



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

KEY ACTION/DISCUSSION ITEMS:

Administrative Committee – Financial and Risk Management Working Group Pages 4-5

Division III Philosophy Statement and Strategic Positioning Platform Pages 5, 14-15

Presidential Discussion Regarding the Evolving Role of Athletics Pages 5-6

Student-Athlete Reinstatement Committee – Noncontroversial Legislation..... Pages 7-8

Committee on Women’s Athletics – Stunt Referral Page 11

Federated Playing Rules Discussion Page 15

NCAA Board of Governors Updates – Consultative Process..... Page 18

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<p align="center">Division III Management Council January 11, 2023 San Antonio, Texas</p>	<p align="center">Division III Presidents Council January 12, 2023 San Antonio, Texas</p>
<p align="center">ATTENDEES</p>	<p align="center">ATTENDEES</p>
<p>Cheryl Aaron, Wentworth Institute of Technology Stephen Briggs, Berry College Charles (Chuck) Brown, Pennsylvania State University Erie, the Behrend College Tom Di Camillo, State University of New York Athletic Conference Sarah Feyerherm, Washington College (Maryland) Matt Hill, University of Northwestern–St. Paul [<i>vice chair</i>] Daniele Iaboni, Anna Maria College, SAAC representative Angela Marin, University of Texas at Dallas Scott McGuinness, Washington and Jefferson College Betsy Mitchell, California Institute of Technology Michelle Morgan, John Carroll University [<i>chair</i>] Lamont Repollet, Kean University Holly Sheilley, Transylvania University Bill Stiles, Alvernia University Jason Verdugo, Hamline College Michelle Walsh, Vassar College Lawrence Ward, Babson College Brian Wigley, Shenandoah University Sabienea Winston, Geneva College, SAAC representative</p>	<p>Jeff Abernathy, Alma College Jessica Ader, State University of New York at Potsdam, SAAC representative Hiram Chodosh, Claremont McKenna-Harvey Mudd-Scripps Colleges Mary-Beth Cooper, Springfield College Berenecea Johnson Eanes, York College (New York) Kate Foster, The College of New Jersey Sue Hasseler, Muskingum University Matt Hill, University of Northwestern–St. Paul [<i>Management Council vice chair</i>] Jack Langan, Cornell College, SAAC representative Richard Lapidus, Fitchburg State University Douglas Lee, Waynesburg University Robert Lindgren, Randolph-Macon College Richanne Mankey, Defiance College Michelle Morgan, John Carroll University [<i>Management Council chair</i>] Troy Paino, University of Mary Washington Jim Schmidt, University of Wisconsin-Eau Claire [<i>chair</i>] Joanne Berger-Sweeney, Trinity College (Connecticut) Jim Troha, Juniata College [<i>vice chair</i>] Laura Trombley, Southwestern University (Texas) Renee Wachter, University of Wisconsin-Superior</p>
<p align="center">ABSENTEES</p>	<p align="center">ABSENTEES</p>
<p>Kate Corcoran, Cabrini University</p>	<p>Rich Dunsworth, University of the Ozarks</p>

OTHER PARTICIPANTS	OTHER PARTICIPANTS
<p>Mark Aiken, NCAA Tiffany Alford, NCAA Eric Hartung, NCAA Dr. Brian Hainline, NCAA Louise McCleary, NCAA Katie Mucci, NCAA Jeff Myers, NCAA Laura Peterson-Mlynski, NCAA John Parsons, NCAA Greg Pottorff, NCAA Bill Regan, NCAA Anne Rohlman, NCAA Lisa Rogers, NCAA Ali Spungen, NCAA Justin Whitaker, NCAA JP Williams, NCAA</p>	<p>Mark Aiken, NCAA Allan Belton, Pacific Lutheran University (new council member post-Convention; attending as an observer) Gary Brown, NCAA (via teleconference) Marc Camille, Albertus Magnus College (new council member post-Convention; attending as an observer) Eric Hartung, NCAA Steven Mauro, Alfred State University (new council member post-Convention; attending as an observer) Louise McCleary, NCAA Katie Mucci, NCAA Jeff Myers, NCAA Laura Peterson-Mlynski, NCAA Greg Pottorff, NCAA Bill Regan, NCAA Lisa Rogers, NCAA Ali Spungen, NCAA Justin Whitaker, NCAA JP Williams, NCAA</p>

1. WELCOME AND ANNOUNCEMENTS.

January 11 Management Council. The in-person meeting was called to order Jan. 11, 8 a.m. The chair, Michelle Morgan, welcomed the council and reviewed the agenda.

January 12 Presidents Council. The in-person meeting was called to order Jan. 12, 9:25 a.m. The chair, Jim Schmidt, welcomed the council and reviewed the agenda.

2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.

a. Management Council Meeting – October 16-17, 2022.

Management Council. The Management Council approved the summary of its October 16-17 in-person meeting.

Presidents Council. No action was necessary.

b. Presidents Council Meeting – October 25-26, 2022.

Management Council. No action was necessary.

Presidents Council. The Presidents Council approved the summary of its October 25-26 in-person meeting.

c. 2023 Committee/Subcommittee Assignments.

Management Council. No action was necessary.

Presidents Council. The Presidents Council reviewed committee assignments for incoming council members as well as assignments for returning council members for 2023.

d. Administrative Committee Reports.

Management Council. The council ratified the report from the Administrative Committee's October 28 electronic correspondence to approve the appointment of Keene State College president Melinda Treadwell to the council, effective after the 2023 NCAA Convention.

The council also ratified the report from the Administrative Committee's December 7 videoconference and supported the framework the committee developed to discuss the current higher education and athletics landscape and how it might impact financial planning and preparation for Division III. The framework includes the creation of a Financial and Risk Management Working Group to periodically review the landscape of intercollegiate athletics and the division's financial standing

and advise the Division III Presidents Councils regarding opportunities, risks and threats assessed.

Presidents Council. The council ratified the reports from the Administrative Committee's October 28 electronic correspondence and the December 7 videoconference. The council approved the creation of the Financial and Risk Management Working Group. The working group will report to the Presidents Council and collaborate with the Strategic Planning and Finance Committee and will be responsible for reviewing the landscape of intercollegiate athletics, the division's financial standing and the risks, threats and opportunities that confront the division.

e. Division III Philosophy Statement and Strategic Positioning Platform.

Management Council. The council reviewed the division's philosophy and strategic positioning platform and noted that an update from the Division III Philosophy Statement Review Working Group will be provided later in the agenda (see page 14).

Presidents Council. The council reviewed the division's philosophy and strategic positioning platform and emphasized that while the philosophy statement is more of an internal document to guide committee discussions and legislative proposals, the strategic positioning platform is a tool all Division III institutions can and should use to educate audiences not as familiar with Division III about the division's principles and values. Council members believe the platform is a valuable resource that can work to a Division III member institution's advantage to distinguish itself from other institutions (particularly in conversations with prospective students/student-athletes and their families). The council also noted that results from the recent survey the Division III Philosophy Statement Review Working Group sent to the membership will comprise the bulk of the Division III Issues Forum conducted during the Convention on Friday, Jan. 13.

f. Discussion Regarding the Evolving Role of Athletics.

Management Council. No action was necessary.

Presidents Council. The council continued the discussion begun in October regarding presidential perspectives on the current landscape of athletics within higher education, the impact on Division III, the role of the council in leading the division, and how staff can support the council's priorities. In revisiting the issues raised in October and realizing that other issues have emerged even since then, several of the presidents advocated a more active approach to educate and raise awareness with thought leaders and political influencers regarding the value of Division III (again using the division's strategic positioning platform as a resource) to counter the growing negative perceptions regarding intercollegiate athletics. While council members acknowledged that most of those negative perceptions and

external pressures do not directly relate to Division III, they nonetheless may affect Division III if nothing is done to combat them. Council members believe a more aggressive educational approach is appropriate. The council will continue to discuss these presidential perspectives at future meetings.

3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.

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

Staff Liaisons:
Regan, Spungen

Council Reps:
Corcoran, Has-
seler, Iaboni,
Morgan, Paino,
Stiles, Wigley

(1) Convention Planning Subcommittee.

• 2023 NCAA Convention.

Management Council. The council received reports from the subcommittee's November 10 and December 15 videoconferences and noted that logistical questions regarding the Convention schedule and processes will be addressed later in the meeting (see page 12).

Presidents Council. No action was necessary.

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

Council Reps:
Abernathy, Berger-
Sweeney, Brown,
Buckel, DiCamillo,
Lindgren, Morgan,
Schmidt, Ward,
Winston

(2) Strategic Planning and Finance Committee (SPFC).

(a) November 15 Report.

Management and Presidents Councils. The councils reviewed the report from the committee's November 15 videoconference and noted key informational items such as the committee's discussion regarding professional development for athletics direct reports, an external evaluation of the Division III Enrichment Fund initiatives and an update on the Association's captive insurance.

(b) 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 fall championships have been recorded.

(c) Future Budget Projections.

Management and Presidents Councils. The councils reviewed the budget projections and noted that the new CBS/Turner 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.

b. Division III Committees.

Staff Liaisons:
Peterson-Mylin-
ski, Williams

Council Reps:
Morgan, Sheil-
ley, Verdugo

(1) Championships Committee.

(a) Bracketing Models.

Management Council. The council reviewed reports from the Championships Committee’s most recent meetings, noting as information the committee’s ongoing discussion regarding potential bracketing models – one that would rely on an access ratio that would protect automatic qualifiers and increase Pool C brackets in select sports, and another that would allow for “permissible flights” to provide sport committees with additional flexibility to separate higher-ranked teams within regions.

(b) Site Representative Preparation.

Management Council. The Championships Committee also continues to review how best to prepare site representatives for preliminary-round competitions. The council encouraged the committee to explore better ways to prepare both the site representatives and the host institutions to provide a more consistent championship experience for participants.

Presidents Council. No action was necessary.

Staff Liaison:
McVeigh

Council Rep:
Feyerherm

(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) Noncontroversial Legislation – Practice While Waiver is Pending.

Management Council. As recommended by the committee, the council approved in concept noncontroversial legislation that would allow a student-athlete to continue to practice but not compete,

provided the institution has filed a season-of-competition or hardship waiver request. (If a 10-semester/15-quarter, season-of-participation or hardship waiver request is denied by the NCAA student-athlete reinstatement staff or conference office staff, the student-athlete must cease all practice activities upon the institution's notification of the denial, regardless of whether the institution plans to appeal.) The legislation is effective immediately.

(b) Noncontroversial Legislation – NCAA Bylaw 14.7.4 – Collegiate All-Star Contests.

Management Council. As recommended by the committee, the council approved in concept noncontroversial legislation to specify that a student-athlete who competes as a member of a squad in any college all-star contest shall be ineligible for intercollegiate competition in that sport, subject to reinstatement as opposed to permanent ineligibility. The legislation is effective immediately.

Presidents Council. No action was necessary.

Staff Liaisons:
Hartung,
Higgins

Council Rep:
Corcoran

(4) Financial Aid Committee.

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

Presidents Council. No action was necessary.

Staff Liaison:
Walters

Council Reps:
Dunsworth,
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:
Myers, Turner

Council Rep:
Hill

(6) Interpretations and Legislative Committee (ILC).

Management Council. The council received reports from the committee's most recent meetings. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:
Alford, Hartung

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.

Staff Liaison:
Roe

Council Rep:
McGuinness

(8) **Nominating Committee.**

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

(a) Division III Committee on Infractions (one immediate vacancy replacing Richard Lapidus)

- Kenneth Elmore, president, Dean College, Great Northeast Athletic Conference.

(b) NCAA Division III Student-Athlete Advisory Committee (two immediate vacancies and six January 2023 vacancies)

- Molly Bergin, Berry College, Southern Athletic Association (immediate).
- Lillian Case, Juniata College, Landmark Conference.
- Julia Hathaway, Virginia Wesleyan University, Old Dominion Athletic Conference.
- Clark Kent, Greenville University, St. Louis Intercollegiate Athletic Conference (immediate).
- Molly Malachow, Pennsylvania State University Erie, the Behrend College, Allegheny Mountain Collegiate Conference.
- Muthu Meenakshisundaram, University of Minnesota, Morris, Upper Midwest Athletic Conference.
- Adaobi Nebuwa, Colby College, New England Small College Athletic Conference.
- Rohan Springer, University of Texas at Dallas, American Southwest Conference.

Presidents Council. No action was necessary.

Staff Liaisons:
Berg, Higgins

Council Reps:
Aaron, Di Camillo, McGuinness, Sheilley, Stiles, Verdugo, Walsh

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

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

Presidents Council. No action was necessary.

(10) **Student-Athlete Advisory Committee (SAAC).**

Management Council. The council noted that during its November meeting, the SAAC determined its positions on the 2023 Division III Convention legislative proposals. Members also elected new officers: Vaish Siddapureddy, Pomona-Pitzer Colleges, as chair; and KryJuan Roberson, Keystone College, as vice chair.

Presidents Council. No action was necessary.

Staff Liaisons:
Berg, Mucci, Scotto, Spungen

Council Reps:
Iaboni, Marin, Wigley, Winston

d. **Association-Wide Committees.**

Staff Liaisons:
Hubbard, Parsons, Rohlman

Council Rep:
Walsh

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

Management Council. The council received an update regarding the committee's review of the Association's current drug-testing program. The committee's review includes an assessment of whether the program is achieving its desired outcomes.

Presidents Council. No action was necessary.

Staff Liaisons:
Brownlee, Ziegler

Council Rep:
Corcoran

(2) **Committee on Sportsmanship and Ethical Conduct.**

Management Council. The council reviewed the committee's report, noting the NCAA Board of Governors' ongoing review of Association-wide committees after the adoption of the new constitution. The committee was informed that the Board of Governors is likely to recommend its dissolution because many of its responsibilities, specifically, "to evaluate and improve sportsmanship and ethical conduct and emphasize values of respect, civility, honesty and responsibility," are captured by the function of departments in the NCAA national office and other committees in the governance structure.

Presidents Council. No action was necessary.

Staff Liaisons:
Miron, Wallach,
Wiley

Council Rep:
Mitchell

(3) Committee on Women’s Athletics.

Management Council. Per the Committee on Women’s Athletics’ (CWA) recommendation, the council agreed to move to refer the proposal to establish stunt as an emerging sport back to the committee for further review at Saturday’s business session. The council noted that CWA has become aware of information concerning pending legal cases that was not available at the time of the committee’s recommendation for the council to sponsor stunt as an emerging sport. The council noted the need to prioritize student-athlete health and well-being, which could be adversely affected by the new information. The council believes it is important to have the committee further discuss the possible impacts on the health and well-being of female student-athletes, and to have the committee monitor and receive feedback from institutions that sponsor stunt.

Presidents Council. No action was necessary.

Staff Liaisons:
Miron, Wallach,
Wilson

Council Rep:
Aaron, Mitchell

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

Management and Presidents Councils. The councils reviewed a recommendation from the Committee on Women’s Athletics and the Minority Opportunities and Interests Committee for Division III to require an evaluation of equity impact prior to approving legislation. Although supportive of the concept, the councils referred the matter back to the committees, asking that they continue to evaluate and discuss how to operationalize and clarify the process for this equity impact review before it is formally adopted.

Staff Liaisons:
Preston,
Loechel, Register

Council Rep:
Brown

(5) Honors Committee.

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

Presidents Council. No action was necessary.

Staff Liaisons:
Alford, Hackworth, Kennedy

Council Rep:
Aaron

(6) 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:
Suscha
Council Rep:
Mitchell

(7) Olympic Sports Liaison Committee.

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

Presidents Council. No action was necessary.

Staff Liaisons:
O'Barr, Thomas
Council Rep:
Aaron

(8) Postgraduate Scholarship Committee.

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

Presidents Council. No action was necessary.

Staff Liaison:
Bell
Council Rep:
Ward

(9) Research Committee.

Management Council. Per the request from the NCAA Board of Governors, the council approved in concept noncontroversial legislation to eliminate the NCAA Research Committee. The legislation has an immediate effective date. (Note: As the Research Committee is an Association-wide committee, all three divisions are being asked to take this action.)

Presidents Council. No action was necessary.

Staff Liaison:
Thomas
Council Rep:
Buckel

(10) Walter Byers Scholarship Committee.

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

Presidents Council. No action was necessary.

4. 2023 NCAA CONVENTION.

a. Review of Convention Logistics.

Management Council. Staff reviewed logistics for the delegate's schedule, the joint Management Council/Presidents Council/Student-Athlete Advisory Council meeting, the Issues Forum, the Special Rules of Order Business Session, and the Division III Business Session. No action was necessary.

Presidents Council. No action was necessary.

b. Review of Convention Official Notice.

Management and Presidents Councils. Staff reviewed the Official Notice with the council. No action was necessary.

c. Review of Legislative Proposal Question and Answer Guide.

Management Council. Staff reviewed the Q&A with the council. No action was necessary.

Presidents Council. No action was necessary.

d. Review of Speaker Assignments.

Management and Presidents Councils. Staff reviewed speaker assignments with the councils. No action was necessary.

e. Review of Parliamentary and Voting Procedures.

Management Council. The council reviewed the 2023 NCAA Convention Mootnicity and Related Parliamentary Issues document and recommended that the Presidents Council formally adopt it.

Presidents Council. The council voted to adopt the 2023 NCAA Convention Mootnicity and Related Parliamentary Issues document.

5. NONCONTROVERSIAL LEGISLATION FOR THE 2024 NCAA CONVENTION.

Management Council. The council formally adopted in final legislative format the following noncontroversial legislative proposals and administrative regulations.

- NC 2024-1 Playing and Practice Seasons – General Playing-Season Regulations – Annual Exemptions – One Contest Against a National Team. Effective date: August 1, 2023. Intent: To permit, for all sports, an institution to exempt one contest per year against a U.S. national team or the international equivalent during the team's traditional segment.
- NC 2024-2 Playing and Practice Seasons – Football – Out-of-Season Athletically Related Activities – End Spring Period At Least Five Weekdays Before Exams. Effective date: Immediate. Intent: To specify that the football spring period (Bylaw 17.11.7) must be completed not later than five weekdays before the first day of the institution's final examination period.

- NC 2024-3 Division Membership and Executive Regulations – Active Membership and Eligibility for Championships – Eliminate Attestation of Compliance. Effective date: August 1, 2023. Intent: To eliminate the attestation of compliance requirement for chancellors and presidents and for athletics directors.
- NC 2024-4 Legislative Authority and Process – Convention and Meetings – Voting Methods – Roll Call Voting. Effective date: August 1, 2023. Intent: To establish roll call voting as the default voting option for Convention proposals.
- ADM 2024-1 Executive Regulations – Selection of Teams and Individuals for Championship Participation – Primary Criteria – Ranking and Selection (All Contests Leading Up to NCAA Championship) – Women’s Rowing. Effective date: August 1, 2023. Intent: To specify that the primary criteria for selection in women’s rowing will no longer include winning percentage against Division III opponents.

Presidents Council. No action was necessary.

6. DIVISION III INITIATIVES AND UPDATES.

a. Division III Advisory Council.

Management Council. The council reviewed the Advisory Council’s final report, noting that the Presidents Council acted to sunset the Advisory Council with the conclusion of the 2023 NCAA Convention.

Presidents Council. No action was necessary.

b. Division III Philosophy Statement Review Working Group.

Management and Presidents Councils. The councils reviewed findings from the membership survey regarding the philosophy statement and the working group’s proposed direction and noted favorable results overall from all membership demographics, with the membership generally supporting the working group’s focus on the following areas:

- (1) A focus on the academic experience, support of physical and mental safety, and commitment to diversity, equity and inclusion as outlined in the new NCAA Constitution.
- (2) The Division III student-athlete collegiate experience.
- (3) The Division III student-athlete athletics experience.
- (4) Division III responsibility and oversight.

Both councils noted that the survey results will be the primary topic of discussion at the Division III Issues Forum on Jan. 13. The working group will review the Issues Forum feedback, collect additional membership feedback and forward recommendations to the councils by their summer meetings. The councils will determine if they want to sponsor a legislative proposal for the 2024 NCAA Convention.

c. Potential Federated Playing Rules.

Management Council. The council supported forming an advisory group to support NCAA staff as it develops a federated process for playing rules. The new NCAA Constitution includes a provision that allows each division to establish the rules for sports competitions and participation, with flexibility at the division, subdivision or federated level. The Playing Rules Oversight Panel (PROP) is expected to recommend in April that divisional governance bodies pursue the appropriate legislative actions to eliminate the requirement that playing rules shall be common for all divisions. The advisory group will consist of one member from the Division III Championship Committee, one Division III athletics director, one Division III conference commissioner, one member from the Division III Management Council, one Division III member from PROP and one member from the Strategic Planning and Finance Committee.

The council also acknowledged the Championships Committee's discussion of an approach to federated playing rules. The committee noted that playing rules should be similar but that review of any potential playing rule should include more Division III perspectives when considering the infrastructure and costs needed to implement a rule change.

Presidents Council. No action was necessary.

d. 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.

e. Faculty Athletics Representative Advisory Group.

Management Council. The council approved a request from the advisory group to change its composition to include the faculty athletics representatives appointed to the Division III Management Council and the Division III members of the Faculty Athletics Representative Association Executive Committee.

Presidents Council. No action was necessary.

f. Division III graduation rates.

Management Council. The council received an update on the 2022 NCAA Division III Graduation Rates report, which is the third since the division began requiring graduation rate reporting. The council noted that the Division III Federal Graduation Rate improved one percentage point (69% to 70%) and that the Academic Success Rate remained the same at 88%. The academic performance of Division III student-athletes, as measured by these metrics, has continued to improve since 2018.

Presidents Council. No action was necessary.

g. Name, Image and Likeness Education Resource.

Management Council. The council noted the recent guidance issued to the NCAA membership regarding third-party involvement with prospective student-athletes and current student-athletes as it relates to name, image and likeness.

Presidents Council. No action was necessary.

h. Division III Marketing and Branding.

Management Council. Staff updated the council on various initiatives, including efforts via social media to elevate Division III principles and values, and the upcoming 50th anniversary of the division that will be celebrated in 2023. The campaign will feature a 50th anniversary branding kit as well as social media and championships activations.

Presidents Council. No action was necessary.

i. 360 Proof.

Management Council. The council was informed that materials regarding the 360 Proof initiative, the division's comprehensive, evidence-based program that helps institutions reduce the consequences of high-risk alcohol use and enhance collaboration between athletics and other campus departments focused on student well-being, are now housed within the NCAA Learning Management System.

Presidents Council. No action was necessary.

j. D3CA Officiating Strategic Plan.

Management Council. The council received an update from the Division III Conference Commissioners Association's (DIIICA) efforts to enhance development of existing officials and recruit and train new officials. The DIIICA has joined with the Division II Conference Commissioners Association and the Division II Athletics

Directors Association to implement Officials' Appreciation initiatives across campuses during the following weeks in 2023:

- Winter Sports: Monday, January 23 – Sunday, January 29.
- Spring Sports: Monday, April 3 – Sunday, April 9.

A week to celebrate officials in fall sports will be added soon.

Presidents Council. No action was necessary.

k. Feedback from Conference Meetings.

Management Council. Council members provided no specific updates.

Presidents Council. No action was necessary.

7. ASSOCIATION-WIDE UPDATES AND ISSUES.

a. Board of Governors Updates.

Management Council. The council received an update on efforts from the Board of Governors Subcommittee on Congressional Engagement to develop a strategy to engage federal legislators to seek federal legislation that would address three primary needs:

- (1) Federal laws that would govern college sports on a national level and preempt state law;
- (2) To codify student-athlete non-employee status; and
- (3) Create an antitrust exemption in the form of legal safe harbor protection.

These identified areas are critical to ensure that colleges of all varieties can continue to operate a rich diversity of athletics programs.

Presidents Council. Board of Governors and Presidents Council member Mary-Beth Cooper provided an update on the following topics:

- (1) **NCAA Presidential Search.** President Cooper, who was a member of the Board of Governors' search committee updated the council on the search, noting how well it was conducted and the quality and diversity of the candidate pool. President Cooper summarized why Massachusetts Governor Charlie Baker emerged as the eventual choice, noting his ability to listen and collaborate with a range of stakeholders as being particularly beneficial given the current landscape, as well as the values he and his family members

experienced as having been student-athletes at schools representing multiple NCAA divisions.

- (2) **Board of Governors Consultative Process.** The council reviewed the new consultative process implemented with the adoption of the new NCAA Constitution that provides an opportunity for presidential leaders within the governance structure to discuss various topics on the next NCAA Board of Governors meeting agenda. The council determined that the Administrative Committee is the appropriate group to participate in the videoconferences held prior to the Board of Governors' quarterly meetings to review and comment on anticipated agenda items. The council noted that other members of the council may be invited to participate in these calls if an agenda item warrants a broader perspective.
- (3) **Board of Governors Subcommittee on Congressional Engagement and Action.** President Cooper referenced the subcommittee's development of a video informing NCAA members about its work and explaining its importance, including offering talking points regarding several current issues, and noted a lack of membership engagement, possibly due to the video having been distributed so close to the winter holiday break. President Cooper noted that she and Chancellor Schmidt will personally email the link to council members and urge them to view it as soon as possible, noting the importance of engaging Congress to provide the NCAA with various protections in the antitrust and Name, Image and Likeness space before the congressional focus shifts to the 2024 presidential election.
- (4) **Board of Governors Committee to Promote Cultural Diversity and Equity.** The council noted that while the committee approved the recommendation to ask that the divisional committees require an evaluation of equity impact prior to approving legislation, the council acted similarly to the Management Council [as noted in Item 3-d(4) on page 11] to refer the matter back to the committees.

b. Sport Science Institute (SSI) Updates.

Management Council. NCAA Chief Medical Officer Dr. Brian Hainline joined the council to provide updates on the following key topics:

- (1) **Strategic Health and Safety Priorities.** The NCAA Board of Governors was being asked to approve policies and procedures for the identification of evidence- and consensus-based guidance to support student-athlete mental and physical health, safety and performance to replace the current Uniform Standards of Care Process. The board also was being asked to endorse revisions to the Association's nine strategic health, safety and performance priorities to strategic priorities of mental and physical health, sport-related illness and injury, training and performance, and education and policy.

- (2) **Transgender Student-Athlete Participation.** The Board of Governors will consider a request to delay the implementation of phase three of the current transgender student-athlete policy and continue to implement phase two while the Committee on Competitive Safeguards and Medical Aspects of Sports continues to evaluate the current policy.
- (3) **Cannabinoid Summit.** The council received an update concerning the recent Summit on Cannabinoids in College Athletics and the resulting next steps.
- (4) **Wearable Technology.** The council received an update regarding the current use of this technology on membership campuses and how the information is shared and used on a campus.

Presidents Council. No action was necessary.

c. Litigation Update.

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

9. ADDITIONAL BUSINESS.

• **Council Rosters.**

Management Council. The council formally thanked outgoing members Stephen Briggs, Chuck Brown, Sarah Feyerherm and Scott McGuinness for their outstanding service on the council during their terms, which expire after the Convention. The council also thanked its chair, Michelle Morgan, for the exemplary leadership she demonstrated during her term.

Presidents Council. The council officially thanked outgoing members Richard Dunsworth and Bob Lindgren for their outstanding service on the council during their terms, which expire after the Convention. The council also thanked Division III SAAC representative Jessica Ader for her significant contributions during her term.

10. ADJOURNMENT.

Management Council. The meeting adjourned at 2:45 p.m. Central time.

Presidents Council. The meeting adjourned at 11:15 p.m. Central time.