



DIVISION III
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**NCAA DIVISION III
PRESIDENTS AND MANAGEMENT COUNCILS
SUMMARY OF SUMMER 2023
QUARTERLY MEETINGS**

KEY ACTION/DISCUSSION ITEMS:

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<p style="text-align: center;">Division III Management Council July 17-18, 2023, Meeting</p>	<p style="text-align: center;">Division III Presidents Council August 2, 2023, Videoconference</p>
<p>ATTENDEES</p>	<p>ATTENDEES</p>
<p>Cheryl Aaron, Wentworth Institute of Technology Pete Bothner, Nazareth College Jessica Brown, North Central College Kate Corcoran, Cabrini University Tom Di Camillo, State University of New York Athletic Conference Matt Hill, University of Northwestern–St. Paul Daniele Iaboni, Anna Maria College, SAAC representative Marybeth Lamb, Bridgewater State University (MA) Rob Larson, Luther College Angela Marin, University of Texas at Dallas Betsy Mitchell, California Institute of Technology Keiko Price, Emory University Jim Schmidt, University of Wisconsin-Eau Claire [<i>Presidents Council chair</i>] Holly Sheilley, Transylvania University [<i>chair</i>] Bill Stiles, Alvernia University Melinda Treadwell, Keene State University Jim Troha, Juniata College [<i>Presidents Council vice chair</i>] Jason Verdugo, University of Wisconsin-Eau Claire Michelle Walsh, Vassar College [<i>vice chair</i>] Lawrence Ward, Babson College Brian Wigley, Shenandoah University Sabienea Winston, Geneva College, SAAC representative</p>	<p>Jeff Abernathy, Alma College Allan Belton, Pacific Lutheran University Joanne Berger-Sweeney, Trinity College (Connecticut) Marc Camille, Albertus Magnus College Bryan Coker, Maryville College Mary-Beth Cooper, Springfield College Berenecea Johnson Eanes, York College (New York) Sue Hasseler, Muskingum University Jack Langan, Cornell College, SAAC representative Adaobi Nebuwa, Colby College, SAAC representative Troy Paino, University of Mary Washington Jim Schmidt, University of Wisconsin-Eau Claire [<i>chair</i>] Holly Sheilley, Transylvania University [<i>Management Council chair</i>] Jim Troha, Juniata College [<i>vice chair</i>] Renee Wachter, University of Wisconsin-Superior Michelle Walsh, Vassar College [<i>Management Council vice chair</i>]</p>
<p>ABSENTEES</p>	<p>ABSENTEES</p>
<p>Lamont Repollet, Kean University</p>	<p>Hiram Chodosh, Claremont McKenna-Harvey Mudd-Scripps Colleges Richard Lapidus, Fitchburg State University Douglas Lee, Waynesburg University Richanne Mankey, Defiance College Steven Mauro, Alfred State University Laura Trombley, Southwestern University (Texas)</p>

OTHER PARTICIPANTS	OTHER PARTICIPANTS
Tiffany Alford, NCAA Charlie Baker, NCAA Corey Berg, NCAA Gary Brown, NCAA Ben Brownlee, NCAA Michael Cioroianu, NCAA Jemma Cota, NCAA Jennifer Fraser, NCAA Dan Gavitt, NCAA Dr. Brian Hainline, NCAA Eric Hartung, NCAA Louise McCleary, NCAA Katie Mucci, NCAA Jeff Myers, NCAA John Parsons, NCAA Laura Peterson-Mlynski, NCAA Stephanie Quigg, NCAA Bill Regan, NCAA Lisa Rogers, NCAA Anne Rohlman, NCAA Rachel Seewald, NCAA Ali Spungen, NCAA Jared Tidemann, NCAA Jerry Vaughn, NCAA Justin Whitaker, NCAA JP Williams, NCAA Julie Zike, NCAA	Mark Aiken, NCAA Tiffany Alford, NCAA Charlie Baker, NCAA Gary Brown, NCAA Michael Cioroianu, NCAA Jemma Cota, NCAA Dr. Brian Hainline, NCAA Eric Hartung, NCAA David Lafiosca, NCAA Louise McCleary, NCAA Mario Morris, NCAA Katie Mucci, NCAA Jeff Myers, NCAA John Parsons, NCAA Laura Peterson-Mlynski, NCAA Bill Regan, NCAA Lisa Rogers, NCAA Anne Rohlman, NCAA Ali Spungen, NCAA Jared Tidemann, NCAA Justin Whitaker, NCAA

1. WELCOME AND ANNOUNCEMENTS.

July 17-18 Management Council. The meetings were called to order July 17, 8 a.m. Eastern; and July 18, 8 a.m. Eastern. The chair, Holly Sheilley, welcomed the council and reviewed the agenda.

August 2 Presidents Council. The videoconference was called to order at 12:05 p.m., Eastern time, August 2. The chair, Jim Schmidt, welcomed the council and reviewed the agenda. (Note: The Presidents Council joined the Division II Presidents Council and the Division I Board of Directors from 11 a.m. to noon Eastern time to hear an update from NCAA President Charlie Baker regarding the NCAA State of Business Review and the NCAA Board of Governors' approval of post-eligibility injury insurance for student-athletes, both of which are summarized later in this report.)

2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.

a. Management Council Videoconferences – April 17-18.

Management Council. The Management Council approved the summary of its April 17-18 videoconferences.

Presidents Council. No action was necessary.

b. Presidents Council Videoconferences – April 26 and June 27.

Management Council. No action was necessary.

Presidents Council. The Presidents Council approved summaries of its April 26 and June 27 videoconferences.

c. 2023 Committee/Subcommittee Assignments.

Management Council. No action was necessary.

Presidents Council. The council reviewed assignments for the coming year for the benefit of the new members.

d. Administrative Committee Reports.

Management and Presidents Councils. The councils ratified the Administrative Committee's actions to approve the Division III process to review and adopt federated playing rules, and to approve the members of Athletic Trainer Working Group. The councils also noted the NCAA Board of Governors' consultative process, which permits each of the division's presidential bodies to review and provide input regarding the topics that will be discussed and considered by the BOG. In January

2023, the Presidents Council designated the Administrative Committee as the group to participate in this process on behalf of Division III.

e. Division III Philosophy Statement and Strategic Positioning Platform.

Management and Presidents Councils. The councils reviewed the division's philosophy statement and strategic positioning platform and referred to these resources during the discussions throughout the agenda.

f. Media Rights Update.

Management Council. The council received a media rights update.

Presidents Council. No action was necessary.

3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.

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

(1) Convention Planning Subcommittee.

Management Council. The council endorsed the proposed topics for the Division III educational sessions for the 2024 Convention in Phoenix (Hosting a Division III Championship; and Understanding the Work of the Division III Championships Committee), as well as the topic for the session being sponsored by the National Association of Division III Athletic Administrators (Playing Rules). The council also noted that the subcommittee will determine topics for the Issues Forum at its September meeting; however, the subcommittee is not recommending a keynote speaker.

Presidents Council. No action was necessary.

(2) Strategic Planning and Finance Committee.

(a) Revised Division III Philosophy Statement.

Management Council. The council reviewed a final draft of the revised Division III Philosophy Statement and supported the Strategic Planning and Finance Committee's recommendation to ask the Division III Presidents Council to sponsor legislation for the 2024 Convention to adopt the revised statement.

Staff Liaison:
Regan

Council Reps: Belton, Coker, Corcoran, Iaboni, Lee, Mauro, Sheilley, Stiles, Wigley

Staff Liaisons:
Aiken, Hartung, McCleary, Myers, Regan

Council Reps:
Abernathy, Berger-Sweeney, DiCamillo, Troha, Walsh, Ward, Winston

The council noted that the Division III Philosophy Statement Review Working Group and the Strategic Planning and Finance Committee have collaborated with the Division III governance structure and membership over the last year to examine and revise the division's philosophy statement to better reflect the division's unique values and positioning in today's intercollegiate athletics landscape. That collaboration included multiple opportunities for membership review and input that informed the working group and committee's deliberations. The proposed philosophy statement considers the elements already contained in the NCAA Constitution while articulating the division's fundamental principles. The proposed statement also attempts to address the balance between the division's philosophy versus its operating bylaws.

Presidents Council. The council voted to sponsor legislation for the 2024 Convention to adopt the Division III Philosophy Statement as revised. (See Attachment, page 28.)

(b) 2023-24 Division III Strategic Priorities.

Management and Presidents Councils. The councils supported the Strategic Planning and Finance Committee's recommendation to approve the division's 2023-24 strategic priorities as amended by the committee and the Management Council.

(c) Funding for Programming to Support Athletics Direct Reports.

Management and Presidents Councils. The councils approved allocating \$75,000 annually to support a new and enhanced professional development program for Division III Athletics Direct Reports (ADRs) that includes sessions at the annual NCAA Convention as well as periodic webinars focusing on networking, professional development, and orientation programming for new ADRs.

(d) Funding for Initiatives to Support Division III's 50th Anniversary.

Management and Presidents Councils. The councils approved a one-time supplemental spend from the division's funds above and beyond the mandated reserve of up to \$100,000 to support the celebration of the Division III 50th anniversary. As the anniversary represents a significant milestone for the division, the one-time spend from funds above and beyond the division's mandated reserve is appropriate to provide mementos, signage and apparel that support the celebration throughout the year.

(e) Event Cancellation Insurance Funding.

Management and Presidents Councils. The councils supported the Strategic Planning and Finance Committee's decision to maintain the division's current event cancellation insurance (the division currently pays \$48,000 for the policy), noting there was not a strong sentiment from previous conversations with the Management and Presidents Councils to increase the premium for fiscal year 2024. The committee noted that the policy will be reviewed annually, which means the contribution to the policy could be modified if conditions warrant.

(f) 2022-23 Budget-to-Actuals Report.

Management and Presidents Councils. The councils reviewed the most recent budget-to-actuals, noting that not all expenses for spring championships have been recorded. As planned, several championships are over budget, which will help reduce the amount above the mandated reserve.

(g) Future Budget Projections.

Management and Presidents Councils. The councils reviewed the budget projections and noted that the new CBS/Warner Brothers contract begins in fiscal year 2025, during which the division will receive a 13% revenue increase. The contract ends in 2032. The councils also were reminded that in fiscal years 2023 and 2024 the division will intentionally overspend its budget by an approximate average of \$2.7 million per year to reduce the amount above the mandated reserve.

Beginning in October, the councils will receive the future budget projections in a new format that will include the following:

- A revenue forecasting model that builds off prior year actual revenue; and
- Supplemental expenditures will be included in base operations. Only one-time expenditures (e.g., a joint championship or Enrichment Fund audit) will be included in the supplemental lines.

In addition, the councils were informed that beginning with the 2024 fiscal year budget, the NCAA will activate a new accounting process that separates gross revenues from expenses for championships game operations only (prior accounting practices combined revenues and expenses). The new process will provide

greater transparency of expenses and will create a better process to manage them.

(3) **Joint Legislative Steering Subcommittee.**

Staff Liaisons:
McCleary, Myers,
Regan

Council Reps:
Coker, Brown,
Sheilley, Repol-
let, Trombley,
Schmidt, Ward

- **Review of 2024 NCAA Convention Proposals.**

Management Council. The subcommittee meeting occurred after Management Council meeting. No action was necessary.

Presidents Council. The council agreed that one governance proposal was presidential in nature [see Item 3.2(a)]. The council also agreed with the subcommittee's initial recommendation regarding proposal groupings for the membership-sponsored and governance-sponsored proposals. The council will finalize the order and grouping of proposals at its fall meeting.

(4) **Subcommittee for Legislative Relief.**

Staff Liaisons:
Berg, Higgins

Council Reps:
Aaron, Corco-
ran, Di Camillo,
Larson, Marin,
Stiles, Verdugo

- **Blanket Waiver for College Basketball Academy.**

Management Council. The council noted the subcommittee's issuance of a blanket waiver permitting Division III women's basketball coaches to coach College Basketball Academy participants in July 2023. A similar blanket waiver is already in place for men's basketball.

Presidents Council. No action was necessary.

b. Division III Committees.

(1) **Championships Committee.**

Staff Liaisons:
Peterson-Mlyn-
ski, Williams

Council Reps:
Sheilley, Ver-
dugo

(a) **In-Region Waiver Requests.**

Management Council. Per a recommendation from the Division III Championships Committee, the council adopted, in concept, an Administrative Regulation to eliminate the current December 31 deadline for requesting an in-region opponent competition requirement waiver and instead implement deadlines of March 1 for fall sports, May 1 for winter sports, and July 1 for spring sports.

Presidents Council. No action was necessary.

(b) **NCAA Bylaw 21.9.6 (Figure 21-1) – Sport Committees with Only Championships Administration Responsibilities – Division III Women's Rowing Committee – Composition.**

Management Council. The council approved, in concept, noncontroversial legislation to modify the composition of the NCAA Division III Women's Rowing Committee from six members (one member from each of the four regions plus two at-large positions) to four members (one member from each region).

Presidents Council. No Action was necessary.

(c) Budget Priorities.

Management Council. The council noted the committee's review of findings from the survey sent to the membership this spring that indicated the following four concepts as potential championship enhancements in FY25: travel party increases, per diem increases, increasing championships access, and giving sport committees the flexibility of adding flights in bracketing to separate higher regionally ranked teams. The Championships Committee agreed that these enhancements and officials' fees and higher per diem allowances when championships are held in high-cost cities as items that should continue being considered. The committee will continue its deliberations and seek further feedback from the membership as it aims to finalize recommendations during its February 2024 meeting for the 2024-26 budget cycle.

Presidents Council. No action was necessary.

(d) Feedback Process for Proposals that Amend the Championship Date Formula.

Management Council. The council also noted the Championships Committee's discussion regarding requests from sport committees to modify the championship date formula in ways that either change the selection/AQ submission date or extend the length of the tournament (or both). The Championships Committee noted the need for more sufficient membership input on the front end of the process to support such modifications and agreed that a more standardized feedback instrument for sport committees to use when developing their proposals would help expedite the process. The committee asked staff to draft a potential survey template for its review at a future meeting. The Management Council suggested that the survey include the impact of the following factors on a given proposal: weather, staffing, and the logistics campuses would incur if student-athletes are participating in championships when school is not in session.

Presidents Council. No action was necessary.

Staff Liaison:
McVeigh

Council Rep:
DiCamillo

(2) **Committee on Infractions.**

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

Presidents Council. No action was necessary.

Staff Liaison:
Zike

Council Rep:
Hill

(3) **Committee on Student-Athlete Reinstatement.**

(a) **Sports Wagering Guidelines.**

Management Council. The council ratified amendments to the committee's sports wagering guidelines, which provide the committee and NCAA reinstatement staff the opportunity to review cases involving student-athlete sports wagering on an individual basis and consider the totality of circumstances while recognizing the Association's continued emphasis on the severity of the violation.

Presidents Council. No action was necessary.

(b) **Hardship Waiver Based on Mental Health.**

Management Council. The council endorsed the following criteria the committee recommended for a hardship waiver based on a student-athlete's mental health:

- A student-athlete cannot compete in more contests or dates of competition than a number equivalent to one-third of the standard denominator, where the standard denominator is determined by the maximum number of contests or dates of competition plus one contest or date of competition. (Note: This criterion mirrors what exists in current hardship waiver conditions.)
- All competition must occur during first half of traditional playing season. [Note: A student-athlete who meets the criteria for receipt of a mental health hardship waiver may practice and/or participate in rehabilitative activities for the remainder of the season and still qualify for a hardship waiver. A student-athlete who competes in that sport during the remainder of the season shall use a season of participation unless the competition meets an exception (NCAA Division III Bylaw 14.2.5.3)]. (Note: This criterion mirrors what exists in current hardship waiver conditions.)
- Contemporaneous or noncontemporaneous medical documentation from a licensed practitioner qualified to

provide mental health services (see Interassociation Consensus: Mental Health Best Practices) must demonstrate that the student-athlete's mental health issue or condition occurred during the season in question, occurred before completion of the first half of the traditional playing season, and prevented the student-athlete from competing in more than one-third of the traditional playing season in that sport for the season being waived.

The criteria mirror the current requirements for a hardship waiver while providing flexibility concerning the diagnosis of a mental health condition. The council also discussed initial concepts for the implementation of this hardship waiver and asked the committee to finalize its recommendation for consideration at the council's October meeting. The council agreed that the implementation of the new criteria should apply to any student participating this academic year.

Presidents Council. No action was necessary.

Staff Liaisons:
Hartung,
Higgins

Council Rep:
Corcoran

(4) **Financial Aid Committee.**

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

Presidents Council. No action was necessary.

Staff Liaison:
Walters

Council Reps:
Camille,
Marin

(5) **Infractions Appeals Committee.**

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

Presidents Council. No action was necessary.

Staff Liaisons:
Alford, Myers,
Turner

Council Rep:
Hill

(6) **Interpretations and Legislation Committee.**

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

Presidents Council. No action was necessary.

Staff Liaisons:
Hartung, Hig-
gins, Turner

Council Rep:
Stiles

(7) **Membership Committee.**

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

Presidents Council. No action was necessary.

(8) **Nominating Committee.**

Management Council. The council approved the following governance committee appointments:

- (a) NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (one September 2023 vacancy).** **Deanna Hand**, associate director of athletics for sports medicine and administration/senior woman administrator, Houghton University, Empire 8.
- (b) NCAA Committee on Women’s Athletics (one September 2023 vacancy).** **Sean Sullivan**, director of athletics, Salve Regina University, Commonwealth Coast Conference.
- (c) NCAA Division III Management Council (two January 2024 vacancies):**
- i. Crystal Gibson**, director of athletics and recreation, St. Mary’s College of Maryland, United East Conference.
 - ii. Joe Bednarsh**, associate dean of students/athletics direct report, Yeshiva University, Skyline Conference.
- (d) NCAA Division III Championships Committee.**
- i. Four August 2023 vacancies:**
 - **Shannon Howley**, associate director of athletics, Montclair State University, New Jersey Athletic Conference.
 - **Renee Bostic**, director of athletics, wellness and recreation, State University of New York at New Paltz, State University of New York Athletic Conference.
 - **Chad Eisele**, director of athletics/head golf coach, Hampden-Sydney College, Old Dominion Athletic Conference.
 - **Sara Shoffner**, faculty athletics representative, Huntingdon College, Collegiate Conference of the South.

Staff Liaison: Roe, Mucci
Council Rep: Bothner

- ii. **Two January 2024 vacancies:**
 - **Jason Doviak**, director of athletics, Alfred State University, Allegheny Mountain Collegiate Conference.
 - **Duey Naatz**, director of athletics, University of Wisconsin-Stout, Wisconsin Intercollegiate Athletic Conference.

- (e) **NCAA Division III Financial Aid Committee.**
 - i. **One August 2023 vacancy. Jack Follis**, faculty athletics representative, University of St. Thomas (Texas), Southern Collegiate Athletic Conference.
 - ii. **One January 2024 vacancy. Laura Biechler**, assistant vice president for student financial assistance and enrollment management, Bridgewater State University, Massachusetts State Collegiate Athletic Conference.

- (f) **NCAA Division III Interpretations and Legislation Committee.**
 - i. **One August 2023 vacancy. Andrea Preston**, senior associate director of athletics/senior woman administrator, Goucher College, Landmark Conference.
 - ii. **One January 2024 vacancy. Sarah Otey**, commissioner, Ohio Athletic Conference.

- (g) **NCAA Division III Membership Committee.**
 - i. **One August 2023 vacancy. Miriam Merrill**, director of athletics, Pomona-Pitzer Colleges, Southern California Intercollegiate Athletic Conference.
 - ii. **One January 2024 vacancy. Fred Clark**, president, Bridgewater State University, Massachusetts State Collegiate Athletic Conference.

- (h) **NCAA Division III Nominating Committee (three January 2024 vacancies).**
 - i. **Rebecca May**, associate director of athletics/senior woman administrator, Moravian University, Landmark Conference.

- ii. **Amy Hackett**, director of athletics, University of Puget Sound, Northwest Conference.
- iii. **Erin Sullivan**, deputy director of athletics/senior woman administrator, Wisconsin Intercollegiate Athletic Conference.
- (i) **NCAA Division III Strategic Planning and Finance Committee (two August 2023 vacancies).**
 - i. **Shanna Trone**, associate director of athletics/senior woman administrator, Agnes Scott College, Collegiate Conference of the South.
 - ii. **Charles Jacobs**, faculty athletics representative, St. Norbert College, Northern Athletics Collegiate Conference.
- (j) **NCAA Division III Student-Athlete Reinstatement Committee (one January 2024 vacancy), Chris Brown**, commissioner, Michigan Intercollegiate Athletic Association.
- (k) **NCAA Minority Opportunities and Interests Committee (immediate vacancy), Alexis Watson**, associate director of athletics/senior woman administrator, McDaniel College, Centennial Conference.

Presidents Council. No action was necessary.

(9) **Student-Athlete Advisory Committee.**

Management Council. The council received a summary of the committee's recent meetings from the two SAAC representatives. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:
Berg, Mucci,
Spungen

Council Reps:
Iaboni, Marin,
Wigley, Winston

c. **Association-Wide Committees.**

(1) **Committee on Competitive Safeguards and Medical Aspects of Sports.**

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

Presidents Council. No action was necessary.

Staff Liaisons:
Hubbard, Parsons,
Rohlman

Council Rep:
Walsh

Staff Liaisons:
Miron, Wallach,
Wiley

Council Rep:
Lamb

(2) **Committee on Women’s Athletics.**

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

Presidents Council. No action was necessary.

Staff Liaisons:
Miron, Wallach,
Wilson

Council Rep:
Aaron, Lamb

(3) **Joint Committee on Women’s Athletics and Minority Opportunities and Interests Committee.**

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

Presidents Council. No action was necessary.

Staff Liaisons:
Preston, Loechel,
Register

Council Rep:
Brown

(4) **Honors Committee.**

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

Presidents Council. No action was necessary.

Staff Liaisons:
Alford, Hack-
worth, Kennedy

Council Rep:
Aaron

(5) **Minority Opportunities and Interests Committee.**

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

Presidents Council. No action was necessary.

Staff Liaisons:
Smith, Suscha

Council Rep:
Mitchell

(6) **Olympic Sports Liaison Committee.**

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

Presidents Council. No action was necessary.

(7) **Playing Rules Oversight Panel.**

(a) **Recent Reports.**

Management Council. The council reviewed the panel’s recent reports, noting that the panel voted to delay implementation of football first-down timing rules for Division III competition until 2024 pending an impact study of the change. The rule is approved for Division I and II games starting next season. The Division III

Management Council in April expressed concerns with the rule as it relates to Division III and recommended that the panel refer the matter for additional review. The NCAA Football Rules Committee will monitor the effect this rule has on Divisions I and II games throughout the 2023 season and will consider whether the rule should apply to Division III at its February/March 2024 annual meeting.

Presidents Council. No action was necessary.

(b) Process for Federated Rules.

Management Council. As noted in Item 2.d regarding the review of reports from the Administrative Committee, the council ratified the committee's approval of a Division III process for adopting playing rules. The council supported the process because it permits the division to adopt playing rules that are consistent with the division's philosophy and permits more Division III perspectives in the process.

The council's review also prompted a discussion regarding which NCAA sports' playing rules are determined by a national governing body (NGB) rather than by a dedicated NCAA playing rules committee. The council expressed concern with the influence an NGB could have on playing rules as they apply to NCAA sports and asked that the issue be reviewed by the Championship Committee.

Presidents Council. No action was necessary.

Staff Liaisons:
O'Barr, Thomas

Council Rep:
Lamb

(8) Postgraduate Scholarship Committee.

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

Presidents Council. No action was necessary.

Staff Liaison:
Thomas

Council Rep:
Price

(9) Walter Byers Scholarship Committee.

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

Presidents Council. No action was necessary.

4. PROPOSED LEGISLATION FOR THE 2024 NCAA CONVENTION.

a. Review of Noncontroversial Legislation to be Ratified at the 2024 NCAA Convention.

(1) NC 2024-9 Eligibility – Outside Competition, Effects on Eligibility – Defining the Season for Outside Competition.

Management Council. The council approved, in final legislative format, noncontroversial legislation establishing that (1) for fall and spring championship sports, the outside competition prohibition applies only to the traditional segment; (2) for winter championship sports, the prohibition applies from the first contest to the last contest; and (3) to confirm no change to football and period sports.

Presidents Council. No action was necessary.

(2) NC 2024-10 Playing and Practice Seasons – General Playing-Season Regulations – Clarifying the Counting of Days for Track and Field and Swimming and Diving – Confirming the Definition of a Day.

Management Council. The council approved, in final legislative format, noncontroversial legislation establishing that (1) an institution that uses the exception allowing for the day off to be student-athlete specific would not be charged for more than six days per defined week; and (2) confirming that the definition of a day used is consistent across winter sports, period sports and nontraditional segments.

Presidents Council. No action was necessary.

(3) NC 2024-11 Playing and Practice Seasons – Skiing – Amending the Start and End Dates.

Management Council. The council approved, in final legislative format, noncontroversial legislation establishing the start date for skiing as October 15 and the end date as April 5 or the end of U.S. National Championships, whichever occurs later.

Presidents Council. No action was necessary.

(4) NC 2024-12 Committees – Association-Wide Committees – Eliminating the Committee on Sportsmanship and Ethical Conduct.

Management Council. The council approved, in final legislative format, noncontroversial legislation to eliminate the NCAA Committee on Sportsmanship and Ethical Conduct.

Presidents Council. No action was necessary.

b. Review of Modification of Wording to be Ratified at the 2024 NCAA Convention.

- **M 2024-1 Amateurism – Involvement with Professional Teams – Tryouts with Professional Teams.**

Management Council. The council approved, in final legislative format, modification of wording to specify that all individuals after full-time collegiate enrollment may try out with a professional team and receive actual and necessary expenses from the professional team for up to 48 hours.

Presidents Council. No action was necessary.

c. Review of Membership-Sponsored Legislation.

- **Amendment-to-Amendment Deadline.**

Management Council. The council reviewed a membership-sponsored proposal for the 2024 NCAA Convention seeking to modify the amendment-to-amendment deadline in the Division III legislative process. The council referred the proposal to the Division III Interpretations and Legislation Committee and the Division III Student-Athlete Advisory Committee for input to be considered during the council's October meeting.

Presidents Council. No action was necessary.

d. Review of Governance-Sponsored Legislation.

- (1) **Division Membership – Establishing Stunt as an Emerging Sport for Women.**

Management Council. The council approved moving forward to the 2024 NCAA Convention a proposal to add stunt as an emerging sport for women and establish legislation related to playing and practice seasons and membership.

Presidents Council. No action was necessary.

- (2) **Division Membership – Division III Membership Requirements – Sports Sponsorship – Reduce Minimum Participants in Tennis from Six to Four.**

Management Council. The council approved moving forward to the 2024 NCAA Convention a proposal to change the minimum number of participants required in tennis from six to four.

Presidents Council. No action was necessary.

(3) Division III Philosophy Statement.

Management Council. The council requested the Presidents Council sponsor legislation to revise the Division III Philosophy Statement.

Presidents Council. The council approved moving forward to the 2024 NCAA Convention a proposal to adopt a revised Division III Philosophy Statement. (See Attachment, page 28.)

5. COUNCIL NOMINATIONS AND ELECTIONS.

• **Presidents Council Nominations.**

Management Council. No action was necessary.

Presidents Council. The council approved the following appointment to the NCAA Division III Presidents Council, effective immediately (replacing The College of New Jersey President Kate Foster, who retired):

- Raymond Rice, president, University of Maine Presque Isle, North Atlantic Conference.

6. CHAIR AND VICE CHAIR ELECTIONS.

• **Council Elections for 2024.**

Management Council. The council elected via electronic ballot Lawrence Ward, vice president for learner success and dean of campus life at Babson College, to serve as chair (one-year term) and Jason Verdugo, director of athletics at the University of Wisconsin-Eau Claire, to serve as vice-chair (one year term) effective with the close of the 2024 NCAA Convention. (Note: The Presidents Council previously agreed to waive the portion of Bylaw 21.11.2 that prohibits two individuals from the same institution serving on Management and Presidents Council simultaneously.)

Presidents Council. The council elected Jim Troha, president of Juniata College, to serve as chair (one-year term) and Joanne Berger-Sweeney, president of Trinity College (CT), to serve as vice chair (one-year term) effective with the close of the

2024 NCAA Convention. (Note: President Troha and President Berger-Sweeney recused themselves from the videoconference during the voting process.)

7. DIVISION III INITIATIVES AND UPDATES.

a. Division III Philosophy Statement Review Working Group.

Management and Presidents Councils. The councils referred to the working group's report and the revised philosophy statement during consideration of the Strategic Planning and Finance Committee's recommendation [see Item 3.2(a)] to ask the Division III Presidents Council to sponsor 2024 Convention legislation to adopt the revised statement.

b. Athletic Trainer Working Group.

Management and Presidents Councils. The councils received an update from the working group, noting the group conducted its first meeting July 26. The working group's charge is to identify the factors that impact Division III intercollegiate athletics department's ability to hire and retain athletic training staff and to create recommendations to help Division III institutions address those identified factors.

c. Diversity and Inclusion Working Group.

Management Council. The council reviewed the working group's most recent report. No action was necessary.

Presidents Council. No action was necessary.

d. Division III Congressional Advocates.

Management and Presidents Councils. The councils received updates regarding the work of the Division III Congressional Advocates, as well as on the Division III Student-Athlete Advisory Committee's engagement with Congress noting its concerns with the varying name, image and likeness state laws and the potential for classifying student-athletes as institutional employees. The advocates praised the SAAC for its work and noted the quality of the letter. NCAA President Charlie Baker also discussed the federal bills regarding NIL during his presentation later in the agenda (see Item 7.a below).

e. Faculty Athletics Representative Advisory Group.

Management Council. The council reviewed the advisory group's most recent report. No action was necessary.

Presidents Council. No action was necessary.

f. Financial and Risk Management Working Group.

Management Council. The council noted the working group will meet in person July 18-19. No action was necessary.

Presidents Council. The council received an update of the working group's July meeting, noting that the group focused much of the meeting on its scope of work and objectives that include collaborating with the Strategic Planning and Finance Committee to review the division's financial standing within the current landscape of intercollegiate athletics and examine threats, risks, and opportunities to enhance the division. The working group agreed in the value of hiring a third-party vendor to conduct a financial analysis and intends to ask for council support in October. Pending approval, the working group would issue a request for proposal in November and select a vendor in December with an update to the membership during the 2024 NCAA Convention. A first draft of the vendor's findings would be due April 2024.

g. LGBTQ Working Group.

(1) Statement in Support of Inclusion.

Management Council. Per the working group's recommendation, the council agreed to ask the Presidents Council to request that the NCAA Board of Governors issue a public statement affirming the value of intercollegiate athletics and its commitment to providing a welcoming environment and a place of belonging for all student-athletes. The council believes it is important that the NCAA continue to publicly affirm its commitment that intercollegiate athletics is a place where all student-athletes are welcome and have access to safe opportunities to participate. Given current state actions and court decisions, the council believes there is value in affirming the Association's support for all student-athletes and re-affirming its commitment to inclusion as a pillar of the NCAA.

Presidents Council. The council discussed this request at length and agreed that proclaiming support for all student-athletes is appropriate. However, the council believes such a statement may be more appropriate for the Division III membership coming from the Presidents Council rather than from the Board of Governors, as the messaging could be more targeted to the division's stakeholders. That approach also would be more expeditious, as the statement could be developed immediately to coincide with the launch of the division's 50th Anniversary celebration beginning August 7. Accordingly, the council asked staff to draft a statement for the council to review electronically prior to it being included in the division's 50th anniversary celebration launch via social media on August 7.

(2) Working Group Title and Mission.

Management Council. Per the working group's recommendation, the council approved amending the working group's title to "LGBTQ-IA+" and to expand its mission and key objectives to include "collaboration."

Presidents Council. No action was necessary.

h. Technology Users Group.

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

Presidents Council. No action was necessary.

i. Game Day the DIII Way.

Management Council. The council received a summary of the roundtable discussions held earlier with members of the Division III Student-Athlete Advisory Committee regarding how the Game Day the DIII Way initiative can be used to support sportsmanship on campus.

As part of the division's ongoing commitment to sportsmanship and ethical conduct, the council asked that the NCAA Playing Rules Oversight Panel consider adding sportsmanship and ethical conduct as part of its responsibilities. Additionally, the council recommended the value of reinstating the Division III Sportsmanship Working Group to help address identified concerns. In that vein, the council also asked that the NCAA research staff submit an annual report regarding sportsmanship and ethical conduct trends to ensure that sportsmanship and ethical conduct remain at the forefront of the division's operations. Finally, the council discussed ways to promote and increase the usage of the division's Game Day the DIII Way training, which is an innovative and unique approach designed to improve fan decorum at athletics events.

Presidents Council. No action was necessary.

j. Division III Branding and Marketing.

Management Council. The council received an update on initiatives and resources to support the division's 50th anniversary in 2023-24.

Presidents Council. No action was necessary.

k. Governance Scorecard.

Management and Presidents Councils. The councils received an overview of results from the feedback provided by Division III Management and Presidents Council members and Division III governance committee members.

l. Feedback from Conference Meetings.

Management Council. Council members received updates on outreach to various conferences and reviewed the overall process to ensure optimum engagement.

Presidents Council. No action was necessary.

m. Division III Conference Commissioners Association Officiating Update.

Management Council. Council members received updates regarding the status of the DIIICA initiatives to address the shortage of officials.

Presidents Council. No action was necessary.

n. Management Council Roundtable Discussions.

Management Council. The council discussed the greatest threats/concerns confronting the Division III membership, and the role the governance structure and national office could have in helping to address them. The council identified declining enrollment, rising costs and membership stability as the most pressing threats/concerns and engaged in preliminary discussion regarding actions the governance structure and national office could take to help address them. The council will continue the discussion at its October meeting.

Presidents Council. No action was necessary.

8. ASSOCIATION-WIDE UPDATES AND ISSUES.

a. Updates from the NCAA President.

Management Council. NCAA President Charlie Baker updated the council on several issues facing the Association, including the declining number of officials; the mental health of student-athletes in light of pressures from sports wagering and social media; and name, image and likeness legislation. The council discussed with President Baker the need for NIL legislation that provides for a public registry of deals, agent registration and certification, and financial literacy. President Baker cited how all financial institutions have transparency and accountability built into their processes and said that should be a fundamental component of NIL legislation. The council also noted that any Division III legislative proposal regarding NIL should appropriately address the division's unique needs.

President Baker also discussed with the council the concerns resulting from recent U.S. Supreme Court decisions affecting admission practices in higher education.

The NCAA staff is working to develop resources and best practices to help institutions manage the new legal environment and still be able to build the desired diversity within their student populations.

Presidents Council.

- (1) **State of Business Review.** The council during President Baker's presentation prior to the meeting received a summary of results from the [NCAA State of Business Review](#) that examined the NCAA national office's operations and the key trends facing college sports. The findings outlined a series of strategies the NCAA will undertake to achieve identified goals and ensure that student-athletes experience the life-changing opportunities college sports hold for years to come. The review analyzed critical trends that student-athletes and the NCAA will face in both the short and long terms, including increased pressure on member schools because of the decline in college-age young adults, the skyrocketing costs of college, and new professional athletics opportunities. The influence of outside factors such as social media and sports wagering, as well as the extraordinary change in the traditional media business model, also factored significantly into the review.
- (2) **NIL Legislation.** President Baker also visited with the council later during the meeting to discuss progress in potential federal legislation to regulate the name, image and likeness space to establish consumer protections such as a public registry of deals, agent registration and certification, and financial literacy. President Baker noted that the NCAA Division I Board of Directors has directed the Division I Council to develop proposals to improve the environment for student-athletes engaging in NIL activities. The Division III Presidents Council also agreed to direct the appropriate Division III committees to evaluate and consider drafting NIL legislation specific to Division III.
- (3) **Sports Wagering.** President Baker also shared with the council his concerns regarding the rise in sports wagering activity and the increased pressure that presents for student-athletes after receiving results of a market survey on sports wagering activities with an 18-year-old to 22-year-old demographic. He noted the NCAA's ongoing effort to develop tools and resources to help student-athletes manage these pressures and protect the integrity of athletics contests.

b. Board of Governors Updates.

- (1) **Post-Eligibility Injury Insurance.**

Management Council. The council reviewed the report from the board's April meeting, noting that the board encouraged and supported the Division I Board of Directors in affirming the holistic model for student-athlete support as recommended by the NCAA Division I Transformation

Committee, which includes a requirement that all Division I institutions provide two years of post-eligibility medical coverage for student-athletes who sustain an athletically related injury. Further, the Board of Governors directed NCAA staff to continue analyzing how to include Divisions II and III in a post-eligibility health care model.

Presidents Council. The council reacted enthusiastically to the news that the board during its meeting the day prior approved a structure to offer all member schools in Divisions I, II and III post-eligibility injury insurance coverage for student-athletes beginning August 1, 2024. The coverage will be for two years after student-athletes complete their college athletics experience and will cover injuries that occur while playing for their school. Additionally, the premiums for this coverage will be paid by the NCAA.

(2) Gender Equity Progress Report.

Management Council. The council noted that results of the gender equity progress report were expected to be released just prior to the Presidents Council meeting. No action was necessary.

Presidents Council. The council received a [progress report](#) from Lewis Rice LLC regarding the NCAA's progress in implementing the recommendations from the Kaplan gender equity report. The audit supports the NCAA's concerted efforts to implement gender equity principles to enhance student-athletes' experiences, especially for those participating at NCAA championships across all sports. The audit states that "the NCAA has addressed, or is in progress of addressing, nearly all of the Kaplan recommendations." The report also states after the Lewis Rice team interviewed dozens of individuals: "We repeatedly heard and sensed that the NCAA is committed to creating lasting and dynamic systems to identify, prevent and address gender disparities." The report also acknowledged the strong leadership from membership committees in ensuring a commitment to gender equity in all championship operations.

(3) NCAA Committee to Promote Cultural Diversity and Equity.

Management and Presidents Councils. The councils received a report from the committee's most recent meeting. No action was necessary.

(4) Committees – Association-Wide Committees – Eliminate the Olympic Sports Liaison Committee.

Management Council. The council approved, in concept, noncontroversial legislation to eliminate the NCAA Olympic Sports Liaison Committee.

Presidents Council. No action was necessary.

c. Sport Science Institute (SSI) Updates.

Management and Presidents Councils. NCAA Chief Medical Officer Dr. Brian Hainline updated the councils on the following key topics:

- (1) **Mental Health Best Practices.** The NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS) reviewed an initial draft of updates the Mental Health Advisory Group recommended making to the Mental Health Best Practices document. Those changes involve statements regarding NIL, social media, sports wagering, suicide contagion, on-campus programming, and virtual mental health. The CSMAS plans to make its final recommendation in December for the Board of Governors to consider in January 2024. Changes would be effective for the 2024-25 academic year.
- (2) **Cannabis – drug testing referral.** The CSMAS has provided its initial support for removing cannabis from the NCAA banned drug list and testing as part of the Drug Testing Program at NCAA championships. The CSMAS anticipates making a formal recommendation at its September 2023 meeting.
- (3) **Concussions.** The Concussion Safety Advisory Group met in June to consider updates to the Association’s Concussion Safety Protocol checklist. The CSMAS will consider those recommendations in September with an anticipated effective date of January 2024.
- (4) **Athletic Trainers.** In June, representatives from the CSMAS, members from each division and NCAA governance representatives met with various athletic training organizations to discuss athletic training workforce issues. Additionally, the councils received an update regarding the Division III Athletic Training Working group and its initial meeting in July (see Item 6-b of this report).
- (5) **Injury Surveillance Program.** The councils received an update regarding Division III’s increased participation rates in the Injury Surveillance Program. Staff noted the importance of participation as the data is used to inform legislative and policy decisions for Division III.

d. Governmental Relations Report.

Management Council. No action was necessary.

Presidents Council. The council received an update from the NCAA governmental relations staff. No action was necessary.

e. **Litigation Update.**

Management and Presidents Councils. The councils received a litigation update from staff. No action was necessary.

9. ***ADJOURNMENT.***

Management Council. The meeting adjourned July 17, 4:30 p.m. Eastern, and July 18, 11:26 a.m. Eastern.

Presidents Council. The meeting adjourned August 2, 2:50 p.m. Eastern.

Division III Philosophy Statement

The purpose of the National Collegiate Athletic Association (NCAA) is to assist its members in developing the basis for consistent, equitable competition while minimizing infringement on the freedom of individual members to determine their own unique objectives and programs. The philosophy statement articulates principles that represent a commitment to Division III membership and shall serve as a guide for the preparation of legislation by the division and for planning and implementation of programs by institutions and conferences.

Division III members affirm the purposes and fundamental policy of the NCAA, as set forth in Constitution Article I with emphasis on:

- Division III members shall establish and maintain an environment in which a student-athlete's activities are conducted with the appropriate primary emphasis on the student-athlete's academic experience.
- Division III intercollegiate athletics shall be conducted in a manner designed to protect, support and enhance the physical and mental health and safety of student-athletes.
- Division III members shall be committed to the creation of diverse and inclusive environments with respect for and sensitivity to the dignity of every person.
- Division III athletics shall be conducted in a manner free of gender bias.

NCAA Constitution Article 2 establishes the independent authority of Division III to organize itself and determine its own governing structure and membership.

- Institutional presidents and chancellors have the ultimate responsibility and final authority for the conduct of Division III intercollegiate athletics at the national, conference and institutional levels.
- Institutional and conference members determine policy at the national level through the Division III governance and legislative processes.
- Key institution and conference constituents who play an integral role in the governance and operation of Division III at the national, conference and institutional levels include, but are not limited to athletics direct reports, athletics diversity and inclusion designees, athletics health care administrators, coaches, conference commissioners, directors of athletics, faculty athletics representatives, presidents and chancellors, senior compliance administrators, senior woman administrators, and student-athletes.

Division III members abide by the following principles that help to define and distinguish the division and its policies and legislation.

Student-Athlete Collegiate Experience

- Seek to establish and maintain an environment in which a student-athlete's athletics activities are conducted as an integral part of their educational experience.

- Assure that student-athletes are supported in their efforts to meaningfully participate in nonathletic pursuits to enhance their overall educational experience.

Student-Athlete Athletics Experience

- Support student-athletes in their efforts to reach the highest levels of athletics performance, with a primary emphasis on conference and regional competition, while providing access to national championships.
- Prioritize the experience of the participants, and the internal constituency (e.g., students, alumni, institutional personnel) rather than on the entertainment needs of spectators or the general public.
- Develop and maintain an environment that promotes sportsmanship and a positive culture for student-athletes, coaches, and administrative personnel, recognizing the role intercollegiate athletics can play in human development. Ensure spectators contribute to a positive sporting experience in support of all participants.

Member Responsibility and Oversight

- Encourage participation and provide equitable opportunities with support for gender and ethnic/racial diversity. Give equal emphasis to men's and women's sports.
- The administration of an institution's athletics program (e.g., hiring, compensation, professional development, certification of coaches) should be integrated into the campus culture and educational mission.
- Assure all teams are provided with appropriate facilities, competent coaching and competitive opportunities.
- Assure student-athletes are treated similarly to the student-body in areas that include, but are not limited to, admissions, enrollment, financial aid, academic and career support, academic performance, and degree completion.