



**REPORT OF THE
NCAA DIVISION III ADMINISTRATIVE COMMITTEE
JUNE 24, 2020, VIDEOCONFERENCE**

ACTION ITEMS.

1. Legislative Items.

- **None.**

2. Nonlegislative items.

- **2020 Presidents Council Appointment.**

- (1) Recommendation. The Administrative Committee, on behalf of the Management and President Councils, approved the immediate appointment of President Jim Troha, Juniata College, Landmark Conference, to the Presidents Council replacing President Bill Tsutsui. President Troha's term expiration is January 2023 (subject to term extension).
- (2) Effective date. Immediate.
- (3) Rationale. With President Tsutsui's retirement, the subcommittee recommends President Troha to the Council due to his effective service on PAG and the fulfillment of current and future Council representational requirements.
- (4) Estimated budget impact. None.
- (5) Estimated student-athlete impact. None.

INFORMATIONAL ITEMS.

- 1. Welcome.** The videoconference commenced at 2:02 p.m. Eastern Time. Staff welcomed the committee and reviewed the agenda.
- 2. June 10, 2020, Report.** The committee approved the June 10, 2020, report with no changes.
- 3. COVID-19 Impacts and Updates.**
 - a. Fall calendars. The committee reviewed fall sport calendars developed internally and recently shared with the membership via the bi-weekly COVID-19 communication. The calendars provide a visual aid with key dates (e.g., first permissible contest, championships selections) as well as additional information such as the recent Administrative Committee actions (e.g., earlier practice start date, reduction in minimum contests). The calendars also include the NCAA resocialization of sport principles.

- b. Playing and Practice Seasons Subcommittee (PPSS) meeting debrief. Staff updated the committee on the following playing season issues:
- (1) Contest maximums. Staff continues to receive questions regarding contest maximums. The Championships Committee recently discussed this topic and the Playing and Practice Seasons Subcommittee conducted a thorough review of contest maximums and did not recommend any changes at this time.
 - (2) 2020 fall nontraditional seasons. Staff noted receipt of four conference waivers requesting flexibility in the nontraditional seasons. Since PPSS has no waiver authority, it forwarded the following recommendations to the Subcommittee for Legislative Relief (SLR) to review.
 - Flexibility important but needs to be within the current structure.
 - Practice opportunities may be student-athlete specific, rather than team specific.
 - Additional competition should be minimal.
- Staff has received several inquiries regarding greater flexibility to conduct fall sports in the spring. AdCom noted that while SLR is the appropriate committee to review these requests and make recommendations, the Management Council should review recommendations, if possible, prior to any final decision.
- c. ILC discussion on prospective student-athletes (PSA) involvement with virtual meetings. Staff updated the committee on recent discussions around PSAs attending virtual meetings during the summer. Currently PSAs are not permitted to engage in virtual team meetings; however, ILC recommended that SLR issue a blanket waiver. This waiver would allow PSAs, who have made a firm commitment with an institution, to be allowed to attend virtual meetings until the beginning of the fall term or beginning of practice, whichever is earlier. Institutions believe that the sooner they can have PSAs connect with their respective teams, the more likely they will attend their institution.
- d. Championships Committee recap. Staff highlighted the following from the recent Championships Committee meeting:
- Possible revisions to fall championship sites. Due to the impact of COVID-19, there are additional administrative considerations for predetermined sites and a likely reduction in the number of sites (e.g., having pods of eight teams versus four) to better control safety and testing protocols. This change would represent a fundamental shift from the current site selection process, and championships would conduct a bid process. Possible budget and administrative impacts are being evaluated in the plans.

The Championship Committee also will examine championship bracket sizes, access ratios and sports sponsorship levels, and establish parameters for needed adjustments. The Sports Sponsorship and Demographic Form data, along with routine monitoring of completed contests during the playing season, should assist in the committee's review.

- Maximum contests. The committee discussed this topic but did not make a recommendation at this time.

4. Name, Image and Likeness (NIL) Survey Update. The committee received an update on the results of the NIL survey sent to Division III presidents/chancellors, athletics directors, commissioners and National SAAC. The survey sought feedback on potential legislative concepts that would allow greater flexibility for a student-athlete to use their name, image and likeness to promote their own business activities and to endorse third party products or services. The survey sought input on two concepts and four additional topics.

- Concept one – Allow student-athletes to use their status as athletes to promote their own product or service.
- Concept two – Student-athletes may use their status as athletes to endorse third party products or services provided: (1) There is no institutional involvement in procuring promotional opportunities for student-athletes (except to the extent the institution is involved with assisting students generally); (2) NIL opportunities are not part of the recruiting process; and (3) Market rate is a tool to ensure compensation is not a substitute for pay to play.
- Additional topics included: Categories of promotion, use of institutional marks, compliance and professional services.

In general, the survey responses indicated strong support for work product and services, endorsements, and legislation to prohibit student-athletes from using their status as athletes to promote products and services such as alcohol, tobacco and sports gambling. A little more than half of respondents indicated student-athletes should be allowed to use institutional marks in the promotion of their own work product or service as well as in third-party promotions.

More than three-quarters indicated student-athletes should be required to report to institution all activities in which they use their status as an athlete for promotional purpose. Over 90 percent indicated the Association should ensure that member schools, conferences and student-athletes have access to resources that minimize administrative and educational burden associated with the adoption and implement of any legislation, including resources potentially provided by a third-party administrator. Finally, two-thirds were somewhat confident or confident that Division III

athletics departments can fulfill the various compliance responsibilities associated with these concepts including providing education to students, booster and staff, understanding and using the “market rate,” ensuring consistency in the use of institutional marks with institutional policy and establishing a monitoring process.

Next steps will include a review by the Division III NIL Oversight Working Group on July 18, as well as subsequent review by national SAAC, Management and Presidents Councils. In addition, the survey results will be included in the July Monthly Update.

5. **Other Business.** Staff noted a formal proposal on eligibility standards for student-athletes whose season was cut short due to COVID. The proposal outlines the parameters for student-athletes to receive their season back. SLR will review and forward its recommendation to AdCom and/or the Management Council,
6. **Adjournment.** The meeting adjourned at 3 p.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
June 24, 2020, Teleconference
Attendees:
Heather Benning, Midwest Conference.
Fayneese Miller, Hamline University
Tori Murden McClure, Spalding University
Dennis Shields, University of Wisconsin, Platteville.
Not in Attendance:
Gerard Bryant, John Jay College of Criminal Justice.
Staff:
Dan Dutcher, Jarett Gerald, Debbie Kresge, Louise McCleary, Jeff Myers, Adam Skaggs, Ali Spungen and Liz Suscha.