



**REPORT OF THE
NCAA DIVISION III ADMINISTRATIVE COMMITTEE
AUGUST 27, 2020, VIDEOCONFERENCE**

ACTION ITEMS.

1. Legislative Items.

a. Convention Legislation – Student-Athlete Use of Name Image and Likeness.

- (1) Recommendation. The committee, acting on behalf of the Management and Presidents Councils, approved legislation in final format to permit Division III student-athletes to use their name, image and likeness to promote their own work product or services and to promote third-party products and services.
- (2) Effective Date. August 1, 2021.
- (3) Rationale. This proposal would permit Division III student-athletes to benefit from the use of their name, image and likeness in a manner that is consistent with the NCAA Board of Governors' guiding principles and with the Board's direction to consider appropriate rules changes based on recommendations from the Federal and State Legislation Working Group. These recommendations fall into two categories: (1) activities related to a student-athletes work product or service; and (2) promotion/endorsement of third-party products and services. Student-athletes should have full use of their name, image and likeness for commercial promotional purposes. Importantly, these opportunities can occur in a manner that is consistent with the NCAA's core values, mission and principles, while prioritizing student-athlete well-being. Further, the recommended administrative framework for these legislative changes ensures that the legislation will be transparent and enforceable, in line with the Board's principles.
- (4) Budget Impact. None.
- (5) Student-Athlete Impact. Allows student-athletes to benefit from the use of their name, image and likeness consistent with recommendations by the Division III Oversight Working Group on NIL Issues.

b. Membership – Division III Membership Requirements – Sports Sponsorship – Minimum Contests and Participants Requirements for Sports Sponsorship – Bylaw 20.11.3.8.

- (1) Recommendation. The committee, acting on behalf of the Management and Presidents Councils, approved a recommendation from the Membership Committee to eliminate the minimum number of contests and participants required for sports sponsorship for fall and winter championship sports during the 2020-21 academic year.
- (2) Effective Date. September 1, 2020, to August 31, 2021.

- (3) Rationale. The committee seeks to provide relief for institutions related to disruptions and uncertainty resulting from the COVID-19 pandemic. Specifically, relief is intended to:
- (a) Help Division III institutions remain in compliance with NCAA Bylaw 20 membership legislation.
 - (b) Guide institutions and provide flexibility to determine how to best conduct outside competition.
 - (c) Provide a safe student-athlete experience in the best way possible without the obligation of minimum sponsorship for those sports.
 - (d) Reduce the administrative burden for institutions seeking relief.

In recent weeks, most Division III member institutions and conferences have announced their intention to postpone intercollegiate competition until after January 1, 2021, due to continued uncertainty surrounding the COVID-19 pandemic. These decisions will inevitably result in increased scheduling challenges as institutions attempt to provide meaningful experiences for student-athletes despite a compressed calendar and facilities challenges. The elimination of minimum contest and participant requirements for fall and winter championship sports would provide each institution with needed flexibility and a safe student-athlete experience.

The list of affected sports is as follows:

Fall sports: Men's and women's cross country, field hockey, football, men's and women's soccer, women's volleyball and men's water polo.

Winter sports: Men's and women's basketball, women's bowling, men's and women's fencing, men's and women's gymnastics, men's and women's ice hockey, men's and women's rifle, men's and women's skiing, men's and women's swimming and diving, men's and women's indoor track and field and men's and women's wrestling.

The committee acknowledged the impact this waiver will have on the overall sports-sponsorship requirements outlined in Bylaw 20.11.3 (i.e., at least one sport per season, five or six sports per gender based on student enrollment and at least three team sports) and also will provide flexibility in these areas of the legislation.

[NOTE: The current contest and participant minimums for NCAA championship eligibility are not impacted by this change. Those standards remain under review by the Championships Committee.]

- (4) Budget Impact. None.
- (5) Student-Athlete Impact. Provides flexibility for institutions to determine the best possible approach to conduct their athletics program in a way that ensures the health and safety of student-athletes and the best possible format to ensure a meaningful athletics experience for the most student-athletes possible.

2. Nonlegislative Items.

- None.

INFORMATIONAL ITEMS.

1. **Welcome.** The videoconference commenced at 11:02 a.m. Eastern time. Staff welcomed the committee and reviewed the agenda.
2. **August 20, 2020, Report.** The committee approved the August 20, 2020, report with no changes.
3. **Championships Committee Meeting Recap.** Staff provided an update on the recent Championships Committee videoconference. Currently, the committee is reviewing the feasibility to shift all sites for winter championships to pre-determined; as well as moving the championships to a later date. Assigning predetermined sites represents a fundamental shift from the current site selection process, and championships will need to conduct a bid process this fall. In addition, the committee will examine the financial impact of required COVID testing protocols and create models to modify the winter and spring championships to account for the increased costs (e.g., per diem reductions, bracket and field size reductions, etc.).

The Division III Commissioners Association distributed a membership survey regarding winter practice and competition expectations. The data will be shared with the Championships Committee during its mid-September meeting. The Administrative Committee (AdCom) recommended not making decisions on winter championships until more information is gathered from both the Division III membership and the Association. AdCom anticipates a recommendation is likely by the end of September.

4. **Alternative Playing and Practice Seasons Model.** The committee received a brief update regarding alternative playing and practice seasons. The Subcommittee for Legislative Relief and Playing and Practice Seasons Subcommittee continue to review incoming waivers.

5. **Other Business.** None.
6. **Adjournment.** The meeting adjourned at 11:38 a.m. EST.

Committee Chair: Tori Murden McClure, Spalding University
Staff Liaisons: Dan Dutcher, Division III Governance
Debbie Kresge, Division III Governance
Louise McCleary, Division III Governance
Jeff Myers, Academic and Membership Affairs
Ali Spungen, Division III Governance

NCAA Division III Administrative Committee
August 27, 2020, Teleconference
Attendees:
Heather Benning, Midwest Conference.
Gerard Bryant, John Jay College of Criminal Justice.
Fayneese Miller, Hamline University
Tori Murden McClure, Spalding University
Dennis Shields, University of Wisconsin, Platteville.
Staff:
Debbie Kresge, Louise McCleary, Jeff Myers, Bill Regan, Adam Skaggs and Liz Suscha.
Staff Absent:
Dan Dutcher, Ali Spungen.