Sports Liaison Committee that the NCAA national office assigned Joni Comstock, senior vice president for championships, the responsibility for creating collaborative strategies to prioritize and sustain Olympics sports within the collegiate structure. The USOC appointed Rick Adams as the counterpoint to Ms. Comstock. The committee reviewed the project initiatives currently underway including those that need further direction from the working group. The concept of a senior Olympic administrator designated by institutions generated discussion among the group and will remain a significant topic within the project initiatives. In addition, the United States Olympic Achievement Award and the USOC fundraising symposium were highlighted as components of the ongoing work. The committee can continue to expect to receive updates on the project initiatives moving forward.

9. NCAA Division III and NASPA Alcohol and Other Drug Education Collaborative Partnership. Representatives from the NCAA (National Collegiate Athletic Association) and NASPA (National Association of Student Personnel Administrators) met on September 23, 2011, in Indianapolis to:

- Consider the possibility of collaboration.
- Develop a mission.
- Outline the scope and deliverables of the initiative.

The mission statement for the collaboration was established as "The NCAA Division III and NASPA partnership will promote an integrated model for on-campus collaborations among student affairs and athletics professionals and provide resources to deliver effective alcohol and drug education for the well-being and success of all students."

The project was defined as operating under the umbrella of Environmental Management. There are three distinct and related elements to be included:

- Identify best practices in the Alcohol and other Drug education space and develop pathways to share those broadly.

- Develop modules with baseline information that coaches, students, and other stakeholders need to know.
- Promote effective resources within the context of the environmental model.
- Identify the gaps in existing program offerings and develop resources or programming to target those gaps.

It is anticipated that a pilot resource will be made available to a limited number of institutions by August 1, 2012 with an initial focus on alcohol abuse prevention. Over time, the resource will be offered to all Division III members and include substances beyond alcohol.

10. Transgender Student-Athlete Resources. The Management Council reviewed the guidebook "NCAA Inclusion of Transgender Student-Athletes." The purpose of this resource is to provide guidance to NCAA athletic programs about how to ensure transgender student-athletes fair, respectful, and legal access to collegiate sports teams based on current medical and legal knowledge. It provides best practice and policy recommendations for intercollegiate athletic programs to provide transgender student-athletes with fair and equal opportunities to participate. In addition to specific policy recommendations for college athletics, the resource provides guidance for implementing these policies to ensure the safety, privacy, and dignity of transgender student-athletes as well as their teammates. Specific best practice recommendations are provided for athletic administrators, coaches, student-athletes and the media.

REPORT OF THE NCAA DIVISION III PRESIDENTS COUNCIL AND MANAGEMENT COUNCIL JOINT LEGISLATIVE STEERING SUBCOMMITTEE

ACTION ITEMS.

1. Legislative Action Items.

- **None.**

2. Nonlegislative Action Items.

- **None.**

INFORMATIONAL ITEMS.

1. Review Posting of Conflicting Committee Positions. The NCAA Division III Presidents Council and Management Council Joint Legislative Steering Subcommittee reviewed the current policy that only the official position of the governance structure regarding legislative proposals is posted in the Official Notice. If a committee that reports to the NCAA Division III Management Council took a position on a proposal that Management Council did not ultimately endorse, that position will not appear in the Official Notice. That position will be, however, reflected in the records of the Management Council meeting. Currently, NCAA Divisions I and II reflect all positions taken by committees, regardless if those positions are consistent with the official governance structure position. The subcommittee determined that changing policy and reflecting all committee positions would cause confusion and undermine the committee structure. Having subcommittees effectively argue against themselves was not desired, nor was it desired to have a committee argue against the Management Council to which it reports. The subcommittee recognized that the membership does have ready access to these contrary positions and NCAA staff should look at additional means of ensuring the process is understood by the membership. However, posting all positions in the Official Notice was not an avenue the subcommittee wanted to pursue.

2. Review of Meeting Structure. The subcommittee reviewed its meeting schedule within the new legislative structure. The subcommittee determined the tentative meeting schedule as follows:

(a) Meeting in late January to review recommended convention legislation from the October and January Management Council meetings.

(b) Meeting in April or May to review recommended convention legislation from the April Management Council meeting.

(c) Meeting after July Management Council and before the NCAA Division III Presidents Council meetings to review recommended convention legislation from the July Management Council meeting as well as direct membership proposals as either strategic or operational (it may be possible to consolidate the April meeting into this meeting).

All meetings would be by teleconference. The primary purpose of these meetings is to review convention legislation proposed by Management Council and determine if it is strategic in nature and needs Presidents Council review, or is operational and may be directly sponsored by Management Council.

Committee Chair: Chris Thomforde, President, Moravian College
Staff Liaisons: Amy Huchthausen, Academic and Membership Affairs
Jeff Myers, Academic and Membership Affairs

SUPPLEMENT NO. 8a
DIII President's Council

September 15, 2011

Dear Division III Presidents Council Representative:

Attached please find a copy of the flyer that gives you details concerning the 2012 NCAA Convention. **This is the document you will use to register for the Convention.** After you open the attachment, you will find instructions on registering as a member of the Division III Presidents Council. Please keep in mind that, as a member of the Division III Presidents Council, you **MUST** register by October 14 to obtain the early bird registration fee and to reserve your hotel room, both of which are paid for by the NCAA. After that date, you are not guaranteed a room at the J. W. Marriott, which is the headquarters hotel for Division III.

Many of you have registered for the Convention as a Presidents Council representative in the past, so this information may be redundant for you. However, there are a couple of things you must do in order to be recognized as a "Presidents Council" member.

1. When you click on the link to register, please make sure that you select Division III as your division. Please select 'Committee' as your choice when the next screen appears, after which you will enter the password: **2012committee**. Please do not share this password with other institutional members, as it is for our Management Council and Presidents Council members only. Once you enter the password, please proceed to enter all information as requested by the system.

2. Please note that room reservations will be accepted ONLY through the online system. As a member of the Division III Presidents Council, your room and tax for Wednesday, January 11, through Saturday, January 14, will be charged to the NCAA master account. I will not be sending a separate room-reservation form later so please make your room reservations when you register.

3. As I have entered you into the Short's Travel Portal for travel, I would encourage you to make your flights by calling the toll-free number at 866/655-9215. Your flights to and from Indianapolis will be charged to the NCAA master account. Again, please do this as soon as your schedule will allow.

4. As you are making your reservations, please note that most of you will need to be in Indianapolis no later than Wednesday, January 11, as our joint Presidents Council/Management Council/Student-Athlete Advisory Committee breakfast begins bright and early Thursday morning, January 12. The business session is scheduled for Saturday, January 14, and should adjourn by early afternoon. You will be free to depart Indianapolis at the conclusion of the business session Saturday.

I believe that covers the information you will need to get you through the system. If you have questions, please contact me and I'll try to answer them or find someone who can.

Thanks.

Debbie

SUPPLEMENT NO. 08b

DIVISION III PRESIDENTS/CHANCELLOR SCHEDULE
Indianapolis, IN
January 11 -14, 2012

TIME	DIVISION III	ASSOCIATION-WIDE	ROOM LOCATION
Wednesday, January 11			
7:30 a.m. to 7 p.m.		Conference Meetings	
10:15 to 11:45 a.m.		Association-Wide Programming	
Noon to 1:30 p.m.		Keynote Luncheon	
1:45 to 2:45 p.m.		Association-Wide Programming	
3 to 4 p.m.		Association-Wide Programming	
Thursday, January 12			
7:30 to 9:30 a.m.	Division III PC/MC/SAAC Breakfast		
8:30 a.m. to 3:30 p.m.		Conference Meetings	
9:30 to 11:30 a.m.		Association-Wide Programming	
11a.m. to 2 p.m.	Division III President's Council		
11:15 a.m. to 12:15 p.m.		Association-Wide Programming	
12:30 to 2 p.m.		Association Luncheon	
2 to 3:45 p.m.		First-Time Chancellor/President Programming	
2:15 to 3:45 p.m.		Association-Wide Programming	
4 to 5:30 p.m.		Opening Business Session	
5:30 to 7 p.m.		Delegates Reception	
5:45 to 6:15 p.m.		Press Conference	
Friday, January 13			
7:30 to 9 a.m.		President's Breakfast	
9:30 to 11:30 a.m.	Division III Issues Forum		
11:30 a.m. to 1:30 p.m.	Division III Chancellors/Presidents Forum and Luncheon		
5 to 6 p.m.	Division III President's Council Hosted Reception		
6 to 8 p.m.		Honors Celebration	
Saturday, January 14			
7:30 to 8:30 a.m.		Delegates Breakfast	
8 a.m. to 1 p.m.	Business Session		
11:30 a.m. to 1:30 p.m.		Delegates Luncheon	

DRAFT

2012 NCAA Convention – Tentative Proposal Groupings

The NCAA Division III Presidents Council and the NCAA Division III Management Council must approve the 2012 NCAA Convention topical groupings of proposals as they will appear in the 2012 NCAA Convention Division III Official Notice. The number to the left of the proposal title represents the proposal number for the Convention. The number in parenthesis is the 2012 NCAA Convention Division III Second Publication of Proposed Legislation number.

Presidents Council Grouping (Three Roll-Call Votes).

1 (2-10) Division Membership – Division III Philosophy Statement – Affirmation and Clarification of Undergraduate Experience, Broad-Based Athletics Programs, Participation in Non-Athletic Pursuits and Autonomy in Eligibility Standards

2 (2-1) NCAA Membership – Member Conference – Conditions, Obligations Privileges and Automatic Qualification – Core Institution

3 (2-9) Playing and Practice Seasons – General Playing-Season Regulations – Required Sickle-Cell Testing

General Grouping (Seven Non Roll-Call Votes*).

4 (2-3) Amateurism and Executive Regulations – Financial Donations and Advertising and Sponsorship of NCAA Championships – Professional Sports Organizations

5 (2-2) Personnel – Conduct of Athletics Personnel – Certified Strength and Conditioning Coaches – Required Sports-Safety Training

6 (2-7) Playing and Practice Seasons – Required Day Off – Voluntary Strength and Conditioning Activities Prohibited During Required Day Off

7 (2-4) Recruiting – Permissible Electronic Transmissions

8 (2-5) Recruiting – Electronic Transmissions – Allowing Text Messaging

9 (2-6) Eligibility – Hardship Waiver – Practice After Injury

10 (2-8) Playing and Practice Seasons – General Playing Season Regulations – Postseason Activities – Exempting One Postseason Championship From the 18 or 19 Week Declared Playing Season

2012 NCAA Convention Division III Legislative Proposals

Committee Position Statements and Tentative Speaker Assignments

This chart will serve two purposes during the October NCAA Division III Management Council meeting:

(1) To provide feedback on positions from various committees which were assigned to review the proposals sponsored by the membership. The Management Council should use the committee feedback in order to develop the Council's official position on the membership sponsored proposals. A majority vote of the Management Council (present and voting) is required to recommend that the NCAA Division III Presidents Council support or oppose a specific legislative proposal sponsored by the membership.

(2) The chart details the tentative speaker assignments for all proposals that will be voted upon during the business session at the 2012 NCAA Convention. The assignments are tentative and the Council members should verify their willingness to speak the governance structure's official position on the assigned proposal. If a Council member chooses not to speak on the proposal assigned, another member will be chosen.

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
2-1	NCAA MEMBERSHIP -- MEMBER CONFERENCE -- CONDITIONS, OBLIGATIONS PRIVILEGES AND AUTOMATIC QUALIFICATION -- CORE INSTITUTION	NCAA Division III Presidents Council [Management Council (Membership Committee and Championships Committee)].	PC (moving and supporting) = Bob Antonucci MC (supporting) = Tim Downes PC (additional support, if necessary) = Rosalind Reichard MC (additional support, if necessary) = Charlie Robert	Intent: To align the membership requirements for a conference with the automatic qualification requirements for a conference, by doing the following: (1) confirming that member conferences must be comprised of at least seven core Division III institutions; (2) specifying that institutions may be a core member in only one multi-sport conference; and (3) specifying that a member conference is entitled to a two-year grace period if it fails to satisfy the membership requirements. Finally, any institution considered a core institution in more than one multi-sport conference prior to September 1, 2011, may continue as a core institution in those conferences for purposes of satisfying the automatic qualification and conference membership requirements. Rationale: This amendment aligns the membership requirements of a conference with the benefits and privileges, including automatic qualification to championships, that it receives as a conference. The primary clarification is that an institution may only be a core institution in one multi-sport conference. This will establish stability in conference membership and require institutions to be more strategic	N/A

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
				about alignments for purposes other than acquiring championships automatic qualification. Effectively, this amendment will eliminate the possibility of the "umbrella" conference model since it would not be possible for an institution to be considered a core institution in both the umbrella conference and one of the sub-conferences. The second primary change will extend the automatic qualification grace period to apply to the conference membership requirements for consistency. Finally, there are numerous editorial and reformatting changes in support of these two primary changes that are necessary to completely effectuate the intent of this proposal that will follow if this proposal passes for clarification purposes. This proposed legislation does not impact any existing "umbrella" conferences, but will affect future conference affiliations.	
2-2	PERSONNEL -- CONDUCT OF ATHLETICS PERSONNEL -- CERTIFIED STRENGTH AND CONDITIONING COACHES -- REQUIRED SPORTS-SAFETY TRAINING	NCAA Division III Management Council (Interpretations and Legislation Committee).	MC (moving and supporting) = Bill Klika MC (additional support) = Stan Ching	Intent: To require certified strength and conditioning coaches to maintain current certification in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use if they conduct voluntary strength and conditioning activities outside the playing season. Rationale: Recent legislation permits certified strength and conditioning coaches to conduct voluntary workouts outside the declared playing season. Requiring current first aid, CPR and AED use certification for certified strength and conditioning personnel who conduct these voluntary workouts outside the playing season is consistent with current legislation requiring first aid, CPR and AED use certification for head coaches and provides additional health and safety benefits to student-athletes.	N/A

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
2-3	AMATEURISM AND EXECUTIVE REGULATIONS -- FINANCIAL DONATIONS AND ADVERTISING AND SPONSORSHIP OF NCAA CHAMPIONSHIPS -- PROFESSIONAL SPORTS ORGANIZATIONS	NCAA Division III Presidents Council [Management Council (Championships Committee)].	PC (moving and supporting) = Brian Levin-Stankevich MC (supporting) = Terry Rupert MC (additional support, if necessary) = Stan Ching	Intent: To specify that a professional sports organization may serve as a financial sponsor of an intercollegiate competition event, provided the organization is not publically identified as such; and that a professional sports organization may serve as a financial sponsor of an activity or promotion that is ancillary to the competition event and may be publically identified as such; further, to eliminate the prohibition on sponsorship of NCAA championship activities or promotions by professional sports organizations or teams. Rationale: Current NCAA regulations limit the involvement of professional sports organizations as financial sponsors of intercollegiate events, including NCAA championships. In the case of NCAA championship events, these regulations limit the opportunities for the NCAA staff and/or local organizing committee, host institution and/or conference that administers a championship event in promoting the NCAA championship or related activities. Professional sports teams have been interested in advertising NCAA championships through their promotional channels (e.g., email to season-ticket holders, team website, newsletters), during their contests (e.g., public address announcements, video/message boards, promotional booth) or with their media partners. Partnering with professional sports organizations can help to increase exposure and fan interest for intercollegiate competition events, including NCAA championships, without compromising the Association's principle of amateurism. This legislation is specific to events and ancillary activities. It would not permit a professional sports organization to be a general financial sponsor of an institution, conference or the NCAA. It will remain impermissible for a professional	N/A

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
				team/organization to provide a direct financial donation to an institution, conference or the NCAA (other than as currently permitted). Finally, it will remain impermissible for a professional sports team/organization to use the names or likenesses of student-athletes in any manner.	
2-4	RECRUITING -- PERMISSIBLE ELECTRONIC TRANSMISSIONS	Little East Conference, St. Louis Intercollegiate Athletic Conference	MC = Portia Hoeg MC = Fredina Ingold MC = Lou Stark	Intent: To regulate electronically transmitted correspondence between prospective student-athletes and college staff and coaches according to the same standard as telephone, email and fax correspondence. Rationale: The nature and use of electronic transmissions has evolved in dramatic fashion over the past three years since this rule was enacted. Services like Twitter, Facebook and email services like Gmail allow users to have emails (now allowed by the rule) delivered as text to their phone (currently not allowed). Additionally, prospective student-athletes commonly use Smartphone technology to monitor all forms of electronic communication – text, email, twitter and Facebook. Attempting to regulate portions of services that are now fused together is unnecessary, difficult at-best to monitor and tends to limit the amount of timely information available to the prospective student-athlete. The philosophy of Division III athletics is that student-athletes are treated no differently than non-athlete students. College admissions staff and faculty, among other groups, regularly use this technology to communicate with prospective students. Nor permitting coaches from communicating with prospective student-athletes in this manner separates the (prospective) student-athlete from the (prospective) student. This proposed regulation also recognizes that allowed electronic transmission is best treated by the same standard as telephone and email communication.	Management Council - No Position. The Council determined that the complexity of the issues both for and against the use of social media in recruiting warranted taking no position at this time. The Council noted the particularly historical importance of the NCAA Division III Student-Athlete Advisory Committee's position regarding this topic and therefore will revisit this decision at its January meeting when it has the formal position from the Student-Athlete Advisory Committee. Interpretations and Legislation Committee - No Position. The committee could not come to a majority position regarding the use of social media. The committee does however support deregulating the use of text messaging as a means to communicate with prospective student-athletes. Student-Athlete Advisory Committee - No position. (*Informal position. Formal position will be taken in November*). Supports just allowing text messaging, but not social media. The considerations resulting in the "no position" are set forth as follows: Support: Admissions are already doing this and its professional recruitment to the school; it was okay after May 1 with financial deposit – why not right from the get-go?; any recruiting/communication tool available should be used; high school age students communicate heavily via text messaging; would be more comfortable with texting if communication was initiated via more formal means; institutional emergency messages are sent via text – if that is the best way to communicate

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
					such a message, why not for recruiting? Oppose: Texting and social networking is informal – shortened sentences, abbreviations, etc.; choosing a school is a life changing decision and needs to be conducted via legitimate communication means; current recruitment is working so there is no need to change the legislation; more intrusive than email – you get in class and its immediate in nature; does not push PSA to communicate directly with coach and reinforces how not to handle communication.
2-5	RECRUITING -- ELECTRONIC TRANSMISSIONS -- ALLOWING TEXT MESSAGING	NCAA Division III Management Council.	MC (moving and supporting) = Chris Thomforde MC (supporting) = Nancy Meyer MC (additional support, if necessary) = Lou Stark	Intent: To allow text messaging to be used in the recruiting process. Rationale: The realities of how current prospect-aged individuals communicate, including a proclivity of text messaging, justifies lifting the division's current ban on using text messaging in the recruitment process. The financial concerns that helped prompt the initial text messaging ban have since been mitigated by the evolution of text messaging plans, with most prospects now able to manage expenses through unlimited or low-cost texting options. Also, the awkward nature of not being able to respond to a prospect in the same medium the prospect used to contact a coach, is not reasonable. Nor is it reasonable that athletics departments may not use a means of communication with prospective students that other campus departments, including admissions, are frequently using. This deregulation, however, does not extend to the use of social media platforms because those platforms represent 'personal' space that should not be invaded by coaches in the recruiting process. Text messaging will not completely replace the use of the telephone or other forms of communication in the recruiting process, but rather this deregulation merely allows a means of communication where the initial rationale for its prohibition is no longer reasonable.	N/A

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
2-6	ELIGIBILITY -- HARDSHIP WAIVER -- PRACTICE AFTER INJURY	Midwest Conference, Minnesota Intercollegiate Athletic Conference	MC = Mary Jo Gunning MC = Jeff Martinez	Intent: In the traditional season, to prohibit student-athletes who have, according to a physician, sustained a season-ending injury from engaging with the team in any physical practice activities. Rationale: Continued student-athlete involvement with the team after injury is an important step in retention, rehabilitation and morale. While connection to the team in many areas is necessary, a student-athlete should not be permitted to physically participate in any part of team practice if they are not healthy enough to compete and wish to have an entire season of eligibility returned. While rehabilitation of the injury often involves sport-specific activities and practice-related drills, these should take place outside of the normal practice domain. The student-athlete's focus should be on improving health and strength, not improving skills or providing benefit and assistance to the team in practice. Allowing a student-athlete with a season-ending injury to return to practice, without competing, can be construed as a (unfortunate) form of red-shirting; a practice that was eliminated by Division III in 2004.	Management Council – Oppose. The Council determined that this proposal represents a rule for the minority of individuals that abuse the hardship rule to work around the "redshirt" prohibition. Generally, the medical hardship rule as it currently applies is effective for dealing with student-athletes that incur season ending injuries. The impact of this proposal would result in taking away opportunities from the vast majority of student-athletes that comply with the rule. Interpretations and Legislation Committee - Oppose. The committee expressed concern with the detrimental impact on student-athletes. Further, the committee questioned the clarity of the prohibition set forth in the proposal and the potential inconsistent application based on this lack of clarity. Student-Athlete Reinstatement Committee - Oppose. The current application of hardship waiver legislation is effective in dealing with student-athletes suffering incapacitating injuries or illnesses following limited participation. In addition, the scope of participation is supported by the conclusions of medical personnel associated with a student-athlete's recovery. Finally, the committee noted the proposal could place institutions and conferences in difficult positions associated with determining permissible and impermissible activities (possibly after the fact), as well as create additional resource challenges at the campus level. Academic Issues Subcommittee - Support. The subcommittee noted the purpose of the hardship waiver is to provide a student-athlete the ability to preserve his or her season of eligibility due to injury or illness that prevents participation. Permitting participation in physical practice activity beyond rehabilitative exercises is inconsistent with the intent of the legislation. The subcommittee also noted that a student-athlete is still permitted to

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
					attend practices without physical participation to maintain his or her involvement with athletics. Student-Athlete Advisory Committee - Oppose (*Informal position. Formal position will be taken in November*). Rehab activities during practice allow injured to stay connected to team; still on roster so should be involved in these practices (e.g., throwing balls); may have to sit through practice and then do rehab activities – this will result in additional time constraints for student-athlete; more time commitment for trainers who are already pressed to provide services for all student-athletes; student-athletes lose identity without sport; some small schools only have one facility and rehab and practice would inevitably overlap; if it is an illness (e.g., mono) that student-athlete is recovering from, the student-athlete will still be in a disabled state and cannot truly be practicing; do not need to punish the majority of injured student-athletes due to concern of abuse of few.

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
2-7	PLAYING AND PRACTICE SEASONS -- REQUIRED DAY OFF -- VOLUNTARY STRENGTH AND CONDITIONING ACTIVITIES PROHIBITED DURING REQUIRED DAY OFF	New England Collegiate Conference, New England Women's & Men's Athletic Conference.	MC = Jan Hathorn MC = Kitty Baldridge	Intent: During the playing season, to prohibit voluntary activities conducted by certified strength and conditioning personnel during the mandatory day off; further, outside the playing season, to prohibit voluntary activities conducted by certified strength and conditioning personnel one calendar day per week. Rationale: The rule as currently written permits student-athletes to workout with a strength and conditioning coach during the academic year every day of the week. Although we characterize these workouts as voluntary, we are concerned that the student-athletes best interest is not being taken into consideration here. This proposal should have an immediate effective date because it seeks to protect the best interest of the student-athlete. Delaying the effective date until August 1, 2012, merely delays protecting the interest of our student-athletes. By adding the proposed language, we are guaranteeing that student-athletes receive at least one day off per week.	Management Council – Oppose. The Council determined that this proposal is an example of "over-legislating." Council did not see a need to impose additional monitoring and compliance measures both in and outside the playing season to ensure that on one day a week students do not engage in voluntary activities with a strength and conditioning coach. Council did not have any indication that these permissible activities were being abused and thus do not support legislation that would effectively impose additional compliance measures. Interpretations and Legislation Committee - Oppose. The committee also discussed if the proposal were split into two parts (in-season and out-of-season), that a prohibition on in-season workouts with certified strength and conditioning coaches on the mandatory day off would be supported. The committee agreed that by requiring the day off outside the season, the institution would be required to monitor participation outside the season which is not currently permitted. Consequently, this would result in more oversight outside the playing season, resulting in the opposite of the intended effect of this proposal. Ensuring, however, that student-athletes are not engaging in a workout with the strength coach during the mandatory day off during the season has merit and should be supported. Playing and Practice Seasons Subcommittee - The subcommittee opposes this proposal. The

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
					subcommittee agrees with the basic premise of this proposal that student-athletes should have a day off and not feel compelled to engage in voluntary strength and conditioning activities conducted by a certified strength coach on that day off. The subcommittee questioned, however, whether there was actually a problem that would compel the additional monitoring associated with the proposal. Specifically, the proposal that allowed the voluntary workouts with a certified strength and conditioning coach was not yet effective when Proposal No. 2-7 was submitted. Consequently, Proposal No. 2-7 is based on an anticipated problem that may not manifest itself, as opposed to an existing problem that mandates action. The subcommittee was not comfortable supporting such legislation. The subcommittee noted that if a problem arises the subcommittee would act accordingly, but at this time the subcommittee does not recognize a problem necessitating action. Student-Athlete Advisory Committee - Support. (*Informal position. Formal position will be taken in November*). If voluntary it is something SA will do on off day anyway – do not need to be conducted, but still monitored for safety purposes; provides a day off for SAs without concern about voluntary compliance.
2-8	PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING SEASON	The Commonwealth Coast Conference; Great Northeast Athletic Conference	MC = Nancy Meyer MC = Charles Harris	Intent: In all sports, to exclude from the 18 or 19 week declared playing and practice season, one postseason championship.	Management Council – Oppose. Council is opposed to allowing additional avenues to extend the playing season. Council realized that while this proposal would currently only effect one

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
	REGULATIONS -- POSTSEASON ACTIVITIES -- EXEMPTING ONE POSTSEASON CHAMPIONSHIP FROM THE 18 OR 19 WEEK DECLARED PLAYING SEASON		MC = Kurt Beron	Rationale: The NCAA has allowed institutions to exempt participation in at least one post-season tournament from being counted against their maximum contest limitations (e.g., NCAA, NCCAA, NAIA, and various national governing body championships). Exceptions for a number of other tournaments have also been granted on a sport-by-sport basis. Participation in some season-ending tournaments is also exempt from counting in the playing-season limitations. Exceptions to the playing-season limitations became more important when the seasons were reduced to 18 or 19 weeks. Consequently, schools involved in non-NCAA/NAIA/NCCAA championships now have to save a week on the chance they MIGHT be selected to participate. If not selected, the week of participation is lost to those student-athletes. This proposal allows the two parts of Bylaw 17 to be synchronized, whereby one postseason contest is both exempted from maximum contest limitations and excluded from the 18 or 19 week playing-season limitation in all sports. It also applies the accommodation to all non-NCAA post-season championship events, not a select few. It recognizes the value of the post-season championship experience to student-athletes, and provides a fair and consistent application for all sports.	existing postseason championship, there was expressed concern that this proposal would result in the creation of additional postseason opportunities. These opportunities would likely come with a financial impact that caused the Council concern as well. Interpretations and Legislation Committee - Oppose. The committee expressed concern with extending the playing season by allowing additional exemptions to the playing season. The committee also cited cost considerations associated with additional postseason opportunities and increased pressure for institutions to participate in postseason championship events as further basis to oppose this proposal. Championships Committee - Oppose. The committee noted that while certain season-ending tournaments (e.g., Eastern College Athletic Conference championships) are exempted from contest limitations and not from the playing season limitations, there is not a significant undue burden on institutions that choose to participate in these championships to warrant extension of the playing seasons as proposed. The committee expressed concern about the timing of such postseason championships under this proposal, which could result in a significant lengthening of the playing season. Further, the committee observed that this proposal is likely targeted to a specific area of the country where existing and traditional postseason championships occur, but could increase pressure

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
					on other institutions to establish new events in order to gain a competitive edge, thereby adding contests and increasing costs. Playing and Practice Seasons Subcommittee - The subcommittee opposes this proposal because it unnecessarily extends the playing season. There was also concern expressed that the proposal would result in the establishment of new postseason tournaments resulting in institutions feeling compelled to participate and incurring greater expense. The subcommittee determined that the current limited postseason exemptions Student-Athlete Advisory Committee - Support**.** (*Informal position. Formal position will be taken in November).* Equalizes postseason opportunities; postseason is a reward and should be allowed to maximize contest opportunities and season.
2-9	PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING-SEASON REGULATIONS -- REQUIRED SICKLE-CELL TESTING	NCAA Division III Presidents Council [Management Council (Committee on Competitive Safeguards and Medical Aspects of Sports)].	PC (moving and supporting) = Charley Edmondson MC (supporting) = Jeff Martinez PC (supporting) = Livingston Alexander MC (additional support, if necessary) = Steve Nelson	Intent: To require a sickle cell solubility test as part of the mandatory medical examination, unless documented results of a prior test are provided to the institution or the student-athletes declines the test and signs a written release; applicable to all student-athletes beginning their initial season of eligibility and continuing student-athletes. Rationale: Requirements for sickle cell trait (SCT) status testing should be consistent across divisions. According to the 2011 membership survey, approximately 40 percent of responding Divisions II and III institutions currently confirm SCT status as part of their medical	N/A

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
				examination process. The potential for collapse and complications from SCT is not dependant on the division, sport, gender, or race. The education of staff conducting workouts continues to be the most important factor for preventing catastrophic events, as SCT generally does not result in a medical emergency unless the student-athlete is driven beyond their physiological limit. Typically, athletes that self-regulate their workload and intensity are able to modify the overall stress placed on them and still succeed athletically. Divisions II and III often have fewer sports medicine staff available during workouts; therefore, knowledge of SCT status for all student-athletes by key staff can be a gateway to precaution implementation, preparation and emergency response activation. Finally, in an effort to ensure student-athletes make an informed decision, institutions are encouraged to educate student-athletes about the risks of the condition if the student-athlete elects to decline the test and sign a written release.	
2-10	DIVISION MEMBERSHIP -- DIVISION III PHILOSOPHY STATEMENT -- AFFIRMATION AND CLARIFICATION OF UNDERGRADUATE EXPERIENCE, BROAD-BASED	NCAA Division III Presidents Council.	PC (moving and supporting) = Jim Schmotter PC (supporting) = Cappy Hill MC (additional	Intent: To specify in the philosophy statement that Division III institutions: emphasize intercollegiate athletics as primarily focused on a four-year, undergraduate experience; encourage participation by maximizing the number and variety of sport offerings for their students through broad-based athletics program; assure that student-athletes are supported in their efforts to meaningfully participate in non-athletic pursuits to enhance their overall	N/A

SPOPL No.	Title	Source	Tentative Speaker Assignment	Intent/Rationale	Committee Position Statements
	ATHLETICS PROGRAMS, PARTICIPATION IN NON-ATHLETIC PURSUITS AND AUTONOMY IN ELIGIBILITY STANDARDS		support, if necessary) = Marjorie Hass	educational experience; and exercise institutional and/or conference autonomy in the establishment of initial and continuing eligibility standards for student-athletes. <u>Rationale</u>: The modifications address issues included in the Division's 2008 white papers on membership growth and are a reflection of strategies to best manage the large and diverse Division III membership under a unifying philosophy statement and strategic positioning platform. These concepts address fundamental academic and educational principles the division has commonly relied upon in the past and it is appropriate to formally incorporate them into the philosophy statement. Additionally, clarification of the provision that institutions encourage participation by maximizing the number and variety of sport offerings is necessary based on the frequent, yet misused citation of this provision in efforts to expand the playing season or number of contests. This clarification more accurately reflects the legislative and philosophical history of the division to sponsor broad-based athletics programs.	

President's Council and Management Council Members Not Attending Convention

TBD

President's Council and Management Council Members on Dais and Unable to Speak on Position Papers

Jim Bultman, Chris Martin

Management Council Members – Unassigned but Available

None

President's Council Members – Unassigned but Available

Tom Chema, Sharon Herzberger, Marcia Keizs, Lisa Marsh Ryerson, Jack Ohle, Fred Ohles, Ronald Thomas

The Division III Academic Reporting Pilot Program: Year 2 Preliminary Findings

Division III Management Council and Presidents Council
October, 2011
Indianapolis, IN

INTRODUCTION

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Background

- The pilot program was designed and implemented to assess the feasibility of collecting and reporting on student-athlete graduation rate information for Division III institutions.
- This reporting cycle represents the second consecutive year that Federal Graduation Rate and Academic Success Rate (ASR) data on student-athletes have been collected for Division III institutions as part of the Division III Academic Reporting Pilot Program.

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Background

- The Division III Academic Reporting Working Group was created to serve in an oversight role for the program, develop policies and procedures, provide guidance on analysis and reporting of findings and to make recommendations for the future of academic reporting for the division.
- The Division III ASR is similar to the Division I Graduation Success Rate (GSR) and the Division II ASR in that it removes from the cohort students who left the institution prior to graduation while in good academic standing.
- The Division III ASR includes all non-scholarship freshman student-athletes on the roster on the first date of competition.

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Two Calculations

- FIRST, the **Federal Calculation**…
  - The proportion of those who enrolled as full-time, first-time freshmen who graduated from the same institution within six years of initial enrollment - student-athletes and student body.
  - For Division I and II, this method is used for scholarship student-athletes only.

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Two Calculations

- SECOND, the **Success Rate**…
  - The proportion of those who enrolled as full-time, first-time freshmen who graduated from the same institution within six years of initial enrollment - student-athletes and student body.
  - Those that leave the institution within six years while academically eligible are subtracted from the denominator (number enrolled) of the proportion.
  - Includes transfer-in student-athletes (for Division I and II only).
  - The DI GSR includes scholarship student-athletes only.
  - The DII ASR includes scholarship AND non-scholarship student-athletes.

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Data

- 115 schools (26%) submitted complete data to allow for the calculation of the Federal Rate AND the Academic Success Rate for all sports for the 2003 entering class.
- 137 schools (31%) submitted complete data for the 2004 entering class.
- Over two years, a total of 157 schools submitted data to calculate the rates.
  - 95 schools submitted in both years of the pilot.
  - 20 schools that submitted in Year 1, did not submit data in Year 2.
  - 42 schools submitted for the first time in Year 2.
- Comparison of rates across years is discouraged due to significant shift of schools in the cohorts.

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Representativeness of the Sample

	All Division III	Pilot Schools	
		2003	2004
Number of Schools	444	115	137
Private/Public	80% / 20%	82% / 18%	85% / 15%
Average Enrollment	2,367	2,770	2,711
Average Sports Sponsorship	17	17	17
Sponsors Football	53%	55%	57%
Proportion of Athletes to Undergraduate Enrollment	21%	21%	23%
Overall Student-Body Federal Graduation Rate	65%	63%	65%
Women's Student-Body Federal Graduation Rate	68%	67%	68%
Men's Student-Body Federal Graduation Rate	62%	59%	62%

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FINDINGS

FEDERAL RATE COMPARISONS

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Average Federal Rates for the Student-Body by Division (All Schools)

2003 Entering Cohort

	2003 Average Rates (%)		
	Division I	Division II	Division III
Overall	63	47	65
Men	60	43	62
Women	65	51	68

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Average Federal Rates for the Student-Body by Division (All Schools)

2004 Entering Cohort

	2004 Average Rates (%)		
	Division I	Division II	Division III
Overall	63	49	64
Men	60	45	61
Women	65	53	66

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Average Federal Rates for Division III Student Body and Student-Athletes (Pilot Schools)

2003 Entering Cohort

	2003 Average Rates (%)	
	Student-Body	Student-Athletes
Overall	63	66
Men	59	60
Women	67	75

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Average Federal Rates for Division III Student Body and Student-Athletes (Pilot Schools)

2004 Entering Cohort

	2004 Average Rates (%)	
	Student-Body	Student-Athletes
Overall	63	68
Men	59	62
Women	66	75

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Average Federal Rates for Student Body and Student-Athletes by Division

2003 Entering Cohort

	2003 Average Rates (%)	
	Student-Body	Student-Athletes
Division I	63	64
Division II	47	56
Division III*	63	66

*Pilot Schools Only

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Average Federal Rates for Student Body and Student-Athletes by Division

2004 Entering Cohort

	2004 Average Rates (%)	
	Student-Body	Student-Athletes
Division I	63	65
Division II	49	55
Division III*	63	68

*Pilot Schools Only

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FINDINGS

FEDERAL & SUCCESS RATE COMPARISONS OVERALL

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Average Federal Rates and ASRs for Division III Student-Athletes by Gender (Pilot Schools)

2003 Entering Cohort

	2003 Average Rates (%)	
	ASR	Federal Rate
Overall	89	66
Men	85	60
Women	95	75

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Average Federal Rates and ASRs for Division III Student-Athletes by Gender (Pilot Schools)

2004 Entering Cohort

	2004 Average Rates (%)	
	ASR	Federal Rate
Overall	87	68
Men	83	62
Women	93	75

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FINDINGS

FEDERAL & SUCCESS RATE COMPARISONS BY SPORT

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Average Federal Graduation Rates and ASRs for Division III Men's Sports (Pilot Schools)

2003 Entering Cohort

SPORT	2003 Average Rates (%)	
	ASR	Federal Rate
Baseball	89	62
Basketball	85	59
Cross Country/Track	89	68
Football	79	52
Golf	92	70
Ice Hockey*	77	58
Lacrosse	89	71
Soccer	85	58
Swimming*	86	72
Tennis	93	72
Wrestling*	82	61

**ASR denominator < 200.*

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Average Federal Graduation Rates and ASRs for Division III Men's Sports (Pilot Schools)

2004 Entering Cohort

SPORT	2004 Average Rates (%)	
	ASR	Federal Rate
Baseball	86	67
Basketball	83	61
Cross Country/Track	87	71
Football	76	53
Golf	90	64
Ice Hockey*	82	54
Lacrosse	82	69
Soccer	86	64
Swimming	90	79
Tennis	93	75
Wrestling*	79	53

**ASR denominator < 200.*

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Average Federal Graduation Rates and ASRs for Division III Women's Sports (Pilot Schools)

2003 Entering Cohort

SPORT	2003 Average Rates (%)	
	ASR	Federal Rate
Basketball	94	69
Crew*	98	87
Cross Country/Track	96	75
Field Hockey	96	81
Golf*	98	77
Ice Hockey*	100	74
Lacrosse	95	79
Soccer	94	74
Softball	94	78
Swimming	97	78
Tennis	93	73
Volleyball	94	69

**ASR denominator < 200.*

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Average Federal Graduation Rates and ASRs for Division III Women's Sports (Pilot Schools)

2004 Entering Cohort

SPORT	2004 Average Rates (%)	
	ASR	Federal Rate
Basketball	91	69
Crew*	98	85
Cross Country/Track	94	79
Field Hockey	91	75
Golf*	96	70
Ice Hockey*	88	60
Lacrosse	94	81
Soccer	92	72
Softball	91	72
Swimming	95	82
Tennis	96	77
Volleyball	92	73

**ASR denominator < 200.*

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Next Steps

- Honorariums to be distributed.
- Feedback to be sought from participating schools concerning utility and relevance.
- Preliminary findings reviewed by multiple governance groups over the next two months.
- Final Report to be presented to the membership at the convention in January.

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NCAA Government Relations Report

(September 2011)

1. Congressional Overview.

Continued challenging economic conditions in the United States and around the world have led Congress to make the nation's overall fiscal health the focus of its agenda for the remainder of 2011. Prior to its annual August recess, Congress passed the Budget Control Act of 2011, which raised the debt ceiling and required a bipartisan joint-select committee to propose ways to reduce the deficit. If proposals from this committee are not passed by December 23, 2011, as much as $1.2 trillion dollars in cuts will occur in defense and non-defense spending. Policymakers appointed to this joint committee include: Senator John Kerry (D-MA), Senator Max Baucus (D-MT), Senator Patty Murray (D-WA), Senator John Kyl (R-AZ), Senator Rob Portman (R-OH), Senator Patrick Toomey (R-PA), Representative Dave Camp (R-MI), Representative Fred Upton (R-MI), Representative Jeb Hensarling (R-TX), Representative Xavier Becerra (D-CA), Representative James Clyburn (D-SC), and Representative Chris Van Hollen (D-MD).

With the legislative deadlines implemented under the Budget Control Act, Congress and the White House will be under pressure to come to an agreement before the end of the year. Other issues expected to gain attention this year include the expiring exemptions to the Alternative Minimum Tax, consideration of the defense authorization bill and an attempt to write a multi-year solution to prevent scheduled cuts in reimbursement rates for physicians who take Medicare patients.

To date, sports issues have not seen a significant amount of legislative attention. However, Congress has paid close attention to the labor negotiations of the professional sports leagues, proposed testing of HGH in the NFL, improved safety standards for athletes at all levels of play, and the realignment of conference affiliations in college sports.

2. Federal Issues.

a. Concussions and Helmet Safety.

Congress has continued to express an interest in addressing concerns with mild traumatic brain injuries and the utility of the equipment being used to protect athletes on all levels of play. The NCAA government relations office is actively tracking legislation relevant to this issue including H.R. 1127 and its companion measure in

the Senate, S. 601, the Children's Sports Athletic Equipment Safety Act. This legislation would give industry groups nine months to improve the voluntary football helmet standards for youth athletes. The Consumer Product Safety Commission (CPSC) would be given the responsibility of determining if those standards are adequate. If deemed inadequate, the CPSC would launch an effort to establish mandatory standards for football helmets worn by high school and younger athletes. Also of interest is H.R. 469, the Protecting Student-Athletes from Concussions Act of 2011. Under this bill, public elementary and secondary schools would be required to educate students, parents and personnel on concussion safety and implement a standard plan for concussion safety and management.

To date, these measures have not received a significant amount of legislative attention. However, the NCAA government relations staff and NCAA health and safety staff have continued to work with interested parties and share relevant information to identify ways to protect student-athletes on all levels of play.

b. Internet Gambling.

In September 2006, Congress passed the SAFE Port Act, which included language seeking to curb Internet gambling. The language, which was taken from the Unlawful Internet Gambling Enforcement Act (UIGEA), prohibits any person engaged in the business of betting or wagering from knowingly accepting certain financial instruments, credit cards and fund transfers for unlawful Internet gambling. At the time of passage there was opposition from some members of Congress because of the bill's strong restrictions while others were bothered that the language was included as an amendment to the SAFE Port Act, which was a larger security measure. In response to these concerns, several measures have been introduced during the 112th Congress.

H.R. 1174, the Internet Gambling Regulation, Consumer Protection, and Enforcement Act, was introduced by Representative John Campbell (R-CA) on March 17, 2011. The measure, which has the support of Financial Services Ranking Member Barney Frank (D-MA), would essentially overturn the 2006 law and prescribe administrative and licensing requirements for Internet betting. If passed, the bill would also permit states to opt-out of Internet gambling activities within their respective jurisdictions.

H.R. 2366, the Internet Gambling Prohibition, Poker Consumer Protection, and Strengthening UIGEA Act of 2011, was introduced by Representative Joe Barton (R-TX) on June 24, 2011. This measure would allow for the licensing, regulation, and taxation of Internet poker. Similar to H.R. 1174, this bill would provide states the opportunity to opt out of online poker within their respective jurisdiction.

H.R. 2230, the Internet Gambling Regulation and Tax Enforcement Act of 2011, was introduced by Representative Jim McDermott (D-WA) on June 16, 2011. This bill would establish a structure to regulate and tax Internet gambling operations. Specifically, the measure would impose a two percent federal tax on Internet gambling providers, require those providers to submit detailed information on individual betters, and require the withholding of tax on net Internet gambling winnings.

It is important to note that H.R. 1174 and H.R. 2366 both contain language specifically prohibiting wagering on athletic competitions. Since introduction, these measures have not received significant legislative attention. NCAA government relations staff will continue to track legislation in this area.

c. President's Council on Fitness, Sports and Nutrition.

The NCAA Government Relations staff has worked as a liaison with the staff of the President's Council on Physical Fitness, Sport and Nutrition and our headquarters' colleagues to incorporate participation in the Presidential Active Lifestyle Award program within our other fitness initiatives at NCAA championships. The NCAA efforts were acknowledged by Health and Human Services Secretary Kathleen Sebelius and the Board of the President's Council during the Worldwide Day of Play event held at the White House Ellipse on September 24, 2011.

3. <u>State Issues</u>.

a. Lystedt Law.

In an effort to address concerns with mild traumatic brain injuries suffered by athletes on all levels of play, the NCAA has joined with the NFL and several medical organizations to seek passage 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 he/she is cleared by a licensed physician.

To date, the NFL and NCAA have been successful in seeking passage of the Lystedt law in more than half of the states. While many state legislatures have adjourned for the year, the measure is still under consideration in Wisconsin, Ohio and Pennsylvania. The NCAA and NFL will continue to work in a collaborative manner to seek adoption of the Lystedt law in all fifty states.

b. Uniform Athlete Agents Act.

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 that an athlete-agent may engage in when dealing with a student-athlete. In addition, the act imposes criminal, civil and/or administrative penalties against unscrupulous agents.

During the last year, nearly a quarter of the 40 states that adopted the UAAA, have considered legislation to amend the act. Concerns about the effectiveness of the law have driven the discussion in this area. Most of these new measures have sought to increase the criminal and civil penalties for violating the law, alter the definition of athlete-agent to broaden the scope of individuals who must adhere to the law, and add a provision requiring that notice be given to a membership institution before an athlete-agent may have contact with a student-athlete.

In an attempt to maintain uniformity amongst the various state laws and to explore the effectiveness of the model act, the NCAA government relations staff and the NCAA enforcement staff are planning to hold a summit to probe these issues on November 17, 2011. Attendees will include state representatives who administer and enforce the act as well as personnel from professional sports leagues and membership institutions.

c. 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 Colleges 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.

ArbiterSports
Division III President's Council
October 19, 2011

- ArbiterSports is the brand representing 3 companies – The Arbiter, LLC; RefPay, LLC and eOfficials, LLC; the companies operate from a single location in Sandy, UT; the NCAA acquired a majority interest in all three companies in September 2008;

- The primary objective behind the NCAA's investment in ArbiterSports is to improve consistency in officiating – in alignment with the NCAA's objectives of an ever improving student-athlete experience through fair play, safety and good sportsmanship;

- Benefits that extend from the primary objective of consistency include: with greater penetration of registration a centralized database of officials who officiate for NCAA conferences, online resources for educational materials made available to officials and coordinators in all divisions, video training, rules testing, physical distribution of mechanics and rules publications and tracking of postseason eligibility compliance;

- A secondary objective is to develop recruiting and advancement opportunities for both the official and the conferences;

- The content on all NCAA officiating websites are provided by the NCAA and National Coordinators (and their staff); ArbiterSports personnel assists in managing the sites but does not own the IP rights nor 'sanctioned' to produce original material or communications on behalf of the NCAA on such websites;

- Free access to the educational content is provided to all Commissioners and Coordinators and administrative staff for each conference;

- There is no requirement for conferences to purchase assigning, payroll, evaluations or other such officiating management products and services from ArbiterSports, however, there are discounts offered to NCAA conferences not offered to other organizations;

- The business model is based on utilizing cash flow from sales of all officiating related products to customers across all levels of sports plus NCAA registration fees from officials to create a self-funding 'company' that will provide online officiating educational resources that can be utilized by DI, DII and DIII;

- The following NCAA sports have websites hosted by ArbiterSports for the purpose of registering, testing and communicating with their officials:

    - Football/CFO
    - Men's Basketball
    - Women's Basketball
    - Men's and Women's Soccer
    - Women's Volleyball
    - Ice Hockey
    - Baseball
    - Softball

- Discussions are underway to add officiating websites for men's and women's lacrosse and wresting in 2012 for their 2013 season registration;

- Beginning with men's and women's basketball 2011-12 season it is a requirement for DIII (along with DI and DII) officials to pass the NCAA rules test online in order to be eligible for a postseason assignment; men's and women's soccer has announced that beginning with their 2012-13 season it will be a requirement for DIII officials (along with DI and DII) to pass an NCAA rules test online to be eligible for a postseason assignment; there are discussions underway for the other sports to add a testing requirement at the DIII level.

- Beginning with the 2011 fall championships the NCAA has decided to use the ArbiterSports online assigning and payment system for all sports (excluding FBS bowl games);

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SUMMARY OF FALL 2011 QUARTERLY MEETINGS
The National Collegiate Athletic Association

Division III Management Council **October 17-18, 2011** **Indianapolis, IN**	**Division III Presidents Council** **October 27, 2011** **Indianapolis, IN**
Kitty Baldridge, Gallaudet University 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 Mary Jo Gunning, Marywood University Charles Harris, Averett University Janine Hathorn, Washington and Lee University Portia Hoeg, Lake Forest College Fredina Ingold, Pennsylvania State University, Altoona Bill Klika, Fairleigh Dickinson University, Florham Chris Martin, College Conference of Illinois & Wisconsin [*chair*] Jeff Martinez, University of Redlands [*vice chair*] Nancy Meyer, Calvin College Steve Nelson, University of Wisconsin, Superior Charlie Robert, Nichols College Terry Rupert, Wilmington College (Ohio) Lou Stark, Coe College Chris Thomforde, Moravian College	Livingston Alexander, University of Pittsburgh, Bradford Robert Antonucci, Fitchburg State College James Bultman, Hope College [*chair*] Thomas Chema, Hiram College Charley Edmondson, Alfred University Sharon Herzberger, Whittier College Catharine Hill, Vassar College Lisa Marsh Ryerson, Wells College Chris Martin, College Conference of Illinois & Wisconsin [*chair of Management Council*] Jeff Martinez, University of Redlands *[vice-chair of Management Council]* Jack Ohle, Gustavus Adolphus College Fred Ohles, Nebraska Wesleyan University James Schmotter, Western Connecticut State University [*vice-chair*]
ABSENTEES	**ABSENTEES**
Marjorie Hass, Austin College	Marcia Keizs, York College Brian Levin-Stankevich, University of Wisconsin, Eau Claire Rosalind Reichard, Emory and Henry College Ron Thomas, University of Puget Sound
OTHER PARTICIPANTS	**OTHER PARTICIPANTS**
Scott Bearby, NCAA Gary Brown, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Mark Emmert, NCAA Jan Gentry, NCAA Eric Hartung, NCAA Amy Huchthausen, NCAA Leah Kareti, NCAA, *recording secretary* Kat Krtnick, NCAA Kiera Miller, NCAA Pat McConney, NCAA	Gary Brown, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Bernard Franklin, NCAA Eric Hartung, NCAA Leah Kareti, NCAA, *recording secretary* Debbie Kresge, NCAA Kiera Miller, NCAA Jeff Myers, NCAA Delise O'Meally, NCAA

OTHER PARTICIPANTS	OTHER PARTICIPANTS
Jeff Myers, NCAA	
Kristin Nesbitt, NCAA	
Liz Suscha, NCAA	
Mary Wilfert, NCAA	
John Williams, NCAA	

1. WELCOME AND ANNOUNCEMENTS.

Management Council. The meeting was called to order at 8:05 a.m. by the chair, Chris Martin. The chair welcomed Council members and reviewed the agenda for the meeting.

Presidents Council. The meeting was called to order at 8:45 a.m. by the chair, President Jim Bultman. The Presidents Council attended a joint breakfast of the NCAA Division I Board of Directors and Division II Presidents Council immediately prior to the meeting. This joint breakfast included an update on Association-wide items of interest, including a report on the NCAA presidential dashboards and litigation update.

2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.

a. Management Council Meetings – July 25-26, 2011.

Management Council. The Management Council approved the summary of its July 25-26, 2011, meetings as presented.

Presidents Council. No action necessary.

b. Presidents Council Meeting – August 11, 2011.

Management Council. No action necessary.

Presidents Council. The Presidents Council approved the summary of its August 11, 2011, meeting as presented.

c. Executive Committee Meeting – August 11, 2011.

Management Council. The Management Council reviewed the minutes of the August 11, 2011, Executive Committee meeting. No action was necessary.

Presidents Council. The Presidents Council reviewed the minutes of the August 11, 2011, Executive Committee meeting. No action was necessary.

d. Administrative Committee Actions.

Management Council. The Management Council approved the minutes of the August 29, 2011, Administrative Committee action.

Presidents Council. The Presidents Council approved the minutes of the August 29, 2011, Administrative Committee actions.

3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.

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

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

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

(1) Convention-Planning Subcommittee.

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

Presidents Council. No action was necessary.

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

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

(2) Strategic-Planning and Finance Committee.

Management Council. The Council reviewed the division's budget report as of September 28, 2011. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons: **Dutcher, Kareti Myers**

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

(3) Joint Legislative Steering Subcommittee.

- **Review Posting of Conflicting Committee Positions.**

Management Council. The Management Council accepted the information that the subcommittee reviewed the current policy that only the official position of the governance structure regarding legislative proposals is posted in the Official Notice. If a committee that reports to the NCAA Division III Management Council took a position on a proposal that Management Council did not ultimately endorse, that position will not appear in the Official Notice. That position will be, however, reflected in the records of the Management Council meeting. Currently, NCAA Divisions I and II reflect all positions taken by committees, regardless if those positions are consistent with the official governance structure position.

The subcommittee determined that changing policy and reflecting all committee positions would cause confusion and undermine the committee structure. Having subcommittees effectively argue against themselves was not desired, nor was it desired to have a committee argue against the Management Council to which it reports. The subcommittee recognized that the membership does have ready access to these contrary positions and NCAA staff should look at additional means of ensuring the process is understood by the membership. However, posting all positions in the Official Notice was not an avenue the subcommittee wanted to pursue.

Presidents Council. The Council accepted the information.

b. Management Council Subcommittees.

Staff Liaisons: Davey, Nesbitt

Council Reps: Ching, Downes, Harris

(1) Academic Issues Subcommittee.

Management Council. The Management Council reviewed the committees report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons: Brooks, Oakes

Council Reps: Downes, Gunning, Hathorn, Robert, Rupert

(2) Subcommittee for Legislative Relief.

(a) Directive for Review of Requests Seeking Relief of NCAA Bylaw 17 to Extend the Playing Season Citing Nontraditional Academic Calendars as Mitigation.

Management Council. The Management Council approved the subcommittee's recommendation to issue the following directive, effective immediately:

Because of the importance the Division III philosophy statement places on establishing reasonable limits to playing and practice seasons, one-time or limited requests for institutions with nontraditional academic calendars to extend the playing season should be denied. Upon appeal, the subcommittee, as opposed to staff, may review the circumstances on a case by case basis, but is inclined to deny.

Bylaw 17.1.6.2 (playing-season waiver) was revised to state that an institution with a nontraditional academic calendar may apply to the NCAA Division III Management Council, or a committee designated by the Management Council to act for it, for a waiver of the general or sport-specific playing-season regulations; however, there shall be no waivers to extend an institution's playing season beyond the legislated maximum number of weeks. The NCAA Division III Interpretations and

Legislation Committee confirmed that the scope of such waivers shall extend only to those situations in which the institution's nontraditional academic calendar interferes with its ability to adhere to playing season regulations, as opposed to one-time or limited requests. During its March 2011 teleconference, the subcommittee reviewed a case in which the staff provided relief for an institution to begin its playing-season a week earlier than the legislated start date due to the institution operating on a trimester system. The subcommittee directed the staff to archive the case, noting this was contrary to the divisional philosophy. Developing a directive for such waivers provides guidance to the staff and direction to the membership when considering such cases.

Presidents Council. No action was necessary.

(b) Subcommittee for Legislative Relief Review Guidelines as it Relates to Tie Votes in Appeal Cases.

Management Council. The Management Council approved a revision to review guidelines in the subcommittee policies and procedures concerning tie votes in appeal cases as follows: In situations where there is a tie vote, the initial decision of the staff shall be considered to be upheld, effective immediately.

Currently the policies and procedures indicate that in situations where there is a tie vote, the chair of the Management Council will be forwarded the materials and cast the tie-breaking vote. By revising the procedures as recommended, the decision remains with those individuals who review legislative relief requests on a routine basis and who have expertise in this particular area. Additionally, there will be consistency among all three divisions as it relates to the tie-breaking procedure for appeal cases.

Presidents Council. No action was necessary.

Staff Liaisons: **Myers, Nesbitt, Suscha**

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

(3) Playing and Practice Seasons Subcommittee.

(a) Noncontroversial Legislation – Playing and Practice Seasons – Football and Basketball Scrimmage – Allow Publicity and Official Scoring.

Management Council. The Council approved in concept noncontroversial legislation that would amend Bylaw 17.3.3.3.1(a) and 17.9.3.1(a) that would eliminate the requirement that the allowable practice scrimmage must be conducted without publicity or official scoring, effective August 1, 2012.

Currently, football and basketball are the only sports in which a preseason scrimmage must be conducted without publicity and official scoring. The subcommittee determined that there is not sufficient rationale to treat football and basketball differently from other sports in this regard. This proposal attempts to remove arbitrary differences between sports make the regulations more consistent. This proposal would allow institutions to post their football and basketball scrimmages on their websites without incurring a violation. Further, it would also permit students that will be used as scorekeepers throughout the season to use this scrimmage as a means of training without violating the official scoring prohibition.

Presidents Council. No action was necessary.

(b) Noncontroversial Legislation – Playing and Practice Seasons – Definition of Scrimmage and Exhibition.

Management Council. The Council approved in concept noncontroversial legislation making the language regarding scrimmages and exhibition contests consistent throughout Bylaw 17, effective August 1, 2012.

Throughout Bylaw 17, the terms "scrimmage" "exhibitions" and "exhibition scrimmages" appear to be used interchangeably with no apparent difference in meaning or application. This terminology has caused some confusion regarding how the activities may be conducted, whether they may be conducted with publicity and official scoring, and if the playing rules have to be applied. It would benefit the membership to use more consistent language and ensure more consistent application of the legislation. This proposal would achieve that consistency.

Presidents Council. No action was necessary.

(c) GOALS Study.

Management Council. The Council accepted the information that the subcommittee acted on a recent Management Council referral and received a research staff presentation on the GOALS study results. The purpose was to review any GOALS findings related to time pressures (e.g., missed class time, contest limits and etc.), including issues specific to baseball. Based on the presentation, the subcommittee requested additional information from the research staff. The subcommittee requested a comparison of the findings regarding baseball student-athletes to other spring sport student-athletes. To have a better understanding of the impact of the maximum contest limits for baseball, the subcommittee requested information reported by the membership regarding the number of baseball contests played. This information will be presented at a future meeting.

Presidents Council. No action was necessary.

c. Division III Committees.

(1) Championships Committee.

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

Council Reps: Downes, Martin, Nelson

(a) Noncontroversial Legislation -- Bylaws 17.4.2 and 17.4.3 -- Playing and Practice Seasons -- Women's Bowling -- Preseason Practice and First Date of Competition -- October 1.

Management Council. The Management Council approved in concept noncontroversial legislation that an institution shall not commence practice sessions or engage in its first date of competition with outside competition prior to October 1, effective August 1, 2012.

This proposal makes standard across the three NCAA divisions the first permissible dates of preseason practice and competition, and minimizes the pressure to begin the season early in the academic year.

Presidents Council. No action was necessary.

(b) Noncontroversial Legislation -- Bylaws 17.4.5.1 and 17.4.5.2 -- Playing and Practice Seasons -- Women's Bowling -- Number of Dates of Competition.

Management Council. The Management Council approved in concept noncontroversial legislation that an institution shall limit its total playing schedule with outside competition to 32 dates of competition, and that an individual student-athlete shall limit her participation each academic year to 32 dates of competition. Further, all dates of competition of a tournament shall be included in the maximum limitation, effective August 1, 2012.

Under current legislation, institutions and student-athletes may participate in 26 dates of competition. However, with the tournament provision, up to 10 three-day tournaments may count as single dates of competition, which permits institutions and student-athletes to participate in as many as 46 dates of competition (i.e., 10 x 3 = 30 plus 16 additional dates of competition = 46 total). By eliminating the tournament provision, this recommendation standardizes the total dates of competition for institutions and student-athletes and also reduces the total dates of competition for institutions and student-athletes by as many as 14 dates.

Presidents Council. No action was necessary.

(c) Championship Bench Size Limits -- Football.

Management Council. The Management Council approved an adjustment for bench size limits for football from 75 to 78 for the 2011-12 academic year. The additional positions are to be filled at the institution's discretion with student-athletes permitted to be in uniform and participate in practice and warm-ups. The established squad size limit (i.e., 52 - the number of student-athletes permitted to participate in a contest) will remain unchanged, effective for the 2011-12 academic year (single championship season only).

The bench size increase is in response to a resolution adopted at the 2011 NCAA Convention that promised to study the appropriate number of student-athletes allowed in the bench area at various championships. The bench size for football previously was increased from 72 to 75. However, the NCAA Division III Football Committee has confirmed its support for increasing the bench size to the full number permitted under current guidelines (squad size of 52 plus six student-athletes previously approved to be in uniform and participate in practice and warm-ups plus 20 individuals equaling 78 total people) rather than capping the bench size at 75.

Funding for the additional bench positions will be at the institution's expense in 2011-12, since additional personnel above and beyond the squad size and travel party are not reimbursed by the NCAA. In subsequent years, the increases could be fully funded as an expansion of the squad size, pending budget approval.

Presidents Council. No action was necessary.

(d) Sport Sponsorship -- Rowing.

Management Council. The Management Council accepted the information that the issue of the minimum number of boats an institution must have (e.g., a I Eight and a II Eight) and the minimum number of regattas in which the boat(s) must compete in order for an institution to sponsor women's rowing be referred to the rowing committee for further consideration. While the initial committee recommendation was to refer this issue to the Membership Committee, the Council determined that the sport committee is in the best position to make this determination.

The women's rowing championship follows the playing rules of the U.S. Rowing Association, the national governing body, and the rules do not clearly define how many boats are necessary for a completed contest. Similarly, NCAA Bylaw 20.11.3.8 mandates that an institution's rowing team participates in a minimum of eight contests for sport sponsorship but does not specifically define how many boats must compete on behalf of the institution.

Presidents Council. No action was necessary.

(e) GO Ground Transportation Program.

Management Council. The Management Council accepted the information that the ground transportation pilot program with GO Ground Options resulted in approximately 33 percent savings overall for ground transportation from 2009-10 to 2010-11. Following a request for proposal (RFP) bid process, GO Ground Options, in conjunction with Game Day Operations, has been awarded a contract to provide ground transportation for NCAA championships for 2011-12. GO Ground Options will provide bus transportation and Game Day Operations will handle transportation logistics in the locale of selected championships. For 2011-12, all Division III team sport championships will be required to utilize GO Ground Options for any ground transportation to be reimbursed by the NCAA. Institutions with an existing bus contract for the regular season and postseason will receive a one-year grace period. Information regarding the ground transportation program will be communicated to directors of athletics, senior woman administrators and conference commissioners.

The travel staff also discussed the concept of increasing by a half day the number of days of per diem provided for teams participating in championships (i.e., on the day prior to the practice day). Further discussion related to the possibility of the NCAA, rather than championship hosts, assuming responsibility for negotiating team hotel rates and the NCAA paying lodging expenses for championship participants directly, similar to the current ground transportation program.

Presidents Council. No action was necessary.

(f) Field Hockey Eyewear.

Management Council. The Management Council accepted the information from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports recommending that NCAA field hockey student-athletes be required to wear protective American Society for Testing and Materials (ASTM)-approved eyewear during play. The committee noted the recent action of the National Federation of State High School Associations to mandate the use of ASTM-approved eyewear in 2011-12 for high school field hockey players. The committee referred the issue to the NCAA Division III Field Hockey Committee and requested that formal feedback from the sport committee and the field hockey community be provided to the committee prior to its October teleconference. The committee noted that if ASTM-approved eyewear is mandated, the implementation should be no earlier than August 2012 to allow institutions to plan for the equipment purchase in their budget cycle. [See related information item on Page No. 27]

Presidents Council. No action was necessary.

(g) Score Reporting.

Management Council. The Management Council accepted the information that beginning with the 2011-12 academic year, the statistics staff will oversee all input of schedules and results for the following Division III sports: field hockey, football, men's soccer, women's soccer and women's volleyball in the fall; men's and women's basketball in the winter; and baseball, men's lacrosse, women's lacrosse, softball and men's volleyball in the spring. Results will now be reported through the statistics system rather than through the online score-reporting system. This process will avoid duplicate work by sports information directors. Baseball, softball and women's volleyball will be reported through conference offices, and for all other sports, the host team will report results through the single game reporting system. It is anticipated that within two to three years, the statistics staff will assume responsibility for collecting schedules and results for all sports.

Presidents Council. No action was necessary.

(h) Attendance of Institutional Administrator at Championships.

Management Council. The Management Council accepted the information that the committee reviewed the current championships policy requiring that an administrator for each participating team attend the coaches and administrators meeting and be present throughout competition by the institution at each round of the championship. The current policy mandates that the administrator cannot be a member of the coaching staff for that sport, the sports information director or the athletics trainer, given that those individuals have specific responsibilities at the championship site, and a mandatory fine of $300 is assessed to each institution that is not represented by an institutional administrator at the coaches and administrators meeting. The committee reviewed the budget priorities for the 2012-2015 triennium and determined that funding to increase the official travel party to include an institutional administrator is a lower priority than fully funding the championship experience for participating student-athletes. Therefore, attendance of an administrator (who may be a sports information director or athletics trainer) at the coaches and administrators meeting will be highly recommended, but no fine will be assessed if an administrator does not attend the meeting.

Presidents Council. No action was necessary.

(i) Sport Committee Appointments.

Management Council. The Management Council accepted the information that the committee approved recommendations for appointments to the following sports committees. All appointments were effective September 1, 2011, unless otherwise noted.

i. Division III Men's and Women's Fencing Committee (immediate vacancy). Bruce Gillman, head men's and women's fencing coach and assistant director of athletics, Vassar College.

ii. Division III Women's Golf Committee (two vacancies). Central region: Joe Worlund, associate director of athletics, Washington University in St. Louis. Great Lakes region: Melanee Atkinson, associate director of athletics and senior woman administrator, College of Mount St. Joseph.

iii. National Collegiate Women's Gymnastics Committee. Division III representative, North Central region: Gary Babjack, head women's gymnastics coach, State University of New York at Cortland.

iv. Division III Men's Ice Hockey – Term Extension Request. The men's ice hockey committee requested that the term of Bruce Delventhal, director of athletics at Plattsburgh State University of New York, be extended for one year. Mr. Delventhal is the chair of the committee, and the committee indicated that allowing him to serve until September 1, 2012, would greatly help to facilitate the process of combining the Division III championship with the Division I championship. The NCAA Division III Nominating Committee supported this request.

v. Division III Softball Committee (two immediate vacancies). Atlantic region: Charlie Dobbins, head softball coach, Peace College. Central region: Bonnie Skrenta, head softball coach, DePauw University.

vi. Division III Women's Volleyball Committee. Midwest region: Erin Sullivan, assistant director of athletics, University of Wisconsin, Stout.

Staff Liaisons: Hartung, Myers, Nesbitt

Council Rep: Rupert

(2) Financial Aid Committee.

Management Council. The Council received an oral report. No action was necessary.

Presidents Council. No action was necessary.

(3) Committee on Infractions.

Staff Liaisons: Cooper, Elworth

Council Rep: Gunning

(a) Policies and Procedures – 32.3.8 – Enforcement Procedures – Investigative Procedures – Limited Immunity – Athletics Personnel and Student-Athlete.

Management Council. The Management Council ratified a policy and procedure revision made by the Committee on Infractions, pursuant to Constitution 5.2.3.3 to revise Bylaw 32.3.8 (Limited Immunity), to specify that the Committee on Infractions, at the request of the enforcement staff, may grant limited immunity to at-risk individuals, even for information related to those individuals' involvement in violations already known by the staff, effective immediately.

The legislation governing immunity restricts the granting of it to only those situations in which the interviewee provides information not previously known to the enforcement staff. The immunity does not protect student-athletes, prospective student-athletes or athletics department staff members from penalties related to their involvement in violations already known to the enforcement staff. The intent of the limited immunity legislation was to encourage student-athletes and athletics department employees to assist the enforcement staff in obtaining full and complete information. However, the current legislation does not provide relief of possible penalties for information already available to the staff. By allowing immunity to cover any information provided to the enforcement staff, student-athletes, prospects and athletics department employees may be more willing to report additional violations unknown to the staff, recognizing they can benefit from providing the information.

Presidents Council. No action was necessary.

(b) Policies and Procedures - 32.5.1 – Enforcement Procedures – Notice of Inquiry – Notice to Institution.

Management Council. The Management Council ratified a policy and procedure revision made by the Committee on Infractions, pursuant to Constitution 5.2.3.3 to revise Bylaw 32.5, effective immediately.

The purpose of the Notice of Inquiry legislation, as it exists today, no longer is applicable or necessary. When adopted, Bylaw 32.5.1 was intended to be the first and official notice to an institution that the institution was under investigation by the enforcement staff, as the staff often would not notify the institution it was under inquiry until the investigation was complete. Inasmuch as the enforcement staff's now

long-standing policy is to notify an institution's president or chancellor of the inquiry prior to coming on campus to conduct interviews; institutions are notified of the inquiry well in advance of the current Notice of Inquiry standard. The current practice of providing institutions notice of an inquiry earlier in the investigative process should be reflected in the legislation. In addition, by codifying the current practice, institutions will receive notice of the cooperative principle and the confidentiality of the process much earlier than under the current standard.

Presidents Council. No action was necessary.

(c) Policies and Procedures – Bylaw 32.5.1.1 – Enforcement Procedures – Notice of Inquiry – Notice to Institution – Status Notification within Six Months.

Management Council. The Management Council ratified a policy and procedure revision made by the Committee on Infractions, pursuant to Constitution 5.2.3.3 to revise Bylaw 32.5.1.1, effective immediately.

Once a notice of inquiry has been issued and an investigation is ongoing, institutions are entitled to a status notification every six months until the matter is completed. With the elimination of Bylaw 32.5.1 for other reasons (see below), it is necessary that the language regarding notice to the institution of a continuing investigation after the issuance of a notice of inquiry be moved to another bylaw.

Presidents Council. No action was necessary.

(d) Policies and Procedures – 32.5.1 – Enforcement Procedures – Notice of Inquiry – Review After One Year.

Management Council. The Management Council ratified a policy and procedure revision made by the Committee on Infractions, pursuant to Constitution 5.2.3.3 to eliminate Bylaw 32.5.1.2, effective immediately.

With regard to the elimination of Bylaw 32.5.1.2, investigations are within the purview of the enforcement staff, not the Committee on Infractions. It is an essential element of the infractions process that the enforcement staff has the sole discretion to continue or terminate an investigation. Given the distinct and necessary separation of the staff and the committee, the references to Committee on Infractions review in this bylaw should be eliminated.

Presidents Council. No action was necessary.

(e) Policies and Procedures – Bylaw 32.5.2 – Enforcement Procedures – Notice of Inquiry – Termination of Investigation.

Management Council. The Management Council ratified a policy and procedure revision made by the Committee on Infractions, pursuant to Constitution 5.2.3.3 to amend Bylaw 32.5.2, effective immediately. With regard to the revision of Bylaw 32.5.2, investigations are within the purview of the enforcement staff, not the Committee on Infractions. It is an essential element of the infractions process that the enforcement staff has the sole discretion to continue or terminate an investigation. Given the distinct and necessary separation of the staff and the committee, the references to Committee on Infractions review in this bylaw should be eliminated.

Presidents Council. No action was necessary.

(f) Policies and Procedures – Bylaw 32.7.1.4 - Enforcement Procedures – Summary Disposition and Expedited Hearing – Committee on Infractions Review – Penalties Not Approved.

Management Council. The Management Council ratified a policy and procedure revision made by the Committee on Infractions, pursuant to Constitution 5.2.3.3 to revise Bylaw 32.7.1.4, effective immediately.

Expedited hearings are limited to discussions of penalties in summary disposition cases. Because the issues are very narrow in scope, the Committee on Infractions believes that such hearings can be effectively conducted via videoconferencing or via a written submission.

Presidents Council. No action was necessary.

(g) Policies and Procedures – Bylaw 32.8.6.1 – Enforcement Procedures – Committee on Infractions Hearings - Appearance of Individual at Hearings – Request for Specific Individuals.

Management Council. The Management Council ratified a policy and procedure revision made by the Committee on Infractions, pursuant to Constitution 5.2.3.3 to revise Bylaw 32.8.6 (Appearance of Individuals at Hearings), effective immediately.

In major infractions hearings where the issues are narrow or relatively uncomplicated, the committee believes that the issues can be addressed by a videoconference. Consequently, institutions and other involved parties may make a written request to appear before the committee by videoconference. In these instances, the committee will decide on a case-by-case basis whether conducting the hearing by videoconference is appropriate.

Presidents Council. No action was necessary.

(h) NCAA Bylaw 19.5.2 – Penalties, Disciplinary Measures and Corrective Actions for Major Violations.

Management Council. The Management Council ratified a policy and procedure revision made by the Committee on Infractions, pursuant to Constitution 5.2.3.3 to revise Bylaw 19.5.2 (Penalties, Disciplinary Measures and Corrective Actions for Major Violations), effective immediately.

This is a new Division III penalty structure for major violations cases. Penalties for major violations are presently divided into two subsections: presumptive penalties and disciplinary measures. The presumptive penalties must be imposed by the Committee on Infractions in every case unless there is a reason to deviate. The disciplinary measures may be imposed by the committee in addition to the presumptive penalties and the penalties available for secondary infractions. The recommended change combines the penalties for simplification and will allow the committee to impose any available penalty without a mandate to impose certain penalties, regardless of the circumstances of a particular case. This will allow the committee to determine an order of probation that is tailored to the issues of each institution in the major violations process.

Presidents Council. No action was necessary.

(i) Educating the membership regarding new penalty structure.

Management Council. The Management Council accepted the information that there be consideration of implementing an education program to inform the membership of the significant changes that have taken place in Bylaw 19.5, the penalty provision in infractions cases. Not only has the bylaw been entirely revamped, the updated bylaw includes penalties that have not existed previously, such as the provision that an offending institution post on its website the fact that it is on probation due to having committed major infractions. The committee anticipates that this topic could be made a part of Regional Rules Seminars and/or newsletter columns and that the information be disseminated in any manner designed to reach the membership. "Getting the word out" will help ensure that member institutions are aware of all possible penalties as they go through an infractions investigation and hearing.

Presidents Council. No action was necessary.

Staff Liaisons: Dantzler, Smith, Walters

Council Reps: Antonucci, Baldridge

(4) Infractions Appeals Committee.

- **Enforcement Policies and Procedures – Appeal Procedure – Notice of Intent to Appeal – Appeal by Involved Individuals.**

Management Council. The Management Council ratified the enforcement policy and procedure pursuant to Constitution 5.2.3.3, to amend Bylaw 32.10.1.2 to require individual appellants to disclose current or future employment at a member institution, effective immediately.

[Note: This recommendation was tabled at the July 2010 Management Council meeting based on the assumption that the committee could authorize the amendment and submit a corresponding informational item to the Management Council in a future report. However, the legislative process detailed in Constitution 5.2.3.3 requires the Management Council to act on amendments to enforcement policies and procedures.]

Because committee members recuse themselves from cases which involve, among other things, persons employed by institutions in the same conference as the member's institution, this modification will help the committee discover whether there are any conflicts of interest in a given case. Individuals would be required to disclose on their notice of intent to appeal form whether they currently are employed at an NCAA membership institution. Additionally, the proposed change would obligate appealing individuals to notify the committee's liaisons if they become employed at an NCAA member institution during the course of the appeal process.

Presidents Council. No action was necessary.

Staff Liaisons: Davey, Orr

Council Rep: Robert

(5) Membership Committee

Management Council. The Council reviewed the report. No action was necessary. On request of the eight conferences hosting the New England Compliance Seminar pilot, staff asked the Council if the conferences could limit the attendees to the members of the hosting conferences and still have the event count towards satisfying the membership requirement to attend a Regional Rules Seminar. The Council indicated that the conference could limit the attendance based on the logistical considerations involved in hosting such an event. The Management Council did indicate that the independent institutions in New England should be invited to attend.

Presidents Council. No action was necessary.

Staff Liaison: Tufano

Council Rep: Hoeg

(6) Nominating Committee.

(a) Committee reappointments.

Management Council. The Management Council approved the following committee reappointments effective at the close of the January 2012 NCAA Convention:

i. Division III Management Council. Terry Rupert, director of athletics, Wilmington College (Ohio); Steven Nelson, director of athletics, University of Wisconsin, Superior.

ii. Division III Infractions Appeals Committee. Michele Krantz, senior counsel, Case Western Reserve University (term 2).

iii. Division III Membership Committee. Dale Knobel, president, Denison University (two-year term).

iv. Division III Nominating Committee. Alan Cureton, president, Northwestern College (two-year term).

[Note: Terry Rupert, Wilmington College and Steve Nelson, University of Wisconsin, Superior, recused themselves from voting on this item.]

Presidents Council. No action was necessary.

(b) Committee appointments.

Management Council. The Management Council approved the following committee appointments effective at the close of the January 2012 NCAA Convention unless otherwise noted.

i. Division III Management Council. Lori Runksmeier, director of athletics, New England College.

ii. Division III Championships Committee. Monica Severson, associate director of athletics/senior woman administrator, Wartburg College; and Joseph Onderko, executive director, Presidents' Athletic Conference.

iii. Division III Financial Aid Committee. Donald Cragen, faculty athletics representative, Thomas College; Bob Ward, director of athletics, St. John Fisher College; Laurie Coulter, executive director of financial aid, Austin College. [Note: The Council referred an additional appointment back to the Nominating Committee for reconsideration as it appeared that the nominee did not meet the requirement of being on the staff of a member institution.]

iv. Division III Membership Committee. Kris Diaz, director of athletics, Baldwin Wallace College.

v. Division III Nominating Committee. Kiki Jacobs, associate director of athletics, Springfield College.

vi. Division III Student-Athlete Reinstatement Committee. Immediate vacancy replacing Donald Brooks – Charlie Wilson, faculty athletics representative, Olivet College. January 2012 vacancy – Jennifer Dubow, interim commissioner, Colonial States Athletic Conference.

Presidents Council. No action was necessary.

(c) Committee Service Exit Survey Results.

Management Council. The Management Council accepted the information that the Nominating Committee reviewed an executive summary of the Division III Committee Service Exit Survey. The survey was sent to all committee members whose terms ended between September 1, 2010, and September 1, 2011. The NCAA research staff sent out 148 surveys and 102 responses were received (70 percent response rate). Overall, outgoing committee members are very satisfied with committee service. Some areas of concern noted are: a) the need for orientation of new committee members; b) a more accessible list of the duties for committee members; c) the mandate of having all committee meetings in Indianapolis and how that impacts committee members traveling from the West coast; and d) frequent changes in committee liaisons.

Staff will revise the exit survey to clarify some areas and also to complement the governance scorecard that will be sent to all committee members in the next year. The committee will review the exit survey results on an annual basis.

Presidents Council. No action was necessary.

(d) Referral from the Student-Athlete Advisory Committee (SAAC) to Review the Legislated Diversity Requirements for SAAC.

Management Council. The Management Council accepted the information that the committee discussed a referral from the Management Council to review the current 25 percent ethnic diversity legislative minimum requirement for SAAC. The Nominating Committee recognizes the difficulties associated with meeting that requirement but recommended not taking action to make a legislative change to the composition until the Nominating Committee has had the opportunity to go through at least one cycle of SAAC selections. [NOTE: At the July

2011 Management Council, a legislative change was approved to move the selection process for SAAC members wholly to the Nominating Committee. The first round of selections using this process will be the May 2012 selections.]

The Nominating Committee will review the legislative requirements after it makes a round of selections.

Presidents Council. No action was necessary.

(e) Removal of NCAA Bylaw 21 from the Division III Manual.

Management Council. The Management Council accepted the information that the committee reviewed a staff recommendation to remove Bylaw 21 – Committees – from the Division III Manual. The staff recommendation is to place the contents of Bylaw 21 into a policies and procedures format instead of legislation. The committee does not support the recommendation to remove the bylaw as it would seem to reduce the transparency of the nominations and selections process, which runs counter to the purpose of a membership organization. Further, the committee noted that removing the bylaw would require the division to establish a new and separate process to record and amend committee regulations, an action which seems unnecessary and cumbersome. The committee favors keeping the committee requirements as legislation with the possibility of streamlining the bylaw. [See related action item on page 20.]

Presidents Council. No action was necessary.

Staff Liaisons: Davey, Krtnick, Montgomery, Thornburn

Council Reps: Conrad, Glass

(7) Student-Athlete Advisory Committee (SAAC).

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

Presidents Council. No action was necessary.

Staff Liaisons: Ghiloni, Groddy

Council Rep: Gunning

(8) Student-Athlete Reinstatement Committee.

Management Council. The Council received the report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons: Huchthausen, Myers

Council Rep: Beron

(9) Interpretations and Legislative Committee (ILC).

(a) 2013 NCAA Convention Legislation – Amateur Status – Before Initial, Full-Time Collegiate Enrollment – Prize Money Based on Team Performance.

Management Council. The Management Council agreed to sponsor legislation for the 2013 NCAA Convention to specify that before initial full-time collegiate enrollment, an individual may accept payment based on 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 to participate on the team, effective August 1, 2013.

Prior to initial full-time collegiate enrollment a prospective student-athlete may individually 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. Prospective student-athletes that compete on a team are not afforded the same opportunity to receive prize money based on performance. NCAA Divisions I and II permit prospective student-athletes to receive prize money based on a team's performance without jeopardizing their amateur status. Consequently, prospective student-athletes in team sports are being put in a difficult situation. The prospective student-athlete on a winning team may accept prize money while his teammate who is considering a Division III institution could not accept the money. It is not equitable to treat the team sport prospective student-athletes differently, nor is it reasonable for a prospective student-athlete to discern these amateurism nuances between divisions. Consistency as well as fairness for prospective student-athletes 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.

Presidents Council. No action was necessary.

(b) 2013 NCAA Convention Legislation – Committees – Removal of NCAA Division III Bylaw 21.

Management Council. The Management Council referred to the staff and Nominating Committee the task of drafting a streamlined version of Bylaw 21 for potential inclusion in Constitution 4. The Council also noted that it did not want to take action on the recommendation to remove NCAA Division III Bylaw 21 from the NCAA Division III Manual until Division I votes on a similar recommendation.

The ILC proposal would have eliminated Bylaw 21 in its entirety from the Division III Manual and moved the provisions to a committee handbook, which would be maintained on the NCAA website and would be readily available for the membership and governance structure to review as necessary. Under the proposal, the Management Council would continue to maintain oversight authority regarding the administrative functions related to the management of the Division III governance substructure and Division III representation on Association-wide and common committees. This proposal would not substantively change any current committee policies and procedures, such as those that set forth the selection, composition, duties, terms of office and operations of the various committees. However, the Management Council would have the flexibility to change elements related to committees as deemed necessary without the need to propose legislation, which would, in turn, reduce the number of proposals in the legislative cycle and the related bureaucracy. A review of legislative history indicates the membership has readily adopted proposals related to committees. Since 1997, 90 proposals have been sponsored with 88 being adopted (86 as noncontroversial), zero defeated, one rendered moot and one withdrawn. Finally, this proposal supports efforts to simplify the Manual and focus on the most strategically important matters. [See related action item on Page No. 19]

Presidents Council. No action was necessary.

(c) Noncontroversial Legislation – Amateurism-Promotional Activities – Prospective Student-Athlete's Participation in Institutional Fundraisers or Promotions – De Minimis.

Management Council. The Management Council approved noncontroversial legislation to identify that a violation of Bylaw 12.5.1.1.6 (prospective student-athlete's participation in institutional fundraisers or promotions) is a de minimis violation, effective immediately.

All Bylaw 12 violations affect eligibility unless there is specific language to the contrary. Because there is no specific language to the contrary, Bylaw 12.5.1.1.6 affects a prospective student-athlete's eligibility. A student-athlete, however, who unknowingly participates in an impermissible institutional fundraiser, does not have his or her eligibility affected. The violation is de minimis (meaning it is an institutional violation but does not affect the student-athlete's eligibility). It is not equitable in this type of situation to hold that a prospective student-athlete who participates in an institutional fundraiser suffers a stiffer penalty than a student-athlete. For that reason, the committee determined that violations of Bylaw 12.5.1.1.6 should be de minimis.

Presidents Council. No action was necessary.

(d) Noncontroversial Legislation – Recruiting – Transportation – Transportation to Enroll From Any Bus or Train Station or Airport.

Management Council. The Management Council approved in concept noncontroversial legislation to permit institutional staff members to provide transportation from any bus or train station or airport to campus on the occasion of the student-athlete's initial arrival at the institution to attend class, effective immediately.

Current legislation allows transportation from the nearest bus or train station or major airport, which can become a challenge when there are different stations and airports in close proximity to the institution. By amending the legislation, the burden of monitoring which location a prospective student-athlete is arriving at on the occasion of his or her initial enrollment will be eliminated.

Presidents Council. No action was necessary.

(e) Noncontroversial Legislation – Amateurism – Awards and Benefits – Expenses for Practice and Competition – Expenses for Practice on Extended Road Trip – Practice en Route from Campus to Competition Site.

Management Council. The Management Council approved in concept noncontroversial legislation to permit an institution to provide expenses for practice on an extended road trip en route to the first competition site, effective immediately.

Current legislation permits an institution to provide practice expenses on an extended road trip only on a direct route between two competition sites. Consequently, a team that leaves its campus for a spring trip may not incur expenses associated with practice until the team reaches the locale of the competition site. Therefore, if a golf team stops at a golf course on a direct route between campus and the first competition site, the institution may not pay for the team to play a practice round of golf. The student-athletes may pay the expense, but the institution may not. The committee agreed that the rationale for the current legislation was to prohibit strictly training trips and ensure that extended road trips are tied to competition. The committee determined that an institution could pay practice expenses and still uphold this rationale so long as the practice occurred at a location on a direct route between campus and the competition site.

Presidents Council. No action was necessary.

(f) Incorporation of Official Interpretation – Uniformity of Participation Awards.

Management Council. The Management Council approved the incorporation of the following official interpretation [Reference: 7/13/11, Item No. 2-c] into the legislation, effective immediately:

Uniformity of Participation Awards (III). The NCAA Division III Interpretations and Legislation Committee determined that a member institution, conference or other approved agency may provide different participation awards based on the year or class (e.g., freshman, sophomore, first year participant, second year participant) of a student-athlete, provided the awards are uniform for all recipients within a given year or class. [Reference: NCAA Division III Bylaw 16.1.2 (uniformity of awards) and a staff interpretation (12/13/91, Item No. e, which has been archived)].

The committee believes the official interpretation should be incorporated into the legislation to clarify the flexibility institutions have regarding participation awards.

Presidents Council. No action was necessary.

(g) Approval of Official Interpretation – Definition of a Recruiting or Scouting Service.

Management Council. The Management Council approved the following official interpretation, effective immediately:

Definition of a Recruiting or Scouting Service (III). The academic and membership affairs staff 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) and 13.14.3 (recruiting or scouting services)].

Presidents Council. No action was necessary.

(h) Refer to NCAA Division III Championships Committee – Informational Updates from Playing Rules Oversight Panel on Issues Relating to Division III.

Management Council. The Management Council approved a recommendation to refer to Championships Committee whether there should be legislation requiring the NCAA Playing Rules Oversight Panel to provide informational updates regarding Division III specific issues to the Championships Committee.

During the restructuring of the Division I governance structure, it was specified that the Playing Rules Oversight Panel would report to the NCAA Division I Championships/Sports Management Cabinet regarding issues relating to Division I (see Bylaw 21.7.5.5.4) for sharing of information only. The change did not amend the legislation for the Playing Rules Oversight Panel in Bylaw 21.1. Division II recently passed similar legislation, leaving Division III as the only division that does not have similar language requiring the Playing Rules Oversight Panel to report issues related to Division III. The committee reviewed the recent Division II legislation and determined that the Championships Committee is the appropriate body to provide comment and recommend similar legislation if appropriate.

Presidents Council. No action was necessary.

(i) Referral to the NCAA Division III Membership Committee – Minimum Participants required to Complete a Competition for Purposes of Counting the Competition for Sports Sponsorship.

Management Council. The Management Council referred to the NCAA Division III Membership Committee the policy set forth in the following official interpretation [Reference: 6/16/94, Item No. 5] for additional review:

Minimum Participants Required to Complete Institution's Competition. The minimum number of participants required to count a competition for purposes of satisfying sports-sponsorship requirements actually must complete the competition. [References: Bylaws 20.9.3.3.1, 20.10.3.5.1 and 20.11.3.2.1 (completion of contests)]

The committee reviewed the official interpretation and determined that the Membership Committee should review and determine if this is the appropriate position for the division or the underlying legislation should be amended to reflect a more flexible position.

Presidents Council. No action was necessary.

(j) Referral to the Championships Committee – Questions regarding Major Junior A Hockey.

Management Council. The Management Council referred to the Championships Committee its consideration of having the NCAA Division III Men's Ice Hockey Committee review and provide comment regarding the following potential legislative options:

i. Proposing legislation to extend the organized competition legislation for Major Junior to apply to Junior A as the trend of that league is become more competitive; or
ii. Proposing legislation to extend the organized competition legislation for Major Junior to any hockey competition in order to address Junior A and all other foreign leagues.

The committee received a report from the NCAA Agents Gambling and Amateurism staff regarding the structure of junior hockey in Canada, the United States and Europe. The committee also reviewed the legislative history regarding Major Junior Hockey, as well as a comparison of the rule in the other two divisions. Based on that information, the committee considered several options for amending the current Division III legislation. Prior to making a formal recommendation to Management Council, the committee wanted to receive feedback from the Men's Ice Hockey Committee regarding the two potential legislative considerations identified above. The two legislative considerations are derived from two key points: (a) Junior A [a level below Major Junior] is becoming more competitive as hockey players talented enough to participate in Major Junior are choosing Junior A because they do not want to sacrifice potential collegiate eligibility by participating in Major Junior; and (b) the committee was concerned with the fairness of treating Major Junior differently than foreign leagues that may be just as competitive. Seeking feedback from the Men's Ice Hockey Committee is the next step in getting a better understanding regarding the state of junior hockey.

Presidents Council. No action was necessary.

(k) Voting Method for 2012 Convention Proposals.

Management Council. The Management Council designated votes for all proposals at the 2012 Convention to be taken using the roll-call method, regardless of grouping (presidential or general).

The committee discussed voting methods noting that roll-call voting has historically only been designated for the presidential grouping. While a mechanism exists for the membership to consider changing the voting method on the Convention floor, the committee agreed that since the electronic voting units and technology permit the recording of all votes in an expeditious manner, the committee agreed that votes for all proposals (presidential and general grouping) should be taken using the roll-call method as it provides transparency for the membership.

Presidents Council. The Presidents Council approved the recommendation.

(l) Hardship Waiver – First Half of Season – Medical Documentation.

Management Council. The Management Council accepted the information that the committee reviewed an issue raised during the June Division III Commissioners Association meeting that centers on whether a student-athlete must see a physician prior to completion of the first half of the season to satisfy the hardship waiver requirements. The committee agreed as long as the medical documentation shows that the student-athlete saw a physician at or near the time of injury that a visit to a physician need not occur prior to completion of the first half of the season. The committee noted the legislation in Bylaw 14.2.5-(a) requires only that the illness or injury itself must occur in the first half of the season. The committee directed the staff to issue educational material clarifying the issue.

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: Martinez

(a) Penalty for Manipulation of Drug Test Sample.

Management Council. The Management Council approved in concept noncontroversial legislation to add an additional year penalty to any case of clearly observed manipulation of a drug-test sample, effective August 2013. The Management Council will amend this effective date to August 1, 2012, if the Division I Board of Directors adopts the proposal at its January meeting.

The penalty for testing positive for use of a banned substance is a serious penalty, supported by the membership as a strong deterrent to banned drug use to protect the integrity of the game and student-athlete health and safety. The current penalty for breach of protocol (e.g., tampering with a sample) is the same as that for a positive test. A deliberate attempt by a student-athlete to alter his or her urine specimen (documented per NCAA drug-testing protocol by a drug-testing crew member), through the use of added substances or by substituting another's urine, demonstrates an egregious violation of ethical conduct. The committee believes this behavior warrants an even more serious automatic penalty as a deterrent to such behavior and as a sanction when it occurs. As with all drug-testing penalties, there is an appeal process available to the institution and student-athlete.

Presidents Council. No action was necessary.

(b) Field Hockey Eyewear.

Management Council. The Management Council accepted the information that the committee has recommended that effective August 2012, NCAA field hockey players be required to wear protective American Society for Testing and Materials (ASTM)-approved eyewear during play. The committee reviewed injury data for the sport of field hockey, the historical positions of the committee encouraging the use of protective eyewear, and the recent action by the National Federation of State High School Associations (NFHS) to mandate ASTM-approved protective eyewear. The committee believes that requiring protective eyewear during play will minimize the risk of catastrophic eye injuries. NCAA injury data noted that 25 percent of all injuries occur to the head and face with 28 percent of those head and face injuries occurring from contact with the ball and another 16 percent due to the stick. [See related informational item on Page No. 9]

Presidents Council. No action was necessary.

Staff Liaison: Tufano

Council Rep: Klika

(2) Honors Committee.

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

Presidents Council. No action was necessary.

Staff Liaisons: Ford, Bracken, Rossello

Council Rep: Ching

(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.

Staff Liaisons: Calandro, Smith, Suscha

Council Rep: Ingold

(4) Olympic Sports Liaison Committee (OSLC).

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

Presidents Council. No action was necessary.

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: Bracken

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).

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

Presidents Council. No action was necessary.

4. PRESIDENTS COUNCIL APPOINTEMENTS AND ELECTIONS.

a. Extensions to Presidents Council Terms of Office.

Presidents Council. The Council approved in concept noncontroversial legislation to grant the Presidents Council the ability to waive the Council's four-year term limit (per Constitution 4.4.3.2) when the nominations subcommittee concludes that an extension is necessary and appropriate to enhance the Presidents Council's continuity and effectiveness or otherwise allow the Presidents Council to continue to fulfill its representational requirements, effective immediately.

This recommendation will give the Presidents Council greater flexibility to effectively fulfill its responsibilities when the subcommittee does not receive a sufficient number of eligible nominations to fill specific vacancies.

b. Term Extension for President Alexander.

Presidents Council. The Council extended the term of Livingston Alexander by one year, to expire on conclusion of the 2013 NCAA Convention.

The Nominations Subcommittee recommends this term extension as one component of a multi-part strategy to enhance the composition of the Presidents Council and PAG and ensure that the governance structure is both representative of the membership, and inclusive of diverse perspectives. President Alexander has exhibited strong leadership in the area of diversity and inclusion during his initial four-year term, including serving on the former Executive Committee Subcommittee on Gender and Diversity.

c. Comprehensive Review of President's Council and PAG Representational Requirements.

Presidents Council. The Council established a Presidents Council Working Group to undertake a comprehensive review of the current Presidents Council and PAG membership representational requirements and charge President Alexander with leading this group, effective immediately.

The working group shall include at least three members, including at least one representative from the nominations subcommittee. A report of preliminary recommendations shall be made to the Presidents Council by its August 2012 meeting to ensure that any legislative revisions to the Presidents Council's representation requirements could be voted on by the membership (if necessary) at the 2013 Convention. However, it is anticipated that most, if not all changes, could be adopted earlier through noncontroversial legislation.

The working group will generate strategies to identify and recruit ethnic minority presidents for governance structure participation in addition to its examination of the Presidents Council representational requirements to ensure they remain relevant and appropriate. (The requirements were established in the mid 1990s to mirror the presidential leadership that existed in Division III at that time.) Because the Presidents Council has looked to the PAG as a source for new members, the working group shall also examine ways in which the minority membership of the PAG could be enhanced. For example, minority presidents could be permitted to serve on the PAG even if their conference already is represented by presidents serving on the Presidents Council or Management Council.

d. Presidents Council Appointments.

Presidents Council. The Council approved the following nominations to the Presidents Council for four year terms (January 2012 – January 2016):

(1) Pamela Reid, president, St. Joseph College (Connecticut), Great Northeast Athletic Conference.

(2) Erik Bitterbaum, president, State University of New York at Cortland, State University of New York Athletic Conference.

The Nominations Subcommittee recommends these candidates because of their strong nomination endorsements, extensive experience, fulfillment of Presidents Council representational requirements, and willingness to serve.

e. 2011 Presidents Council Chair and Vice Chair Appointments.

Presidents Council. The Council appointed Jim Schmotter and Jack Ohle to serve as chair and vice chair, respectively, of the Division III Presidents Council, effective January 2012 to January 2013.

Presidents Schmotter and Ohle have provided a strong history of very capable leadership to the governance structure, both for the Presidents Council and with other assigned and past committee service. The subcommittee feels that their leadership will position the Council to effectively address the important issues it will face during 2012 and beyond.

f. Leadership Succession Planning.

Presidents Council. The Council noted the importance of leadership succession planning and encouraged President Herzberger to consider future Council leadership. The subcommittee also expressed its appreciation to all individuals who volunteered for leadership positions.

5. DIVISION III INITIATIVES.

a. Identity Activation for 2011-12.

Management Council. The Council accepted an update regarding Division III Identity Initiative activation. In 2010-11, over 90 percent of institutions and conferences purchased identity activation resources. The most popular purchased items were media backdrops, feather flags and A-frame banners. Approximately 85 percent of championships finals sites displayed initiative signage. The inventory of available signage for use at championships will increase each year, and division-specific messaging will be added to webcasts of championship competition (e.g., during timeouts, at halftime, etc.). In addition, institutions will receive a $500 credit in 2011-12 to purchase Division III Identity Initiative items on the purchasing website as well as receive activation kits in October 2011 and February 2012.

Presidents Council. The Council accepted the information.

b. Drug Education and Testing: NASPA Collaboration.

Management Council. The Council accepted the information that representatives from the NCAA (National Collegiate Athletic Association) and NASPA (National Association of Student Personnel Administrators) met on September 23, 2011, in Indianapolis to:

- Consider the possibility of collaboration.
- Develop a mission.
- Outline the scope and deliverables of the initiative.

The mission statement for the collaboration was established as "The NCAA Division III and NASPA partnership will promote an integrated model for on-campus collaborations among student affairs and athletics professionals and provide resources to deliver effective alcohol and drug education for the well-being and success of all students."

The project was defined as operating under the umbrella of Environmental Management. There are four distinct and related elements to be included:

(1) Identify best practices in the Alcohol and other Drug education space and develop pathways to share those broadly.

(2) Develop modules with baseline information that coaches, students, and other stakeholders need to know.

(3) Promote effective resources within the context of the environmental model.

(4) Identify the gaps in existing program offerings and develop resources or programming to target those gaps.

It is anticipated that a pilot resource will be made available to a limited number of institutions by August 1, 2012, with an initial focus on alcohol abuse prevention. Over time, the resource will be offered to all Division III members and include substances beyond alcohol.

Presidents Council. The Council accepted the information.

c. Academic Reporting.

Management Council. The Council received a preliminary report on the year-two findings of the Academic Reporting Pilot Program. The next steps for the pilot are to distribute the honorariums, seek feedback from participating schools concerning utility and relevance, share the pilot findings with multiple governance groups before Convention, and conduct a membership wide discussion of findings and the potential future of the program at the Convention Issues Forum.

Presidents Council. The Council received the report and began to discuss the implications of the findings, as well as the future of academic reporting for the division. Future actions will be considered after the 2012 Convention forum discussion.

d. Conference/Independent Meetings Update.

Management Council. The Council received an update on Stan Ching's visit to the New England Small College Athletic Conference, and Dan Dutcher's visit to the Eastern College Athletic Conference meetings.

Presidents Council. No action was necessary.

e. Virtual Focus Group Communication (VFG).

Management Council. The Council reviewed the VFG responses regarding Communication #23 on favorite technology products and services and ways to better present speaking points about Division III experience to coaches, administrators, and other important audiences.

Presidents Council. No action was necessary.

6. 2012 NCAA CONVENTION.

a. Proposal Groupings.

Management Council. The Management Council recommended the following proposal grouping and voting order for the 2012 Convention:

Presidents Council Grouping (Three Roll-Call Votes).

1 (2-10) - Division Membership – Division III Philosophy Statement – Affirmation and Clarification of Undergraduate Experience, Broad-Based Athletics Programs, Participation in Non-Athletic Pursuits and Autonomy in Eligibility Standards.

2 (2-1) - NCAA Membership – Member Conference – Conditions, Obligations Privileges and Automatic Qualification – Core Institution.

3 (2-9) - Playing and Practice Seasons – General Playing-Season Regulations – Required Sickle-Cell Testing.

General Grouping (Seven Non Roll-Call Votes).

4 (2-3) - Amateurism and Executive Regulations – Financial Donations and Advertising and Sponsorship of NCAA Championships – Professional Sports Organizations.

5 (2-2) - Personnel – Conduct of Athletics Personnel – Certified Strength and Conditioning Coaches – Required Sports-Safety Training.

6 (2-7) - Playing and Practice Seasons – Required Day Off – Voluntary Strength and Conditioning Activities Prohibited During Required Day Off.

7 (2-4) - Recruiting – Permissible Electronic Transmissions.

8 (2-5) - Recruiting – Electronic Transmissions – Allowing Text Messaging.

9 (2-6) - Eligibility – Hardship Waiver – Practice After Injury.

10 (2-8) - Playing and Practice Seasons – General Playing Season Regulations – Postseason Activities – Exempting One Postseason Championship From the 18 or 19 Week Declared Playing Season.

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

b. Membership-Sponsored Legislation.

2012 Division III Convention Proposal Positions. The Councils reviewed responsibilities associated with Convention proposal speaking assignments and after review of committee statements, took formal positions on the following membership-sponsored proposals as presented below. It should be noted that the Presidents Council was not requested to take a position on any of the proposals as a result of the adoption of 2011 Convention Proposal No. 1.

- **CON 2-4 – Recruiting – Permissible Electronic Transmissions.**

  Presidents Council. No action was necessary.

  Management Council. The Management Council determined that the complexity of the issues both for and against the use of social media in recruiting warranted taking no position. The Council noted the particularly historical importance of the NCAA Division III Student-Athlete Advisory Committee's position regarding this topic and therefore will revisit this decision at its January meeting when it has the formal position from the Student-Athlete Advisory Committee.

  Interpretations and Legislative Committee. The committee took no position on this proposal. The committee could not come to a majority position regarding the use of social media. The committee does however support deregulating the use of text messaging as a means to communicate with prospective student-athletes.

  Student-Athlete Advisory Committee. The committee informally took no position on this proposal (official position not available until November).

- **CON 2-6 – Eligibility – Hardship Waiver – Practice After Injury.**

  Presidents Council. No action was necessary.

  Management Council. The Management Council opposed this proposal. The Council determined that this proposal represents a rule for a limited minority of individuals that abuse the hardship rule to work around the "redshirt" prohibition. Generally, the current application of the medical hardship rule is effective for dealing with student-athletes that incur season ending injuries. The impact of this proposal would result in taking away opportunities from the vast majority of student-athletes that comply with the rule.

Interpretations and Legislative Committee. The committee opposed the proposal expressing concern with the detrimental impact on student-athletes. Further, the committee questioned the clarity of the prohibition set forth in the proposal and the potential inconsistent application based on this lack of clarity.

Student-Athlete Reinstatement Committee. The committee opposed the proposal. The current application of hardship waiver legislation is effective in dealing with student-athletes suffering incapacitating injuries or illnesses following limited participation. In addition, the scope of participation is supported by the conclusions of medical personnel associated with a student-athlete's recovery. Finally, the committee noted the proposal could place institutions and conferences in difficult positions associated with determining permissible and impermissible activities (possibly after the fact), as well as create additional resource challenges at the campus level.

Academic Issues Subcommittee. While the committee submitted a statement of support for this proposal in its report, conversation during the Management Council meeting resulted in subcommittee members taking a position of opposition, consistent with the Management Council position stated above.

Student-Athlete Advisory Committee. The committee informally opposed this proposal (official position not available until November). Rehab activities during practice allow injured student-athletes to stay connected to the team. These individuals are still on the roster and should be allowed to be involved in practices to the extent possible with the injury. This proposal seems to punish the majority of injured student-athletes due to concern of abuse by a few.

- **CON 2-7 – Playing and Practice Seasons – Required Day Off – Voluntary Strength and Conditioning Activities Prohibited During Required Day Off.**

Presidents Council. No action was necessary.

Management Council. The Management Council opposed this proposal. The Council did not see a need to impose additional monitoring and compliance measures both in and outside the playing season to ensure that on one day a week student-athletes do not engage in voluntary activities with a certified strength and conditioning coach. The Council and committees did not have any indication that these permissible activities were being abused and thus do not support legislation that would effectively impose additional compliance requirements.

Interpretations and Legislative Committee. The committee opposes this proposal. The committee also discussed if the proposal were split into two parts (in-season and out-of-season), that a prohibition on in-season workouts with certified strength and conditioning coaches on the mandatory day off would be supported. The committee agreed that by requiring the day off outside the

season, the institution would be required to monitor participation outside the season which is not currently permitted. Consequently, this would result in more oversight outside the playing season, resulting in the opposite of the intended effect of this proposal. Ensuring, however, that student-athletes are not engaging in a workout with the strength coach during the mandatory day off during the season has merit and should be supported.

Playing and Practice Seasons Subcommittee. The subcommittee opposed this proposal. The subcommittee agreed with the basic premise of this proposal that student-athletes should have a day off and not feel compelled to engage in voluntary strength and conditioning activities conducted by a certified strength coach on that day off. The subcommittee questioned, however, whether there was actually a problem that would compel the additional monitoring associated with the proposal. Specifically, the proposal that allowed the voluntary workouts with a certified strength and conditioning coach was not yet effective when Proposal No. 2-7 was submitted. Consequently, Proposal No. 2-7 is based on an anticipated problem that may not manifest itself, as opposed to an existing problem that mandates action. The subcommittee was not comfortable supporting such legislation. The subcommittee noted that if a problem arises the subcommittee would act accordingly, but at this time the subcommittee does not recognize a problem necessitating action.

Student-Athlete Advisory Committee. The committee informally supported this proposal (official position not available until November). The committee noted that the proposal mandates that a student-athlete not participate in a voluntary strength and conditioning activity conducted by a certified strength and conditioning coach during a required day off, but recognized that a student-athlete could still participate in a voluntary strength and conditioning session monitored for safety purposes by a certified strength and conditioning coach. Since the proposal ultimately still allows a dedicated student-athlete to pursue voluntary strength and conditioning activities on a required day off, the committee recognized the proposal's intent to protect student-athletes' time and student-athlete voluntary participation during the off season.

- **CON 2-8 – Playing and Practice Seasons – General Playing Season Regulations – Postseason Activities – Exempting One Postseason Championship From the 18 or 19 Week Declared Playing Season.**

Presidents Council. No action was necessary.

Management Council. The Management Council opposed this proposal. The Council is opposed to allowing additional avenues to extend the playing season. While this proposal would effectively only impact one existing postseason championship, there is concern that this proposal would result in the creation of additional postseason opportunities. These opportunities would likely come with more missed class time for student-athletes and a financial impact to institutions.

Interpretations and Legislation Committee. The committee opposed this proposal, expressing concern with extending the playing season by allowing additional exemptions to the playing season. The committee also cited cost considerations associated with additional postseason opportunities and increased pressure for institutions to participate in postseason championship events as further basis to oppose this proposal.

Championships Committee. The committee opposed this proposal, noting that while certain season-ending tournaments (e.g., Eastern College Athletic Conference championships) are exempted from contest limitations and not from the playing season limitations, there is not a significant undue burden on institutions that choose to participate in these championships to warrant extension of the playing seasons as proposed. The committee expressed concern about the timing of such postseason championships under this proposal, which could result in a significant lengthening of the playing season. Further, the committee observed that this proposal is likely targeted to a specific area of the country where existing and traditional postseason championships occur, but could increase pressure on other institutions to establish new events in order to gain a competitive edge, thereby adding contests and increasing costs.

Playing and Practice Seasons Subcommittee. The subcommittee opposed this proposal because it unnecessarily extends the playing season. There was also concern expressed that the proposal would result in the establishment of new postseason tournaments resulting in institutions feeling compelled to participate and incurring greater expense. The subcommittee determined that the current limited post season exemptions were appropriate and do not warrant expanding.

Student-Athlete Advisory Committee. The committee informally supported this proposal (official position not available until November). This proposal equalizes postseason opportunities. The postseason is a reward for student-athletes and teams should be allowed to maximize contest opportunities during the regular season without having to save weeks for a potential (but uncertain) post-season opportunity.

c. Review of Noncontroversial Legislation Adopted by the Management Council per Constitution 5.3.1.1.1.

- **NC-2012-19 – Amateurism, Eligibility and Awards, Benefits and Expenses – World University Championships.**

Management Council. The Management Council adopted in legislative format a proposal to include the World University Championships in all bylaws that apply to the World University Games.

Presidents Council. No action was necessary.

- **NC-2012-20 – Committees – Association-Wide and Common Committees – Minority Opportunities and Interests Committee and Committee on Women's Athletics – Composition.**

  Management Council. The Management Council adopted in legislative format a proposal to increase, from 15 to the 18, the number of members of the Minority Opportunities and Interests Committee and the Committee on Women's Athletics and to specify that the composition of the committees shall be equally distributed among the three divisions; further, to specify that one member of each committee shall be a current chancellor or president. The budget impact total is approximately $6,960 for six new committee members.

  Presidents Council. No action was necessary.

- **NC-2012-21 – NCAA Membership – Provisional Membership – Fee.**

  Management Council. The Management Council adopted in legislative format a proposal to specify that the amount of the fee for provisional members shall be determined annually by the Membership Committee based on an analysis of the expenses and benefits associated with the membership process. The budget impact will be periodic increase to institutions in the membership process.

  Presidents Council. No action was necessary.

- **NC-2012-22 – Awards, Benefits and Expenses – Expenses Provided by the Institution for Practice and Competition – Two National Team Tryouts.**

  Management Council. The Management Council adopted in legislative format a proposal to permit an institution to provide actual and necessary expenses for a student-athlete to participate in not more than two national team tryout competition events, including events from which participants are selected for another tier of tryout competition or events from which final selections are made for the national team that will participate in the Olympic Games, Pan American Games, World Cup, World Youth Championships, or World University Games. The budget impact is institutions with eligible student-athletes may bear the expense of additional national team tryouts.

  Presidents Council. No action was necessary.

- **NC- 2012-23 – Committees – Association-Wide Committees – Rules Committees Without Championships Administration Responsibilities – Swimming and Diving, Track and Field and Wrestling.**

  Management Council. The Management Council adopted in legislative format a proposal to establish a Men's and Women's Swimming and Diving Rules Committee, a Men's and Women's Track and Field Rules Committee and a Wrestling Rules Committee, as specified; further, to establish a Division III

Men's and Women's Swimming and Diving Committee, a Division III Men's and Women's Track and Field Committee and a Division III Wrestling Committee, as specified.

Presidents Council. No action was necessary.

- **NC-2012-24 – Committees – Student-Athlete Advisory Committee - Vacancies.**

  Management Council. The Management Council adopted in legislative format a proposal to eliminate the requirement that the NCAA Division III Student-Athlete Advisory Committee select representatives when a vacancy occurs and requires the NCAA Division III Nominating Committee perform this duty; further, to specify that a member of the Student-Athlete Advisory Committee shall serve in an advisory capacity to the Nominating Committee for purposes of Student-Athlete Advisory Committee selections.

  Presidents Council. No action was necessary.

d. Review of Administrative Regulations approved by the Management Council per Constitution 5.2.3.1.

- **ADM-2012-1 – Executive Regulations – Administration of NCAA Championships – Failure to Adhere to Policies and Procedures – Financial Penalties.**

  Management Council. The Management Council adopted in legislative format a proposal to increase the maximum penalty from $300 to $600 for an institution's failure to adhere to published procedures for the submission of regular-season results, availability questionnaires and/or entry forms.

  Presidents Council. No action was necessary.

- **ADM-2012-2 – Executive Regulations – Selection of Balance of Championship Field – Secondary Criteria – Ranking and Selection – Performance in Previous Championship Season – Football.**

  Management Council. The Management Council adopted in legislative format a proposal in football, to specify that if all primary criteria are equal among teams with undefeated records, performance in the previous championship season may be considered in the secondary criteria.

  Presidents Council. No action was necessary.

7. ASSOCIATION-WIDE UPDATES AND ISSUES.

a. Litigation Update.

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

b. Governmental Relations Report.

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

c. NCAA Communications Task Force.

Management Council. NCAA staff members Wendy Walters and Ronnie Ramos visited the Council to provide an update on the NCAA Communication Task force, the charge of which was to examine and analyze all communication efforts and platforms that the national office staff has with the NCAA membership, including an examination of how the national office staff communicates both internally and externally. It is expected that the task force will offer recommendations to establish a more coordinated approach to membership communications and to achieve a more collaborative approach to internal staff communications. Task force recommendations include changing from an information "push" environment to a "pull" environment and making effective membership communication a leadership goal.

Presidents Council. No action was necessary.

d. Transgender Participation Resource.

Management Council. The Management Council received the guidebook "NCAA Inclusion of Transgender Student-Athletes." The purpose of this resource is to provide guidance to NCAA athletic programs about how to ensure transgender student-athletes fair, respectful, and legal access to collegiate sports teams based on current medical and legal knowledge. It provides best practice and policy recommendations for intercollegiate athletic programs to provide transgender student-athletes with fair and equal opportunities to participate. In addition to specific policy recommendations for college athletics, the resource provides guidance for implementing these policies to ensure the safety, privacy, and dignity of transgender student-athletes as well as their teammates. Specific best practice recommendations are provided for athletic administrators, coaches, student-athletes and the media.

Presidents Council. No action was necessary.

e. NCAA President's Report.

Management Council. The Council received a visit from NCAA President, Mark Emmert, who provided an update on the Division I Presidential retreat and subsequent reform initiatives. President Emmert also commented on his future vision for Division

III, where he desires to see continued strengthening of presidential leadership, greater attention to the specific attributes of the Division III platform, and more published data on the academic performance of student-athletes.

Presidents Council. The Presidents Council received the President's Report as part of its joint breakfast with the Division I Board of Directors and Division II Presidents Council.

f. Office of Inclusion Update.

Presidents Council. The Council received a visit from NCAA Executive Vice President, Bernard Franklin, and Director of Membership and Student-Athlete Affairs, Delise O'Meally. The staff provided an update on the Association's philosophical shift to view diversity as a metric, ensure that inclusion is valued in leadership and decision-making, moving the primary focus from development and delivery of programmatic elements to advocacy for best practices and policy development and to reorganize the governance structure.

Dr. Franklin also provided an update on the recently hosted Inclusion Summit (Challenges, Champions and Collaborative Strategies: Moving Toward a More Inclusive Culture). The Presidents Council asked about tools to spur dialog. The staff indicated that the Inclusion Summit video is posted on ncaa.org and the NCAA is making available representatives from the Office of Inclusion to present information at conference presidential meetings.

g. The Enforcement Experience.

Presidents Council. The Presidents Council engaged in an interaction session with the enforcement staff entitled 'The Enforcement Experience'. In this session, participants received a behind-the-scenes look at what goes on in an enforcement case, from investigation and hearing through penalty assessment. The Council advised the staff to highlight key points from the enforcement experience for presidents at the Convention and to look for opportunities to pursue broader presidential audiences following the Convention.

9. ADJOURNMENT.

Management Council. The Management Council meeting adjourned at 10:02 a.m.

Presidents Council. The Presidents Council meeting adjourned at 11:48 a.m.