



## A G E N D A

The National Collegiate Athletic Association

Division III Presidents Council

Jesse Owens Room – Brand Building  
NCAA national office

April 30 – May 1, 2019

### **Tuesday, April 30, 2019 Dinner/Meeting – 5:45 to 9 p.m.**

1. Welcome and announcements. (Sue Henderson)
2. General information. (Henderson)
  - a. Roster. [Supplement No. 1]
  - b. Subcommittee assignments. [Supplement No. 2]
3. Division III Philosophy Statement and Strategic Positioning Platform. [Supplement Nos. 3a and 3b] (Dan Dutcher)
- \* 4. Board of Governors update. [Supplement No. 4a] (Mark Emmert/Donald Remy/Cari Van Senus/Jackie Campbell)
  - a. Independent member appointment process. [Supplement No. 4b]
  - b. Sports Wagering Working Group. [Supplement Nos. 4c-1 and 4c-2]
  - c. Esports. [Supplement No. 4d]
  - d. NCAA Strategic Plan. [Supplement No. 4e]
  - e. Coaches credentialing.
  - f. Student-Athlete Engagement Committee. [Supplement No. 4f]
  - g. Committee to Promote Cultural Diversity & Equity. [Supplement No. 4g]
  - h. Governmental Relations Report. [Supplement No. 4h – Informational Only]
5. Sports Science Institute. [Supplement No. 5a] (Brian Hainline/John Parsons)
  - a. Catastrophic Death & Injury Prevention Interassociation Guideline. [Supplement No. 5b]
  - b. Sports Wagering and Well-Being Summit.
  - c. Football Concussion Data Taskforce. [Supplement No. 5c]
- \* 6. Relevant conference issues.
  - a. Alignment. [Supplement No. 6a]
    - (1) NCAA involvement.
    - (2) Automatic qualification.
  - b. Draft Conference Business Management Resource. [Supplement No. 6b]

### **Wednesday, May 1, 2019 Joint Divisional Breakfast Meeting – 7:30 to 9 a.m. [Grant Ballroom A]**

**Division III Presidents Council**  
**9 a.m. to Noon**  
**[Jesse Owens Room]**

7. Reconvene and announcements. (Henderson)
8. Minutes, summaries and agendas. (Henderson)
  - a. Summary of winter 2019 Quarterly Meeting. [Supplement No. 7]
  - b. Administrative Committee actions. [Supplement Nos. 8a and 8b]
- @\* 9. Division III Strategic Planning and Finance Committee. (Tori Murden McClure/Caryl West)
  - a. March 5, 2019, in-person meeting. [Supplement No. 9]
  - b. 2018-19 budget-to-actual. [Supplement No. 10]
  - c. Future projection. [Supplement No. 11]
- @\* 10. Management Council report. [Supplement No. 12] (Stevie Baker-Watson/Heather Benning)
11. Litigation update. (Scott Bearby/Naima Stevenson)
12. Future meetings. (Henderson)
  - a. August 6-7 – Indianapolis, Indiana.
    - August 6 – 6 to 9 p.m. – President/Chancellor Advisory Group meeting.
    - August 7 – 7:30 to 9 a.m. – Joint presidential meeting with Divisions I and II.
    - August 7 – 9 a.m. to 12:30 p.m. – Division III Presidents Council meeting.
  - b. October 29-30 – Emory University, Atlanta, Georgia.
    - Schedule to be determined.
  - c. January 22-25, 2020 NCAA Convention, Anaheim, California.
    - January 23 – 9:15 to 11:15 a.m.
  - d. April 28-29, 2020 – Indianapolis, Indiana.
    - April 28 – 6 to 9 p.m. – Presidents Council dinner/meeting.
    - April 29 – 7:30 to 9 a.m. – Joint presidential meeting with Divisions I and II.
    - April 29 – 9 a.m. to 12:30 p.m. – Division III Presidents Council meeting.
13. Other Business. (Henderson)
14. Adjournment.

**@ Denotes key action items.**

**\* Denotes key discussion topics.**



## 2019 DIVISION III PRESIDENTS COUNCIL

### **Teresa Amott**

President  
Knox College [Midwest Conference]  
640 N. Prairie Street  
Galesburg, Illinois 61401  
Phone: 309/341-7211  
FAX: 309/341-7856  
Cell Phone: 309/335-2546  
Email: [tamott@knox.edu](mailto:tamott@knox.edu)  
Assistant: Peggy Ware  
Phone: 309/341-7211  
Email: [pjware@knox.edu](mailto:pjware@knox.edu)  
Term Expiration: January 2022

### **Javier Cevallos**

President  
Framingham State University [Massachusetts State  
Collegiate Athletic Conference]  
100 State Street  
Framingham, Massachusetts 01701  
Phone: 508/626-4575  
Cell Phone: 610/780-5438  
Email: [jcevallos@framingham.edu](mailto:jcevallos@framingham.edu)  
Assistant: Katie Hebert  
Email: [khebert@framingham.edu](mailto:khebert@framingham.edu)  
Term Expiration: January 2021

### **Katherine [Kate] Conway-Turner**

President  
Buffalo State, State University of New York  
[SUNYAC]  
1300 Elmwood Avenue  
Buffalo, New York 14222  
Phone: 716/878-4101  
Email: [conwayks@buffalostate.edu](mailto:conwayks@buffalostate.edu)  
Assistant: Tom Gwitt  
Email: [gwittj@buffalostate.edu](mailto:gwittj@buffalostate.edu)  
Term Expiration: January 2021

### **Mary Beth Cooper**

President  
Springfield College [New England Women's and  
Men's Athletic Conference]  
263 Alden Street  
Springfield, MA 01109  
Phone: 413/748-3241  
FAX: 413/748-3746  
Email: [mbcooper@springfieldcollege.edu](mailto:mbcooper@springfieldcollege.edu)  
Assistant: Lorie Pieterse  
Phone: 413/748-3214  
Email: [lpieterse@springfieldcollege.edu](mailto:lpieterse@springfieldcollege.edu)  
Term Expiration: January 2023

### **Stuart Dorsey**

President  
Texas Lutheran University [Southern Collegiate  
Athletic Conference]  
1000 W. Court Street  
Seguin, Texas 78155-5978  
Phone: 830/372-8001  
FAX: 830/372-8008  
Email: [sdorsey@tlu.edu](mailto:sdorsey@tlu.edu)  
Assistant: Susan Rinn  
Email: [srinn@tlu.edu](mailto:srinn@tlu.edu)  
Term Expiration: June 2019

### **Richard Dunsworth**

President  
University of the Ozarks (Arkansas) [American  
Southwest Conference]  
415 North College Avenue  
Clarksville, Arkansas 72830  
Phone: 479/979-1242  
Cell Phone: 217/521-1727  
Email: [rdunsworth@ozarks.edu](mailto:rdunsworth@ozarks.edu)  
Assistant: Connie Booty  
Email: [cbooty@ozarks.edu](mailto:cbooty@ozarks.edu)  
Term Expiration: January 2023

### **Margaret Drugovich**

President  
Hartwick College [Empire 8]  
P.O. Box 4020  
1 Hartwick Drive  
Oneonta, New York 13820-4020  
Phone: 607/431-4990  
FAX: 607/431-4206  
Email: [drugovichm@hartwick.edu](mailto:drugovichm@hartwick.edu)  
Assistant: Lisa Corbett  
Phone: 607/431-4990  
Email: [Corbettl@hartwick.edu](mailto:Corbettl@hartwick.edu)  
Term Expiration: January 2020

**Tiffany Franks**

President

Averett University [USA South Athletic Conference]

420 West Main Street

Danville, Virginia 24541

Phone: 434/791-5670

FAX: 434/799-5601

Email: [tfranks@averett.edu](mailto:tfranks@averett.edu)

Assistant: Cyndie Basinger

Phone: 434/791-5671

Email: [cbasinger@averett.edu](mailto:cbasinger@averett.edu)

Term Expiration: January 2022

**William J. Fritz**

President

College of Staten Island [City University of New York Athletic Conference]

2800 Victory Boulevard

Staten Island, New York 10314

Phone: 718/982-2400

FAX: 718/982-2404

Email: [William.Fritz@csi.cuny.edu](mailto:William.Fritz@csi.cuny.edu)

Assistant: Janet Arata

Email: [Janet.Arata@csi.cuny.edu](mailto:Janet.Arata@csi.cuny.edu)

Assistant: Debbie Mahoney

Email: [Debbie.Mahoney@csi.cuny.edu](mailto:Debbie.Mahoney@csi.cuny.edu)

Term Expiration: January 2020

**Troy Hammond**

President

North Central College [College Conference of Illinois and Wisconsin]

30 North Brainard

Naperville, Illinois 60540

Phone: 630/637-5454

Email: [president@noctrl.edu](mailto:president@noctrl.edu)

Assistant: Kimberly Salzbrunn

Email: [ksalzbrunn@noctrl.edu](mailto:ksalzbrunn@noctrl.edu)

Term Expiration: January 2023

**Sue Henderson [Chair]**

President

New Jersey City University [New Jersey Athletic Conference]

2039 Kennedy Boulevard

Jersey City, New Jersey 07305

Phone: 201/200-3111

FAX: 201/200-2353

Email: [shenderson@njcu.edu](mailto:shenderson@njcu.edu)

Assistant: Virginia Melendez

Email: [vmelendez@njcu.edu](mailto:vmelendez@njcu.edu)

Phone: 201/200-2084

Term Expiration: January 2020

**Robert Lindgren**

President

Randolph-Macon College [Old Dominion Athletic Conference]

Peele Hall

204 Henry Street

Ashland, Virginia 23005

Phone: 804/752-7211

Cell Phone: 804/291-8283

Email: [rlindgren@rmc.edu](mailto:rlindgren@rmc.edu)

Assistant: Emily Harrison

Email: [emilyharrison@rmc.edu](mailto:emilyharrison@rmc.edu)

Term Expiration: January 2023

**Fayneese Miller**

President

Hamline University [Minnesota Intercollegiate Athletic Conference]

1536 Hewitt Avenue

Saint Paul, Minnesota 55104

Phone: 651/523-2202

Email1: [fmiller04@hamline.edu](mailto:fmiller04@hamline.edu)Email2: [president@hamline.edu](mailto:president@hamline.edu)

Assistant: Anne Pierre

Email: [apierre01@hamline.edu](mailto:apierre01@hamline.edu)

Term Expiration: January 2022

**Tori Murden McClure [Vice Chair]**

President

Spalding University [St. Louis Intercollegiate Athletic Conference]

845 South Third Street

Louisville, Kentucky 40203

Phone: 502/588-7164

Cell Phone: 502/767-0142

FAX: 502/992-2404

Email: [tmccclure@spalding.edu](mailto:tmccclure@spalding.edu)

Assistant: Jackie Howard

Email: [jhoward@spalding.edu](mailto:jhoward@spalding.edu)

Term Expiration: January 2021

**Kathleen Murray**

President

Whitman College [Northwest Conference]

345 Boyer Avenue

Walla Walla, WA 99362

Phone: 509/527-5132

Email: [kmurray@whitman.edu](mailto:kmurray@whitman.edu)

Assistant: Jennifer Casper

Email: [casperja@whitman.edu](mailto:casperja@whitman.edu)

Assistant: Joanie Lucarelli

Email: [lucarej@whitman.edu](mailto:lucarej@whitman.edu)

Phone: 509/527-5134

Term Expiration: January 2023



**Elsa Nunez**

President

Eastern Connecticut State University [Little East Conference]

83 Windham Street

Willimantic, CT 06226

Phone: 860/465-5222

FAX: 860/465-4690

Email: [nunez@easternct.edu](mailto:nunez@easternct.edu)

Assistant: Katherine Atkinson

Email: [atkinsonk@easternct.edu](mailto:atkinsonk@easternct.edu)

Phone: 860/465-4484

Term Expiration: January 2020

**Kent Trachte**

President

Lycoming College [Middle Atlantic Conference]

700 College Place

Williamsport, PA 17701

Phone: 570/321-4101

Email: [trachte@lycoming.edu](mailto:trachte@lycoming.edu)

Assistant: Diane Carl

Phone: 570/321-4101

Email: [carl@lycoming.edu](mailto:carl@lycoming.edu)

Term Expiration: January 2022

**William (Bill) Tsutsui**

President

Hendrix College [Southern Athletic Association]

1600 Washington Avenue

Conway, Arkansas 72032

Phone: 501/329-6811

Email: [tsutsui@hendrix.edu](mailto:tsutsui@hendrix.edu)

Assistant: Donna Plemmons

Email: [plemmons@hendrix.edu](mailto:plemmons@hendrix.edu)

Term Expiration: January 2023

**Management Council****Stevie Baker-Watson [Chair]**

Associate Vice President for Campus Wellness and  
Director of Athletics

DePauw University [North Coast Athletic  
Conference]

Lilly Center

702 South College Avenue

Greencastle, Indiana 46135

Phone: 765/658-6075

FAX: 765/658-4964

Cell Phone: 630/292-4009

Email: [StevieBaker-Watson@depauw.edu](mailto:StevieBaker-Watson@depauw.edu)

Assistant: Asaundra Pickett

Phone: 765/658-4934

Email: [asaundrapickett@depauw.edu](mailto:asaundrapickett@depauw.edu)

Term Expiration: January 2020

**Heather Benning [Vice Chair]**

Executive Director

Midwest Conference

821 5<sup>th</sup> Avenue, Suite 405

P.O. Box 150

Grinnell, IA 50112

Phone: 920/430-0934

Cell Phone: 920/229-0934

Email: [benningh@midwestconference.org](mailto:benningh@midwestconference.org)

Term Expiration: January 2021

**Division III Governance Staff:****Dan Dutcher**

Vice President for Division III

Email: [ddutcher@ncaa.org](mailto:ddutcher@ncaa.org)

317/917-6942

**Louise McCleary**

Managing Director of Division III

Email: [lmccleary@ncaa.org](mailto:lmccleary@ncaa.org)

317/917-6637

**Jay Jones**

Associate Director of Division III

Email: [jkjones@ncaa.org](mailto:jkjones@ncaa.org)

317/917-6004

**Adam Skaggs**

Assistant Director for Division III Governance  
Communications

Email: [askaggs@ncaa.org](mailto:askaggs@ncaa.org)

317-917-6206

**Jeff Myers**

Director of Academic and Membership Affairs for  
Division III

Email: [jmyers@ncaa.org](mailto:jmyers@ncaa.org)

317/917-6870

**Bill Regan**

Associate Director of Academic and Membership  
Affairs for Division III

Email: [bfregan@ncaa.org](mailto:bfregan@ncaa.org)

317/917-6890

**Brian Burnsed**

Assistant Director of Membership  
Communications

Email: [bburnsed@ncaa.org](mailto:bburnsed@ncaa.org)

317/917-6685

**Eric Hartung**

Associate Director of Research for  
Division III

Email: [ehartung@ncaa.org](mailto:ehartung@ncaa.org)

317/917-6306

**Debbie Kresge**

Executive Assistant for Division III

Email: [dkresge@ncaa.org](mailto:dkresge@ncaa.org)

317/917-6907

**US MAIL ADDRESS**

NCAA, P.O. Box 6222

Indianapolis, IN 46206-6222

**OVERNIGHT SHIPPING ADDRESS**

NCAA Distribution Center

1802 Alonzo Watford Sr. Drive

Indianapolis, IN 46202

**Telephone:** 317/917-NCAA (6222)

**Facsimile:** 317/917-6972



## 2019 PRESIDENTS COUNCIL COMMITTEE/SUBCOMMITTEE ASSIGNMENTS

Amott, Teresa [January 2022]

- Nominations Subcommittee
- BOG Commission to Combat Campus Sexual Violence

Cevallos, Javier [January 2021]

- Diversity and Inclusion Working Group

Conway-Turner, Katherine [January 2021]

- Nominations Subcommittee

Cooper, Mary Beth [January 2023]

- PC/MC Joint Legislative Steering Committee

Dorsey, Stuart [June 2019]

- Strategic Planning and Finance Committee

Drugovich, Margaret [January 2020]

- Strategic Planning and Finance Committee

Dunsworth, Richard [January 2023]

- Nominations Subcommittee

Franks, Tiffany [January 2022]

- Convention-Planning Subcommittee

Fritz, William [January 2020]

- PC/MC Joint Legislative Steering Committee
- Infractions Appeals

Hammond, Troy [January 2023]

- Nominations Subcommittee

Henderson, Sue, chair [January 2020]

- Administrative Committee
- Board of Governors
- Board of Governors Executive Committee
- BOG Strategic Planning Steering Committee
- BOG rep to Student-Athlete Engagement Committee

Lindgren, Robert [January 2023]

- Nominations Subcommittee

Miller, Fayneese [January 2022]

- Nominations Subcommittee
- BOG Committee to Promote Cultural Diversity and Equity

Murden McClure, Tori, vice chair [January 2021]

- BOG Committee to Promote Cultural Diversity and Equity
- Administrative Committee
- Board of Governors
- Strategic Planning and Finance Committee, chair
- BOG Finance and Audit

Murray, Kathleen [January 2019]

- Nominations Subcommittee
- LGBTQ Working Group

Nunez, Elsa [January 2020]

- Nominations Subcommittee
- BOG Sports Wagering AdHoc Committee

Trachte, Kent [January 2022]

- Strategic Planning and Finance Committee

Tsutsui, William (Bill) [January 2023]

- Convention-Planning Subcommittee
- Minority Opportunities and Interests Committee (MOIC)

**DIVISION III PHILOSOPHY STATEMENT**

Colleges and universities in Division III place the highest priority on the overall quality of the educational experience and on the successful completion of all students' academic programs. They seek to establish and maintain an environment in which a student-athlete's athletics activities are conducted as an integral part of the student-athlete's educational experience, and an environment that values cultural diversity and gender equity among their student-athletes and athletics staff.

- (a) Expect that institutional presidents and chancellors have the ultimate responsibility and final authority for the conduct of the intercollegiate athletics program at the institutional, conference and national governance levels;
- (b) Place special importance on the impact of athletics on the participants rather than on the spectators and place greater emphasis on the internal constituency (e.g., students, alumni, institutional personnel) than on the general public and its entertainment needs;
- (c) Shall not award financial aid to any student on the basis of athletics leadership, ability, participation or performance;
- (d) Primarily focus on intercollegiate athletics as a four-year, undergraduate experience;
- (e) Encourage the development of sportsmanship and positive societal attitudes in all constituents, including student-athletes, coaches, administrative personnel and spectators;
- (f) Encourage participation by maximizing the number and variety of sport offerings for their students through broad-based athletics programs;
- (g) Assure that the actions of coaches and administrators exhibit fairness, openness and honesty in their relationships with student-athletes;
- (h) Assure that athletics participants are not treated differently from other members of the student body;
- (i) Assure that student-athletes are supported in their efforts to meaningfully participate in nonathletic pursuits to enhance their overall educational experience;
- (j) Assure that athletics programs support the institution's educational mission by financing, staffing and controlling the programs through the same general procedures as other departments of the institution. Further, 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;

- (k) Assure that athletics recruitment complies with established institutional policies and procedures applicable to the admission process;
- (l) Exercise institutional and/or conference autonomy in the establishment of initial and continuing eligibility standards for student-athletes;
- (m) Assure that academic performance of student-athletes is, at a minimum, consistent with that of the general student body;
- (n) Assure that admission policies for student-athletes comply with policies and procedures applicable to the general student body.
- (o) Provide equitable athletics opportunities for males and females and give equal emphasis to men's and women's sports;
- (p) Support ethnic and gender diversity for all constituents;
- (q) Give primary emphasis to regional in-season competition and conference championships; and
- (r) Support student-athletes in their efforts to reach high levels of athletics performance, which may include opportunities for participation in national championships, by providing all teams with adequate facilities, competent coaching and appropriate competitive opportunities.

The purpose of the NCAA is to assist its members in developing the basis for consistent, equitable competition while minimizing infringement on the freedom of individual institutions to determine their own special objectives and programs. The above 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.

NCAA Mission

What the brand wants to accomplish To govern competition in a fair, safe, equitable and sportsmanlike manner, and to integrate intercollegiate athletics into higher education so that the educational experience of the student-athlete is paramount.

DIII Positioning Statement

Who we are **Follow your passions and discover your potential.** The college experience is a time of learning and growth – a chance to follow passions and develop potential. For student-athletes in Division III, this happens most importantly in the classroom and through earning an academic degree. The Division III experience provides for passionate participation in a competitive athletics environment, where student-athletes push themselves to excellence and build upon their academic success with new challenges and life skills. And student-athletes are encouraged to pursue the full spectrum of opportunities available during their time in college. In this way, Division III provides an integrated environment for student-athletes to take responsibility for their own paths, follow their passions and find their potential through a comprehensive educational experience.

DIII Attributes

What we stand for	<b>Proportion:</b> appropriate relation of academics with opportunities to pursue athletics and other passions.	<b>Comprehensive Learning:</b> opportunity for broad-based education and success.	<b>Passion:</b> playing for the love of the game, competition, fun and self-improvement.	<b>Responsibility:</b> development of accountability through personal commitment and choices.	<b>Sportsmanship:</b> fair and respectful conduct toward all participants and supporters.	<b>Citizenship:</b> dedication to developing responsible leaders and citizens in our communities.
NCAA Brand Attributes	Balance	Learning	Spirit	Character	Fair Play	Community

Audiences

Who we are addressing Student-Athletes / Parents DIII Internal Constituencies General Public / Media

Audience Benefits

Key benefits of the DIII experience	<ul style="list-style-type: none"><li>- Continue to compete in a highly competitive athletics program and retain the full spectrum of college life.</li><li>- Focus on academic achievement while graduating with a comprehensive education that builds skills beyond the classroom.</li><li>- Access financial aid for college without the obligations of an athletics scholarship.</li><li>- Opportunities to play more than one sport.</li><li>- Be responsible for your own path, discover potential through opportunities to pursue many interests.</li></ul>	<ul style="list-style-type: none"><li>- Academics are the primary focus for student-athletes. Shorter practice and playing seasons, no red-shirting and regional competition minimize time away from their academic studies and keep student-athletes on a path to graduation.</li><li>- Student-athletes are integrated on campus and treated like all other members of the general student-body, keeping them focused on being a student first.</li><li>- Participation in athletics provides valuable “life lessons” for student-athletes (teamwork, discipline, perseverance, leadership, etc.), which often translate into them becoming better students and more responsible citizens.</li></ul>	<ul style="list-style-type: none"><li>- Division III institutions develop student-athlete potential through a comprehensive educational approach.</li><li>- Division III institutions offer athletics for the educational value and benefit to the student-athlete, not for the purposes of revenue generation or entertainment.</li><li>- Participation in athletics provides valuable “life lessons” for student-athletes (teamwork, discipline, perseverance, leadership, etc.), which often translate into them becoming better students and more responsible citizens.</li><li>- Student-athletes compete in a highly competitive athletics program and retain the full spectrum of college life.</li><li>- Student-athletes do not receive monetary incentive to play sports but rather participate for the love of the game.</li></ul>
-------------------------------------	--	--	---

Reasons to Believe

Supporting features of DIII	<p><b>1. Comprehensive educational experience.</b> Division III institutions develop student-athlete potential through a holistic educational approach that includes rigorous academics, competitive athletics and opportunity to pursue other interests and passions.</p> <p><b>2. Integrated campus environment.</b> About one-quarter of all students at Division III institutions participate in athletics. Those participating in athletics are integrated into the campus culture and educational missions of their colleges or universities:</p> <ul style="list-style-type: none"><li>- Student-athletes are subject to admission and academic performance standards consistent with the general student body;</li><li>- Student-athletes are not provided any special housing, services or support from their institution different from other students or student groups;</li><li>- Athletics departments are regulated and managed through the same general procedures and practices as other departments of the institution.</li></ul> <p>This integration of athletics allows the student-athletes to take full advantage of the many opportunities of campus life and their entire collegiate experience.</p> <p><b>3. Academic focus.</b> Student-athletes most often attend a college or university in Division III because of the excellent academic programs, creating a primary focus on learning and achievement of their degree. The division minimizes the conflicts between athletics and academics through shorter playing and practice seasons, the number of contests, no red-shirting or out-of-season organized activities, and a focus on regional in-season and conference play.</p>	<p><b>4. Available financial aid.</b> Three-quarters of all student-athletes in Division III receive some form of grant or non-athletics scholarship. Student-athletes have equal opportunity and access to financial aid as the general student body – but are not awarded aid based on athletics leadership, ability, performance or participation.</p> <ul style="list-style-type: none"><li>- Division III does not award athletics scholarships. Without the obligation of an athletics scholarship, student-athletes can emphasize academics, athletics and other opportunities of college life appropriate to the necessary commitment and their own passions.</li></ul> <p><b>5. Competitive athletics programs.</b> Student-athletes do not receive any monetary incentive (athletics scholarship) to play sports in college. They play for the love and passion of the game and to push themselves to be their best, creating an intense, competitive athletics environment for all who participate.</p> <p><b>6. National championship opportunities.</b> Division III has more than 170,000 student-athletes competing annually, with access to 38 different national championships. These competitions provide an opportunity for student-athletes to compete at the highest level and fulfill their athletics potential.</p> <p><b>7. Commitment to athletics participation.</b> Division III institutions are committed to a broad-based program of athletics because of the educational value of participation for the student-athlete. The division has a higher number and wider variety of athletics opportunities on average than any other division in the NCAA, emphasizing both competitive men’s and women’s sports.</p>
-----------------------------	--	--



**REPORT OF THE  
NCAA BOARD OF GOVERNORS  
JANUARY 23, 2019, MEETING**

**ACTION ITEMS.**

- None.

**INFORMATIONAL ITEMS.**

- 1. Welcome and announcements.** NCAA Board of Governors Chair President Bud Peterson convened the meeting at approximately 1:30 p.m. and welcomed the Governors to Orlando. NCAA staff confirmed that a quorum was present. President Peterson recognized President Glen Jones, President Jeff Docking, Shantey Hill and Pennie Parker, as they were participating in their last meeting. President Peterson gave special thanks to President Jones for his service as vice chair of the board and his efforts in leading the strategic planning process.
- 2. Consent Agenda.** By way of a consent agenda, the Board of Governors approved the reports of its October 23, 2018, meeting and its November 27-30, 2018, electronic vote to approve the roster of the NCAA Board of Governors Ad Hoc Committee on Sports Wagering. The board also approved the appointment of the new NCAA Division I Council representative and a Division II and Division III student-athlete to serve on the NCAA Board of Governors Student-Athlete Engagement Committee.
- 3. NCAA president's report.** President Mark Emmert provided brief comments on several issues facing the Association that were part of the Governors meeting agenda.
- 4. Esports engagement.** Joni Comstock, NCAA senior vice president of championships and alliances; Nate Flannery, NCAA director of digital and social media and Chris Termini, NCAA managing director of championships and alliances, updated the board on recent developments in the esports landscape, including the growth in student participation at the collegiate and high school level. Several board members noted their continued concerns with aspects of esports that do not appear to align with the core values of the NCAA. Board members noted that while there are many concerns with esports and its fit in the collegiate sports model, there also appears to be opportunities for the NCAA to have a positive influence in the esports space.

It was VOTED

“That Board of Governors task staff with developing a blueprint by which the board could evaluate how an NCAA competition or structure in esports would look within the framework of NCAA values, particularly student-athlete well-being.” [For 14, Against 1 (Herbst), Abstain 0]

**5. Coaches credentialing concept.** NCAA Chief of Staff Cari Van Senus informed the board of the Knight Commission's discussions and recommendation that the NCAA develop minimal professional standards that coaches should be required to meet to ensure they are prepared for their role as educators of student-athletes. Van Senus noted that the NCAA, through its Sport Science Institute and Division II University, already has developed a number of resources related to the various topics that could be part of a coaches' education and credentialing program. Staff was directed to bring back to the board a plan that would outline how a coaches' education and credentialing program could be developed in collaboration with the National Association of Basketball Coaches and the Women's Basketball Coaches Association. Further, that the plan should include a model for a pilot program to be implemented in late spring/early summer and used as a foundation for expansion to other sports.

**6. NCAA Board of Governors Committee reports.**

- **NCAA Board of Governors Ad Hoc Committee on Sports Wagering.** NCAA Senior Vice President of Championships and Alliances Joni Comstock and NCAA Executive Vice President of Regulatory Affairs Stan Wilcox provided a report of the first teleconference of the Ad Hoc Committee on Sports Wagering. Comstock and Wilcox also updated the board on the ongoing work of the internal working group as well as plans for future meetings of the ad hoc committee.

**7. NCAA Board of Governors Finance and Audit Committee report.** President Satish Tripathi, chair of the Finance and Audit Committee, provided a report of the Finance and Audit Committee's December 11, 2018, videoconference, and its January 8, 2019, joint meeting with the NCAA Division I Finance Committee.

- a. **First quarter fiscal year 2018-19 budget-to-actual.** President Tripathi noted the first quarter results for fiscal year 2018-19 do not have any major variances compared to prior years.
- b. **Fiscal year 2017-18 audited financial statements.** President Tripathi briefly reviewed the 2017-18 financial statements and noted that Deloitte, the Association's external auditors, indicated no audit issues and that the NCAA received an unqualified opinion. Tripathi noted the NCAA had a strong financial year and highlighted some of the items that drove the positive outcomes.

It was VOTED

"That the Board of Governors approve the 2017-18 Financial Report." (Unanimous voice vote.)



- c. **Unreserved net assets.** President Tripathi reported that fiscal year 2017-18 year ended with the Association having \$26.7 million in unreserved net assets available for allocation. President Emmert recommended, and the Finance and Audit Committee agreed, that \$5 million of the available net assets be added to the reserve dedicated to this fiscal year's implementation of the Commission on College Basketball recommendations. In addition, there was a recommendation to allocate \$900,000 for funding of initiatives approved by the NCAA Board of Governors Committee to Promote Cultural Diversity and Equity. The final \$20.7 million was recommended as a supplemental distribution to Division I

It was VOTED

“That the Board of Governors approve the Finance and Audit Committee’s recommended allocation of the \$26.7 million in unreserved net assets.” (Unanimous voice vote.)

d. **NCAA 10-year financial plan.**

- (1) Operational changes to 10-year financial plan. It was noted that the 10-year financial plan was updated to include inflationary adjustments for the 2019-20 fiscal year.
- (2) Commission on College Basketball changes to 10-year financial plan. President Tripathi reported that funding of basketball reforms will occur through revenue increases, cost reductions in NCAA national office operations and a reduction in the projected 2019-20 annual increase to Division I revenue distribution.

It was VOTED

“That the Board of Governors approve the updated 10-year financial plan.” (Unanimous voice vote.)

- e. **NCAA Board of Governors Finance and Audit Committee Investment Subcommittee new member, Melody Rollins.** The board was informed of the Finance and Audit Committee’s approval of Melody Rollins of Bridgewater Associates to serve on the NCAA Board of Governors Finance and Audit Committee Investment Subcommittee.

**8. Law, Policy and Governance Strategic Discussion.**

- a. **Legal and litigation update.** NCAA Vice President and General Counsel Scott Bearby facilitated a privileged and confidential discussion regarding several matters of ongoing litigation.

- b. **Government relations.** NCAA Executive Vice President and Chief Legal Officer Donald Remy noted that the government relations staff worked with interested policy makers and sports organizations in the development of a federal sports betting proposal introduced on December 19, 2018. This bill includes the establishment of minimum statutory and regulatory standards that would protect consumers, eliminate illegal sports betting and uphold the integrity of amateur and professional sporting contests. Remy also noted that staff continues to monitor state activity related to the introduction of legislation that would call for compensating student-athletes.

9. **NCAA Board of Governors' Executive Committee report.** President Peterson reported on matters considered during the Board's Executive Committee meeting earlier that day. President Peterson noted that the Executive Committee discussed questions regarding the use of NCAA marks by affiliated members and proposed a moratorium on new affiliate members.

It was VOTED

"That the Board of Governors approve a moratorium on new affiliate members and that staff be directed to conduct a comprehensive examination of the entire affiliate membership category." (Unanimous voice vote.)

10. **Election of vice chair.** The Governors voted unanimously to appoint President Sue Henderson as vice chair of the Board of Governors.
11. **NCAA Strategic Planning Working Group report and update.** President Glen Jones, chair of the NCAA Strategic Planning Working Group, and Reshma Patel-Jackson, Attain, LLC, project lead, updated the board on the progress of the Strategic Planning Working Group and gathered feedback on the outcomes of the December working group meeting.
12. **Executive Session.** The governors concluded the meeting in executive session to discuss various administrative matters.
13. **Adjournment.** The meeting was adjourned at approximately 4:50 p.m.

*Board of Governors chair: G.P. "Bud" Peterson, Georgia Institute of Technology*  
*Staff liaisons: Jacqueline Campbell, law, policy and governance*  
*Donald M. Remy, law, policy and governance*

NCAA Board of Governors January 23, 2019, Meeting	
<b>Attendees:</b>	
John DeGioia, Georgetown University.	
Philip DiStefano, University of Colorado, Boulder.	
Jeffrey Docking, Adrian College.	
Mark Emmert, NCAA.	
Burns Hargis, Oklahoma State University.	
Sue Henderson, New Jersey City University.	
Susan Herbst, University of Connecticut.	
Shantey Hill, St. Joseph's College, Long Island.	
Blake James, University of Miami.	
Glendell Jones, Jr., Henderson State University.	
Eric Kaler, University of Minnesota, Twin Cities.	
Ronald K. Machtley, Bryant University.	
Fr. James Maher, Niagara University.	
Gary Olson, Daemen College.	
Pennie Parker, Rollins College.	
Bud Peterson, Georgia Institute of Technology.	
Nayef Samhat, Wofford College.	
Denise Trauth, Texas State University.	
Satish Tripathi, University at Buffalo, The State University of New York.	
<b>Absentees:</b>	
Eli Capilouto, University of Kentucky.	
<b>Guests:</b>	
Greg Baroni, Attain, LLC.	
Lynn Durham, Georgia Institute of Technology.	
Briana Guerrero, Attain, LLC.	
Catherine Nelson, CA Nelson Consulting, LLC.	
Reshma Patel-Jackson, Attain, LLC.	
<b>NCAA staff liaisons in attendance:</b>	
Jacqueline Campbell and Donald Remy.	
<b>Other NCAA staff in attendance:</b>	
Katrice Albert, Scott Bearby, Joni Comstock, Dan Dutcher, Nate Flannery, Kimberly Fort, Jenn Fraser, Danny Gavitt, Terri Gronau, Brian Hainline, Kathleen McNeely, Stacey Osburn, Dave Schnase, Naima Stevenson, Cari Van Senus, Chris Termini, Stan Wilcox and Bob Williams.	

*Report is not final until approval of the Board of Governors.*

Good afternoon,

It has come to our attention that a number of you have been contacted by people who have expressed an interest in nominating individuals to serve as independent members of the Board of Governors. We have created the following language that you can use in responding to these inquiries.

“Thank you for your interest in participating in the nomination process for independent members of the NCAA Board of Governors.

The Board of Governors Executive Committee, which will serve as the Nominating Committee, will seek a wide variety of backgrounds in new directors to contribute helpful perspectives and experience to the Board of Governors. In particular, leaders who bring corporate, non-profit or public sector experience will be valuable. Candidates will likely come from a diversity of industries, and those with substantial board experience will be most compelling.

We welcome nominations from the NCAA community and have engaged Heidrick & Struggles, the leading global executive search firm, to seek, accept and vet nominations. Their involvement ensures independent, unbiased review of candidates and will lead to a broad consideration of perspectives. If you have nominations, or know someone who would like to nominate themselves, name and contact information should be sent to Heidrick and Struggles at [NCAABOG@heidrick.com](mailto:NCAABOG@heidrick.com). Review of nominations will begin immediately, and must be received by Feb. 22, 2019, for consideration.

All nominations will be kept in confidence within the Board of Governors Executive Committee and Heidrick & Struggles. Because of this, please do not make any statement about your nominee’s chances or qualifications or attempt to influence the process.

Again, we appreciate your interest in this process and look forward to welcoming new members to the board later this year.”

Please contact me if you have any questions or concerns.

Thank you,

Dan

**REPORT OF THE  
NCAA BOARD OF GOVERNORS  
AD HOC COMMITTEE ON SPORTS WAGERING  
MARCH 7-8, 2019, MEETING**

**INFORMATIONAL ITEMS.**

1. **Welcome and introductions.** Chancellor Kent Syverud, chair of the NCAA Board of Governors Ad Hoc Committee on Sports Wagering, welcomed the committee members to the meeting. Syverud briefly reviewed the agenda and provided an overview of the group's goals.
2. **Report of the NCAA Board of Governors Ad Hoc Committee on Sports Wagering February 14, 2019, teleconference.** The ad hoc committee approved the report of its February 14, 2019, teleconference. (Unanimous voice vote.)
3. **Report on work of the NCAA Sports Wagering Internal Working Group Subcommittees.** Staff updated the committee on the work of the following subcommittees of the Internal Working Group:
  - a. Education. The subcommittee has worked to develop a comprehensive education strategy in support of the Association's sports wagering initiatives. This has resulted in a FAQ document that was distributed to athletics administrators in the fall; the creation of an educational video for officials; a Summit on Sports Wagering and Well-Being in College Athletes that will be conducted March 12-13; a sampling of integrity service based education that will be included as part of the long-term integrity service provider contract; and a refresh of the NCAA Don't Bet On It campaign.
  - b. Information/Data Management. The subcommittee has spent most of its time discussing player availability reporting, considering why it should be examined, the potential risks to student-athletes, which sports would be involved and potential structures and enforcement. [See Item No. 6 for the committee's discussion of player availability reporting.]
  - c. Integrity Services. The focus of this subcommittee was to identify, quantify and assess significant sports wagering risks to the Association and recommend strategies to mitigate/manage those risks. The subcommittee also has worked to identify and recommend a long-term integrity services provider for the Association. [See Item Nos. 4 and 7 for updates on the work of the short-term integrity services provider and risk assessment, and the search for a long-term provider.]
  - d. Legislation and Policy. The subcommittee was charged with reviewing existing legislation and policy regarding sports wagering in all three divisions and identifying discussion items/issues for consideration by the ad hoc committee. The subcommittee

- has identified several areas of legislation and policy that it recommends the ad hoc committee review: (1) Definition and application of sports wagering (NCAA Bylaws 10.2 and 10.3); (2) Current policies applicable to certified events and sanctioned summer leagues; and (3) Issues related to event venues, advertisements and sponsorship.
- e. Officiating. The subcommittee continues to assess current NCAA programs and policies relative to sports wagering and officiating, which includes: (1) Role of the national office and conference offices for regular season and postseason officiating programs; (2) Independent contractor status of officials and associated considerations; (3) Background check programs administered by the national office; (4) Formalizing arrangements with officials selected for NCAA championships; (5) Education offerings for officials; and (6) Additional information gathering and benchmarking regarding programs, education and other initiatives for various professional/amateur sport leagues and organizations.
  - f. Political Landscape. The subcommittee was charged with providing the Internal Working Group with up to date information on state and federal legislative and regulatory activities. On the federal landscape, the Sports Wagering Market Integrity Act of 2018 was introduced on December 19, 2018, at the end of the 115th session of Congress. This bill was an important first step in establishing national standards for sports wagering to protect the integrity of athletics competitions. The NCAA continues to work with the professional sports leagues to see reintroduction of a federal sports wagering bill during the 116th Congress. With regard to state activity, 12 states have authorized sports wagering and eight of those states are accepting bets on sporting events. The elements of the legislation are not consistent across all the states and, for that reason, the NCAA continues to work with other professional and amateur athletics organizations to get a federal bill passed that would establish minimum statutory and regulatory standards that would protect consumers, eliminate illegal sports wagering and uphold the integrity of amateur and professional sporting contests. As work continues on the federal front, the NCAA has developed a set of principles that it feels are necessary to provide adequate protections to all those impacted by legalized sports wagering.

It was VOTED

“That the Ad Hoc Committee on Sports Wagering recommends the NCAA national office distribute the sports wagering principles, with an appropriate accompanying letter explaining the context, to all NCAA stakeholders (including presidents/chancellors, directors of athletics, faculty athletics representatives, etc.) so as to inform all stakeholder efforts to achieve passage of impactful state sports wagering legislation.” (Unanimous voice vote.)

4. **Bridge contract update and risk assessment.** In order to get a baseline assessment of the Association's sports wagering risks, the NCAA entered into a short-term agreement with an integrity services provider for the 2018-19 academic year. The short-term agreement provided a sports wagering risk assessment, review/consultation related to sports wagering activities on NCAA competition, education and awareness, and monitoring, detection and reporting. The service provided monthly reports summarizing bookmaker activity and any suspicious activity related to NCAA contests in specified sports. An overall assessment was provided noting the risk level associated with various NCAA sports.

It was VOTED

"That the Ad Hoc Committee on Sports Wagering supports the methodology for the risk assessment." (Unanimous voice vote.)

5. **Sports wagering surveys.** The committee received information about national student-athlete studies of collegiate wagering and a proposed survey of campus administrators that is under development by the Information/Data Management and Education Subcommittees of the NCAA Sports Wagering Internal Working Group
  - a. Results from national student-athlete studies of college wagering. The committee was presented with data summarizing trends in student-athlete gambling behaviors and attitudes over a 14-year period ending in 2016. Highlighted data included gambling and sports wagering behaviors and attitudes toward sports wagering. The next survey will be conducted in spring 2020 and results should be available in fall 2020.
  - b. Proposed survey of NCAA campus administrators. The committee continued its discussion of possible membership groups to survey regarding the topic of player availability and other sports wagering issues. The committee considered a recommendation from the NCAA research staff regarding groups from whom to gather information immediately and those that potentially could be surveyed in a secondary phase. The committee was supportive of the recommended survey groups and process.
6. **Player availability reporting.** The committee was informed of the player availability reporting practices in several of the major professional sports leagues, including the diverse philosophies and structures. The committee discussed how player availability reporting in college sports would have to differ than that in professional sports. The committee reviewed feedback from various constituent groups (e.g.; student-athletes, athletic trainers, directors of athletics) and discussed the potential/perceived risks versus rewards of implementing some form of player availability reporting. The group considered possible reporting models and the considerations needed for different sports. The committee's conversation continually reverted back to the impact on student-athletes. The committee noted the need for further

conversation and sufficient evidence that students will benefit from the release of availability data and that students have the option to manage what information is made public.

It was VOTED

“That staff prepare a draft recommendation on best practices for player availability reporting and non-reporting, and suggestions on how the NCAA could test the best practices through a pilot program, and whether those best practices measure up to the core values of student-athlete well-being and integrity of competition.” (Unanimous voice vote.)

7. **Update on long-term integrity services provider search process.** A Request for Proposal that included desired criteria for a long-term integrity services provider was issued to four potential providers. Two finalists were identified and engaged in presentations with national office staff, including members of the Integrity Services Subcommittee, in late February. Information about the two finalists was shared with the committee, along with the staff recommendation for a long-term provider.

It was VOTED

“That the Ad Hoc Committee on Sports Wagering endorse the long-term integrity services provider recommended by staff.” (Unanimous voice vote.)

[Note: The name of the integrity services provider will not be made public at this time.]

8. **Review of professional league policies.** The committee was provided information regarding the gaming/gambling policies of several professional sports organizations (e.g., MLB, NBA, NFL). Differences in the specificity of the policies were highlighted.
9. **Adjournment.** The meeting was adjourned at 11:53 a.m.

*Committee Chair: Kent Syverud, Syracuse University*

*Staff Liaisons: Jacqueline Campbell, Law, Policy and Governance  
Joni Comstock, Championships and Alliances  
Stan Wilcox, Regulatory Affairs*



<b>NCAA Board of Governors Ad Hoc Committee on Sports Wagering March 7-8, 2019, Meeting</b>	
<b>Attendees:</b>	
Rachel Newman Baker, University of Kentucky.	
Gary Barta, University of Iowa.	
Nicholas Clark, Coastal Carolina University, NCAA Division I Student-Athlete Advisory Committee.	
Rob Dicks, Lagrange College.	
Chris Howard, Robert Morris University.	
Amy Huchthausen, America East Conference.	
Elsa Núñez, Eastern Connecticut State University.	
Pennie Parker, Rollins College.	
Desiree Reed-Francois, University of Nevada, Las Vegas.	
Terry Small, New Jersey Athletic Conference.	
Harry Stinson, Lincoln University (Pennsylvania).	
Kent Syverud, Syracuse University.	
<b>Absentees:</b>	
William LaForge, Delta State University.	
<b>NCAA Staff Liaisons in Attendance:</b>	
Jacqueline Campbell, Joni Comstock and Stan Wilcox.	
<b>Other NCAA Staff Members in Attendance:</b>	
Jim Brown, Randy Buhr, Tom Paskus, Naima Stevenson, Mark Strothkamp and Lorry Weaver.	



## **SPORTS WAGERING PRINCIPLES**

The NCAA joins other professional sports leagues and policymakers in urging for the enactment of clear and enforceable legal standards to protect the integrity of American sporting contests, the health and safety of student-athletes and professional participants, and consumers. The following principles reflect the Association's thinking around a uniform approach to the evolving landscape of legalized sports wagering in the United States.

### **Eliminate the Illegal Sports Wagering Marketplace**

All forms of amateur and professional sports wagering must occur in a legal, regulated market with those who violate provisions subject to civil and criminal penalties. To mitigate the opportunity for illegal sports wagering, collaboration among various stakeholders, e.g., law enforcement, regulators, the NCAA and other sports leagues, athletic departments, among others is essential. Comprehensive monitoring efforts and effective enforcement are also critically important.

### **Implementation of Core Regulatory Standards & Consumer Protections**

The NCAA takes the position that certain legislative provisions are necessary to provide adequate protections to all those impacted by legalized sports wagering.

*Age Limit:* Prohibit persons under 21 years of age from participating in sports wagering.

*Targeted Advertising & Addiction Resources:* Sports wagering operators should promote responsible betting and be prohibited from providing advertisements targeted at young people and problem gamblers. Operators must provide information and resources on how to combat gambling addiction. This includes allowing participants the ability to restrict or limit themselves from placing wagers with an operator.

*Limitations on who can engage in Sports Wagering:* Regulators will be required to implement customer verification procedures to prohibit operators from accepting wagers from prohibited sources, including coaches, student-athletes, referees, employees of amateur sports organizations, among others. Further, regulators must prohibit those with proprietary knowledge – typically officers and other employees of operators – from placing wagers. Other prohibitions should be implemented to prevent those convicted of certain crimes from placing wagers, and require operators implement periodic criminal history background checks for existing and newly-hired employees.

*Official Data:* Official data – those records maintained and authorized by amateur and professional sports organizations – ensure the timeliness, accuracy, and integrity of information. Sports wagering operators will be required to use this information to determine betting outcomes.

*Data Security & Privacy:* Sports wagering operators are prohibited from obtaining or using the protected health information of amateur or professional athletes without the consent of the individual. Operators are also required to prevent unauthorized access to proprietary sports wagering and customer data so that problematic trends can be identified without disclosing sensitive information.

### **Provide Resources to Protect Fans & Penalize Bad Actors**

*Operator Licensure & Auditing:* Each state will designate a public entity as a regulator to license sports wagering operators within its borders. Licenses will be promulgated based on established criteria, which will include an examination of an operator's fitness to hold such a license. State regulators and sports wagering operators will be required to cooperate with investigations carried out by amateur or professional sports organizations. This will include the regulatory entity requiring sports wagering operators to submit periodic reports that include information on wagers placed. The state regulatory entity will conduct routine audits of all sports wagering operators where – in collaboration with law enforcement – they will have the authority to monitor compliance and enforce applicable laws.

*Information Sharing:* Sports wagering operators will be required to timely share information with relevant state, federal, and tribal law enforcement bodies; regulators and other oversight entities; and amateur and professional sports organizations. If abnormal activity or trends are detected, parties must notify one another and coordinate appropriate next steps. Sports wagering operators will be required to report, among other things, information related to internal criminal or disciplinary inquiries, abnormal sports wagering patterns, or potential illegal activity within the marketplace.

### **Maintain Public Confidence in Amateur & Professional Sports**

*Risky Bet Types:* Wagers on individual events or actions during contests increase the opportunity for match-fixing and other corrupt practices related to sports wagering. In order to curtail this conduct, amateur and professional sports organizations will collaborate with regulators and operators to restrict or limit the types of bets that pose a significant risk to the safety of participants and the integrity of contests.

**EXCERPT FROM THE REPORT OF THE NCAA BOARD OF GOVERNORS  
JANUARY 23, 2019, MEETING**

**Esports engagement.** Joni Comstock, NCAA senior vice president of championships and alliances; Nate Flannery, NCAA director of digital and social media and Chris Termini, NCAA managing director of championships and alliances, updated the board on recent developments in the esports landscape, including the growth in student participation at the collegiate and high school level. Several board members noted their continued concerns with aspects of esports that do not appear to align with the core values of the NCAA. Board members noted that while there are many concerns with esports and its fit in the collegiate sports model, there also appears to be opportunities for the NCAA to have a positive influence in the esports space.

It was VOTED

“That Board of Governors task staff with developing a blueprint by which the board could evaluate how an NCAA competition or structure in esports would look within the framework of NCAA values, particularly student-athlete well-being.” [For 14, Against 1 (Herbst), Abstain 0]

# Esports

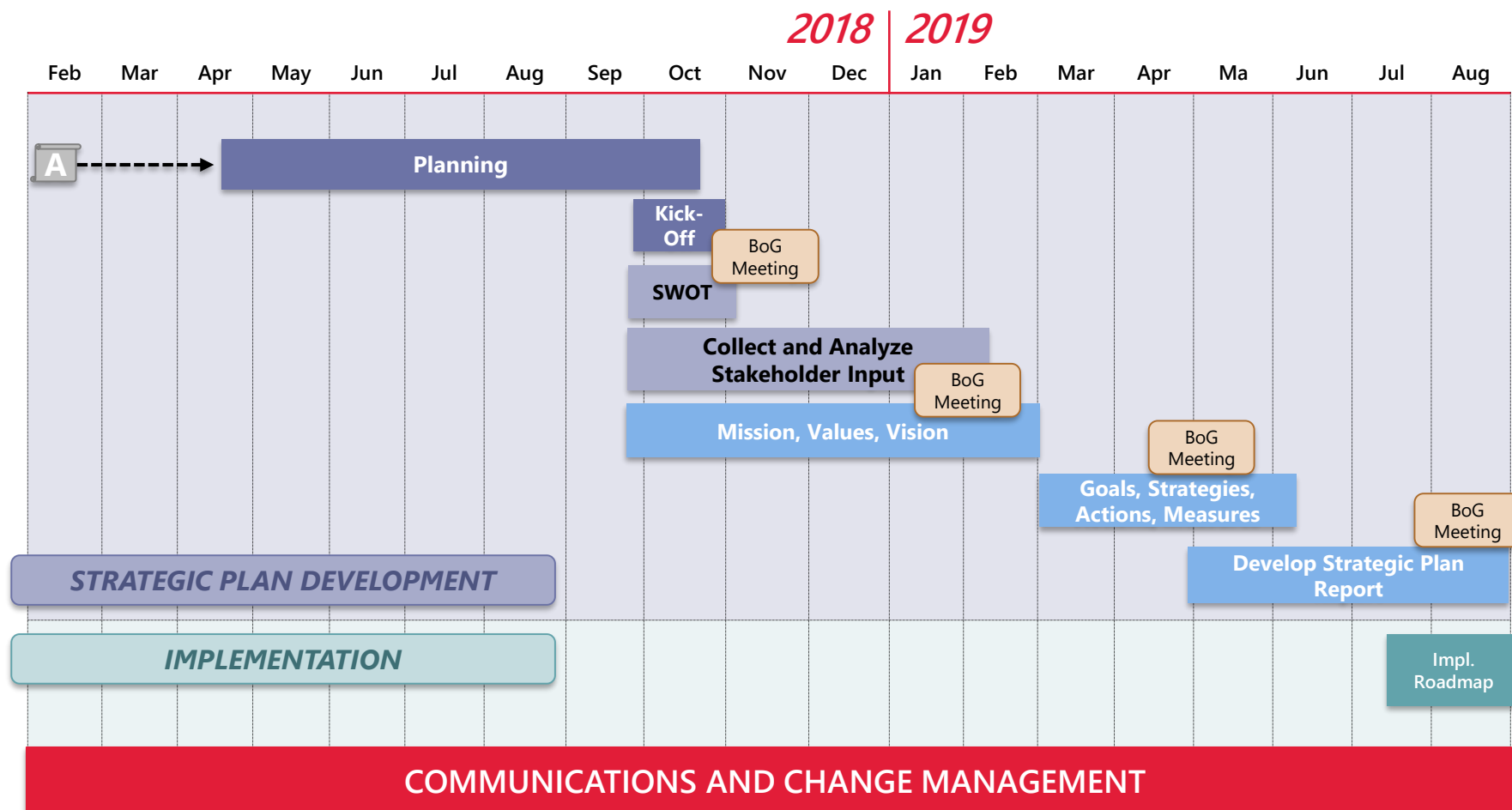
- At the request of the NCAA Board of Governors, the NCAA continues to understand the current college eSports landscape.
- Discussion topic at recent joint presidential breakfast and BOG meetings.
- Esports programs are rapidly growing on college campuses.
- The presentation provided feedback and data gathered from research led by Intersport.

DIVISION III  
#whyd3

# Esports

- The research will play a key role in better defining the current collegiate esports landscape, including participation levels, leadership structure, and potential areas of growth.
- The NCAA will continue to evaluate how it can best support its members as they pursue and adopt esports programs.
- BOG to revisit topic in January and April.

# NCAA Strategic Plan Timeline



**REPORT OF THE NCAA BOARD OF GOVERNORS  
STUDENT-ATHLETE ENGAGEMENT COMMITTEE  
MARCH 1, 2019, TELECONFERENCE**

- 1. Welcome and announcements.** Taylor Ricci, chair of the NCAA Board of Governors Student-Athlete Engagement Committee, welcomed the members to the call. Ricci gave a special welcome to Grant Foley, Maisha Kelly and Colby Pepper, new committee members who were participating in their first teleconference.
- 2. Report of October 19, 2018, teleconference.** The committee approved the report of its October 19, 2018, teleconference.
- 3. Sports wagering – player availability reporting discussion.** Tom Paskus, NCAA principal research scientist, and Naima Stevenson, NCAA deputy general counsel and managing director of academic and membership affairs, informed the committee of the upcoming meeting of the NCAA Board of Governors Ad Hoc Committee on Sports Wagering, during which the topic of player availability reporting will be discussed. The student-athletes were asked for feedback on the possibility of the NCAA implementing some form of player availability reporting. The student-athletes indicated that they would not be in favor of blanket consent but could be amenable to episodic consent. They also noted that the extent of information they would be comfortable sharing would be a simple statement of available or not available for a competition. Committee members shared some of their campus policies (e.g., training room policies) related to maintaining confidentiality of information.
- 4. Student-Athlete Engagement Committee Social Media Campaign.** The committee discussed a draft informational document that would be shared with the membership to alert and encourage them to participate in the upcoming Student-Athlete Engagement Committee Social Media Campaign to promote awareness and provide resources to address issues surrounding sexual violence. Committee members shared possible engagement ideas that could be added to the document as examples to assist the membership as they prepare for the April 17-18 campaign. Staff noted that the examples would be added to the document and it would be shared with the membership in March. Committee members were encouraged to spread the word about the campaign.
- 5. Adjournment.** The teleconference was adjourned at 1:58 p.m. Eastern time.

*Committee Chair: Taylor Ricci, Oregon State University, Division I Student-Athlete Advisory Committee*

*Staff Liaisons: Mark Bedics, Championships and Alliances  
Jacqueline Campbell, Law, Policy and Governance  
Todd Shumaker, Enforcement*



<b>NCAA Board of Governors Student-Athlete Engagement Committee March 1, 2019, Teleconference</b>	
<b>Participants:</b>	
Amanda Carroll, Florida Gulf Coast University, Division I Student-Athlete Advisory Committee.	
Grant Foley, Delta State University, Division II SAAC.	
Sue Henderson, New Jersey City University, NCAA Board of Governors.	
Maisha Kelly, Bucknell University, NCAA Division I Council.	
Jessica Koch, California State University, San Bernardino, Division II SAAC.	
Colby Pepper, Covenant College, NCAA Division III SAAC.	
Taylor Ricci, Oregon State University, Division I SAAC.	
Michael Rubayo, Swarthmore College, Division III SAAC.	
Joshua Shapiro, Colorado Mesa University, Division II SAAC.	
<b>Absentees:</b>	
Nicholas Clark, Coastal Carolina University, Division I SAAC.	
Annabelle Feist, Williams College, Division III SAAC.	
<b>NCAA Staff Liaisons in Attendance:</b>	
Mark Bedics, Jacqueline Campbell and Todd Shumaker.	
<b>Other NCAA Staff in Attendance:</b>	
Yannick Kluch, Tom Paskus and Naima Stevenson.	



# NCAA BOARD OF GOVERNORS COMMITTEE TO PROMOTE CULTURAL DIVERSITY AND EQUITY 2018-19 GOALS

## Strategic Goals

1. Engage and align the NCAA governance structure to achieve inclusive excellence.
2. Use metrics to galvanize accountability to diversify athletics leadership.
3. Operationalize the Presidential Pledge and Commitment to Promoting Diversity and Gender Equity in Intercollegiate Athletics/Phase 2: *Advancing the Presidential Pledge: From Commitment to Action*.

## Deliverables for Goals

1. Engage and align the NCAA governance structure to achieve inclusive excellence.
  - a. Conduct a review of governance structure demographics that includes an analysis of turnover for available positions.
    - Provide NCAA inclusion and human resources (IHR) with direction to do the following:
      - (a) Publicize the data findings.
      - (b) Review current efforts by each of the divisions to communicate with and educate about membership opportunities for service in the NCAA governance structure.
      - (c) Engage each of the divisions about their processes for determining the nominations submitted for governance service. Recognize conferences that are and are not submitting diverse candidates and explore ways to increase accountability for diverse representation.
      - (d) Develop communication/educational plan about committee service opportunities and distribute to the membership as well as organizations, associations and outlets that primarily serve diverse populations (e.g., Minority Opportunities Athletic Association; Women Leaders in College Sports).
  - b. Provide feedback to the NCAA Board of Governors Executive Committee regarding the five independent members that could be added to the Board of Governors pending a vote by all three divisions at the January 2019 NCAA Convention.
  - c. Develop an innovative plan to:
    - (1) Ensure diversity and inclusion issues are intentionally, consistently and appropriately prioritized and accounted for throughout the NCAA governance structure;
    - (2) Identify the potential barriers to move diversity and inclusion issues through the legislative process and policy development; and
    - (3) Grow diverse representation in the NCAA governance structure.
  - d. Place emphasis for consideration of the NCAA's five areas of inclusion (i.e., international student-athletes, LGBTQ, student-athletes with disabilities, race and ethnicity, and women) and other intersectional dimensions of diversity in all NCAA governance proceedings.
  - e. Create equity, diversity and inclusion accountability standards for NCAA staff, NCAA committees, councils and working groups, as well as external partners and affiliate members.

## Deliverables for Goals (Continued)

2. Use metrics to galvanize accountability to diversify athletics leadership.
  - a. Assess annually the diversity landscape for leadership positions in athletics at NCAA member schools and the national office.
  - b. Analyze turnover rates for head coaches, athletics directors, commissioners, senior level athletics administrators and national office staff to create aspirational, yet realistic, goals for advancement toward a more diverse Association.
  - c. Provide IHR with direction to do the following:
    - (1) Publicize the data findings.
    - (2) Educate membership about the enormity of the challenge to change the demographic data and the importance of intentional, meaningful actions.
3. Operationalize the Presidential Pledge and Commitment to Promoting Diversity and Gender Equity in Intercollegiate Athletics/Phase 2: *Advancing the Presidential Pledge: From Commitment to Action*:
  - a. Engage Division I as it considers legislation for a one-in-five-years equity, diversity and inclusion review recommended by the NCAA Gender Equity Task Force. Support the equity, diversity and inclusion self-study review processes currently in place for Division II and Division III.
  - b. Collaborate with the NCAA Minority Opportunities and Interests Committee as it develops legislation to require a diversity and inclusion contact in each athletics department and conference office.
  - c. Support IHR's efforts to achieve the following initiatives:
    - (1) Re-engage presidents/chancellors and conference commissioners on the Presidential Pledge.
    - (2) Create and distribute a diversity and inclusion hiring guide.
    - (3) Develop and promote to the NCAA membership a Profile Search Tool for diverse candidates.
    - (4) Implement and operate NCAA-developed, but institutionally self-sustaining leadership development programs.
    - (5) Optimize the Senior Woman Administrator designation.
    - (6) Develop an equity, diversity and inclusion app for the membership.
    - (7) Explore the feasibility of hosting an annual meeting with external partners to understand the equity, diversity and inclusion landscape and promote trainings and professional development opportunities specifically for diverse populations in intercollegiate athletics.
    - (8) Pursue base budget and sponsorship funding opportunities to support ongoing and long-term Board of Governors Committee to Promote Cultural Diversity and Equity goals.

**NCAA Government Relations Report**  
(March 2019)

**Congressional Overview**

The 116<sup>th</sup> Congress convened on January 3, 2019 and lawmakers were sworn into office during what became the longest government shutdown in U.S. history. After reaching a deal to end the partial government shutdown, Congress has spent the remainder of the first quarter of the year addressing immigration, gun control and climate change policy as well as focusing on Russian interference in the 2016 presidential election and oversight of the executive branch.

With more than 100 new Members of Congress, NCAA government relations staff has spent a considerable amount of time building relationships with key congressional offices. Members of Congress have continued to convey an interest in a range of collegiate athletic matters including sports betting, campus sexual violence and amateurism.

**Federal Issues**

**Student Athlete Equity Act**

On March 14, 2019, Rep. Mark Walker (R-NC) introduced H.R. 1804, the Student Athlete Equity Act. H.R. 1804 would amend the Internal Revenue Code of 1986 by removing the tax-exempt status of any qualified amateur sports organization that substantially limits a student-athlete's ability to earn compensation from use of their name, image, or likeness. The proposal currently has one cosponsor, Rep. Cedric Richmond (D-LA), and has been assigned to the House Ways & Means Committee.

NCAA government relations staff will continue its outreach to policymakers to share concerns with the legal and practical implications of this bill.

**Sports Betting**

Prior to adjournment of the 115<sup>th</sup> Congress, a bipartisan sports betting proposal was introduced that would establish minimum standards for states that decide to conduct legalized sports betting. Specific highlights of the bill included a minimum age requirement of 21 for individuals placing bets; the prohibition of bets placed by athletes, coaches, officials and others associated or credentialed by a sports organization; the restriction of certain types of risky bets from being offered to bettors; and the requirement that official sports organization data be used through December 2024. The proposal also created a National Sports Wagering Clearinghouse to receive reports of suspicious activity, disseminate best practices, operate a national repository of sports wagering data and provide technical assistance and consultation.

Although the bill died at the end of the year, NCAA government relations staff has continued to advocate for reintroduction of a federal sports betting bill. The aim is to obtain passage of legislation that establishes standards that protect student-athletes, eliminates illegal sports betting and upholds the integrity of amateur and professional sporting contests.

## **State Issues**

### **Sports Betting**

With legislatures in all fifty states being in session this year, the legalization of sports betting has been a hotly debated topic in capitols throughout the country. Currently eight states are accepting wagers on athletic competitions (DE, MS, NV, NJ, NM, PA, RI, WV). Sports betting has also been legalized in Arkansas, New York, and Washington DC, where regulations are currently being developed. Twenty-nine states have considered sports betting legislation in 2019.

NCAA government relations staff has worked closely with the professional sports leagues to educate policymakers about the risks associated with legalized sports betting and the need for standards that protect the integrity of athletics competitions and the well-being of student-athletes and professional athletes. Specifically, the NCAA and professional sports leagues have requested that regulations prohibit wagering by persons under 21 years of age and by athletes, coaches, referees or employees of an amateur or professional sports organization. Similar to efforts on the federal level, the NCAA has advocated for states to allow sports organizations to restrict, limit or exclude certain types of risky bets from being offered to bettors.

### **Revised Uniform Athlete Agents Act**

NCAA government relations staff has continued efforts to seek passage of the Revised Uniform Athlete Agents Act (RUAAA) in states throughout the country. The RUAAA is an update of the Uniform Athlete Agents Act of 2000, which was designed to provide important protections to student-athletes and educational institutions through the regulation of athlete agent activities. The RUAAA expands the definition of athlete agent, requires an agent to notify an institution before communicating with a student-athlete to induce them into signing an agency contract and creates a registration process that provides reciprocity for agents registered in other states. The RUAAA has been adopted in 12 states and is currently being considered by legislatures in 10 states (NC, MO, OK, MS, HI, WV, NJ, DE, IN, CO).

The RUAAA contains a provision that prohibits an athlete agent from providing anything of value to a student-athlete to induce them to enter into an agency agreement. This provision would prevent an agent from covering limited expenses for meals, hotel and travel related to the agent selection process, as allowed under recently adopted NCAA legislation. As a result, the NCAA is supporting passage of the RUAAA with an amendment that would allow athlete agents to cover these limited expenses. The amendment has been approved in two states (KY, UT) and is currently being considered by legislatures in 11 states (CO, HI, OR, SC, CA, AL, TN, NM, IN, DE, NE).

### **Amateurism**

In 2019, several states introduced legislation related to the amateurism of student-athletes. NCAA government relations staff has been tracking the following bills and engaging with NCAA member schools and legislative staff about their legal and practical implications:

*California – Fair Pay to Play Act*

On February 4, 2019, California State Senator Nancy Skinner (D) introduced SB 206, the Fair Pay to Play Act. The proposal would prevent a California postsecondary educational institution from enforcing a rule that prevents a student-athlete from being compensated for use of their name, image or likeness. SB 206 is scheduled to be considered by the California Senate Education Committee on April 3, 2016.

*Illinois – Classification of Higher Education Athletes as Employees*

On February 11, 2019, Illinois State Representative Thaddeus Jones (D) introduced HB 329, a bill that would require Illinois public universities to classify student-athletes who participate in any of the top three financially profitable college athletic programs at the university as an employee. HB 329 is scheduled to be considered by the Illinois House Higher Education Committee on March 27, 2019.

*Maryland – Collective Bargaining of Student-Athletes*

On February 5, 2019, Maryland State Representative Brooke Lierman (D) introduced HB 548, a proposal that would require the State Higher Education Labor Relations Board to adopt regulations authorizing and establishing the process for collective bargaining for student-athletes at any Maryland state institution. The bill was assigned to the Maryland House Appropriations Committee and was withdrawn after an unfavorable report following its first hearing on March 15, 2019.

*Washington - Unfair Practices Involving Compensation of Athletes in Higher Education*

On February 8, 2019, Washington State Senator Guy Palumbo (D) introduced SB 5875, a bill that would allow student-athletes to receive compensation for the use of their name, image and likeness. The bill was assigned to the Washington Senate Committee on Higher Education & Workforce Development and died after being referred to the Ways & Means Committee on February 22, 2019.

**Student-Athlete Health & Well-Being**

*North Carolina – Legislative Commission on the Fair Treatment of College Student-Athletes*

In 2018, the North Carolina Legislature created the Legislative Commission on the Fair Treatment of College Student-Athletes. The Commission, comprised of a dozen North Carolina lawmakers, was charged with examining a variety of issues related to college athletics. The Commission convened three public meetings that focused on student-athlete health and safety, academics and compensation. In February, the Commission approved a final report that contained 13 recommendations to address concerns with the treatment of student-athletes throughout the state.

On March 21, 2019, several members of the Commission, formally introduced SB 335, the Student Athlete Protections Act. The proposal contains all of the recommendations contained in the Commission's final report. The bill would create a nine-person commission to establish health and safety standards, a code of conduct for athletics officials and a publicly accessible database containing information related to the protection of student-athletes. The commission would consider complaints alleging a violation of these standards and penalize schools when appropriate. Member schools in the UNC system would also be required to designate 1% of revenue derived from tickets sale, to an injured student-athlete scholarship trust fund. SB 335 was referred to the North Carolina Senate Rules and Operations Committee on March 25, 2019.

### **Higher Education Associations**

NCAA government relations staff continues to build strong relationships with various higher education associations. The American Council on Education (ACE), the Association of Public and Land-grant Universities (APLU) and the National Association of Colleges and University Business Officers (NACUBO), among others, continue to provide guidance and support on issues of common interest. The NCAA government relations office looks forward to continuing these mutually beneficial relationships to better formulate and further the NCAA's legislative goals.



## NCAA Sport Science Institute and Committee for Competitive Safeguards and Medical Aspects of Sport

### Strategic Priorities Timeline

**Last Update: March 21, 2019**

**NOTE:** Dates are estimates and may change in response to external factors

Strategic Priority	Initiative	Summary	Anticipated Deliverable	Estimated Timeline
<b>Athletics Health Care Administration</b>	NATA-NCAA Summit on the Organizational and Administrative Aspects of Athletic Health Care in College / University Settings	<p>Will result in an interassociation consensus statement or summary report about key organizational and administrative aspects of athletics health care delivery.</p> <p>This document will be intended to contribute to an NCAA member school's ability to meet evolving interassociation health and safety standards for college student-athletes.</p> <p>No public documents were produced during the meeting</p>	Interassociation recommendations*	<p><b>Event date:</b> Jan. 2017</p> <p><b>Document drafting:</b> TBD</p> <p><b>Membership &amp; external review:</b> TBD</p> <p><b>External review &amp; endorsement:</b> TBD</p> <p><b>CSMAS review and endorsement:</b> TBD</p> <p><b>BOG review and endorsement:</b> TBD</p> <p><b>Final deliverable:</b> TBD</p>
<b>Concussion</b>	2 <sup>nd</sup> Annual Football Concussion Data Task Force	An annual closed meeting to review emerging data from		<p><b>Event date:</b> February 26, 2019</p> <p><b>Document drafting:</b> March 2019</p>



		the CARE Consortium and NCAA ISP.		<b>Membership review:</b> Not necessary. <b>CSMAS review and endorsement:</b> Not necessary <b>BOG review and endorsement:</b> N/A <b>Final deliverable:</b> April 2019
	Concussion Safety Advisory Group	A group of independent experts selected by their respective professional medical or scientific organization, or NCAA division. Under the oversight of CSMAS, their charge is to advise the Association on changes to the Concussion Safety Protocol Checklist and Template as necessary given emerging clinical and scientific information on sport-related concussion.	Possible recommendations for Concussion Safety Protocol Checklist and Template	<b>Event date:</b> July 25, 2019 <b>Document drafting:</b> March 2019 <b>Membership review:</b> Not necessary. <b>CSMAS review and endorsement:</b> September 2019. <b>BOG review and endorsement:</b> N/A <b>Final deliverable:</b> TBD
	3rd Safety in College Football Summit			<b>Event date:</b> TBD – First quarter 2020
<b>Data-driven Decisions</b>	Integrated Technology in Coaching and Athletic Health Care	SSI will host a meeting to discuss issues arising for both coaching and the delivery of athletic health care from the use of wearable technologies (e.g., global positioning systems; heart rate monitors).	To Be Determined	<b>Anticipated Event date:</b> TBD <b>Document drafting:</b> <b>Membership review:</b> <b>CSMAS review and endorsement:</b> <b>BOG review and endorsement:</b> <b>Final deliverable:</b>

<b>Doping &amp; Substance Abuse</b>	Pain Management in the Collegiate Athlete Task Force	SSI hosted a discussion focused on pain management for the collegiate athlete.	Interassociation recommendations*	<p><b>Event date:</b> July 10-11, 2018</p> <p><b>Document drafting:</b> September 2019</p> <p><b>Membership review:</b> October 2019 – January 2020</p> <p><b>CSMAS review and endorsement:</b> March 2020 / June 2020</p> <p><b>External review and endorsement:</b> March – May 2020</p> <p><b>BOG review and endorsement:</b> August 2020</p> <p><b>Final deliverable:</b> TBD</p>
<b>Mental Health</b>	Task Force to Advance Mental Health Best Practice Strategies	SSI hosted a task force that will serve as a follow-up to the 2013 Mental Health Task Force. The 2017 task force will identify strategies and resources that support the implementation of the Mental Health Best Practices and identify models of mental health care and measures of effectiveness for the previously-published best practices.	Educational tools†	<p><b>Event date:</b> November 9-10, 2017</p> <p><b>Document drafting:</b> November – March 2018</p> <p><b>Membership review:</b> April 2018</p> <p><b>CSMAS review and endorsement:</b> June 2018</p> <p><b>BOG review and endorsement:</b> August 2018</p> <p><b>Final deliverable:</b> First deliverable of MH Workshop Planning Kit and MHBP implementation resources were released June 2018.</p> <p>Final deliverables expected in Summer 2019.</p>
	Sports Wagering Task Force	SSI and Research Department hosted a summit for the purpose of identifying education and intervention strategies to prevent and/or manage problem gambling behaviors among student-athletes. Specific	Peer-reviewed Journal Article	<b>Article submission:</b> TBD
			Educational Tools	<p><b>Event Date:</b> March 12-13, 2019</p> <p><b>Tool Development:</b> TBD</p>

		deliverables will be determined at the summit.		<b>Membership review:</b> <b>CSMAS review and endorsement:</b> NA <b>BOG review and endorsement:</b> NA <b>Final deliverable:</b> TBD
<b>Overuse, Sleep, and Performance</b>	Task Force on Sleep & Wellness	SSI hosted a task force on sleep and wellness May 1-2, 2017, with representatives from scientific, higher education and sports medicine organizations to review current data and discuss existing best practices related to the sleep and wellness of student-athletes.	Educational tools <sup>†</sup>	<b>Event date:</b> May 1-2, 2017 <b>Tool Development:</b> Spring 2019. <b>Membership review:</b> <b>CSMAS review and endorsement:</b> NA <b>BOG review and endorsement:</b> NA <b>Final deliverable:</b> August 2019
			Peer-review journal article	<b>Article submission:</b> Complete – Accepted for publication with the British Journal of Sports Medicine

\*Will result in uniform standards of care for the Association; <sup>†</sup>Outcomes will be educational in nature, and will serve as a resource for member schools



**Executive Summary of the  
Football Concussion Data Task Force  
February 26, 2019, Meeting**

1. **Overview.** The Football Concussion Data Task Force meeting was held February 26, 2019, at the NCAA national office. The purpose of the meeting was to: (a) Review emerging information from the NCAA - Department of Defense Concussion Assessment Research Education Consortium, the Datalys Center and The Ivy League Conference regarding concussion and repetitive head impact exposure in football; and (b) Facilitate dialogue around the interface of this emerging information with college football rules and policies and procedures. Attendees included at least one representative from each NCAA Division I autonomy conference, one representative from the nonautonomy Football Bowl Subdivision conferences, football coaches, research scientists and representatives from the NCAA Division I Football Oversight Committee, NCAA Division I Football Competition Committee, NCAA Division I Football Championship Committee, football officials, NCAA Football Rules Committee and other stakeholders from the membership. The meeting was co-chaired by Shane Lyons, Director of Athletics, West Virginia University, chair of the Football Oversight Committee and Brian Hainline, NCAA chief medical officer.
2. **Welcome and introductions.** Hainline welcomed the attendees and gave an overview of various collaborative concussion projects that are currently being supported and/or facilitated by the NCAA with a focus on the sport of football. The attendees introduced themselves.
3. **The importance of data to the sport of college football.** Lyons welcomed attendees and emphasized the value of data in driving decision-making for the Football Oversight Committee and the Association. Lyons outlined the strength and value of the body of available information in terms of formulating rules with the goal of protecting players.
4. **Rules and policy making by the NCAA Football Rules Committee.** Steve Shaw, Secretary Rules Editor, Football Rules Committee, outlined the importance of collaboration and stated that the Football Rules Committee makes decisions with player safety in mind. He emphasized the importance of data-informed decisions in this process.
5. **Summary of changes to the 2018 football preseason.** Kris Richardson, NCAA academic and membership affairs, outlined the preseason practice changes that were implemented across all NCAA divisions prior to the 2018 football season.
6. **Presentations.** A significant volume of research information was presented to the task force. Many of the presentations included preliminary confidential and other pre-publication data and outcomes that have not yet been fully validated or that are otherwise still pending public dissemination. Below is a high-level summary of the information presented.

- a. Injury and concussion rates: preseason. Steve Broglio, co-principal investigator with the NCAA-DoD Grand Alliance CARE Consortium and Christy Collins, Datalys president, outlined the data collection methodologies, participation rates and results for the CARE Consortium and the NCAA Injury Surveillance Program data collected in 2018. They reported on 2018 football preseason concussion rates and injury characteristics.
  - b. Injury and concussion rates: in season and postseason. Broglio and Erin Wasserman Datalys Director, shared data collected from the CARE Consortium and the NCAA ISP during the 2018 football inseason and post-season and summarized concussion rates in practice versus competition.
  - c. CARE Head Impact Measurement (HIM) data across seasons. Michael McCrea, Medical College of Wisconsin professor and co-principal investigator of CARE, provided an overview of advances in concussion science and the role this research plays in addressing head injury as a public health concern. Medical College of Wisconsin professor Brian Stemper and Virginia Tech professor Steve Rowson summarized the scope, results and interpretation of daily head impact information from 2015 to 2018 and addressed the individual variance regarding head impact exposure and concussion manifestation.
  - d. Presentation of Ivy League data. Deputy Executive Director of the Ivy League Carolyn Campbell McGovern and University of Pennsylvania Epidemiologist Doug Weibe presented Ivy League Epidemiology Study data and summarized emerging concussion information, including analysis of data related to contact in practice rule changes implemented in 2011 and kickoff rule changes implemented from 2016-2018.
  - e. Recovery and return to play after concussion in college football players. McCrea shared comparative information from the 1999-2001 NCAA concussion study data and CARE 2014-2016 data on concussion recovery, return-to-play and the employment of a symptom-free waiting period, and he discussed the potential translational impact of these findings on clinical practice and risk reduction.
7. **Closing comments and next steps.** Lyons and Hainline thanked the attendees for participation. Key takeaways for the meeting included an emphasis on the importance of continuing to collect high quality data and the need to increase participation in the NCAA ISP. The group discussed additional resources for those responsible for reporting data, while emphasizing continued refinement of common data elements. Future meetings with core stakeholders to discuss emerging information will continue.

### **CONFERENCE AFFILIATION**

The Division III 2018 Membership survey sought feedback regarding multi-sport conferences. Institutions and conferences were asked to rank their top four grouping criteria from a list of eleven criteria. This information could potentially assist in further clarifying the role conferences play within the NCAA structure.

Share a similar institutional mission.

Be affiliated based on public and private designations.

Share a similar academic profile (e.g. selectivity)

Share a similar cost of attendance.

Be affiliated based on geographic proximity.

Shared athletics philosophy.

Share a similar athletics profile (e.g. sports sponsorship, resource allocation).

Be affiliated based on favorable championships access.

Be affiliated based on institutional history and tradition.

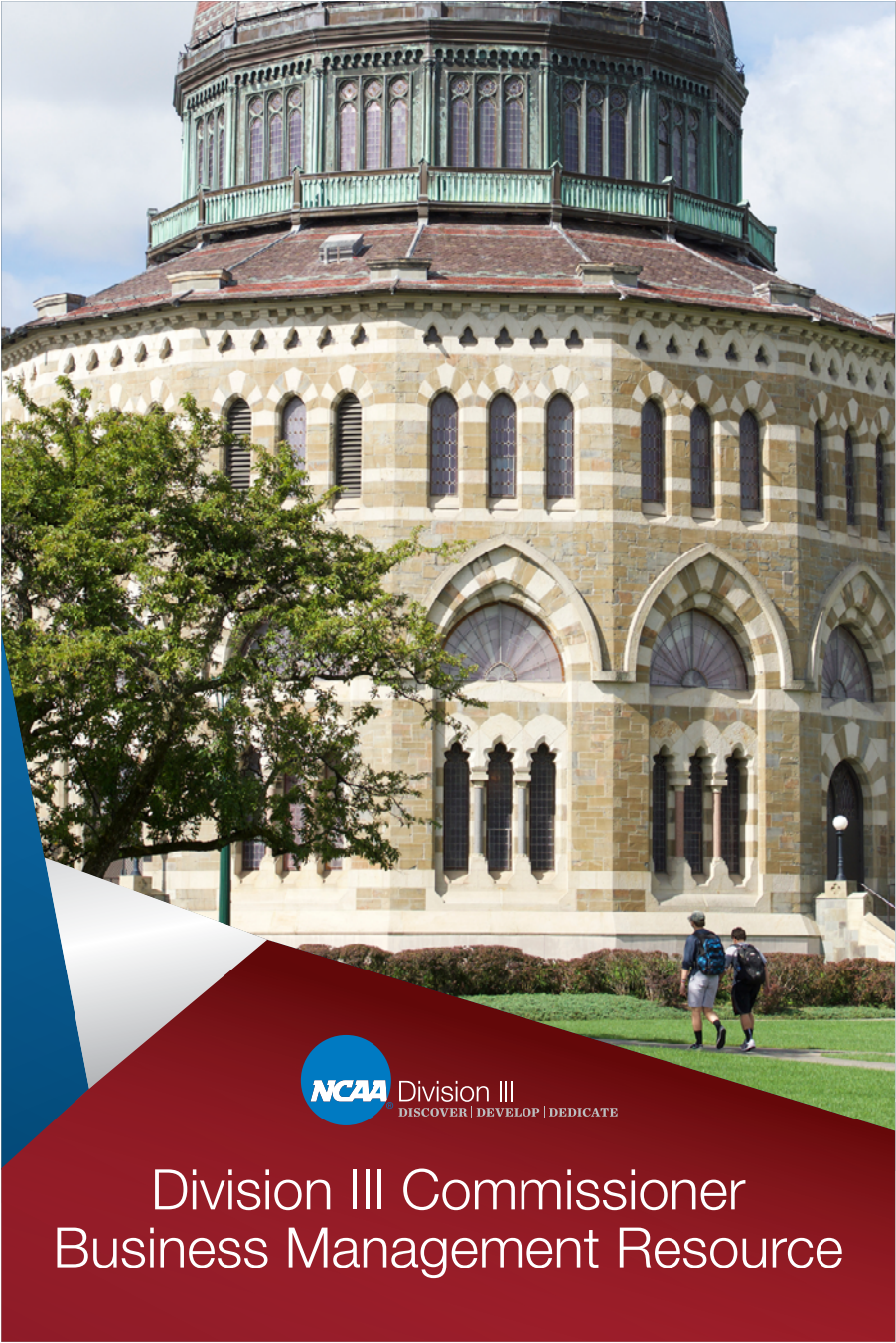
Share a similar perspective on legislative standards.

Be affiliated with any group of institutions, no common criteria.

<b>Institutions</b>	<b>Conferences</b>
1. Be affiliated based on geographic proximity.	1. Share a similar institutional mission.
2. Shared athletics philosophy.	2. Shared athletics philosophy.
3. Share a similar academic profile (e.g. selectivity)	3. Be affiliated based on geographic proximity.
4. Share a similar institutional mission.	4. Share a similar academic profile (e.g. selectivity)

Findings show considerable alignment between institutions and conferences. It should be noted nearly one-quarter of institutions ranked geographic proximity as the top grouping criteria, while less than 10% of conferences ranked it first. Regardless, geographic proximity is clearly important for conferences and institutions. More than two-thirds of institutions and conferences ranked it in the top four.

NOTE: Full page proof on following pages







Division III  
DISCOVER | DEVELOP | DEDICATE

# Division III Commissioner Business Management Resource







# Conference Office Business Management Resource

Spring 2019

NCAA is a trademark of the National Collegiate Athletic Association.



# Table of Contents

---



---

<b>Introduction</b>	<b>3</b>
<b>Conference Office Structure</b>	<b>7</b>
Core Responsibilities	8
Staff Expectations	9
Resources	10
Staffing Needs Assessment	11
Staff Responsibility	11
More Information	11
<b>Accounting Controls</b>	<b>17</b>
Policies and Procedures	18
Budgeting	18
Cash Reserve Policy	18
Audit	18
Cash Management	19
1099s for Officials	20
Conference Incorporation	21
Filing Local, State and Federal Forms	23
Trademarks and Logos	24
Conference Championship and Bowl Host	25
Conference Grant Distribution	26
Resources	27
<b>Human Resources Function</b>	<b>31</b>
Human Resources Function	32
Three Basic Personnel Compliance Areas	32
Key Employment Laws	34
Whistleblower Policy	34
Resources	34
<b>Information Security Considerations</b>	<b>37</b>
The Goal of Information Security	38
Principles of Information Security	38
First Steps	39
Basic Controls	40
<b>Insurance Considerations</b>	<b>43</b>
Commercial General Liability (CGL) Insurance	45
Directors & Officers Liability (D&O)/Employment Practices Liability (EPL) Insurance	47
Additional Insurance Coverages for Consideration	48
<b>Officiating Contracts and Background Checks</b>	<b>53</b>
NCAA Background Check Program	53
Institutional Background Check Program	54
Officiating Assignor Considerations	55
<b>Crisis Management</b>	<b>59</b>
The Crisis Management Team (CMT)	59
The Crisis Management Plan (CMP)	60
Communication Considerations	62
Use of Practice Vignettes	63
Visibility Between the Conference and Its Members	63

**Hiring Risks and Considerations** ..... **67**  
The Search and Selection Process ..... 67  
International Hiring Considerations ..... 68  
Virtual Workplace Considerations ..... 68  
Directors and Officers ..... 70  
**Legal Counsel Considerations** ..... **73**  
Types of Issues That may be Addressed by Internal/External Counsel ..... 73  
Internal vs. External Hiring Considerations ..... 73  
Identifying and Engaging Outside Counsel ..... 74  
Managing Outside Counsel ..... 75  
Shared Resource Considerations ..... 76  
**Protecting Tax-Exempt Status** ..... **79**  
Organizational and Structural Formalities ..... 79  
Records and Documentation ..... 80  
Politics and Lobbying ..... 80  
Fundraising ..... 81  
Limitations on Other Activities ..... 81

**NOTE: Word count for below copy is 311**

# Introduction

---

Ibusam vendi sitat pelescipsum nem que non peliqui doloreritius peratentus nobit qui voles ab imo ius exceprat magnimpore re omnis as et officae vid et a simus re, aliqua-  
mus del ipsuntem re expelit omnim sed quoditae perae nis inctotatquam id unt re pro  
offictatione evelendit estrum quo et autemporum verspiendunt fuga. Nemperum ab  
imil magnaturia non nosam, ent veribus voluptis ex et officiam idundanita qui optatur  
as et ut adi aut qui nobis estemquam eaquunt eumqui seque nectas sum ea veratur?

Equiatem labo. Aspidem fugitatae millaccum ium qui tem volore voloribus, cum vo-  
lupta aperitibus si te dolut volorest oditatum verrum fuga. Itat et est, utenti officipsum  
inullantus volut est, tota est.

Fero que alias doluptatum dolupto bernaturum industiis acim oleucid moles dolenesti-  
um aspitaerias et quaspiet deum vel molupte voloribus.

Itaque pliquiscius volupta tectae int.

Henime volorderspe voluptissurum iugiass imaximam nis corro quibus, sus, idestrumqui  
volori omnis eos dem fugit a distiur maiorem. Ro molor res magnisqui dolorup tatibus  
con conetur, simust, culparum quassequam rae. Et ad utetur accaboria doles expla-  
bo rumquam qui coribus qui dis dolorem et ese nisque la niatemp osandae cepudi-  
taeris soluptatur anis quat aut di viduciatur?

Rum illupid untibus ad entemolupti doles cus eum inctibust lacil mi, aut que ditatio  
doluptae. Nequam sunti ut faccus, occabo. Sed quodis aperorum volo molorum volo-  
ris istrum veniam voluptissi core pos ipsandi vel is min conse prerovidi acipsum is aut  
que dolutet od eossecae volorum qui non pa pelectium rem ipsus aut quam re com-  
nime labo. Nam, iduci vel illuptatur aut facimporpore nam, sam, quibus mos dolupturi  
dolorem ellaut etus ut facerov iditatio. Ed ut aut aut ipsa volupta vit, consequibus,  
aborese net erum aliqua sam dolores totatiuscium quibere nis imilis nonsedit restend  
ucisquost voluptatios as et qui odisinum hil ex et lignatio od ut latius re molo dolupta  
turent liae essit magnitem voluptatur a con ne nossum ipisint dolorror adit volent.

# TK

Intro page 2  
if needed







# Conference Office Structure

---

This section provides sample conference organizational charts and position descriptions. This is not an exhaustive list. While organizational structures vary, this information can be helpful when identifying common responsibilities and duties while reviewing your conference structure. Included on the following pages are several areas that can be useful to review when examining conference office structure and any potential changes.

## CORE RESPONSIBILITIES

- ▶ *Budgeting*
- ▶ *Championships*
- ▶ *Compliance*
- ▶ *Marketing and promotions*
- ▶ *NCAA form submissions*
- ▶ *Officiating*
- ▶ *Policies and procedures*
- ▶ *Scheduling*
- ▶ *Strategic planning*

### CORE RESPONSIBILITIES

The conference office is generally responsible for all fiscal matters, including the collection of revenue (member dues, NCAA conference grant funds, sponsorship monies, championship gate receipts) and the payment of expenses. Additional duties associated with the NCAA Strategic Initiatives Grant Program (conference grant) include working with conference-member institutions to develop grant funding allocation policies and procedures as well as proposals for accounting and tracking proper use for each tier. An annual impact form also must be submitted to the NCAA along with the annual third-party review form.

---

---

***The conference office should maintain consistent and regular communication with its membership and the NCAA.***

---

---

As the chief compliance officer, the conference should assist its members with NCAA bylaw interpretation questions, reviewing, determining and processing medical hardship waiver requests, and assisting with institutional violations. The conference also should be engaged and provide compliance education for its member institutions. A member of the conference office is encouraged to attend the NCAA regional rules seminar on a regular basis; however, attendance is not required.

If the conference office is responsible for scheduling, general parameters should be established along with any sport-specific requirements. Policies for change-of-schedule requests should be defined for member institutions.

The conference office should maintain consistent and regular communication with its membership and the NCAA. The conference office is responsible for submitting the Championship Automatic Qualifier and Declaration forms and the annual Sport Sponsorship and Demographic forms to the NCAA.

Conferences may have coordinators of officials for specific sports. These positions could be independent contractors or employees. The coordinator of officials assigns officials to contests and should recruit and educate officials throughout the year. Conference offices also may be responsible for the payment of officials either during the regular season and/or for the postseason.

The conference office duties related to conference championships/postseason can include securing officials, providing awards, marketing and media coverage of the event, supervising, staffing and working the event, and finding neutral sites for events if needed.

Conference offices typically are responsible for updating and ensuring accurate conference Bylaws, Articles of Incorporation, and sport codes.

## **STAFF EXPECTATIONS**

There should be an established review process for conference office employees, including an evaluation and designating individuals with oversight of it (e.g., chair of the Presidents' Council). As dictated by conference policy, input could be sought from different governance groups such as presidents, Faculty Athletic Representatives and athletics administrators with regard to the performance of the conference office staff. A self-assessment by the different conference employees also could be included in this process, along with the establishment of future performance goals.

Conferences must be able to demonstrate that chancellors or presidents have ultimate responsibility and final authority for the operation of the conference and any institution that is a member of the conference [NCAA Constitution 3.3.4.4 (president or chancellor involvement)]. This responsibility should be clearly reflected in the bylaws and constitution.

## **FPO for client approval**



## RESOURCES

Staffing resources might include full- and part-time staff, students, interns and graduate assistants. The conference office can use the NCAA Division III Strategic Matching Alliance Grant or the Women and Ethnic Minority Internship.

Conference office employees should have access to laptops, tablets, cell phones and internet as needed. Office space should be provided, which could be free-standing, campus-based or in a home. The type of conference arrangement for space will dictate the types of resources available to the conference office staff.

Financial assets typically include membership dues, the conference strategic grant funding, other NCAA grants/scholarships, sponsorship revenue, merchandise sales, interest-bearing accounts, conference tournament/championship revenue and institutional fines/penalties for failing to adhere to policies.



## STAFFING NEEDS ASSESSMENT

There should be an established process to review staffing needs, membership needs and growing trends in intercollegiate athletics, Division III institutions and conference offices. This could be included in the review process of the commissioner and the conference office performance. Additionally, the commissioner should address this in their self-evaluation.

## STAFF RESPONSIBILITY

The conference office staffing structure, reporting structure and service agreements should be described in official conference documents such as bylaws and various statements of policy. It is recommended that these documents are reviewed and updated regularly to ensure that conference needs are being met. Subcommittees consisting of various governance groups can be formed to help in the review of these documents.

Job descriptions and the responsibilities for conference office staff should be updated as new hires are made and/or following a performance review during which staff members' goals and objectives are discussed. These should be kept on file.

Generally, conference members establish the structure, area of focus and responsibilities of staff members.

## MORE INFORMATION

The Division III Commissioners Association (DIIICA) can serve as a resource for conference office and staffing data. The DIIICA conducts an annual conference office survey focused on staffing, financials, office organization and benefits.

Link: [www.diiica.org](http://www.diiica.org)

Sample conference office organizational chart [see example on following page]

Sample job descriptions for each member of the conference office staff. [see example on following page]

# FPO Org Chart

# FPO Job Descriptions



TK

Reserved for  
Org Chart/Job Descriptions





# Accounting Controls

---

The NCAA has created the following considerations for conference administrators to use when establishing accounting controls. Please note that this document provides suggestions and considerations only and may not be applicable to each conference. Conference administrators should determine the appropriate controls necessary to meet their circumstances.

The suggested policy and procedural guidelines are designed to:

- Protect the assets of the conference;
- Ensure the maintenance of accurate records of the conference's financial activities;
- Provide a framework for the conference's financial decision making;
- Establish operating standards and behavioral expectations;
- Serve as a training resource for staff; and
- Ensure compliance with federal, state and local legal and reporting requirements.

## POLICIES AND PROCEDURES

At least annually, conference policies and procedures should be reviewed and updated, as necessary, to ensure that the information in the policy remains accurate, necessary and effective in its current form. Prior versions of policies should be archived in accordance with the conference's document retention guidelines.

## BUDGETING

Each conference shall establish an annual budget based upon the preceding year's budget and adjust for any anticipated changes in revenue or expense, including, but not limited to, fee changes, distributions, changes to other programs or services and inflation.

Revenues and expenses shall be categorized by major sports programs and non-program-specific activities by source of revenue/object of expense. As an option, conferences could follow the template of the Statement of Revenues and Expenses and Classifications of Revenues and Expenses provided to member institutions. A sample of this document is located within Appendixes A and B of the NCAA Agreed-Upon Procedures.

Each conference should review its budget to actual results on a regular basis to ensure it remains within established spending limits.

Conferences should ensure that financial statements are prepared in accordance with Generally Accepted Accounting Standards.

---

---

***Each conference should review its budget to actual results on a regular basis to ensure it remains within established spending limits.***

---

---

## CASH RESERVE POLICY

Each conference should determine the appropriate level of cash reserves necessary for its operations. This could range from three months to six months of cash to maintain operations. When developing a policy, the conference should consider the following: (1) the appropriate amount of funds that should be set aside at any given time; (2) how the reserve will be calculated; (3) the acceptable situations that would necessitate the reserve being used; (4) the process to authorize the use of the funds; and (5) the process and established time to replenish the reserve.

The actual reserve needed should be determined in conjunction with the conference's insurance policies in force.

## AUDIT

Each conference office should evaluate the need for a third-party audit or financial review based on lender requirements, contractual requirements, external stakehold-



## FPO for client approval

er requirements, etc. If deemed necessary, the conference should determine the frequency of the review, the entity performing the review (i.e., internal or external), the completion date of the review, the report format and the recipients of the report.

Additionally, each year, conferences are required to provide documentation of a third-party review of grant fund usage to the NCAA not later than October 15 of each year. These reviews may be completed by an institutional member's business unit office that does not directly handle conference finances, chair of conference's presidential oversight body, the conference's bank or an external accounting firm.

## CASH MANAGEMENT

### Petty Cash Policy

Each conference should evaluate the need for maintaining petty cash. If it is determined that a petty cash fund is necessary, then the conference should assign someone to be the custodian of petty cash, the appropriate uses of these funds (e.g., office supplies, snacks, delivery tips, etc.), documentation required for each distribution, how and where the cash will be secured, and the process required to reimburse the fund.

### Cash Disbursements

The conference must determine the appropriate procedures for all cash disbursements. This includes the documentation required from vendors to pay invoices and approvals for check requests and employee expense reimbursements. Additionally, the conference office should ensure that appropriate segregation of duties exists to reduce the risk of employee fraud and embezzlement. The following roles should be

segregated: the person who authorizes distributions, the person who writes checks, and the person who records the transaction in the accounting system. Additionally, the conference should evaluate if multiple signatures for disbursements would be a value-added control (e.g., two signatures required on checks greater than \$1,000).

### **Physical Assets of Cash, Checks and Credit Card Machines**

Each conference should evaluate the need for maintaining a safe or other locked storage container based on the amount of cash received. All cash and checks should be kept in a locked or combination safe or cabinet. Access to these areas should be limited to employees who need access. For additional security, the conference should consider establishing a lockbox with its bank to receive checks.

Credit card machines and receipts also should be locked and never left unattended.

Cash and checks should be deposited within a timely manner, not to exceed three business days. If possible, all deposits should be made by more than one person. All cash collected should be counted by more than one person. A log of amounts to be deposited should be maintained by someone independent of the collection process. Someone independent of the deposit process should reconcile the deposit ticket to the amount collected.

Conference checks should be stored and secured, and a numerical log should be maintained by someone separate of the check writing process.

### **Bank Account Signatories**

Each conference office must determine the number of and appropriate persons to be signatories on each of its accounts. The appropriate level of segregation of duties should be maintained to avoid fraud or error. Maintenance of bank accounts is a regular activity of any finance department. When it becomes necessary to change the signatories of a bank account due to termination or reassignment of duties, below are some of the steps that may need to be considered.

The documentation required to change the signatories may differ by bank. However, there is certain documentation that is commonly asked for by all banks to update authorized signatures. Some of the documents required for change in bank account signatories include:

1. Letter covering the authorized signatory request with applicable dates of change.
2. Signed authorization from the conference or authorizing body established when the account was opened.
3. Details of roles and responsibilities of new signatories on the update form of the bank.
4. Identity and proof of address of new signatories.
5. Color photo of new signatories.
6. Any other document as may be required by the bank.

## **1099s FOR OFFICIALS**

A 1099 is required to be issued to the IRS and to certain entities (as defined by the IRS) when an organization has made payments in excess of \$600 to these entities

during the calendar year. Many accounts payable systems (AP) can track 1099 entities and 1099 transactions. At the end of the year, the conference should review its vendor data and export the 1099 values from the AP system to report to the IRS and individuals. For officials, the NCAA uses ArbiterSports, which tracks and is responsible for 1099 reporting.

## **CONFERENCE INCORPORATION**

The following is not intended as legal advice. Before making any changes to the conference structure, the conference should consult with its financial advisor and legal counsel.

### **Unincorporated Associations**

Absent some affirmative registration with a state, a group operating by mutual consent for a common lawful purpose is considered an unincorporated association. That mutual consent typically is shown through a set of bylaws and operating principles. Although unincorporated associations, like the NCAA, operate for educational or charitable purposes, the entity must seek federal non-profit IRS status through a separate application procedure. Unincorporated associations essentially have no state regulation, which can make them attractive from a governance perspective. However, unincorporated associations do not provide their members with any liability protection in the event that the association faces liabilities.

### **Corporations vs. Limited Liability Companies (LLCs)**

Corporations and LLCs are formed by filling out the articles of incorporation or articles of organization, which typically can be found online through the state agency that regulates business entities. Organization papers are filed with the state's business entity filing office (the state in which you file is the corporation or LLC's home state).

- A corporation or LLC will then have to comply with certain requirements of the home state's corporation or LLC law.
- A corporation or LLC typically must maintain a registered agent, file an annual report, pay an annual fee, and file documents if it makes structural or other material changes.
- If formed and maintained properly, the corporate or LLC structure provides liability protection against individual shareholder or member assets.
- State and federal tax consequences arise from the choice of entity structure. Obtaining nonprofit status at the state and federal levels is a different process from the establishment of an organizational structure.
- A membership entity may choose to operate as an unincorporated association of members.

### **LLC Benefits as Opposed to Corporations**

- LLCs can be governed more informally than corporations. Corporation laws require a board of directors, meetings, quorums, minutes keeping and other management "formalities" that LLC laws typically don't require.



- LLCs have greater flexibility in deciding how to split financial interests. An LLC can distribute its income to each member equally, based on their capital contributions, or in many other ways. A corporation distributes its income to shareholders on a per-share basis.
- An LLC can be a pass-through tax entity without the restrictions imposed on corporations.
- Owners of an LLC are called members, and most states do not restrict ownership, so members may include individuals, corporations, other LLCs and foreign entities.
- Depending on elections made by the LLC and the number of members, the IRS, for federal tax purposes, will treat an LLC as either a corporation, partnership, or as part of the LLC's owner's tax return.

### **Corporation Benefits as Opposed to an LLC**

- The corporate legal structure has existed for a longer period than LLCs and is generally more familiar to the public and to those in the financial services and legal services industries. A corporation with proper records may be afforded more deference to shield individual shareholders from corporate liability and debt.
- An LLC may not obtain nonprofit tax status directly but may operate as a wholly owned subsidiary of a nonprofit corporation.
- Because the corporate ownership structure is based on issuance of stock, corporations can offer stock options and stock bonuses as incentives to employees and managers.

### **Taxation**

- **Corporations**
  - C corporation is a separate taxable entity that pays tax on income from the business separate from its shareholders. Shareholders may be taxed on income distribution or dividends that are received from the corporation.
  - S corporation is a pass-through entity that does not pay corporate income taxes. Its income passes through to its shareholders, who pay personal income taxes on their share of the corporation's income. A corporation can be taxed as an S corporation by filing a form with the IRS and meeting a number of restrictions, including not having more than 100 stockholders, not having non-resident aliens as shareholders, and only having one class of stock.
- **LLCs**
  - The IRS has default rules under which an LLC is a pass-through entity. (By default, an LLC with one member is taxed as if it were a sole proprietorship, and an LLC with more than one member is taxed like a partnership).
  - An LLC is not subject to the restrictions a corporation is subject to in order to be a pass-through entity.
  - An LLC can elect to be taxed as a C corporation. This election is made by filing a document with the IRS. If it meets the requirements, it also can choose to be taxed as an S corporation.



## FILING LOCAL, STATE AND FEDERAL FORMS

The information provided here is not intended to be a comprehensive list of all tax-filing requirements.

### Payroll Taxes

Payroll taxes must be withheld from employees' paychecks. These withholdings, including federal tax, social security tax, Medicare tax, state income tax and various local withholdings (such as city, county or school district taxes, state disability or unemployment insurance), should be remitted to the respective agencies. In addition to employee withholdings, companies also are required to pay their portion of payroll taxes. These taxes are in addition to the employee's gross pay and include social security tax, Medicare taxes and federal and state unemployment taxes.

Additionally, employers are required to report their tax obligations and make federal tax deposits, including the following:

- Make federal tax deposits
- Annual federal unemployment tax return (Form 940 or 940EZ)
- Employer's quarterly payroll tax return (Form 941)
- Annual Return of Withheld Federal Income Tax (Form 945)
- Wage and Tax Statements (Form W-2)

Employers also have requirements to file reports with various state and local agencies. Refer to the American Payroll Association website for links to state tax agencies.

## Local and State Taxes

Most states require nonprofit corporations to file an annual or biannual report. These reports must be submitted to the agency that maintains the records for nonprofit organizations that are registered within each state. Visit <https://www.hurwitassociates.com/resources> for a list of requirements by state.

Some states require organizations to periodically renew their tax-exempt status. For example, many states issue their own “tax-exempt certificate” for sales and use tax purposes that nonprofits must apply for and periodically renew. Additionally, states may require unrelated business income returns to be filed. Visit <https://www.harborcompliance.com/information/authority/departments-of-revenue> to identify the filings required by each state.

## Federal Taxes

In general, tax-exempt organizations must file annual information returns. These forms usually are due four-and-a-half months after the end of the fiscal year. However, there are certain exceptions. Visit <https://www.irs.gov/charities-non-profits> to determine whether the conference meets the requirements to file a return.

## TRADEMARKS AND LOGOS

Each conference should evaluate their current trademark and licensing program as the foundation to a strong program is establishing and tracking your trademark portfolio. A strong program builds affinity, increases brand awareness and generates excitement and revenue.

An important first step for each conference is to survey your internal environment. That process includes an inventory of your marks, logos and colors, identifying and understanding your licensing policy, knowing your conference partners and making sure that your program aligns with the conference mission and goals. Likewise, perform a survey of your external environment. This includes identifying who are your top licensees and retailers and how fans support the program.

Each conference should work with your general counsel to protect your marks and program. Develop a basic understanding of trademark law and various protection and enforcement strategies. Collaborate with counsel to determine marks to be registered and ensure that registrations are maintained. Provide clear-use guidelines that tie into the conference’s brand guidelines.

A basic guideline to a successful program is to refer to the four P’s of licensing: Protect, Promote, Preserve and Profit.

---

---

***An important  
first step  
for each  
conference  
is to survey  
your internal  
environment.***

---

---

## CONFERENCE CHAMPIONSHIP AND BOWL HOST

In the event that institutions apply to host a conference championship or football bowl event, as part of the site-selection process, each prospective host institution should submit a proposed budget for approval by the conference office according to conference guidelines. All receipts and expenses associated with the conduct of the championship competition, including lodging, officials and site representatives, should be included in the proposed budget.

Should the conference have financial policies in place for championship events, the host institution should adhere to championship expenses as approved by the conference office, including (but not limited to) competition site rental, maintenance, insurance, printing of tickets, ushers, maintenance personnel, ticket sellers, ticket takers, minor officials, police and security, promotion, publicity, advertising, meetings, banquets, and medical staff. Any expenses not included in the original proposed budget should be approved in advance by the respective conference.

Apart from financial requirements, host institutions and the conference office should be clear on the delineation of responsibilities associated with all conference championship events including, but not limited to, game management, communication with competing institutions, postgame duties and award ceremonies.

For football bowl games, participating conferences should coordinate as early as possible the policies on the various items described above, as well as procedures for team and site selection and the delineation of tasks for each participating conference before, during and after all bowl games. As with conference championships, all policies should appear in writing and be reviewed by the participating conferences on a regular basis.

After each championship and football bowl game, it is recommended that the host institution provide the conference with a detailed financial report. Any amounts due to the conference office should be remitted within a prescribed timeframe. Penalties should be assessed to those host institutions that do not submit financial reports or amounts due within the required time.







## CONFERENCE GRANT DISTRIBUTION

Conference grant distributions should be used in accordance with the guidelines established by the Division III Strategic Planning and Finance Committee. Each year, conferences should submit an annual report of uses form. Penalties and potential loss of funding could be applicable if the funds are not used as prescribed.

**NCAA Contact:** Caryl West, assistant director of finance, [cwest@ncaa.org](mailto:cwest@ncaa.org) or 317-917-6079.

## RESOURCES

### **Annual Exempt Organization Returns, Notices and Schedules**

<https://www.irs.gov/charities-non-profits/annual-exempt-organization-returns-notices-and-schedules>

### **Bank Account Signatory Change Procedure**

<https://www.indiastudychannel.com/resources/153823-Procedure-change-bank-account-signatory-company.aspx>

### **Business Structures**

<https://www.irs.gov/businesses/small-businesses-self-employed/business-structures>

### **Department of Revenue State Directory**

<https://www.harborcompliance.com/information/authority/department-of-revenue>

### **Intercollegiate Athletics, Fiscal and Accounting Procedures**

[https://www.suny.edu/sunypp/documents.cfm?doc\\_id=459](https://www.suny.edu/sunypp/documents.cfm?doc_id=459)

### **LLCs, S Corporations and C Corporations**

<https://www.bizfilings.com/docs/default-source/pdfs/llc-vs-inc-comparison-infographic.pdf?sfvrsn=2>

### **LLCs vs. Corporations**

<https://www.bizfilings.com/toolkit/research-topics/incorporating-your-business/llc-vs-inc>

### **National Association of College and University Business Officers**

[http://efarm.nacubo.org/search-results/site-search-7.360987?q=operational+budgets+for+non+profits&ty=&ev=&tr=&pe=&pn=&tag\\_co=&tag\\_lo=&tag\\_or=&tag\\_pe=Financial+Accounting+and+Reporting+Manual+for+Higher+Education&tag\\_ta=&tag\\_su=](http://efarm.nacubo.org/search-results/site-search-7.360987?q=operational+budgets+for+non+profits&ty=&ev=&tr=&pe=&pn=&tag_co=&tag_lo=&tag_or=&tag_pe=Financial+Accounting+and+Reporting+Manual+for+Higher+Education&tag_ta=&tag_su=)

### **National Council of Nonprofits – Financial Management**

<https://www.councilofnonprofits.org/tools-resources/financial-management>

### **National Council of Nonprofits – Operating Reserves**

<https://www.councilofnonprofits.org/tools-resources/operating-reserves-nonprofits>

### **NCAA Statement of Revenues and Expenses and Classifications of Revenues and Expenses**

<http://www.ncaa.org/about/resources/finances/ncaa-membership-financial-reporting-system>

### **Nonprofit Law Library**

<https://www.hurwitassociates.com/resources>

## **Payroll Taxes and Employer Responsibilities**

<https://www.thebalancesmb.com/payroll-taxes-3193126>

*These materials have been prepared by the NCAA for informational purposes only. They are being provided as general educational information and may or may not reflect the most currently available facts or developments. Nothing in these materials is intended to be, and should not be considered, legal advice or a substitute for legal advice. You should rely on your own diligence and information and speak with your own legal and other experts before forming any opinions or making any decisions related to the topics addressed in these materials.*







# Human Resources Function

---

The intent of this guide is to provide NCAA Division III commissioners with some resources related to human resources for the conference offices. Please note that this document provides suggestions and considerations only and is not inclusive of all human resources-related policy or law. In addition, conferences that are housed on an institution's campus, or if wages and compensation are facilitated through an institution's campus, may be subject to additional policies and procedures specific to that institution.



## FPO for client approval

### HUMAN RESOURCES FUNCTION

The human resources function generally includes:

- Talent acquisition (e.g., recruiting, sourcing, hiring).
- Performance management and reviews.
- Employee learning, development and training.
- Safety and wellness.
- Employee benefits.
- Total compensation strategy.

### THREE BASIC PERSONNEL COMPLIANCE AREAS

There are **three basic compliance areas** for conference offices to be aware of and be compliant with:

- The creation and maintenance of three specific employee files.
- The publication of an employee handbook with key policies.
- The posting of required state and federal notices.

#### Employee Files

- **I-9 file** – these are the forms used by the U.S. government to identify and verify your employees' eligibility to work in the United States. Keep all I-9 forms together in one file, instead of in individual employee files. Visit the [United States Citizenship and Immigration Services](#) website for all I-9 related questions.
- **Employee general file** – Keep any documentation associated with the employee in this file. Documentation could include resumes, performance

reviews, disciplinary actions, training records, compliance documents, W-4 or other tax forms, and payroll forms.

- **Employee medical file** – All medical documentation should be kept in a separate file, physically away from the employee general file. Medical documentation could include notes from doctors, disability information and any other information you have from an employee. Medical information is considered Protected Health Information (PHI), which is protected by law. PHI is any information about health status or documentation that can be linked to a specific individual.

## Employee Handbook

The [employee handbook](#) is designed to be used to inform employees of policies, and to set mutual expectations between the conference and the employee. It also can protect the conference in the event of a dispute with a former employee.

Some components of a conference employee handbook could include:

- Confidentiality agreement.
- Conflict of interest policy.
- Anti-discrimination policies.
- Whistleblower policy.
- Safety and security (e.g., facility, inclement weather, information security).
- Compensation and benefits (e.g., benefits required by law, benefits that are unique to your conference).
- Work schedules and personal time off (e.g., office hours of operation, flexible work benefits, personal and/or sick time).
- Standards of conduct (e.g., dress code, professional behavior, social media policy).
- General employment information (e.g., promotions, employee reviews, termination, employee records).

Ensure that each employee has received a copy of the employee handbook and signs an acknowledgement, and place in each employee's general file.

## Required State and Federal Posters

As an employer in the United States, the Department of Labor (DOL) requires posters or notices to be posted in the workplace. Poster/notice subjects could include:

- Fair Labor Standards Act (FLSA)
- Family and Medical Leave (FMLA)
- Government Contracts
- Immigration

## Helpful links for ordering posters:

- e-laws Poster Advisor can be used to determine which poster(s) employers are required to display at their place(s) of business. Posters, available in English and other languages, may be downloaded and printed directly from the Advisor.
- [Workplace Poster Requirements for Small Businesses and Other Employers.](#)
- [Order the DOL Poster Package](#), which includes FLSA, FMLA, OSH Act, EEO and EPPA posters. **(This link doesn't work)**

## KEY EMPLOYMENT LAWS

The U.S. Department of Labor's key employment laws are meant to foster, promote and develop the welfare of wage earners, job seekers and retirees. Some key employment law areas to be aware of are:

- Wages and Hours.
- Workplace Safety and Health.
- Worker's Compensation.
- Employee Benefit Security.
- Unions and Their Members.
- Employee Protection.
- Garnishment of Wages.
- Family and Medical Leave Act.
- Veterans' Preference.
- Government Contracts.

**Note:** *This list is not inclusive of all employment laws; rather, it is a listing that may be most applicable to your conference. All major employment laws can be reviewed on the [U.S. Department of Labor](#) website.*

## WHISTLEBLOWER POLICY

A whistleblower is defined as a person who reports potential or perceived unethical or illegal actions as it relates to employer policies and procedures. The whistleblower does not have responsibility for investigating the action or for determining the outcome of the investigation.

Conference offices located on an institution's campus should be aware of the institution's whistleblower policy, and make sure that the whistleblower policy is included in the conference employee handbook.

**NCAA Contact:** Human Resources Department, 317-917-6222.

## RESOURCES

- [United States Department of Labor.](#)
- [Society for Human Resources Management.](#)
- [College and University Professional Association for Human Resources.](#)
- [When I Work](#) – HR Resources Toolkit, including checklists, templates, best practices and interactive forms.

*These materials have been prepared by the NCAA for informational purposes only. They are being provided as general educational information and may or may not reflect the most currently available facts or developments. Nothing in these materials is intended to be, and should not be considered, legal advice or a substitute for legal advice. You should rely on your own diligence and information and speak with your own legal and other experts before forming any opinions or making any decisions related to the topics addressed in these materials.*







# Information Security Considerations

---

The NCAA has prepared the following considerations for Division III conference administrators to use when determining appropriate controls to protect data. Please note that this document provides suggestions and considerations only and may not address all risks and threats of an NCAA Division III conference.

Conference administrators should assess their unique environment and apply the controls that mitigate the threats to that environment. For this document, information security and cybersecurity should be considered closely related and approached through a risk-based analysis.





## THE GOAL OF INFORMATION SECURITY

Information security, at a base level, is concerned with three characteristics regarding information:

- **Confidentiality** – Information is only seen and/or used by those authorized to access it.
- **Integrity** – Information is in a trustworthy state. It is not changed by unauthorized individuals and changes by authorized individuals are known and tracked.
- **Availability** – Information is accessible by authorized individuals when needed.

This is known as the CIA triad and it is the goal of a risk-based information security program to address these characteristics.

## PRINCIPLES OF INFORMATION SECURITY

When developing an information security program, the following principles should be considered:

- An information security program should be guided by a policy that has supporting standards, procedures and guidelines.
- Exceptions to the policy and program are only permissible in those instances in which a risk assessment has been performed outlining the implications of being out of compliance and the exception has been reviewed by the appropriate oversight committee or management team.
- Use of information must be consistent with the established policy and its supporting standards, procedures and guidelines.
- Information must be consistently protected in a manner commensurate with its sensitivity, value and criticality.
- Information will only be used for its intended business purpose as authorized by management.

The NIST Cybersecurity Framework identifies five functions with expanded categories and controls on which to focus a program:

- **Identify** – Know what information you have, where information is stored and on what resources.
- **Protect** – Apply appropriate safeguards to the information based on its risk assignment.
- **Detect** – Know when potential malicious activity has occurred.
- **Respond** – Have processes in place to act upon information security incidents.
- **Recover** – Identify appropriate activities to maintain plans for resilience and to restore capabilities or services.

## FIRST STEPS

Every organization has a different environment and values information differently. Therefore, each organization will need to determine the appropriate course to accomplish the intent of the five functions listed above. Here are suggested steps:

1. **Research** – There are many resources from which to learn the concepts of information security and cybersecurity.
2. **Framework** – Choose one or more frameworks on which to base your program. When choosing a framework, remember that not every aspect of a framework will apply to your environment. The key is to adopt the appropriate aspects of a framework and expand upon that.
3. **Develop a Plan** – This should be a documented, management-approved plan to guide the program.
4. **Assign Responsibility** – An individual or group of individuals should be assigned responsibility for the program, and its implementation and monitoring.
5. **Train** – All employees are responsible for adopting and adhering to practices to safeguard information. To do this, an effective training program is required.



**FPO for client  
approval**

## BASIC CONTROLS

Within any program, there are basic controls that should be considered after a risk assessment has been performed:

- **Patching** – Having a process to apply security patches and updates on software and hardware will correct many vulnerabilities that hackers take advantage of.
- **Authentication** – For important or sensitive information, a username and password do not provide adequate protection. Consider multi-factor authentication.
- **User Access Controls** – The concept of least privilege should be enforced, meaning an individual can only access what they need and nothing more.
- **Continual Training** – Staff and contractors must be trained and tested on expected secure behavior.
- **Cloud Configuration** – If you use cloud storage and hosted environments, they must be configured securely.
- **Monitor** – The environment must be monitored for potentially malicious behavior.
- **Response Plans** – An incident response plan and business continuity plan should be in place to respond to incidents.
- **Consider Cybersecurity Insurance** – Insurance coverage for breaches and other incidents help to cover the costs of recovery.
- **Security Testing** – Periodic penetration and vulnerability testing should occur to determine if a network's security is configured and maintained properly.

**NCAA Contact:** Clyde Hague, associate director of finance, [chague@ncaa.org](mailto:chague@ncaa.org) or 317-917-6060.

*These materials have been prepared by the NCAA for informational purposes only. They are being provided as general educational information and may or may not reflect the most currently available facts or developments. Nothing in these materials is intended to be, and should not be considered, legal advice or a substitute for legal advice. You should rely on your own diligence and information and speak with your own legal and other experts before forming any opinions or making any decisions related to the topics addressed in these materials.*





# Insurance Considerations

---

The NCAA has prepared the following insurance considerations for Division III conference administrators to use when purchasing insurance. Please note that this document provides suggestions and considerations only and may not address all exposures of an NCAA Division III conference. Conference administrators should work with their chosen insurance advisor/broker to determine the type, level and scope of insurance coverage necessary to meet their unique circumstances. A more extensive resource for insurance considerations is also available to all NCAA conferences at [www.ncaa.org](http://www.ncaa.org).

## **Financial Strength of Insurer**

An occurrence today may result in a claim several years from now. Therefore, it is important that the insurer you select has the financial strength to pay claims both now and in the future. The A.M. Best Company provides insurance company ratings to help evaluate the strength of an insurer. An insurer's A.M. Best Rating can be verified via [www.ambest.com](http://www.ambest.com), or by requesting this information directly from your insurance advisor.

## Selecting Limits

The type and number of activities that a conference organizes and the extent of the conference's direct involvement in these activities affect the conference's exposure to loss. The decision on how much insurance to carry should be discussed with the conference's insurance advisor, who may provide information on limits carried by organizations of a similar size and nature. Unfortunately, it is not possible to know with 100% certainty what will prove to be an "adequate" limit because of the unknown factors associated with liability. A minimum limit standard is at least \$1,000,000 per occurrence/loss. This coverage amount is also the minimum amount typically required in third-party contractual arrangements.

## Other Considerations

It is important to retain all occurrence-based policy documents (e.g., Commercial General Liability, Crime, Workers' Compensation policies) forever. Occurrence-based policies will be in effect for claims when the loss occurred, not necessarily when the loss was filed/reported to the insurer. For example, if a claim is reported today for a loss that occurred 10 years ago, the policy that was issued 10 years ago will be in effect rather than the one that is today.

It is of the utmost importance that you accurately complete all insurance applications and reveal all relevant exposures, including all sports applicable to your conference. Failure to disclose information may result in denial of a claim. Keep your insurance brokers/carriers apprised of any new developments relating to your conference.

It is also critical to review the claim-reporting requirements established within the insurance policy and proactively notify the insurance company of any claim, or even an incident that could give rise to a claim, to avoid a claim declination based on late reporting. It also may be prudent to report a claim on all relevant insurance policies and coverage types, including any excess and umbrella liability policies.

## CLAIM-REPORTING REQUIREMENTS

- ▶ *Know when the coverage is for – when the claim is made or when the claim happened.*
- ▶ *Discuss what the proper limit should be for the coverage.*
- ▶ *Keep all occurrence-based documents.*
- ▶ *Accurately complete all applications and also accurately report any claims.*





## FPO for client approval

### COMMERCIAL GENERAL LIABILITY (CGL) INSURANCE

Commercial General Liability (CGL) policies are designed to cover your organization with respect to claims of bodily injury, property damage and/or personal/advertising injury liability arising out of your conference's operations.

The most common CGL coverage form is an “occurrence-based” policy that offers permanent coverage for incidents that occur during the policy period. In comparison, a “claims-made” policy covers claims that are made (reported) during the policy term and will cover claims after the coverage period only if the insured purchases extended-reporting period or “tail” coverage. Third-party contracts **will often specific** and require an occurrence-based CGL policy **(From Editorial: Something needs to be fixed with the highlighted copy.)**.

A standard CGL policy is intended to provide coverage for the operations of a college conference, but there are **certain exclusions** and limitations that may restrict important coverages. The following provides a description of notable coverages you may consider, exclusions or limitations to look for, and coverage enhancements you may want or need:

- **Additional Insureds** – Many conferences have **sponsorship relationships or venue-use agreements that require the conference to name a third party as an additional insured**. Determine in advance whether there will be premium implications for such requests. Also determine whether the policy requires a written contract or agreement to provide additional insured status.
- **Participant Legal Liability** – **Confirm with your insurance advisor that the conference's policy provides coverage for claims of bodily injury resulting from**



sports participation (typically referred to as “participant legal liability”). This is a primary source of exposure for a college conference, so you may want to confirm that coverage is in place and that you understand any restrictions or limitations that apply.

- **Sports Trainers Liability** – If a conference arranges for or uses the services from athletic trainers and wants to provide liability coverage for these individuals, it is important to discuss whether the insurer offers a sports trainers endorsement to provide coverage for medical services provided by trainers (standard policy language excludes coverage for individuals who provide professional medical services).
- **Liquor Liability** – Standard CGL forms typically include coverage for “Host Liquor Liability,” but exclude alcohol-related losses if the insured is involved in “the business of ... selling, serving or furnishing alcoholic beverages.” While college conferences may not do this as a primary business function, coverage is sometimes restricted in the case of nonprofit and other organizations that may sell alcoholic beverages in connection with fundraising or other activities. As part of discussions with your insurance advisor, you should discuss any events where alcohol will be sold or provided to determine whether full

Liquor Liability coverage is needed, or if the Host Liquor Liability coverage is sufficient. It also is important to verify that concessionaires and vendors serving alcohol are properly licensed and insured with Liquor Liability coverage, and the conference is named as additional insured.

- **Sport-Specific or Activity-Specific Exclusion** – If the policy includes sport- or activity-specific exclusions, be sure that they are not for any sports or activities with which your conference is involved (e.g., a policy could specifically exclude claims related to the use of a javelin).
- **Concussion/Neurodegenerative Exclusion** – Insurers in general are adding head trauma and concussion-related exclusions on liability policies, even on sporting activities in which concussions are not prevalent. Conferences may consider sharing their concussion protocols with insurers and explain what is being done to mitigate the problems relating to concussions. Consult with your insurance broker to explore options to avoid such exclusions on your liability policies.



**FPO for client approval**

- **Designated Operations or Activities**

**Provision** – Insurers may limit the scope of coverage by specifically listing what the policy covers. If your policy contains such a limitation, you must ensure that the wording is broad enough to encompass all your regular day-to-day business operations plus any special events you conduct. If possible, this type of limitation should be avoided.

- **Fireworks Exclusion** – Some policies contain exclusions or limitations with respect to fireworks. If fireworks or pyrotechnics are a part of any conference activities, you should evaluate the coverage provided to ensure that it is appropriate for your situation.

- **Abuse/Molestation Exclusion** – If the conference organizes or operates activities that involve youth, you may have exposure with respect to claims of abuse or molestation and should confirm that your policy provides coverage for such exposures. Additionally, you may be required to carry this coverage if you plan to use a third-party's premises where youth are present (e.g., you may wish to hold a practice at a local high school, and the high school requires you to have abuse/molestation coverage because the high school has youth on its premises).

---

---

---

***Coverage should include past, present and future directors, officers, trustees, employees, committee members and volunteers.***

---

---

---

## **DIRECTORS & OFFICERS LIABILITY (D&O)/ EMPLOYMENT PRACTICES LIABILITY (EPL) INSURANCE**

D&O policies are designed to cover an organization and individuals for claims alleging wrongful acts. There are many different policy forms that provide the same basic coverage but may have enhancements or exclusions that are of particular interest to a Division III conference. It also is prudent to verify whether outside directorship liability coverage is automatically extended to individual board members via their own employer's D&O policy. The following provides a description of core coverage, exclusions and limitations, and coverage enhancements that may be of interest to your conference.

- **Who is an Insured?** – Coverage should include past, present and future directors, officers, trustees, employees, committee members and volunteers. In addition, some policies extend coverage to spouses of these individuals in the event they are brought into a lawsuit. It is important that the correct entity be named on the policy declaration pages so that any subsidiaries also are covered under the policy. If not, they will need to be listed separately to be covered.
- **Non-Monetary** – Coverage should apply to claims for which monetary and non-monetary demands are made. It is important to confirm that the policy includes both triggers in the definition of a claim. Non-monetary claim examples include administrative proceedings or demands for injunctive relief. The defense costs associated with such claims could be significant, as this also could include antitrust or eligibility-related matters.

- **Anti-Trust** – Coverage may be available for anti-trust lawsuits. College conferences may have exposure in this area if the conference makes decisions that affect participants within the conference on a blanket basis and could be held to constitute a restriction of or competition. *(From Editorial: Is copy missing after 'or'?)*
- **Employment Practices Liability (EPL)** – Many not-for-profit D&O policies contain EPL coverage. This also can be purchased on a separate policy should you not wish to combine the limits. This coverage should apply to claims brought by employees, former employees or prospective employees relative to employment practices (such as wrongful termination, failure to promote, age discrimination, etc.). It also should contain coverage for claims by third parties, such as vendors or guests.

## ADDITIONAL INSURANCE COVERAGES FOR CONSIDERATION

### Property/Mobile Equipment

A conference may own property (e.g., building and/furniture, computer equipment, or other contents) exposed to loss, which should be appropriately considered for property insurance coverage. It is important to confirm the valuation and type of coverage, such as Replacement Cost Value versus Actual Cash Value. Inland Marine insurance is used to cover movable equipment and unusual property. A college conference

---

---

***It is important to identify any unusual property you possess or equipment that you transport to tournaments or other events.***

---

---

may have property such as sports equipment, valuable memorabilia, cameras and signage that would not be sufficiently covered by standard commercial property coverage. Therefore, when discussing property coverage with your insurance advisor, it is important to identify any unusual property you possess or equipment that you transport to tournaments or other events.

### Auto Liability

If a conference owns, rents or uses vehicles through sponsorship arrangements, or if vehicles are operated on its behalf (such as a chartered bus), and/or if personnel rent vehicles or use their own vehicles for conference business, the conference should obtain appropriate auto coverage. It is important to note that primary liability typically “follows” the vehicle, but the conference also will inevitably have a non-owned auto

exposure. Coverage for non-owned auto liability should be verified. Additionally, a conference may be contractually required to evidence coverage for its owned, hired and non-owned auto exposure.

### Crime

A separate comprehensive crime policy may be considered to cover the conference in the event of an employee theft of funds.



### **Cyber Liability**

Conferences likely hold data that is considered sensitive and personal. If this information is breached and released, there are exposures that will be uncovered by other insurance policies. Such expenses could include regulatory, defenses, personal notification, forensic and public relations costs. In addition, many insurers have a list of vendors that can help you mitigate the exposures in the event of a data breach.

### **Media Professional Liability**

If the conference is involved with publishing or broadcasting activities, there may be a need for separate Media Liability coverage. This coverage protects the conference from allegations of defamation, discrimination or trademark infringement related to content published or disseminated in print, on websites or via social media. Similar coverage may be available in Commercial General Liability coverage, but coverage is often restrictive.

### **Fiduciary Liability**

If the conference administers an employee retirement program or any programs that may subject it to allegations of an ERISA violation, Fiduciary Liability coverage should be considered. This exposure typically is excluded in traditional D&O Liability policies.

### **Workers Compensation**

Depending on the jurisdiction and number of employees, a conference may be required to carry workers' compensation coverage that covers employees for injuries or

illnesses suffered on the job, including coverage for medical expenses and disability. It also is prudent to verify that any contractors/vendors maintain appropriate workers' compensation coverage. Please note that Ohio, Washington, North Dakota and Wyoming are monopolistic states in which employers must purchase workers' compensation insurance from a state-operated insurance fund.

### **Participant Accident Medical**

The conference may consider providing accident medical coverage for event participants if it conducts events in which the participants do not have coverage through the NCAA or a college/university (such as a youth activity). Also, be cognizant that a conference could be contractually required to obtain this coverage (venues may require a conference to maintain this coverage for participants).

**NCAA Contact: Brad Robinson**, associate director of finance, [brobinson@ncaa.org](mailto:brobinson@ncaa.org) or 317-917-6054.

*These materials have been prepared by the NCAA for informational purposes only. They are being provided as general educational information and may or may not reflect the most currently available facts or developments. Nothing in these materials is intended to be, and should not be considered, legal advice or a substitute for legal advice. You should rely on your own diligence and information and speak with your own legal and other experts before forming any opinions or making any decisions related to the topics addressed in these materials.*







# Officiating Contracts and Background Checks

---

## **NCAA BACKGROUND CHECK PROGRAM**

If a conference decides that the officials who are hired by the conference should have background checks and the conference wants to use the background check program that the NCAA has implemented (using the ArbiterSports website and Peopletrail, the vendor that conducts the background checks), the conference might consider:

- Becoming familiar with the FCRA (Federal Credit Reporting Act), which is a federal law that gives consumers certain rights.
- Deciding whether to require a background check to be eligible to officiate.
- Including legal representation to assist in developing the program.
- Developing a process for checking the conference's list of officials against the officials who register on the ArbiterSports website and who grant the NCAA permission to share the results of the background check with the conference.
- Establishing criteria to determine if an official passes or fails a background check (e.g., one or more felony convictions in the past seven years would serve as an automatic disqualifier to work for the conference).
- Establishing a process for reviewing the background check report and deciding the status of the official (e.g., who will be responsible for reviewing the background check reports).
- Working with ArbiterSports/Peopletrail to develop a process for notifying the official once the background check has been reviewed, and if the official fails the background check or if more information is needed before a decision will be made.
- Determining if an appeal process is necessary, and if so, the process for appealing.
- Developing a conference policy if an official does not grant the conference permission to conduct a background check.





## INSTITUTIONAL BACKGROUND CHECK PROGRAM

If a conference decides it wants to use a program other than the one the NCAA has developed to conduct background checks on officials who are hired by the conference, the conference might consider:

- Becoming familiar with the FCRA (Federal Credit Reporting Act), which is a federal law that gives consumers certain rights.
- Including legal representation to assist in developing the program.
- Identifying a company to conduct the background check.
- Developing a process for requesting permission from the official to conduct the background check.
- Determining how the cost for the background check will be paid (prices could range from \$10 to more than \$100 depending on the type of background check).
- Establishing criteria to determine if an official passes or fails a background check (e.g., one or more felony convictions in the past seven years would serve as an automatic disqualifier to work for the conference).
- Establishing a process for reviewing the background check report and deciding about the status of the official (e.g., who will be responsible for reviewing the background check reports).
- Establishing a process for notifying the official once the background check has been reviewed if the official fails the background check or if more information is needed before a decision will be made.
- Determining if an appeal process is necessary, and if so, the process for appealing.
- Developing a conference policy if an official does not grant the conference permission to conduct a background check.
- Determining a process for addressing other official conduct.



## OFFICIATING ASSIGNOR CONSIDERATIONS

When engaging an officiating assignor and officials it may be important to evaluate the relationships between the conference, the officiating assignor and the game officials. To do this, conferences may want to consider the following:

- Whether to classify your assignor as an employee or an independent contractor.
- Whether to classify conference officials as independent contractors or employees.
  - Independent contractors and employees are subject to different laws and regulations. Consult appropriate state and federal laws to understand the differences between employees and independent contractors.
- Consider whether to have a written agreement with your officiating assignor.
  - A written contract may address the following: the length of the agreement, the scope of responsibilities, codes of conduct, compensation, conflicts of interest, indemnification, background checks and insurance.
- Identify whether the officiating assignor is acting as an agent or employee of the conference or whether the assignor is acting independently.
- If the conference implements a background check program, the conference may determine what role, if any, the assignor plays in the review process and outline the responsibility of the assignor in the background check process.
- Determine whether to require the officiating assignor to enter into written agreements with the conference officials either on behalf of the conference or directly with the officiating assignor.

- Review the roles and responsibilities of the officiating assignor related to handling official complaints and allegations of misconduct.
- Consider whether to indemnify the actions of the officiating assignor when he/she acts within the scope of his/her duties for the conference.
- Analyze insurance options and your insurance coverage to determine whether it covers actions/decisions undertaken by your officiating assignor.

**NCAA Contact: Anthony Holman**, managing director, Championships, [aholman@ncaa.org](mailto:aholman@ncaa.org) or 317-917-6929

*These materials have been prepared by the NCAA for informational purposes only. They are being provided as general educational information and may or may not reflect the most currently available facts or developments. Nothing in these materials is intended to be, and should not be considered, legal advice or a substitute for legal advice. You should rely on your own diligence and information and speak with your own legal and other experts before forming any opinions or making any decisions related to the topics addressed in these materials.*







# Crisis Management

---

The organizational crisis experience is inevitable. It is not predictable or preventable and can manifest in a variety of ways including, among others, events involving physical/safety threats and social media and other reputational challenges. A thoughtfully constructed organizational crisis management plan can go a long way to mitigate and avoid the potential fallout that is often associated with organizational crisis. Below is a summary of some of the considerations that should go into developing and implementing an organizational crisis management plan.

## **THE CRISIS MANAGEMENT TEAM (CMT)**

- Identify a core group of trusted individuals who will serve as the crisis management team (CMT). The CMT should be broad enough to represent all applicable stakeholders but small enough to remain agile and focused during a crisis scenario.
- Consider whether and how best to include representation from member institutions.
- Each member of the team should have a clearly defined role in management activities and should have the authority necessary to carry out his or her specific protocol responsibilities.

- The use and monitoring of social media is an integral part of any crisis management communications plan. Consider including at least one individual whose role and responsibilities are focused on social media. That individual should have access to and expertise/fluency in all social media platforms that may be relevant to the organization and its identified stakeholders. Similarly, consider selecting an individual who is well versed in the legal and discovery implications pertaining to social media posts and ensure that the individual has access to and regular communications with conference legal counsel. Because content limitations can vary from platform to platform, practice vignettes and response plans should include potential social media responses and considerations.

---

---

***At a minimum, input from and communication with legal counsel should be considered an integral piece of any response plan.***

---

---

- Consider including conference legal counsel as part of the CMT, either in a consultancy capacity or, if resources permit, as a defined role on the broader team. At a minimum, input from and communication with legal counsel should be considered an integral piece of any response plan. It should be noted that communications by and between members of the CMT will *not* automatically be considered legally privileged communications. However, in instances when CMT participants are soliciting or receiving legal advice, or advice that will be used by organizational attorneys in anticipation of litigation, those communications often will be protected.
- Make sure each CMT member willingly accepts the role and responsibilities that they are assigned. Ensure each fully understands the nature and breadth of all potential crisis scenarios. Some individuals may have personal sensitivities to certain types of scenarios that may make them unable or less able to effectively implement specific management responsibilities or activities during one type of crisis scenario or another. It is important to understand these types of limitations ahead of time and to develop the CMT in a way that accounts for these considerations.

## **THE CRISIS MANAGEMENT PLAN (CMP)**

- Identify clear criteria by which to distinguish urgent material and/or challenging events from true crisis scenarios. One consideration may be whether there is a risk or allegation of immediate material harm to or by any individual, the organization or any member.
- Because crisis scenarios have become so commonplace, the public expects and feels entitled to warp speed and near-perfect responses. Any delay can be the death knell for even the most otherwise reputable organizations and



## FPO for client approval

qualified leaders. Consider developing a variety of “playbooks” that pertain to different types of potential crisis scenarios. Leverage and adjust each playbook as part of your implementation of practice vignettes and as new potential crisis scenarios are identified.

- Consider implementing a “direct dial” policy around hot issues. Higher education, and its governing bodies, are well known for hierarchal communication protocols that are navigated only at a glacial pace. While there are certainly benefits to a carefully constructed communication protocol, consider whether it makes sense to create a “direct line” to the commissioner’s office and/or other management personnel for anyone with material information relating to a potential crisis scenario.
- Consider confidentiality implications as they relate to communications within the CMT and between the CMT and third-party stakeholders. Crisis management typically involves the type of sensitive, non-public, strategic information and advice that would be deemed confidential to an organization. In evaluating how best to protect the confidentiality of the information being conveyed during crisis management, consider the type of information that is being shared, whether it is better communicated by phone vs. email, and limiting



the communication to only those who need to be included. Also consider implementing the use of a standard “Confidential Internal Communication” or similar template header on all such written communications and training all CMT members about the importance of confidentiality practices.

## COMMUNICATION CONSIDERATIONS

- The two most important decisions around effective crisis communications may arguably be “What will we say?” and “When will we say it?” The intended audience also is very important; but, a list of relevant stakeholders and the prioritization of communications can often be (and should be) largely identified ahead of any crisis as part of the CMP.
- Avoid jumping to early conclusions that are based on partial facts and information. There often is significant public pressure to deliver a particular response to a crisis scenario. Just because there is a loud cry for a specific response, does not necessarily mean it is the best response. Sometimes, overreaction and knee-jerk reaction can be worse than a delayed response.
- While seeking additional facts and information, consider sharing what you do know. Messages about all the reasonable precautionary steps previously taken to prevent similar situations and all the actions taken to address the current situation can go a long way to fill the void when the public is clamoring for

A photograph of a woman with short white hair and black-rimmed glasses, wearing a light blue button-down shirt. She is seated at a wooden conference table, gesturing with both hands as if speaking. In the background, another woman with dark hair is partially visible, looking towards the speaker. On the table in front of the speaker are a smartphone, a spiral-bound notebook, and a coffee cup. The image is watermarked with 'shutterstock' and 'fizkes' diagonally across it.

**FPO for client  
approval**

---

---

## *The two most important decisions around effective crisis communications may arguably be “What will we say?” and “When will we say it?”*

---

---

some transparent communication, but a definitive conclusion or detailed path forward has not yet been identified.

- Consider including a variety of communication templates as part of your CMP playbook and routinely leverage them as part of practice vignettes.
- Accuracy and authenticity are everything. Even under the duress and urgency of a crisis scenario, the CMT must take the time to ensure all messaging is true and factually supportable. We are in an era of fundamental public mistrust of higher education and the athletics industry. As a result, it is imperative that CMT communications reflect genuine concern and commitment.
- Consider using a media monitoring service to gather real-time feedback around public response to messaging and to facilitate necessary shifts in the CMP. These types of monitoring services also can be used to proactively monitor social media for potential and festering issues before they become true crises.

### **USE OF PRACTICE VIGNETTES**

- Time is of the essence when responding to crisis scenarios. There is no time, during a crisis, to develop and vet appropriate response activities and related communication plans.
- Mapping out potential alternative responses to various crisis scenarios ahead of time (e.g., a CMP Playbook) is key to successful crisis management.
- Practice vignettes can be developed from real-life scenarios. Avoid discounting any vignette ideas as “not realistic” or “too unlikely” for your organization. The great majority of organizations that have experienced major crises never would have predicted their involvement ahead of time.
- Create practice scenarios that are as realistic as possible and use them, frequently.

### **VISIBILITY BETWEEN THE CONFERENCE AND ITS MEMBERS**

- Conference leadership should be considered a relevant stakeholder with respect to any crisis scenario arising out of membership activities related to collegiate athletics or involving student-athletes. Consider whether and how best to connect with campus crisis management teams to ensure that the conference is part of the early stages of any communication plan with respect to events that can impact conference risk.
- Consider confidentiality implications as they relate to communications between the conference and its members. Crisis management typically involves the type of sensitive, non-public, strategic information and advice that would be

deemed confidential to an organization. In evaluating how best to protect the confidentiality of the information being conveyed during crisis management, consider the type of information that is being shared, whether it is better communicated by phone vs. email, and limiting the communication to only those who need to be included. Also consider implementing the use of a standard “Confidential Conference Communication” or similar template header on all such written communications and training applicable member contacts about the importance of confidentiality practices.

**NCAA Contact: Jess Kerr**, director in law, policy and governance, [jkerr@ncaa.org](mailto:jkerr@ncaa.org) or 317-917-6242.

*These materials have been prepared by the NCAA for informational purposes only. They are being provided as general educational information and may or may not reflect the most currently available facts or developments. Nothing in these materials is intended to be, and should not be considered, legal advice or a substitute for legal advice. You should rely on your own diligence and information and speak with your own legal and other experts before forming any opinions or making any decisions related to the topics addressed in these materials.*





# Hiring Risks and Considerations

---

## THE SEARCH AND SELECTION PROCESS

- While search firms can provide tremendous expertise and benefit, neglecting to carefully oversee the search, selection and hiring of employees, especially at the executive level, can have disastrous effects.
- The significant number of interested stakeholders can quickly muddy hiring waters and attempt to shortcut or circumvent an otherwise robust process. A definitive position statement should be finalized before any potential candidates are contacted. Establish clear expectations from the start about who will participate, the process that will be followed, and any important timelines. Ensure any external efforts include a close review and strong understanding of organizational chemistry and culture.
- Whether using a search firm or internal resources, consider the following as part of the candidate vetting process:
  - Implement thorough background checks that comply with all applicable federal and state laws.
  - Diligently check prior employment history and references – especially individuals who stand to gain or lose nothing by the hire.
  - Beware of “recycled” candidate lists. Leverage local and national court filings and other public records, historical compliance reports and social media, as available, permitted and appropriate.
- Consider claw back protections if using search firms.



## FPO for client approval

### INTERNATIONAL HIRING CONSIDERATIONS

International hiring is high risk and process-intensive. It involves several federal agencies and numerous procedural steps – all of which take considerable time:

- Petition UCSIS for non-immigrant visa
  - Limited availability
  - Eligibility requirements
  - Various filing fees
  - Time limited if granted
  - Employer's responsibility to maintain a public access file
- Initiate permanent residency certification for the employee via the Department of Labor.

NOTE: Student employees have different, and often less challenging, documentation requirements.

### VIRTUAL WORKPLACE CONSIDERATIONS

Virtual employees can offer flexibility and other potential benefits for conference employers who often operate in limited and/or shared office spaces. The following are some considerations related to remote employment arrangements:

- **Employer Property**
  - For information security purposes, consider issuing employer-owned technology and prohibiting use of employer property for non-work purposes or use of employee-owned technology for work purposes.
  - Consider a written agreement that clearly identifies company property, and that secures the employee's agreement to properly care for and protect the property, and the organization's authority to deduct wages for any damage to property in accordance with applicable state laws.



- **Security**

- o Employers are responsible for ensuring the security of sensitive documents and data that are handled by employees, regardless of where the work is performed. Consider establishing information access controls (e.g., VPN access, encryption, network firewalls, mandatory password changes) and setting clear expectations regarding proper storage (e.g., work-issued technology only, locked cabinets/drawers) and protection of proprietary and confidential information.

- **Workers Compensation**

- o Employers typically are responsible for providing a safe working environment for on-site and remote work locations.
- o Consider asking virtual employees to designate a specific area of the home that is considered work space and specific hours of the day in which they will perform work-related activities. Also consider providing notice to virtual employees about potential in-home safety hazards and asking them to agree (in writing) to take certain precautionary safety measures and to maintain safe conditions as a condition precedent to employment.

- **Payroll Records/Compensation**

- o FLSA requires employers to pay employees at or above minimum wage for all hours worked and to pay overtime for all hours worked more than 40 in a given work week. In most instances, hours must be counted as “worked hours” if the employer knows or has reason to believe that the work is being performed. Strongly consider setting clear written expectations around work schedules and hour limits for all non-exempt virtual employees and working with employees to carefully track and report all hours worked.

- **Other State Laws**

- o There are a host of state laws the applicability of which will be determined by the location where the virtual employee is performing the work (e.g., his or her residence). These include, among others, vacation accrual and payout, final compensation payout, inventions assignment, paid and unpaid leave rights, non-compete agreements and background checks (**From Editorial: Is ‘inventions assignment’ correct?**).

- **Position Criteria/Changes in Virtual Status**

- o When remote employment is only offered to certain employees or on certain projects, consider establishing and documenting the objective criteria by which you will evaluate virtual employment opportunities.
- o To adequately prepare for and address any organization need to change the virtual employment model, consider clarifying in employment policies and/

---

---

***Virtual employees can offer flexibility and other potential benefits for conference employers who often operate in limited and/or shared office spaces.***

---

---



or employment agreements that it is in the full discretion of the organization whether to continue to permit remote employment arrangements and that the organization reserves the right to reestablish a workplace office requirement at any time.

## DIRECTORS AND OFFICERS

- Exposure and standards for nonprofit directors and executives are at least as high, and perhaps higher, than those applicable to their for-profit counterparts.
- Consider the adequacy of your D&O coverage in light of stated/unstated expectations and responsibilities and D&O-specific risks identified through ERM assessment.
- General liability insurance and umbrella policies typically limit coverage to bodily injury, property damage and certain personal injury claims. Separate D&O coverage is required for a host of other types of claims that can arise out of a variety of daily decisions and activities involving conference management.
- Adequate D&O coverage is typically considered a prerequisite to attract an appropriate pool of D&O candidates.
- Most policies now include full entity coverage for claims made against the organization, even if no directors or officers are personally named.
- While most policies do not limit coverage for prior wrongful acts, consider indemnity carveouts related to activities that predate position start dates.
- See also NCAA guidance document at: [http://www.ncaa.org/sites/default/files/2017Conference\\_Insurance\\_Considerations20171207.pdf](http://www.ncaa.org/sites/default/files/2017Conference_Insurance_Considerations20171207.pdf)

**NCAA Contact: Jess Kerr**, director in law, policy and governance, [jkerr@ncaa.org](mailto:jkerr@ncaa.org) or 317-917-6242.

*These materials have been prepared by the NCAA for informational purposes only. They are being provided as general educational information and may or may not reflect the most currently available facts or developments. Nothing in these materials is intended to be, and should not be considered, legal advice or a substitute for legal advice. You should rely on your own diligence and information and speak with your own legal and other experts before forming any opinions or making any decisions related to the topics addressed in these materials.*





# Legal Counsel Considerations

---

## **TYPES OF ISSUES THAT MAY BE ADDRESSED BY INTERNAL/EXTERNAL COUNSEL**

- Governance
- Employment
- Data and Information Security
- Taxation
- Crisis Management
- Other Federal and State Regulatory Laws
- Contracts
- Intellectual Property
- Litigation and Other Types of Dispute Resolution

## **INTERNAL VS. EXTERNAL HIRING CONSIDERATIONS**

- Perceived benefits of hiring in-house counsel (attorneys employed by the organization):
  - Ready access and availability.
  - No competing interests.
  - Familiarity with unique conference and higher education legal and cultural issues.
  - Institutional memory and understanding of internal politics.
  - Fixed/budgeted costs and overhead savings.

- Perceived advantages of using outside counsel (independent attorneys/firms engaged via contract):
  - o Access to expertise in numerous areas of the law.
  - o Cross-institutional, cross-industry experience.
  - o Scalability.
  - o Professional detachment (the ability to bring a high level of objectivity that is not always easy to maintain via an employment relationship).
- When evaluating internal vs. external hiring models, consider the significance and timing (project, short or long term) of the resource need and give careful thought to the mission the role should serve (e.g., “ad hoc” tangential resource or permanent part of the team). Begin with an audit of current and predictable legal activities and expenses. Enterprise Risk Management assessments and plans can be valuable maps that can help predict potential areas of need and focus and facilitate a decision regarding internal vs. external hiring.
- Search and selection of internal candidates should be conducted like any other executive-level search. Member relations and collaboration will be key objectives, so member and other stakeholder input should be considered at various stages of the process.

## IDENTIFYING AND ENGAGING OUTSIDE COUNSEL

- Retaining outside counsel should be considered a significant investment. As with other capital outlays, it’s important to understand what you are buying to get the most out of your purchase.
- Typically, to get the full benefit of the outside counsel model, counsel must begin with or quickly establish a high level of client familiarity and must create and maintain regular and consistent interaction and communication with the client and its personnel. Accordingly, a passion for the athletics industry, existing knowledge about your conference, personalities and chemistry, all should be important hiring considerations.
- Avoid potential conflicts of interest by keeping politics and preexisting relationships out of the selection process.
- Consider the potential need or obligation to consult or involve insurance firms in the selection process. Coverage documents often describe whether and to what extent insurance carriers can/must be involved in the selection/retention of counsel and approval of counsel rates. Some types of coverage policies contain explicit “duty to defend” obligations that require the insurer to assume control of the claim defense process, including counsel selection and payment of defense costs and expenses. These duties are often coupled with a right to access certain case information. In these scenarios, it is particularly

---



---

***Consider the potential need or obligation to consult or involve insurance firms in the selection process.***

---



---



## FPO for client approval

important to evaluate the potential for misalignment and conflict between conference and carrier defense and settlement strategies, and the additional complexities that can arise if a member also is a named defendant. A more extensive resource for insurance considerations also is available to all NCAA conferences at [www.ncaa.org](http://www.ncaa.org).

- Firm engagement is like any other negotiated contract. It's important to understand your needs, as well as your leverage and bargaining power.
- Consider leveraging the same type of evaluation and selection process used with other material vendor/service arrangements.
  - Clearly define needs, objectives, expectations and limitations/contingencies.
  - Circulate Request for Information (RFI).
  - Circulate Request for Proposal (RFP).
  - Solicit multi-stakeholder assessment and input.
  - Engage in contract negotiations.
  - Initiate onboarding activities.

## MANAGING OUTSIDE COUNSEL

- Establish clear billing guidelines (there is plenty of guidance on the internet).
- Do not be afraid to ask for data and details behind billing rates and invoices.
- Do not be afraid to request copies of reports, presentations and other work product. You've paid for it. You own it.
- Be wary of providing too much oversight and autonomy to a single firm. Maintaining adequate organizational visibility and involvement ensures that valuable historical knowledge stays in-house. It avoids the potential for firm complacency and facilitates the ability of the organization to shift counsel if/as necessary.
- Conduct periodic, but regular, performance evaluations and audits and openly share feedback to create a culture of collaboration, shared expectations and success.
- Exhibit and communicate a willingness to regularly reexamine outside counsel relationships. This can help control spending and drive efficiencies, while keeping the attorney-client relationship from becoming complacent.



## SHARED RESOURCE CONSIDERATIONS

- While joint-defense and/or common-interest arrangements may permit the “sharing” of legal resources when members have been named as co-defendants in a lawsuit, or are participating in the evaluation of legal issues that affect both the conference and the institution, the permissibility and defensibility of these types of arrangements vary from state to state and are highly nuanced.
- Be aware of the potential ethical issues and conflicts of interests that can arise when “borrowing” or “sharing” counsel and legal costs with members or other third-party entities. Legal and fiduciary interests often will diverge. It may be impossible for a single attorney or firm to adequately represent the interests of both parties in such scenarios. These are particularly important considerations when evaluating whether to use the same legal resources for both conference and member representation.
- Also, be aware of the potential conflicts that can arise when seeking organizational legal advice from a board member or other member of staff that may have legal training and expertise but has not been formally retained as an organizational attorney. Typically, those individuals are operating in the capacity of a non-lawyer. As a result, they may not have malpractice coverage and/or their coverage won’t extend to the provision of legal advice in non-client scenarios. Similarly, the defensibility of organizational decisions that are made in reliance on quasi-legal advice delivered outside a formal attorney-client relationship can present challenges.

**NCAA Contact: Jess Kerr**, director in law, policy and governance, [jkerr@ncaa.org](mailto:jkerr@ncaa.org) or 317-917-6242.

*These materials have been prepared by the NCAA for informational purposes only. They are being provided as general educational information and may or may not reflect the most currently available facts or developments. Nothing in these materials is intended to be, and should not be considered, legal advice or a substitute for legal advice. You should rely on your own diligence and information and speak with your own legal and other experts before forming any opinions or making any decisions related to the topics addressed in these materials.*



GaudiLab

PROTECTING  
TAX-EXEMPT STATUS





# Protecting Tax-Exempt Status

---

Properly maintaining tax-exempt status requires careful consideration of both the requirements and prohibitions. Tax-exempt status can be challenged and revoked based on a variety of criteria, which can result in unwanted costs and penalties. Below are a few considerations that tax-exempt entities should keep in mind.

## **ORGANIZATIONAL AND STRUCTURAL FORMALITIES**

- The board and governance structure should be formalized. Formal board meetings should occur regularly. Board and management discussions and decisions should be well documented.
- The organization should demonstrate that it continues to operate within the scope of the nonprofit purpose reflected on its nonprofit application.



## **FPO for client approval**

### **RECORDS AND DOCUMENTATION**

- All nonprofits must file an annual Form 990 tax return.
- Failure to file and untimely filings can result in unwanted government and media scrutiny, significant fees and possible status revocation.
- All nonprofits are required to keep clear and appropriate records that substantiate compliance with tax-exempt income and other requirements and limitations.
- Records should include properly maintained meeting minutes and documentation of all material discussions and decisions.
- Properly maintained records facilitate protection of tax-exempt status and limitations on personal liability for officers and directors.

### **POLITICS AND LOBBYING**

- Organizational donations to political campaigns or candidates holding or running for political office (at federal, state and local levels) are prohibited, as are organizational statements in support of any specific political party. While these limits don't prohibit statements made by staff and personnel in an individual capacity, be aware that attempts to distinguish between personal and organizational endorsements can get muddy and create unnecessary organizational scrutiny and risk.
- Lobbying occurs when an organization attempts to influence (propose, support or oppose) legislation. While certain lobbying activities are permitted, it can be challenging to navigate and comply with the numerous limitations. Consider whether it is easier to implement a strict prohibition on lobbying for



organizational personnel or, at least, for those that aren't specifically operating in government relations roles.

## **FUNDRAISING**

- Nonprofits may participate in capital campaigns and also may solicit many types of individual donations including, among others, cash, pledges and property (real estate and personal), and donors are permitted to take a tax deduction in return.
- Nonprofits are entitled to seek private and government grants and corporate gifts.
- The sources and amounts of funds solicited and received, as well as their intended and actual uses, should be carefully documented as part of routine record-keeping activities.

## **LIMITATIONS ON OTHER ACTIVITIES**

- Income generated by a nonprofit must be used in furtherance of the stated tax-exempt purpose and not for the benefit of any individual. Accordingly, salaries must be reasonable and transparent, and properly considered and approved by the board.
- Earning too much income, or failing to properly track income, which is generated from activities that are not substantially related to an organization's tax-exempt purpose (unrelated business income [UBI]) can jeopardize tax-exempt status. It is important to be familiar with and comply with all applicable UBI limitations and reporting requirements.

- Similarly, any potential business conducted with any officer, director or key employee, or any business in which any such individual maintains an interest, should be carefully evaluated for potential conflicts. Amounts exchanged with these types of individuals and related organizations should be transparently approved by the board, well documented and reasonable in light of the goods or services provided.

**NCAA Contact: Jess Kerr**, director in law, policy and governance, [jkerr@ncaa.org](mailto:jkerr@ncaa.org) or 317-917-6242.

*These materials have been prepared by the NCAA for informational purposes only. They are being provided as general educational information and may or may not reflect the most currently available facts or developments. Nothing in these materials is intended to be, and should not be considered, legal advice or a substitute for legal advice. You should rely on your own diligence and information and speak with your own legal and other experts before forming any opinions or making any decisions related to the topics addressed in these materials.*





## Division III

DISCOVER | DEVELOP | DEDICATE



**NCAA DIVISION III**  
**PRESIDENTS AND MANAGEMENT COUNCILS**  
**SUMMARY OF WINTER 2019**  
**QUARTERLY MEETINGS**

**KEY ACTION/DISCUSSION ITEMS:**

Division III University .....	Page No. 5
Joint Men's and Women's Basketball Championship .....	Page No. 5
Gender Neutral Language .....	Page No. 8
Convention Proposal No. 2019-2 – Playing and Practice Seasons – Football – Establishing Preseason Start Date 23 Days Before the Institution's First Contest .....	Page No. 14
Skyline Conference Proposal .....	Page No. 18
Transfer Portal .....	Page No. 19



<b>Division III Management Council</b> <b>January 23, 2019</b> <b>Orlando, Florida</b>	<b>Division III Presidents Council</b> <b>January 24, 2019</b> <b>Orlando, Florida</b>	<b>Division III Management Council</b> <b>January 26, 2019</b> <b>Orlando, Florida</b>
<p>Stevie Baker-Watson, DePauw University</p> <p>Brad Bankston, Old Dominion Athletic Conference</p> <p>Heather Benning, Midwest Conference</p> <p>Gerard Bryant, John Jay College of Criminal Justice</p> <p>Madison Burns, Randolph-Macon College <i>[SAAC representative]</i></p> <p>Sean Cain, Adrian College <i>[SAAC representative]</i></p> <p>Gail Cummings-Danson, Skidmore College</p> <p>Robert Davis, Jr., University of Scranton</p> <p>Jason Fein, Bates College</p> <p>Shantey Hill-Hanna St. Joseph's College <i>[chair]</i></p> <p>Chris Kimball, California Lutheran University</p> <p>Lori Mazza, Western Connecticut State University</p> <p>Tim Millerick, Austin College</p> <p>Laura Mooney, Massachusetts College of Liberal Arts</p> <p>Kate Roy, North Atlantic Conference <i>[vice chair]</i></p> <p>Kandis Schram, Maryville College (Tennessee)</p> <p>Dennis Shields, University of Wisconsin, Platteville</p> <p>Karen Thompson-Wolfe, Westminster College</p> <p>Denise Udelhofen, Loras College</p> <p>Michael Vienna, Emory University</p> <p>Joseph Walsh, Great Northeast Athletic Conference</p>	<p>Teresa Amott, Knox College</p> <p>Javier Cevallos, Framingham State University</p> <p>Katherine (Kate) Conway-Turner, Buffalo State, State University of New York</p> <p>Mary-Beth Cooper, Springfield College</p> <p>Jeffrey Docking, Adrian College <i>[chair]</i></p> <p>Stuart Dorsey, Texas Lutheran University</p> <p>Margaret Drugovich, Hartwick College</p> <p>Tiffany Franks, Averett University</p> <p>William Fritz, College of Staten Island</p> <p>Sue Henderson, New Jersey City University <i>[vice chair]</i></p> <p>Shantey Hill-Hanna, St. Joseph's College <i>[Management Council chair]</i></p> <p>Sharon Hirsh, Rosemont College</p> <p>Robert Huntington, Heidelberg University</p> <p>Robert Lindgren, Randolph-Macon College</p> <p>Fayneese Miller, Hamline University</p> <p>Tori Murden McClure, Spalding University</p> <p>Kathleen Murray, Whitman College</p> <p>Kate Roy, North Atlantic Conference <i>[Management Council vice chair]</i></p> <p>Kent Trachte, Lycoming College</p>	<p>Stevie Baker-Watson, DePauw University <i>[chair]</i></p> <p>Brad Bankston, Old Dominion Athletic Conference</p> <p>Heather Benning, Midwest Conference <i>[vice chair]</i></p> <p>Stephen Briggs, Berry College</p> <p>Charles (Chuck) Brown, Pennsylvania State University Erie, the Behrend</p> <p>Gerard Bryant, John Jay College of Criminal Justice</p> <p>Steve Cantrell, Delaware Valley University</p> <p>Jason Fein, Bates College</p> <p>Sarah Feyerherm, Washington College (Maryland)</p> <p>Sue Henderson, New Jersey City University <i>[Presidents Council chair]</i></p> <p>Samantha "Sammy" Kastner, Notre Dame of Maryland University <i>[SAAC]</i></p> <p>Lori Mazza, Western Connecticut State University</p> <p>Tim Millerick, Austin College</p> <p>Laura Mooney, Massachusetts College of Liberal Arts</p> <p>Michelle Morgan, John Carroll University</p> <p>Colby Pepper, Covenant College <i>[SAAC]</i></p> <p>Kate Roy, North Atlantic Conference</p> <p>Kandis Schram, Maryville College (Tennessee)</p> <p>Dennis Shields, University of Wisconsin, Platteville</p> <p>Denise Udelhofen, Loras College</p> <p>Michael Vienna, Emory University</p> <p>Joseph Walsh, Great Northeast Athletic Conference</p>
<b>ABSENTEES</b>	<b>ABSENTEES</b> <p>Elsa Nunez, Eastern Connecticut State University</p>	<b>ABSENTEES</b>

OTHER PARTICIPANTS	OTHER PARTICIPANTS	OTHER PARTICIPANTS
Scott Bearby, NCAA Brian Burnsed, NCAA Michael Cioroianu, NCAA Jeff Docking, Adrian College <i>[Presidents Council chair]</i> Dan Dutcher, NCAA Mark Emmert, NCAA Brian Hainline, NCAA Eric Hartung, NCAA Sue Henderson, New Jersey City University <i>[Presidents Council            vice chair]</i> Jay Jones, NCAA Debbie Kresge, NCAA, <i>recording            secretary</i> Louise McCleary, NCAA Lorne McManigle, NCAA Jeff Myers, NCAA John Parsons, NCAA Susan Peal, NCAA Bud Peterson, Georgia Institute of Technology, chair of BOG Bill Regan, NCAA Donald Remy, NCAA Adam Skaggs, NCAA Liz Suscha, NCAA Cari VanSenus, NCAA	Brian Burnsed, NCAA Richard Dunsworth, University of the Ozarks (Arkansas) Dan Dutcher, NCAA Brian Hainline, NCAA Troy Hammond, North Central College Eric Hartung, NCAA Jay Jones, NCAA Debbie Kresge, NCAA, <i>recording            secretary</i> Louise McCleary, NCAA Lorne McManigle, NCAA Jeff Myers, NCAA Troy Paino, University of Mary Washington John Parsons, NCAA Bill Regan, NCAA Adam Skaggs, NCAA Naima Stevenson, NCAA	Dan Dutcher, NCAA Eric Hartung, NCAA Jay Jones, NCAA Debbie Kresge, NCAA, <i>recording            secretary</i> Louise McCleary, NCAA Lorne McManigle, NCAA Jeff Myers, NCAA Bill Regan, NCAA Adam Skaggs, NCAA

**1. WELCOME AND ANNOUNCEMENTS.**

January 23 Management Council. The meeting was called to order at 7:50 a.m. by the chair, Shantey Hill-Hanna. Hill-Hanna welcomed the Council and reviewed the agenda.

Presidents Council. The meeting was called to order at 9:02 a.m. by the chair, President Jeff Docking. The chair welcomed Council members, including incoming 2019 members, Dunsworth, Hammond and Paino, and outlined the agenda.

January 26 Management Council. The meeting was called to order at 11:10 a.m. by the chair Stevie Baker-Watson. The chair welcomed new Council members Stephen Briggs, Chuck Brown, Steve Cantrell, Sarah Feyerherm, Samantha (Sammy) Kastner, Michelle Morgan, Colby Pepper and Presidents Council chair Sue Henderson to the meeting.

**2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.**

**a. Management Council Meetings – October 15-16, 2018.**

January 23 Management Council. The Management Council approved the summary of its October 15-16, 2018, meetings as presented.

Presidents Council. No action necessary.

**b. Presidents Council Meeting – October 23-24, 2018.**

January 23 Management Council. No action necessary.

Presidents Council. The Presidents Council approved the summary of its October 23-24, 2018, meetings as presented.

**c. Administrative Committee Actions.**

January 23 Management Council. The Management Council ratified the minutes of the November 13, 2018, and January 3, 2019, Administrative Committee actions.

Presidents Council. The Presidents Council ratified the minutes of the November 13, 2018, and January 3, 2019, Administrative Committee actions.

**3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.**

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

**(1) Convention-Planning Subcommittee.**

**a. 2019 Convention.**

January 23 Management Council. The Council reviewed the following documents for the NCAA Convention:

- Division III delegates schedule
- Division III-specific discussion checklist.
- Division III Issues Forum.
- Division III Business Session.

The Council noted the format for the Division III Issues Forum would include the following roundtable discussions regarding the 2018 Division III Membership Survey results: (1) Student-athlete health and safety; and (2) Leveraging athletics enrollment and its impact on budget, personnel and facilities.

Presidents Council. No action was necessary.

**b. Concepts and ideas for future Convention formats.**

January 23 Management Council. The Council discussed a recommendation from the Convention-Planning Subcommittee to shift the Division III NCAA Convention format from Wednesday-Saturday to Tuesday-Friday to allow delegates to return to campus for weekend athletics competition.

Staff Liaisons:  
Brown, McCleary

Council Reps:  
Benning, Franks,  
Hill-Hanna, Mazza,  
Schram, Trachte

Staff noted that this format shift will be discussed in the next Convention bid cycle, slated for this spring, but any changes would not occur until the 2028 Convention and beyond, if approved. The Council also provided feedback on the implementation of rising registration fees, as well as the importance of an annual Division III Business Session.

Presidents Council. No action was necessary.

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

(a) **Joint Men's and Women's Basketball Championship.**

January 23 Management Council. The Council approved \$250,000 per championship for a future basketball joint championship (with Divisions I and II) for each gender by 2023-24. The funds will be moved from the Division III surplus above and beyond the mandated reserve to the Identity Initiative budget to cover expenses such as facility rentals, marketing, promotion, travel, lodging and per diem.

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(b) **Division III University.**

January 23 Management Council. The Council approved the transfer of \$30,000 from the Injury Surveillance Program budget to the Learning Management System budget to fund the launch of Division III University. Every Division III commissioner, athletics director, senior woman administrator and head coach, approximately 9,500 individuals, now have access to Division III University at a cost of two to three dollars per user. [Also see Page No. 15, 6e]

Presidents Council. The Presidents Council approved the Management Council's recommendation.

(c) **Budget.**

January 23 Management Council. The Council reviewed the preliminary budget-to-actual for 2018-19. The Council also reviewed budget projections through 2023-24, noting the spending down of cash reserves beyond the minimum reserve policy, while maintaining the 75%/25% ratio of championships to non-championships spending through 2024.

Presidents Council. No action was necessary.

Staff Liaisons:  
Dutcher,  
Hartung, Jones,  
Kresge, McCleary,  
Myers, West

Council Reps:  
Cain,  
Cummings-Danson,  
Docking, Dorsey  
Davis, Drugovich,  
Henderson,  
Hill-Hanna,  
Huntington, Roy,  
Shields, Walsh,

**(d) Division III Conference Grant Program.**

January 23 Management Council. The review of the grant impact forms found that seven conferences did not adhere to grant policies, based on the established conference grant policies and procedures. Each conference received a warning letter, with three conferences also selected for a Level II assessment review. While the committee agreed that this assessment should occur, it also noted that it did not assume that funds had been used inappropriately or inconsistently with the grant policies and procedures.

Presidents Council. No action was necessary.

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

January 23 Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

**b. Management Council Subcommittees.**

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

January 23 Management Council. The Council agreed to review in April the current waiver criteria for a transfer student-athlete who graduated from a Division I or II institution and would like to be eligible in Division III.

Presidents Council. No action was necessary.

**(2) Playing and Practice Seasons Subcommittee.**

January 23 Management Council. The subcommittee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

**c. Division III Committees.**

**(1) Championships Committee.**

**(a) Women's Lacrosse.**

January 23 Management Council. The Council adopted noncontroversial legislation to increase the composition of the women's lacrosse committee from five to seven members with the addition of two new sport regions. A seven-region alignment would most effectively serve the sport based on sport sponsorship and anticipated growth. The Council noted a \$4,000 budget impact for the two additional committee members.

Presidents Council. No action was necessary.

Staff Liaisons:  
Dutcher,  
McCleary, Myers

Council Reps:  
Cooper, Docking,  
Davis, Fritz,  
Hill-Hanna,  
Kimball,  
Millerick, Shields

Staff Liaisons:  
Purcell, Berg

Council Reps:  
Baker-Watson,  
Fein, Mazza,  
Roy, Udelhofen,  
Tompson-Wolfe

Staff Liaisons:  
Alford, Suscha,  
Romash

Council Reps:  
Bankston, Burns,  
Davis, Mooney,  
Schram, Vienna,  
Walsh

Staff Liaison:  
Peterson-Mylinski,  
Suscha

Council Reps:  
Hill-Hanna,  
Bankston,  
Vienna

**(b) Bench Size Survey.**

January 23 Management Council. The Council received an update on the results of a survey on bench size. The survey gathered the membership's feedback and interest regarding expanding the current national championship bench size to accommodate up to the average roster size, with the institution being responsible for the additional expenses. The survey results indicate support for expanding roster sizes, which the Championships Committee will discuss during its February in-person meeting.

Presidents Council. No action was necessary.

**(c) Regional Alignment Project Update.**

January 23 Management Council. In April, the Council may receive a recommendation to realign existing championship regions. The Division III Commissioners Association (D3CA) is evaluating potential regional alignment alternatives, particularly in light of increased sponsorship in several sports. The Championships Committee will also discuss this issue in February.

Presidents Council. No action was necessary.

**(2) Committee on Infractions.**

January 23 Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

**(3) Financial Aid Committee.**

• **Financial Aid Reporting Process – Level I and II Reviews.**

January 23 Management Council. The Council received the committee's report that identified 57 Level I reviews this fall, 20 more than last year. The committee took the following actions: (1) Voted to take no action on 24 cases; and (2) Voted to forward 32 Level I cases to a Level II review, nine more than last year.

Presidents Council. No action was necessary.

**(4) Infractions Appeals Committee.**

January 23 Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

**Staff Liaisons:**

Cooper,  
Elworth

**Council Rep:**

Cummings-Danson

**Staff Liaisons:**

Hartung, Alford

**Council Rep:**

Schram

**Staff Liaison:**

Walters

**Council Rep:**

Fritz, Roy

**Staff Liaisons:**  
Myers, Regan,  
Purcell

**Council Rep:**  
Fein

**(5) Interpretations and Legislative Committee (ILC).**

January 23 Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

**Staff Liaisons:**  
Alford, Berg,  
Jones

**Council Rep:**  
Mooney

**(6) Membership Committee**

January 23 Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

**Staff Liaison:**  
Tufano

**Council Rep:**  
Mazza

**(7) Nominating Committee.**

January 23 Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

**Staff Liaisons:**  
Barnhart, Jones,  
Berg

**Council Reps:**  
Burns, Cain,  
Udelhofen,  
Bryant

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

**(a) Revise all Division III Policies and Procedures to Gender-Neutral Language.**

January 23 Management Council. The Council approved a recommendation from the committee to require all current and future Division III-specific policies, procedures and communications be written – or rewritten – to contain only gender-neutral language. The change mirrors the approach taken by several Division III institutions with their own formal documentation, with several moving away from gender-binary terminology. SAAC brought the proposal forward to further reinforce the division's commitment to inclusivity. Division III is the first NCAA division to adopt this policy.

Presidents Council. No action was necessary.

**(b) SAAC Leadership Elections.**

January 23 Management Council. The Division III SAAC elected its new officers – Madison Burns, Randolph-Macon College, will be the chair and NJ Kim, Emory University, will remain the vice chair. The new Management Council liaisons are Sammy Kastner, Notre Dame of Maryland University and Colby Pepper, Covenant College.

Presidents Council. No action was necessary.



(c) **Update on Division III SAAC Working Group Reports.**

- Communications and Best Practices Working Group.

January 23 Management Council. The Council noted the working group is updating the best practices guide for communication between the National SAAC, conference SAACs and campus SAACs. The working group also discussed adding a template constitution that institutions can use to formally create and codify their SAAC policies.

Presidents Council. No action was necessary.

- Mental Health Working Group.

January 23 Management Council. The Council noted the working group drafted mental health education cards. The group asked all committee members to reach out to their conferences to receive each schools' list of necessary information to include on the mental health education cards. Second, the working group revised a script for the mental health awareness video social media campaign. Each video will feature a student-athlete sharing support of mental health education and awareness. The working group must revise the social media campaign plan further before its release. The working group also discussed ways to include Division I and II SAAC members in this campaign.

Presidents Council. No action was necessary.

- Special Olympics.

January 23 Management Council. The Council noted the working group discussed the current "50 for 50" participation challenge, which requires institutions to have at least 50 student-athletes participation in Special Olympics event(s) between August 2018 and February 2019. Based on feedback from institutions about annual spring Special Olympics events, the working group and full committee approved extending the deadline for the challenge to April 2019, which will be announced on Division III social media. Additionally, the working group discussed ideas for starting an annual challenge in future years to continue to encourage participation.

Presidents Council. No action was necessary.

Staff Liaisons:  
Grace,  
Romash

Council Rep:  
Benning

**(9) Student-Athlete Reinstatement (SAR) Committee.**

**(a) Noncontroversial Legislation – Bylaw 12.4.1 – Amateurism – Criteria Governing Compensation to Student-Athletes.**

January 23 Management Council. The Council adopted noncontroversial legislation to amend Bylaw 12.4.1 (criteria governing compensation to student-athletes) to designate violations as restitution violations, which do not affect eligibility if the value of the benefit is \$200 or less, provided the student-athlete makes restitution to a charity of their choice prior to competing.

Presidents Council. No action was necessary.

**(b) Extension of Eligibility Waivers Involving Student-Athletes with Documented Education-Impacting Disabilities.**

January 23 Management Council. The Council noted the committee reviewed extension requests in which institutions asserted student-athletes were denied participation opportunities, when, due to documented EIDs, the student-athletes chose to attend institutions that did not sponsor their sport. The committee directed the reinstatement staff to consider objective documentation including, but not limited to, the following in determining whether the student-athlete's attendance at an institution that did not sponsor the student's sport was necessitated by the student's EID and outside the student-athlete's control: (1) The student-athlete's individualized education program; (2) Contemporaneous documentation from an educational counselor recommending the student-athlete attend a specific institution; and (3) Objective documentation specific to the severity of the student-athlete's EID from an individual who assessed the student-athlete and is qualified and licensed to diagnose and treat the student-athlete's particular EID.

Presidents Council. No action was necessary.

**d. Association-Wide and Common Committees.**

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

**(a) Noncontroversial Legislation – NCAA Bylaw 18.4.1.4.1 – Championships and Postseason Football – Eligibility for Championships – Penalty – Banned Drug Classes Other Than Illicit Drugs.**

January 23 Management Council. The Council did not move a CSMAS noncontroversial legislative request, with the understanding that it will be revisited by CSMAS to address specific Division III issues. The legislation would clarify that a student-athlete who tests positive for use of a

Staff Liaisons:  
Parsons

Council Rep:  
Baker-Watson

substance in a banned drug class other than an illicit drug shall be ineligible for competition until the student-athlete has been withheld from the equivalent of one regular season competition. Further, the student-athlete would be charged with the loss of one season of competition if they test positive during a year which they did not use a season of competition.

Presidents Council. No action was necessary.

- (b) **Noncontroversial Legislation – Bylaws 18.44.1.4.3.1 and 31.2.3.1.1 – Executive Regulations – Eligibility for Championships – Ineligibility for Use of Banned Drugs – Drugs and Procedures Subject to Restrictions – Tampering with and Manipulation of Urine Samples.**

January 23 Management Council. The Council approved noncontroversial legislation in Divisions II and III to clarify that tampering with an NCAA drug-test sample includes urine substitution and related methods; further, to clarify that manipulation of urine samples includes the use of substances and methods that alter the integrity and/or validity of urine samples provided during NCAA drug testing.

Presidents Council. No action was necessary.

Staff Liaisons:  
Brownlee,  
Roxbury, Ziegler

Council Rep:  
Thompson-Wolfe

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

January 23 Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Fasbender,  
Gentry, Wilson

Council Rep:  
Udelhofen

- (3) **Committee on Women's Athletics (CWA).**

January 23 Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:  
Tufano

Council Rep:  
Benning

- (4) **Honors Committee.**

January 23 Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Abdur-Rashid,  
Crawford,  
Robinson

Council Rep:  
Bryant

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

- **Athletics Diversity and Inclusion Designation.**

January 23 Management Council. The Council discussed the Minority Opportunities and Interests Committee's legislative concept, possibly

slated for legislation at the 2020 NCAA Convention, to establish an athletics diversity and inclusion designation within each athletics department and conference office. The designee would serve as the primary contact for diversity and inclusion-related information. The Council provided feedback that included the following: (1) The Council supports having an athletics diversity and inclusion designation within conference offices as Division III commissioners want to be included in all communications; (2) The Council believes that there needs to be more information on the role and responsibilities of the designation; and (3) There is value in having a campus designee.

Presidents Council. No action was necessary.

Staff Liaisons:  
Abdur-Rashid,  
Crawford,  
Fasbender,  
Gentry, Robinson,  
Wilson

Council Rep:  
Udelhofen, Bryant

(6) **Joint Committee on Women's Athletics/Minority Opportunities and Interests Committee.**

January 23 Management Council. The Council reviewed the committee's joint report. No action was necessary.

Presidents Council. No action was necessary.

(7) **Olympic Sports Liaison Committee (OSLC).**

January 23 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:  
Walsh

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

January 23 Management Council. Staff reviewed the committee's report and provided an update that two clocks in basketball will be required by 2021. Division III is given a year's notice with rules that have a financial impact. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Calandro, Halpin

(9) **Postgraduate Scholarship Committee.**

- **NCAA Postgraduate Scholarship Committee Public Member Vacancy.**

January 23 Management Council. The Council noted the Administrative Committee [See Page No. 4, 2c] approved this action, and it was ratified by the Council.

Presidents Council. No action was necessary.

Staff Liaison:  
Thomas

Council Rep:  
Cummings-Danson

Staff Liaison:  
Bell

Council Rep:  
Millerick

**(10) Research Committee.**

January 23 Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:  
Thomas

Council Rep:  
Walsh

**(11) Walter Byers Scholarship Committee.**

January 23 Management Council. The committee had no formal report. However, the Council noted that the committee will meet March 4-5 in Indianapolis. Applications for this year's scholarship were lower than usual, at 76. No action was necessary.

Presidents Council. No action was necessary.

**4. 2019 NCAA CONVENTION LEGISLATION.**

**a. Review of 2019 NCAA Convention Notice and Program.**

January 23 Management Council. The Council reviewed the Convention Notice and Program. No action was necessary.

Presidents Council. No action was necessary.

**b. Legislative Proposal Question and Answer Guide.**

January 23 Management Council. The Council reviewed the Legislative Q & A document. No action was necessary.

Presidents Council. No action was necessary.

**c. Review of Parliamentary and Voting Issues.**

January 23 Management Council. The Council approved the parliamentary and voting issues document. It noted that Proposal No. 2019-2 – Playing and Practice Seasons – Football – Establishing Preseason Start Date 23 Days Before the Institution's First Contest, will be moved and seconded, followed by the moving of the amendment-to-amendment Proposal No. 2019-2-1. The membership will then debate and vote on Proposal No. 2019-2-1. If Proposal No. 2019-2-1 is defeated, then the membership will vote on Proposal No. 2019-2 as originally submitted. If the amendment-to-amendment is adopted, the membership will vote on Proposal No. 2019-2 as amended by Proposal No. 2019-2-1.

Presidents Council. The Presidents Council approved the parliamentary and voting issues document.

Staff Liaisons:  
Meyers, Regan

Council Rep:  
Fein

**d. Review of Position Papers and Speaker Assignments.**

January 23 Management Council. The Council reviewed the position papers and speaker assignments.

Presidents Council. The Presidents Council reviewed the position papers and speaker assignments, noting the three proposals in the Presidential Grouping.

**e. Membership Concerns Related to Proposal No. 2019-2 – Playing and Practice Seasons – Football – Establishing Preseason Start Date 23 Days Before the Institution’s First Contest.**

January 23 Management Council. The Council discussed membership concerns with the effective date of Proposal No. 2019-2. Specifically, institutions that have scheduled their first 2019 contest during the second week of the season, against schools that play during week one noted a potential inequity in preseason practice time and, due to existing contracts, are unable to change the start date. The Council instructed staff to inform the membership at the Division III Issues Forum that the Council discussed these concerns and reaffirmed that the Subcommittee on Legislative Relief waiver process is the appropriate avenue to address these concerns. Due to the variability in academic calendars, as well as other conditions, these waivers are best reviewed on a case-by-case basis.

Presidents Council. No action was necessary.

**5. 2020 NCAA CONVENTION LEGISLATION.**

**a. ADM-2020-1 – Executive Regulations – Eligibility for Championships – Administration of NCAA Championships – Secondary Criteria – Non-Division III Strength of Schedule.**

January 23 Management Council. The Council approved, in legislative format, a proposal to eliminate non-Division III strength of a schedule as a secondary criterion from the ranking and selection process.

Presidents Council. No action was necessary.

**b. NC-2020-1 – Playing and Practice Seasons – Athletically Related Activities – Voluntary Out-of-Season Activities Limited Primarily to Members of the Team.**

January 23 Management Council. The Council approved, in legislative format, a proposal to permit student-athletes to participate in on-court or on-field activities that are limited primarily to members of that team provided those activities are not mandatory and are not organized or involve members of the coaching staff.

Presidents Council. No action was necessary.

**6. DIVISION III INITIATIVES AND UPDATES.**

**a. Diversity and Inclusion Working Group.**

January 23 Management Council. The working group provided key updates to the Council, that included the following: (1) Proposal No. 2019-4: Membership – Conditions and Obligations of Membership – Student-Athlete Graduation Rate Reporting; (2) Diversity tips are included in each Division III Monthly Update; and (3) The Student Immersion Program had 36 participants attending the 2019 Convention. The working group's next steps will include continued promotion of the student-athlete graduation rate reporting. It will also discuss MOIC's 2020 NCAA Convention proposal to create an athletics diversity and inclusion designation [See Page Nos. 11-12 d (5)] and the NCAA office of inclusion's work with the Presidential Pledge to move the membership from a commitment phase to action.

Presidents Council. No action was necessary.

**b. Faculty Athletics Representatives (FAR) Engagement Working Group.**

January 23 Management Council. The Council reviewed three best practice resources developed by the working group. The resources will be distributed to all Convention delegates during the Division III Business Session.

Presidents Council. No action was necessary.

**c. LGBTQ Working Group.**

January 23 Management Council. The working group is creating a train the trainer facilitator program to occur in late May/early June. After the training program, facilitators will be able to lead a 90-minute program on Division III campuses and at conference meetings. The program will teach participants LGBTQ terminology as well as provide tools to create safe and inclusive spaces for student-athletes.

Presidents Council. No action was necessary.

**d. Technology Users Group.**

January 23 Management Council. The Council received an update from the users group noting that the Committee Zone, digital library and the purchasing website for the Division III Identity Initiative are all located on Single Source Sign-On (SSO), providing convenience to the membership.

Presidents Council. No action was necessary.

**e. Division III University.**

January 23 Management Council. Staff provided an update on the official launch of Division III University, an online learning management system for commissioners, athletics directors, senior woman administrators and head coaches. The initial modules have a head coach focus and feature a range of content including an overview of Division III,

student-athlete health and well-being, and compliance. Staff noted that in February, the Interpretations and Legislation Committee will discuss next steps regarding the development of additional compliance modules.

Staff also anticipates the release of Gameday the DIII Way modules via Division III University in the near future.

Presidents Council. No action was necessary.

January 26 Management Council. The Council asked if there was a plan to provide access to Division III University to other constituent groups (e.g., FARs). Staff noted the current modules are head-coach focused. The timing and funding for further constituent groups is under discussion.

**f. Division III Identity Initiative.**

January 23 Management Council. The Council received a status report on the Division III Identity Initiative, including an update on the purchasing website, Division III/D3SIDA Recognition Award, social media including the launching of an Instagram account, Special Olympics 50 for 50 challenge, website content and Division III Week slated for April 1-7, 2019.

Presidents Council. No action was necessary.

**g. Strategic Communications Working Group.**

January 23 Management Council. The Council noted a working group was established to update the strategic communications guide created in 2012. A membership survey was emailed in October 2018, and the working group is currently reviewing each section to provide key best practices. The working group plans to release the updated document at the CoSIDA convention in June 2019.

Presidents Council. No action was necessary.

**h. Conference Business Management Resource Subgroup.**

January 23 Management Council. The Council noted the subgroup, consisting of five conference commissioners and staff, is creating a resource entitled *Conference Office Business Management: Items to Know*. The resource includes the following topic areas: (1) Conference office structure; (2) Risk management; (3) Human resources; (4) Officiating; (5) Financial; and (6) Security systems.

The goal is to distribute the final resource at the Division III commissioners meeting in June.

Presidents Council. No action was necessary.



**i. Feedback from Conference Meetings.**

January 23 Management Council. The Council reviewed reports from conference meetings. No action was necessary.

Presidents Council. No action was necessary.

**j. 360 Proof Update.**

January 23 Management Council. The Council received an update noting that 225 institutions are currently registered for 360 Proof. The operations team is currently revising the 360 Proof messaging document and communications calendar. 360 Proof will have presence at the NASPA Strategies Conference, NCAA Convention and NASPA Annual Conference, and will engage in a social media campaign in early February.

Presidents Council. No action was necessary.

**k. FAR Orientation Report.**

January 23 Management Council. Twenty-nine FARs attended the inaugural Division III New FAR Orientation in Baltimore, October 31 to November 3. The cohort completed pre-work modules and supplemental programming throughout the FARA Annual Meeting, culminating in an action planning session. The program's focus is for FARs to understand and prioritize the duties inherent to the FAR position, understand the Division III model of athletics and build a network of FARs, both peer and mentor.

Presidents Council. No action was necessary.

**l. Injury Surveillance Program (ISP) Subgroup.**

January 23 Management Council. The Council received an update on Division III institutions currently participating in the ISP. During the months of August and September, participation rose from nine to 11 percent. In November, a direct email was sent to athletics trainers and athletics directors inviting them to participate. If every institution that has signed up to participate submits data, participation rates will increase to 23 percent for the 2018-19 academic year.

Presidents Council. No action was necessary.

**m. International Ice Hockey Pilot.**

January 26 Management Council. The Council received an update on the International Ice Hockey Pilot, noting a survey will be sent to conference offices and institutions to gather feedback on the pilot and assist in developing next steps.

Presidents Council. No action was necessary.

**7. *SKYLINE CONFERENCE PROPOSAL.***

January 23 Management Council. The Council discussed a proposal forwarded to all Division III presidents in late December by the Skyline Conference. The proposal contends that Division III is not functioning well and needs to be more federated, and that Division III commissioners should develop a plan for presidents to review that will allow Division III to self-regulate and function in a manner that better fits its mission and values. The Presidents Council chair responded to the proposal noting the following: (1) The 2018 Division III Membership Survey results indicate that Division III is functioning well; (2) Division III is currently federated and has great autonomy to control its bylaws, regulations and policies; and (3) There is a process in place that allows for legislative change, and (4) The membership or governance structure can initiate this legislative process.

The Council took action stating that it didn't support the governance structure discussing the proposal further. The Management Council indicated some confusion over the specific requests and recommendations within the proposal. It noted that the division's legislative standards and policies attempt to emphasize fairness and equity. In addition, recent data and evidence don't align with the proposal's assertions. Pending further discussion by the Presidents Council, the Management Council endorsed writing a consensus statement to officially state its position.

Presidents Council. The Council saw no need to call for a comprehensive review of Division III or legislation that would dramatically restructure the division. In their discussion, the presidents echoed the sentiments expressed by the Management Council, noting that the 2018 membership survey results indicate the division is functioning well; the division's current federated structure allows it autonomy from other divisions to control its bylaws and policies; and there is a process that permits for legislative change, which can be instigated either by the membership or the governance structure.

The Presidents and Management Councils will issue a formal written response in the near future. Council members expressed thanks to President Flynn for his interest in seeking to improve Division III. Because there was no support for the proposal from either Council, correspondence will encourage the Skyline Conference to work with NCAA staff to craft membership-sponsored legislation to address the issues articulated in the proposal.

January 26 Management Council. No action was necessary.

**8. *ASSOCIATION WIDE UPDATES AND ISSUES.***

**a. *Board of Governors Update.***

January 23 Management Council and Presidents Council. The Councils received an update on Board of Governors initiatives including: (1) 2019 Proposal No. 1 to add five independent members to the board; (2) Committee to Promote Cultural Diversity and Equity; (3) Sports wagering; (4) Esports; and (5) Governmental relations.

**b. *Sport Science Institute (SSI) Updates.***

January 23 Management Council and Presidents Council. Dr. Hainline provided an update on the SSI's strategic priorities timeline, including the Interassociation Recommendations: Preventing Catastrophic Injury and Death in College Student-Athletes. Currently, outside

medical organizations are reviewing the recommendations for final endorsement. SSI anticipates seeking endorsement by the Board of Governors at its April meeting, prior to releasing the recommendations to the membership.

SSI noted that the Division III participation in the Injury Surveillance Program has increased from less than 10 percent to approximately 25 percent. SSI appreciates the increased participation, as it relies on the data to make policy decisions.

SSI announced that it is hosting a Sports Wagering and Well-Being Summit in March. In addition to an NCAA staff working group, the Board of Governors recently created an Association-wide working group to address sports wagering. The NCAA is educating the membership regarding the impact of sports wagering on legislation and bylaws as well as providing education on gambling addiction. The summit will discuss the impact of legalized sports wagering on the membership. The outcomes of the summit will provide a framework for how the NCAA will move forward in membership education.

**c. Litigation Update.**

January 23 Management Council and Presidents Council. The Councils accepted the Litigation Report. No action was necessary.

**d. Transfer Portal.**

January 23 Management Council. The Council received an update on the NCAA Transfer Portal. All Division I and II student-athletes seeking to transfer must have their information entered into the portal. While Division III student-athletes are not in the portal, Division III coaches and administrators have a read-only access that allows them to view names and contact information for the Division I and II student-athletes. The portal is not a recruiting tool, but instead is a compliance tool that provides academics and athletics information needed to transfer. The Council discussed the benefits of having Division III fully use the transfer portal (e.g., entering all Division III transfers into the portal and creating a standardized transfer tracer).

Presidents Council. No action was necessary.

January 26 Management Council. No action was necessary.

**e. Compliance Attestation Module for Presidents and Chancellors.**

January 23 Management Council and Presidents Council. The Councils received an update on the creation of a learning management module for presidents and chancellors to attest to athletics compliance. The module will encourage greater cooperation and communication between presidents/chancellors and their athletics departments.

The draft module will be available in April.

**f. Senior Woman Administrator (SWA) Resources.**

January 23 Management Council. The Council reviewed copies of the SWA Resource documents, as a result of the continuation of work by the NCAA office of inclusion. All

the Division III delegates will receive copies of these resources during the Division III Business Session.

Presidents Council. No action was necessary.

**9. 2019 CONVENTION LOGISTICS.**

- **Programming and Logistics.**

January 26 Management Council. The Council discussed the 2019 NCAA Convention and provided feedback regarding future Convention programming and logistics.

**10. OTHER BUSINESS.**

- **Acknowledgement of Departing Council Members.**

January 23 Management Council. Shantey Hill-Hanna acknowledged departing Council members, Madison Burns, Sean Cain, Gail Cummings-Danson, Bobby Davis, Chris Kimball and Karen Thompson-Wolfe, thanking them for their service on behalf of the Association. Vice chair Kate Roy thanked Shantey Hill-Hanna for her service as chair of the Management Council.

Presidents Council. President Docking acknowledged departing Council members, Sharon Hirsh and Bob Huntington, thanking them for their service on behalf of the Association. Vice chair Sue Henderson thanked Jeff Docking for his service as chair of the Presidents Council.

**11. ADJOURNMENT.**

January 23 Management Council. The Management Council meeting adjourned at 2:57 p.m.

Presidents Council. The Presidents Council meeting adjourned at 11:15 a.m.

January 26 Management Council. The Management Council meeting adjourned at 12:55 p.m.



REPORT OF THE NCAA DIVISION III ADMINISTRATIVE COMMITTEE  
FEBRUARY 27, 2019, IN-PERSON MEETING

**ACTION ITEM**

- **NCAA Transfer Portal.**
  - a. Recommendation. Approve the use of the NCAA Transfer Portal for all Division III student-athlete transfers beginning with 2019-20 academic year. [NOTE: See also Supplement Nos. 8c and 8d]
  - b. Rationale. Currently Division III student-athletes are not in the portal. However, Division III coaches and administrators have a read-only access that allows them to view names and contact information for Division I and Division II student-athletes looking to transfer to another institution. The portal is not a recruiting tool, but instead a compliance tool that provides academics and athletics information needed to transfer. The committee noted the key benefit of Division III using the transfer portal was the use a standardized transfer tracer (See Attachment). Further, the Division III self-release would not be impacted as student-athletes wanting to transfer could still use the self-release prior to entering their information in the portal.
  - c. Budget Impact. None.
  - d. Student-Athlete Impact. Allows for compliance directors to easily enter and view information for those students wishing to transfer.

**INFORMATIONAL ITEMS.**

1. **General Discussion.** The meeting, held at New Jersey City University, convened at 8:22 a.m. 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.
2. **Leadership Expectations.** The committee reviewed the leadership expectations, the Policies and Procedures documents for both Management and the Presidents Councils, and committee responsibilities including the Board of Governors and Council meetings.
3. **Interpretations and Legislative Committee (ILC) Composition.** The committee, on behalf of the Management Council, voted to waive ILC's composition requirements for one year (Jan. 2019 to Jan. 2020). According to Bylaw 21.9.5.7.1, ILC shall consist of eight members. One member of the Management Council, a student-athlete representative, one faculty athletics representative, one conference administrator and at least one shall be an ethnic minority. At least three positions shall be allocated for men and at least three allocated for women. Currently, the committee only has two men. With two recent female appointments in January 2019, one from Management

Council and the other from the national Student-Athlete Advisory Committee, the committee recommends waiving the composition requirements for one year versus finding a replacement. In January 2020, the committee composition will return to the legislated gender requirements.

#### **4. Key Association-wide Issues.**

##### **a. Board of Governors (BOG).**

- (1) Nomination process to add independent members to BOG. The nomination process to add five independent members to the NCAA Board of Governors closed February 22. The five-member BOG Executive Committee, which serves as the Nominating Committee, will seek a wide variety of backgrounds in new directors to contribute helpful perspectives and experiences. Currently both the Division III Presidents Council chair and vice-chair serve on the BOG Nominating Committee.

The executive search firm Heidrick & Struggles will vet all nominations to ensure an independent, unbiased initial review of candidate applications and lead to a broad consideration of perspectives. The BOG Executive Committee will make its recommendations to the BOG at its April meeting.

- (2) Committee to Promote Cultural Diversity and Equity. The committee reviewed the strategic goals around the Committee to Promote Cultural Diversity and Equity noting the following: (1) Engage and align the NCAA governance structure to achieve inclusive excellence; (2) Use metrics to galvanize accountability to diversify athletics leadership; and (3) Operationalize the NCAA Presidential Pledge and commitment to promoting diversity and gender equity in intercollegiate athletics.

In addition, the committee discussed the Minority and Opportunities Interests Committee (MOIC) recommendation for proposed 2020 Convention legislation to require every institution's athletics department, as well as conference offices, identify an athletics diversity and inclusion designation. Responsibilities include receipt and dissemination of NCAA information related to matters of diversity and inclusion and would provide tangible support to the NCAA's Presidential Pledge initiative.

- (3) Sports Wagering Ad Hoc Committee. The BOG established an Association-wide Sports Wagering Ad Hoc Committee. The committee's charge is to protect student-athlete well-being and ensure the integrity of competition. Specifically, the committee is charged to: (1) Review current NCAA legislation related to sports wagering and explore whether additional legislation is appropriate in an environment that includes legalized sports wagering, but that also adheres to the guiding principles of student-athlete well-being and maintaining the integrity of intercollegiate competition; (2) Examine player availability reporting to determine feasibility and how it could assist the membership in protecting the integrity of college sports and the well-being of student-athletes; and (3) In conjunction with

a sports integrity services provider evaluates the associated risk per sport by division as an increasing number of states are taking action to legalize sports wagering. The committee consists of 12 members with three members from Division III.

A Sports Wagering Summit will be held in March at the NCAA national office around student-athlete health and well-being.

- (4) Esports. The Board of Governors tasked staff to develop a blueprint by which the BOG could evaluate how an NCAA competition or structure in Esports would look within the framework of NCAA values, particularly student-athlete well-being.
  - (5) Officiating. Almost a year ago, staff created an internal working group to review officiating issues identified in a Division II Commissioner Association white paper that also was endorsed by the Division III Commissioner Association. After further review and analysis, staff recognized the membership's concerns, in particular an aging pool of officials and an inefficient pipeline of new officials. Staff is moving forward on several initiatives to recruit more officials and provide leadership and consistency through the NCAA's current programs. Staff also determined it didn't have the resources to take on all of the action items identified by the working group.
  - (6) Coaches credentialing. The committee noted a recommendation from the Knight Commission requesting the NCAA develop minimal professional standards for coaches to assist their role as educators of student-athletes. Currently through the Sports Science Institute (SSI) and Division II and Division III universities, there are several resources that could be part of a coaches' education and credentialing program. Staff anticipates piloting a program for men's and women's basketball coaches in late spring/early summer. This program may be used as a foundation for expansion to other sports.
- b. Sport Science Institute (SSI) Strategic Initiatives Timeline. The committee reviewed the SSI's strategic initiatives timeline. This timeline is a resource to help inform the membership of upcoming initiatives.
- (1) Catastrophic injury prevention interassociation guideline. The committee discussed the interassociation guideline and noted that academic and membership affairs (AMA) will review it in late March to confirm that none of the guidelines are in direct conflict with existing legislation. The Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS) will review the guidelines during its March teleconference. If endorsed by CSMAS, the guideline will be forwarded to the Councils for review at their April meetings and to the BOG for final approval at its April 30 meeting.
  - (2) Student-athlete mental health services. The committee reviewed a proposal adopted by the Division I Autonomy Five conferences that is being considered by the rest of Division I, as well as Divisions II and III. The proposal would require

an institution to make mental health services and resources available to its student-athletes through the department of athletics and/or the institution's health services or counseling services department. Staff anticipates the Management Council acting on this proposal during its April meeting.

- c. NCAA Strategic Plan. The committee reviewed the strategic plan timeline, noting the final document will be released after the October BOG meeting. The slightly delayed release will allow the new BOG independent members an opportunity to review the document during their first meeting in August.

## **5. Key Division III Initiatives for 2019-20.**

- a. Division III University. Division III University, an on-line learning management system, launched in January 2019. Division III commissioners, athletics directors, senior woman administrators and head coaches have access to the educational modules. The cost per user is a one-time fee of approximately three dollars. To date, the division has budgeted \$30,000. The committee noted it anticipates the Strategic Planning and Finance Committee, at its March meeting, to approve a recommendation for additional funding to develop modules and expand use to other Division III constituent groups. The Management Council will discuss the topic during its April meeting.
- b. International Ice Hockey Pilot. The committee noted a survey was sent to the member participating schools regarding the 2018-19 pilot. The pilot parameters included the NCAA Eligibility Center (EC) reviewing the participation history of all international first year ice hockey players. The survey will help the division determine what this program may look like moving forward (e.g., another pilot, legislation, EC logistics).
- c. Division III Identity Initiative. The eighth annual Division III Week will occur April 1-7, 2019.
- d. Strategic Positioning Platform. The committee reviewed the platform and suggested developing a working group to refresh the document to ensure it reflects the division's current initiatives. The committee also recommended that the review occur after the release of the NCAA strategic plan this fall.

## **6. Working Group Updates.**

- a. Diversity and Inclusion Working Group. The committee reviewed the February 2019 report noting the membership's adoption of legislation to require the annual reporting of student-athlete graduation rates at the 2019 Convention. The first mandatory report is due June 1, 2020.
- b. Faculty Athletics Representative (FAR) and Engagement. The committee reviewed the best practice resources developed by the working group. Staff distributed an electronic version in December and hard copies at the 2019 NCAA Convention.



- c. Gameday the DIII Way. The committee noted training is currently focused on developing ambassadors. Division III is continuing its partnership with the Disney Institute and hosting trainings in different regions of the country. In addition, a survey will be sent to help determine the impact the training has had on the membership.
  - d. LGBTQ Working Group. The committee noted the initial facilitator training that is scheduled for the end of May in Indianapolis. Applications are currently available via Program Hub for approximately 30 interested candidates. The training is designed to train facilitators in the following: (1) Understand the involvement of the NCAA and Division III in LGBTQ issues on the national, regional and local levels; (2) Recognize the importance of LGBTQ inclusion in college athletics; (3) Learn common LGBTQ terms, definitions, and concepts; (4) Identify strategies and best practices for institutions and conferences to ensure all individuals may participate in an athletics climate of respect and inclusion, regardless of sexual orientation, gender identity or gender expression; and (5) To develop facilitation and presentation skills for the ONETEAM program.
7. **Skyline Conference Proposal.** The committee reviewed a letter sent to College of Mount Saint Vincent President Charles Flynn following the 2019 Convention. The letter noted that both the Presidents and Management Councils expressed thanks for his interest in seeking to improve Division III, but due to a lack of support from either Council, the Skyline Conference was encouraged to craft membership-sponsored legislation to address the issues articulated in its proposal.
8. **Potential 2020 Division III Legislation.** The committee discussed possible key legislation for the 2020 Convention: (1) Appropriate number of conferences/institutions to propose membership-sponsored legislation; (2) Championships – no conference opponents in the first round; (3) Membership Committee – let year-three and year-four provisional schools count towards the formation of a conference; (4) Multi-division members and which division's rules to follow; and (5) Drug testing and a proposal by CSMAS to change certain penalties.
9. **Division III Strategic Planning and Finance Committee.**
- a. Division III Strategic Plan. The current Division III Strategic Plan details a two-year budget cycle to align with the 2017-19 budget biennium. The plan is updated yearly to reflect dollar amounts associated with both championship and non-championship initiatives. With the close of the current budget cycle, the Strategic Planning and Finance Committee (SPFC) will forward an updated strategic plan for 2019-21 to the Councils for approval.
  - b. Division III Budget.
    - (1) Budget-to-actual. The committee reviewed the budget-to-actual document noting that as of January 2019, the fall championships were currently within budget, and all nonchampionship initiatives were within budget.

- (2) 2019-2021 proposed nonchampionships Division III budget. The committee reviewed the proposed budget priorities for nonchampionship initiatives.
  - (3) 2019-2021 proposed championships Division III budget. The committee reviewed the proposed budget priorities for championship initiatives.
  - (4) Budget projections. The committee reviewed an updated future budget projection through 2023-24 that included all new proposed initiatives. There will be a 13 percent revenue increase in 2024-25. SPFC will review the proposed initiatives and their impact on the future forecast at its March meeting. The committee subsequently will forward a recommendation to the Councils.
- c. Strategic Planning and Finance Committee in-person meeting. The committee reviewed the draft agenda for the March in-person of SPFC.

**10. Other Communication Initiatives.**

- a. Presidents Council Communication Plan.
  - (1) President's Advisory Group (PAG). The committee reviewed the rationale for the establishment of PAG and discussed ways to better utilize this group within the governance structure.
  - (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 provide feedback on the committee liaison's performance.

**11. Adjournment.** The meeting adjourned at 1:33 p.m.

*Committee Chair: Sue Henderson, New Jersey City University, New Jersey Athletic Conference*

*Staff Liaisons: Dan Dutcher, Division III Governance*  
*Jay Jones, Division III Governance*  
*Louise McCleary, Division III Governance*

NCAA Division III Administrative Committee February 27, 2019, Meeting	
<b>Attendees:</b>	
Stevie Baker-Watson, DePauw University	
Heather Benning, Midwest Conference	
Sue Henderson, New Jersey City University.	
Tori Murden McClure, Spalding University	
Dennis Shields, University of Wisconsin, Platteville	
<b>Absentee:</b>	
None.	
<b>NCAA Staff Support in Attendance:</b>	
Dan Dutcher, Jay Jones, Debbie Kresge, Louise McCleary and Jeff Myers.	

## Permission to Contact

Student NCAA ID:

[REDACTED]

Student First Name:

[REDACTED]

Student Last Name:

[REDACTED]

Student Email:

[REDACTED]

☒ Student wishes to be contacted by other institutions: ()

☐ No

☒ Sport(s): ()

[REDACTED]

☒ Comments: ()

[REDACTED]

Date Initiated:

01/22/2019 3:04 PM

## General Information

Did the student-athlete only attend a summer term or participate in preseason practice prior to initial full-time enrollment?

Yes No

--

**Initial Full-Time Enrollment:**

Any institution:

--

This institution:

--

Full-time Terms Complete:

--

Is the student-athlete currently receiving athletically related financial aid?

Yes No

**Did the student-athlete previously transfer from another collegiate institution?**

Yes No

NLI Status

No NLI on file.

## Eligibility

### Eligibility Center Academic Certification

Div I	Div I Waiver	Div II	Div II Waiver
Final Nonqualifier		Final Qualifier	

### Eligibility Center Amateurism Certification

Division I	Division II	Sport
Final: Certified	Final: Certified	Football

Is the student-athlete currently in good academic standing

Yes No

---

---

---

? Is the student-athlete meeting all progress-toward-degree requirements?

Yes No In Progress

---

---

---

? Student-athlete would be academically eligible if he or she remains at the institution?

Yes No In Progress

---

---

---

Student-athlete has graduated from the current institution

Yes No

---

---

---

Participation

Has the student-athlete participated in intercollegiate athletics (practiced and/or competed) beyond a 14 consecutive-day tryout period

Yes No

Sports Participation ⓘ ⓘ

Sport	Term(s)	Academic Year	Practice?	Season Used?	Hardship Waiver?	Received Athletic Aid?
-------	---------	---------------	-----------	--------------	------------------	------------------------

Participation has not been entered

## Exceptions

Has the student-athlete been disqualified or suspended for disciplinary reason:

Yes No Unsure

Has the student-athlete's sport been discontinued (or publicly announced it will be dropped

Yes No

jkjones@ncaa.org 20190228\_170018

Has the student-athlete's academic program been discontinued

Yes No

 Does the institution object to granting the one-time transfer exception?

Yes No Not Applicable

Does the student-athlete meet the two-year non-participation exception

Yes No

Do any other four-year transfer exceptions apply

Yes No



**REPORT OF THE NCAA DIVISION III ADMINISTRATIVE COMMITTEE  
March 20, 2019, ELECTRONIC MAIL**

**ACTION ITEMS.**

- None.

**INFORMATIONAL ITEMS.**

1. **Noncontroversial Legislation – NCAA Bylaw 21.9.6.2 and Figure 21.1 – Committee Membership.** The Administrative Committee, on behalf of the Management Council, approved the adoption of noncontroversial legislation to amend Figure 21.1 as incorporated by Bylaw 21.9.6.2, to increase the Division III Men's Lacrosse Committee roster to coincide with the new regional alignment the Division III Championships Committee endorsed as proposed by the Division III Commissioners Association.

Currently the men's lacrosse committee is made up of four members. It will increase to five, with one committee member representing each of the five sport regions. The estimated budget impact is \$3,600. The legislation will increase representation for student-athletes across the regions in men's lacrosse.

The effective date is August 1, 2019.

2. **Division III Management Council Appointment.** The Administrative Committee, on behalf of the Management Council, approved the appointment of Scott McGuinness, director of athletics, Washington and Jefferson College, to fill an immediate vacancy replacing Steve Cantrell, who resigned from the Council.

*Committee Chair: Sue Henderson, New Jersey City University, New Jersey Athletic Conference*

*Staff Liaisons: Dan Dutcher, Division III Governance  
Jay Jones, Division III Governance  
Debbie Kresge, Division III Governance  
Louise McCleary, Division III Governance*

NCAA Division III Administrative Committee March 20, 2019, Electronic Mail	
<b>Attendees:</b>	
Stevie Baker-Watson, DePauw University	
Heather Benning, Midwest Conference	
Sue Henderson, New Jersey City University	
Tori Murden-McClure, Spalding University	
Dennis Shields, University of Wisconsin, Platteville	
<b>NCAA Staff Support in Attendance:</b>	
Dan Dutcher, Jay Jones, Debbie Kresge and Louise McCleary	



REPORT OF THE NCAA DIVISION III STRATEGIC  
PLANNING AND FINANCE COMMITTEE  
MARCH 5, 2019, IN-PERSON MEETING

**ACTION ITEMS.**

**1. Legislative Item.**

• **Noncontroversial Legislation – NCAA Bylaw 21.9.6.2 and Figure 21.1 – Committee Membership.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Figure 21.1 as incorporated by Bylaw 21.9.6.2, to adjust sport committee rosters to coincide with the Championships Committee's proposed new regional alignment. [NOTE: See March 20 Administrative Committee Report for prior approval of request related to men's and women's lacrosse.]
- (2) Effective date. Immediate for the men's and women's lacrosse committees; September 1, 2020 for the baseball, men's and women's basketball, football, men's golf, men's and women's soccer, softball and women's volleyball committees.
- (3) Rationale. The committee noted that the Championships Committee supported a proposal from the Division III Commissioners Association to create a scale for regional alignment based on sports sponsorship (e.g., sports with sponsorship from 40-149 would have two regions; 150-374, 5-8 regions; 375+, 9-10 regions) and other key principles, including: (1) Maintaining conference members in the same regions; (2) Importance of geographic proximity in regional placement; and (3) Balancing the number of institutions across all regions (optimally, close to 40 per region). The new model provides flexibility based on the number of schools sponsoring the sport in the division (allowing for growth with a prescribed solution for sports that change over time) and recognizing that the "one size fits all" philosophy may not work for regional alignment.

NOTE: Due to the timing of the budget requests, the committee noted that sports committees were not involved in making this recommendation.

- (4) Estimated budget impact. \$10,800 in 2019-20; \$75,600 in 2020-21.
- (5) Estimated student-athlete impact. The new sport committee compositions will increase representation for student-athletes across the regions.

**2. Nonlegislative Items.**

**a. Nonchampionship Budget Initiatives.**

- (1) Recommendation. Approve the nonchampionships budget priority initiatives for the 2019-21 budget cycle.
- (2) Effective date. September 1, 2019.

- (3) Rationale. The committee reviewed the nonchampionships budget initiative priorities for the 2019-21 budget (see Attachment A). Key changes include increases to the Conference Grant Program (5%); increase to the Women & Minority Internship Program (funding 23 internships annually for two years); learning management system (DIII University); 360 Proof work shop (\$85,000 annually); and Division III governance staff (a reclassification and one new FTE).
- (4) Estimated budget impact. Increase of \$252,000 in 2019-20 and \$456,000 in 2020-21.
- (5) Estimated student-athlete impact. The recommendations provide expanded opportunities for student-athletes.

**b. Championships Budget Initiatives.**

- (1) Recommendation. Adopt changes in bracket sizes and incorporate the championship's budget priority initiatives for the 2019-21 budget cycle (See Attachment B).
- (2) Effective date. Various as noted in Attachment B.
- (3) Rationale. The committee reviewed the Championships Committee budget initiative priorities for the 2019-21 budget (see Attachment B). The requests for bracket expansion in baseball, men's soccer, men's volleyball and women's lacrosse are a result of increased sport sponsorship and a commitment to maintaining the 1:6.5 access ratio for team sports. The requests for increases in men's and women's golf and men's tennis are meant to accommodate sponsorship growth within the prescribed ratio.

The request to boost officials' fees in all sports by five percent is a result of an increased emphasis within the division on attracting and retaining quality officials and a commitment to increase fees with every new budget biennium.

The requests to increase stipends and travel/per diem expenses for the national coordinators of officials in men's and women's basketball, football and baseball come from sport committee recommendations to more accurately and consistently compensate those positions for their importance and work performed. The technology fee for men's and women's basketball is for a one-time purchase of equipment to provide those coordinators access to video of more games. The addition of officials' evaluators in men's basketball mirrors the existing protocol for women's basketball. The committee also supported a change to the men's lacrosse championship format that alleviates the quick turnaround teams currently experience immediately after selections and throughout the preliminary rounds.

Additionally, the committee supported providing trophies to regional championships in men's and women's cross country to align with the provision of regional trophies in other sports.

The committee also prioritized a commitment to guarantee that conference opponents do not meet in the first round of championship competition. Currently, the concept is a principle in the bracketing and pairing process by sport committees, but not guaranteed if geographic proximity (i.e., keeping air travel to a minimum) is not maintained. The committee proposes a two-year pilot program after which actual cost and effectiveness, as well as available resources, will be evaluated before any long-term implementation.

For year two of the budget cycles (2020-21), the committee prioritized the following: (1) Reinstate host honorariums for nonpredetermined preliminary rounds hosts; (2) Further increase the host per diem rate to \$40; and (3) Enhance the national champion awards program whereby individual event champions (e.g., track and field event winners, wrestling weight class championships, etc.) receive a watch in addition to a mini-trophy as is currently awarded to members of national champion teams. The committee agreed to propose the awards change to Divisions I and II and coordinate implementation with the overall NCAA awards program.

- (4) Estimate budget impact. The budget impact is noted in Attachment B.
- (5) Estimated student-athlete impact. The recommendations will enhance the championship experience for student-athletes or improve championship administration.

### **INFORMATIONAL ITEMS.**

- 1. **Welcome.** The chair, President Tori Murden McClure, welcomed the committee to the in-person meeting. The meeting began at 7:58 a.m. Eastern time.
- 2. **Report from the November 2018 teleconference.** The committee reviewed and approved its November 2018 report.
- 3. **Division III Budget.** The committee reviewed the 2018-19 budget-to-actual summary as of February 2019. To date, the division is on target with its budget projections and anticipates spending all championships funding, with approximately a \$225,000 surplus in nonchampionships. Future projections indicate the division maintaining an annual balanced operating budget through the 2022-23 academic year. There is a slight overage in the 2023-24 operating budget (\$182K) and the surplus above and beyond the mandated reserve will be \$134,000 in 2023-24. 2023-24 is the last year of the current CBS/Turner broadcast/revenue agreement. In 2024-25, the first year of the new agreement, it includes a 13% increase in revenue.

**4. Division III Initiatives – Budget Impact.**

- a. 2018 Faculty Athletics Representative (FAR) Orientation. The committee reviewed the inaugural 2018 FAR Orientation program expenses. Staff noted that this program will be held again in 2020, alternating with the FAR Institute, which will be held in 2019.
- b. Athletics Direct Report (ADR) Institute. The committee noted the actual expenses from Convention were not available; however, participant feedback was overwhelmingly positive.
- c. Student Immersion Program. The committee noted the actual expenses from Convention were not available; however, it reviewed feedback from both the participants and mentors. The participants noted that mentors were helpful and provided a network opportunity and they would like to extend the program. The program participants received an invitation to attend the 2019 Division III Next Steps program in conjunction with the NCAA Career in Sports Forum in June. The program will take place in Indianapolis and staff anticipates approximately 25 attendees.
- d. International Ice Hockey Pilot. The committee reviewed an International Ice Hockey Pilot Program Survey sent to all athletics directors at institutions, as well as commissioners, that sponsor men's and/or women's ice hockey and participated in this year's pilot. The Management Council will review the survey results during its upcoming meeting in April.
- e. Division III University. Division III University was launched in January 2019 with several modules in the areas of NCAA general information, student-athlete well-being and compliance. The cost is approximately two to three dollars per user license. Currently all Division III head coaches, athletics directors, senior woman administrators and commissioners have access to the modules. With close to 8,000 head coaches and 1,000 administrators staff estimates the initial cost to be \$25-30,000. In November, SPFC approved to fund the initial costs.

The committee noted there is an initial development cost of \$16,635 for a one-day design workshop, minimal learner analysis, creation of a starter design with topics, learning objectives, new program design and branded mockups. After the initial cost, modules are typically eight minutes in length and development costs range from \$3-5,000 per module.

- f. Division III Coaching Enhancement Grant. The committee noted this new diversity grant that is designed to provide financial assistance to member institutions that are committed to enhancing ethnic minority and female representation through newly created assistant coaching positions. The grant helps fund new, full-time assistant coaching positions in all NCAA-sponsored sports during a two-year commitment. The NCAA contributes \$7,500 annually toward the assistant coach's salary, wages and benefits, as well as \$1,500 each year for professional development. Institutions are required to match the salary, wages and benefits for two years (e.g., \$7,500 annually). To be eligible for the grant, institutions must hire a candidate who self identifies as an ethnic minority, as described pursuant to federal guidelines, and/or female.

5. **Strategic Positioning Platform Review.** The committee discussed the current existing Division III strategic positioning platform. With it being over a decade old, the committee recommended the creation of a working group to review and make recommendations for updates. To align with the current update of the NCAA Association-wide strategic plan, the working group will begin its work in the fall of 2019.

6. **Division III Strategic Initiatives Conference Grant Program.**

- a. Conference Grant Review Subcommittee. Mike Vienna agreed to serve on the Conference Grant Review Subcommittee along with Angela Baumann and David Ellis. The subcommittee's responsibility is to review the staff findings regarding the annual submitted Conference Grant Impact Forms and make recommendations to the full committee regarding policy application and use of funds.
- b. Update on NCAA Audit Process. As a result of the NCAA internal audit department, following the fall review of the Conference Grant Impact Form, the Conference Grant Review Subcommittee submitted three conferences for a Level Two review. NCAA internal audit staff are conducting the audits this spring. The subcommittee determined that the American Collegiate Athletic Association and the Skyline Conference should receive a for-cause audit. For the third review, the subcommittee randomly selected the Minnesota Intercollegiate Athletic Conference (MIAC). The subcommittee noted that the MIAC filed an exemplary report and there were no usage concerns identified; instead, the MIAC was selected as part of the national office's program to monitor grant funding.
- c. Review Grant Policies and Procedures. The committee approved minimal changes to the Conference Grant Program Policies and Procedures.

7. **Division III Working Groups.**

- a. Sportsmanship and Game Environment – Gameday the DIII Way. The committee received an update noting next steps:
  - Online training videos are in the final production stages and will post to Division III University in the spring 2019.
  - The current Disney Institute contract is set to expire July 1, 2019. There is a recommendation to renew it for another two years.
  - Based on the success of the Division III Commissioners' Ambassador training session, the in-person training provided by the NCAA and the Disney Institute will shift focus away from a broad facilitator training and instead focus on regional-based ambassador training for senior athletics administrators and "super facilitator" training for the most active existing Division III facilitators.

- b. Diversity and Inclusion Working Group. The committee received an update from the working group's February teleconference. Currently the working group is collaborating with the office of inclusion on two initiatives, a possible 2020 NCAA Convention legislative proposal by MOIC and the NCAA Presidential Pledge. The proposal would require an athletics diversity and inclusion designation. Responsibilities include receipt and dissemination of NCAA information related to matters of diversity and inclusion. The implementation of the designation would provide tangible and practical support to the NCAA's Presidential Pledge initiative.
- c. FAR Engagement Working Group. The committee received an update on resource documents developed by the working group.
- d. LGBTQ Working Group. The committee received an update from the working group's January teleconference noting two upcoming initiatives: (1) ONETeam facilitator training; and (2) Division III LGBTQ recognition event. The inaugural ONETeam facilitator training will be conducted in late May in Indianapolis for approximately 30 participants and is modeled similarly to Gameday the DIII Way. The NCAA has hired Nevin Caple, co-founder and managing partner of LGBT SportSafe, and Dr. Pat Griffin, professor emerita at the University of Massachusetts, Amherst, to develop structure and content for the facilitator training and the ONETeam campus/conference program. In addition, the working group formed a subcommittee to engage in initial program development for an annual LGBTQ recognition event.

## **8. Hot Topics.**

- a. 2019 Legislation Voting Results. The committee reviewed the 2019 legislation voting results around significant legislation for the division. Those reviewed were: (1) Proposal No. 3 – Playing and Practice Seasons – Field Hockey and Soccer Preseason – Establishing a Three-Day Acclimatization Period – noting it was referred back to Management Council and CSMAS to review; and (2) Proposal No. 2019-2 and 2019-2-1 – Playing and Practice Seasons – Football – Establishing Preseason Start Date 23 Days Before the Institution's First Contest – Exception Thursday Contest.
- b. Football Preseason Practice Waivers. Staff noted that several waivers have been received with Proposal No. 2019-2-1, noting the Subcommittee for Legislative Relief will review on its upcoming teleconference.
- c. Interassociation Guidelines on Catastrophic Injury. The committee reviewed the Interassociation Guidelines on Catastrophic Injury noting the document addresses the prevention of catastrophic injury, including traumatic and nontraumatic death, in college student-athletes. Staff is currently reviewing the document regarding if any of the guidelines directly conflict with existing legislation. Staff anticipates the BOG will review and endorse the guidelines during its April meeting.

- d. Attestation of Compliance for Presidents and Chancellors and Athletics Directors. The committee heard an update regarding a recommendation from the Commission on College Basketball that presidents formerly affirm compliance. Management Council approved the presidents/chancellor's attestation as noncontroversial legislation during its January meeting. The Council will discuss the attestation process for athletics directors during its April meeting.
  - e. NCAA Board of Governors (BOG) Updates.
    - (1) Nomination process to add independent members. The committee reviewed a letter addressing the nomination process for adding five independent members to the BOG. The BOG Executive Committee will serve as the Nominating Committee and will seek a variety of backgrounds in new directors to contribute helpful perspectives and experience to the BOG. Division III Presidents Council chair and vice chair, Sue Henderson and Tori Murden McClure, serve on this committee. The goal is to hold interviews in early April with the final selection by the full BOG at its late April meeting.
    - (2) Sports Wagering Working Group. The BOG established an Association-wide Ad Hoc Committee on Sports Wagering to protect student-athlete well-being and ensure the integrity of competition. The committee consists of 12 members, including three from Division III. This Ad Hoc Committee will work with the NCAA internal sports wagering working group to build on the Association's efforts related to legislation, policy, research and education around sports wagering to assist members as they adapt to legalized sports wagering in their states and regions.
    - (3) Esports. The BOG tasked staff with developing a blueprint by which the Board could evaluate how an NCAA competition or structure in esports would look within the framework of NCAA values, particularly student-athlete well-being.
    - (4) NCAA Strategic Plan. The committee reviewed the NCAA Strategic Plan timeline noting that implementation has been moved until October to allow a review by the new BOG independent members.
9. **Other Business.** The committee had no other business.
10. **Future Meeting.** The committee noted its next teleconference will be in June.
11. **Adjournment.** The meeting adjourned at 1:13 p.m.



*Committee Chair: Tori Murden-McClure, Spalding University, St. Louis Intercollegiate Athletic Conference*

*Staff Liaisons:*

*Dan Dutcher, Division III Governance  
Eric Hartung, Research  
Jay Jones, Division III Governance  
Louise McCleary, Division III Governance  
Jeff Myers, Academic and Membership Affairs  
Caryl West, Administrative*

<b>NCAA Division III Strategic Planning and Finance Committee March 5, 2019, Meeting</b>
<b>Attendees:</b>
Stevie Baker-Watson, DePauw University
Angela Baumann, Massachusetts State Collegiate Athletic Conference
Heather Benning, Midwest Conference
Stuart Dorsey, Texas Lutheran University
David Ellis, Becker College
Tori Murden-McClure, Spalding University
Colby Pepper, Covenant College, SAAC
Kate Roy, North Atlantic Conference
Dennis Shields, University of Wisconsin, Platteville
Bill Stiles, Alvernia University, participated via teleconference
Kent Trachte, Lycoming College
Mike Vienna, Emory University
Joe Walsh, Great Northeast Athletic Conference
<b>Absentees:</b>
Margaret Drugovich, Hartwick College
<b>NCAA Staff Support in Attendance:</b>
Dan Dutcher, Jay Jones, Debbie Kresge and Louise McCleary.
<b>Other NCAA Staff Members in Attendance:</b>
Brian Burnsed, Eric Hartung, Lorne McManigle, Jeff Myers, Adam Skaggs, Liz Suscha and Caryl West.

	2017-18 Budget	2018-19 Budget	2019-20 Proposed Budget	2020-21 Proposed Budget	Notes
<b>Expenses (continued):</b>					
Non-Championship Expenses					
Strategic Initiative Conference Grants	2,795,100	3,042,600	3,194,730	3,194,730	5% increase
Other Division III Strategic Initiatives					
Women & Minority Intern Program	1,130,000	1,209,920	1,300,000	1,300,000	Funding 23 internships each year, more attending orientation
Strategic Alliance Matching Grant	708,600	708,600	708,600	708,600	
Student-Athlete Leadership Conference	365,000	365,000	365,000	365,000	
Division III Identity Program	300,000	300,000	300,000	300,000	
DIII Diversity Initiatives	250,000	250,000	250,000	250,000	
Sportsmanship Initiative	250,000	250,000	225,000	225,000	Regional based, Disney led ambassador training, contractor
360 Proof	125,000	125,000	115,000	115,000	
360 Membership Engagement Program				85,000	Delay until 2020-21 to vet SSI involvement
Campus-based Student-Athlete Leadership Programs (DiSC)	80,000	100,000	100,000	100,000	
LGBTQ Inclusion Program	-	100,000	100,000	100,000	
Institute for Coaching Advancement	-	100,000	100,000	100,000	11 matching grants at \$7,500 annually for 2 years plus \$1,500 professional development annually
ADR Institute	90,000	90,000	90,000	90,000	
SAAC April Meeting and Associate Member Travel	25,000	90,000	90,000	90,000	
FAR Institute and Orientation	85,000	85,000	85,000	85,000	
New AD and Commissioner Orientation	85,000	85,000	85,000	85,000	
NADIII AA Partnership	75,000	75,000	75,000	75,000	
Injury Surveillance and Testing	-	74,500	0	5,000	
Annual Convention	70,000	70,000	70,000	70,000	
Co-SIDA Partnership	44,000	44,000	44,000	44,000	
Division III Event Cancellation Insurance	41,000	41,000	41,000	41,000	
Special Olympics Partnership	35,000	35,000	35,000	35,000	
Academic Reporting Honorarium	35,000	35,000	0	0	
SWA Enhancement Grant Program (WLCS)	30,000	30,000	30,000	30,000	
Membership Learning Management System	-	55,000	80,670	94,000	Add FAR, ATC and compliance as users (\$6,000) and develop 13 new modules at \$6,000 each (\$78K)
Conference Commissioners Meeting	20,000	20,000	20,000	20,000	
Other Working Groups	20,000	20,000	20,000	20,000	
Miscellaneous Division III Initiatives	85,300	15,380	0	67,670	Monies currently not earmarked moved to misc.
CoSIDA D3 Day	15,000	15,000	15,000	15,000	
Administrator and Commissioner Meeting (NADIII AA and D3CA)	10,000	10,000	10,000	10,000	
Staff Professional Development	-	7,000	7,000	7,000	
Division III Governance Staff (Reclass and FTE)			112,000	112,000	AMA FTE to oversee DIII University (\$94K includes benefits) plus money to have asst. director position be full-time (\$18K includes benefits)
Non-Championships Expense	6,769,000	7,448,000	7,668,000	7,839,000	
Overhead Allocation	1,128,000	1,062,000	1,094,000	1,127,000	
Total Non-Championships Expenses	7,897,000	8,510,000	8,762,000	8,966,000	

**2019-2021 Proposed Championships Budget Initiatives**

 Division III Championships  
 FINAL 2019-21 Budget Priorities

**ATTACHMENT B**

Request Type	Sport	Item	2019-20	2020-21	2021-22	2022-23
Bracket expansion supported by legislation	Baseball	Increase bracket from 58 to 60^	\$ 112,000	\$ 2,000		
	Men's Soccer	Increase bracket from 62 to 64^	\$ 67,000	\$ 1,000		
	Men's Volleyball	Increase bracket from 14 to 16^	\$ 43,000	\$ 1,000		
	Women's Lacrosse	Increase bracket from 42 to 44^	\$ 42,000	\$ 1,000		
	Men's Golf	Increase field from 42 to 43^	\$ 12,100	\$ 200		
	Women's Golf	Increase field from 25 to 29^	\$ 52,400	\$ 700		
	Men's Tennis	Increase bracket from 43 to 44^	\$ 10,400	\$ 200		
Committee Composition	Various - 24 positions	Increase sport committee composition to coincide with regional realignment proposal (note: MLAX and WLAX in year one of budget cycle; remainder of sports in year two); refer to tab "Committee"	\$ 10,800	\$ 75,600		
Officiating	All	Increase officiating fees - by 5% over two years	\$ 31,300			
Sport-specific requests	Men's Basketball	Increase in stipend for national coordinator from \$5,000 to 10,000, and increase travel/per-diem expenses to \$5,000 + \$1,000 Technology Fee	\$ 11,000			
	Men's Basketball	Officials' evaluators at preliminary-round sites	\$ 4,800			
	Women's Basketball	Television broadcast coverage of championship final in conjunction with 2023 joint championship (one-time expense)				\$ 35,000
	Women's Basketball	Increase in stipend for national coordinator from \$5,000 to 10,000, and increase travel/per-diem expenses to \$5,000 + \$1,000 Technology Fee	\$ 8,650			
	Football	Increase in stipend for national coordinator from \$5,000 to 10,000, and fund travel/per-diem expenses up to \$5,000	\$ 10,000			
	Baseball	Increase in stipend for national coordinator from \$5,000 to 10,000, and fund travel/per-diem expenses up to \$5,000	\$ 10,000			
	Men's and Women's XC	Regional trophies	\$ 10,096			
	Men's Lacrosse	Bracket format change	\$ 53,000			
Per Diem	All	Per diem for hosts of nonpredetermined preliminary round (increase by another \$5 to \$40)		\$ 65,000		
Game Operations	All	Reinstate host honorarium for non-predetermined preliminary round hosts		\$ 161,000		
Game Operations	Individual Sports	National champion award watch for individual event champions		\$ 28,130		
Total New Priorities			\$ 488,546	\$ 335,830	\$ -	\$ 35,000
Bracketing	All Team Sports	Guarantee conference opponents do not meet in first round	\$ 336,000	\$ 336,000		
Supplemental Funding - New Priorities			\$ 336,000	\$ 336,000	\$ -	\$ -
Per Diem	Team Sports	Per diem for hosts of nonpredetermined preliminary round (increase by \$5 to \$35)		\$ 62,000		
Per Diem	All	Increase per diem to \$100		\$ 367,000		
Total Previously Approved Priorities			\$ -	\$ 429,000	\$ -	\$ -

**SUPPLEMENT NO. 10**  
**DIII Presidents Council 04/19**



FY 2017 - 2018 DIII Budget to Actual (through 08/31/2018) and FY 2018 - 2019 DIII Budget to Actual (through 3/31/2019) unaudited

	FY 2016 - 2017			FY 2017 - 2018			FY 2018 - 2019		
	Actual	Budget	Variance	Actual	Budget	Variance	Actual	Budget	Variance
Revenue									
DII/DIII Allocation-Based Revenue	\$32,276,861	\$29,695,153	\$2,581,708	\$31,421,951	\$31,155,829	\$266,122	\$9,847,530	\$32,237,370	(\$22,389,840)
Additional Revenue from Membership Dues Increase							\$530,200	\$519,000	\$11,200
Other Non-DII/DIII Revenue	\$77,485	\$0	\$77,485	\$76,135	\$46,250	\$29,885	\$0	\$0	\$0
Revenue Total	\$32,354,346	\$29,695,153	\$2,659,193	\$31,498,086	\$31,202,079	\$296,007	\$10,377,730	\$32,756,370	(\$22,378,640)

Expenses									
<b>Championship Expenses</b>									
Men's Championships									
DIII Men's Baseball	\$1,654,685	\$1,963,071	\$308,386	\$2,214,380	\$2,218,000	\$3,620	\$10,703	\$2,332,000	\$2,321,297
DIII Men's Basketball	\$1,136,845	\$1,039,241	(\$97,604)	\$1,284,977	\$1,142,000	(\$142,977)	\$638,550	\$1,169,000	\$530,450
DIII Men's Cross Country	\$550,629	\$560,320	\$9,691	\$595,832	\$576,500	(\$19,332)	\$606,625	\$592,350	(\$14,275)
DIII Men's Football	\$1,754,917	\$1,906,585	\$151,668	\$2,305,524	\$1,982,500	(\$323,024)	\$1,812,369	\$2,036,500	\$224,131
DIII Men's Golf	\$536,584	\$563,541	\$26,957	\$602,252	\$607,500	\$5,248	\$15,983	\$621,500	\$605,517
DIII Men's Ice Hockey	\$271,667	\$340,417	\$68,750	\$418,395	\$370,000	(\$48,395)	\$223,484	\$376,000	\$152,516
DIII Men's Lacrosse	\$600,594	\$480,824	(\$119,770)	\$666,333	\$622,000	(\$44,333)	(\$14,510)	\$634,000	\$648,510
DIII Men's Soccer	\$1,251,282	\$1,101,694	(\$149,588)	\$1,248,150	\$1,225,400	(\$22,750)	\$1,103,932	\$1,244,400	\$140,468
DIII Men's Swimming and Diving	\$636,166	\$531,072	(\$105,094)	\$598,095	\$619,000	\$20,905	\$271,235	\$629,000	\$357,765
DIII Men's Tennis	\$584,248	\$631,301	\$47,053	\$691,143	\$680,500	(\$10,643)	(\$108)	\$698,000	\$698,108
DIII Men's Track Indoor	\$515,085	\$625,267	\$110,182	\$774,526	\$682,500	(\$92,026)	\$433,326	\$836,850	\$403,524
DIII Men's Track Outdoor	\$809,508	\$795,214	(\$14,294)	\$922,434	\$907,500	(\$14,934)	\$2,896	\$921,250	\$918,354
DIII Men's Volleyball	\$186,131	\$180,281	(\$5,850)	\$277,130	\$235,000	(\$42,130)	\$1,909	\$315,000	\$313,091
DIII Men's Wrestling	\$387,882	\$391,535	\$3,653	\$434,908	\$440,500	\$5,592	\$322,363	\$451,500	\$129,137
Total	\$10,876,223	\$11,110,363	\$234,140	\$13,034,080	\$12,308,900	(\$725,180)	\$5,428,757	\$12,857,350	\$7,428,593

Women's Championships									
DIII Women's Basketball	\$1,062,826	\$1,350,348	\$287,522	\$1,202,747	\$1,231,000	\$28,253	\$397,814	\$1,253,000	\$855,186
DIII Women's Cross Country	\$581,093	\$581,323	\$230	\$595,000	\$597,000	\$2,000	\$621,561	\$614,150	(\$7,411)
DIII Women's Field Hockey	\$362,313	\$447,830	\$85,517	\$575,621	\$494,000	(\$81,621)	\$450,789	\$504,000	\$53,211
DIII Women's Golf	\$343,523	\$333,377	(\$10,146)	\$417,563	\$389,550	(\$28,013)	\$20,607	\$407,550	\$386,943
DIII Women's Ice Hockey	\$316,469	\$296,004	(\$20,465)	\$219,181	\$271,000	\$51,819	\$130,260	\$314,000	\$183,740
DIII Women's Lacrosse	\$759,179	\$746,444	(\$12,735)	\$914,629	\$834,000	(\$80,629)	\$1,619	\$851,000	\$849,381
DIII Women's Rowing	\$210,989	\$317,709	\$106,720	\$345,238	\$413,000	\$67,762	\$598	\$427,000	\$426,402
DIII Women's Soccer	\$1,146,681	\$1,263,436	\$116,755	\$1,219,224	\$1,305,000	\$85,776	\$1,248,983	\$1,327,000	\$78,017
DIII Women's Softball	\$1,349,031	\$1,453,315	\$104,284	\$1,776,627	\$1,563,000	(\$213,627)	\$813	\$1,597,000	\$1,596,187
DIII Women's Swimming and Diving	\$535,043	\$543,662	\$8,619	\$639,708	\$683,000	\$43,292	\$314,704	\$695,000	\$380,296
DIII Women's Tennis	\$628,389	\$664,143	\$35,754	\$695,575	\$720,500	\$24,925	\$1,301	\$740,000	\$738,699
DIII Women's Track Indoor	\$482,769	\$626,450	\$143,681	\$701,113	\$649,500	(\$51,613)	\$362,026	\$766,150	\$404,124
DIII Women's Track Outdoor	\$762,570	\$823,161	\$60,591	\$922,958	\$915,500	(\$7,458)	\$2,437	\$945,750	\$943,313
DIII Women's Volleyball	\$913,876	\$1,031,544	\$117,668	\$1,096,389	\$1,127,500	\$31,111	\$1,118,922	\$1,153,500	\$34,578
Total	\$9,454,752	\$10,478,746	\$1,023,994	\$11,321,573	\$11,193,550	(\$128,023)	\$4,672,434	\$11,595,100	\$6,922,666

Championship Expenses	\$20,330,975	\$21,589,109	\$1,258,134	\$24,355,653	\$23,502,450	(\$853,203)	\$10,101,191	\$24,452,450	\$14,351,259
Overhead Allocation	\$374,000	\$343,000	(\$31,000)	\$410,000	\$428,000	\$18,000	\$246,167	\$422,000	\$175,833
<b>Total Championship Expense</b>	<b>\$20,704,975</b>	<b>\$21,932,109</b>	<b>\$1,227,134</b>	<b>\$24,765,653</b>	<b>\$23,930,450</b>	<b>(\$835,203)</b>	<b>\$10,347,358</b>	<b>\$24,874,450</b>	<b>\$14,527,092</b>

<b>Non-Championship Expenses</b>									
Conference Grants	\$2,537,821	\$2,541,000	\$3,179	\$2,791,532	\$2,795,100	\$3,568	\$3,042,605	\$3,042,600	(\$5)
Intern Program	\$1,088,724	\$1,130,000	\$41,276	\$1,089,884	\$1,130,000	\$40,116	\$1,141,549	\$1,209,920	\$68,371
Strategic Alliance Matching Grant	\$608,420	\$708,600	\$100,180	\$589,725	\$708,600	\$118,875	\$624,150	\$708,600	\$84,450
Leadership Conference	\$344,949	\$365,000	\$20,051	\$366,642	\$365,000	(\$1,642)	\$134,897	\$365,000	\$230,103
Identity Initiative	\$342,743	\$360,000	\$17,257	\$312,697	\$300,000	(\$12,697)	\$131,818	\$300,000	\$168,182
Diversity Initiatives	\$284,742	\$231,000	(\$53,742)	\$255,519	\$250,000	(\$5,519)	\$92,768	\$250,000	\$157,232
Sportsmanship - GameDay the DIII Way	\$523,325	\$50,000	(\$473,325)	\$228,694	\$250,000	\$21,306	\$111,766	\$250,000	\$138,234
360 Proof	\$124,744	\$176,000	\$51,256	\$111,264	\$125,000	\$13,736	\$58,699	\$125,000	\$66,301
Coaches and Administrators Diversity							\$0	\$100,000	\$100,000
Leadership Development Initiatives DiSC	\$80,000	\$80,000	\$0	\$86,662	\$80,000	(\$6,662)	\$72,034	\$100,000	\$27,966
LGBTQ							\$66,933	\$100,000	\$33,067
ADR Institute	\$93,769	\$107,500	\$13,732	\$80,877	\$90,000	\$9,123	\$25,084	\$90,000	\$64,916
SAAC April and Associate Member Meetings	\$15,716	\$15,000	(\$716)	\$16,039	\$25,000	\$8,961	\$24,859	\$90,000	\$65,141
FAR Orientation/Institute	\$91,882	\$86,500	(\$5,382)	\$58,850	\$85,000	\$26,150	\$55,449	\$85,000	\$29,551
AD and Commissioner Orientation	\$71,942	\$60,000	(\$11,942)	\$78,886	\$85,000	\$6,114	\$16,353	\$85,000	\$68,647
Athletics Administrator Partnership (NADIIIAA)	\$52,023	\$52,000	(\$23)	\$75,000	\$75,000	\$0	\$0	\$75,000	\$75,000
Injury Surveillance and Testing							\$0	\$74,500	\$74,500
NCAA Annual Convention	\$37,443	\$70,000	\$32,557	\$72,485	\$70,000	(\$2,485)	\$36,022	\$70,000	\$33,978
Membership Learning Management - DIII University							\$20,107	\$55,000	\$34,893
Academic All-America Program (Co-SIDA)	\$39,500	\$44,000	\$4,500	\$39,500	\$44,000	\$4,500	\$39,500	\$44,000	\$4,500
Insurance	\$48,460	\$41,000	(\$7,460)	\$40,960	\$41,000	\$40	\$40,960	\$41,000	\$40
Special Olympics	\$38,847	\$35,000	(\$3,847)	\$38,341	\$35,000	(\$3,341)	\$1,956	\$35,000	\$33,044
Academic Reporting Honorarium	\$24,994	\$25,000	\$7	\$35,262	\$35,000	(\$262)	\$34,996	\$35,000	\$4
Women Leaders in College Sports	\$28,000	\$28,000	\$0	\$30,000	\$30,000	\$0	\$478	\$30,000	\$29,522
Working Groups	\$16,301	\$16,000	(\$301)	\$14,565	\$35,000	\$20,435	\$11,040	\$20,000	\$8,960
Conference Commissioner Meetings	\$16,237	\$20,000	\$3,763	\$10,497	\$20,000	\$9,503	\$0	\$20,000	\$20,000
NADIIIAA and Commissioner Mtg	\$9,594	\$10,000	\$406	\$19,711	\$10,000	(\$9,711)	\$1,769	\$10,000	\$8,231
Administrative - Misc	\$145	\$4,000	\$3,855	\$49,303	\$85,300	\$35,997	\$17,789	\$15,380	(\$2,409)
CoSIDA DIII Day				\$22,537	\$0	(\$22,537)	\$150	\$15,000	\$14,850
Staff Professional Development							\$6,268	\$7,000	\$732
Exploratory/Provisional Membership				\$9,442	\$0	(\$9,442)	\$2,254	\$0	(\$2,254)
<b>Non-Championship Expenses</b>	<b>\$6,520,320</b>	<b>\$6,255,600</b>	<b>(\$264,720)</b>	<b>\$6,524,876</b>	<b>\$6,769,000</b>	<b>\$244,124</b>	<b>\$5,812,253</b>	<b>\$7,448,000</b>	<b>\$1,635,747</b>
Overhead Allocation	\$944,000	\$1,054,000	\$110,000	\$1,031,000	\$1,128,000	\$97,000	\$619,500	\$1,062,000	\$442,500
<b>Total Non-Championship Expense</b>	<b>\$7,464,320</b>	<b>\$7,309,600</b>	<b>(\$154,720)</b>	<b>\$7,555,876</b>	<b>\$7,897,000</b>	<b>\$341,124</b>	<b>\$6,431,753</b>	<b>\$8,510,000</b>	<b>\$2,078,247</b>
<b>Total Division III Expenses</b>	<b>\$28,169,295</b>	<b>\$29,241,709</b>	<b>\$1,072,414</b>	<b>\$32,321,528</b>	<b>\$31,827,450</b>	<b>(\$494,078)</b>	<b>\$16,779,110</b>	<b>\$33,384,450</b>	<b>\$16,605,340</b>

Surplus (Deficit)	\$4,185,051	\$453,444
Add: Prior Year Reserve Balance	\$25,819,680	\$25,819,680
Estimated Reserve Balance	\$30,004,731	\$26,273,124

(\$823,442)	(\$625,371)
\$30,004,731	\$30,004,731
\$29,181,289	\$29,379,360

(\$6,401,380)	(\$628,080)
\$29,181,289	\$29,181,289
\$22,779,909	\$28,553,209

DIII Future Projections

Assumptions:

- A) Goal is to have the lowest possible positive Cash Reserve Surplus and Net Change in Fund Balance.
- B) Changes in "Policy" could be implemented for fiscal year 2014-2015, but the earliest Changes in "Program funding" could realistically occur is 2015-2016.
- Game Operations increases by X% each fiscal year based on FY2009-10 thru FY2015-16 average increases. Actual growth rate is 4.6% annually.
  - Committee expenses increase by X% each fiscal year based on FY2011-12 thru FY2015-16 average increases. Actual growth rate is -2.1% annually.
  - Team Transportation increases by X% each fiscal year based on cost per traveler analysis for FY2008-09 thru FY2016-17.
  - Projection does not include any increase in per diem rate thru 2020-21 and no increase in bracket size due to sport sponsorship increases (access ratio) other than

1.00%  
0.00%  
4.94%

[DIII Champs Assumption Analysis 16-17](#)  
[DIII Champs Assumption Analysis 16-17](#)  
Presentation to CFO on Travel Models by division

The National Collegiate Athletic Association

Division III Budget Projections

	2016-17 Actual	2017-18 Actual	2018-19 Budget	2019-20 Projection	2020-21 Projection	2021-22 Projection	2022-23 Projection	2023-24 Projection
<b>Revenue:</b>								
Division III 3.18% Revenue Allocation	\$ 32,276,861	\$ 31,421,951	\$ 32,237,370	\$ 33,169,370	\$ 33,946,370	\$ 34,629,370	\$ 34,774,370	\$ 34,825,370
Draw from DIII Reserve	\$ -							
Additional Revenue from Membership Dues Increase	\$ -	\$ -	\$ 519,000	\$ 519,000	\$ 519,000	\$ 519,000	\$ 519,000	\$ 519,000
Division III Other Revenue	77,485	76,135	-	-	-	-	-	-
<b>Total Revenue</b>	<b>\$ 32,354,346</b>	<b>\$ 31,498,086</b>	<b>\$ 32,756,370</b>	<b>\$ 33,688,370</b>	<b>\$ 34,465,370</b>	<b>\$ 35,148,370</b>	<b>\$ 35,293,370</b>	<b>\$ 35,344,370</b>
Projected Revenue Increase	7.1%	-2.6%	2.6%	2.9%	2.3%	2.0%	0.4%	0.1%
<b>Expenses:</b>								
Championships Game Operations	4,473,176	4,547,516	4,777,150	4,933,468	5,010,932	5,061,041	5,146,652	5,162,768
Championships Committee	326,753	347,580	401,400	412,200	487,800	487,800	487,800	487,800
Championships Team Transportation	9,419,506	10,666,519	10,089,000	10,691,097	11,219,237	11,773,467	12,355,076	12,965,417
Championships Per Diem	6,111,540	7,014,220	7,257,900	7,523,400	8,184,500	8,184,500	8,184,500	8,184,500
Championships Overhead Allocation <sup>4</sup>	374,000	410,000	422,000	435,000	448,000	461,000	475,000	489,000
<i>Total Championship Expenses</i>	<b>20,704,975</b>	<b>22,985,835</b>	<b>22,947,450</b>	<b>23,995,164</b>	<b>25,350,469</b>	<b>25,967,809</b>	<b>26,649,028</b>	<b>27,289,486</b>
Non-Championships Base Budget	6,520,320	6,458,875	6,929,000	7,188,000	7,360,000	7,496,000	7,498,000	7,474,000
Non-Championships Initiatives	-	-	-	-	-	-	-	-
Non-Championships Overhead Allocation <sup>4</sup>	944,000	1,031,000	1,062,000	1,094,000	1,127,000	1,161,000	1,196,000	1,232,000
<i>Total Non-Championship Expenses</i>	<b>7,464,320</b>	<b>7,489,875</b>	<b>7,991,000</b>	<b>8,282,000</b>	<b>8,487,000</b>	<b>8,657,000</b>	<b>8,694,000</b>	<b>8,706,000</b>
<b>Total Division III Expenses (before supplemental spending)</b>	<b>\$ 28,169,295</b>	<b>\$ 30,475,710</b>	<b>\$ 30,938,450</b>	<b>\$ 32,277,164</b>	<b>\$ 33,837,469</b>	<b>\$ 34,624,809</b>	<b>\$ 35,343,028</b>	<b>\$ 35,995,486</b>
<b>Net Change in Fund Balance (before supplemental spending)</b>	<b>\$ 4,185,051</b>	<b>\$ 1,022,376</b>	<b>\$ 1,817,920</b>	<b>\$ 1,411,206</b>	<b>\$ 627,901</b>	<b>\$ 523,561</b>	<b>\$ (49,658)</b>	<b>\$ (651,116)</b>
<b>Supplemental items:</b>								
Local ground transportation for individual sports	-	580,426	575,000	603,000	633,000	664,000	697,000	731,000
Men's Joint Championship				250,000				
Women's Joint Championship							250,000	
Guarantee first round no conference match-ups				336,000	353,000		-	-
Local ground transportation for team sports	-	493,864	316,000	332,000	348,000	365,000	383,000	402,000
Increase in travel party size for team sports	-	705,528	1,036,000	1,064,000	1,118,000	1,149,000	1,182,000	1,216,000
Supplemental Championships Spending from reserve <sup>2</sup>	-	1,779,818	1,927,000	2,585,000	2,452,000	2,178,000	2,512,000	2,349,000
Supplemental Non-Championships Spending from reserve	-	66,000	519,000	519,000	519,000	519,000	519,000	519,000
<i>Total Supplemental Spending</i>	<b>-</b>	<b>1,845,818</b>	<b>2,446,000</b>	<b>3,104,000</b>	<b>2,971,000</b>	<b>2,697,000</b>	<b>3,031,000</b>	<b>2,868,000</b>
Division III Membership Dues Credit	-	-	-	-	-	-	-	-
<b>Total Division III Expenses (after supplemental spending)</b>	<b>\$ 28,169,295</b>	<b>\$ 32,321,528</b>	<b>\$ 33,384,450</b>	<b>\$ 35,381,164</b>	<b>\$ 36,808,469</b>	<b>\$ 37,321,809</b>	<b>\$ 38,374,028</b>	<b>\$ 38,863,486</b>
<b>Net Change in Fund Balance (after supplemental spending)</b>	<b>\$ 4,185,051</b>	<b>\$ (823,442)</b>	<b>\$ (628,080)</b>	<b>\$ (1,692,794)</b>	<b>\$ (2,343,099)</b>	<b>\$ (2,173,439)</b>	<b>\$ (3,080,658)</b>	<b>\$ (3,519,116)</b>
Projected Expense Increase	7.6%	14.7%	3.3%	6.0%	4.0%	1.4%	2.8%	1.3%
Beginning Fund Balance (Projected Reserve and Unallocated Funds)	\$ 25,819,680	\$ 30,004,731	\$ 29,181,289	\$ 28,553,209	\$ 26,860,415	\$ 24,517,316	\$ 22,343,877	\$ 19,263,219
Less:								
Net Change in Fund Balance	4,185,051	(823,442)	(628,080)	(1,692,794)	(2,343,099)	(2,173,439)	(3,080,658)	(3,519,116)
Ending Fund Balance (Projected Reserve and Unallocated Funds)	\$ 30,004,731	\$ 29,181,289	\$ 28,553,209	\$ 26,860,415	\$ 24,517,316	\$ 22,343,877	\$ 19,263,219	\$ 15,744,103
Mandated Reserve <sup>1</sup>	(16,138,431)	(15,710,976)	(16,118,685)	(16,584,685)	(16,973,185)	(17,314,685)	(17,387,185)	(17,412,685)
<b>Cash available in excess of reserve policy</b>	<b>\$ 13,866,300</b>	<b>\$ 13,470,314</b>	<b>\$ 12,434,524</b>	<b>\$ 10,275,730</b>	<b>\$ 7,544,131</b>	<b>\$ 5,029,192</b>	<b>\$ 1,876,034</b>	<b>\$ (1,668,582)</b>

Notes:

- 1 Mandated reserve is 50% of the annual DIII revenue allocation in cash beginning in fiscal year 2017-18. The division also holds a separate event cancellation insurance policy with a \$5M limit.
- 2 Supplemental championships spending is earmarked for individual/team local ground transportation and returning travel party sizes to 2013-14 levels. This supplemental spending would be evaluated first for elimination in the event of an operating deficit.
- 3 Amount includes inflationary increase from prior year amount (light blue highlight).
- 4 All amounts for 2017-18 are audited amounts. Overhead estimates were updated September 2018 based on current information.

Percentage DIII Spend - Championships	74%	75%	74%	74%	75%	75%	75%	76%
Percentage DIII Spend - Non-Championships	26%	25%	26%	26%	25%	25%	25%	24%



REPORT OF THE  
NCAA DIVISION III MANAGEMENT COUNCIL

The Division III Management Council conducted its April 15-16, 2019, meeting in Indianapolis. Listed below are specific recommendations for review and consideration by the Presidents Council.

**ACTION ITEM**

**1. Graduate Student/Postbaccalaureate Eligibility Directive for Exemplary Academic Success.**

- a. Recommendation. That Presidents Council approve the following amendment to the graduate student/postbaccalaureate eligibility directive for exemplary academic success, recommended by the Subcommittee for Legislative Relief.
  - (1) The student-athlete graduated with an undergraduate degree *ahead of schedule (i.e., in less than four academic years)* **within four academic years.** Such documentation shall be in the form of the student-athlete's academic transcript and/or a written statement from an appropriate academic official from the previous institution (e.g., registrar);
  - (2) **The student-athlete has seasons of participation remaining. A season of participation shall be determined based on Division III Bylaw 14.2.4.1 (Minimum Amount of Participation), regardless where (e.g. other NCAA division, NAIA) the participation occurs;**
  - (3) The student-athlete continued/maintained his or her education as a full-time student rather than having "breaks" (e.g., part time) in enrollment for no reason/circumstances beyond his or her control; and
  - (4) The student-athlete possesses a minimum 3.00 cumulative grade-point average.
- b. Effective date. Immediate.
- c. Rationale. The membership's desire to create greater graduate/postbaccalaureate student opportunities was demonstrated as recently as 2018 when legislation passed to allow for participation after graduation from any Division III institution. This opportunity has also been granted to academically strong students from Division I, Division II and non-NCAA institutions through the waiver criteria for exemplary academic success. The Subcommittee for Legislative Relief, however, does not believe the current directive is an adequate measure for graduate/postbaccalaureate eligibility. Specifically, the requirement to graduate in less than four academic years is not a proper measure of exemplary academic success, as many strong academic programs make it difficult to graduate early. It also requires considerable forethought on the part of the student-athlete to graduate early for purposes of graduate student eligibility.

By relaxing the graduation timeline standard to not more than four years, and by adding the requirement that the student-athlete not have used four seasons of participation per Division III legislation, with any division, the revised directive will promote the Division III philosophy of increasing opportunity for participation. The amended directive also will provide an alternative solution to historical concerns of "red-shirted" student-athletes participating as graduate/postbaccalaureate students at Division III institutions.

- d. Budget Impact. None.
- e. Student-Athlete Impact. Greater opportunity for graduate/postbaccalaureate participation for students who achieve exemplary academic success at non-Division III institutions.

## **2. Noncontroversial Legislation -- Attestation and Certification of Rules Compliance.**

- a. Recommendation. That Presidents Council approve noncontroversial legislation amending Constitution 3.3.4 (conditions and obligation of membership) and By-law 31.2.1 (institutional eligibility) clarifying that:
  - (1) An institution's chancellor or president shall attest, annually by October 15, to understanding the institutional obligations and personal responsibilities imposed by Constitution 2.1 (principle of institutional control and responsibility) and Constitution 2.8 (principle of rules compliance); and
  - (2) An institution's director of athletics shall certify, annually by October 15, that specified conditions for entry of individuals and teams in NCAA championship competition have been satisfied, including an attestation of understanding the institutional obligations and personal responsibilities imposed by Constitution 2.1 and Constitution 2.8 and that all athletics department staff members (full-time, part-time, clerical, and volunteer) are aware of the institutional obligations and personal responsibilities imposed by Constitution 2.1 and Constitution 2.8.
- b. Effective date. August 1, 2019.
- c. Rationale. In August 2018, in response to a recommendation from the Commission on College Basketball and the Board of Governors, the Division III Presidents Council, along with the leadership from Divisions I and II endorsed a noncontroversial proposal to require each chancellor or president to join all athletics staff members in personally affirming that the athletics program meets the NCAA membership obligations for



institutional control and rules compliance. While this was already a Division III requirement the proposal also includes a penalty for failure to make this affirmation. The penalty would preclude institutional teams and individuals from participating in NCAA championships and prohibit institutional staff from serving on NCAA committees or councils. After adoption of this proposal, additional review resulted in the need to further refine the appropriate accountability and responsibilities of chancellors and president and athletics directors. Specifically, the proposal shifts some compliance certification requirements related to the athletics program from the chancellor or president to the athletics director while maintaining that the chancellor or president affirms understanding the institutional and personal obligations. Additionally, this proposal relieves athletics staff from the undue administrative requirement of having each staff member provide a written attestation of rules compliance. Institutions must still inform staff of their obligations but will have the discretion to determine the best way to ensure this is completed. The changes reflected in this proposal more appropriately clarify the roles and responsibilities of chancellors, presidents and athletics directors with respect to rules compliance.

- d. Budget impact. None.
- e. Student-athlete impact. None.

### **3. Convention Legislation – Conference Composition.**

- a. Recommendation. That Presidents Council sponsor 2020 Convention legislation to allow the use of provisional institutions in years three and four of the new member process to establish the seven institutions required to comprise a conference. Of the minimum seven institutions necessary to be granted conference status, at least four shall be active Division III member institutions.
- b. Effective Date. August 1, 2020.
- c. Rationale. Proposal No. 2016-9 modified how provisional schools can be utilized towards earning a conference's automatic qualification bid. That proposal was narrowly focused and did not modify the language related to years three and four provisionals in Constitution 3.3.1.2 (composition of conference). The result is that a provisional/reclass school in year three or year four of the new member process can count for the automatic qualification waiting period, but not for the seven core members needed to form a conference from the start. Conference instability may be lessened if provisional schools are able to be used by a conference in meeting its minimum number of member institutions.

- d. Budget Impact. None.
- e. Student-Athlete Impact. Provide the opportunity for provisional institutions and their student-athletes to participate in conference competition prior to active member status.

#### **4. Athletics Diversity and Inclusion Designation.**

- a. Recommendation. That Presidents Council sponsor 2020 Convention legislation to amend Constitution 3.3.4 (Conditions and Obligations of Membership) to specify that all active member institutions and conference offices shall designate an Athletics Diversity and Inclusion Designee to be the primary contact and conduit for diversity and inclusion-related information.
- b. Effective date. August 1, 2020.
- c. Rationale. The designation symbolically and practically represents the Association's recognition of inclusion as a core value. It supports the 2016 Board of Governors Presidential Pledge and Commitment to Promoting Diversity and Gender Equity in Intercollegiate Athletics. It also is the responsibility of each member institution to establish and maintain an environment that values cultural diversity and gender equity as acknowledged in Constitution 2.2.2 (Cultural Diversity and Gender Equity). While the NCAA national office provides valuable resources and programming to support the membership's efforts toward creating and maintaining inclusive environments, a constant complaint received is that institution and conference personnel are not aware of available resources or opportunities. This proposal seeks to create a network of colleagues who will serve as the conduit for consistent and thorough dissemination of diversity and inclusion-related information between conference offices, campuses, the athletics departments and the NCAA. The proposal suggests that the designation be given to an existing staff member who, at minimum, would be responsible for receiving periodic informational digests and sharing the information with the necessary parties within the athletics department, the campus or conference office. The staff member given the designation may be either internal or external to the athletics department, as determined by the president/chancellor/commissioner or their proxy. Specifically, this recommendation requests that the contact information for the designated staff member be entered on each member's NCAA Sports Sponsorship and Demographics Form.
- d. Estimated budget impact. None. It would not require hiring an additional staff member.
- e. Student-athlete impact. This legislation will enhance the student-athlete experience by affirming that diversity and inclusion issues and initiatives are being communicated and considered in a consistent and regular manner.

### **NO ACTION REQUIRED**

The following Management Council actions do not require formal action and are being reported to the Presidents Council for informational purposes only.

1. **Strategic Planning and Finance Committee** [See Presidents Council Supplement No. 9]. The Management Council discussed a noncontroversial legislative proposal and related budget recommendations to adjust sport committee rosters in conjunction with changes to sport region alignments. It ultimately referred the proposal back to the Championships Committee. The Council noted that a few sport committees addressed concerns with the proposed changes and requested additional discussion. The Council will review the proposal again during its July meeting.

The Council also approved the recommended nonchampionships and championships budgets for the 2019-21 budget cycle.

2. **Division III University.** The Council supported the growth of Division III University, the online learning system, with the creation of new compliance modules and access to more Division III constituent groups (e.g., FARs, athletics trainers, compliance directors).
3. **NCAA Transfer Portal.** The Council approved Division III student-athletes voluntarily being included in the Transfer Portal beginning with the 2019-20 academic year. The Division III self-release legislation will remain intact. Student-athletes requesting a transfer may also request their compliance office input relevant transfer information into the portal. A benefit to using the portal is that it will create a standardized transfer tracer for compliance officers. At its July meeting, the Council will discuss if use of the Transfer Portal should be a mandatory requirement. The Interpretations and Legislation Committee will provide feedback, and staff will solicit feedback from the membership during the Regional Rules Seminars and Division III Commissioners Association meeting.
4. **Championships Updates.** The Council approved an administrative regulation to specify that rules modifications for sports in which the Association does not publish rules must be consistent among divisions. The Council received an update on the committee's continual monitoring of expanding bench size policies to accommodate additional student-athletes (at the institution's expense, and without corresponding increases to the travel party size). Two Championships Committee members will serve on a Division III Commissioners Association working group to explore revising requirements for a conference to be eligible to earn automatic qualification to Division III championships.

5. **Financial Aid Committee.** The Council approved noncontroversial legislation to replace the current government grants legislation in Bylaw 15.2.2 and the list of exempted government grants in Bylaw 15.2.2.1 with legislation that will utilize the Department of Education definition of “over award” for purposes of determining whether financial aid has exceeded the student-athlete’s cost of attendance. The Council approved the Financial Aid Reporting Program User’ Manual. The key manual update includes a new model to capture graduate transfer student-athlete data.
6. **Noncontroversial Legislation.** The Council approved the following noncontroversial legislative items.
  - a. Increase the amount of cash, from \$20 to \$30, an institution may provide a student-athlete per day to cover unitemized incidental expenses incurred in connection with an institutional foreign tour.
  - b. Eliminate the requirement that an institutional staff member or any representative of the institution's athletics interests must seek permission from the executive officer (or designee) of a prospective student-athlete's educational institution prior to contacting that prospective student-athlete during the portion of the day when classes are being conducted.
  - c. Clarify that participation in an exempted scrimmage, exhibition or joint practice (before or after the first regularly scheduled contest) does not count as a competition when determining the first half of the playing season or whether the student-athlete participated in more than one-third of the standard number of contest/dates of competition for purpose of the hardship waiver analysis.
7. **Membership Committee.** The Council approved noncontroversial legislation to indicate that in a National Collegiate Championship sport, the number of active member institutions needed to be granted single-sport conference status is controlled by the National Collegiate automatic qualification number (currently six). The Council also approved sponsorship of 2020 Convention legislation to allow Division III institutions with Division I sports to apply Division I legislation in all areas, except Bylaw 15 (financial aid).

Three institutions, Bob Jones University, Lindenwood University (IL) and Warren Wilson College were approved for an exploratory year beginning in September 2019.
8. **Student-Athlete Advisory Committee (SAAC) Updates.** At the conclusion of the recent Division III Week celebration, national SAAC distributed mental health cards to 200 participating Division III institutions. The cards for student-athletes include their institution’s personalized mental health contact information to assist with a crisis or emergency. A template of the card also will be on [ncaa.org](http://ncaa.org). SAAC’s initiatives for the coming year (2019-20) are sustainability, inclusion, and continued promotion of the Special Olympics partnership.

**9. CSMAS and Sport Science Institute (SSI) Updates.**

- a. Playing Rules. The Council approved three playing rules recommendations: 1.) Require hydration breaks at a set time during each half of soccer competition in extreme heat; 2.) Require chest protectors in lacrosse and baseball be certified at the current NOCSAE standards; and 3.) Create a formal exception for the athletics healthcare administrator to be exempted from the football sideline maximum of 60 people.
- b. Health Care for Visiting Teams. CSMAS recently reviewed and provided feedback on a white paper regarding the provision of health care to visiting teams traveling without primary athletics health care providers. SSI is going to discuss this issue with the Board of Governors. The concerns relate to who is in charge of athletics injuries during a home contest (e.g., the home athletics trainer, visiting athletics trainer, team physician) and athletics trainer licensure coverage with visiting teams.
- c. Student-Athlete Mental Health Services and Resources. The Council approved, in concept, noncontroversial legislation requiring an institution to make mental health services and resources available to its student-athletes. The Council noted some concerns with the proposal's intent statement and related process. It proposed minor edits to the language to make it more Division III focused while maintaining the conceptual intent of the proposal. The Council will review the proposal in final format during its July meeting.
- d. Interassociation Recommendations: Catastrophic Injury and Death. The Council heard that the Board of Governors will consider adopting the Interassociation Recommendation: Preventing Catastrophic Injury and Death at its late April meeting. The guidelines include six areas: sportsmanship, protective equipment, acclimatization and conditioning, emergency action plans, responsibilities of athletics personnel and education and training.

**10. Health and Safety Survey.** The Council approved the administration of the Sport Science Institute health and safety survey as a Division III pilot for 2019-20. At the recommendation of the Interpretations and Legislation Committee, the Council believes there is merit in having a better understanding of the care that is provided to student-athletes. There is a belief that administering the health and safety survey as a pilot would be useful in determining whether the survey instrument was suitable and beneficial for Division III institutions in assessing the medical care they provide to their student-athletes. The Council requested that questions that are not applicable to Division III be removed from the survey.

**11. Injury Surveillance Program (ISP).** Staff provided an overview of the ISP usage numbers noting that this academic year, participation has risen from nine percent to 20%. Further, an additional 11% have signed up to participate, and Datalys is waiting to receive data. Submission of injury surveillance data will remain a priority for the division.

12. **International Ice Hockey Pilot.** The Council reviewed the feedback received from institutions and conference offices that participated in this year's pilot. The Council approved continuing the pilot for the 2019-20 academic year with the following modifications: 1.) Sharing the \$150 Eligibility Center's (EC) fee with student-athletes, and 2.) Following the EC's current Division I and II certification process. The Council noted it wouldn't approve another pilot beyond 2019-20.
13. **Faculty Athletics Representative.** The Council approved the creation of a Faculty Athletics Representative (FAR) Advisory Group. The advisory group would help guide the development of education models and resources, engagement opportunities and potential Division III legislation.
14. **LGBTQ Working Group.** Staff noted that LGBTQ national experts, Dr. Pat Griffin and Nevin Capel, have been hired to create the LGBTQ facilitator training program as well as the OneTeam Program for campuses and conference offices. The inaugural facilitator training will occur in late May in Indianapolis. Approximately 32 individuals will participate in the training.
15. **Gameday the DIII Way.** Currently over 3,500 individuals have received the sportsmanship and game environment training. During the next two years, four Ambassador Training sessions, two each year, will occur throughout the country. These trainings will focus on regional-based ambassador training for senior athletics administrators and 'super facilitator' training for the most active existing Division III facilitators.
16. **Division III Resources.** The Council received an update on two new Division III resources. First was the updated Guide to Strategic Athletics Communication on Campus for sports information and athletics communication directors. The other was a business management resource for Division III commissioners. Both resources should be available by June 2019.
17. **Women's Basketball Strategic Plan.** The Council endorsed the NCAA women's basketball strategic plan that develops a roadmap for the future of the sport. The vision is to unify and grow the women's basketball community; empower student-athletes to achieve their full potential; celebrate and elevate the game and create an inspiring experience. The strategic plan also includes five key pillars that highlights goals and action items.