A G E N D A

The National Collegiate Athletic Association

Division III Presidents Council

The Westin
Indianapolis, IN

April 28, 2011

1. Welcome and introductions.

2. General Information.

   a. Roster. [Supplement No. 1]
   b. 2011 Committee/Subcommittee assignments. [Supplement No. 2]

3. Minutes, summaries and agendas.

   a. Summary of winter 2011 Quarterly Meeting and February 10, 28 and March 31, 2011 Administrative Committee minutes. [Supplement No. 3]
   b. NCAA Executive Committee meeting minutes – January 15. [Supplement No. 4]
   c. NCAA Executive Committee draft agenda – April 28. [Supplement No. 5]

4. Division III Strategic Positioning Platform. [Supplement No. 6]

@ * 5. Management Council report. [Supplement No. 7]

@ 6. Report of the Division III Strategic Planning and Finance Committee. [Supplement No. 8]

   a. Identity Initiative. [Supplement No. 9]
   b. Drug Education and Testing. [Supplement No. 10]
   c. Academic Reporting. [Supplement No. 11]
   d. Division III Expenses Pilot ("Dashboard Indicators"). [Supplement No. 12]

@ 7. Presidential Leadership. [See minutes of the Administrative Committee Conference No. 3]

8. Litigation update. [Supplement No. 13 will be distributed at the meeting]

9. Governmental relations update. [Supplement No. 14]

10. Future meetings.

    a. August 10-11, 2011 – Indianapolis.
        - August 10 – 5 to 9 p.m. – meet with Presidents/Chancellors Advisory Group.
        - August 11 – 8 a.m. to noon – Presidents Council meeting.
    b. October 26-27, 2011 – Indianapolis.
        - October 26 – 5 to 9 p.m. – Presidents Council dinner/meeting.
        - October 27 – 8 a.m. to noon – Presidents Council meeting.
    c. January 11-14, 2012 – Indianapolis, IN – 2012 NCAA Convention.
        - January 12 – 10:30 a.m. to 1:30 p.m. (time to be determined).

11. Other Business.

    - Review Policies and Procedures Update. [Supplement No. 15]
    - NCAA Violence Prevention Summit. [Supplement No. 16]

12. Adjournment.

@ Denotes key action items.

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

SUMMARY OF SPRING 2011 QUARTERLY MEETINGS
The National Collegiate Athletic Association

Division III Management Council April 11-12, 2011 Indianapolis, IN	**Division III Presidents Council April 27-28, 2011 Indianapolis, IN**
Kitty Baldridge, Gallaudet University Kurt Beron, University of Texas at Dallas Stan Ching, Connecticut College Tim Downes, Emory University 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 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	Livingston Alexander, University of Pittsburgh, Bradford Robert Antonucci, Fitchburg State College James Bultman, Hope College [*chair*] Charley Edmondson, Alfred University Sharon Herzberger, Whittier College Brian Levin-Stankevich, University of Wisconsin, Eau Claire Lisa Marsh Ryerson, Wells College attended portions of the meeting 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 Rosalind Reichard, Emory and Henry College James Schmotter, Western Connecticut State University attended portions of the meeting [*vice-chair*] Ron Thomas, University of Puget Sound
ABSENTEES	**ABSENTEES**
Tucker Glass, Plattsburgh State University of New York Marjorie Hass, Austin College Chris Thomforde, Moravian College	Kendall Baker, Ohio Northern University Catharine Hill, Vassar College Marcia Keizs, York College
OTHER PARTICIPANTS	**OTHER PARTICIPANTS**
Christyn Abaray, Swarthmore College Gary Brown, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Avery Esdaile, Wellesley College Eric Hartung, NCAA Amy Huchthausen, NCAA Leah Kareti, NCAA, *recording secretary* Debbie Kresge, NCAA Kat Krtnick, NCAA Delise O'Meally, NCAA Jeff Myers, NCAA Kristin Nesbitt, NCAA Donald Remy, NCAA	Gary Brown, NCAA Azure Davey, NCAA Daniel T. Dutcher, NCAA Eric Hartung, NCAA Amy Huchthausen, NCAA Leah Kareti, NCAA, *recording secretary* Debbie Kresge, NCAA Kat Krtnick, NCAA Jeff Myers, NCAA

1. WELCOME AND ANNOUNCEMENTS.

Management Council. The meeting was called to order at 8:02 a.m. by the chair, Chris Martin. The chair welcomed Council members and guests from the NCAA Pathway Program, Christyn Abaray, Swarthmore College and Avery Esdaile, Wellesley College; and reviewed the agenda for the meeting.

Presidents Council. The meeting was called to order at 9:10 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 the NCAA President's report and litigation update. The Council also engaged in a planning session from 6 to 9 p.m. on Wednesday evening, April 27.

2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.

a. Management Council Meetings – January 12 and 15, 2011.

Management Council. The Management Council approved the summary of its January 12 and January 15, 2011, meetings as presented.

Presidents Council. No action necessary.

b. Presidents Council Meeting – January 13, 2011.

Management Council. No action necessary.

Presidents Council. The Presidents Council approved the summary of its January 13, 2011, meeting as presented.

c. Executive Committee Meeting – January 15, 2011.

Management Council. The Management Council reviewed the minutes of the January 15, 2011, Executive Committee meeting. No action was necessary.

Presidents Council. The Presidents Council reviewed the minutes of the January 15, 2011, Executive Committee meeting. No action was necessary.

d. Administrative Committee Actions.

Management Council. The Management Council approved the minutes of the February 10, February 28 and March 31, 2011, Administrative Committee actions.

Presidents Council. The Presidents Council approved the minutes of the February 10, February 28 and March 31, 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: **Dutcher, Kareti, Davey, Kresge**

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

Management Council. The Council reviewed the subcommittee's report noting possible educational topics for the 2012 Convention:

- Division III Identity Best Practices. This session could include best practices or success stories from the Special Olympics partnership.
- Drug education and testing update.
- Academic Research (to include the Academic Reporting Pilot and other data or findings from the College Sports Project).
- Division expenses ("Dashboard Indicators").
- Other Division III research findings (e.g., GOALS). This session could also be an overview of all available NCAA research impacting the division.
- Legislative hot topics or a mini rules seminar (including a menu of recruiting, fundraising, and other significant Division III bylaws). Such a session may be most appropriate on the day before or after core Convention programming.
- An introduction to compliance concepts.
- Use of technology in Division III athletics (e.g., social media, webcasting, etc.).
- Budgeting. This session could review campus challenges and best practices or the overall Division III budget or both.

Presidents Council. No action was necessary.

(2) Strategic-Planning and Finance Committee.

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

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

(a) Division III Reserve Policy.

Management Council. The Council approved establishment of a Division III budget reserve policy that mandates the division maintain in reserve an amount equal to 80% of the division's projected revenue for that budget year. The division may credit its financial recovery insurance towards the mandated minimum. This policy currently includes $10,000,000 in coverage. See below for sample reserve minimums resulting from this recommendation.

Year	Annual Revenue Allocation	80% of Annual Revenue Allocation	Funds Required to Meet Proposed Reserve Balance After $10 million Financial Recovery Insurance	Current Projected Reserve	Difference in Funds Required and Current Projected Reserve
2010-11	$23,914,000	$19,131,200	$9,131,200	$17,461,946	-$8,330,746
2011-12	$24,358,000	$19,486,400	$9,486,400	$16,965,256	-$7,478,856
2012-13	$24,915,000	$19,932,000	$9,932,000	$16,171,570	-$6,239,570
2013-14	$25,462,000	$20,369,600	$10,369,600	$15,521,967	-$5,152,367
2014-15	$26,173,000	$20,938,400	$10,938,400	$15,044,087	-$4,105,687
2015-16	$26,886,000	$21,508,800	$11,508,800	$14,848,426	-$3,339,626

The division is currently required to hold in reserve an amount equal to 10 percent of its annual revenue allocation. However, the NCAA recently examined its Association-wide reserve policy, which resulted in an enhanced Association-wide reserve policy. National office leadership requested that the division consider establishing an enhanced reserve policy to protect services in the event of an unexpected loss in revenue.

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

(b) Division III Identity Initiative.

Management Council. The Council approved the committee's recommendation to charge the staff with developing the following activation resources for use of the previously approved $600,500 2011-12 Identity Initiative budget:

- Continue the $1,000 institutional and conference identity credit.
- Develop additional educational resource materials to share with prospective student-athletes, their parents and high school coaches. This could include print, video, or other electronic media, and should be made available to admissions offices to support overall institutional recruiting efforts.
- Conduct a national Division III week.
- Produce a customizable video for institutions to embed local content.
- Create additional PowerPoint templates for athletics administrators.

- Enhance Strategic Alliance Matching grants and Internship grants to include athletics communication as an approved duty.
- Pursue development of a grant program to support the submission of stories highlighting the Division III platform by sport information directors (SIDs) or student reporters.
- Produce Division III microphone stands, note cards and apparel, including the option for institutions and conferences to co-brand the items.
- Produce apparel for use during Special Olympics activities.

The committee determined that these activation resources present an appropriate balance between tangible items and meaningful communications pieces, and focus on current institutional and prospective student audiences. The Identity Initiative carries a previously approved 2010-12 budget of $600,500.

The Council also received an update on the Division III social media plan (i.e., Division III Face book page). The primary target audience of the page is current, former and prospective student-athletes and the secondary audience is athletics administrators, coaches and the general public. The page will educate target audiences on the student-athlete experience, serve as an integration tool for many sources of Division III information, and enhance dialogue around the Identity Initiative.

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

(c) Drug Education and Testing.

Management Council. The Council approved establishment of a Division III drug education and testing strategy that retains the status quo championships testing program and makes funds available for campuses to conduct enhanced education and/or testing at the institution's discretion. The educational program shall focus on effectively partnering with the student-affairs and coaches communities, and shall prioritize alcohol abuse as the most significant substance issue in the division.

To support this recommendation, the committee has charged the staff with developing a specific implementation strategy for consideration on its July teleconference. The plan should include educational modules, a framework for campus-based drug testing, and options for fund distribution.

During the 2011 Convention, the membership had the opportunity to discuss four questions related to its drug education and testing pilot: 1) Retain status quo championships testing program; 2) Enhance educational programming; 3) Establish an academic year, division-wide mandatory

drug testing program; and 4) Allocate funds for institutions or conferences to implement their own testing program as part of a more comprehensive deterrence program (e.g., Conference Grant Program). The membership endorsed all but the establishment of a mandatory drug testing program.

The recommended drug education and testing strategy is sensitive to the needs of local campuses and the Division III philosophy – specifically of treating student-athletes the same as the general student body, and integrating athletics into general campus operations. The resulting implementation strategy must be sensitive to the staffing constraints that exist on Division III campuses, and emphasize programming with a proven record of success.

The 2012-14 budget should include a specific allocation to support an enhanced drug education and testing program. Student-athletes will continue to be subject to drug testing at NCAA championships, while also receiving education and potential additional testing tailored to local campus needs.

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

(d) Academic Reporting Pilot.

Management Council. The Council approved maintaining the pilot's original timeline: completing the pilot in summer 2011, conducting division-wide discussion at the 2012 Convention, and considering legislation, if warranted, at the 2013 Convention.

The division has completed the first year of a two year academic reporting pilot and a status report was presented to the membership at the 2011 Convention. Based on the year-one pilot experience, the committee did not see any compelling reason to amend the program's original timeline.

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

(e) Division III Expense Pilot ("Dashboard Indicators").

Management Council. The Council approved the development of a financial dashboard indicator pilot program. Plans are to launch the pilot in fall 2011 and present a preliminary report of findings at the 2012 Convention.

A dashboard indicator system uses athletics financial data to provide presidents with accurate, timely and relevant information to benchmark an institution's athletics financial situation with a self-defined set of peer institutions as well as national and conference groups of schools. It is a research-based approach to financial reporting that provides graphic comparisons of the annual financial picture of an institution's athletics program, highlighting trends over time. It can also serve as an early warning system to indicate emerging issues in an athletics program. It can serve as a catalyst for communication and education among presidents, chief financial officers and athletics departments. It also has the potential to promote the Division III attributes of proportion, comprehensive learning and responsibility.

Division I currently requires all institutions to submit data for inclusion in the dashboard system, and DII offers optional reporting, which yields near 100 percent participation. Participation in the Division III program would remain voluntary. Proposed indicators in the Division III pilot include non-financial (number of sponsored sports, proportion of student-athletes to undergraduate enrollees and the student-body federal graduation rate), and financial (total and itemized expenditures) indicators.

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

(f) NCAA GOALS Report.

Management Council. The Council referred to the Playing and Practice Seasons Subcommittee a review of any GOALS findings related to time pressures (e.g., missed class time, contest limits and etc.), including issues specific to baseball.

GOALS is a study of approximately 20,000 current student-athletes that was conducted during spring 2010 and focused on recruitment and college choice, ethical leadership issues, and student-athlete time demands. Preliminary results appear to be very supportive of the Division III athletics model. While the committee will continue to consider implications of the survey results, its preliminary analysis indicates that the academic and well-being issues found in baseball warrant immediate consideration by the governance structure.

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

(g) NCAA Performance Management Scorecard.

Management Council. The Council endorsed the following components for inclusion in a 2011-12 Division III performance management scorecard:

i. Division III Identity Initiative: What programs and resources should be implemented during 2011-12 to support the division's identity initiative, consistent with the division's Strategic Positioning Platform?

Key metrics:

- Purchase or procurement of activation resources by institutions and conferences during 2010-11, including percent of participation and percent of budget spent.
- Percent of schools and conferences displaying Division III "lockup logo" on their athletics websites as direct link to Division III public webpage.
- Percent of schools and conferences with formal activation of Special Olympics partnership.
- Number of articles submitted by membership for posting on Division III public website. Track monthly.
- Number of media articles focusing on the Division III identity and story in markets where Division III "media tours" have occurred.

Drill down data should include the 2011 Faculty Athletics Representative Survey, relevant GOALS/SCORE data, and a possibly survey regarding utility of toolkits and other supporting resources (e.g., constituent Power Points).

ii. Presidential Leadership: Does a sufficient amount of presidential leadership exist within each Division III voting conference?

Key metrics:

- 2010 informal survey of conference commissioners.
- 2011 formal "audit" regarding conference presidential leadership.
- Presidents Advisory Group (PAG) appointments.
- PAG and Convention attendance.

Drill down data should include input from informal follow-up discussions with PAG members and selected presidents and commissioners.

iii. Academic Reporting: Should the Presidents Council sponsor legislation to establish an annual, division-wide academic reporting process focusing on graduation rates [e.g., federal rate and Academic Success Rate (ASR)]?

Key metrics:

- Existing Division III data from annual federal reports (i.e., general student body).
- General student body and student-athlete data from Division III Academic Reporting Pilot.
- Relevant data from Divisions I and II.

Drill down data should include rates by sport, rate distribution curve, institutional variance distribution curve, GOALS/SCORE data.

iv. Alcohol and Drug Education and Testing: Should the Division III governance structure develop and fund significant, multi-level and multi-platform educational resources and programming to enhance the knowledge and behavior of student-athletes and other key constituents related to alcohol and other drugs?

Key metrics:

- 2007-09 Division III Drug Education and Testing Pilot results.
- Results of periodic NCAA study on substance use.
- Results of the Division III championships drug testing program.
- Round table feedback from 2011 Division III Convention Issues Forum.

Drill down data should include data from non-NCAA programs and studies (e.g., NASPA).

The staff has developed and the NCAA Executive Committee has endorsed a performance management scorecard to enhance accountability, improve results, and demonstrate the value of national office programs and services to the membership. The scorecard is designed to help the Association focus on its priorities by providing information that is helpful in decision-making and broad oversight of each division. The identified Division III metrics cover the four priority areas facing the division in 2011-12, consistent with the division's strategic plan.

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.

Management Council. The Council reviewed the committee's 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.

Management Council. The Council reviewed the committee's 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.

- **Noncontroversial Legislation – Playing and Practice Seasons - Reorganization**.

  Management Council. The Council approved in concept noncontroversial legislation to amend Bylaw 17 such that all standard provisions appear in the general regulations section while the sport specific sections are limited to provisions that are applicable only to that particular sport.

  Reorganizing Bylaw 17 in this manner reduces redundancies and clarifies the legislative similarities and differences between sports. While initially it may take the user some time to become more comfortable with the new organization, ultimately, this revision results in a more user friendly format. This format succinctly sets forth sport specific legislative differences while more clearly indicating those legislative provisions that are universally applicable. While this is primarily a reorganization of the existing Article 17 there are a few substantive changes necessary to effectuate greater consistency between sports. Those changes include: (1) Making the contest exemption for a foreign team in the United States the same in basketball as it is in all the other sports. Currently, basketball has an additional requirement that the contest takes place in the institution's home arena, while no other sport includes that requirement. (2) Allowing basketball to use the once in four year exemption for contests played in Hawaii, Alaska, and Puerto Rico; and (3) Eliminating the reference to nontraditional segment for winter sports and defining the playing season in more relevant and consistent terms for the winter sports.

  Presidents Council. No action was necessary.

d. Division III Committees.

(1) Championships Committee.

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

Council Reps: Downes, Martin, Nelson

(a) Bylaw 31.3.2.1.4 Automatic Qualification – Core Institution.

Management Council. Sponsor legislation for the 2012 NCAA Convention requiring that institutions be core in only one conference for purposes of automatic qualification; and further, that the existing umbrella conference (i.e., Middle Atlantic, Commonwealth and Freedom Conferences) be permitted to retain its current structure.

Requiring that institutions be core in only one conference would establish stability in conference membership and require institutions to think more strategically about alignments other than for the purpose of acquiring championships automatic qualification. In addition, the core designation could be used to assign accountability for conference requirements and benefits (e.g., grant money, voting privileges, SAAC representation and Conference Self-Study Guide). The bylaw amendment would eliminate the possibility of the "umbrella" conference model since it would not be possible for an institution to be considered core in both the umbrella conference and one of the sub-conferences.

The Council noted that this proposal should be one in a package that also examines the benefits and obligations of conference membership. See also the Membership Committee's information item on page 23.

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

(b) Ground Transportation Pilot Program.

Management Council. The Council accepted the information that the Championships Committee received a report from the NCAA travel staff regarding the ground transportation pilot program with Go Ground Options. The goals of the program are cost savings, ensuring that all vendors meet the new safety standards and service to the membership. For the sports included in the pilot program during the fall championships season (i.e., Divisions I, II and III football and Division I women's volleyball), the NCAA realized savings of approximately 33 percent based on 2009-10 ground transportation costs. Some challenges (e.g., delays in communication, mechanical issues) were identified during the fall championships, and these issues are being addressed. The pilot program will be extended to the winter and spring championships seasons

and include Divisions II and III men's and women's basketball; NIT postseason; Divisions I and III men's and women's ice hockey; Divisions I, II and III baseball; Divisions I, II and III men's and women's lacrosse; and Divisions I, II and III softball. If the pilot program continues successfully and cost savings continue, the pilot program will be extended to all team sports in 2011-12 and the NCAA travel staff will consider adding individual-team sports. Institutions are encouraged to utilize Go Ground Options during the regular season to benefit from NCAA discounts. The travel staff is hopeful that by 2012-13, some of the cost savings from the ground transportation program can be used to cover local transportation costs for championship participants that are not reimbursed under the current travel policies.

The Management Council discussed the difficulties experienced by Council members who participated in the pilot. The Council requested that the national office produce mid-year reports and follow up on the challenges that occurred. The Council also requested the pilot analysis acknowledge the relationship between regular and post-season bookings, and how changes in gas prices will impact the savings accrued in this program. The Council directed the staff to ensure that pilot participant feedback goes back to the championships committee and subsequently gets reported to the Management Council.

Also related to the pilot analysis, the Council requested that the Championships Committee consider the impact of the pilot on removing the ground transportation funding that had previously been a source of discretionary funds for institutions that have not needed the entire $2,500 allowance for bussing, but that have needed additional funds to cover hotel and meal expenses. It was noted that the previous ground transportation allowance helped make the championships experience affordable for institutions.

Presidents Council. No action was necessary.

(c) Sport Committee Appointments.

Management Council. The Council accepted the information that the committee approved the following sport committee appointments. All appointments will be effective September 1, 2011, unless otherwise noted.

- Division III Baseball Committee. Midwest region: Corey Borchardt, commissioner, Upper Midwest Athletic Conference.
- Division III Men's Basketball Committee (two vacancies). South region: Chris Gage, director of athletics, University of Texas at Dallas. Mid-Atlantic region: Steven Ulrich, commissioner, Centennial Conference.

- Division III Women's Basketball Committee. Reappoint Suzanne Helfant, women's basketball coach, Kenyon College.
- Division III Football Committee. Immediate vacancy replacing Shawn McIntrye (interim replacement for deployed committee member Clayton Hendrick-Holmes): Marc Klaiman, head football coach, Anna Maria College.
- Division III Women's Lacrosse Committee. South Atlantic region: Brooke Diamond, head women's lacrosse coach, Washington and Lee University.
- Division III Men's Soccer Committee. Great Lakes region: Chris Brown, head men's soccer coach, Kenyon College. West region: Howard Patterson, vice president for student affairs, University of Texas at Tyler.
- Division III Women's Soccer Committee. Reappoint Suzette Soboti, head women's soccer coach, University of Redlands. [NOTE: This reappointment is a result of Ms. Soboti having to step down from the committee in 2009 due to regional alignment.] Immediate vacancy replacing Sean Sullivan – South Atlantic region: Brianne Weaver, senior woman administrator/head women's soccer coach, St. Mary's College of Maryland.
- Division III Softball Committee. East region: Lori Mazza, director of athletics, University of Pittsburgh, Bradford.
- Division III Men's and Women's Swimming and Diving Committee (two vacancies). Kim Bierwert, head swimming and diving coach/assistant director of athletics, Smith College. Kenneth Andrews, commissioner, Middle Atlantic Conferences.
- Division III Men's Tennis Committee. West region: Christopher Bizot, head tennis coach, University of Texas at Tyler.
- Division III Women's Tennis Committee. Atlantic South Region: Becky Cecere, head men's and women's tennis coach, Penn State Harrisburg.
- Division III Men's and Women's Track and Field Committee (two vacancies). Great Lakes region: Paul Sargent, head men's and women's cross country/track and field coach, Franklin College. Midwest region: Mahesh Narayanan, head women's cross country coach/assistant women's track and field coach, North Central College.
- Division III Men's Volleyball Committee (four immediate appointments). East region: Louise McCleary, director of athletics, Elms College; and Charlie Sullivan, head men's volleyball coach, Springfield College. West region: Jose Pina, head men's volleyball coach, New York University; and Gary Williams, associate athletics director, Carthage College. Reappoint Jose Pina, head men's volleyball coach, New York University. [Note: Given that the men's volleyball committee is new, the terms of the inaugural committee members are staggered to maintain a

balanced rotation schedule. Mr. Pina's initial term will expire September 1, 2011.]

- Division III Wrestling Committee. Grant a one-year term extension to Jeff Swenson, Augsburg College, due to the committee losing three of its four members. [NOTE: The committee recommends that the individual who replaces Mr. Swenson in September 2012 be appointed for a three-year team to maintain a balanced term rotation schedule for the committee.]
- Baseball Rules Committee. Bob Quinn, director of athletics, Loras College.
- Men's Basketball Rules Committee. Ed Silva, head men's basketball coach, Elms College.
- Women's Lacrosse Rules Committee. Paula Habel, head lacrosse coach, Allegheny College.

Presidents Council. No action was necessary.

Staff Liaisons: Hartung, Myers, Nesbitt

Council Rep: Rupert

(2) Financial Aid Committee.

(a) Referral to the Committee on Infractions – Public Disclosure of Secondary Financial Aid Violations.

Management Council. Referred to the Committee on Infractions consideration of granting enforcement staff the discretion to publicly disclose any violation regarding consideration of athletics leadership, ability, participation or performance within the student financial aid awarding process, even if such violation is deemed secondary. Such disclosure would be implemented for the 2011-12 Reporting Cycle.

Discovery of violations involving the inclusion of athletics leadership, ability, participation or performance in the student financial aid awarding process has remained constant through past reporting cycles with 46 institutions referred to enforcement. The vast majority of these violations are processed as secondary as they have been isolated or inadvertent and have not resulted in a recruiting advantage. The committee noted that many of these violations could have been avoided if the institution reviewed its awarding policies for compliance with NCAA legislation. Public reprimand, as a potential sanction for violations such as these, would provide incentive for institutions to ensure their policies comply with NCAA bylaws. Based on these unique circumstances and the paramount importance of financial aid compliance for Division III, the committee requests that the Committee on Infractions and enforcement staff review the policy regarding public disclosure of secondary violations, and grant deference to the enforcement staff and committee to use public disclosure as a potential sanction for Bylaw 15 secondary violations.

Presidents Council. The Presidents Council issued a directive to the Committee on Infractions that it use existing legislative authority, when appropriate, to publicly disclose secondary violations as described in this recommendation.

(b) Financial Aid Reporting Process – Level II Reviews.

Management Council. The Council reviewed the committee's report noting that the Financial Aid Committee conducted Level II review of 36 institutions. These institutions were forwarded to a Level II review because the Level I review yielded information that pointed to advantages for student-athletes in financial aid packaging. The Level II review permits institutions the opportunity to submit written justification for its policies and procedures that pointed to the perceived advantage.

When conducting a Level II review, the committee may make the following decisions: (a) take no further action during the reporting cycle; (b) take no further action during the reporting cycle on the condition that the institution will be reviewed during the next reporting cycle; (c) request additional information; or (d) refer the institution to NCAA enforcement.

Of the 36 reviews, the committee decided: (1) for 22 institutions, to take no further action during this reporting cycle; (2) for 3 institutions, to take no further action during this reporting cycle on the condition that those institutions will be reviewed during the next reporting cycle; and (3) refer 11 institutions to enforcement along with recommended penalties. No action was necessary.

Presidents Council. No action was necessary.

(c) Financial Aid Reporting Process – Findings and Review Results 2005-06 through 2009-10.

Management Council. The Council accepted the information that between 2005-06 and 2009-10, the committee completed a Level I, or cursory review, of 151 institutions, or approximately 34 percent of the membership. During that same time span, 112 cases (approximately 25 percent of the membership) have been forwarded to the Level II Review where the policies and procedures for administering student financial aid and their impact are assessed for compliance with Bylaw 15. Violations of Bylaw 15 have been discovered at 50 schools over this time period as a result of the financial aid reporting program.

Presidents Council. No action was necessary.

Staff Liaisons: Cooper, Elworth

Council Rep: Gunning

(3) Committee on Infractions.

(a) NCAA Bylaw 32.1.1 – Enforcement Policies and Procedures – Special Operating Rules – Confidentiality.

Management Council. The Management Council ratified an enforcement policy and procedure to revise Bylaw 32.1.1 (Confidentiality).

Amend Bylaw 32.1.1 as follows:

32.1.1 Confidentiality

The Committee on Infractions, the Infractions Appeals Committee and the enforcement staff shall treat all cases before them as confidential until they have been announced in accordance with the prescribed procedures. In addition, an institution and any individual subject to NCAA rules involved in a case shall treat cases under inquiry by the enforcement staff, **under consideration by the Committee on Infractions and, if appealed, under consideration by the Infractions Appeal Committee,** as confidential until the **decisions in such** case**s** ~~*has*~~ **have** been announced in accordance with prescribed procedures.

The current language of Bylaw 32.1.1 could be construed to mean that confidentiality applies only to cases "under inquiry by the enforcement staff." This revision expands the requirement for confidentiality to not only include cases which have moved past the enforcement staff inquiry (investigation) stage to the point where they are under consideration by the Committee on Infractions (post hearing) and/or the Infractions Appeals Committee (if appealed).

Presidents Council. No action was necessary.

(b) NCAA Bylaw 32.3.8 – Limited Immunity.

Management Council. The Management Council ratified an enforcement policy and procedure to revise Bylaw 32.3.8 (Limited Immunity).

Amend Bylaw 32.3.8 as follows:

32.3.8 Limited Immunity.

32.3.8.1 Athletics Personnel. At the request of the enforcement staff, the Committee on Infractions may grant limited immunity to ~~*a student-athlete who provides information when such individual otherwise might be declasred ineligible for intercollegiate competition based on the information that he or she reports and*~~ an institutional employee with

responsibilities related to athletics **based on information that the employee reports** when such an ~~*individual*~~ **employee** otherwise would be subject to disciplinary action as described in Bylaws 19.5.1-(i) and 19.5.2.2-(k) ~~*based on the information that individual reports.*~~ Such immunity shall not apply to the ~~*individual's*~~ **employee's** involvement in violations of NCAA legislation not reported or to future involvement in violations of NCAA legislation by the *individual* **employee** or to ~~*any actions that an*~~ **action taken by** an institution ~~*imposes.*~~ In any case, such immunity shall not be granted unless the *individual* **employee** provides information not otherwise available to the enforcement staff.

32.3.8.2 Student-Athlete. At the request of the enforcement staff, the Committee on Infractions may grant limited immunity to a student-athlete or prospective student-athlete when such an individual otherwise might be declared ineligible for inter-collegiate competition based on information reported to the enforcement staff by the student-athlete or a prospective student-athlete or a third party associated with the student-athlete or prospective student-athlete. Such immunity shall not apply to the individual's involvement in violations of NCAA legislation not reported or to future involvement in violations of NCAA legislation by the individual or to any action taken by an institution. In any case, such immunity shall not be granted unless the relevant information would not otherwise be available to the enforcement staff.

The intent of the limited immunity legislation was to encourage at-risk student-athletes and athletics department employees to assist the enforcement staff in obtaining full and complete information. In today's recruiting environment, it is often the parents or third parties who possess critical knowledge or evidence that would be relevant to the investigation. In some instances, these individuals not under the jurisdiction of the NCAA may want to cooperate and share information, but due to potential eligibility consequences for the student-athlete, they choose not to assist with the investigation by sharing important information. The ability to grant immunity to a student-athlete in certain circumstances for information reported by another individual will assist the enforcement staff in the development of full information.

Presidents Council. No action was necessary.

(c) NCAA Bylaw 32.8.8.3 – Posthearing Committee Deliberations - Imposition of Penalty.

Management Council. The Management Council ratified an enforcement policy and procedure to revise Bylaw 32.8.8.3 Imposition of Penalty.

Amend Bylaw 32.8.8.3 as follows:

32.8.8.3 Imposition of Penalty.

If the committee determines that there has been a violation, it shall impose an appropriate penalty (see Bylaw 19.5); or it may recommend to the Management Council suspension or termination of membership in an appropriate case. **Failure to fully implement the adopted and/or imposed penalty may subject the institution, and/or an involved individual under a show-case restriction, to further disciplinary action by the Committee on Infractions.**

The modification makes it clear that institutions and/or individuals previously involved in infractions cases for which penalties and/or show-cause provisions have been imposed are subject to further disciplinary actions should they not adhere to the conditions and requirements of the sanctions.

Presidents Council. No action was necessary.

(d) Financial Aid Major Infractions Cases and Allegations of Failure to Monitor or Institutional Control.

Management Council. The Council accepted the information that from the initial adoption of financial aid regulations (1979) through the present day, Division III member institutions continue to be responsible for ensuring that financial aid is administered in a consistent manner and in compliance with NCAA Bylaw 15. At the 2004 Convention, the Division III membership adopted legislation, with an August 1, 2005, effective date, which currently requires institutions to report financial aid packages for students and student-athletes who are freshmen and transfers. This reporting process has been a requirement for more than six years, which has provided a sufficient amount of time for the membership to receive education of the legislation's implementation, expectations and impact.

The Division III Committee on Infractions has processed five cases forwarded from the Division III Financial Aid Committee over a three-year period involving Bylaw 15. The enforcement staff has exercised its discretion and has not included allegations of an institution's failure to monitor or a lack of institutional control in these cases, mostly because the enforcement staff concluded that it seemed appropriate to exercise discretion in allowing time for the membership to understand and respond to the expectations and impact of violations of the legislation

that were detected by the Division III Financial Aid Committee. The enforcement staff hoped that the major infractions cases processed by the Division III Committee on Infractions would serve as notice that member institutions should strengthen their efforts to ensure compliance with the financial aid legislation.

Unfortunately, the enforcement staff has advised the Division III Committee on Infractions that it anticipates that the Division III Financial Aid Committee will forward additional, potentially major cases for the Division III Committee on Infractions' review.

In light of the information noted above, the enforcement staff has shared with the Division III Committee on Infractions that it will begin to carefully scrutinize future financial aid cases to determine if it is appropriate to include an allegation of failure to monitor and/or a lack of institutional control. Additionally, the enforcement staff has advised the Division III Committee on Infractions that it intends to share this information with the membership (e.g., Regional Compliance Seminars, Division III Monthly Update).

Presidents Council. No action was necessary.

Staff Liaisons: Dantzler, Smith, Walters

Council Reps: Antonucci, Baldridge

(4) Infractions Appeals Committee.

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

Presidents Council. No action was necessary.

(5) Membership Committee

Staff Liaisons: Davey, Orr

Council Rep: Robert

(a) Modification of Wording – NCAA Convention Attendance.

Management Council. The Council approved in concept a modification of wording that clarifies that an institutional voting delegate must be present at the NCAA Division III business session in order to meet the legislated attendance requirement.

The current legislation specified that an institution may satisfy the NCAA Convention attendance requirement through representation by a 'voting delegate.' This language suggests that the institution will have satisfied the legislated attendance requirement if a conference representative casts the institution's vote, as permitted in NCAA Constitution 5.1.3.4 (certification and voting of delegates). However, such a scenario

does not comply with the intent and rationale of the Convention attendance legislation. The NCAA Division III Membership Committee noted the attendance requirement may only be satisfied if an institutional staff member attends the Division III business session and casts a vote.

Presidents Council. No action was necessary.

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

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

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

Presidents Council. No action was necessary.

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

Management Council. The Council approved the following waiver requests for the 2011 NCAA Convention attendance requirement per Constitution 3.2.4.15.3 (waiver):

- Keystone College;
- University of Maine, Farmington;
- State University College at Oneonta;
- Rhode Island College;
- U.S. Merchant Marine Academy; and
- Waynesburg University.

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

Presidents Council. No action was necessary.

(d) Constitution 3.2.4.15 (Convention and Regional Rules Seminar Attendance) – Northeast Regional Compliance Pilot.

Management Council. The Council approved attendance at the Northeast compliance seminar pilot as a means of satisfying the NCAA Regional Rules Seminars attendance requirement.

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

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

- Impact on the NCAA Regional Rules Seminars;
- Impact on National Association of Division III Athletic Administrators (NADIIIAA) summer forum;
- NCAA strategic initiative conference grant funds use;
- NCAA staff impact;
- Division III membership impacted;
- Cost;
- Length and structure of sessions; and
- Administrative challenges.

Further, the committee committed to reviewing additional compliance-based educational models at its next in-person meeting. The proximity of the pilot to Northeast Division III institutions should reduce travel costs for these institutions.

Presidents Council. No action was necessary.

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

Management Council. The Council approved election of the Continental Volleyball Conference to active Division III single-sport conference status.

The single-sport conference demonstrated presidential oversight, complete and detailed constitution and bylaws and has at least six active member institutions.

Presidents Council. No action was necessary.

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

Management Council. The Council conditionally approved a sports-sponsorship waiver request of NCAA Division III Bylaw 20.11.3 (sports sponsorship) for Franciscan University of Steubenville for the 2011-12 academic year per Bylaw 20.11.3.4.1 (waiver). Specifically, the institution will be permitted to designate men's rugby as a sport that may be used to meet the division sports sponsorship criteria. The waiver is contingent on the institution providing an update to the committee of adherence to its institutional plan not later than December 15, 2011.

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

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

Presidents Council. No action was necessary.

(g) NCAA Membership Inquiries.

Management Council. The Council endorsed committee proposed educational models and concepts and approved forwarding the models to appropriate Association-wide groups.

At its recent meetings, including a joint meeting with the NCAA Division II Membership Committee, the Membership Committee discussed how to enhance the NCAA membership inquiry process. Institutions that are currently interested in joining the NCAA or reclassifying to another division learn about the respective divisions through resources developed by division-specific NCAA staff. There currently are no specific documents or resource tools available to directly compare the divisions. The committee recognized a need to create a comprehensive tool(s) to assist institutions in analyzing membership requirements and expectations to aid in the strategic planning process. Proposed tools have been forwarded to the Executive Committee's Working Group on Membership Issues for consideration (these include dashboard comparisons, video-based modules, and enhanced staff support).

Presidents Council. No action was necessary.

(h) NCAA Constitution 3.3 (Member Conference) – Core.

Management Council. The Council accepted the information that the committee reviewed the Championships Committee's recommendation that an institution should count as core in only one conference for automatic qualification purposes and similarly endorsed the concept for membership purposes. The committee noted that although the fiscal aspects of an umbrella conference may be attractive, permitting the umbrella model minimizes the philosophical aspects of conference affiliation and leads institutions to make decisions based less on affinity and more on the ability to procure automatic qualification.

The committee will review conference membership requirements and benefits and propose any legislative change necessary to support the Championships Committee's recommendation to limit an institution to being core in only one conference, and to bring consistency to the expectations and benefits associated with conference membership.

Presidents Council. No action was necessary.

(i) Sports-Sponsorship Audit.

Management Council. The Council accepted the information that the 2010-11 sports-sponsorship audit did not produce finding that any institutions that were in violation of sports-sponsorship requirements for the 2009-10 academic year. This is the first year the Membership Committee conducted a sports-sponsorship audit that has not resulted in the need for a waiver.

Presidents Council. No action was necessary.

(j) University of New Orleans – Reclassification Status.

Management Council. The Council accepted the information that the Membership Committee acknowledged the university's intent to pursue Division II membership and its concurrent failure to comply with Division III reclassification standards. Specifically, certain elements of the reclassification process have not been met and cannot be rectified as noted in their plan. The Membership Committee noted that although the institution's current intent is to pursue Division II membership, it is still responsible for the timeline associated with its Division III reclassification, should it desire to return to that process.

Presidents Council. No action was necessary.

(k) New York City College of Technology – Penalty Status – Athletics Program Assessment.

Management Council. The Council accepted the information that the committee reviewed the institution's most recent submission of its athletics program assessment per the terms of its restricted membership status, a penalty assessed for two years of failure to meet sports-sponsorship requirements. The institution submitted its original assessment in May 2010, which the committee deemed inadequate. The institution resubmitted its assessment in December 2010, and the committee again noted its failure to thoroughly address the assessment questions. The committee recommended the institution be granted an additional opportunity to complete the assessment in accordance with committee guidance. In order to ensure the institution is fully aware of the committee's concerns regarding the assessment and the potential implications of a loss of active member status, a president and athletics direct report from the committee agreed to speak with their peers at City Tech.

Presidents Council. No action was necessary.

Staff Liaison: Tufano

Council Rep: Hoeg

(6) Nominating Committee.

(a) Committee appointments.

Management Council. The Management Council approved the following committee appointments. Terms begin September 1, 2011:

i. Committee on Competitive Safeguards and Medical Aspects of Sports. Melinda Larson, head athletics trainer, Whitworth University.

ii. Minority Opportunities and Interests Committee. Rahsaan Carlton, director of athletics, Penn State Harrisburg.

iii. Division III Nominating Committee. (June 1, 2011, replacement of Christopher Walker) Dennis Leighton, faculty athletics representative, University of New England.

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

(b) 2012 Convention presentation.

Management Council. The Council referred to the Convention-Planning Subcommittee a recommendation that 2012 Convention programming include a presentation on the demographics and nominations history of Division III athletics administrators and coaches to illustrate the challenges related to meeting ethnic minority representational requirements in Division III committee nominations.

The Nominating Committee received a presentation by the NCAA research staff of the demographic breakdown of possible committee nominees. The committee noted that the lack of ethnic minority nominees creates challenges in forming diverse committee compositions (and meeting minimum legislative requirements). Due to the importance of promoting quality committee nominations, these data and challenges should be highlighted in a full membership forum.

Presidents Council. No action was necessary.

Staff Liaisons: Davey, Montgomery, Wright

Council Reps: Glass, Khan,

(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 committee had no formal 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) Noncontroversial Legislation – Eligibility – Full-Time Enrollment – Requirement for Practice and Competition – Exception - Cooperative Educational Work Experience.

Management Council. The Council approved in concept noncontroversial legislation 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.

The NCAA Division III Interpretations and Legislation Committee (ILC) reviewed a Division I proposal that creates a legislative exception for a circumstance that previously required a waiver. ILC noted the proposal's rationale to eliminate bureaucracy for a situation that is typically waived through the appropriate Division I waiver process given the academic requirement of these programs. The committee learned that the NCAA Division III Management Council Subcommittee on Academic Issues also grants these waivers if required as part of the student's academic program and often grants 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 establishing legislation to permit schools to manage this for required programs would also eliminate bureaucracy in Division III and 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.

(b) Noncontroversial Legislation – Recruiting – Unofficial Visit - Entertainment/Tickets – General Restrictions – Nontraditional Family.

Management Council. The Council approved in concept noncontroversial legislation to permit an institution to provide complimentary admissions to a home athletics event to a prospective student-athlete and

his or her parents, guardian(s), spouse or individual of a comparable relationship during an unofficial visit.

The committee reviewed a Division I proposal that permits an institution to provide additional complimentary admissions to a prospective student-athlete who is a member of a nontraditional family (e.g., divorce, separation) during an official visit. The committee noted current Division III legislation regarding complimentary admissions for official visits already provides flexibility for these situations while the legislation for unofficial visits does not. Therefore, the committee believes it is appropriate to amend the unofficial visit legislation to be similar to that for official visits.

Presidents Council. No action was necessary.

(c) Noncontroversial Legislation – Awards, Benefits and Expenses - Participation Awards – Maximum Value of Award – Increase to Maximum Values.

Management Council. The Council approved in concept noncontroversial legislation 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.

The committee reviewed a Division I proposal that increased the award limits as specified. In its review, the committee noted the award limits have not increased since 2006 and due to inflation, particularly in the market rate for gold; it has become more difficult to provide the same or similar awards to student-athletes. The committee noted that while all institutions may not approach the dollar limit, the rate of inflation should not restrict those who wish to provide certain awards that may be traditional marks of recognition (e.g., rings). Furthermore, the committee noted the inequity among the divisions if Division III does not increase the limits in a similar manner.

Presidents Council. No action was necessary.

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

Management Council. The Council approved in concept noncontroversial legislation to establish an exception that would permit the designation of funds raised through fundraisers for individuals prior to initial, full-time collegiate enrollment, provided the amount raised does not exceed actual and necessary expenses.

The committee considered whether to extend the exception for the designation of funds in institutional fundraising activities to prospective student-athletes. The committee expressed concern for how the current rule applies to prospective student-athletes. Given the nature of youth sports and the prevalence of fundraising activities at all levels of the youth sports structure, the committee noted the likelihood that numerous student-athletes and institutions have not been properly applying the legislation. Furthermore, the committee noted it was unfair for prospective student-athletes and their families to have sufficient knowledge and education on the current rules in this area and, even if they were aware, it would be difficult and expensive to follow. The committee noted the current rule also places institutions in a difficult position to effectively and consistently monitor the rule.

Presidents Council. No action was necessary.

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

Management Council. The Council approved in concept noncontroversial legislation to specify that 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.

The committee reviewed the legislative changes made recently in Divisions I and II noting the new rule in both divisions permit a former student-athlete greater flexibility if he or she is training for elite-level competition in an area that is not close to the institution from which he or she graduated. The committee noted this flexibility is reasonable and should be afforded to Division III student-athletes in the same manner as their Divisions I and II counterparts.

Presidents Council. No action was necessary.

(f) Modification of Wording – Playing and Practice Seasons and Eligibility – Wrestling – First Date of Practice and Competition and No Outside Competition Between Beginning of Academic Year and November 1.

Management Council. The Council approved in concept a modification of wording to specify that a wrestling student-athlete shall not practice

with an outside team prior to October 10 and shall not participate in outside competition (on a team or as an individual) prior to November 1.

The committee reviewed the history of Proposal No. 2011-12 and noted the final version of the proposal did not include part of the original recommendation that the same date restrictions apply to a student-athlete's participation in outside competition (on a team or as an individual). Since the intent was for all three divisions to be the same regarding practice and competition start dates, the committee believed it was appropriate to modify the legislation in accordance with the written history of the recommendation.

Presidents Council. No action was necessary.

(g) Modification of Wording – Amateurism – Promotional Activities – Permissible – Prospective Student-Athlete's Participation in Institutional Fundraisers or Promotions.

Management Council. The Council approved in concept a modification of wording that would eliminate the language in NCAA Division III Bylaw 12.5.1.1.7 (prospective student-athlete's participation in institutional fundraisers or promotions) regarding participation prior to initial full-time collegiate enrollment.

The committee noted the wording in Bylaw 12.5.1.1.7 restricts a prospective student-athlete from participating in an institutional fundraiser until he or she initially enrolls. The committee observed that the intent of the wording was not to prohibit an individual from being involved with an institutional fundraiser even after he or she was no longer considered a prospective student-athlete (e.g., reporting for squad practice). Therefore, the committee agreed a modification of wording was necessary to eliminate the confusion given the general understanding of how a prospective student-athlete and student-athlete are defined.

Presidents Council. No action was necessary.

(h) Incorporation of Official Interpretation – Recruitment at Institution's Sports Camps and Clinics.

Management Council. The Council approved in concept an incorporation of the following official interpretation [Reference: 2/4/11, Item No. 1] into the legislation:

Recruitment at Institution's Sports Camps and Clinics (III). The NCAA Division III Management Council confirmed that institutional athletics department staff members are prohibited from engaging in recruitment activities during institutional sports camps or clinics. Nonathletics institutional staff members may present and provide general institutional information to camp participants. [References: NCAA Division III Bylaws 13.1.4.2 (practice or competition site) and 13.12.1.1 (definition), staff interpretation (4/5/89, Item No. i), which has been archived, and official interpretation (5/17/10, Item No. 3) which has been archived]

The committee believes this interpretation should be incorporated so the membership is aware of the permissible recruitment activities that can occur during institutional camps and clinics.

Presidents Council. No action was necessary.

(i) Incorporation of Official Interpretation – Meals in Conjunction with Home Competition.

Management Council. The Council approved in concept an incorporation of the following official interpretation [Reference: 10/26/10, Item No. 19] into the legislation:

Meals in Conjunction with Home Competition (III). The NCAA Division III Interpretations and Legislation Committee confirmed that it is permissible for an institution to provide meals to student-athletes at the institution's discretion on the day(s) of competition until the student-athletes are released by institutional personnel. An institution shall not provide cash in lieu of a meal during this time period. An institution, at its discretion, may provide a meal or cash (but not both) to student-athletes at the time of their release by institutional personnel. [References: NCAA Division III Bylaw 16.5.1 (housing and meals -- exceptions) and an official interpretation (4/27/99, Item No. 1) which has been archived]

The committee believes this interpretation should be incorporated to so the membership is aware of the permissible meals that may be provided to student-athletes in conjunction with home competition.

Presidents Council. No action was necessary.

(j) Incorporation of Official Interpretation – Student-Athlete May Finish Season if Attendance is Calculated to a Fraction.

Management Council. The Council approved in concept an incorporation of the official interpretation [Reference: 8/30/82, Item No. r] into the legislation:

Student-Athlete May Finish Season if Attendance is Calculated to a Fraction (II/III). Agreed that a Division II or III student-athlete may remain eligible for all of the student's final semester or quarter under the provisions of Bylaw 4-1-(b) if the combination of semesters and quarters of previous attendance leaves such student-athlete with any fraction of the 10th semester or 15th quarter of eligibility remaining at the beginning of that final semester or quarter. [Reference: Division III Bylaw 14.2.2 (10-semester/15-quarter rule)]

The committee believes the official interpretation should be incorporated into the legislation to better inform the membership on how to apply the rule in such a situation.

Presidents Council. No action was necessary.

(k) Approval of Official Interpretation – Alumna or Alumnus Participating in Occasional Practice Session with Former Institution's Team.

Management Council. The Council approved the following official interpretation:

Alumna or Alumnus Participating in Occasional Practice Session with Former Institution's Team (III). The NCAA Division III Interpretations and Legislation Committee determined that it is permissible for an alumna or alumnus of an institution (e.g., former student-athlete) to participate in an occasional practice session with a member institution's intercollegiate athletics team, provided the institution does not publicize the participation of the former student-athlete in the practice session. [References: NCAA Division III Bylaws 14.1.8.1 (requirement for practice or competition), 17.02.9 (outside competition) and 17.02.10 (outside team) and an official interpretation (10/23/86, Item No. r), which has been archived]

The committee reviewed a Division I official interpretation and agreed it would be helpful to issue the same interpretation in Division III to clarify the participation of former student-athletes in practice sessions.

Presidents Council. No action was necessary.

(l) Approval of Official Interpretation – Application of NCAA Bylaw 13 to a Prospective Student-Athlete with No Reasonable Expectation of Participation in Intercollegiate Athletics.

Management Council. The Council approved the following official interpretation:

Application of NCAA Bylaw 13 to a Prospective Student-Athlete with no Reasonable Expectation of Participation in Intercollegiate Athletics (III). The NCAA Division III Interpretations and Legislation Committee determined that the restrictions of Bylaw 13 do not apply to a prospective student-athlete who has no reasonable expectation of participating in intercollegiate athletics as a result of a disability or terminal illness. [References: NCAA Division III Bylaws 13.02.7 (prospective student-athlete), 13.2.1 (general regulation), 13.2.2 (specific prohibitions), 13.10.4 (prospective student-athlete's visit), 13.10.5 (introduction of prospective student-athlete) and 13.15.1 (precollege expenses – prohibited expenses); official interpretation (6/27/05, Item No. 3-d) and staff interpretation (2/25/10, Item No. b), which have been archived]

The committee reviewed a recent Division I official interpretation along with existing interpretations applicable to this group of individuals and agreed issuing a new interpretation would be clearer on this subject. The Council removed a provision from the Division I version of this interpretation that the institution not be recruiting any family member of the prospect with no reasonable expectation of participation. This provision was deemed to be not necessary for Division III.

Presidents Council. No action was necessary.

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

Management Council. The Council approved the following official interpretation:

Institution That Does Not Require a Paid Acceptance or Financial Deposit for Admission or Financial Aid (III). The NCAA Division III Interpretations and Legislation Committee determined it is permissible for an institution that does not require a paid acceptance or financial deposit in response to a written offer of aid or admission to use any form of communication with a prospective student-athlete after May 1 of the prospective student-athlete's senior year of high school and release publicity about a prospective student-athlete who has committed to the institution, provided the institution has received a commitment from the prospective student-athlete that is required of all incoming students. [References: NCAA Division III Bylaws 13.02.11.4 (exception – after receipt of financial deposit) and 13.10.7 (announcement of acceptance)]

The committee reviewed a Division I proposal that provides more flexibility to Division I institutions in establishing when a prospective student-athlete commits to an institution for purposes of eliminating the forms and frequency of communication between an institution and the

prospective student-athlete. The committee noted Division III recently changed its rules in this area under Proposal No. NC-2011-28. Now any form of communication with a prospective student-athlete after May 1 of the prospective student-athlete's senior year of high school is permissible, provided the institution has received a financial deposit in response to the institution's offer of admission. The committee noted that some institutions do not require a financial deposit and, therefore, are unable to take advantage of this legislation. It was also noted that a paid acceptance is also required in order to publicize a prospective student-athlete's commitment to attend the institution and that schools that do not require a paid acceptance or financial deposit are limited in this regard. The committee believed that institutions in this position should not be disadvantaged and the same flexibility should be provided at the time of receipt of the institution's required form of commitment for all students.

Presidents Council. No action was necessary.

(n) Approval of Official Interpretation – Unearned and Earned Fundraising Monies for Institutional Fundraisers.

Management Council. The Council approved the following official interpretation:

Unearned and Earned Fundraising Monies for Institutional Fundraisers (III). The NCAA Division III Interpretations and Legislation Committee confirmed that funds are considered unearned when a student-athlete participates in an institutional fundraiser that involves the use of athletics ability or a direct appeal (e.g., letter writing, telephone call campaign). Further, the committee confirmed that earned funds are the result of any fundraising activity that is not considered unearned such as working a concession stand, selling magazines or parking automobiles at an event. [Reference: NCAA Division III Bylaws 12.1.1.1. (exception), 12.5.1 (permissible activities – after initial, full-time collegiate enrollment), 12.5.1.1 (institutional, charitable, educational or nonprofit promotions)]

The committee reviewed the 2011 NCAA Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

Presidents Council. No action was necessary.

(o) Approval of Official Interpretation – Rate Used to Determine Amount of Designated Earned Funds.

Management Council. The Council approved the following official interpretation:

Rate Used to Determine Amount of Designated Earned Funds (III). The NCAA Division III Interpretations and Legislation Committee confirmed that funds designated for a specific student-athlete through earned fundraising activities must be representative of the work, service or activity performed by the student-athlete and at a rate commensurate with the going rate for such work, service or activity in the institution's locale. [Reference: NCAA Division III Bylaws 12.1.1. (exception), 12.1.5.1 (permissible activities – after initial, full-time collegiate enrollment) and 12.5.1.1 (institutional, charitable, educational or nonprofit promotions)]

The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

Presidents Council. No action was necessary.

(p) Approval of Official Interpretation – Certification of Strength and Conditioning Coaches.

Management Council. The Council approved the following official interpretation:

Certification of Strength and Conditioning Coaches (III). The NCAA Division III Interpretations and Legislation Committee confirmed that a certified strength and conditioning coach who conducts voluntary workouts outside the playing season during the academic year shall maintain a current and active certification with the respective certifying organization. [References: NCAA Division III Bylaws 17.02.1 (athletically related activities), 17.02.1.1.1 (exceptions) and 17.02.13 (voluntary athletically related activities)]

The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

Presidents Council. No action was necessary.

(q) Approval of Official Interpretation – Strength and Conditioning Coach Also a Sport Team Coach.

Management Council. The Council approved the following official interpretation:

Certified Strength and Conditioning Coach Also a Sport Team Coach (IIII). The NCAA Division III Interpretations and Legislation Committee confirmed that a certified strength and conditioning coach who also

serves on a sport team coach, may conduct voluntary workouts outside the playing season during the regular academic year for student-athletes in the coach's sport, only if that coach also provides out-of-season strength and conditioning services to all student-athletes at the institution. [References: NCAA Division III Bylaws 17.02.1 (athletically related activities), 17.02.1.1.1 (exceptions) and 17.02.13 (voluntary athletically related activities)]

The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

Presidents Council. No action was necessary.

(r) Approval of Official Interpretation – Voluntary Workouts Conducted by a Certified Strength and Conditioning Coach.

Management Council. The Council approved the following official interpretation:

Voluntary Workouts Conducted by a Certified Strength and Conditioning Coach (III). The NCAA Division III Interpretations and Legislation Committee confirmed the following regarding voluntary workouts conducted by a certified strength and conditioning coach:

- It is permissible for the voluntary workouts to be conducted for individuals or groups, provided the participation of each student-athlete, individually and in the group, is voluntary; and
- It is not permissible for the certified strength and conditioning coach to conduct sport-skill instruction outside the playing season, even if the individual is also a sport team coach.

[References: NCAA Division III Bylaws 17.02.1 (athletically related activities), 17.02.1.1.1 (exceptions) and 17.02.13 (voluntary athletically related activities); and an official interpretation (3/22/11, Item No. 12-a-2)]

The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on these two questions.

Presidents Council. No action was necessary.

(s) Approval of Official Interpretation – Participation on Triathlon Team.

Management Council. The Management Council approved the following official interpretation and approved in concept its incorporation into the NCAA Division III Manual:

Participation on a Triathlon Team (III). The NCAA Division III Interpretations and Legislation Committee confirmed that a student-athlete shall compete in all three legs of a triathlon in order to satisfy the exception to the outside competition legislation. [References: NCAA Division III Bylaw 14.7.3 (exceptions – all sports) and an official interpretation (8/2/8/87, Item No. g)]

The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

Presidents Council. No action was necessary.

(t) Approval of Official Interpretation – Receipt of Prize Money by Enrolled Student-Athletes in Team Sports.

Management Council. The Council approved the following official interpretation:

Receipt of Prize Money by Enrolled Student-Athletes in Team Sports (III). The NCAA Division III Interpretations and Legislation Committee confirmed that it is not permissible for an enrolled student-athlete to receive prize money based on performance for participation in a team sport, even if the team is comprised of less than the normal number of players used under NCAA playing rules (e.g., two-person volleyball, three-person basketball). [References: NCAA Division III Bylaws 12.1.5.1 (permissible activities – after initial, full-time collegiate enrollment), 12.1.5.2 (nonpermissible activities – after initial, full-time collegiate enrollment), 16.1.1.2.1 (exception – individual sports – prize money outside the playing season during the institution's official summer vacation period) and 17.02.12.1 (team sports)]

The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

Presidents Council. No action was necessary.

(u) Approval of Official Interpretation – Receipt of Prize Money by Enrolled Student-Athletes in Individual Sports.

Management Council. The Council approved the following official interpretation:

Receipt of Prize Money by Enrolled Student-Athletes in Individual Sports (III). The NCAA Division III Interpretations and Legislation Committee confirmed that it is permissible for an enrolled student-athlete to receive prize money based on performance for participation on a team (e.g., two-person golf team, relay team in swimming and diving or track and field, double tennis team), provide the sport is considered an NCAA individual sport. [References: NCAA Division III Bylaws 12.1.5.1 (permissible activities – after initial, full-time collegiate enrollment), 14.7.2.6 (exempt teams), 16.1.1.2.1 (exception – individual sports – prize money outside the playing season during the institution's official summer vacation period) and 17.02.12.2 (individual sports)]

The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

Presidents Council. No action was necessary.

(v) Approval of Official Interpretation – Definition of Open Event.

Management Council. The Council approved the following official interpretation:

Definition of Open Event (III). The NCAA Division III Interpretations and Legislation Committee confirmed that an event is considered open if participants are not selected on an invitation-only basis and not classified by age group or level of educational institution represented (e.g., high school and college division). Further, the selection of participants shall not be limited except by gender, number, and geographical area or on the basis of some objective standard of performance. [References: NCAA Division III Bylaws 14.02.6 (intercollegiate competition), 14.7.2.5 (competition as individual/not representing institution) and 17.02.8 (intercollegiate competition); staff interpretation (2/4/87, Item No. 2-c-1) and staff interpretation (2/21/97, Item No. a)]

The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

Presidents Council. No action was necessary.

(w) Approval of Official Interpretation – Content of General Athletics Information.

Management Council. The Council approved the following official interpretation:

Content of General Athletics Information (III). The NCAA Division III Interpretations and Legislation Committee determined that general athletics information is any information that is not a solicitation to attend the institution and does not include the name(s) of any specific prospective student-athlete. [References: NCAA Division III Bylaw 13.02.11.3 (exception – public release of general athletics information sent through electronic transmission)]

The committee reviewed feedback from the NCAA Division III Student-Athlete Advisory Committee (SAAC) on this issue and agreed that the content of "general athletics information" should not be limited except to prohibit the solicitation and recruitment of prospective student-athletes. SAAC noted that traditional media content (e.g., press releases, score updates) should not be the standard by which to determine what is considered "general athletics information" in today's society given the predominate use of websites and social media platforms to communicate all types of information to the general public. In its discussion of SAAC's feedback and the overall issue, ILC agreed that the notion of traditional content and traditional methods of delivery is likely an outdated standard by which to apply legislation whose stated rationale aimed to provide flexibility for future technologies. Further, the committee agreed the value or utility of the information also cannot be used as a standard to evaluate content in today's environment. Therefore, ILC agreed with the SAAC position, including the continued prohibition on the use of social media, to target or communicate person-to-person with specific prospective student-athletes.

Presidents Council. No action was necessary.

(x) Referral to Subcommittee on Academic Issues: Waiver Directive – Cooperative Educational Work Experience.

Management Council. The Council referred to the Subcommittee on Academic Issues a request that it consider establishing a waiver directive stating that a waiver of full-time enrollment 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 a common or highly recommended aspect of the field of study, as documented by the institution.

In its review of a Division I proposal, the committee agreed to recommend the Management Council sponsor noncontroversial legislation to address cooperative educational work experience programs that are a required part of a degree program (See Action Item No. 1-a). In addition, the committee learned that the Subcommittee on Academic Issues often grants 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.

(y) Referral to the Student-Athlete Advisory Committee – Certified Strength and Conditioning Coaches.

Management Council. The Council referred to SAAC a request that it consider the issue of whether all strength and conditioning coaches should be certified in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED), similar to the requirement for head coaches.

The committee reviewed a Division I proposal that requires Division I strength and conditioning coaches that conduct voluntary workouts to maintain certification in first aid and CPR and requires that a member of the institution's sports medicine staff be present during voluntary activities conducted by a strength and conditioning coach. With the recently adopted Division III Proposal No. 2011-7-1, only certified strength and conditioning coaches will be permitted to conduct voluntary workouts outside the playing season during the academic year. The committee observed that some organizations that offer certification for strength and conditioning coaches already require such individuals to have some form of first aid, CPR and/or AED certification, but it is unclear whether all such entities require this and whether it needs to be active at all times. Furthermore, the committee discussed the legislative requirement in Bylaw 11.1.6 (sports-safety training) for head coaches regarding first aid, CPR and AED certification and the rationale for that legislation, which was strongly supported by the Student-Athlete Advisory Committee.

Presidents Council. No action was necessary.

(z) Referral to the NCAA Division III Membership Committee - Division I Proposal No. 2010-103.

Management Council. The Council referred to the Membership Committee a request that it review Division I Proposal No. 2010-103 regarding a reduction of contest minimums from 10 to six in swimming and diving.

In reviewing legislative action taken in Division I, the committee believes this proposal should be referred to the Membership Committee for consideration given the Bylaw 20 (membership) implications. The committee took no position on this proposal.

Presidents Council. No action was necessary.

(aa) Referral to the NCAA Division III Committee on Student-Athlete Reinstatement (SAR) – Division II Proposal No. NC-2011-24.

Management Council. The Council referred to SAR a request that it review Division II Proposal No. NC-2011-24.

The committee reviewed this Division II proposal that specifies that if a waiver of the 10-semester/15-quarter rule is granted, it must be used during the student-athlete's next available opportunity to enroll (e.g, next semester or quarter). The committee was unclear how these waivers are currently applied in Division III and, therefore, referred the issue to the Committee on Student-Athlete Reinstatement for consideration.

Presidents Council. No action was necessary.

(bb) Referral to the NCAA Division III Championships Committee - Division II Proposal No. ADM-2012-1.

Management Council. The Council referred to the Championships Committee a request that it review Division II Proposal No. ADM-2012-1.

The committee referred this administrative regulation regarding an increase to 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, to the Championships Committee.

Presidents Council. No action was necessary.

(cc) Referral to the Student-Athlete Advisory Committee – Text Messaging to Prospective Student-Athletes on Club Teams.

Management Council. The Council referred to SAAC a request that it consider the use of text messaging, and other forms of communication, between institutional coaches and prospective student-athletes who are involved with the same club team for club-related matters.

The committee reviewed previous committee minutes on this issue from 2008 that center on whether the prohibition on text messaging with prospective student-athletes should apply to communication between coaches and prospective student-athletes who are involved with the same sports club team for club-related matters (e.g., practice times). It was noted that the committee originally intended to recommend noncontroversial legislation to permit this type of communication since it was outside the scope of recruitment as participation by institutional coaches and prospective student-athletes on club teams is an exception to the tryout legislation. The Student-Athlete Advisory Committee, however, did not support the use of text messaging under any circumstance which led to the recommendation being withdrawn. In its present review of the issue, the committee noted that despite the earlier objections by SAAC, there appears to be no legislative basis to restrict the methods of communication used by institutional coaches and club team members. Additionally, the committee noted that for practical purposes the use of text messaging has become so prevalent that it is often the only way to communicate in a timely manner with high school students and, accordingly, it was impractical to prohibit this method of communication for club-related matters. Before making a formal recommendation, however, the committee agreed to refer this to SAAC for input.

Presidents Council. No action was necessary.

(dd) Referral to Student-Athlete Advisory Committee – Transfer Exception for Student Who is Academically Ineligible but has not Used Season of Participation or Participated in Intercollegiate Athletics.

Management Council. The Council referred to SAAC a request that it review the legislation applicable to a transfer exception for a student who is academically ineligible but has not used a season of participation at a Division III school or participated in intercollegiate athletics at a non-Division III school.

The committee examined the current transfer legislation that permits a student who is academically ineligible to transfer and be immediately eligible at the certifying institution if he or she has not previously used a season of participation at a Division III institution or participated in intercollegiate athletics at a non-Division III school. The committee noted this provides an opportunity for a student to participate during the non-traditional segment at a Division III institution and transfer to another Division III institution and be immediately eligible despite being academically ineligible at the original institution. The legislation's intent and rationale place an emphasis on those students who have used a season of participation and, consequently, the committee did not wish to

add an additional barrier for transfers. The committee noted, however, that input from SAAC would be helpful in better understanding this from the student-athlete perspective; therefore, they referred the issue to them for discussion and feedback.

Presidents Council. No action was necessary.

(ee) Referral to the Membership Committee – Counting Multiteam Events.

Management Council. The Council referred to the Membership Committee a request that it review the legislation applicable to counting multiteam events.

The committee reviewed the current legislation in Bylaw 20.11.3.8.4 (counting multiteam events in individual sports) which prescribes how multiteam events should be counted for purposes of meeting the minimum number of contests for sports-sponsorship requirements. It has come to the attention of staff through various avenues that this bylaw can be confusing and challenging to apply due to meet organizers not always being clear on the scoring method that will be used in advance of the event and, during and subsequent to the event, not always implementing the scoring method originally planned. The committee engaged in a discussion of several issues including the responsibility of institutions to work with meet organizers in advance of the event, the challenge of scheduling in certain sports (e.g., outdoor track and field) and the necessity of these events to satisfy the requirements and whether the current contest minimums are appropriate for the division. The committee questioned whether it was appropriate for the scoring method to be the determining factor as to whether a given event counted as one or two contests when two events could operate identically, but have different counting implications simply due to how they are scored. The committee agreed to refer this issue to the Membership Committee for consideration and input due to the relevancy of the issue for membership requirements.

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) NCAA Bylaw 31.2.3.4 Banned Drugs.

Management Council. The Council accepted the information that the CSMAS has added synthetic cannabinoids to the substances that are banned under the class Street Drugs, effective August 2011. The U.S. Drug Enforcement Administration (DEA) has recently banned

possession and sale of five synthetic cannabinoids, so-called synthetic marijuana products, whose effects mirror that of tretrahy-drocannabinol (THC), the active ingredient in marijuana. Under the DEA action, the five cannabinoids will be listed as Schedule I substances, the most restrictive category, for at least a year while the government studies whether they should be permanently banned. Marijuana and THC are currently listed as NCAA banned Street Drugs. The committee has charged NCAA staff with providing education to the membership on this issue.

Further, the Management Council referred to the committee its concern about "bath salts", or the stimulant mephedrone. The committee will consider adding that substance to the NCAA's stimulant panel.

Presidents Council. No action was necessary.

(b) Transgender Student-Athlete Participation.

Management Council. The Council accepted the information that the committee acknowledged that the NCAA is reviewing its position on transgender student-athlete participation. The committee supports the following to provide direction to the Executive Committee regarding the participation of a transgender student-athlete as the Association continues this discussion:

i. A [trans-male] student-athlete who has received a medical exception for treatment with testosterone for diagnosed Gender Identity Disorder (GID), for 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.
ii. 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.

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.

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

Presidents Council. The Council generally endorsed the transgender student-athlete participation policy as presented by the Committee on Competitive Safeguards and Medical Aspects of Sport. The Council also expressed interest in guidance for institutions in dealing with transgender student-athletes that have not received medical treatment related to their transition.

(c) Health and Safety Research.

Management Council. The Council noted that CSMAS is currently studying three health and safety issues in Division III: the extent to which institutions have been eliminating or reducing athletic training services over time, injury data in the football spring strength and conditioning period, and the testing practices and injuries associated with the sickle cell trait.

Presidents Council. No action was necessary.

(2) Honors Committee.

Staff Liaison: Tufano

Council Rep: Klika

- **Increasing the number of Division II and Division III nominations.**

Management Council. The Council accepted the information that the committee discussed the limited number of Division II and Division III nominees for all honors awards and made the following recommendations to increase nominations.

i. Contact the sports information directors and academic advisors directly to encourage nominations.
ii. Contact the Division II and Division III commissioners to encourage conferences to submit two student-athletes for consideration.
iii. Schedule a Convention presentation to educate the membership on the Honors awards and to encourage honors nominations.

Presidents Council. No action was necessary.

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

Staff Liaisons: Ford, Bracken, Rossello

Council Rep: Ching

(a) Confederate Battle Flag Discussion and Recommendation.

Management Council. The Council accepted the information that MOIC reviewed a request from the NCAA Executive Committee Subcommittee on Gender and Diversity Issues to provide feedback on a waiver request that would allow an institution within a state that is subject to the NCAA confederate flag policy to host a predetermined NCAA championship event outside of the state. The committee discussed the history and

general intent of the policy and noted that, while predetermined sites are not awarded within those states, institutions may earn the right to host nonpredetermined championship events. The committee continues to support the policy but expressed some concern regarding its application as it relates to predetermined and nonpredetermined sites. The committee noted that the policy, as written, may not preclude an institution from hosting championship events outside the state; however, there was strong support for revisiting the policy and seeking consistency of application between predetermined and non-predetermined championships.

Presidents Council. No action was necessary.

(b) NCAA Committee Structure – Restructuring of NCAA Executive Committee Subcommittee on Gender and Diversity Issues, NCAA Committee on Women's Athletics (CWA) and Minority Opportunities and Interests Committee (MOIC).

Management Council. The Council accepted the information that MOIC supports the adoption of a revised committee structure that provides a continuation of the individual efforts of CWA and the NCAA Minority Opportunities and Interests Committee (MOIC), but allows for a formal joint committee of CWA and MOIC representatives to address overlapping areas of issue, as well as beginning to address broader issues of inclusion. This revised model also expands CWA and MOIC membership to include presidential representation from each division, which the committee supports as an important step in addressing inclusion goals for the Association.

Presidents Council. No action was necessary.

(4) Olympic Sports Liaison Committee (OSLC).

Staff Liaisons: Calandro, Smith, Suscha

Council Rep: Ingold

- **Olympic Sports Efforts.**

Management Council. The Council accepted the information that the NCAA Division I Leadership Council approved a recommendation that the NCAA national office appoint a senior leader whose duties would include the responsibility for creating collaborative strategies to prioritize and sustain Olympic sports within the collegiate structure. It was recommended that duties be added to an existing senior-level position (rather than creating a new position on the NCAA staff).

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).

(a) Transgender Student-Athlete Participation Interpretation.

Management Council. The Council accepted the information that CWA supports the policy request regarding transgender student-athlete participation submitted by the NCAA Committee on Competitive Safeguards and Medical Aspects of Sport (CSMAS) and requests that the NCAA Executive Committee Subcommittee on Gender and Diversity Issues recommend adoption of similar policy by the NCAA Executive Committee.

Issues of student-athlete well-being and protection of competitive equity require an Association-wide policy that addresses transgender student-athlete participation. This request from CSMAS seeks fair opportunities for students from diverse backgrounds, while insuring that women's sports will be equitably conducted.

Presidents Council. No action was necessary.

(b) NCAA Committee Structure – Restructuring of NCAA Executive Committee Subcommittee on Gender and Diversity Issues, NCAA Committee on Women's Athletics (CWA) and Minority Opportunities and Interests Committee (MOIC).

Management Council. The Council accepted the information that CWA supports the adoption of a revised committee structure that provides a continuation of the individual efforts of CWA and the NCAA Minority Opportunities and Interests Committee (MOIC), but allows for a formal joint committee of CWA and MOIC representatives to address overlapping areas of issue, as well as beginning to address broader issues of inclusion. This revised model also expands CWA and MOIC membership to include presidential representation from each division, which the committee supports as an important step in addressing inclusion goals for the Association.

Presidents Council. No action was necessary.

4. *DIVISION III INITIATIVES.*

a. Presidential Leadership.

(1) Conference Presidential Leadership Survey.

Management Council. The Council reviewed a questionnaire that will be forwarded to conference commissioners to help the Division III governance staff better assess the role of presidential leadership at the conference level. The questionnaire includes questions regarding roles, participation and expectations of their institution's presidents. No action was necessary.

Presidents Council. No action was necessary.

(2) Presidential Legislative Package for the 2012 Convention.

Management Council. The Council received a referral from the Administrative Committee that it review a series of legislative concepts for potential inclusion in a presidential legislative package for the 2012 Convention. These concepts were initially generated as part of the division's 2008 white papers on membership growth and reflect themes that are core to the Division III Identity. The Council endorsed the following concepts for inclusion in this package:

(a) Amend the philosophy statement to emphasize that Division III athletics are primarily focused on the undergraduate educational experience in a four-year time frame.

(b) Amend the philosophy statement to clarify that initial and continuing eligibility standards are best left to institutional and conference autonomy.

(c) Solidify the division's position on playing season length by amending the philosophy statement to enumerate 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.

(d) Designate significant financial aid regulations as division dominant, which requires a subsequent two-thirds majority vote to amend.

(e) Designate the redshirting prohibition as division-dominant.

(f) Establish key playing season legislation (such as extensions of the playing season) as division dominant.

Presidents Council. The Council endorsed the development of three possible amendments to the division's philosophy statement for the 2012 Convention:

(a) Emphasize that Division III athletics are primarily focused on the undergraduate educational experience in a four-year time frame.

(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 non-athletic pursuits as a method of enriching the overall educational experience.

While the Council also considered use of the division dominant voting standard for related legislative proposals, it was determined that such an action is premature, and could undermine the division's efforts to cohesively align under its philosophy statement and Strategic Positioning Platform. The Council will formally consider sponsorship of specific legislative proposals after discussing these concepts with the President's Advisory Group in August.

b. Management Council Communications Plan.

Management Council. The Council reviewed the communications plan noting a new approach implemented for the 2011 calendar year in which each Council member will work directly with the commissioners of their assigned conferences to schedule visits. No action was necessary.

Presidents Council. No action was necessary.

5. PROPOSED LEGISLATION FOR THE 2012 CONVENTION.

a. Review of Incorporations of Interpretations approved by the Management Council per Constitution 5.4.1.1.1.

- **Eligibility – Seasons of Participation: 10-Semester/15-Quarter Rule – Hardship Waiver – Criteria for Administration of Hardship Waiver – Transfer Student-Athletes.**

  Management Council. The Council adopted in legislative format a proposal to amend 14.2.5.2 regarding the criteria for administration of hardship waiver.

  Presidents Council. No action was necessary.

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

- **Membership Definitions and Applications – Membership Classification Status – NCAA Regional Rules Seminar Attendance – Penalty Sanction.**

  Management Council. The Council adopted in legislative format a proposal to specify that an institutional staff member(s) may be required to attend an NCAA Regional Rules Seminar if the institution is placed on probation.

  Presidents Council. No action was necessary.

- **Recruiting – Definitions and Application – Permissible Recruitment Activities for Enrolled Student-Athletes – Electronic Mail.**

  Management Council. The Council adopted in legislative format a proposal to permit enrolled student-athletes to send electronic mail to prospective student-athletes for recruitment purposes.

  Presidents Council. No action was necessary.

- **Playing and Practice Seasons – General Playing – Season Regulations – General Regulations for Computing Playing Seasons Applicable to all Sports – Non-NCAA Postseason Championships Participation – Emerging Sports for Women.**

  Management Council. The Council adopted in legislative format a proposal to specify that practice and competition for one recognized national intercollegiate championship event in an emerging sport for women are exempt from being counted against the institution's declared playing and practice season limitations.

  Presidents Council. No action was necessary.

6. *ASSOCIATION-WIDE UPDATES AND ISSUES.*

a. Executive Committee Update.

Management Council and Presidents Council. The Councils received an update of key items on the Executive Committee agenda, including the structure of NCAA committees related to inclusion, transgender student-athlete issues, the NCAA's Native American Indian mascot policy, and the Executive Committee's proposed new meeting policy. No action was necessary.

b. Litigation Update.

Management Council and Presidents Council. The Councils met the new NCAA general counsel, Donald Remy and accepted the Litigation Report. No action was necessary.

c. Governmental Relations Report.

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

d. 2011-2012 Committee Meeting Requests.

Management Council. The Council approved the Division III committee meeting requests for the 2011-12 year, granting the Championships Committee and Student-Athlete Advisory Committee the opportunity to conduct more than two in-person meetings in 2011-12.

Presidents Council. No action was necessary.

d. NCAA Violence Prevention Summit.

Management Council. The Management Council accepted the information that the NCAA conducted a Violence Prevention Summit on April 8.

Presidents Council. No action was necessary.

7. *OTHER BUSINESS.*

- **Management Council Policies and Procedures.**

Management Council. The Council approved the following changes to the Management Council Policies and Procedures:

- The administrative structure section was updated to describe the joint Management Council and Presidents Council subcommittee that has been established to identify key issues and evaluate potential legislative proposals that warrant Presidents Council review based on the division's philosophy, strategic plan or

Strategic Positioning Platform. The joint subcommittee is comprised of two presidents or chancellors and the two athletics direct reports from the Management Council along with representatives from the Presidents Council.

- The conflict of interest policy was updated to reflect the latest NCAA policy.
- The legislative issues section was updated to reflect the changes adopted in the 2011 Convention proposal that designated some legislative authority to the Management Council.
- The Management Council meetings section was updated to reflect the policy that all meetings except Convention will be conducted in Indianapolis.

Presidents Council. The Council approved the following changes to the Presidents Council Policies and Procedures:

- The meeting information section was updated to reflect a joint presidential meeting with the Division I Board of Directors and Division II Presidents Council prior to the start of the Division III Presidents Council meeting. Also, the Executive Committee meeting schedule was updated to reflect a meeting schedule of January and August, with meetings to be conducted the afternoon prior to the divisional presidential meetings. [Subject to final approval at the April Executive Committee meeting.]
- The administrative structure section was updated to describe the joint Management Council and Presidents Council subcommittee that have been established to identify key issues and evaluate potential legislative proposals that warrant Presidents Council review based on the division's philosophy, strategic plan or Strategic Positioning Platform. The joint subcommittee is comprised of two presidents or chancellors and the two athletics direct reports from the Management Council along with the chair and vice chair and two additional representatives from the Presidents Council.
- The conflict of interest policy was updated to reflect the latest NCAA policy.
- The legislative issues section was updated to reflect the changes adopted in the 2011 Convention proposal that designated some legislative authority to the Management Council.

8. *ADJOURNMENT.*

Management Council. The Management Council meeting adjourned at 9:15 a.m.

Presidents Council. The Presidents Council meeting adjourned at 11:32 a.m.