



**REPORT OF THE NCAA DIVISION III
ADMINISTRATIVE COMMITTEE
MARCH 5, 2021, VIDEOCONFERENCE**

ACTION ITEM

- None.

INFORMATIONAL ITEMS.

1. **General Discussion.** The virtual meeting convened at noon (Eastern). The Administrative Committee discussed items of importance to the NCAA and those specific to Division III. Staff informed the committee of its three primary functions: (1) To identify the primary issues of interest to the governance structure during the upcoming year; (2) To act on any emergency issues that arise between Council meetings; and (3) To decide routine issues best acted on between the regular quarterly meetings of the Councils.

The committee discussed the current voting process for new Management Council members (i.e. a paddle vote during the Business Session at the annual NCAA Convention). Staff will discuss changing this voting process to mirror the current Presidents Council process (i.e. electronic ballot) with the Interpretations and Legislations Committee, Membership Committee and Nominating Committee. Management Council will review and act on any recommendations.

2. **Leadership Expectations.** The committee reviewed the leadership expectations, the policies and procedures documents for both Management and the Presidents Councils, upcoming meeting schedule for 2021-2022, and committee responsibilities including the Board of Governors and Council meetings.

The committee reviewed a letter from the Heartland Collegiate Athletic Conference presidents regarding the decision process between the regularly scheduled quarterly meetings of the Councils. In particular, they requested greater presidential involvement in reaching crucial decisions. The committee noted that it will continue to follow its legislated responsibility that states:

*The committee shall be empowered in the interim between meetings of the Presidents Council and Management Council to transact items of business clearly necessary to promote the normal and orderly administration of Division III.
(Adopted: 1/14/97 effective 8/1/97)*

The committee also noted that it will seek feedback from the Councils, via the listserv, detailing crucial decisions and, if warranted, it will convene a teleconference.

3. Key 2021 Association-wide Issues.

- a. Name, Image and Likeness. The committee discussed the withdrawal of the NIL legislative proposal at the 2021 NCAA Convention, and reaffirmed its commitment to providing name, image, and likeness (NIL) opportunities to Division III student-athletes at the first practicable opportunity. Staff noted that the NCAA is working with the U.S. Department of Justice Antitrust Division to address its concerns with the proposed legislation. Depending on the timing of the resolution of the DOJ concerns coupled with a ruling from the Supreme Court, the Councils may approve the proposed NIL legislation, via noncontroversial legislation, as early as June.

Staff provided an update on the Virtual on the Hill initiative that encourages every institution to reach out to their Member of Congress, March 15-18, to discuss the need for bi-partisan federal NIL legislation. Staff also provided an update on the Third-Party Administrator search. The search process yielded two types of vendors that could assist NCAA members (technology and accountability). The next step includes discussing and finalizing the vendor costs.

- b. Campus Sexual Violence Policy. The 2020-21 attestation form for the NCAA Board of Governors Policy on Campus Sexual Violence opened March 1. The form will be available until May 15 in the NCAA Learning Portal module. Institutions who are unable to attest their compliance with the policy will not be eligible to host NCAA championships during the next applicable academic year.

In April 2020, the NCAA Board of Governors expanded the Association-wide policy on campus sexual violence to include individual accountability measures. This action is an opportunity for member schools to evaluate their prevention measures based on their campus policies and state and federal laws. Additionally, the U.S. Department of Education (DOE) released new Title IX regulations that became effective in August 2020. These new regulations raise several questions for the membership regarding how the Association's expanded policy intersects with the new requirements of the DOE regulations. To fully serve the membership in fulfilling this annual policy requirement and given the new DOE regulations, the Board of Governors directed the development of a membership task force to provide resources to assist members in developing implementation measures on campus. The task force shall work to develop operational guidelines, best practices and supporting documentation that campuses can use to implement the expanded policy. Their work will enable member schools to use the resources developed to better prepare for the 2022-23 attestation requirements.

- c. Resocialization of Collegiate Sport. The NCAA released the Resocialization of Collegiate Sport: Developing Standards for Practice and Competition, Second Edition to update and extend previous guidance considering new and emerging information surrounding the COVID-19 pandemic. The document includes considerations specific to the prevention of community spread of COVID-19, reclassification of transmission risk of sport based on emerging information, and COVID-19 testing and masking for athletes, officials and other Tier 1 personnel problems and recommend solutions. Staff anticipates minor editorial revisions to this resource by early April.
- d. NCAA Gender Identity and Student-Athlete Participation Summit. The Sport Science Institute, the office of inclusion and several governance committees (CWA, MOIC and CSMAS) are reviewing the NCAA transgender policy adopted by the NCAA Board of Governors in 2011. The purpose of the review is to determine what, if any, changes to the policy are needed to ensure the policy continues to: 1) Provide fair, inclusive and dignified participation opportunities for all student-athletes; 2) Ensures competitive equity for all student-athletes; and 3) Be supported by evidence-and-consensus-based research. The goal is to provide recommendations to the BOG in August or no later than October. Staff also is tracking evolving state legislation prohibiting transgender athletes from athletics participation and the impact future policy considerations.
- e. Division I Sustainability. The Division I Board has charged the Division I Presidential Forum with leading a comprehensive review of sustainability. By April 2021, the Forum will give the Division I Board an initial report. The report will likely include some recommendations on short-term items like extending or making permanent relief provided in the past year due to COVID as well as other more technical regulatory changes to recruiting regulations, student-athlete eligibility and financial aid and playing and practice seasons (e.g. number of contests). Additional discussions between April 2021 and April 2022 will focus on long-term sustainability issues related to financial concerns, membership requirements, legal fees, and governance, with anticipated action in April/August 2022. During the year-long review, important to prioritize short-term and long-term actions. Staff will provide quarterly updates to the Division III Management and Presidents Councils. The Division III Councils will receive an update during their April meetings.
- f. NCAA Coaches Credential Curriculum Development Group. In January, the Councils received an update on a potential model for NCAA Coaches Credentialing. It reviewed a document that was the result of 18 months of discussion and study involving a two-phase coaches' pilot. The model is an outcomes-based education program focused on providing a set of core requirements and electives to establish foundational knowledge and educate coaches in meaningful ways to support them in their role developing

student-athletes as people and in their sport. Next steps include building the sport-specific curricular framework and launching several pilots.

- g. NCAA Committee Appointment Process. At the January Council meetings, the office of inclusion provided an update on a recent study that examined the NCAA committee member appointment process. The purpose of the analysis was to examine the appointment process relative to its ability to produce a diverse and representative governance structure. This analysis is in response to the goal of the Board of Governor's Committee to Promote Cultural Diversity and Equity (CPCDE) to operationalize the NCAA Presidential Pledge. The analysis uncovered a series of questions for further consideration and opportunities to revise administrative and data collection practices. The Division III Diversity and Inclusion Working Group will review the report's preliminary concepts to consider increasing the representation of women and ethnic/racial minorities on NCAA committees and provide recommendations to the Councils during their summer meetings.

4. Key Division III Issues and Initiatives for 2021-22.

- a. Championships. The committee discussed the spring championships decision timeline. A declaration form was sent to the membership in early March and during its mid-March meeting, the Championships Committee will review the data and make recommendations, as needed.
- b. Amplifying the Student-Athlete Voice. The Division III national Student-Athlete Advisory Committee continues to promote initiatives on social media (e.g. Black Lives Matter, mental health) as well as developing resources to amplify the student-athlete voice at the campus, conference, and national levels.
- c. DIIICA Officiating Strategic Plan. The committee reviewed a document that outlines the five-year strategic plan to address the cultural and systemic issues identified in the Division III Commissioners Association 2020 Strategic Analysis of the State of Collegiate Officiating and engage stakeholders in a collaborative approach to influence the future of collegiate officiating. The document details the vision, values, and pillars of the strategic plan.
- d. Identity Initiative 10th Anniversary. Division III's Identity Initiative was introduced in 2010 to sharpen the division's identity and to enable schools and conferences to more effectively explain why they prefer to compete in Division III. The initiative has

been guided by a strategic-positioning platform, describing Division III as a place where student-athletes can “follow your passions and develop your potential,” within an approach that combines rigorous academics, competitive sports, and an opportunity to pursue other interests. The 2020-21 academic year marks the 10-year anniversary of the initiative. Division III staff is recognizing the impact of this initiative with the help of the membership through the 2021 Division III Week in April.

- e. Legislation and Waiver Updates. Staff outlined the following as possible 2022 legislation and waivers for 2021-22.
- Enrollment flexibility. Staff is receiving requests for waivers to allow participation while being enrolled less than full-time. While the committee emphasized its position that athletes must be students (i.e. enrolled in classes), it didn’t make any conclusions regarding flexibility levels. The Councils will receive a recommendation from the Subcommittee for Legislative relief during its April meetings.
 - Alternative playing and practice seasons. While staff has heard that some in the membership want it to continue, others have expressed returning to the current legislation. The Interpretations and Legislation Committee (ILC) will provide a recommendation to the Councils for the 2021-22 seasons, but staff doesn’t anticipate any proposed legislation for the January 2022 convention.
 - Virtual recruiting. ILC has submitted a 2022 legislative proposal to the Management Council regarding virtual recruiting. The Council will review the proposal during its April meeting.
 - 2022 legislative proposals. Staff noted that the STUNT as an emerging sport for women (proposed by the Committee on Women’s Athletics), Division III emergency legislation (proposed by ILC), and international student-athlete certification requirements (a possible membership proposal) may be 2022 legislative proposals.

5. Division III Strategic Planning and Finance.

- a. Division III Strategic Plan. The current Division III Strategic Plan details a two-year budget cycle to align with the 2019-21 budget biennium. The plan outlines year two of the budget cycle. SPFC approved a one-time three-year budget cycle for 2021-24.

b. Division III Budget.

(1) Budget-to-actual. For 2020-21, instead of receiving the full revenue, staff anticipates it will be approximately 10% less (\$29.8 million) due to ticket sales for only 25% capacity to the Division I men's basketball championship. Staff anticipates spending \$12.5 million on spring championships. Many of the Division III non-championship programs have either been delayed or moved to a virtual platform, and consequently, staff anticipates spending \$5.6 million on non-championship programs, exclusive of overhead. The bulk of the \$5.6 million supports the conference grant program (\$3.1 million) and the Division III diversity grants (\$1.6 million).

(2) Future budget projections. The committee reviewed an updated future budget projection through 2031-32. With a recent change to next year's championships travel inflation rate (3.94% to 2.94%), the forecast is now showing an operating surplus through the final year of the next CBS/Turner contract (2031-32). Next year's budget allocates \$25.7 million for championships and \$8.3 million for non-championships in the base operating budget. The Councils also have approved supplemental spend of \$1.1 million to fund the previously approved increase in travel party size for team sports.

c. NCAA Staff Backfills. Staff is requesting three backfill positions; vice-president, executive assistant, and an assistant director for the Division III Academic and Membership Affairs team.

d. Strategic Planning and Finance Committee In-Person Meeting. The committee reviewed the draft agenda for the March videoconference.

8. Other Communication Initiatives.

a. Presidents Council Communication Plan.

(1) President's Advisory Group (PAG). The committee reviewed the rationale for the establishment of PAG.

(2) Presidential Quarterly update. The committee noted the current quarterly update is informative.

- b. Management Council Communication Plan. Each Management Council member is assigned two to three conferences for the year. Staff provides a sample letter to use when contacting assigned conferences, an updated Governance PowerPoint and an introduction regarding the program and guidelines for attending conference meetings. Council members complete an on-line meeting recap summary form following the meeting. These recaps are then discussed at the next scheduled Management Council meeting.
- c. Regular Governance Communication. Regular communications include the Monthly Update, a regular email to Division III commissioners, monthly webinars, and occasional updates on the NADIII AA listserv. In addition, the governance scorecard is sent each spring to all current committee members to provide feedback on the committee liaison's performance.

9. **Additional Business.** There was no additional business.

10. **Adjournment.** The meeting adjourned at 3:32 p.m.

Committee Chair: Fayneese Miller, Hamline University, Minnesota Intercollegiate Athletic Conference

*Staff Liaisons: Louise McCleary, Division III Governance
Ali Spungen, Division III Governance
Jeff Myers, Academic and Membership Affairs*

NCAA Division III Administrative Committee March 5, 2021, Videoconference	
Attendees:	
Jason Fein, Bates College.	
Troy Hammond, North Central College.	
Fayneese Miller, Hamline University.	
Michelle Morgan, John Carroll University.	
Dennis Shields, University of Wisconsin, Platteville.	
NCAA Staff Support in Attendance:	
Eric Hartung, Louise McCleary, Jeff Myers, Adam Skaggs, and Ali Spungen.	