



## A G E N D A

The National Collegiate Athletic Association

Division III Presidents Council

Platinum Ballroom 3-4  
Anaheim Marriott

January 23, 2020  
9:15 to 11:15 a.m.

1. Welcome and introductions. (Sue Henderson)
2. General Information. (Henderson)
  - a. Roster. [Supplement No. 1]
  - b. 2020 Committee assignments. [Supplement Nos. 2a and 2b] (Tori Murden-McClure)
3. Minutes and summaries. (Henderson)
  - a. Summary of fall 2019 Quarterly Meeting. [Supplement No. 3]
  - b. Administrative Committee actions. [Supplement Nos. 4a, 4b and 4c]
4. Division III Philosophy Statement and Strategic Positioning Platform. [Supplement Nos. 5a and 5b] (Dan Dutcher)
- \* 5. Report of the Division III Strategic Planning and Finance Committee. [Supplement No. 6a] (Murden McClure/Mark Aiken)
  - a. 2019-20 Budget-to-actual report. [Supplement No. 6b]
  - b. Future projections. [Supplement No. 6c]
- @\* 6. Management Council report. [Supplement No. 7 will be distributed at the meeting] (Stevie Baker-Watson and Heather Benning)
- \* 7. Division III Oversight Working Group on Name, Image and Likeness (NIL). [Supplement Nos. 8a, 8b, 8c, 8d, 8e and 8f] (Murden McClure/Dutcher/Mary-Beth Cooper)
- \* 8. 2020 NCAA Division III Convention legislation. (Jeff Myers/Bill Regan)
  - a. 2020 NCAA Convention Notice and Program.
  - b. Review of proposed legislation:
    - Review of proposals and speaker assignments. [Supplement No. 9]
    - Review of parliamentary and voting issues. [Supplement No. 10]
    - Legislative question and answer guide. [Supplement No. 11]
- \* 9. Review 2020 Convention logistics. (Louise McCleary)
  - a. Presidents/Chancellors schedule. [Supplement No. 12]
  - b. Joint PC/MC/SAAC meeting. [Supplement Nos. 13a and 13b]
  - c. Division III Issues Forum. [Supplement No. 14]

- d. Presidents/Chancellors Luncheon. [Supplement Nos. 15a and 15b]
- e. Division III Business Session. [Supplement No. 16]

\* 10. Association-wide updates and issues.

- a. Board of Governors update. [Supplement No. 17a] (Henderson, Murden-McClure, Baker-Watson and Dutcher)
  - (1) Board of Governors agenda – January 22. [Supplement No. 17b will be distributed later.]
  - (2) Federal and State Legislation Working Group on NIL. [See Agenda Item No. 7]
  - (3) BOG Student-Athlete Engagement Committee. [Supplement No. 17c]
  - (4) Association-wide Strategic Plan.
  - (5) Governmental Relations report. [Supplement No. 17d]
- b. Sports Science Institute updates. (Brian Hainline/John Parsons)
  - (1) SSI timeline. [Supplement No. 18a]
  - (2) Arrington concussion settlement. [Supplement No. 18b]
  - (3) Independent medical care and athletics trainer coverage.

11. Future meetings.

- a. April 28-29, 2020 – Indianapolis.
  - April 28 – 5:45 to 9 p.m. – Presidents Council dinner/meeting.
  - April 29 – 7:30 to 9 a.m. – Joint breakfast with Divisions I and II.
  - April 29 – 9 a.m. to noon – Presidents Council meeting.
- b. August 4-5, 2020 – Indianapolis.
  - August 4 – 5:45 to 9 p.m. – Presidential Leadership Groups meet.
  - August 5 – 7:30 to 9 a.m. – Joint breakfast with Divisions I and II.
  - August 5 – 9 a.m. to noon – Presidents Council meeting.
- c. October 27-28, 2020 – Georgetown University, host – Washington, D.C.
  - Schedule to be determined. [Arrival on Monday, October 26]
- d. January 13-16, 2021 – Washington, D.C. – 2021 NCAA Convention.
  - January 14 – 9:15 to 11:15 a.m. (tentative).

12. Other Business.

- Recognition of departing members.

13. Adjournment.

**@ Denotes key action items.**

**\* Denotes key discussion topics.**

## **2019 DIVISION III PRESIDENTS COUNCIL**

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## 2020 PRESIDENTS COUNCIL COMMITTEE/SUBCOMMITTEE ASSIGNMENTS - DRAFT

### Amott, Teresa [January 2022]

- BOG Commission to Combat Campus Sexual Violence
- Nominations Subcommittee

### 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
- DIII Oversight Group on NIL - **NEW**

### Dunsworth, Richard [January 2023]

- Infractions Appeals - **NEW**

### Franks, Tiffany [January 2022]

- Strategic Planning and Finance **NEW**

### Gilmour, Davie Jane [January 2023]

- Convention Planning Subcommittee **NEW**

### Hammond, Troy [January 2023]

- PC/MC Joint Legislative Steering Committee - **NEW**

### Lindgren, Robert [January 2023]

- Strategic Planning and Finance Committee

### Mankey, Richanne [January 2024]

- Convention-Planning Subcommittee **NEW**

### Miller, Fayneese, vice chair [January 2022]

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

### Murden McClure, Tori, chair [January 2021]

- Administrative Committee
- Board of Governors
- Board of Governors Executive Committee **NEW**
- DIII Oversight Group on NIL **NEW**
- BOG Student-Athlete Engagement Committee **NEW**

### Murray, Kathleen [January 2019]

- Nominations Subcommittee
- LGBTQ Working Group

### Paino, Troy [January 2022]

- Convention Planning Subcommittee **NEW**

### Sanchez, Frank [January 2024]

- Nominations Subcommittee **NEW**

### Schmidt, James [January 2024]

- Nominations Subcommittee **NEW**

### Trachte, Kent [January 2022]

- Strategic Planning and Finance Committee

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**ASSOCIATION-WIDE COMMITTEES**

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**Board of Governors**

*Composition: 1MC/2PC*

Murden-McClure, Tori [PC chair]  
Miller, Fayneese [PC vice chair] **NEW**  
Benning, Heather [MC chair] **NEW**

**Competitive Safeguards and Medical Aspects of Sports**

*Composition: 1MC*

Walsh, Michelle [MC] **NEW**

**Honors**

*Composition: 1MC*

Brown, Charles [MC]

**Minority Opportunities and Interests**

*Composition: 1MC*

Aaron, Cheryl [MC] **NEW**

**Olympic Sports Liaison**

*Composition: 1MC*

Morgan, Michelle [MC] **NEW**

**Postgraduate Scholarship**

*Composition: 1MC*

Aaron, Cheryl [MC] **NEW**

**Research**

*Composition: 1MC*

Millerick, Tim [MC]

**Sportsmanship and Ethical Conduct**

*Composition: 1MC*

Morgan, Michelle [MC]

**Walter Byers Scholarship**

*Composition: 1MC*

Walsh, Joe [MC]

**Women's Athletics**

*Composition: 1MC*

Udelhofen, Denise [MC]

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**DIVISION III COMMITTEES**

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**Championships**

*Composition: 3MC*

Benning, Heather [MC chair]  
Fein, Jason [MC]  
Morgan, Michelle [MC] **NEW**

**Financial Aid**

*Composition: 1MC*

Schram, Kandis [MC]

**Infractions**

*Composition: 1MC*

Feyerherm, Sarah [MC]

**Infractions Appeals**

*Composition: 1MC/1 PC*

Dunsworth, Richard [PC] **NEW**  
Millerick, Tim [MC]

**Interpretations and Legislation**

*Composition: 1MC*

Hill, Matt [MC] **NEW**

**Membership**

*Composition: 1MC*

Mooney, Laura [MC]

**Nominating**

*Composition: 1MC*

McGuinness, Scott [MC] **NEW**

**Student-Athlete Advisory**

*Composition: 4MC*

Udelhofen, Denise [MC] *EX OFFICIO*  
Bryant, Gerard [MC] *EX OFFICIO*  
Lanigan, Catherine "Cat" [SAAC] **NEW**  
Pepper, Colby [SAAC]

**Student-Athlete Reinstatement**

*Composition 1MC*

Hill, Matt [MC] **NEW**



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## MANAGEMENT COUNCIL SUBCOMMITTEES

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### Subcommittee for Legislative Relief

*Composition: 6MC*

Aaron, Cheryl [MC] **NEW**  
Fein, Jason [MC]  
Mazza, Lori [MC]  
McGuinness, Scott [MC]  
Udelhofen, Denise [MC]  
Vienna, Michael [MC]

### Playing and Practice Seasons Subcommittee

*Composition: 7MC/1SAAC*

Feyerherm, Sarah [MC]  
Lanigan, Catherine "Cat" [MC, SAAC] **NEW**  
Mooney, Laura [MC]  
Schram, Kandis [MC]  
Vienna, Michael [MC]  
Walsh, Joe [MC]  
Walsh, Michelle [MC] **NEW**

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## PRESIDENTS COUNCIL SUBCOMMITTEES

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### Nominations Subcommittee

*Composition: 5 PC*

Amott, Teresa [PC]  
Conway-Turner, Katherine [PC]  
Murray, Kathleen [PC]  
Sanchez, Frank [PC] **NEW**  
Schmidt, James [PC] **NEW**

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## JOINT MC/PC COMMITTEES AND SUBCOMMITTEES AND SPECIAL COMMITTEES

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### Administrative Committee

*Composition: 3MC/2PC*

Murden-McClure, Tori [PC chair]  
Miller, Fayneese [PC vice chair]  
Benning, Heather [MC chair]  
Bryant, Gerard [MC vice chair]  
Shields, Dennis [MC president]

### Convention-Planning Subcommittee

*Composition: 3MC/3PC/1ME/1INDEPENDENT/  
1COMMISSIONER/1NAD3AA/1SAAC/5AL*

Benning, Heather [MC] *EX OFFICIO*  
Gilmour, Davie Jane [PC] **NEW**  
Hakes, Joe [Independents]  
Ingraham, Mariann [At-Large]  
Johnson, Greg [At-Large]  
Kaye, Gregg [At-Large]  
Manning, Marcus [At-Large]  
Mooney, Laura [Membership Committee]  
Mazza, Lori [MC]  
Mankey, Richanne [PC] **NEW**  
McGuinness, Scott [MC]  
Melendy, Lisa [At-Large]  
Paino, Troy [PC] **NEW**  
Pepper, Colby [SAAC]  
Runksmeier, Lori [NADIIIAA]  
Schram, Kandis [MC]  
Summers, Patrick [Commissioner]  
Wells-Mangold, Kellen [At-Large]

### PC/MC Joint Legislative Steering Committee

*Composition: 2 PC/2 MC presidents/2 MC ADRs/PC/MC  
chairs*

Benning, Heather [MC chair]  
Briggs, Stephen [MC]  
Cooper, Mary Beth [PC]  
Feyerherm, Sarah [MC]  
Hammond, Troy [PC] **NEW**  
Murden-McClure, Tori [PC chair]  
Millerick, Tim [MC]  
Shields, Dennis [MC]

## JOINT MC/PC COMMITTEES AND SUBCOMMITTEES AND SPECIAL COMMITTEES

### **Strategic Planning and Finance Committee**

*Composition: 4PC/5MC [one commissioner]  
CHAMPIONSHIPS CHAIR/1 SAAC/2 AT LARGE [one  
commissioner] [Note: Two members must be  
conference representatives.] – 13 Members*

Baumann, Angela [At large]  
Benning, Heather [MC] *EX OFFICIO*  
Brown, Chuck [MC] **NEW**  
Ellis, David [At large]  
Franks, Tiffany [PC] **NEW**  
Jacobs, Kiki [Championships Committee Chair]  
Lindgren, Robert [PC]  
Mazza, Lori [MC] **NEW**  
Miller, Fayneese [PC vice chair] *CHAIR NEW*  
Pepper, Colby [MC/SAAC]  
Shields, Dennis [MC]  
Trachte, Kent [PC]  
Vienna, Michael [MC]  
Walsh, Joe [MC]

### Division III Oversight Group to Implement Rec- ommendations of Federal and State Legislation Working Group

*Composition: chairs of MC, PC, SAAC, SAR, ILC, SLR  
and BOG Working Group*  
Benning, Heather [MC chair]  
Cooper, Mary Beth [BOG SFLWG]  
Erdmann, Jackson [BOG SFLWG]  
Fein, Jason [SLR chair]  
Keller, Braly [SAAC chair]  
Marin, Angela [SAR chair]  
Morenz, Angie [ILC chair]  
Murden McClure, Tori [PC chair]  
Sims, Daryl [BOG SFLWG]



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

**KEY ACTION/DISCUSSION ITEMS:**

|  |                 |
|--|-----------------|
| Proposed legislation for 2020 Convention.....            | Page Nos. 15-18 |
| Sport Science Institute updates.....                     | Page Nos. 22-23 |
| 2020 Presidents Council Leadership and appointments..... | Page No. 22     |

| <b>Division III Management Council</b><br><b>October 21-22, 2019</b><br><b>Indianapolis, IN</b>   | <b>Division III Presidents Council</b><br><b>October 29-30, 2019</b><br><b>Atlanta, GA</b>   |
|---|--|
| ATTENDEES   | ATTENDEES  |
| <p>Stevie Baker-Watson, DePauw University, chair<br/> Brad Bankston, Old Dominion Athletic Conference<br/> Heather Benning, Midwest Conference, vice chair<br/> Steve Briggs, Berry College<br/> Chuck Brown, Pennsylvania State University Erie, the Behrend<br/> Gerard Bryant, John Jay College of Criminal Justice<br/> Jason Fein, Bates College<br/> Sarah Feyerherm, Washington College (Maryland)<br/> Sammy Kastner, Notre Dame of Maryland University, SAAC representative<br/> Lori Mazza, Western Connecticut State University<br/> Scott McGuinness, Washington and Jefferson College<br/> Tim Millerick, Austin College<br/> Laura Mooney, Massachusetts College of Liberal Arts<br/> Michelle Morgan, John Carroll University<br/> Colby Pepper, Covenant College, SAAC representative<br/> Kate Roy, North Atlantic Conference<br/> Kandis Schram, Maryville College (Tennessee)<br/> Dennis Shields, University of Wisconsin, Platteville<br/> Denise Udelhofen, Loras College<br/> Michael Vienna, Emory University</p> | <p>Teresa Amott, Knox College<br/> Stevie Baker-Watson, DePauw University, MC chair<br/> Heather Benning, Midwest Conference, MC vice chair<br/> Kate Conway-Turner, Buffalo State, State University of New York<br/> Mary Beth Cooper, Springfield College<br/> Margaret Drugovich, Hartwick College<br/> Richard Dunsworth, University of the Ozarks<br/> Tiffany Franks, Averett University<br/> William Fritz, College of Staten Island<br/> Troy Hammond, North Central College<br/> Sue Henderson, New Jersey City University, chair<br/> Robert Lindgren, Randolph-Macon College<br/> Fayneese Miller, Hamline University<br/> Tori Murden McClure, Spalding University, vice chair<br/> Elsa Nunez, Eastern Connecticut State University<br/> Troy Paino, University of Mary Washington<br/> Kent Trachte, Lycoming College<br/> Bill Tsutsui, Hendrix College</p> |
| ABSENTEES   | ABSENTEES  |
| <p>Joe Walsh, Great Northeast Athletic Conference, participated via teleconference</p>  | <p>Javier Cevallos, Framingham State University<br/> Kathleen Murray, Whitman College</p>  |
| OTHER PARTICIPANTS  | OTHER PARTICIPANTS   |
| <p>Deborah Atkinson, NCAA<br/> Scott Bearby, NCAA<br/> Brian Burnsed, NCAA<br/> Dan Calandro, NCAA<br/> Sarah Dehring, Alma College, Pathway Participant<br/> Dan Dutcher, NCAA<br/> Mark Emmert, NCAA president<br/> Kevin Fenstermacher, Presidents' Athletic Conference, Pathway Participant<br/> Brian Hainline, NCAA<br/> Anthony Holman, NCAA<br/> Louise McCleary, NCAA</p>  | <p>Scott Bearby, NCAA<br/> Brian Burnsed, NCAA<br/> Dan Dutcher, NCAA<br/> Mark Emmert, NCAA president<br/> Brian Hainline, NCAA<br/> Eric Hartung, NCAA<br/> Louise McCleary, NCAA<br/> Jeff Myers, NCAA<br/> John Parsons, NCAA<br/> Bill Regan, NCAA<br/> Donald Remy, NCAA<br/> Cari Van Sensus, NCAA</p>  |

|  |  |
|--|--|
| OTHER PARTICIPANTS, continued...<br>Miriam Merrill, Hamilton College, Pathway Participant<br>Jeff Myers, NCAA<br>Hannah Orbach-Mandel, NCAA postgrad intern<br>John Parsons, NCAA<br>Laura Peterson, NCAA<br>Bill Regan, NCAA<br>Ashley Reid, The College of Wooster, Pathway Participant<br>Michael Schulist, Carroll University (Wisconsin), Pathway Participant<br>Ali Spungen, NCAA<br>Cari Van Senus, NCAA<br>Kiana Verdugo, NCAA intern<br>Caryl West, NCAA<br>Sarah Wilhelmi, Director of Collegiate Partnerships; United States Olympic & Paralympic Committee |  |
|--|--|

[Note: This summary reflects only actions (formal votes or “sense of meeting”) in accordance with the established policy governing minutes of all NCAA entities. The only discussion included is that ordered by the chair or a member of the group.]

**1. WELCOME AND ANNOUNCEMENTS.**

October 21-22 Management Council. The meeting was called to order at 8 a.m., October 21 and 7:46 a.m., October 22, by the chair, Stevie Baker-Watson.

October 29-30 Presidents Council. The meeting was called to order at 3:06 p.m., October 29, and 9:15 a.m. October 30, by the chair, President Sue Henderson.

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

**a. Management Council Meetings – July 22-23, 2019.**

Management Council. The Management Council approved the summary of its July 22 and July 23, 2019, meetings.

Presidents Council. No action was necessary.

**b. Presidents Council Meeting – August 6-7, 2019.**

Management Council. No action was necessary.

Presidents Council. The Presidents Council approved the summary of its August 6 and August 7, 2019, meeting.

**c. Administrative Committee Actions.**

Management Council. The Management Council ratified the August 12, August 15, August 29 and September 18, 2019, Administrative Committee reports.

Presidents Council. The Presidents Council ratified the August 12, August 15, August 29 and September 18, 2019, Administrative Committee reports.

The Council discussed the denial of an appeal of a denial waiver request from Trine University of the graduate/postbaccalaureate student eligibility legislation. The student-athlete's family reached out to Council members to request they overturn the action of the Administrative Committee that upheld the Subcommittee for Legislative Relief's decision to deny the waiver. The Council directed staff to send a letter to the family with its decision to uphold the Administrative Committee's action.

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

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

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

**(a) 2020 NCAA Convention Educational Session Topics.**

Management Council. The Council reviewed the subcommittee's report regarding the educational session topics. It endorsed the following recommendations:

- Collaborative Approaches – When Mental Health Intersects with Student-Athlete Identities. This session will provide a panel discussion on mental health issues facing Division III student-athletes. The panel will examine where mental health intersects with LGBTQ-A+ and disability identities. The presentation will share resources and collaborative best practices.
- Crisis Management: Being Your Best During Your Institution's Worst Days. Crisis is a "when" not an "if" and it will hit colleges and universities of all shapes and sizes. The question this session will address is, how ready are you to respond when the unthinkable happens? This interactive presentation will ask the audience to consider their institution's readiness for a crisis. The session will include real-life examples of how and how not to handle a crisis. Attendees will be provided with tools to help them understand the importance of protecting a brand, student-athletes, the campus community, administrative staff and others. Attendees also will learn best practices for developing a crisis communication plan, a crisis communication team, social media readiness and examples of effective crisis leadership.

**Staff Liaisons:**

**Brown,  
McCleary**

**Council Reps:**

**Baker-Watson,  
Franks, Mazza,  
Mooney,  
McGuinness,  
Pepper, Schram,  
Tsutsui**

- NADIIIAA: Growing Our Next Generation of Leaders through Mentorship and Opportunity. As leaders, we have a responsibility to our profession and the institutions we serve to identify and facilitate the growth of the next generation of leaders in intercollegiate athletics. Active mentorship is a key element in achieving this goal. Providing opportunities that will challenge emerging leaders and help them develop is equally important. This panel of veteran and emerging leaders will speak to their experiences in both providing and finding sound mentorship as well as opportunities to enable the development of our next generation of leaders.

**(b) Issues Forum – Friday, January 24.**

Management Council. The Council received the subcommittee's recommendation for the following discussion topics during the Issues Forum: (1) Haydn Shaw's presentation on generational gaps; (2) Update from the Board of Governor's Federal and State Legislative Working Group (Name, Image and Likeness); and (3) Convention legislation proposals Q&A/Open Forum.

Presidents Council. No action was necessary.

**(c) Business Session – Saturday, January 25.**

Management Council. The Council noted the subcommittee endorsed the following format for the Business Session.

|                   |  |
|-------------------|--|
| 8 to 8:15 a.m.    | Welcome.                               |
| 8:15 to 8:30 a.m. | Division III SAAC Mental Health Video. |
| 8:30 to 11 a.m.   | Voting on 2020 Legislative Proposals.  |

Presidents Council. No action was necessary.

**(d) Convention Management Updates.**

Management Council. The Council reviewed the subcommittee's report noting the following:

- Hotel property. Division III meeting space and sleeping rooms will be at the Anaheim Marriott. The room rate is \$204 a night plus taxes.
- Transportation. John Wayne, Orange County is the closest airport. The NCAA will only provide complimentary airport shuttles to John Wayne Airport, Orange County, upon conclusion of the Business Session Saturday, January 25.

Presidents Council. No action was necessary.

**(e) Presidents and Chancellors Programming.**

Management Council. The Council noted the following programming for presidents and chancellors:

- Presidents and Chancellors Engagement Program. This session is open to all chancellors and presidents and will take place Thursday, January 23, from 8 to 9:30 a.m.
- Division III Presidents and Chancellors Forum and Luncheon. This session is open to all Division III presidents and chancellors and will take place Thursday, January 23, from 11:30 a.m. to 1 p.m.
- Association-wide Education Session. The NCAA's Office of Legal Affairs, in conjunction with President Emmert's office, will conduct a session on Thursday, January 23, from 2:30 to 4 p.m. that will focus on Name, Image and Likeness.

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

Management and Presidents Councils. The Councils reviewed the division's 2018-2019 final budget report and the 2019-2020 budget-to-actual. The division finished the 2018-19 year with a surplus of \$1.5 million in championships due mainly to fewer charter flights and less expensive airfare and with a surplus of \$300,000 in nonchampionships. The total surplus will be added to the mandated reserve.

The Councils also reviewed the future budget projections through 2023-24, noting an intentional spend down of the surplus above and beyond the mandated reserve by the end of the current broadcast agreement in 2023-24.

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

Management Council. The Council reviewed the subcommittee's report from its July 29, 2019, teleconference. No action was necessary.

Presidents Council. No action was necessary.

**b. Management Council Subcommittees.**

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

**(a) Noncontroversial Legislation – Eligibility 14.5.4.1 – Transfer Regulations – Two-Year College Transfers – Exceptions.**

Management Council. The Council approved the subcommittee's recommendation to approve noncontroversial legislation to expand the exception of Bylaw 14.5.4.1-(c) and permit immediate eligibility for a student-athlete who successfully completes the required two full-time semesters

**Staff Liaisons:**  
Aiken, Dutcher,  
Hartung, Kresge,  
McCleary, Myers,  
Spungen

**Council Reps:**  
Baker-Watson,  
Benning,  
Drugovich,  
Lindgren,  
Murden-McClure,  
Pepper, Roy,  
Shields, Trachte,  
Vienna, Walsh

**Staff Liaisons:**  
Dutcher,  
McCleary, Myers,  
Regan

**Council Reps:**  
Baker-Watson,  
Briggs, Cooper,  
Feyerherm, Fritz,  
Henderson,  
Millerick, Shields

**Staff Liaisons:**  
Berg,  
Purcell

**Council Reps:**  
Fein, Mazza,  
McGuinness,  
Roy, Udelhofen,  
Vienna



and 24-semester hours of transferrable-degree credit (or quarter equivalent) by enrolling one semester at a two-year institution and the other at the certifying Division III institution while not competing.

Presidents Council. No action was necessary.

**(b) Approval of Division III Management Council Subcommittee for Legislative Relief Guidelines.**

Management Council. The Council approved the subcommittee's recommendation to revise the Subcommittee for Legislative Relief guidelines. Specifically, the subcommittee approved making the currently required chief executive officer letter optional in cases involving transfer waivers. This change is consistent with the standards for other waivers, where staff has the discretion to determine if the actions in the case are egregious enough to warrant a letter, or whether institutional education and one-time approval conditions are sufficient.

Presidents Council. No action was necessary.

Staff Liaisons:  
Alford, Peterson,  
Romash

Council Reps:  
Bankston,  
Kastner, Mooney,  
Morgan, Schram,  
Vienna, Walsh

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

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

Presidents Council. No action was necessary.

**c. Division III Committees.**

Staff Liaison:  
Peterson-Myliniski,  
Suscha

Council Reps:  
Baker-Watson,  
Bankston, Fein

**(1) Championships Committee.**

**(a) Championships Committee Chair.**

Management Council. The Council noted that Kiki Jacobs, director of athletics at Roger Williams University, will serve as chair of the Championships Committee, succeeding Bill Stiles.

Presidents Council. No action was necessary.

**(b) Alcohol Sales at the 2020 Division III Men's Basketball Championship.**

Management Council. The Council, per a recommendation from the Championships Committee, approved a waiver of Bylaw 31.1.13 to permit alcohol sales at the 2020 Division III Men's Basketball Championship. The decision was made in accordance with recently adopted legislation that permits alcohol sales at Division III championships held in conjunction with Division I in the same venue.

Presidents Council. The Presidents Council also approved the recommendation.

**(c) Dates for 2020 Division III Men's Basketball Championship Preliminary Rounds.**

Management Council. The Council approved a recommendation from the Championships Committee to adjust the 2020 men's basketball championship preliminary round format to accommodate for this year's joint basketball championship. The adjustment has a potential budget impact of approximately \$48,000, which accounts for additional flights that may be needed for teams at the quarterfinal round site.

Presidents Council. No action was necessary.

**(d) Exception to Bracketing Policies for the Division III Men's and Women's Ice Hockey Championships.**

Management Council. The Council approved a request to allow men's and women's ice hockey championships to pair teams outside of the 500-mile travel radius (i.e., create a flight) in the quarterfinal round when the bracketing principles would otherwise require two teams to face one another for a third consecutive year (and the quarterfinal round is the bracket entry point for the teams). The effective date is the 2021 national championship.

Presidents Council. No action was necessary.

**(e) Men's and Women's Tennis Rules Subcommittee.**

Management Council. The Council approved, at the recommendation of the Championships Committee, the creation of an eight-member Men's and Women's Tennis Rules Subcommittee (from within the existing Divisions I, II and III Men's and Women's Tennis Committees) to oversee the playing rules modifications for all three divisions effective January 1, 2020.

Presidents Council. No action was necessary.

**(f) Conference Requirements for AQ Eligibility.**

Management Council. The Council noted the Championships Committee reviewed and discussed whether to establish regular-season-competition requirements for a conference to be eligible to earn an automatic qualification to Division III championships. The committee acknowledged that there is insufficient momentum currently within the committee and the membership to recommend changes despite reviewing some initial concepts. As such, it took no formal action but agreed to ask the Division III Commissioners Association whether it was interested in formulating a proposal in the future.

Presidents Council. No action was necessary.

**(g) Sport Region Realignment Project.**

Management Council. The Council heard an update on the Championships Committee's review of a 10-region alignment model proposed by the Division III Commissioners Association. The latest request for sport committee input focused on the proposal's effect on competitive equity, which several sport committees cited as a significant concern. Accordingly, the committee sought feedback on a model that retains the three original guiding principles but also accounts for competitive equity as each sport committee sees fit. After reviewing the sport committee feedback, the Champs Committee endorsed the 10-region model, as amended by sport committees, and will forward it to the Division III commissioners for feedback.

Presidents Council. No action was necessary.

**(h) Championship Bench Size Policy.**

Management Council. The Council received feedback on the Championships Committee's review of increased bench sizes during national championships, which would occur at the expense of the participating institutions. The membership, via a survey, and sport committees, expressed a consistent desire to increase the bench size. The committee also discussed practice limitations and determined that practice will be open to all student-athletes who are at the competition site at any round of the championship, provided it still fits within a given sport's playing rules. The bench size increases will be implemented for the 2020-21 championships.

Presidents Council. No action was necessary.

**(i) Championship Alcohol Advertising Restrictions.**

Management Council. The Council considered a Board of Governors recommendation to eliminate legislative restrictions on alcohol advertising and sponsorship activities in conjunction with NCAA championships, and establish that topic as a policy responsibility of the BOG. The Council approved, in concept, an administrative regulation to accomplish that goal.

Presidents Council. No action was necessary.

**(2) Committee on Infractions.**

Management Council. The Council reviewed a report detailing the trend analysis of major infraction cases. Key takeaways included:

- Most common infraction type is exceeding financial aid.
- The number of major infractions, an average of four per year, continues to increase.

Staff Liaisons:  
Cooper, Elworth  
Kleppel

Council Rep:  
Feyerherm

- Probation is the most common penalty.

The Council recommended the Committee on Infractions review this report and share it with the Division III membership.

Presidents Council. No action was necessary.

Staff Liaisons:  
Alford,  
Hartung,  
  
Council Rep:  
Schram

**(3) Financial Aid Committee.**

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

Presidents Council. No action was necessary.

Staff Liaison:  
Walters  
  
Council Reps:  
Fritz, Roy

**(4) Infractions Appeals Committee.**

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

Presidents Council. No action was necessary.

Staff Liaisons:  
Myers, Purcell,  
Regan  
  
Council Rep:  
Morgan

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

**(a) Incorporation of Official Interpretation – Length of Playing Season – Indoor/Outdoor Track and Field.**

Management Council. The Council approved the incorporation of the following official interpretation into legislation:

Indoor/Outdoor Track and Field Playing Season Parameters (III). The Division III Interpretations and Legislation Committee determined that an institution that sponsors both indoor and outdoor track and field may not divide the playing season into segments (i.e., traditional and nontraditional). The weeks of the playing season shall be conducted consecutively unless the institution does not practice or compete during any full week that includes a published vacation, holiday or exam period, which shall not be counted as part of the playing season.

Presidents Council. No action was necessary.

**(b) Incorporation of Official Interpretation – Sports Camps and Clinic and Other Athletics Events – Limitations on Participation.**

Management Council. The Council approved the incorporation into legislation the portion of the following official interpretation that indicates that a camp, clinic and other athletics events may be limited by gender and grade level:

Permissible Limitations for Participation in Camps, Clinics and Other Athletics Events (III). The committee confirmed that a camp, clinic or other athletics event is considered open to the general public even if participation is limited by number, age, gender and grade level. Participation limited by academic criteria (e.g., grade-point average, standardized test score) is not considered open to the general public.

Presidents Council. No action was necessary.

**(c) Approve Official Interpretation – Personalizing Recruiting Materials.**

Management Council. The Council approved the following official interpretation:

The committee confirmed that it is permissible for institutions to provide prospective student-athletes personalized recruiting materials, provided the materials are on official athletics publications (e.g., institutional letterhead, institutional email and institutional postcard) published or produced by the institution.

Presidents Council. No action was necessary.

**(6) Membership Committee.**

Staff Liaisons:  
Alford, Berg,  
Hartung

Council Rep:  
Mooney

- **Review of University of Rochester Waiver Request.**

Management Council. The Council upheld the Membership Committee's denial of a waiver regarding Rochester University's late submission of its Institutional Self-Study Guide. As a result, the institution will be placed on a three-year probation effective September 1, 2019.

Presidents Council. No action was necessary.

**(7) Nominating Committee.**

Staff Liaison:  
Roe

Council Rep:  
Mazza

- **Governance Committee Appointments.**

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

- i. Division III Student-Athlete Advisory Committee (four vacancies):

- Madiera Alexander, Salisbury University, Capital Athletic Conference.
    - Abigail Newkirk, Bluffton University, Heartland Collegiate Athletic Conference.
    - Paxton Blanchard, Keene State University, Little East Conference.

- Bridgett Finn, Lebanon Valley College, Middle Atlantic Conferences.
- ii. Division III Management Council (three vacancies):
  - Michelle Walsh, director of athletics, Vassar College, Liberty League.
  - Matt Hill, director of athletics, University of Northwestern – St. Paul, Upper Midwest Athletic Conference.
  - Cheryl Aaron, director of athletics, Wentworth Institute of Technology, Commonwealth Coast Conference.
- iii. Division III Championships Committee (two vacancies):
  - Chuck Mitrano, commissioner, Empire 8.
  - John Neese, director of athletics, Hardin-Simmons University, American Southwest Conference.
- iv. Division III Financial Aid Committee (four vacancies):
  - Michele Kosboth, director of student financial planning, Lasell University, Great Northeast Athletic Conference.
  - Melissa Stephens, director of financial aid and student employment, Western Connecticut State University, Little East Athletic Conference.
  - Eric Stacey, director of athletics, St. Catherine University, Minnesota Intercollegiate Athletic Conference.
  - Joyce Farmer, director of financial aid, DeSales University, Middle Atlantic Conferences.
- v. Division III Membership Committee (one vacancy):
  - Monique McLean, director of athletics, Trinity Washington University, Independent.
- vi. Division III Interpretations and Legislation Committee (two vacancies):
  - Joseph Pavlow, director of athletics, Rosemont College, Colonial State Athletic Conference.
  - Patrick Summers, commissioner, New England Women's and Men's Athletic Conference.
- vii. Division III Nominating Committee (two vacancies):
  - Teelah Grimes, associate director, University of Valley Forge, American Collegiate Athletic Association.
  - Ashley Hodges, senior woman administrator/assistant athletics director, Rosemont College, Colonial States Athletic Conference.

viii. Division III Student-Athlete Reinstatement Committee (one vacancy):

- Russell B. Rogers, director of athletics, Stevens Institute of Technology, Middle Atlantic Conferences.

Staff Liaisons:  
Barnhart, Berg,  
Spungen

Council Reps:  
Kastner,  
Pepper

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

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

Presidents Council. No action was necessary.

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

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

Presidents Council. No action was necessary.

Staff Liaisons:  
Grace, Romash

Council Rep:  
Benning

**d. Association-Wide Committees.**

Staff Liaisons:  
Parsons,  
Rohlman

Council Rep:  
Baker-Watson

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

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

Presidents Council. No action was necessary.

Staff Liaisons:  
Brownlee,  
Roxbury,  
Ziegler

Council Rep:  
Morgan

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

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

Presidents Council. No action was necessary.

Staff Liaisons:  
Gentry,  
Fasbender,  
Wilson

Council Rep:  
Udelhofen

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

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

Presidents Council. No action was necessary.

Staff Liaison:  
Roe

Council Rep:  
Brown

**(4) Honors Committee**

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

Presidents Council. No action was necessary.

Staff Liaisons:  
Abdur-Rashid,  
Crawford,  
  
Council Rep:  
Bryant

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

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

Presidents Council. No action was necessary.

Staff Liaisons:  
Smith,  
Suscha, Walters

Council Rep:  
Walsh

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

- **Paralympic Sport References.**

Management Council. The Council approved the Olympic Sports Liaison Committee's recommendation to specify that legislation applicable to the Olympic Games and Olympic teams and athletes shall apply to the Paralympic Games and Paralympic teams and athletes, and the related recommendation that legislation applicable to the Pan American Games shall apply to the Parapan American Games.

Presidents Council. No action was necessary.

Staff Liaisons:  
Calandro,  
Halpin

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

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

Presidents Council. No action was necessary.

Staff Liaisons:  
O'Barr, Thomas

Council Rep:  
Brown

(8) **Postgraduate Scholarship Committee.**

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

Presidents Council. No action was necessary.

Staff Liaison:  
Bell

Council Rep:  
Millerick

(9) **Research Committee.**

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

Presidents Council. No action was necessary.

Staff Liaison:  
Thomas

Council Rep:  
Walsh

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

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

Presidents Council. No action was necessary.



#### **4. *PROPOSED LEGISLATION FOR THE 2020 CONVENTION.***

##### **a. Convention Proposal Groupings and Voting Order.**

Management Council. The Council endorsed the Interpretations and Legislation Committee's recommendation to use electronic voting units, noting the technology permits the recording of all votes in an expeditious manner. Conducting roll-call votes for all proposals (Presidents Council and general grouping) provides transparency for the membership. The Management Council concluded that Proposal No. 6 (Leadership Programming) should remain in the president's grouping but recommended moving Proposal No. 7 (Equestrian) to the general grouping.

Presidents Council. The Presidents Council approved the recommendation of the Management Council regarding the 2020 Convention proposal groupings and voting order. The Council also approved roll-call voting for all proposals.

##### Presidents Grouping.

- NCAA Membership – Active Membership and Member Conference – Conditions and Obligations of Membership – Athletics Diversity and Inclusion Designee.
- Division Membership – Application Process – Provisional Institution – Reduce Waiting Period from Four Years to Three Years Plus an Exploratory Year.
- Division Membership – Application Process – Reclassifying Institution – Reduce Waiting Period from Four Years to Three Years.
- Awards and Benefits – Housing and Meals – Exceptions – Snacks and Nutritional Supplements Incidental to Participation.
- Awards and Benefits – Expenses Provided by the Institution For Practice and Competition – Permissible Practice Expenses – Exceptions for Golf and Swimming and Diving.
- Athletically Related Activities – Leadership Programming Out-of-Season Involving Athletics Related Information and Content (General in nature).

##### General Grouping.

- Division Membership – Playing and Practice Seasons – Emerging Sports for Women – Women's Equestrian.
- Division Membership - Playing and Practice Seasons – Emerging Sports for Women – Acrobatics and Tumbling.
- Division Membership – Playing and Practice Seasons – Emerging Sports for Women – Women's Wrestling.
- NCAA Membership – Member Conference – Eligibility – Composition of Conference – Provisional Members as Core Members.
- Division Membership – Sport Classified in Division I – Applying Division I Legislation.
- Resolution – Softball/Baseball National Championship Tournament Timing.

- b. **2020 Division III Convention Proposal Positions.** The Councils reviewed responsibilities associated with Convention proposal speaking assignments and took formal positions on the membership-sponsored proposals as presented below.

**(1) Division Membership – Application Process – Provisional Institution – Reduce Waiting Period from Four Years to Three Years Plus an Exploratory Year.**

Presidents Council, Management Council and Membership Committee support this proposal. Allowing prepared institutions to complete the transition to Division III in three years (plus an exploratory year) will provide student-athlete earlier access to NCAA championships, thereby benefitting their overall experience. Furthermore, the membership educational requirements can be effectively delivered during this period while still providing the Membership Committee the discretion to appropriately manage the process, as needed.

Championship Committee opposes this proposal. The proposed modifications potentially compromise an institution's readiness to fully comply with Division III policies and abide by Division III values, and they potentially increase the pressure on the Membership Committee to make decisions based on a shorter timeline (the Championships Committee believes four years is the appropriate timeline to earn active membership). In addition, the current process includes a waiver provision to expedite the process for exemplary institutions.

**(2) Division Membership – Application Process – Reclassifying Institution – Reduce Waiting Period from Four Years to Three Years.**

Presidents Council, Management Council and Membership Committee support this proposal. The requirements for a reclassifying institution can be effectively delivered and achieved in three years, while still providing the Membership Committee the discretion to appropriately manage the process, as needed. Additionally, a shortened process will allow earlier access to NCAA championships, thereby enhancing the overall student-athlete experience.

Championships Committee opposes this proposal. The proposed modifications potentially compromise an institution's readiness to fully comply with Division III policies and abide by Division III values, and they potentially increase the pressure on the Membership Committee to make decisions based on a shorter timeline (the Championships Committee believes four years is the appropriate timeline to earn active membership). In addition, the current process includes a waiver provision to expedite the process for exemplary institutions.

**(3) Awards and Benefits – Housing and Meals – Exceptions – Snacks and Nutritional Supplements Incidental to Participation.**

Presidents Council, Management Council, Interpretations and Legislative Committee and Committee on Competitive Safeguards and Medical Aspects of Sport, support this proposal. The proposal promotes the health and wellness of student-athletes by allowing an institution the flexibility to provide what it deems

appropriate to meet the nutritional needs of its student-athletes. With this flexibility, each institution will have the discretion to determine the scope of the benefit, if any, it chooses to provide to student-athletes, without an increased regulatory burden.

**(4) Awards and Benefits – Expenses Provided by the Institution for Practice and Competition – Permissible Practice Expenses – Exceptions for Golf and Swimming and Diving.**

Presidents Council and Management Council oppose this proposal. While this proposal addresses the unique challenges associated with the sport of golf, the inclusion of swimming and diving, which does not share those challenges, unnecessarily expands the scope of the proposal. Expansion to other sports, should not be reviewed on a sport-by-sport basis, but rather as part of a broader review to determine the extent and impact of allowing practice trips beyond the current parameters.

The Men's Golf Committee, Women's Golf Committee and Swimming and Diving Committee support this proposal. The committees noted student-athletes should have the ability to prepare under the right conditions without having to worry about fulfilling an artificial competition requirement.

The women's golf committee noted that this may provide too many opportunities to play the championships course multiple times during spring break. If the proposal passes, the committee will consider limiting the number of times a team can play or practice on the championship course after January 1.

Interpretations and Legislation Committee and Playing and Practice Seasons Subcommittee supports this proposal.

**(5) Athletically Related Activities – Leadership Programming Out-of-Season Involving Athletics Related Information and Content (General in Nature).**

Presidents Council, Management Council and the Interpretations and Legislation Committee oppose this proposal. This proposal creates an environment wherein student-athletes may feel compelled to participate, thereby creating additional time demands for student-athletes. Additionally, current legislation provides sufficient opportunities for student-athletes to be involved in leadership activities outside the declared playing season. Finally, student-athletes should be involved in athletics leadership opportunities, but they should also seek participation in non-athletic based leadership opportunities. This proposal may limit or discourage student-athletes from seeking out those non-athletic opportunities.

Playing and Practice Seasons Subcommittee took no position on this proposal. The subcommittee noted there is value in the proposal due to the potential benefits related to student-athlete mental health; however, the subcommittee expressed concern regarding the ambiguity of the language in the proposal regarding the definition of a student-athlete serving in a team leadership position. Further, the subcommittee noted the legislation currently permits sufficient opportunities for out-of-season leadership programming.

**(6) Division Membership – Playing and Practice Seasons – Emerging Sports for Women – Women’s Equestrian.**

Management Council, Committee on Women’s Athletics, and Playing and Practice Subcommittee support this proposal. The proposal provides for more participation opportunities for female student-athletes and more sport-sponsorship options for Division III member institutions.

Championships Committee took no position on this proposal. While the committee is not opposed to supporting equestrian as an emerging sport, it acknowledged that there may be unanswered questions to resolve before membership consideration.

**(7) Resolution – Softball/Baseball National Championship Tournament Timing.**

Management Council. Referred the resolution to the Softball, Baseball and Championships Committees for recommendations to be reviewed by the Management and Presidents Councils at their January Convention meetings.

The intent is that the Division III Softball and Baseball Committees collaborate on a plan with the Division III Championships Committee, with emphasis on examining the timing of the tournament schedules, to address concerns related to the compression of the seasons due to weather issues resulting in increased missed games and class time, and an effective date for future implementation no later than the Spring 2023 season. Additionally, that the Championships Committee incorporate such changes as may be agreed upon into the bid process for the 2023-26 bid cycle.

Presidents Council – no action was necessary.

**c. Review of Noncontroversial Legislation for the 2020 NCAA Convention.**

**(1) Eligibility – Seasons of Participation – 10-Semester/15-Quarter Rule – Ten-Semester/15-Quarter Rule Waiver – Use of Additional Semester(s) or Quarter(s).**

Management Council. The Council approved noncontroversial legislation to specify that if a 10-semester/15-quarter rule waiver is approved, the semesters/quarters associated with the waiver must be used during consecutive regular terms at the certifying institution.

Presidents Council. No action was necessary.

**(2) Amateurism – Employment – Fee-for-Lesson – Restitution Violations.**

Management Council. The Council approved noncontroversial legislation to specify that violations of Bylaw 12.4.4 shall be considered restitution violations

which do not affect a student-athlete's eligibility provided the value of the benefit is \$200 or less and the student-athlete makes restitution to a charity prior to competing.

Presidents Council. No action was necessary.

**5. *DIVISION III INITIATIVES AND UPDATES.***

**a. Graduation Rates Report.**

Management Council. The Council noted that it is the tenth year of the voluntary collection of student-athlete graduation rates for Division III, with 264 institutions participating. Some of the findings are: (1) Student-athletes continue to graduate at a higher rate than the student body; (2) After accounting for student-athletes that leave in good academic standing, nearly 90 percent graduate; (3) Male African-American students and student-athletes graduate at a lower rate than any other race/ethnicity group; (4) African-American men are overrepresented in football and basketball; and (5) The larger the football recruiting class, the lower the Federal Graduation Rate.

Presidents Council. No action was necessary.

**b. Faculty Athletics Representative (FAR) Advisory Group.**

Management Council. The Council reviewed the reports noting the following: (1) Addition of Kurt Beron to an at-large position; and (2) Review of the Division III Presidents and Management Councils Quarterly Meeting Summary will be a standing agenda item for the Advisory Group.

Presidents Council. No action was necessary.

**c. LGBTQ Working Group.**

Management Council. The Council reviewed the reports noting the following: (1) Update on the December OneTeam Facilitator Training; (2) Creation of an OneTeam awards program; (3) Division III LGBTQ OneTeam events scheduled during the 2020 NCAA Convention and (4) OneTeam Program analytics.

A OneTeam Program will be held Thursday, January 23 and a OneTeam Reception will be held January 25. During the reception, the 2021 OneTeam Awards Program will be unveiled.

Presidents Council. No action was necessary.

**d. Diversity and Inclusion Working Group**

Management Council. The Council reviewed the reports noting: (1) 60 percent of the membership submitted the voluntary student-athlete graduation rate data; (2) Student Immersion Program received 81 applications, with 40 being selected for the 2020 cohort; and (3) The office of inclusion hired a contractor to analyze the NCAA committee appointment and training processes relative to its ability to produce diverse and representative committees and help committee members feel prepared to understand their responsibilities.

The Council noted that since mandatory student-athlete graduation rate reporting will be due June 1, 2020, staff is preparing to provide resources and education in the spring to assist institutions. The working group continues to emphasize the importance of studying the data and developing best practices.

Presidents Council. No action was necessary.

**e. Division III Identity Initiative.**

Management Council. The Council received an update on the purchasing website, Division III/D3SIDA Recognition Award, social media, Special Olympics, ncaa.org content and Division III Week.

Presidents Council. No action was necessary.

**f. International Ice Hockey Pilot.**

Management Council. Staff provided an update on the second year of the international ice hockey pilot. The pilot parameters include the NCAA Eligibility Center reviewing the participation history of all international first year ice hockey players.

Presidents Council. No action was necessary.

**g. Injury Surveillance Program.**

Management Council. The Council received an update on the program's communication efforts noting that since the campaign began, Division III ISP participation has increased significantly.

Presidents Council. No action was necessary.

**h. Division III University.**

Management Council. The Council reviewed a summary of course use for Division III University.

Presidents Council. No action was necessary.

**i. Feedback from Conference Meetings.**

Management Council. The Council reviewed reports from various conference visits. No action was necessary.

Presidents Council. No action was necessary.

**6. ASSOCIATION-WIDE UPDATES AND ISSUES.**

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

Management and Presidents Council. The Councils received an update on BOG initiatives including: (1) Federal and State Legislation Working Group (Name, Image and Likeness) [NIL]; (2) Sports Wagering Working Group; (3) Alcohol advertising restrictions; (4) NCAA strategic plan; (5) Student-Athlete Engagement Committee; (6) Committee to Promote Cultural Diversity & Equity; and (7) Government Relations report. Presidents Council members encouraged greater support for member schools and conferences located in states that are actively considering NIL legislation.

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

Management and Presidents Council. The Councils received an update on the following:

- The Concussion Safety Advisory Group had its inaugural meeting in July. The group reviews existing and emerging science, best practices and policy. The concussion safety protocol checklist remains the basis of concussion safety legislation. The group made no substantive changes to the checklist.
- The Task Force on Sleep and Wellness provided the first round of deliverables to the membership in September. The resources include an educational handout and narrative review article.
- A Mental Health Waiver Think Tank is slated for mid-November. The think tank includes sport psychologists, disability consultants and NCAA staff who work with waivers to review NCAA guidelines, directives and information standards to help better define a mental health disability.
- SSI created an internal task force to review issues arising from scenarios where the visiting team does not travel with a primary athletics health care provider. SSI anticipates developing recommendations that will be shared with the Councils at their January meetings.

**c. Litigation Update.**

Management and Presidents Council. The Councils received a litigation update. No action was necessary.

**d. USOC-NCAA Olympians Made Here.**

Management Council. Sarah Wilhelmi, Director of Collegiate Partnerships, United States Olympic and Paralympic Committee, provided an update on the Olympians Made Here campaign. The campaign's purpose is to educate audiences on the role colleges play in developing Olympians and garner support for programming to perpetuate Olympic sport opportunities on campus. It also enhances the way institutions, conferences, the NCAA and the USOC work together to celebrate national team student-athletes. All Division III institutions and conferences with current or former Olympians are encouraged to participate in the campaign.

Presidents Council. No action was necessary.

**e. Officiating.**

Management Council. The Council received an update on the current officiating issues in Division III, the NCAA's related role, and current and potential initiatives to address those issues. The Division III Commissioners Association has hired a contractor (Pictor Group) to study the issue and propose solutions to address officiating gaps. The Division III officiating study results are slated for a June 2020 release. Staff anticipates Division III collaborating with the other divisions, as officiating is an Association-wide issue. The Council supported the NCAA's proposed next steps that include an Association-wide discussion at the 2020 Convention and a potential RFP to further study and develop an Association-wide strategic plan in June 2020, with implementation beginning a year later.

Presidents Council. No action was necessary.

**7. *DIVISION III PRESIDENTS COUNCIL NOMINATIONS SUBCOMMITTEE.***

Presidents Council. The Council reviewed the subcommittee's October 2 teleconference report and approved the following:

- Waived the application of Bylaw 21.9.1.3 to permit the appointment of Frank Sanchez, Rhode Island College, to the Council.
- Appoint the following to the Council for four-year terms (January 2020-January 2024), pending approval by the division's presidents:
  - Richanne Mankey, Defiance College [Heartland Collegiate Athletic Conference];
  - Frank Sanchez, Rhode Island College [Little East Conference];
  - James Schmidt, University of Wisconsin Eau-Claire [Intercollegiate Athletic Conference].
- Appoint the following to the Council for three-year term (January 2020-January 2023), pending approval by the division's presidents:
  - Davie Jane Gilmour, Pennsylvania College of Technology [North Eastern Athletic Conference].
- Appoint Tori Murden-McClure as chair-elect (January 2020).
- Appoint Fayneese Miller as vice-chair elect (January 2020).



8. ***ADJOURNMENT.***

Management Council. The Council meeting adjourned at 4:05 p.m. Monday, October 21 and 11:50 a.m. Tuesday, October 22.

Presidents Council. The Presidents Council meeting adjourned at 5:58 p.m. Tuesday, October 29 and 11 a.m. Wednesday, October 30.

**REPORT OF THE NCAA DIVISION III ADMINISTRATIVE COMMITTEE  
NOVEMBER 6, 2019, ELECTRONIC MAIL**

**ACTION ITEM.**

- **None.**

**INFORMATIONAL ITEM.**

- **Temporary Substitute for Division III Infractions Case (Summary Disposition).** On behalf of the Management Council, due to the recusal of committee member Sarah Feyerherm of Washington College, the Administrative Committee approved a temporary substitution of former Division III Committee on Infractions member Amy Hackett to participate in the resolution of the subject infractions case. The committee noted that Ms. Hackett is a former chair of the committee and meets the criteria set forth in NCAA Bylaw 19.1.2.3.

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

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

| NCAA Division III Administrative Committee<br>November 6, 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.                           |  |

**REPORT OF THE NCAA DIVISION III ADMINISTRATIVE COMMITTEE  
NOVEMBER 7, 2019, ELECTRONIC MAIL**

**ACTION ITEM.**

**1. Legislative Item.**

- None.

**2. Nonlegislative Items.**

- **Proposed Division III Oversight Group to Implement Board of Governors (BOG) Charge Related to Recommendations of Federal and State Working Group.**
  - (1) Recommendation. That the Division III Management and Presidents Councils ratify the Administrative Committee's action to appoint a Division III Oversight Group consisting of the 2020 chairs of committees that will be most involved in this process [Presidents Council, Management Council, Interpretations and Legislative Committee (ILC), Student-Athlete Advisory Committee (SAAC), Student-Athlete Reinstatement (SAR) and Subcommittee for Legislative Relief (SLR)], as well as the three Division III representatives currently serving on the BOG Federal and State Working Group – Mary-Beth Cooper, president, Springfield College; Jackson Erdmann, student-athlete, St. John's University; and Darryl Sims, athletics director, University of Wisconsin-Oshkosh.
  - (2) Effective Date. Immediately.
  - (3) Rationale. The Board of Governors has charged each division with reviewing and responding to the recommendations forwarded by the Federal and State Legislation Working Group. The working group and related recommendations describe the current and potential future ability of student-athletes to promote their name, image and likeness (NIL) for endorsement and/or financial gain.

This Oversight Group will oversee the consideration of the Working Group concepts within the Division III governance structure. It will ensure that all the Working Group recommendations are forwarded to relevant Division III committees and establish the timetable for committee review and response. The Oversight Group will not conduct the initial review of the Working Group recommendations. However, because it will include the three Division III representative serving on the Working Group, the Oversight Group will ensure that the committee review process is appropriately focused and that it benefits from the Working Group's prior discussions as much as possible. The Oversight Group also will coordinate and oversee the specific committee responses and identify any conflicts or "gaps" that require further consideration. Finally, the Oversight Group will help oversee the communication plan to inform the Division III membership regarding this endeavor, as well as solicit membership feedback regarding Division III-specific recommendations. That will include the discussion session planned for the Division III Issues Forum in January, as well as subsequent feedback opportunities like regional rules seminars, conference meetings, and the like.

The “hands on” review of the specific Working Group recommendations will be done by the relevant standing committees within the Division III governance structure: ILC, SAAC, SLR and SAR. These committees (and related staff liaisons) have the greatest expertise regarding the concepts identified by the working group for further review, and how those concepts would affect Division III. The committees, in turn, will forward their recommendations to the Management Council and Presidents Council, following normal reporting lines. However, the Oversight Group will ensure that each committee has fulfilled its charge and identify any additional work that needs to occur to meet the overall charge from the BOG.

- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. Two student-athletes will serve on the Oversight Group, and SAAC will play a key role in the policy process.

**INFORMATIONAL ITEM.**

- **None.**

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

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

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|---|
| <b>NCAA Division III Administrative Committee</b>     |
| <b>November 7, 2019, Electronic Mail</b>              |
| <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. |



REPORT OF THE NCAA DIVISION III ADMINISTRATIVE COMMITTEE  
NOVEMBER 12, 2019, ELECTRONIC MAIL

**ACTION ITEM.**

**1. Legislative Item.**

- None.

**2. Nonlegislative Items.**

- **Governance Committee Appointments.**

- (1) Recommendation. That the Division III Management Council and Presidents Council ratify the following committee appointments:
  - (a) NCAA Division III Financial Aid Committee – Ashley Bianchi, director of financial aid, Williams College, New England Small College Athletic Conference.
  - (b) NCAA Division III Membership Committee – Janine Hathorn, director of athletics, Washington and Lee University, Old Dominion Athletic Conference.
  - (c) NCAA Division III Nominating Committee – Lori Runksmeier, director of athletics, Eastern Connecticut State University, Little East Conference.
- (2) Effective Date. At the close of the January 2020 NCAA Convention, unless otherwise noted.
- (3) Rationale. The committee reviewed the slate of nominees for each committee and forwarded these individuals for appointment.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. None.

**INFORMATIONAL ITEM.**

- None.

*Committee Chair: Sue Henderson, New Jersey City University, New Jersey Athletic Conference*  
*Staff Liaisons: Dan Dutcher, Division III Governance*  
*Debbie Kresge, Division III Governance*  
*Louise McCleary, Division III Governance*  
*Jeff Myers, Academic and Membership Affairs*  
*Ali Spungen, Division III Governance*

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| <b>NCAA Division III Administrative Committee<br/>November 12, 2019, Electronic Mail</b> |
| <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.                                    |

### DIVISION III PHILOSOPHY STATEMENT

Colleges and universities in Division III place 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 in which coaches play a significant role as educators. They also seek to establish and maintain an environment that values cultural diversity and gender equity among their student-athletes and athletics staff.

To achieve this end, Division III institutions:

- (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; (*Adopted: 1/16/10 effective 8/1/10*)
- (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; (*Revised: 7/24/07*)
- (d) Primarily focus on intercollegiate athletics as a four-year, undergraduate experience; (*Adopted: 1/14/12*)
- (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; (*Revised: 1/14/12*)
- (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; (*Adopted: 1/14/12*)
- (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; (*Revised: 1/9/06 effective 8/1/06*)
- (k) Assure that athletics recruitment complies with established institutional policies and procedures applicable to the admission process; (*Adopted: 1/12/04 effective 8/1/04*)
- (l) Exercise institutional and/or conference autonomy in the establishment of initial and continuing eligibility standards for student-athletes; (*Adopted: 1/14/12*)
- (m) Assure that academic performance of student-athletes is, at a minimum, consistent with that of the general student body; (*Adopted: 1/9/06 effective 8/1/06*)
- (n) Assure that admission policies for student-athletes comply with policies and procedures applicable to the general student body; (*Adopted: 1/9/06 effective 8/1/06*)
- (o) Provide equitable athletics opportunities for student-athletes and give equal emphasis to men's and women's sports;

- (p) Support ethnic and gender diversity for all constituents; (*Adopted: 1/12/99*)
- (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

- Proportion:** appropriate relation of academics with opportunities to pursue athletics & other passions.
- Comprehensive Learning:** opportunity for broad-based education and success.
- Passion:** playing for the love of the game, competition, fun and self-improvement.
- Responsibility:** development of accountability through personal commitment and choices.
- Sportsmanship:** fair and respectful conduct toward all participants and supporters.
- Citizenship:** 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

- Continue to compete in a highly competitive athletics program and retain the full spectrum of college life.
  - Focus on academic achievement while graduating with a comprehensive education that builds skills beyond the classroom.
  - Access financial aid for college without the obligations of an athletics scholarship.
  - Opportunities to play more than one sport.
  - Be responsible for your own path, discover potential through opportunities to pursue many interests.
- 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.
  - 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.
  - Participation in athletics provides valuable “life lessons” for student-athletes (teamwork, discipline, perseverance, leadership, etc) which often translate into becoming a better student and more responsible citizen.
- Division III institutions develop student-athlete potential through a comprehensive educational approach.
  - Division III institutions offer athletics for the educational value and benefit to the student-athlete, not for the purposes of revenue generation or entertainment.
  - Participation in athletics provides valuable “life lessons” for student-athletes (teamwork, discipline, perseverance, leadership, etc) which often translate into becoming a better student and more responsible citizen.
  - Student-athletes compete in a highly competitive athletics program and retain the full spectrum of college life.
  - Student-athletes do not receive monetary incentive to play sports but rather participate for the love of the game.

Reasons to Believe

Supporting features of DIII

- 1. Comprehensive educational experience.** 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.

**2. Integrated campus environment.** 26% 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:

  - Student-athletes are subject to admission and academic performance standards consistent with the general student body;
  - Student-athletes are not provided any special housing, services or support from their institution different from other students or student groups;
  - Athletics departments are regulated and managed through the same general procedures and practices as other departments of the institution.

This integration of athletics allows the student-athletes to take full advantage of the many opportunities of campus life and their entire collegiate experience.

**3. Academic focus.** 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 practicing seasons, the number of contests, no red-shirting or out-of-season organized activities and a focus on regional in-season and conference play.

- 4. Available financial aid.** 75% 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.

  - 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.

**5. Competitive athletics programs.** 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.

**6. National championship opportunities.** Division III has over 190,000 student-athletes competing annually in 37 different national championships. These competitions provide an opportunity for student-athletes to compete at the highest level and fulfill their athletics potential.

**7. Commitment to athletics participation.** 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.





**REPORT OF THE NCAA DIVISION III STRATEGIC  
PLANNING AND FINANCE COMMITTEE  
NOVEMBER 14, 2019, TELECONFERENCE**

**ACTION ITEMS.**

- None.

**INFORMATIONAL ITEMS.**

1. **Report from the June 20, 2019, teleconference.** The committee approved the report from its June 20, 2019, teleconference.
2. **Budget.** The committee reviewed the 2019-20 budget-to-actual as of September 2019, the budget overview and the future budget model. The 2018-19 final budget reflected a surplus of \$1.5M in championships and a surplus of \$300K in nonchampionships. The overage will be added to the surplus above and beyond the mandated reserve.

The future budget model projects expenses through 2023-24, including an intentional spend down of the surplus above and beyond the mandated reserve. Currently, the forecast shows slight overages in 2022-23 and 2023-24, and a minimal surplus above and beyond the mandated reserve in 2023-24. Considering that revenue is flat in 2022-23 and 2023-24, and the intentional spend down of the surplus above and beyond the mandated reserve during the same period, the numbers look favorable.

Staff updated the committee on the recent changes to the annual travel inflationary estimate. It increased from 3.5 to 4.94% for 2019-20 and will be reduced to 3.94% next year (2020-21). Future travel inflation policy will not change more than one percent higher or lower annually. Staff will update the future budget model to reflect the new travel inflation estimates for the committee to review at its March in-person meeting.

3. **Division III Conference Grant Program.**

- a. 2018-19 Conference Grant Impact Forms. The committee noted the submission of the 2018-19 Impact Forms by 43 Division III conferences and the Association of Division III Independents, and the reviews by NCAA staff.
- b. Grant Policies Inconsistencies. During the review of the impact forms, two conferences reported grant use not in alignment with the Strategic Conference Grant Program policies and procedures. The subcommittee confirmed the following policy inconsistencies and recommended corrective action.

- (1) Empire 8.

Concern One: Tier Three – Athletics Training/Medicine/Nutrition – Athletics

Training Equipment for an Air Purification System for St. John Fisher College locker rooms.

Concern Two: Tier Three – Athletics Training to fund a strength coach to attend a professional development event.

Corrective Action: Because of these findings, the subcommittee asked the staff to issue a warning letter. In its discussion, the subcommittee noted the grant uses listed above were inconsistent and not in alignment with the policies and procedures of the grant. In addition to the warning letter, the Empire 8 has been selected for a level two assessment review for the 2018-19 reporting period.

(2) North Atlantic Conference (NAC).

Concern: Tier Three – Technology – Purchase of an amplifier for the Northern Vermont University – Johnson gymnasium sound system.

Corrective Action: Because of this finding, the subcommittee asked the staff to issue a warning letter. In its discussion, the subcommittee noted the grant use was inconsistent and not in alignment with grant policies. Further, this type of purchase should be considered a facilities and equipment expense.

- c. Review of 2018-19 Grant Rollover Plans. Ten conferences reported a carryover greater than \$300 per tier and \$1,000 overall. The subcommittee reviewed each rollover request and ultimately approved all requests. It also directed staff to remind the conference offices that any approved rollover funds beyond \$1,000 unspent at the conclusion of 2019-20 reporting cycle need to be returned to the NCAA.
- d. NCAA Internal Audit – Identification of Three Conferences for Level Two Review. For the 2018-19 review cycle, the subcommittee determined that the Empire 8 should receive a for-cause audit. For the second and third reviews, the subcommittee selected, at random, the Great Northeast Athletic Conference (GNAC) and the Upper Midwest Athletic Conference (UMAC). The subcommittee noted that the GNAC and the UMAC filed exemplary reports and identified no usage concerns; instead, the GNAC and UMAC were selected as part of the national office's program to monitor grant funding.
- e. Proposed Amendment to Conference Grant Impact Form Due Date. The committee received a request from the Division III Commissioners Association Conference Grant Subcommittee to change the submission deadline for the Impact Forms from July 15 to August 1. The rationale related to new constituent groups added to Tier I in recent years (e.g., SIDs, ATCs) and the increasing number of professional development events taking place in late June, make it hard for conferences to meet the current deadline.

The Strategic Planning and Finance Committee approved the request noting that the disbursement of grant checks will be delayed to the third week of September.

**4. Division III Initiatives with Budget Impact.** Staff provided an update on the following Division III initiatives.

- a. 2019 NCAA Summer Forum. The committee received a final summary showing the distribution of the \$75,000 to support the 2019 NADIII AA Summer Forum.
- b. Women Leaders in College Sports. The committee received a final summary showing the distribution of the \$30,000 to support a total of 92 female administrators.
- c. 2019 CoSIDA Student Program. The committee received a final summary showing the distribution of the \$15,000 to support eight students to attend the annual CoSIDA convention for a professional development opportunity.
- d. 2019 New Athletics Director Orientation. The committee received a final summary showing the distribution of the \$79,870 to support 31 participants and nine speakers, noting the actual spending for this event was over by \$12,410.
- e. 2019 Next Steps Program. The committee received a final summary showing the distribution of the \$29,000 to support the Next Steps Program. This two-day program is a continuation of the Student Immersion Program. Approximately 25 students receive professional development and attend the Career in Sports Forum.
- f. 2019 Faculty Athletics Representative (FAR) Institute. The committee reviewed the agenda and roster of the FAR Institute noting the attendance of 24 faculty athletics representatives.
- g. 2020 Athletics Direct Report (ADR) Institute. The committee noted that approximately 30 ADRs will attend the institute during the 2020 NCAA Convention in Anaheim.
- h. 2020 Student Immersion Program. The fifth Student Immersion Program will be held in conjunction with the NCAA Convention. Forty students of color were nominated and selected by a subgroup of the Diversity and Inclusion Working Group.
- i. International Ice Hockey Pilot. The committee received an update on the ice hockey pilot noting a decrease in the number of student-athletes submitted compared to year one. For year two, student-athletes were responsible for the cost, with the governance structure reimbursing them 50%. Currently, staff doesn't anticipate continuing the pilot for another year.

5. **Championships Update.** The committee received an update from the Championships Committee's September in-person meeting, noting approval of the following items by the Management and Presidents Councils: (1) Alcohol sales at the 2020 Division III men's basketball championship; (2) Revised dates for the 2020 Division III men's basketball championship preliminary rounds; (3) Exception to bracketing policies for the Division III men's and women's ice hockey championships; and (4) Establishment of a men's and women's tennis rules subcommittee.
6. **Division III Strategic Plan Review.** The committee received an update on the proposed formation of a working group to comprehensively review the 10-year old Division III Strategic Positioning Platform. It noted that due to the delay of the Association-wide strategic plan until April, the working group won't be formed until the March in-person meeting.
7. **Reallocation of Denied/Deferred Budget Funding.** Approximately \$112,000 has been reallocated to the Division III miscellaneous budget due to the denial of two Division III staff requests (a new FTE and a reclassification).
8. **Association-Wide Updates.** The committee received an update on the Board of Governors (BOG) Working Group on State and Federal Legislation report. The BOG directed each of the three divisions to immediately begin considering modification and modernization of relevant NCAA bylaws and rules in harmony with the following principles and guidelines:
  - Assure student-athletes are treated similarly to non-athlete students unless a compelling reason exists to differentiate.
  - Maintain the priorities of education and the collegiate experience to provide opportunities for student-athlete success.
  - Ensure rules are transparent, focused and enforceable and facilitate fair and balanced competition.
  - Make clear the distinction between collegiate and professional opportunities.
  - Make clear that compensation for athletic performance or participation is impermissible.
  - Reaffirm that student-athletes are students first and not employees of the university.
  - Enhance principles of diversity, inclusion and gender equity.
  - Protect the recruiting environment and prohibit inducements to select, remain at, or transfer to a specific institution.

Each division will hold two webinars, as well as an Association-wide webinar to provide education to the membership. Key opportunities for membership feedback will include the NCAA Convention and Regional Rules Seminars.

9. **Other Business.** Staff acknowledged and thanked Margaret Drugovich, president, Hartwick College; Stevie Baker-Watson, athletics director, DePauw University; and Kate Roy, associate commissioner North Atlantic Conference, for their service on SPFC and noted that next year's chair will be Fayneese Miller, president at Hamline University.
10. **Future Meetings.** The next meeting of the committee will be in-person Tuesday, March 24, 2020, at the NCAA national office in Indianapolis.
11. **Adjournment.** The meeting adjourned at 11:29 a.m.

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

*Staff Liaisons: Louise McCleary, Division III Governance  
Dan Dutcher, Division III Governance  
Eric Hartung, Research  
Debbie Kresge, Division III Governance  
Jeff Myers, Academic and Membership Affairs  
Mark Aiken, Administrative*

| <b>NCAA Division III Strategic Planning and Finance Committee<br/>November 14, 2019, teleconference</b> |  |
|---|--|
| <b>Attendees:</b>   |  |
| Stevie Baker-Watson, DePauw University.   |  |
| Angela Baumann, Massachusetts State Collegiate Athletic Conference.                                     |  |
| Heather Benning, Midwest Conference.  |  |
| Margaret Drugovich, Hartwick College.   |  |
| David Ellis, Becker College.  |  |
| Robert Lindgren, Randolph-Macon College   |  |
| Tori Murden-McClure, Spalding University, chair   |  |
| Colby Pepper, Covenant College, student-athlete   |  |
| Kate Roy, North Atlantic Conference.  |  |
| Kent Trachte, Lycoming College  |  |
| Joseph Walsh, Great Northeast Athletic Conference.  |  |
| <b>Absentees:</b>   |  |
| Kiki Jacobs, Roger Williams University  |  |
| Dennis Shields, University of Wisconsin, Platteville  |  |
| Michael Vienna, Emory University  |  |
|   |  |
| Dan Dutcher, Debbie Kresge, Louise McCleary and Ali Spungen.  |  |
| <b>Other NCAA Staff Members in Attendance:</b>  |  |
| Mark Aiken, Brian Burnsed, Eric Hartung, Jeff Myers, Adam Skaggs and Liz Suscha                         |  |

|  | FY 2018 - 2019      |                     |                    |             | FY 2019 - 2020     |                     |                       |               |
|--|---------------------|---------------------|--------------------|-------------|--------------------|---------------------|-----------------------|---------------|
|  | Actual              | Budget              | \$ Variance        | % Variance  | Actual             | Budget              | \$ Variance           | % Variance    |
| <b>Revenue</b>                                   |                     |                     |                    |             |                    |                     |                       |               |
| DII/DIII Allocation-Based Revenue                | \$32,215,323        | \$32,237,370        | (\$22,047)         | -0.1%       | \$8,749,975        | \$33,147,323        | (\$24,397,348)        | -73.6%        |
| Additional Revenue from Membership Dues Increase | \$519,000           | \$519,000           | \$0                | 0.0%        | \$530,200          | \$519,000           | \$11,200              | 2.2%          |
| Other Non-DII/DIII Revenue                       | \$13,200            | \$0                 | \$13,200           | N/A         | \$0                | \$0                 | \$0                   | N/A           |
| <b>Revenue Total</b>                             | <b>\$32,747,523</b> | <b>\$32,756,370</b> | <b>(\$8,847)</b>   | <b>0.0%</b> | <b>\$9,280,175</b> | <b>\$33,666,323</b> | <b>(\$24,386,148)</b> | <b>-72.4%</b> |
| <b>Expenses</b>                                  |                     |                     |                    |             |                    |                     |                       |               |
| <b>Championship Expenses</b>                     |                     |                     |                    |             |                    |                     |                       |               |
| <b>Men's Championships</b>                       |                     |                     |                    |             |                    |                     |                       |               |
| DIII Men's Baseball                              | \$1,824,012         | \$2,332,000         | \$507,988          | 21.8%       | \$2,161            | \$2,514,092         | \$2,511,931           | 99.9%         |
| DIII Men's Basketball                            | \$1,314,931         | \$1,169,000         | (\$145,931)        | -12.5%      | \$21,474           | \$1,466,966         | \$1,445,492           | 98.5%         |
| DIII Men's Cross Country                         | \$610,617           | \$592,350           | (\$18,267)         | -3.1%       | \$395,198          | \$614,791           | \$219,593             | 35.7%         |
| DIII Men's Football                              | \$1,825,191         | \$2,036,500         | \$211,309          | 10.4%       | \$1,697,453        | \$2,363,405         | \$665,952             | 28.2%         |
| DIII Men's Golf                                  | \$609,675           | \$621,500           | \$11,825           | 1.9%        | \$7,280            | \$647,835           | \$640,555             | 98.9%         |
| DIII Men's Ice Hockey                            | \$377,793           | \$376,000           | (\$1,793)          | -0.5%       | \$750              | \$426,293           | \$425,543             | 99.8%         |
| DIII Men's Lacrosse                              | \$633,508           | \$634,000           | \$492              | 0.1%        | \$612              | \$703,701           | \$703,089             | 99.9%         |
| DIII Men's Soccer                                | \$1,106,540         | \$1,244,400         | \$137,860          | 11.1%       | \$615,267          | \$1,341,235         | \$725,968             | 54.1%         |
| DIII Men's Swimming and Diving                   | \$587,216           | \$629,000           | \$41,784           | 6.6%        | \$4,586            | \$665,508           | \$660,922             | 99.3%         |
| DIII Men's Tennis                                | \$666,410           | \$698,000           | \$31,590           | 4.5%        | \$328              | \$726,331           | \$726,003             | 100.0%        |
| DIII Men's Track Indoor                          | \$707,000           | \$836,850           | \$129,850          | 15.5%       | \$7,002            | \$860,974           | \$853,972             | 99.2%         |
| DIII Men's Track Outdoor                         | \$937,085           | \$921,250           | (\$15,835)         | -1.7%       | \$679              | \$946,924           | \$946,245             | 99.9%         |
| DIII Men's Volleyball                            | \$261,586           | \$315,000           | \$53,414           | 17.0%       | \$105              | \$366,033           | \$365,928             | 100.0%        |
| DIII Men's Wrestling                             | \$484,780           | \$451,500           | (\$33,280)         | -7.4%       | \$526              | \$463,975           | \$463,449             | 99.9%         |
| <b>Total</b>                                     | <b>\$11,946,343</b> | <b>\$12,857,350</b> | <b>\$911,007</b>   | <b>7.1%</b> | <b>\$2,753,422</b> | <b>\$14,108,063</b> | <b>\$11,354,641</b>   | <b>80.5%</b>  |
| <b>Women's Championships</b>                     |                     |                     |                    |             |                    |                     |                       |               |
| DIII Women's Basketball                          | \$1,085,210         | \$1,253,000         | \$167,790          | 13.4%       | \$6,168            | \$1,313,026         | \$1,306,858           | 99.5%         |
| DIII Women's Cross Country                       | \$623,825           | \$614,150           | (\$9,675)          | -1.6%       | \$380,567          | \$637,162           | \$256,595             | 40.3%         |
| DIII Women's Field Hockey                        | \$451,497           | \$504,000           | \$52,503           | 10.4%       | \$185,270          | \$515,007           | \$329,737             | 64.0%         |
| DIII Women's Golf                                | \$415,327           | \$407,550           | (\$7,777)          | -1.9%       | \$3,355            | \$468,659           | \$465,304             | 99.3%         |
| DIII Women's Ice Hockey                          | \$255,906           | \$314,000           | \$58,094           | 18.5%       | \$196              | \$321,471           | \$321,275             | 99.9%         |
| DIII Women's Lacrosse                            | \$1,002,591         | \$851,000           | (\$151,591)        | -17.8%      | \$1,183            | \$920,887           | \$919,704             | 99.9%         |
| DIII Women's Rowing                              | \$354,854           | \$427,000           | \$72,146           | 16.9%       | \$1,089            | \$439,372           | \$438,283             | 99.8%         |
| DIII Women's Soccer                              | \$1,250,641         | \$1,327,000         | \$76,359           | 5.8%        | \$729,131          | \$1,359,961         | \$630,830             | 46.4%         |
| DIII Women's Softball                            | \$1,535,739         | \$1,597,000         | \$61,261           | 3.8%        | (\$1,023)          | \$1,661,268         | \$1,662,291           | 100.1%        |
| DIII Women's Swimming and Diving                 | \$649,837           | \$695,000           | \$45,163           | 6.5%        | \$150              | \$693,537           | \$693,387             | 100.0%        |
| DIII Women's Tennis                              | \$699,109           | \$740,000           | \$40,891           | 5.5%        | \$1,302            | \$759,270           | \$757,968             | 99.8%         |
| DIII Women's Track Indoor                        | \$598,514           | \$766,150           | \$167,636          | 21.9%       | \$875              | \$789,890           | \$789,015             | 99.9%         |
| DIII Women's Track Outdoor                       | \$960,065           | \$945,750           | (\$14,315)         | -1.5%       | (\$1,389)          | \$972,166           | \$973,555             | 100.1%        |
| DIII Women's Volleyball                          | \$1,121,305         | \$1,153,500         | \$32,195           | 2.8%        | \$617,470          | \$1,185,413         | \$567,943             | 47.9%         |
| <b>Total</b>                                     | <b>\$11,004,421</b> | <b>\$11,595,100</b> | <b>\$590,679</b>   | <b>5.1%</b> | <b>\$1,924,343</b> | <b>\$12,037,089</b> | <b>\$10,112,746</b>   | <b>84.0%</b>  |
| <b>Championship Expenses Total</b>               | <b>\$22,950,764</b> | <b>\$24,452,450</b> | <b>\$1,501,686</b> | <b>6.1%</b> | <b>\$4,677,765</b> | <b>\$26,145,152</b> | <b>\$21,467,387</b>   | <b>82.1%</b>  |
| <b>Overhead Allocation</b>                       | <b>\$422,000</b>    | <b>\$422,000</b>    | <b>\$0</b>         | <b>0.0%</b> | <b>\$145,000</b>   | <b>\$435,000</b>    | <b>\$290,000</b>      | <b>66.7%</b>  |
| <b>Total Championship Expense</b>                | <b>\$23,372,764</b> | <b>\$24,874,450</b> | <b>\$1,501,686</b> | <b>6.0%</b> | <b>\$4,822,765</b> | <b>\$26,580,152</b> | <b>\$21,757,387</b>   | <b>81.9%</b>  |

|  |                    |                    |                  |             |                    |                    |                    |              |
|--|--------------------|--------------------|------------------|-------------|--------------------|--------------------|--------------------|--------------|
| <b>Non-Championship Expenses</b>                 |                    |                    |                  |             |                    |                    |                    |              |
| Conference Grants                                | \$3,042,605        | \$3,042,600        | (\$5)            | 0.0%        | \$3,167,582        | \$3,194,730        | \$27,148           | 0.8%         |
| Intern Program                                   | \$1,175,236        | \$1,209,920        | \$34,684         | 2.9%        | \$1,089,842        | \$1,300,000        | \$1,303,122        | 100.2%       |
| Strategic Alliance Matching Grant                | \$556,556          | \$708,600          | \$152,044        | 21.5%       | \$617,087          | \$708,600          | \$708,600          | 100.0%       |
| Leadership Conference                            | \$414,356          | \$365,000          | (\$49,356)       | -13.5%      | \$9,059            | \$365,000          | \$365,000          | 100.0%       |
| Identity Initiative                              | \$324,104          | \$300,000          | (\$24,104)       | -8.0%       | \$97,678           | \$300,000          | \$285,896          | 95.3%        |
| Diversity Initiatives                            | \$250,728          | \$250,000          | (\$728)          | -0.3%       | \$57,021           | \$250,000          | \$236,055          | 94.4%        |
| Sportsmanship - GameDay the DIII Way             | \$210,547          | \$250,000          | \$39,453         | 15.8%       | \$68,073           | \$225,000          | \$157,674          | 70.1%        |
| 360 Proof  | \$91,749           | \$125,000          | \$33,251         | 26.6%       | \$46,247           | \$115,000          | \$112,979          | 98.2%        |
| Administrative - Misc                            | \$17,789           | \$15,380           | (\$2,409)        | -15.7%      | \$8,720            | \$112,404          | \$112,404          | 100.0%       |
| Coaches and Administrators Diversity             | \$90,000           | \$100,000          | \$10,000         | 10.0%       | \$0                | \$100,000          | \$100,000          | 100.0%       |
| Leadership Development Initiatives DiSC          | \$100,000          | \$100,000          | \$0              | 0.0%        | \$51,461           | \$100,000          | \$100,000          | 100.0%       |
| LGBTQ  | \$123,293          | \$100,000          | (\$23,293)       | -23.3%      | \$15,055           | \$100,000          | \$100,000          | 100.0%       |
| ADR Institute                                    | \$58,430           | \$90,000           | \$31,570         | 35.1%       | \$20,258           | \$90,000           | \$81,894           | 91.0%        |
| SAAC April and Associate Member Meetings         | \$77,791           | \$90,000           | \$12,209         | 13.6%       | \$11,545           | \$90,000           | \$90,000           | 100.0%       |
| AD and Commissioner Orientation                  | \$103,759          | \$85,000           | (\$18,759)       | -22.1%      | \$1,778            | \$85,000           | \$85,000           | 100.0%       |
| FAR Orientation/Institute                        | \$84,863           | \$85,000           | \$137            | 0.2%        | \$38,426           | \$85,000           | \$83,368           | 98.1%        |
| Membership Learning Management - DIII University | \$20,107           | \$55,000           | \$34,893         | 63.4%       | \$0                | \$80,670           | \$80,670           | 100.0%       |
| Athletics Administrator Partnership (NADIIIAA)   | \$75,000           | \$75,000           | \$0              | 0.0%        | \$0                | \$75,000           | \$75,000           | 100.0%       |
| NCAA Annual Convention                           | \$70,326           | \$70,000           | (\$326)          | -0.5%       | \$621              | \$70,000           | \$70,000           | 100.0%       |
| Academic All-America Program (Co-SIDA)           | \$39,500           | \$44,000           | \$4,500          | 10.2%       | \$39,500           | \$44,000           | \$4,500            | 10.2%        |
| Insurance  | \$40,960           | \$41,000           | \$40             | 0.1%        | \$40,960           | \$41,000           | \$41,000           | 100.0%       |
| Special Olympics                                 | \$35,970           | \$35,000           | (\$970)          | -2.8%       | \$1,000            | \$35,000           | \$35,000           | 100.0%       |
| Women Leaders in College Sports                  | \$30,945           | \$30,000           | (\$945)          | -3.2%       | \$0                | \$30,000           | \$30,000           | 100.0%       |
| Conference Commissioner Meetings                 | \$17,591           | \$20,000           | \$2,409          | 12.0%       | \$2,805            | \$20,000           | \$20,000           | 100.0%       |
| Working Groups                                   | \$22,831           | \$20,000           | (\$2,831)        | -14.2%      | \$4,204            | \$20,000           | \$20,000           | 100.0%       |
| CoSIDA DIII Day                                  | \$23,844           | \$15,000           | (\$8,844)        | -59.0%      | \$0                | \$15,000           | \$15,000           | 100.0%       |
| NADIIIAA and Commissioner Mtg                    | \$4,128            | \$10,000           | \$5,872          | 58.7%       | \$768              | \$10,000           | \$9,232            | 92.3%        |
| Staff Professional Development                   | \$6,375            | \$7,000            | \$625            | 8.9%        | \$6,378            | \$7,000            | \$5,894            | 84.2%        |
| Championships Festival                           | \$5                | \$0                | (\$5)            | N/A         | \$15               | \$0                | \$0                | N/A          |
| Exploratory/Provisional Membership               | \$2,284            | \$0                | (\$2,284)        | N/A         | \$326              | \$0                | \$0                | N/A          |
| Injury Surveillance and Testing                  | \$0                | \$74,500           | \$74,500         | 100.0%      | \$0                | \$0                | \$0                | N/A          |
| Academic Reporting Honorarium                    | \$34,995           | \$35,000           | \$5              | 0.0%        | \$0                | \$0                | \$0                | N/A          |
| <b>Non-Championship Expenses Total</b>           | <b>\$7,146,666</b> | <b>\$7,448,000</b> | <b>\$301,334</b> | <b>4.0%</b> | <b>\$5,396,408</b> | <b>\$7,668,404</b> | <b>\$4,355,435</b> | <b>56.8%</b> |
| Overhead Allocation                              | \$1,062,000        | \$1,062,000        | \$0              | 0.0%        | \$364,667          | \$1,094,000        | \$729,333          | 66.7%        |
| <b>Total Non-Championship Expense</b>            | <b>\$8,208,666</b> | <b>\$8,510,000</b> | <b>\$301,334</b> | <b>3.5%</b> | <b>\$5,761,074</b> | <b>\$8,762,404</b> | <b>\$5,084,769</b> | <b>58.0%</b> |

|                                 |                     |                     |                    |             |                     |                     |                     |              |
|---------------------------------|---------------------|---------------------|--------------------|-------------|---------------------|---------------------|---------------------|--------------|
| <b>Expenses Total</b>           | <b>\$31,581,430</b> | <b>\$33,384,450</b> | <b>\$1,803,020</b> | <b>5.4%</b> | <b>\$10,583,840</b> | <b>\$35,342,556</b> | <b>\$26,842,155</b> | <b>75.9%</b> |
| Surplus (Deficit)               | \$1,166,093         | (\$628,080)         |                    |             | (\$1,303,665)       | (\$1,676,233)       |                     |              |
| Add: Prior Year Reserve Balance | \$29,181,289        | \$29,181,289        |                    |             | \$30,347,383        | \$28,553,209        |                     |              |
| Estimated Reserve Balance       | \$30,347,383        | \$28,553,209        |                    |             | \$29,043,718        | \$26,876,976        |                     |              |



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 increase in bracket size due to sport sponsorship increases (access ratio) other than 2015-16 bracket expansion for women's lacrosse (2 teams) and 2017-18

1.00% [DIII Champs Assumption Analysis 16-17](#)  
0.00% [DIII Champs Assumption Analysis 16-17](#)  
3.94% Presentation to CFO on Travel Models by division

The National Collegiate Athletic Association

Division III Budget Projections

|   | 2018-19<br>Actual    | 2019-20<br>Budget     | 2020-21<br>Projection | 2021-22<br>Projection | 2022-23<br>Projection | 2023-24<br>Projection |
|---|----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <b>Revenue:</b>   |                      |                       |                       |                       |                       |                       |
| Division III 3.18% Revenue Allocation                             | \$ 32,249,015        | \$ 33,147,323         | \$ 33,924,323         | \$ 34,607,323         | \$ 34,752,323         | \$ 34,803,323         |
| Draw from DIII Reserve  |                      |                       |                       |                       |                       |                       |
| Additional Revenue from Membership Dues Increase                  | \$ 530,200           | \$ 519,000            | \$ 519,000            | \$ 519,000            | \$ 519,000            | \$ 519,000            |
| Division III Other Revenue  | 57,500               | -                     | -                     | -                     | -                     | -                     |
| <b>Total Revenue</b>  | <b>\$ 32,836,715</b> | <b>\$ 33,666,323</b>  | <b>\$ 34,443,323</b>  | <b>\$ 35,126,323</b>  | <b>\$ 35,271,323</b>  | <b>\$ 35,322,323</b>  |
| Projected Revenue Increase  | 2.6%                 | 2.8%                  | 2.3%                  | 2.0%                  | 0.4%                  | 0.1%                  |
| <b>Expenses:</b>  |                      |                       |                       |                       |                       |                       |
| Championships Game Operations                                     | 4,696,723            | 4,493,439             | 4,566,503             | 4,612,168             | 4,693,290             | 4,704,873             |
| Championships Committee   | 353,305              | 417,215               | 492,815               | 492,815               | 492,815               | 492,815               |
| Championships Team Transportation                                 | 9,128,803            | 11,108,553            | 11,546,230            | 12,001,151            | 12,473,997            | 12,965,472            |
| Championships Per Diem  | 6,844,931            | 7,540,945             | 8,202,045             | 8,202,045             | 8,202,045             | 8,202,045             |
| Championships Overhead Allocation <sup>4</sup>                    | 422,000              | 435,000               | 448,000               | 461,000               | 475,000               | 489,000               |
| <i>Total Championship Expenses</i>                                | <b>21,445,763</b>    | <b>23,995,152</b>     | <b>25,255,593</b>     | <b>25,769,180</b>     | <b>26,337,147</b>     | <b>26,854,205</b>     |
| Non-Championships Base Budget                                     | 6,616,467            | 7,149,404             | 7,354,000             | 7,491,000             | 7,492,000             | 7,469,000             |
| Non-Championships Initiatives                                     | -                    | -                     | -                     | -                     | -                     | -                     |
| Non-Championships Overhead Allocation <sup>4</sup>                | 1,037,000            | 1,094,000             | 1,127,000             | 1,161,000             | 1,196,000             | 1,232,000             |
| <i>Total Non-Championship Expenses</i>                            | <b>7,653,467</b>     | <b>8,243,404</b>      | <b>8,481,000</b>      | <b>8,652,000</b>      | <b>8,688,000</b>      | <b>8,701,000</b>      |
| <b>Total Division III Expenses (before supplemental spending)</b> | <b>\$ 29,099,230</b> | <b>\$ 32,238,556</b>  | <b>\$ 33,736,593</b>  | <b>\$ 34,421,180</b>  | <b>\$ 35,025,147</b>  | <b>\$ 35,555,205</b>  |
| <b>Net Change in Fund Balance (before supplemental spending)</b>  | <b>\$ 3,737,485</b>  | <b>\$ 1,427,767</b>   | <b>\$ 706,730</b>     | <b>\$ 705,143</b>     | <b>\$ 246,176</b>     | <b>\$ (232,882)</b>   |
| <b>Supplemental items:</b>  |                      |                       |                       |                       |                       |                       |
| Local ground transportation for individual sports                 | 575,000              | 603,000               | 627,000               | 652,000               | 678,000               | 705,000               |
| Men's Joint Championship  |                      | 250,000               |                       |                       |                       |                       |
| Women's Joint Championship  |                      |                       |                       |                       | 250,000               |                       |
| Guarantee first round no conference match-ups                     |                      | 336,000               | 349,000               |                       | -                     | -                     |
| Local ground transportation for team sports                       | 316,000              | 332,000               | 345,000               | 359,000               | 373,000               | 388,000               |
| Increase in travel party size for team sports                     | 1,036,000            | 1,064,000             | 1,112,000             | 1,137,000             | 1,163,000             | 1,190,000             |
| Supplemental Championships Spending from reserve <sup>2</sup>     | 1,927,000            | 2,585,000             | 2,433,000             | 2,148,000             | 2,464,000             | 2,283,000             |
| Supplemental Non-Championships Spending from reserve              | 530,200              | 519,000               | 519,000               | 519,000               | 519,000               | 519,000               |
| <i>Total Supplemental Spending</i>                                | <b>2,457,200</b>     | <b>3,104,000</b>      | <b>2,952,000</b>      | <b>2,667,000</b>      | <b>2,983,000</b>      | <b>2,802,000</b>      |
| Division III Membership Dues Credit                               | -                    | -                     | -                     | -                     | -                     | -                     |
| <b>Total Division III Expenses (after supplemental spending)</b>  | <b>\$ 31,556,430</b> | <b>\$ 35,342,556</b>  | <b>\$ 36,688,593</b>  | <b>\$ 37,088,180</b>  | <b>\$ 38,008,147</b>  | <b>\$ 38,357,205</b>  |
| <b>Net Change in Fund Balance (after supplemental spending)</b>   | <b>\$ 1,280,285</b>  | <b>\$ (1,676,233)</b> | <b>\$ (2,245,270)</b> | <b>\$ (1,961,857)</b> | <b>\$ (2,736,824)</b> | <b>\$ (3,034,882)</b> |
| Projected Expense Increase  | -2.4%                | 12.0%                 | 3.8%                  | 1.1%                  | 2.5%                  | 0.9%                  |
| Beginning Fund Balance (Projected Reserve and Unallocated Funds)  | \$ 29,181,289        | \$ 30,461,574         | \$ 28,785,341         | \$ 26,540,071         | \$ 24,578,214         | \$ 21,841,390         |
| Less:   |                      |                       |                       |                       |                       |                       |
| Net Change in Fund Balance  | 1,280,285            | (1,676,233)           | (2,245,270)           | (1,961,857)           | (2,736,824)           | (3,034,882)           |
| Ending Fund Balance (Projected Reserve and Unallocated Funds)     | \$ 30,461,574        | \$ 28,785,341         | \$ 26,540,071         | \$ 24,578,214         | \$ 21,841,390         | \$ 18,806,508         |
| Mandated Reserve <sup>1</sup>                                     | (16,124,508)         | (16,573,662)          | (16,962,162)          | (17,303,662)          | (17,376,162)          | (17,401,662)          |
| <b>Cash available in excess of reserve policy</b>                 | <b>\$ 14,337,067</b> | <b>\$ 12,211,680</b>  | <b>\$ 9,577,910</b>   | <b>\$ 7,274,553</b>   | <b>\$ 4,465,229</b>   | <b>\$ 1,404,847</b>   |

Notes:

- <sup>1</sup> 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.
- <sup>2</sup> 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.
- <sup>3</sup> Amount includes inflationary increase from prior year amount (light blue highlight).
- <sup>4</sup> All amounts for 2018-19 are **unaudited** amounts. Overhead estimates were last updated September 2018.
- <sup>5</sup> Actuals have not been finalized for supplemental items. Budget amounts are reflected for FY18-19.

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

**REPORT OF THE  
NCAA DIVISION III MANAGEMENT COUNCIL  
JANUARY 22, 2020**

The Division III Management Council conducted its January 22 meeting in Anaheim, California. Listed below are specific items for review and consideration by the Presidents Council.

**ACTION ITEMS**

The following Management Council recommendations require action by the Presidents Council:

**1. Convention Mootnicity and Related Parliamentary Issues for 2020.**

- a. Recommendation. Adopt the 2020 NCAA Convention Mootnicity and Related Parliamentary Issues document. [Attachment]
- b. Effective Date. Immediate.
- c. Rationale. There have been two recent changes to this document. The first is the sponsorship of an amendment (Proposal No. 2020-5-1) to Proposal No. 2020-5. Second, if Proposal Nos. 2020-2 and 2020-3 are adopted, they will amend Proposal No. 2020-10 to specify that only an institution in year three of the provisional or reclassifying membership process will count towards the seven institutions necessary to comprise a conference.
- d. Budget Impact. None.
- e. Student-Athlete Impact. None.

**2. Proposal No. 2020-5-1. Permissible Expenses Provided for Practice and Competition – Golf Exception.**

- a. Recommendation. Support Proposal No. 2020-5-1, the amendment to Proposal No. 2020-5, that would limit institutions to only provide practice expenses in the sport of golf during an official vacation period regardless of location.
- b. Effective Date. Immediate.
- c. Rationale. The cosponsors have reconsidered the original proposal, which also included swimming and diving, since those student-athletes are able to prepare adequately with indoor training in contrast to the opportunities available for golf student-athletes.
- d. Budget Impact. None.
- e. Student-Athlete Impact. None.

### **NO ACTION REQUIRED**

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

1. **Name, Image and Likeness.** In late October, the NCAA Board of Governors voted unanimously to permit student-athletes the opportunity to benefit from the use of their name, image and likeness in a manner consistent with the collegiate model. With the board's directive to each division to consider modifying and modernizing relevant bylaws and policies consistent with the Association's values and principles, the Council discussed the topic and next steps for Division III. In November, staff held two educational webinars. During the Issues Forum, the delegates will receive background information, state and federal legislative updates, current Division III NIL legislative and interpretative standards and proposed models to modify Division III legislation. Division III has established an Oversight Group to oversee the consideration of the NIL concepts within the Division III governance structure. It will ensure that all recommendations are forwarded to relevant Division III committees and establish the timetable for committee review and response. The Council understands that it will receive relevant governance committee feedback at its April meeting and additional membership feedback during the spring and early summer, in time for the Presidents Council to sponsor legislation no later than January 2021.
2. **Strategic Planning and Budget.** The Council heard that once the Association releases its updated Strategic Plan, which is slated for early May, a subcommittee of the Division III Strategic Planning and Finance Committee (SPFC) will conduct a review of the Division III Strategic Positioning Platform. Further, the committee approved a reallocation of \$112K to a miscellaneous account due to the prior denial of two Division III staff requests (a new FTE and a reclassification).
3. **Championships Committee Updates.** The Council heard the Championships Committee report and took no position on Proposal No. R-2020-12, the resolution regarding softball and baseball national championship timing. However, the Council agreed to note during the Division III Business Session that relevant governance committees are already in the process of considering changes to championship timing. The resolution would encourage the Division III Softball and Baseball Committees to collaborate on a plan with the Division III Championships Committee to address concerns related to the compression of the seasons due to weather issues resulting in increased missed games and class time and targets possible strategic implementation no later than the Spring 2023 season. The Council agreed that a plan also should account for additional factors such as budgetary impact.

4. **Officiating.** The Council received an update on the current officiating issues in Division III as well as the NCAA's role and current and potential initiatives to address those issues. The Division III Commissioners Association hired a contractor (Pictor Group) to study the issue and propose solutions to close the officiating gaps. The NCAA has also contracted the Pictor Group to oversee a national Association-wide review. Officiating study results are slated for a June 2020 release. The NCAA has established an Association-wide Officiating Review Steering Committee inclusive of representatives from all three divisions. The review is comprehensive and ambitiously includes 25 men's and women's NCAA sports. The role of the steering committee will be to help guide the information and data gathering process, assist with outreach to membership as well as the officiating communities, and to advise during the data analysis, report preparation and final recommendations.
5. **Financial Aid Committee.** The Council received an update on the committee's recent analysis of the graduate/post-graduate transfer student-athlete cohort. It also heard the committee's response to concerns with the recent changes by the National Association for College Admission Counseling (NACAC) to its code of ethics. Staff, at the direction of the committee, will send a letter to all Division III institutions highlighting the recent NACAC changes and the potential impact on compliance with Bylaw 15 (Financial Aid).

The Council received the Financial Aid Committee's report that identified 30 Level I Reviews this fall, 27 fewer than last year. The committee took the following actions: (1) Voted to take no action on 13 cases; and (2) Voted to forward 17 Level I cases to a Level II review, 15 fewer than last year.

6. **Sport Science Institute (SSI) Updates.** Dr. Brian Hainline provided an update on the SSI's strategic priorities timeline. Key updates included the following:
  - a. The Arrington settlement was finalized in late November. The settlement agreement provides NCAA member institutions with an opportunity to benefit from a release from certain legal claims. To benefit from the release, member institutions must certify in writing to a court identified representative that they have put in place a concussion management plan. Further, institutions should conduct annual baseline testing of all student-athletes.
  - b. The Council also approved noncontroversial legislation to specify that an active member institution shall report all instances of diagnosed sport-related concussions in student-athletes on an annual basis. The Committee on Sportsmanship and Medical Aspects of Sports (CSMAS) and SSI will coordinate the reporting process.
  - c. The Concussion Safety Advisory Group will hold its second meeting in February. The group reviews existing and emerging science, best practices and policy in order to recommend changes to the concussion safety protocol checklist. The checklist is the basis of the concussion safety protocol legislation.

- d. SSI anticipates an April Council report from the NCAA internal task force charged to review issues arising from scenarios where the visiting team does not travel with a primary athletics health care provider and legal liabilities for the home athletics trainer.

**7. Student-Athlete Advisory Committee (SAAC) Updates.** The Division III SAAC highlighted two key initiatives:

- a. Mental Health. SAAC is announcing its spring mental health social media campaign, scheduled for the first week of May, during the Division III Business Session. The campaign centers around #BreakTheStigma. There will be a video shown at the Division III Business Session emphasizing the SAAC commitment and providing a visual example of breaking the stigma.
- b. Sustainability. The committee has made a strong commitment to help athletics departments and student-athletes focus on sustainability this year. The Division III Convention gift (i.e., a metal straw and cup) supports this effort. A resource document regarding this important pillar is nearing completion, which will provide data showing the cost-saving measures and important environmental impact made by implementing sustainable practices.

In November, the Division III SAAC elected its new officers – Braly Keller, Nebraska Wesleyan University, will be the chair and Annabelle Feist, Williams College will be the vice-chair. The new Management Council liaison is Catherine “Cat” Lanigan, Juniata College. Colby Pepper, Covenant College, is a returning Council member.

**8. Interpretative Appeals.** The Council denied two interpretative appeals. The first was an appeal of an interpretation regarding whether an institution may award funds from donor endowments that support the financial aid budget if the endowments reference some aspect of athletics, but the assignment of endowments to specific students does not occur until months after such financial aid awards are made. The Council directed the Financial Aid Committee to review the continued relevance of the existing legislation and subsequent interpretations. Further, it recommended the continued education on this topic to the membership. The second appeal related to an interpretation regarding the legislative requirements for conference composition to fulfill the two-year waiting period to earn championships automatic qualification.

**9. LGBTQ Working Group.** In February, the LGBTQ working group will launch the inaugural LGBTQ OneTeam recognition award program. The nomination process will be available on NCAA Program Hub from February 1 until June 1. The inaugural recipients will include an LGBTQ student-athlete, an LGBTQ coach or athletics administrator and an institution or conference that excels in promoting LGBTQ inclusion. The recipients will be announced at the 2021 NCAA Convention.

- 10. GOALS Study.** NCAA Research staff provided an update on the most recent GOALS Study. The study represents more than 20,000 student-athletes and the data is representative. The study looks at pre-college experiences; athletics and academics experiences; time demands; relaxation and socialization and mental wellness.

Some key Division III-specific findings:

- Student-athletes are specializing in sports at an earlier age (average 12 years old) and a quarter believe they may compete professionally.
- Eighty-five percent of women noted academics was a key factor in their college choice.
- An average of 54% noted that what they were told in the recruiting process regarding their role on the team turned out to be accurate.
- On average, student-athletes spend 28 hours per week on their athletics and 40 hours per week on academics.
- Student-athletes reported an average of 15 hours per week spent on socialization.
- Two-thirds note finding a balance between academics and athletics.
- Approximately a quarter feel overwhelmed when they enter college. However, 80% believe that their coach cares about their mental health.
- The data shows that student-athletes feel their coaches are creating an inclusive culture.

The GOALS data will be released to the membership.

- 11. Division III Diversity Fast Facts.** Staff provided an update on the latest Division III diversity trends. In the last 5 years, the percent of Division III student-athletes of color has risen from 22% to 26%. However, the student-athlete population is not nearly as racially diverse as the general undergraduate student body. In 2019, women held a slight majority of the associate athletics director positions at 51%, up three percentage points in 2014. People of color continue to hold fewer than one in ten of administrative position. However, in 2019 people of color made up 16% of the new athletics director, which was an increase from 10% of new hires five years ago.

**2020 NCAA Convention Division III Business Session**  
**Mootnicity and Related Parliamentary Issues**

**NCAA Division III Presidents Council Grouping – Proposal Nos. 1-6.**

**General Notes.** The NCAA Division III Presidents Council has identified six proposals of particular interest to Division III chancellors and presidents. These proposals are included in the Presidents Council grouping and will be considered by roll call vote. All motions and votes related to these proposals also must be considered by roll call. Because the Presidents Council designated the proposals for roll call vote, only the Presidents Council may waive this designation and all other motions to change the voting method would be out of order.

| <b>Proposal Number</b> | <b>Procedural Issues</b> | <b>Mootnicity Issues</b> | <b>Miscellaneous Notes</b>  |
|------------------------|--------------------------|--------------------------|---|
| 2020-1                 | Roll call vote.          | None                     | None.   |
| 2020-2                 | Roll call vote.          | None                     | None.   |
| 2020-3                 | Roll call vote.          | None                     | None.   |
| 2020-4                 | Roll call vote.          | None                     | None.   |
| 2020-5                 | Roll call vote.          | None                     | Once this proposal is moved and seconded, then one of the sponsors of Proposal No. 2020-5-1 will move Proposal No. 2020-5-1. The membership will then debate and vote on whether to amend the proposal. If the amendment is defeated, then the membership will vote on Proposal No. 2020-5 as originally submitted. If the amendment is adopted, the membership will vote on Proposal No. 2020-5 as amended by Proposal No. 2020-5-1. |
| 2020-5-1               | Roll call vote.          | Yes                      | See notes for Proposal No. 2020-5.  |
| 2020-6                 | Roll call vote.          | None                     | None.   |

**NCAA Division III General Grouping – Proposal Nos. 7-12.**

**General Notes.** This grouping contains six proposals. Each proposal will be considered by roll call vote. All motions and votes related to these proposals also must be considered by roll call. Because the Presidents Council designated the proposals for roll call vote, only the Presidents Council may waive this designation and all other motions to change the voting method would be out of order.

| Proposal Number | Procedural Issues | Mootnicity Issues | Miscellaneous Notes   |
|-----------------|-------------------|-------------------|---|
| 2020-7          | Roll call vote.   | None              | None.   |
| 2020-8          | Roll call vote.   | None              | None.   |
| 2020-9          | Roll call vote.   | None              | None.   |
| 2020-10         | Roll call vote.   | None              | If Proposal No 2020-2 and/or 2020-3 are adopted, this proposal will be amended to specify that an institution only in year three of the provisional or reclassifying membership process will count towards the seven institutions necessary to comprise a conference. |



|           |                |      |   |
|-----------|----------------|------|---|
| 2020-11   | Roll call vote | None | None.   |
| R-2020-12 | Roll call vote | None | The resolution is also sponsored by the North Eastern Athletic Conference. They were inadvertently omitted from the Official Notice as a sponsor. |

**Additional Notes.**

Effective date: A motion for an alternative effective date on the convention floor would violate the principle of "prior notice" and therefore would be out of order. Alternative effective dates must be noted with the submission of the proposal or offered as an amendment-to-amendment.

Motion to divide: Any delegate intending to make a motion to divide one of the eleven proposals is encouraged to contact a member of the NCAA academic and membership affairs staff for assistance with drafting of the motion before the Division III business session.

**SUGGESTED MESSAGE THEMES FOR  
GOVERNANCE LEADERS REGARDING NIL**

With this year's NCAA Convention being held in California and the current media attention with Name, Image and Likeness (NIL), we wanted to provide some key NIL overarching suggested message points/themes for our governance leaders:

- We are the NCAA, and we know we need to modernize our rules. We understand the importance and are actively working on it.
- Each division has developed processes for member institutions and conference involvement and feedback.
- The NCAA Convention is a really important next step for us in this process to work together, gather important feedback and keep moving forward.
- A critical element is for us to engage with and hear from our student-athletes. Their voice is critical.
- Overall, college sports must remain as student-athletes competing against other student-athletes, not employees competing against employees.
- Rule changes related to student-athlete benefits, including name, image, and likeness, should not create imbalances in the NCAA's unique and highly competitive recruitment process.
- Because of the engagement of state legislatures and the multiple lawsuits around NIL and other benefits, congressional action is needed if the NCAA is to continue to have a national system of competition and championships. NCAA institutions, conferences, and the national office want to work with Congress to help the American tradition of college athletics thrive in the 21st century.



**REPORT OF THE NCAA DIVISION III OVERSIGHT  
GROUP TO IMPLEMENT RECOMMENDATIONS OF FEDERAL AND STATE  
LEGISLATIVE WORKING GROUP (NAME, IMAGE AND LIKENESS)  
DECEMBER 10, 2019, TELECONFERENCE**

**ACTION ITEM.**

- **None.**

**INFORMATIONAL ITEM.**

1. **Welcome.** The staff welcomed the working group to the teleconference and reviewed the roster.
2. **Charge and Background Information.** The Oversight Group reviewed its charge and composition, as established by the Division III Administrative Committee.
3. **Federal and State Legislative Working Group Report to the NCAA Board of Governors.** Cari Van Senus summarized the work to date, and future agenda of the Board of Governors' Federal and State Legislative Working Group. This included the current federal and state legislative landscape. President Cooper and Darryl Sims, who serve on the working group, added their perspectives.
4. **Current Division III Name, Image and Likeness (NIL) Legislation.** Jeff Myers reviewed the current application of NIL-related legislation in Division III, noting that most issues have been addressed through the interpretative process, rather than waivers.
5. **Potential Models of Name, Image and Likeness.** Staff reviewed a template that summarized key issues and potential topics for NIL legislative revision. They noted that the template could assist relevant committees in their review of NIL. A similar, more "user friendly" version of the document will be available to facilitate membership discussions during the Division III Issues Forum at the 2020 NCAA Convention.
6. **Future Meeting Schedule.** The group reviewed a timetable for committee review and membership feedback. The Student-Athlete Advisory Committee (January 21) and the Interpretations and Legislation Committee (February 20-21) will focus on substantive changes to the NIL bylaws and related interpretations. In March, the Management Council's Subcommittee on Legislative Relief (SLR) and in May Committee on Student-Athlete Reinstatement (SAR) will consider related waiver and eligibility-reinstatement

standards. All committees will report recommendations to the Management Council, which subsequently will forward recommendations to the Presidents Council. Preliminary Council review will occur in April, with final review in July/August.

Notable membership feedback opportunities include the January Issues Forum, regional and conference rules seminars (May and June), and NADIIIAA SUMMER FORUM (June) and DIIICA (June).

**7. Adjournment.** The call was adjourned at 3:52 p.m.

*Committee Chair: Tori Murden McClure, Spalding University*

*Staff Liaisons: Dan Dutcher, Division III Governance*

*Louise McCleary, Division III Governance*

*Jeff Myers, Academic and Membership Affairs*


| NCAA Division III Oversight Working Group on NIL<br>December 10, 2019, Teleconference |  |
|---|--|
| <b>Attendees:</b>   |  |
| Heather Benning, Midwest Conference   |  |
| Mary Beth Cooper, Springfield College   |  |
| Jason Fein, Bates College   |  |
| Brady Keller, Nebraska Wesleyan University, SAAC                                      |  |
| Angela Marin, University of Texas at Dallas   |  |
| Angie Morenz, Blackburn College   |  |
| Tori Murden McClure, Spalding University  |  |
| Daryl Sims, University of Wisconsin-Oshkosh   |  |
| <b>Absentees:</b>   |  |
| Jackson Erdmann, Saint John's University, student-athlete                             |  |
| <b>NCAA Staff Support in Attendance:</b>  |  |
| Dan Dutcher, Louise McCleary and Jeff Myers   |  |



1

## **Improve benefits for student-athletes**

- ▶ Share how we support students.
- ▶ Continue to modernize rules.
- ▶ Make changes in rules or policies governing name, image and likeness as the potential next step.
- ▶ Maintain uniformity and fair national competition.
- ▶ Created federal and state legislation working group to address.

The NCAA logo is located in the bottom-right corner of the slide, within a dark blue triangular area. It consists of a blue circle with the word "NCAA" in white.

2

## Legislative landscape

- ▶ Federal.
  - ▶ 1 federal bill introduced.
  - ▶ 16 presidential candidates or members of Congress actively engaged on topic.
- ▶ State.
  - ▶ CA SB 206 passed into law; Effective 2023.
  - ▶ 22 additional states engaged.
    - 9 pre-filed legislation.
    - 13 expected to introduce legislation this cycle.



3

## Charge

- ▶ Consider modifications to NCAA rules, policies and practices.
- ▶ Be mindful that NIL payments must not be compensation for athletics participation.
- ▶ Examine whether any modifications to allow for NIL payments would be achievable and enforceable without undermining the distinction between professional sports and collegiate sports.
- ▶ Keep in mind how student-athlete benefits could be tethered to educational expenses or incidental to participation.

The Board of Governors also requested the working group produce a set of Association-wide principles to provide each division guidance to a consistent approach on legislation.



4

# Members

- ▶ Val Ackerman, Big East Conference (co-chair).
- ▶ Jill Bodensteiner, Saint Joseph's University.
- ▶ Bob Bowsby, Big 12 Conference.
- ▶ Don Bruce, University of Tennessee, Knoxville.
- ▶ Rita Cheng, Northern Arizona University.
- ▶ Mary Beth Cooper, Springfield College.
- ▶ Lauren Cox\*, Baylor University.
- ▶ John DeGioia, Georgetown University.
- ▶ Jackson Erdmann\*, Saint John's University (Minnesota).
- ▶ Rick George, University of Colorado, Boulder.
- ▶ Carolayne Henry, Mountain West Conference.
- ▶ Glen Jones, Henderson State University.
- ▶ Scott Larson, Lubbock Christian University.
- ▶ Brandon Lee\*, University of Missouri, Columbia.
- ▶ Jackie McWilliams, Central Intercollegiate Athletic Association.
- ▶ Jere Morehead, University of Georgia.
- ▶ Darryl Sims, University of Wisconsin-Oshkosh.
- ▶ Gene Smith, The Ohio State University (co-chair).
- ▶ Tim White, California State University System.
- ▶ Carla Williams, University of Virginia.

\*Student-athlete



5

# Process

- ▶ Established May 14, 2019.
- ▶ 3 in-person meetings and 4 teleconferences.
- ▶ Input from variety of stakeholders.
  - ▶ In-person testimony.
  - ▶ Invitation to submit input via online portal.
  - ▶ Conversations on campus.
- ▶ Outcome.
  - ▶ 6 recommendations.
  - ▶ 3 principles.
  - ▶ A regulatory framework.



6

## Recommendations

- ▶ Authorize change in policy and by-laws to permit name, image and likeness benefits consistent with NCAA values and principles as well as with legal precedent.
- ▶ Reject any approach that would make student-athletes employees or use likeness as a substitute for compensation related to athletic participation and performance.
- ▶ Reaffirm the integrity of the student-athlete recruitment process, which is unique to college sports. Changes to NCAA name, image and likeness rules should support this principle and not result in undue influence on a student's choice of college.



7

## Recommendations (cont.)

- ▶ Extend the timeframe of this working group through April 2020 to continue to gather feedback and work with the membership on the development and adoption of new NCAA legislation.
- ▶ Endorse the regulatory framework described in this report as appropriate guardrails for future conversations and possible NCAA legislation.
- ▶ Instruct NCAA leadership on engagement with state and federal lawmakers.



8



## Association-wide principles

- ▶ Payment to a student-athlete for use of his or her name, image or likeness should not be pay for athletic performance or participation; nor should the payment serve as an inducement to select a particular school.
- ▶ Regulation of a student-athlete's name, image or likeness use should be transparent, narrowly tailored and enforceable, and it should facilitate the principle of fair competition among schools in a division, including the integrity of the recruiting process.
- ▶ A student-athlete should be able to use his or her name, image or likeness similar to college students who are not student-athletes, unless there is a compelling reason to differentiate.



9

## Regulatory framework

**Benefits related to NIL are on a continuum.**

***At one end of the spectrum of activity:***

- ▶ Student-athletes should be permitted to use their name, image or likeness to promote their own work product or business, particularly when the work product or business is not related to athletics.

Examples include:

- ▶ Student-athlete uses NIL to promote his or her legitimate commercial activity (e.g. writing and publishing a book or charging a fee for a lesson).



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## Regulatory framework (cont.)

### *At the other end of the spectrum of activity:*

- ▶ The working group believes that the commercial value of a student-athlete's name, image or likeness may be derived largely through that student-athlete's association with his or her school and/or participation in NCAA athletics.
  - ▶ In many cases, allowing student-athletes to be paid for the right to use their name, image or likeness in these circumstances could be tantamount to allowing compensation for athletic participation.
  - ▶ Without mitigation, these activities would be inconsistent with the collegiate model.



11

## Board of Governors actions

The Board of Governors directs each of the three divisions to immediately begin considering modification and modernization of relevant NCAA bylaws and rules in harmony with the following principles and guidelines:

- ▶ Assure student-athletes are treated similarly to non-athlete students unless a compelling reason exists to differentiate.
- ▶ Maintain the priorities of education and the collegiate experience to provide opportunities for student-athlete success.
- ▶ Ensure rules are transparent, focused and enforceable and facilitate fair and balanced competition.



12

## Board of Governors actions (cont.)

- ▶ Make clear the distinction between collegiate and professional opportunities.
- ▶ Make clear that compensation for athletics performance or participation is impermissible.
- ▶ Reaffirm that student-athletes are students first and not employees of the university.
- ▶ Enhance principles of diversity, inclusion and gender equity.
- ▶ Protect the recruiting environment and prohibit inducements to select, remain at, or transfer to a specific institution.



13

## Next steps

- ▶ Informational and feedback sessions on Association-wide principles and regulatory framework.
  - ▶ NCAA Convention.
  - ▶ Other opportunities.
- ▶ Divisional updates to the Board of Governors.
  - ▶ January 2020.
  - ▶ April 2020.
  - ▶ August 2020.
- ▶ Federated approach to legislation.



14

## Divisional process

- ▶ Establish oversight group.
  - ▶ Include Federal and State Legislation Working Group members.
  - ▶ Includes key committee chairs (SAAC, ILC, SAR, SLR, MC, PC).
  - ▶ Establish timeline.
  - ▶ Coordinate Division III feedback.
  - ▶ Oversee communication plan.
- ▶ Engage members.
  - ▶ NCAA Convention (Division III Issues Forum).
  - ▶ Regional Rules seminars (May & June).
- ▶ Final recommendations by management and presidents' councils.



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## Communications

- ▶ National office actively engaged proactively and reactively.
  - ▶ Regularly educating and correcting the record with media.
  - ▶ National media opportunities.
  - ▶ Speaking engagements.
  - ▶ Working group periodic updates.
  - ▶ Upcoming opportunities at Convention and beyond.
- ▶ Member opportunities.
  - ▶ Actively engage with media that cover you to educate and correct the record.
  - ▶ Campus audience engagement (faculty/alumni/employees/trustees).
  - ▶ Share/push how your campus is supporting student-athletes.



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## Key takeaways

- ▶ The NCAA continues to modernize its rules consistent with the collegiate model.
- ▶ The NCAA Board of Governors has authorized policy to allow the divisions to examine how to allow student-athletes to benefit from their name, image and likeness.
- ▶ The Board also indicated it will not support unrestricted NIL or pay for play.
- ▶ There is more work to be done and membership plays a key role.
  - ▶ Working group.
  - ▶ Divisional bodies.
  - ▶ Federal level.
- ▶ The NCAA is best positioned to provide a uniform and fair approach to name, image and likeness for all student-athletes across the nation.



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## What can I do?

- ▶ Familiarize yourself with principles and regulatory framework.
- ▶ Be prepared to provide timely feedback.
- ▶ Regularly go to NCAA landing page for information at [ncaa.org/NIL](https://ncaa.org/NIL)
- ▶ Help inform and educate colleagues and public.
- ▶ Participate in future webinars.
- ▶ Ask questions.



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# Name, Image and Likeness (NIL)

NIL is a concept based on laws defining “rights of publicity” or when permission is required to use someone’s name, image or likeness.



## NIL and NCAA Bylaws

- It is impermissible to receive preferential treatment, benefits or services because of the individual’s athletics reputation or skill or pay-back potential as a professional athlete, unless specifically allowed by NCAA legislation. Bylaw 12.1.1

## NIL and NCAA Bylaws

- Student-athletes may not participate in promotional activities unless specifically allowed by NCAA legislation. Bylaw 12.5.1

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Convention

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## NIL and NCAA Bylaws

Specific exceptions allowing use of the student-athlete's NIL:

- Institutional, charitable, educational and non-profit use.
- Modeling and other non-athletically related promotional activity.
- Media activities.
- Student-athlete's own business.

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Convention

4



## Modeling and Other Non-athletically Related Promotional Activity

Can accept pay for use of NIL to promote the sale or use of a commercial product provided:

- Student-athlete became involved in activity for reasons independent of athletics ability;
- No reference is made in these activities to the student-athlete's involvement in intercollegiate athletics; and

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Convention

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## Modeling and Other Non-athletically Related Promotional Activity

- Pay is commensurate with the student-athlete's skill and experience as a model and is not based on athletics ability or reputation.

*Bylaw 12.5.1.3*

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## Media Activities

- Student-athlete may participate in media activities (e.g. appearance on radio, television, in films or stage productions, or participate in writing projects) even when appearance/participation is related to athletics and may receive the following:
- Legitimate and normal expenses; and

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Convention

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## Media Activities

- Compensation commensurate with the going rate.
- Also,
- Student-athlete's name may be used to advertise participation, but status as a student-athlete may not be used for promotional purposes.

*Bylaw 12.5.2*

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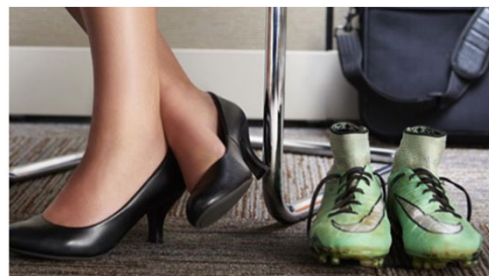
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Convention

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# Student-Athlete's Business

Student-athlete may establish and promote their own business but may not use their status as a student-athlete to promote the business.



*Official Interpretation  
February 1, 2007*

# Prominent Division III NIL Issues

1. Crowdfunding.
2. Testimonials.
3. Brand ambassadors.
4. Private lessons.



# Crowdfunding

Concerns student-athletes seeking donations for a great variety of personal expenses. Can they use their NIL to seek these donations?

Division III analysis:

- Student-athletes can crowdfund generally.

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Convention

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# Crowdfunding

- Student-athletes can't use status as student-athlete to crowdfund for own expenses or individual athletic expenses.
- Student-athletes can't crowdfund for tuition.
- Coaches and boosters can't contribute to a student-athlete's crowdfunding campaign.

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Convention

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## Testimonials

Can a third party use a student-athlete that has used the product or service to provide a testimonial?

Division III analysis:

- A student-athlete cannot take part in such promotions if they became involved due to their status as a student-athlete.
- A student-athlete may not use status as an athlete to promote commercial ventures.

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Convention

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## Brand Ambassadors

Student-athletes are approached by clothing/gear/other companies to use/wear/promote different products. Social media is a popular avenue to use for the product promotion.

Division III analysis:

- Student-athletes must have become involved in the ambassadorship for reasons other than their status as a student-athlete.

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Convention

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## Brand Ambassadors

Division III analysis (cont.):

- The student-athlete's social media account used for the ambassadorship may not have any reference to their status as a student-athlete.

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Convention

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## Private Lessons

Student-athletes may earn money by teaching lessons in their sport.

Division III analysis:

- Student-athlete may only be paid for work performed and only at the going rate;

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Convention

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# Private Lessons

Division III analysis (cont.):

- Student-athlete may give lessons and be paid but may not market themselves as a student-athlete.
- Student-athletes may not conduct their own camp or clinic.

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Convention

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# Final Thoughts

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Convention

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## Potential Models of Name, Image and Likeness – DIII

### WHAT IS NIL?

NIL is a concept based on laws defining “right of publicity,” or when permission is required to use someone’s name, image or likeness.

### FOUNDATIONAL PRINCIPLES

According to the NCAA Board of Governors, membership discussions around NIL must be centered on the following principles:

- Benefits for name, image and likeness should not be a substitute form of currency to pay for athletics performance for the student-athlete’s institution.
- Regulation of a student-athlete’s name, image or likeness use should be transparent, focused, enforceable and should promote integrity of the recruiting process.
- A student-athlete should be able to benefit from his or her name, image or likeness similar to college students who are not student-athletes, while recognizing the importance of interstate, uniform competition and recruiting rules that are unique to NCAA athletics.

### MODELS FOR CONSIDERATION

The NCAA Board of Governors determined the status quo is not an acceptable option, nor is the idea of unregulated compensation given its inconsistency with the principles of collegiate athletics and the ramifications of a conversion to a professional model. **The membership must determine the types of activities or regulations that should be evaluated within the above guidelines provided by Board of Governors.** Any new legislation supporting name, image and likeness should recognize the importance of interstate, uniform competition and recruiting rules that are unique to NCAA athletics.

Below are three possibilities that could be evaluated as potential changes to current NIL legislation. While they are grouped as concepts to better facilitate discussion, they should not be considered separate blocks of activities that need to be approved or rejected entirely within a concept. Elements within a concept may stand alone and may be considered in conjunction with elements from any of the concepts based on feedback from and discussion within the divisional memberships.



### CONCEPT A: INCOME UNRELATED TO NCAA PARTICIPATION

- Introduce rule to allow use of NIL consistent with current commonly approved waiver conditions or interpretive outcomes.
- Permit use of NIL for activities involving a student-athlete's own work, product or business. No need for waivers.
- Selling NIL rights to third parties for product and service endorsement purposes remains impermissible in Division I and impermissible in Divisions II and III if related to athletics participation.
- Permit use of NIL for sports-related instruction (e.g., quarterback camp, private lessons) if it meets employment legislation (paid going rate and for work performed).
- Use of institutional, conference or NCAA marks not permitted, unless purchased through normal processes consistent with other licensees.
- Use of institutional facilities consistent with policies applicable to all students or outside groups.
- Payments or benefits made to student-athletes in this model are like those made to students who are not athletes. Payments or benefits clearly are not compensation tied to education or considered incidental to athletics participation.
- Regulation and oversight of these activities could be like how institutions comply with bylaws related to student-athlete employment.

### CONCEPT B: ACTIVITIES WITH NO INSTITUTIONAL INVOLVEMENT

*(Note: Without appropriate regulation, a model permitting compensation for use of a student-athlete's name, image or likeness may constitute pay-for-play and be inconsistent with the principles endorsed by the Board of Governors.)*

- Allow expanded rights to permit agreements between third parties and a student-athlete or group of student-athletes.
- Could include endorsement of third-party commercial products.
- Use of institutional, conference or NCAA marks would not be permitted.
- Representative of athletics interest (e.g., booster) may not be involved in securing agreements or being a party to agreements.
- Third party NIL licensors could monitor booster involvement and use of institutional, conference or NCAA marks.

### CONCEPT C: INSTITUTIONALLY MANAGED ACTIVITIES

*(Note: Institutionally managed activities will require additional legal review and analysis to ensure that an employer/employee relationship is not created, that a student-athlete has reasonable opt-out opportunities from an activity, and that any proceeds received are applied to educational benefits or incidental to athletics participation consistent with the Association's and members' legal positions.)*

- Permit a student-athlete or group of student-athletes to enter into agreements with institution, conference or NCAA, provided benefits are tied to education.
- Use of institutional, conference or NCAA marks would be permissible if activity is institutionally managed.
- Agreements must include institutional, conference or NCAA marks.
- Institutions may not pay student-athletes for use of their NIL for university promotions.
- May not include on-field/court activities while representing institution or pay for specific athletic achievement or award.
- Payouts could be managed by third party and distributed on an equal basis to all group participants.
- A student-athlete would not be required to participate in institutionally managed activities and could opt out, but permissibility is conditioned on institutional management.
- Booster may not be involved in securing agreements or being a party to agreements.
- Institutions may establish policies prohibiting NIL agreements from conflicting with existing institutional vendor agreements and or institutional philosophies.

#### **The DIII Philosophy Statement includes the following tenets:**

- A student-athlete's athletics activities should be conducted as an integral part of the their educational experience,
- Athletics participants should not be treated differently from other members of the student body,
- Student-athletes should be supported in their efforts to meaningfully participate in nonathletic pursuits to enhance their overall educational experience.
- Providing equitable athletics opportunities for males and females and giving equal emphasis to men's and women's sports

#### **DISCUSSION QUESTIONS.**

- How would each proposed concept advance or distract from those goals?
- DIII does not permit the awarding of institutional financial aid to any student on the basis of athletics leadership, ability, participation or performance. How would the proposed concepts advance or conflict with that goal?
- What would be the most important practical challenges related to the implementation of each concept? How would those challenges best be addressed at the institutional, conference or national levels?

**2020 NCAA Convention Sessions on NIL and  
Federal and State Legislative Divisional Working Group (FSLDWG) Master Calendar  
(As of December 10, 2019)**

| <b>Week of December 16, 2019</b>  |  |                                      |                                   |                                     |  |
|-----------------------------------|--|--------------------------------------|-----------------------------------|-------------------------------------|--|
| <i><b>Division or Session</b></i> | <i><b>Name of Meeting or Session</b></i>           | <i><b>Confirmed by/<br/>Date</b></i> | <i><b>Timeframe</b></i>           | <i><b>Notes</b></i>                 | <i><b>Assigned To</b></i>  |
| DI                                | Student-Athlete Work Product                       | Jenn Fraser<br>12-19-19              | December 17                       | Educational                         | Jenn Fraser, Kevin Lennon, Dave Schnase, Geoff Silver, Stan Wilcox, Leeland Zeller |
| DI                                | Group Licensing                                    | Jenn Fraser<br>12-19-19              | December 19                       | Educational                         | Jenn Fraser, Kevin Lennon, Dave Schnase, Geoff Silver, Stan Wilcox, Leeland Zeller |
| DI                                | Individual Licensing                               | Jenn Fraser<br>12-19-19              | December 20                       | Educational                         | Jenn Fraser, Kevin Lennon, Dave Schnase, Geoff Silver, Stan Wilcox, Leeland Zeller |
| <b>Tuesday, January 7, 2020</b>   |  |                                      |                                   |                                     |  |
| <i><b>Division or Session</b></i> | <i><b>Name of Meeting or Session</b></i>           | <i><b>Confirmed by/<br/>Date</b></i> | <i><b>Timeframe</b></i>           | <i><b>Notes</b></i>                 | <i><b>Assigned To</b></i>  |
| A-wide                            | FSLWG teleconference                               | Lorry Weaver<br>12-13-19             | 2 to 2:30 p.m.                    | Update                              | Stan Wilcox and Cari Van Senus   |
| DI                                | Legislative Solutions Group Teleconference         | Jenn Fraser<br>12-17-19              | 2:30 to 3:30 p.m.                 | Educational                         | Jenn Fraser  |
| <b>Tuesday, January 21</b>        |  |                                      |                                   |                                     |  |
| <i><b>Division or Session</b></i> | <i><b>Name of Meeting or Session</b></i>           | <i><b>Confirmed by/<br/>Date</b></i> | <i><b>Timeframe</b></i>           | <i><b>Notes</b></i>                 | <i><b>Assigned To</b></i>  |
| DI                                | Division I Council Standing Committees (six total) | Jenn Fraser<br>12-17-19              | Varies                            | Educational                         | Jenn Fraser  |
| DIII                              | SAAC   | Dan Dutcher<br>12-10-19              | Tuesday-Saturday<br>January 21-25 | Discussion, educational, & feedback |  |

**Wednesday, January 22**

| <i>Division or Session</i> | <i>Name of Meeting or Session</i>   | <i>Confirmed by/<br/>Date</i>  | <i>Timeframe</i>        | <i>Notes</i>              | <i>Assigned To</i>                            |
|----------------------------|---|--------------------------------|-------------------------|---------------------------|---|
| A-wide                     | FSLWG meeting   | Lorry Weaver<br>12-13-19       | 8:30 to 10:30 a.m.      |                           | Stan Wilcox and Cari Van Senus                |
| DII                        | Conference Commissioners Association and DII Athletics Directors Association joint boards | Terri Steeb Gronau<br>10-16-19 | 3:30 p.m.               | Feedback                  | Maritza Jones, Stephanie Quigg and Karen Wolf |
| DIII                       | Management Council  | Dan Dutcher<br>12-10-19        | Wednesday<br>January 22 | Discussion & educational. |   |

**Thursday, January 23**

| <i>Division or Session</i> | <i>Name of Meeting or Session</i>                | <i>Confirmed by/<br/>Date</i>  | <i>Timeframe</i> | <i>Notes</i>               | <i>Assigned To</i>  |
|----------------------------|--|--------------------------------|------------------|----------------------------|---|
| DI                         | DI Joint Breakfast (SAAC, Council, PF and Board) | Jenn Fraser<br>10-16-19        | 7 to 8:30 a.m.   | Educational & feedback     | Quintin Wright and Jenn Fraser  |
| DI                         | FSLWG Feedback Session                           | Jenn Fraser<br>10-16-19        | 1 to 2:30 p.m.   | Educational & feedback     | Jenn Fraser, Kevin Lennon, Dave Schnase, Geoff Silver, Leeland Zeller |
| DII                        | Joint MC/PC meeting                              | Terri Steeb Gronau<br>10-16-19 | 10 to 11:30 a.m. | Feedback                   | Terri Steeb Gronau, Maritza Jones, Karen Wolf                         |
| DIII                       | MC/PC/SAAC joint breakfast                       | Dan Dutcher<br>10-16-19        | 8 to 9 a.m.      | Discussion & educational   |   |
| DIII                       | DIII CA  | Dan Dutcher<br>10-16-19        | 9 to 9:30 a.m.   | Discussion & educational   |   |
| A-wide                     | President's Session/<br>NIL and Inclusion        | Stacey Preston<br>11-7-19      | 2:30 to 4 p.m.   |                            |   |
| A-wide                     | General/TBD                                      |                                |                  | Still working thru details |   |

**Friday, January 24**

| <i>Division or Session</i> | <i>Name of Meeting or Session</i> | <i>Confirmed by/ Date</i>      | <i>Timeframe</i> | <i>Notes</i>                        | <i>Assigned To</i>                   |
|----------------------------|-----------------------------------|--------------------------------|------------------|-------------------------------------|--------------------------------------|
| DII                        | Conference meetings               | Terri Steeb Gronau<br>10-16-19 |                  | Feedback                            | MC reps and conference commissioners |
| DIII                       | Issues Forum                      | Dan Dutcher<br>10-16-19        | 9 to 10:15 a.m.  | Discussion, educational, & feedback |                                      |

**February**

| <i>Division or Session</i> | <i>Name of Meeting or Session</i>               | <i>Confirmed by/ Date</i>      | <i>Timeframe</i>                         | <i>Notes</i>                                 | <i>Assigned To</i>   |
|----------------------------|---|--------------------------------|--|--|--|
| DI                         | DI Legislative Solutions Group meeting.         | Jenn Fraser<br>12-09-19        | February 2020                            | Concept development                          | Jenn Fraser, Kevin Lennon, Dave Schnase, Geoff Silver, Stan Wilcox, Leeland Zeller |
| DI                         | Legislative Committee meeting.                  | Jenn Fraser<br>12-09-19        | Monday<br>February 17, 2020              | Educational & feedback.                      | Anne Rohlman, Leeland Zeller   |
| DII                        | Coaches Connection Teleconferences              | Terri Steeb Gronau<br>12-09-19 | Various days in February                 | Feedback                                     | Karen Wolf, Chelsea Hooks, Michael Woo   |
| DII                        | ARC Meeting                                     | Terri Steeb Gronau<br>12-09-19 | Monday<br>February 10                    | Feedback                                     | Karen Wolf, Chelsea Hooks, Michael Woo   |
| DII                        | Membership Committee meeting                    | Terri Steeb Gronau<br>12-09-19 | Wednesday<br>February 12                 | Feedback                                     | Karen Wolf, Chelsea Hooks, Michael Woo   |
| DII                        | Championships Committee meeting                 | Terri Steeb Gronau<br>12-09-19 | Wednesday and Thursday<br>February 19-20 | Feedback                                     | Karen Wolf, Chelsea Hooks, Michael Woo   |
| DIII                       | Interpretations and Legislation Committee (ILC) | Dan Dutcher<br>12-10-19        | Thursday and Friday<br>February 20-21    | Discussion, educational, feedback, & action. |  |
| DIII                       | Administrative Committee                        | Dan Dutcher<br>12-10-19        | Monday and Tuesday<br>February 24-25     | Discussion                                   |  |



| March                      |  |                                |                                      |  |  |
|----------------------------|--|--------------------------------|--------------------------------------|--|--|
| <i>Division or Session</i> | <i>Name of Meeting or Session</i>  | <i>Confirmed by/<br/>Date</i>  | <i>Timeframe</i>                     | <i>Notes</i>                                 | <i>Assigned To</i>   |
| DI                         | DI Legislative Solutions Group meeting.  | Jenn Fraser<br>12-09-19        | March 2020                           | Concept development.                         | Jenn Fraser, Kevin Lennon, Dave Schnase, Geoff Silver, Stan Wilcox, Leeland Zeller |
| DII                        | DII Legislation Committee<br><br>NOTE: Additional individuals will be added to the meeting for additional voices/input | Terri Steeb Gronau<br>12-09-19 | Monday and Tuesday<br>March 9-10     | Action – Development of initial concepts     | Karen Wolf, Chelsea Hooks, Michael Woo   |
| DII                        | East Regional Compliance Seminar   | Terri Steeb Gronau<br>12-09-19 | Monday and Tuesday<br>March 23-24    | Feedback                                     | Karen Wolf, Chelsea Hooks, Michael Woo   |
| DII                        | NIL Webinar  | Terri Steeb Gronau<br>12-09-19 | Noon to 1 p.m.<br>Monday<br>March 30 | Educational                                  | Karen Wolf, Chelsea Hooks, Michael Woo   |
| DIII                       | Subcommittee for Legislative Relief Teleconference   | Dan Dutcher<br>12-10-19        | Mid-March                            | Discussion, educational, feedback, & action. |  |

| April                      |  |                                |   |                            |  |
|----------------------------|--|--------------------------------|---|----------------------------|--|
| <i>Division or Session</i> | <i>Name of Meeting or Session</i>                    | <i>Confirmed by/ Date</i>      | <i>Timeframe</i>                            | <i>Notes</i>               | <i>Assigned To</i>   |
| DI                         | Division I Council Standing Committees (seven total) | Jenn Fraser<br>12-09-19        | Wednesday and Thursday<br>April 22-23, 2020 | Feedback                   | Jenn Fraser  |
| DI                         | Council meeting                                      | Jenn Fraser<br>12-09-19        | Thursday and Friday<br>April 23-24, 2020    | Feedback & possible action | Amanda Conklin, Diane Dickman, Jenn Fraser, Kevin Lennon, Leeland Zeller |
| DI                         | Board of Directors and Presidential Forum meetings   | Jenn Fraser<br>12-09-19        | Tuesday and Wednesday<br>April 28-29, 2020  | Feedback & possible action | Amanda Conklin, Diane Dickman, Jenn Fraser, Kevin Lennon, Leeland Zeller |
| DII                        | Coaches Connection Teleconferences                   | Terri Steeb Gronau<br>12-09-19 | Throughout April and May                    | Feedback                   | Karen Wolf, Chelsea Hooks, Michael Woo                                   |
| DII                        | DII SAAC Meeting                                     | Terri Steeb Gronau<br>12-09-19 | Thursday<br>April 16                        | Feedback                   | Karen Wolf, Chelsea Hooks, Michael Woo                                   |
| DII                        | DII Management Council meeting                       | Terri Steeb Gronau<br>12-09-19 | Monday and Tuesday<br>April 20-21           | Feedback                   | Maritza Jones, Karen Wolf, Chelsea Hooks, Michael Woo                    |
| DII                        | Board of Governors Meeting                           | Terri Steeb Gronau<br>12-09-19 | Tuesday<br>April 28                         | Educational                | Terri Steeb Gronau   |
| DII                        | DII Presidents Council meeting                       | Terri Steeb Gronau<br>12-09-19 | Tuesday and Wednesday<br>April 28-29        | Feedback                   | Terri Steeb Gronau, Karen Wolf, Chelsea Hooks, Michael Woo               |
| DII                        | NIL Webinar  | Terri Steeb Gronau<br>12-09-19 | 11 a.m.<br>Thursday<br>April 30             | Educational                | Karen Wolf, Chelsea Hooks, Michael Woo                                   |

|                                       |  |                                      |   |  |   |
|---------------------------------------|--|--------------------------------------|---|--|---|
| DIII                                  | SAAC   | Dan Dutcher<br>12-10-19              | Saturday and Sunday<br>April 18-19      | Educational, feedback,<br>& action.                        |   |
| DIII                                  | Management Council   | Dan Dutcher<br>12-10-19              | Monday and Tuesday<br>April 20-21       | Educational, feedback,<br>& action.                        |   |
| DIII                                  | Presidents Council   | Dan Dutcher<br>12-10-19              | Tuesday and<br>Wednesday<br>April 28-29 | Educational, feedback,<br>& action.                        |   |
| <b>May</b>                            |  |                                      |   |  |   |
| <b><i>Division or<br/>Session</i></b> | <b><i>Name of Meeting or<br/>Session</i></b>                         | <b><i>Confirmed by/<br/>Date</i></b> | <b><i>Timeframe</i></b>                 | <b><i>Notes</i></b>  | <b><i>Assigned To</i></b>                 |
| DII                                   | Coaches Connection<br>Teleconferences                                | Terri Steeb Gronau<br>12-09-19       | Throughout<br>April and May             | Feedback   | Karen Wolf, Chelsea<br>Hooks, Michael Woo |
| DII                                   | NIL Webinar  | Terri Steeb Gronau<br>12-09-19       | 11 a.m.<br>Friday<br>May 8              | Educational  | Karen Wolf, Chelsea<br>Hooks, Michael Woo |
| DII                                   | Division II Committee on<br>Student-Athlete<br>Reinstatement Meeting | Terri Steeb Gronau<br>12-09-19       | Wednesday and<br>Thursday<br>May 13-14  | Feedback   | Karen Wolf, Chelsea<br>Hooks, Michael Woo |
| DII                                   | Regional Rules Seminar   | Terri Steeb Gronau<br>12-09-19       | Monday and Tuesday<br>May 18-19         | Feedback   | Karen Wolf, Chelsea<br>Hooks, Michael Woo |
| DII                                   | NIL Webinar  | Terri Steeb Gronau<br>12-09-19       | 10 a.m.<br>Thursday<br>May 28           | Educational  | Karen Wolf, Chelsea<br>Hooks, Michael Woo |
| DIII                                  | Student-Athlete<br>Reinstatement<br>Committee                        | Dan Dutcher<br>12-10-19              | Wednesday and<br>Thursday<br>May 13-14  | Initial discussion,<br>educational, feedback,<br>& action. |   |
| DIII                                  | Regional Rules Seminar   | Dan Dutcher<br>12-10-19              | Monday-Wednesday<br>May 18-20           | Educational & feedback                                     |   |



| June                       |  |                                |   |   |   |
|----------------------------|--|--------------------------------|---|---|---|
| <i>Division or Session</i> | <i>Name of Meeting or Session</i>                    | <i>Confirmed by/<br/>Date</i>  | <i>Timeframe</i>                          | <i>Notes</i>                                  | <i>Assigned To</i>  |
| DI                         | Division I Council Standing Committees (seven total) | Jenn Fraser<br>12-09-19        | Monday and Tuesday<br>June 15-16, 2020    | Feedback                                      | Jenn Fraser   |
| DI                         | Council meeting.                                     | Jenn Fraser<br>12-09-19        | Tuesday and Wednesday<br>June 16-17, 2020 | Feedback                                      | Amanda Conklin,<br>Diane Dickman, Jenn Fraser, Kevin Lennon, Leeland Zeller |
| DII                        | Regional Rules Seminar                               | Terri Steeb Gronau<br>12-09-19 | Monday - Wednesday<br>June 1-3            | Feedback                                      | Karen Wolf, Chelsea Hooks, Michael Woo                                      |
| DII                        | DII CCA Meeting                                      | Terri Steeb Gronau<br>12-09-19 | Sunday<br>June 7                          | Feedback                                      | Terri Steeb Gronau, Maritza Jones, Stephanie Quiqq, Karen Wolf              |
| DII                        | DII ADA Meeting                                      | Terri Steeb Gronau<br>12-09-19 | Sunday<br>June 7                          | Feedback                                      | Terri Steeb Gronau, Maritza Jones, Stephanie Quiqq, Karen Wolf              |
| DII                        | DII Legislation Committee                            | Terri Steeb Gronau<br>12-09-19 | Monday and Tuesday<br>June 22-23          | Action – Recommend Sponsorship of Legislation | Karen Wolf, Chelsea Hooks, Michael Woo                                      |
| DII                        | DII Championships Committee                          | Terri Steeb Gronau<br>12-09-19 | Wednesday and Thursday<br>June 24-25      | Educational                                   | Karen Wolf, Chelsea Hooks, Michael Woo                                      |
| DIII                       | Regional Rules Seminar                               | Dan Dutcher<br>12-10-19        | Monday-Wednesday<br>June 1-3              | Educational & feedback                        |   |
| DIII                       | DIISIDA/NADIIIAA/NACDA                               | Dan Dutcher<br>12-10-19        | Sunday-Wednesday<br>June 7-10             | Educational & feedback                        |   |
| DIII                       | Conference Rules Seminar                             | Dan Dutcher<br>12-10-19        | Tuesday<br>June 16                        | Educational & feedback                        |   |
| DIII                       | Division III Commissioners Meeting                   | Dan Dutcher<br>12-10-19        | Wednesday and Thursday<br>June 17-18      | Educational & feedback                        |   |

| July                       |   |                                |                                    |   |  |
|----------------------------|---|--------------------------------|------------------------------------|---|--|
| <i>Division or Session</i> | <i>Name of Meeting or Session</i>                             | <i>Confirmed by/ Date</i>      | <i>Timeframe</i>                   | <i>Notes</i>                                  | <i>Assigned To</i>   |
| DII                        | DII Membership Committee                                      | Terri Steeb Gronau<br>12-09-19 | Wednesday and Thursday<br>July 8-9 | Educational                                   | Karen Wolf, Chelsea Hooks, Michael Woo   |
| DII                        | Membership-sponsored legislation deadline for 2021 Convention | Terri Steeb Gronau<br>12-09-19 | Wednesday<br>July 15               | Other – Legislative Deadline                  | Terri Steeb Gronau, Maritza Jones, Stephanie Quigg, Karen Wolf, Chelsea Hooks, Michael Woo |
| DII                        | DII SAAC  | Terri Steeb Gronau<br>12-09-19 | Friday<br>July 17                  | Educational                                   | Karen Wolf, Chelsea Hooks, Michael Woo   |
| DII                        | DII MC/SAAC Summit  | Terri Steeb Gronau<br>12-09-19 | Saturday and Sunday<br>July 18-19  | Educational                                   | Karen Wolf, Chelsea Hooks, Michael Woo   |
| DII                        | DII Management Council meeting                                | Terri Steeb Gronau<br>12-09-19 | Monday and Tuesday<br>July 20-21   | Action – Recommend Sponsorship of Legislation | Maritza Jones, Karen Wolf, Chelsea Hooks, Michael Woo                                      |
| DIII                       | SAAC  | Dan Dutcher<br>12-10-19        | Saturday and Sunday<br>July 18-19  | Educational, feedback, & action               |  |
| DIII                       | Management Council  | Dan Dutcher<br>12-10-19        | Monday and Tuesday<br>July 20-21   | Educational, feedback, & action               |  |

| August                     |   |                                |   |   |  |
|----------------------------|---|--------------------------------|---|---|--|
| <i>Division or Session</i> | <i>Name of Meeting or Session</i>   | <i>Confirmed by/ Date</i>      | <i>Timeframe</i>                            | <i>Notes</i>  | <i>Assigned To</i>   |
| DI                         | Board of Directors meeting.   | Jenn Fraser<br>12-09-19        | Wednesday<br>August 5, 2020                 | Potential action  | Amanda Conklin,<br>Diane Dickman, Jenn<br>Fraser, Kevin Lennon,<br>Leeland Zeller                      |
| DII                        | Board of Governors meeting  | Terri Steeb Gronau<br>12-09-19 | Tuesday<br>August 4                         | Educational   | Terri Steeb Gronau   |
| DII                        | DII Presidents Council Meeting  | Terri Steeb Gronau<br>12-09-19 | Tuesday and<br>Wednesday<br>August 4-5      | Action – Sponsorship of<br>legislative changes for<br>2021 Convention | Terri Steeb Gronau,<br>Karen Wolf, Chelsea<br>Hooks, Michael Woo                                       |
| DIII                       | Presidents Council  | Dan Dutcher<br>12-10-19        | Wednesday<br>August 5                       | Educational, feedback,<br>& action                                    |  |
| September                  |   |                                |   |   |  |
| <i>Division or Session</i> | <i>Name of Meeting or Session</i>   | <i>Confirmed by/ Date</i>      | <i>Timeframe</i>                            | <i>Notes</i>  | <i>Assigned To</i>   |
| DII                        | Committees, Coaches<br>Connection Groups,<br>Affiliate Organizations            | Terri Steeb Gronau<br>12-09-19 | Fall  | Educational   | Karen Wolf, Chelsea<br>Hooks, Michael Woo  |
| DII                        | Presidents Council-<br>sponsored legislation<br>deadline for 2021<br>Convention | Terri Steeb Gronau<br>12-09-19 | Tuesday<br>September 1                      | Other – Legislative<br>Deadline                                       | Terri Steeb Gronau,<br>Maritza Jones,<br>Stephanie Quigg,<br>Karen Wolf, Chelsea<br>Hooks, Michael Woo |
| DIII                       | ILC   | Dan Dutcher<br>12-10-19        | Tuesday and<br>Wednesday<br>September 22-23 | Feedback  |  |

| October                    |   |                                |   |   |  |
|----------------------------|---|--------------------------------|---|---|--|
| <i>Division or Session</i> | <i>Name of Meeting or Session</i>   | <i>Confirmed by/ Date</i>      | <i>Timeframe</i>                              | <i>Notes</i>                                      | <i>Assigned To</i>   |
| DI                         | Division I Council Standing Committees (seven total)  | Jenn Fraser<br>12-09-19        | Monday and Tuesday<br>October 5-6, 2020       | Feedback  | Sharon Cessna,<br>Jennifer Henderson,<br>Carol Reep  |
| DI                         | Council meeting.  | Jenn Fraser<br>12-09-19        | Tuesday and<br>Wednesday<br>October 6-7, 2020 | Possible introduction of<br>legislative solutions | Amanda Conklin,<br>Diane Dickman, Jenn<br>Fraser, Kevin Lennon,<br>Leeland Zeller                      |
| DI                         | Board of Directors and<br>Presidential Forum<br>meetings.   | Jenn Fraser<br>12-09-19        | Monday-Wednesday<br>October 26-28, 2020       | Update and feedback                               | Amanda Conklin,<br>Diane Dickman, Jenn<br>Fraser, Kevin Lennon,<br>Leeland Zeller                      |
| DIII                       | Management Council  | Dan Dutcher<br>12-10-19        | Monday and Tuesday<br>October 19-20           | Feedback & action                                 |  |
| DIII                       | Presidents Council  | Dan Dutcher<br>12-10-19        | Tuesday and<br>Wednesday<br>October 27-28     | Feedback & action                                 |  |
| November                   |   |                                |   |   |  |
| <i>Division or Session</i> | <i>Name of Meeting or Session</i>   | <i>Confirmed by/ Date</i>      | <i>Timeframe</i>                              | <i>Notes</i>                                      | <i>Assigned To</i>   |
| DII                        | Legislation Deadline for<br>amendment-to-<br>amendments (instances<br>where an amendment is<br>necessitated by action<br>taken by Division I or<br>Division III.) | Terri Steeb Gronau<br>12-09-19 | Sunday<br>November 1                          | Other – Legislative<br>Deadline                   | Terri Steeb Gronau,<br>Maritza Jones,<br>Stephanie Quigg,<br>Karen Wolf, Chelsea<br>Hooks, Michael Woo |
| DIII                       | SAAC  | Dan Dutcher<br>12-10-19        | Sunday and Monday<br>November 15-16           | Feedback & action                                 |  |



| December                   |                                   |                                |                               |   |  |
|----------------------------|-----------------------------------|--------------------------------|-------------------------------|---|--|
| <i>Division or Session</i> | <i>Name of Meeting or Session</i> | <i>Confirmed by/ Date</i>      | <i>Timeframe</i>              | <i>Notes</i>                                    | <i>Assigned To</i>   |
|                            |                                   |                                |                               |   |  |
| January 2021               |                                   |                                |                               |   |  |
| <i>Division or Session</i> | <i>Name of Meeting or Session</i> | <i>Confirmed by/ Date</i>      | <i>Timeframe</i>              | <i>Notes</i>                                    | <i>Assigned To</i>   |
| DIII                       | Issues Forum                      | Dan Dutcher<br>12-16-19        | TBD                           | Feedback  |  |
| DIII                       | Business Session                  | Dan Dutcher<br>12-16-19        | TBD                           | Discussion & action –<br>membership vote        |  |
| DII                        | DII Business Session              | Terri Steeb Gronau<br>12-09-19 | Saturday<br>January 16, 2021  | Action – DII<br>membership vote on<br>proposals | Terri Steeb Gronau,<br>Maritza Jones,<br>Stephanie Quigg,<br>Karen Wolf, Chelsea<br>Hooks, Michael Woo |
| DI                         | Division I Council                | Jenn Fraser<br>12-17-19        | Wednesday<br>January 13, 2021 | Action  | Jenn Fraser  |

**Proposal No. 2020-1: NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP AND MEMBER CONFERENCE -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- ATHLETICS DIVERSITY AND INCLUSION DESIGNEE**

**Intent.** To specify that an active member institution or conference shall identify an athletics diversity and inclusion designee to be the primary contact and conduit for diversity and inclusion-related information.

**Source.** NCAA Division III Presidents Council [Management Council (Minority Opportunities and Interests Committee)].

**Effective Date.** August 1, 2020.

**Rationale.** The designation of an athletics diversity and inclusion designee symbolically and practically represents the Association's recognition of inclusion as a core value. It also supports the Presidential Pledge and Commitment to Promoting Diversity and Gender Equity in Intercollegiate Athletics. It 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, often institutional 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 staff member given the designation may be either internal or external to the athletics department. The contact information for the designated staff member will be entered on the institution or conference's NCAA Sports Sponsorship and Demographics Form.

**Proposed Speakers:**

PC (move and support): Javier Cevallos

MC (support): Gerard Bryant

**Proposal No. 2020-2: DIVISION MEMBERSHIP -- APPLICATION PROCESS -- PROVISIONAL INSTITUTION -- REDUCE WAITING PERIOD FROM FOUR YEARS TO THREE YEARS PLUS AN EXPLORATORY YEAR**

**Intent.** To amend legislation related to the Division III provisional process as follows: (1) For non-NCAA members, reduce the provisional process from four to three years; (2) Expect that process will continue to require an exploratory year; (3) While a waiver of exploratory membership will remain in place, there will no longer be a waiver during the provisional process; (4) Specify that if an institution is unable to gain full active membership within this time frame, there is a one-time opportunity to repeat a year in question, through recommendation of Membership Committee.

**Source.** American Collegiate Athletic Association; American Southwest Conference; and USA South Athletic Conference

**Effective Date.** August 1, 2020.

**Rationale.** Division III has in place, strategies to limit membership growth. Those limiters have included a four-institution cap on applications of new members annually, an imposed moratorium to suspend applications, a five-year application process, and a number of reports and actions to move from one year to the next. While these steps have been successful in limiting growth, one inadvertent consequence has been the impression that we in Division III are exclusive. Many current enrollment-driven institutions find it extremely challenging to commit to a division that provides no access to NCAA national championships for an entire generation of students. Prospective members not currently associated with the NCAA need additional time to develop a full understanding of administrative and cultural expectations of our organization. To this end, a three-year waiting period is proposed for provisional members. This adjustment also allows for a flexible process should our organization need to quickly modify our approach to membership. If the institution fails to meet legislated expectations of membership, consistent with current legislation, they would have a one-time opportunity to repeat a year in the process.

**Proposed Speakers:**

PC (support): Tori Murden McClure

MC (support): Heather Benning

**Governance Position:**

Presidents Council, Management Council and Membership Committee support this proposal. Allowing prepared institutions to complete the transition to Division III in three years (plus an exploratory year) will provide student-athletes earlier access to NCAA championships, thereby benefitting their overall experience. Furthermore, the membership educational requirements can be effectively delivered during this period while still providing the Membership Committee the discretion to appropriately manage the process, as needed.

**Proposal No. 2020-3: DIVISION MEMBERSHIP -- APPLICATION PROCESS -- RECLASSIFYING INSTITUTION -- REDUCE WAITING PERIOD FROM FOUR YEARS TO THREE YEARS**

**Intent.** To amend legislation related to the Division III reclassifying process as follows: (1) For current NCAA members reclassifying to Division III, reduce the number of years in the reclassifying process from four to three years; (2) The process will eliminate the one-year exploratory membership requirement; (3) Specify that if an institution is unable to gain full active membership within this time frame, there is a one-time opportunity to repeat a year in question, through recommendation of Membership Committee.

**Source.** American Collegiate Athletic Association; American Southwest Conference and USA South Athletic Conference

**Effective Date.** August 1, 2020.

**Rationale.** Division III has strategies in place to manage membership growth. Those limits have included a four-institution cap on applications of new members annually, an imposed moratorium to suspend applications, a five-year application process, and a number of reports and actions to move from one year to the next. While these steps have been successful in limiting growth, one inadvertent consequence has been the impression that we in Division III are exclusive. Many current enrollment driven institutions find it challenging to commit to a division that provides no access to NCAA national championships and/or grant funding for an entire generation of students. This proposal accepts that current NCAA Divisions I or II members reclassifying understand the philosophy, history and culture of the NCAA and are committed to compliance as outlined in the Division III operating manual. Therefore, this proposal reduces the time to gain full membership by eliminating the exploratory year and one reclassifying year. This adjustment also allows for a flexible process should our organization need to quickly modify our approach to membership. If the institution fails to meet legislated expectations of membership, consistent with current legislation, they would have a one-time opportunity to repeat a year in the process.

**Proposed Speakers:**

PC (support): Elsa Nunez

MC (support): Brad Bankston

**Governance Position:**

Presidents Council, Management Council and Membership Committee support this proposal. The requirements for a reclassifying institution can be effectively delivered and achieved in three years, while still providing the Membership Committee the discretion to appropriately manage the process, as needed. Additionally, a shortened process will allow earlier access to NCAA championships, thereby enhancing the overall student-athlete experience.



**Proposal No. 2020-4: AWARDS AND BENEFITS -- HOUSING AND MEALS -- EXCEPTIONS -- SNACKS AND NUTRITIONAL SUPPLEMENTS INCIDENTAL TO PARTICIPATION**

**Intent.** To specify that an institution may provide snacks and permissible nutritional supplements to student-athletes as a benefit incidental to participation in intercollegiate athletics.

**Source.** Alvernia University; Berry College; East Texas Baptist University; Emory University; Farmingdale State College; Howard Payne University; Hardin-Simmons University; Knox College; LeTourneau University; Loras College; Maine Maritime Academy; McMurry University; Moravian College; Salve Regina University; Swarthmore College; Sweet Briar College; University of Dubuque; University of Lynchburg; University of Mary Hardin-Baylor; University of Texas at Dallas; University of Wisconsin-Whitewater; and Wilmington College (Ohio).

**Effective Date.** August 1, 2020.

**Rationale.** In addition to meals benefits allowed under current legislation, this proposal will permit an institution to provide snacks and permissible nutritional supplements to all-student-athletes at its discretion as a benefit incidental to participation in intercollegiate athletics. Such measures will help ensure that all student-athletes' nutritional needs are met incidental to practice and other activities. This proposal is intended to provide flexibility to meet the student-athletes' nutritional needs and to alleviate administrative burdens related to accounting for such benefits. Nutrition is not an issue of competitive advantage, but rather an issue of student-athlete health and safety. This proposal allows institutions to more fully provide for overall well-being of Division III student-athletes.

**Proposed Speakers:**

PC (support): Fayneese Miller

MC (support): Sarah Feyerherm

MC (support): Jason Fein

**Governance Position:**

Presidents Council, Management Council, Interpretations and Legislation Committee, and Committee on Competitive Safeguards and Medical Aspects of Sport, support this proposal. The proposal promotes the health and wellness of student-athletes by allowing an institution the flexibility to provide what it deems appropriate to meet the nutritional needs of its student-athletes. With this flexibility, each institution will have the discretion to determine the scope of the benefit, if any, it chooses to provide to student-athletes, without an increased regulatory burden.

**Proposal No. 2020-5: AWARDS AND BENEFITS -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION  
-- PERMISSIBLE PRACTICE EXPENSES -- EXCEPTIONS FOR GOLF AND SWIMMING AND DIVING**

**Intent.** To allow an institution to provide practice expenses in the sports of Golf and Swimming and Diving during an official vacation period regardless of location.

**Source.** American Rivers Conference and Minnesota Intercollegiate Athletic Conference.

**Effective Date.** Immediate.

**Rationale.** Student-athletes should have the ability to prepare under the right conditions without having to worry about fulfilling an artificial competition requirement. Our conferences have seen multiple violations of this legislation over the years in the sports of golf and swimming & diving. Golf for institutions in colder climates faces several challenges. Unlike some sports that routinely take trips to warmer climates during official vacation periods, golf and swimming and diving student-athletes' best preparation for competition is enhanced significantly by outdoor participation. Golf and swimming & diving competition throughout the playing season is predominantly in multi-team events. Standalone dual matches are uncommon. Regardless, both formats have been difficult for our conferences' members to organize during vacation-period trips. Finally, many institutions artificially manufacture competitions against outside competition (e.g., an alumni team that might only consist of recreational golfers or swimmers) or a joint practice with outside competition where a head-to-head scoring component isn't even required.

**Proposed Speakers:**

MC (oppose): Kandis Schram

**Governance Position:**

Presidents Council and Management Council oppose this proposal. While this proposal addresses the unique challenges associated with the sport of golf, the inclusion of swimming and diving, which does not share those challenges, unnecessarily expands the scope of the proposal. Expansion to other sports, should not be reviewed on a sport-by-sport basis, but rather as part of a broader review to determine the extent and impact of allowing practice trips beyond the current parameters.

**Proposal No. 2020-5-1: AWARDS AND BENEFITS -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- PERMISSIBLE PRACTICE EXPENSES -- EXCEPTIONS FOR GOLF**

**Intent.** To allow an institution to provide practice expenses in the sport of Golf during an official vacation period regardless of location.

**Source.** American Rivers Conference and Minnesota Intercollegiate Athletic Conference.

**Effective Date.** Immediate.

**Rationale.** The cosponsors have reconsidered the original exception of swimming and diving because those student-athletes are able to prepare adequately with indoor training whereas golf student-athletes are not. Swimming and diving are no longer included in the proposal.

**Proposed Speakers:**

PC (support): Troy Hammond

**Proposal No. 2020-6: ATHLETICALLY RELATED ACTIVITIES -- LEADERSHIP PROGRAMMING OUT-OF-SEASON INVOLVING ATHLETICS RELATED INFORMATION AND CONTENT (GENERAL IN NATURE)**

**Intent.** To allow student-athletes serving in a team leadership capacity to voluntarily participate in leadership programming involving general, athletics-related content/information outside of the declared playing season with any member of an institution's coaching staff, provided the content of the programming does not include any: a) Field, floor, or on-court activity; b) Setting up offensive or defensive alignment; c) Chalk talk; d) Lecture on or discussion of strategy related to the specific-sport of the student-athlete(s); e) Activities using equipment related to the sport; f) Discussion or review of game films, motion pictures or videotapes related to the sport; or g) Any other athletically related activity.

**Source.** North Coast Athletic Conference and Upper Midwest Athletic Conference.

**Proposed Speakers:**

PC (oppose): Katherine Conway-Turner

MC (oppose): Michelle Morgan

MC (oppose): Tim Millerick

**Governance Position:**

Presidents Council, Management Council and the Interpretations, and Legislation Committee oppose this proposal. This proposal creates an environment wherein student-athletes may feel compelled to participate, thereby creating additional time demands for student-athletes.

**Effective Date.** August 1, 2020

**Rationale.** Leadership development is inherent to the NCAA Division III philosophy. Large-group leadership opportunities hold value; however, powerful growth happens in small, experience-based settings. Allowing coaches to work with team leaders is the most effective means of mentoring and experiential learning. NCAA-supported and facilitated leadership programs affirm that small group and individualized approaches are more effective than large-group programming for student-athletes. Additionally, with increased attention and awareness of mental health concerns among student-athletes, additional engagement between coaches and student-athletes strengthens the support networks student-athletes build during their season and could assist in identifying mental health concerns to ensure appropriate resources and support are provided out-of-season to student-athletes. Intercollegiate athletics plays an integral role in enrollment management strategies at Division III institutions. The retention of student-athletes is critical in the success of not only intercollegiate athletics programs, but the entire institution for many Division III members. With the transfer rate continuing to increase in Division III, allowing additional time for student-athletes and coaches to discuss leadership development-related content will positively impact the overall experience and growth for student-athletes as well as institutional retention rates. Consistent leadership programming would allow student-athletes opportunities to expand their leadership capacities as part of their holistic experience.

Additionally, current legislation provides sufficient opportunities for student-athletes to be involved in leadership activities outside the declared playing season. Finally, student-athletes should be involved in athletics leadership opportunities, but they should also seek participation in non-athletic based leadership opportunities. This proposal may limit or discourage student-athletes from seeking out those non-athletic opportunities.

**Proposal No. 2020-7: DIVISION MEMBERSHIP -- PLAYING AND PRACTICE SEASONS -- EMERGING SPORTS FOR WOMEN -- WOMEN'S EQUESTRIAN**

**Intent.** To add Equestrian as an emerging sport for women and establish legislation related to playing and practice seasons and membership.

**Source.** Adrian College; Albion College; Alfred State College; Alvernia University; Berry College; Bethany College (West Virginia); Bridgewater State University; East Texas Baptist University; Emory University; Morrisville State College; Nazareth College; Roger Williams University; Randolph-Macon College; Salve Regina University; State University of New York at Geneseo; State University of New York at New Paltz; Sweet Briar College; University of Lynchburg; Wentworth Institute of Technology; Wesleyan College; and Wilson College.

**Effective Date.** August 1, 2020.

**Rationale.** Significant support exists for equestrian to be added as an NCAA sport, moving from the emerging sport for women list, including support from institutions and national governing bodies. It is expected that the addition of women's equestrian will produce a significant increase in participation opportunities for women, as well as provide the membership with a new option for sponsorship of a women's sport. Division I and Division II already have this legislation.

**Proposed Speakers:**

MC (support): Scott McGuinness

**Governance Position:**

Management Council, Committee on Women's Athletics and Playing and Practice Subcommittee support this proposal. The proposal provides for more participation opportunities for female student-athletes and more sport-sponsorship options for Division III member institutions.

**Proposal No. 2020-8: DIVISION MEMBERSHIP, PLAYING AND PRACTICE SEASONS -- EMERGING SPORTS FOR WOMEN -- ACROBATICS AND TUMBLING**

**Intent.** To add acrobatics and tumbling as an emerging sport for women and establish legislation related to playing and practice seasons and membership.

**Source.** NCAA Division III Management Council (Committee on Women's Athletics).

**Effective Date.** August 1, 2020.

**Rationale.** The sport's potential for growth and support from the sport's national governing body supports this proposal. In addition, acrobatics and tumbling leadership demonstrated and articulated how the experience of an acrobatics and tumbling student-athlete is comparable to the experience of an NCAA sport student-athlete and how acrobatics and tumbling student-athletes are fully integrated into athletics departments. Further, the existing organizational structure and bylaws support efforts to integrate NCAA values and legislation into current operations. Finally, there is a commitment at the collegiate level to providing robust participation opportunities during the regular season and post season, including the national championships.

**Proposed Speakers:**

MC (move and support): Lori Mazza

| <b>Proposal No. 2020-9: DIVISION MEMBERSHIP, PLAYING AND PRACTICE SEASONS -- EMERGING SPORTS FOR WOMEN -- WOMEN'S WRESTLING</b>   |   |
|---|---|
| <p><b>Intent.</b> To add women's wrestling as an emerging sport for women and establish legislation related to playing and practice seasons and membership.</p> <p><b>Source.</b> NCAA Division III Management Council (Committee on Women's Athletics).</p> <p><b>Effective Date.</b> August 1, 2020.</p> <p><b>Rationale.</b> The continued growth in high school girls wrestling and the number of collegiate institutions sponsoring the sport support this proposal. In addition, the sport is relatively inexpensive to sponsor. Finally, there is a commitment at the collegiate level to increase participation opportunities for a diverse population of student-athletes (e.g., race and ethnicity, national, socio-economic status and body size and type), as well as to increase coaching opportunities for a diverse population of female coaches in intercollegiate wrestling.</p>   | <p><b><u>Proposed Speakers:</u></b></p> <p>MC (move and support): Denise Udelhofen</p>                            |
| <b>Proposal No. 2020-10: NCAA MEMBERSHIP -- MEMBER CONFERENCE -- ELIGIBILITY -- COMPOSITION OF CONFERENCE-- PROVISIONAL AND RECLASSIFYING MEMBERS AS CORE MEMBERS</b>   |   |
| <p><b>Intent.</b> To specify that institutions in years three and four of the NCAA Division III provisional and reclassifying membership process may count towards the requisite seven institutions necessary to comprise a conference provided there are at least four active member institutions.</p> <p><b>Source.</b> NCAA Division III Presidents Council [Management Council (Membership Committee)].</p> <p><b>Effective Date.</b> August 1, 2020</p> <p><b>Rationale.</b> 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 institutions in years three and four of the new membership process for determining the composition of a conference. The result is that a provisional and/or reclassifying institution in years 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. Further, conference instability may be lessened if provisional and/or reclassifying institutions may be used by a conference in meeting its minimum number of member institutions.</p> | <p><b><u>Proposed Speakers:</u></b></p> <p>MC (move and support): Laura Mooney</p> <p>MC (support): Joe Walsh</p> |

| Proposal No. 2020-11: DIVISION MEMBERSHIP -- SPORT CLASSIFIED IN DIVISION I -- APPLYING DIVISION I LEGISLATION  |   |
|---|---|
| <p><b>Intent.</b> To permit Division III member institutions with Division I sports to apply all Division I legislation, except Bylaw 15 (financial aid), to the Division I sports.</p> <p><b>Source.</b> NCAA Division III Management Council (Membership Committee).</p> <p><b>Effective Date.</b> Immediate.</p> <p><b>Rationale.</b> The current legislation requires Division III member institutions with Division I sports to apply the rules of both divisions or the more stringent rule if both divisions have a rule concerning the same issue. It is often difficult for institutions to distinguish which of the rules is more stringent and tracking the bylaws for two divisions can burden an institution's administrative staff. Currently, ten Division III institutions sponsor a Division I sport. The number of affected schools will not increase, as Division I legislation currently prohibits additional institutions from becoming multidivisional. Since this is primarily intended to reduce confusion and ease burden, an immediate effective date is appropriate.</p> | <p><b><u>Proposed Speakers:</u></b></p> <p>MC (move and support): Chuck Brown</p> |



| Proposal No. R-2020-12: RESOLUTION -- SOFTBALL/BASEBALL NATIONAL CHAMPIONSHIP TOURNAMENT TIMING  |  |
|--|--|
| <p><b>Intent.</b> That the Division III Softball and Baseball Committees collaborate on a plan with the Division III Championships Committee, with a particular point of emphasis on examining the timing of the tournament schedules, to address concerns related to the compression of the seasons due to weather issues resulting in increased missed games and class time, with an effective date for strategic implementation no later than the Spring 2023 season. Additionally, that the Division III Championships Committee incorporate such changes as may be agreed upon into the bid process for the 2023-26 bid cycle.</p> <p><b>Source.</b> Allegheny Mountain Collegiate Conference, Commonwealth Coast Conference, Great Northeast Athletic Conference, Michigan Intercollegiate Athletic Assn. and North Eastern Athletic Conference.</p> <p><b>Effective Date.</b> Immediate.</p> <p><b>Rationale.</b> Changing climate patterns have created increasingly difficult weather events, often delaying the start of the spring season, particularly in the Northeast, Mid-Atlantic and Midwest. These weather events have negatively impacted the ability of a significant majority of Division III member institutions to prepare outdoor facilities for softball and baseball, hindering practice time in their local competition environment and disrupting overall competition schedules. These consistent disruptions to contest schedules cause more games to be compacted into fewer permissible weeks of play, increasing the likelihood and frequency of missed class time, and often necessitating the cancellation of contests altogether, particularly conference contests that can impact fair determination of automatic bids and potentially Pool B and C selections. Fall and winter sport student-athletes are provided funding and other campus resources to properly prepare and fully complete their seasons. Softball student-athletes are handicapped further by the historical start to the NCAA tournament, which is conducted one week earlier than baseball, their most similar sport counterpart, raising concerns about gender equity that is not found in any other sport. Resolution of these concerns will contribute to a more positive competition environment conducted in better weather, and help promote higher retention rates of these student-athletes;</p> | <p><b><u>Proposed Speakers:</u></b></p> <p>MC (support/oppose): Michael Vienna</p> <p><b><u>Committee Positions:</u></b></p> <p><b>Championships:</b> The committee took no position. The committee wants the membership to discuss and ultimately help inform the process. The committee noted that while weather related challenges in various regions is an issue that has continually been debated, the resolution, as stated, is limiting in scope and does not adequately address the totality of consequences (including budgetary) in the event a sport's season is extended</p> <p><b>Softball:</b> This is an issue already being discussed within the committee and among its coaching community. The committee is surveying softball coaches to determine the best course of action. While there isn't a need for the resolution since the issue is already being addressed there is value in bringing the issue to the larger membership.</p> <p><b>Baseball:</b> The committee has been discussing this issue and is not only supportive of engaging in the discussion but also is generally supportive of the concepts set forth in the resolution.</p> |



**2020 NCAA Convention Division III Business Session**  
**Mootnicity and Related Parliamentary Issues**

**NCAA Division III Presidents Council Grouping – Proposal Nos. 1-6.**

**General Notes.** The NCAA Division III Presidents Council has identified six proposals of particular interest to Division III chancellors and presidents. These proposals are included in the Presidents Council grouping and will be considered by roll call vote. All motions and votes related to these proposals also must be considered by roll call. Because the Presidents Council designated the proposals for roll call vote, only the Presidents Council may waive this designation and all other motions to change the voting method would be out of order.

| <b>Proposal Number</b> | <b>Procedural Issues</b> | <b>Mootnicity Issues</b> | <b>Miscellaneous Notes</b>  |
|------------------------|--------------------------|--------------------------|---|
| 2020-1                 | Roll call vote.          | None                     | None.   |
| 2020-2                 | Roll call vote.          | None                     | None.   |
| 2020-3                 | Roll call vote.          | None                     | None.   |
| 2020-4                 | Roll call vote.          | None                     | None.   |
| 2020-5                 | Roll call vote.          | None                     | Once this proposal is moved and seconded, then one of the sponsors of Proposal No. 2020-5-1 will move Proposal No. 2020-5-1. The membership will then debate and vote on whether to amend the proposal. If the amendment is defeated, then the membership will vote on Proposal No. 2020-5 as originally submitted. If the amendment is adopted, the membership will vote on Proposal No. 2020-5 as amended by Proposal No. 2020-5-1. |
| 2020-5-1               | Roll call vote.          | Yes                      | See notes for Proposal No. 2020-5.  |
| 2020-6                 | Roll call vote.          | None                     | None.   |

**NCAA Division III General Grouping – Proposal Nos. 7-12.**

**General Notes.** This grouping contains six proposals. Each proposal will be considered by roll call vote. All motions and votes related to these proposals also must be considered by roll call. Because the Presidents Council designated the proposals for roll call vote, only the Presidents Council may waive this designation and all other motions to change the voting method would be out of order.

| Proposal Number | Procedural Issues | Mootnicity Issues | Miscellaneous Notes   |
|-----------------|-------------------|-------------------|---|
| 2020-7          | Roll call vote.   | None              | None.   |
| 2020-8          | Roll call vote.   | None              | None.   |
| 2020-9          | Roll call vote.   | None              | None.   |
| 2020-10         | Roll call vote.   | None              | If Proposal No 2020-2 and/or 2020-3 are adopted, this proposal will be amended to specify that an institution only in year three of the provisional or reclassifying membership process will count towards the seven institutions necessary to comprise a conference. |

|           |                |      |   |
|-----------|----------------|------|---|
| 2020-11   | Roll call vote | None | None.   |
| R-2020-12 | Roll call vote | None | The resolution is also sponsored by the North Eastern Athletic Conference. They were inadvertently omitted from the Official Notice as a sponsor. |

**Additional Notes.**

Effective date: A motion for an alternative effective date on the convention floor would violate the principle of "prior notice" and therefore would be out of order. Alternative effective dates must be noted with the submission of the proposal or offered as an amendment-to-amendment.

Motion to divide: Any delegate intending to make a motion to divide one of the eleven proposals is encouraged to contact a member of the NCAA academic and membership affairs staff for assistance with drafting of the motion before the Division III business session.

**2020 NCAA Convention Division III Legislative Proposals**  
**Question and Answer Guide**

**Approved December 5, 2019 by the**  
**NCAA Division III Interpretations and Legislation Committee**

*Please note this is the first edition of the 2020 NCAA Convention Division III Legislative Proposals Question and Answer Guide. Future editions may be developed as questions are presented to the NCAA staff or the NCAA Division III Interpretations and Legislation Committee. On release of subsequent editions of this guide, newly approved questions and answers will be shaded in gray.*

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### Understanding How to Read the 2020 NCAA Convention Division III Official Notice.

1. How to read the NCAA Division III legislative proposals. When reviewing legislative proposals, it is important to note that:

- The letters and words that appear in ~~*italics and strikethrough*~~ are letters and words in the current NCAA Division III rule that would be deleted with the adoption of the proposal;
- The letters and words that appear in **bold face and underlined** are letters and words that would be added with the adoption of the proposal; and
- The letters and words that appear in normal text are letters and words in the current Division III rule that would remain unchanged with the adoption of the proposal.

2. What appears in the white pages of the NCAA Division III Official Notice?

The white pages of the NCAA Division III Official Notice contain the legislative proposals that will be voted on individually at the NCAA Division III business session. Anticipated questions and answers related to each of the proposals appearing in the white pages are contained in this question and answer guide.

3. What is the difference between the Presidents Council grouping and the general grouping of proposals?

The NCAA Division III Presidents Council has determined that it will focus primarily on those national issues in Division III athletics that prompt widespread concern among Division III chancellors or presidents.

The Presidents Council has identified six proposals that it believes are of particular interest to Division III chancellors or presidents and has included them in the Presidents Council grouping. The remaining proposals are included in the general grouping. All proposals have been identified by the Presidents Council for a roll-call vote.

4. What appears in the blue pages of the Official Notice?

The blue pages of the Official Notice contain three types of legislative proposals. The proposals appearing in the blue pages have already been adopted by the authority of the NCAA Division III Management Council. These proposals have an immediate effective date from the time of adoption. These groups of proposals will be ratified by the NCAA Division III membership during the Division III business session. If a delegate objects to the incorporation of any one of these legislative proposals, that objection should be raised prior to the ratification of the package of proposals. (It is preferred that any delegate

intending to raise an objection also inform a member of the NCAA academic and membership affairs staff of that intent before the Division III business session.) The Division III membership would then vote on the proposal in question via a separate action.

The questions and answers document does not address proposals that are included in the blue pages. The blue pages, however, include an "additional information" section with each proposal that provides additional clarification regarding the proposal.

The three types of legislation contained within the blue pages are listed below:

- Interpretations to be incorporated in the 2020-21 NCAA Division III Manual. These interpretations have already been accepted by the membership and the only issue that is before the membership is whether they should be set forth in the Division III Manual.
- Noncontroversial legislation adopted by the Management Council. These proposals constitute all noncontroversial legislative changes the Management Council has adopted during the past year. The Management Council is permitted to adopt such legislation, if it is necessary, to promote the normal and orderly administration of the Association's legislation.
- Modifications of wording. These proposals are modifications to current legislation that have been shown to be consistent with the intent of the membership in adopting the current legislation. To approve such a change, the Management Council has determined that sufficient documentation and testimony exists to establish clearly that the original wording of the legislation requires modification to better reflect the original intent.



**NCAA Division III Proposal No. 2020-1 (2-1)**

**Title:** NCAA MEMBERSHIP – ACTIVE MEMBERSHIP AND MEMBER CONFERENCE – CONDITIONS AND OBLIGATIONS OF MEMBERSHIP – ATHLETICS DIVERSITY AND INCLUSION DESIGNEE

**Effective Date:** August 1, 2020.

**Source:** NCAA Division III Presidents Council [Management Council (Minority Opportunities and Interests Committee)].

**Intent:** To specify that an active member institution or conference shall designate an athletics diversity and inclusion designee to be the primary contact and conduit for diversity and inclusion-related information.

**Question No. 1:** What is the definition of an "athletics diversity and inclusion designee (ADID)?"

**Answer:** An ADID is a staff member that the chancellor/president or commissioner or their proxy appoints in areas related to diversity and inclusion within athletics departments and member conferences. The designee will serve as the department's/office's conduit for information related to national, local and campus-level issues of diversity and inclusion, and the department's/office's promoter of diverse and inclusive practices related to athletics.

**Question No. 2:** What is "diversity and inclusion-related information?"

**Answer:** Diversity and inclusion-related information includes resources intended to support a member's ability to establish and maintain an environment that values cultural diversity and gender equity among its student-athletes and intercollegiate athletics department and conference office staff (NCAA Constitution 2.2.2)

**Question No. 3:** Who may be designated as an athletics diversity and inclusion designee?

**Answer:** The ADID can be any staff member of the institution or conference office that is appointed by the chancellor/president or commissioner (or their proxy).

**Question No. 4:** Does this proposal require the athletics diversity and inclusion designee to be a newly hired position?

**Answer:** No, the role can be an added responsibility to an existing staff position; however, the NCAA Minority Opportunities and Interests Committee recommends that it not be an institution's director of athletics.

**Question No. 5:** What functions should the athletics diversity and inclusion designee perform?

**Answer:** This individual would be the primary contact for information related to initiatives, programming and resources from the NCAA, specifically from diversity-related committees and the NCAA office of inclusion. The expectation would be for the ADID to receive and disseminate the information and share it with those who need to have it. For example, if the information is related to postgraduate scholarship opportunities, the ADID would ensure it is shared with student-athletes; whereas, if the information is linked to national trends and upcoming issues, the ADID will ensure that the athletics director and other senior administrators are informed. At the direction of the campus/conference office leadership, the ADID could participate in training and development to increase and enhance competencies associated with leading and facilitating inclusion initiatives.

**Question No. 6:** Is there specific training required of the athletics diversity and inclusion designee?

**Answer:** There is no specific training required for the ADID; however, the Minority Opportunities and Interests Committee recommends that designees participate in diversity and inclusion programming when possible to be a better informed and educated advocate of diversity and inclusion.

**Question No. 7:** Will institutions be required to report to the NCAA the name of the individual appointed as the athletics diversity and inclusion designee?

**Answer:** Yes, annually, the contact information for the ADID will be submitted through the NCAA Sports Sponsorship and Demographic form.

**Question No. 8:** Would this proposal allow an institution to identify multiple individuals to be the athletics diversity and inclusion designee?

**Answer:** No.

**Proposal No. 2020-2 (2-3)**

**Title:** DIVISION MEMBERSHIP -- APPLICATION PROCESS -- PROVISIONAL INSTITUTION -- REDUCE WAITING PERIOD FROM FOUR YEARS TO THREE YEARS

**Effective Date:** August 1, 2020.

**Source:** American Collegiate Athletic Association; American Southwest Conference; and USA South Athletic Conference.

**Intent:** To amend legislation related to the Division III provisional process as follows: (1) For non-NCAA members, reduce the provisional process from four to three years; (2) Expect that process will continue to include a one year exploratory membership requirement; (3) While a waiver of exploratory membership will remain in place, there will no longer be a waiver during the provisional process; (4) Specify that if an institution is unable to gain full active membership within this time frame, there is a one-time opportunity to repeat a year in question, through recommendation of the NCAA Division III Membership Committee.

**Question No 1:** What is the current timeline for a non-NCAA member to become a NCAA Division III member?

**Answer:** Under the current rule, it is a five-year process for a non-NCAA member institution to become a NCAA Division III member. Those five years consist of an exploratory year followed by a four-year provisional process. There are two waivers currently available to shorten this time period. An institution could apply to the Division III Membership Committee to have the exploratory year waived (see NCAA Bylaw 20.3.1.1.3 for waiver criteria) and then later to have the third provisional year waived (see Bylaw 20.3.3.1.1 for waiver criteria). The Membership Committee can also extend the provisional process a year for those institutions not progressing as necessary.

**Question No. 2:** If this proposal is adopted, how would the timeline change?

**Answer:** If this proposal is adopted, it would reduce the provisional process from four to three years and eliminate the provisional year three waiver. The exploratory year would remain unchanged as would the waiver for the exploratory year.

**Question No. 3:**      How would this proposal impact the requirements unique to year four of the provisional process?

**Answer:**              Under the current rule, year four requirements are educational in nature and include attendance at the NCAA Convention and NCAA Regional Rules Seminar and the submission of an annual report. All of these are already included in each year of the provisional process. Consequently, there are no current fourth-year requirements that would have to be completed in the reduced time frame identified in the proposal.

**Question No. 4:**      If adopted, would this proposal change the timing of any requirements for student-athletes at a provisional institution?

**Answer:**              No. Currently, an institution must administer its athletics program in accordance with the NCAA constitution, bylaws and other legislation as of the first year of the provisional process (Bylaw 20.3.4). Additionally, if a student-athlete is receiving athletics aid, that student-athlete may no longer receive that athletics aid at the completion of the second year of the provisional process and participate in intercollegiate athletics (Bylaw 20.3.4.1).

**Question No. 5:**      How is the proposed three-year process different than the current process when a waiver of year three is granted?

**Answer:**              The primary difference involves athletics aid.

Under the current four-year process an institution may continue to honor existing athletics aid awards to participating student-athletes for the first two years of the provisional process. However, in year three the institution can only continue to honor those awards if the students no longer participate in athletics.

To satisfy a year three waiver, under the current rule the institution must show (among other things) that they did not award athletics aid during any provisional year.

Under the proposed three-year process, the requirements for athletics aid would be the same for years one through three as they are in the current four-year process without the waiver. Therefore, an institution could honor athletics aid awards to participating student-athletes through year two of the provisional process.

**Question No. 6:**     How many institutions are currently in the provisional membership process?

**Answer:**             Six, of which five would be impacted by the proposed legislation.

**Question No. 7:**     If adopted, how would this proposal impact institutions that are currently in the provisional membership process?

**Answer:**             If this proposal is adopted, institutions currently in the provisional membership process would have their membership process reduced by one year. Specifically, two of the five impacted institutions would be moved into the final year of provisional membership.

**Question No. 8:**     If adopted, will this proposal change the number of institutions permitted to be in the membership process?

**Answer:**             No. Bylaw 20.3.2 permits a maximum of four institutions to be admitted to the provisional or reclassifying membership program in any one year, and a maximum of 12 provisional or reclassifying institutions participating in the program in total. The proposal does not change these limitations.

**Question No. 9:**     How would this proposal affect a provisional member that is required to repeat a year of the membership process?

**Answer:**             An institution that is required to repeat a year of the membership process remains in the year it is required to repeat. For example, a provisional member that is asked to repeat year two remains in year two of provisional membership, which is not equivalent to being in the third year of the membership period. Additionally, an institution may repeat only once during the provisional membership period. This would remain unchanged.

**Question No. 10:**   Would this proposal change the current fee to enter into the provisional process?

**Answer:**             The fee is currently based on the Membership Committee's review and determination of services provided during the provisional process. That review will continue, and the evaluation will be based on the services provided per the three-year process identified in the proposal.

**Proposal No. 2020-3 (2-10)**

**Title:** DIVISION MEMBERSHIP -- APPLICATION PROCESS -- RECLASSIFYING INSTITUTION -- REDUCE WAITING PERIOD FROM FOUR YEARS TO THREE YEARS

**Effective Date:** August 1, 2020.

**Source:** American Collegiate Athletic Association; American Southwest Conference; and USA South Athletic Conference

**Intent:** To amend legislation related to the Division III reclassifying process as follows: (1) For current NCAA members reclassifying to Division III, reduce the number of years in the reclassifying process from four to three years; (2) The process will also eliminate the one-year exploratory membership requirement; (3) Specify that if an institution is unable to gain full active membership within this time frame, there is a one-time opportunity to repeat a year in question, through recommendation of the Division III Membership Committee.

**Question No 1:** What is the current timeline for a NCAA Divisions I or II member to become a NCAA Division III member?

**Answer:** Under the current rule, it is a five-year process for an institution to become a NCAA Division III member. Those five years consist of an exploratory year followed by a four-year reclassifying process. There are two waivers currently available to shorten this time period. An institution could apply to the Division III Membership Committee to have the exploratory year waived (see Bylaw 20.6.4.1 for waiver criteria) and then later to have year three of the reclassifying process waived (see Bylaw 20.6.4.2 for waiver criteria). The Division III Membership Committee can also extend the reclassifying process a year for those institutions not progressing as necessary.

**Question No. 2:** If this proposal is adopted how would the timeline change?

**Answer:** If this proposal is adopted, it would reduce the reclassifying process from four to three years and eliminate the reclassifying year three waiver. The exploratory year would also be eliminated.

**Question No. 3:** How would this proposal impact the requirements unique to year four?

**Answer:** Under the current rule, year four requirements are educational in nature and include attendance at the Convention and Regional Rules Seminar and the submission of an annual report. All of these are already included in each year of the reclassifying process. Consequently, there are no current fourth-year requirements that would have to be completed in the reduced time frame identified in the proposal.

**Question No. 4:** If adopted, would this proposal change the timing of any requirements for student-athletes at a reclassifying institution?

**Answer:** No. Currently, an institution must administer its athletics program in accordance with the NCAA constitution, bylaws and other legislation as of the first year of the reclassifying process (Bylaw 20.6.5). Additionally, if a student-athlete is receiving athletics aid, that student-athlete may no longer receive that athletics aid at the completion of the second year of the reclassifying process and participate in intercollegiate athletics (Bylaw 20.6.5.1).

**Question No. 5:** How is the proposed three-year process different than the current process when a waiver of year three is granted?

**Answer:** The primary difference involves athletics aid.

Under the current four-year process an institution may continue to honor existing athletics aid awards to participating student-athletes for the first two years of the reclassifying process. However, in year three the institution can only continue to honor those awards if the students no longer participate in athletics.

To satisfy a year three waiver, under the current rule the institution must show (among other things) that they did not award athletics aid during any reclassifying year.

Under the proposed three-year process, the requirements for financial aid would be the same for years one through three as they are in the current four-year process without the waiver. Therefore, an institution could honor athletics aid awards to participating student-athletes through year two of the reclassifying process.

**Question No. 6:** If adopted, how would this proposal impact institutions that are currently in the reclassifying membership process?

**Answer:** If this proposal is adopted, no institutions will be impacted. Currently, there are two institutions in the reclassifying membership process, and both are in year four, meaning they may be eligible for active membership in 2020.

**Question No. 7:** If adopted, will this proposal change the number of institutions permitted to be in the membership process?

**Answer:** No. Bylaw 20.3.2. permits a maximum of four institutions to be admitted to the provisional or reclassifying membership program in any one year, and a maximum of 12 provisional or reclassifying institutions participating in the program in total. The proposal does not change these limitations.

**Question No. 8:** How would this proposal affect a reclassifying member that is required to repeat a year of the membership process?

**Answer:** An institution that is required to repeat a year of the membership process remains in the year it is required to repeat. For example, a reclassifying member that is asked to repeat year two remains in year two of reclassifying membership, which is not equivalent to being in the third year of the membership process. Additionally, an institution may repeat only once during the reclassifying membership process. This would remain unchanged.

**Question No. 9:** Would this proposal change the current fee to enter the provisional process?

**Answer:** The fee is currently based on the Division III Membership Committee's review and determination of services provided during the provisional/reclassifying process. That review will continue, and the evaluation will be based on a three-year reclassifying process if the proposal is adopted.

#### **Proposal No. 2020-4 (2-4)**

**Title:** AWARDS AND BENEFITS -- HOUSING AND MEALS -- EXCEPTIONS -- SNACKS AND NUTRITIONAL SUPPLEMENTS INCIDENTAL TO PARTICIPATION

**Effective Date:** August 1, 2020.

**Source:** Alvernia University; Berry College; East Texas Baptist University; Emory University; Farmingdale State College; Howard Payne University; Hardin-Simmons University; Knox College; LeTourneau University; Loras



College; Maine Maritime Academy; McMurry University; Salve Regina University; Swarthmore College; Sweet Briar College; University of Dubuque; University of Lynchburg; University of Mary Hardin-Baylor; University of Texas at Dallas; University of Wisconsin-Whitewater; and Wilmington College (Ohio).

**Intent:** To specify that an institution may provide snacks and permissible nutritional supplements to student-athletes as a benefit incidental to participation in intercollegiate athletics.

**Question No. 1:** What is the current rule regarding the provision of snacks and nutritional supplements to student-athletes?

**Answer:** The legislation primarily regulates when an institution may provide meals (as opposed to snacks) to student-athletes. Specifically, an institution may provide meals to student-athletes in the following circumstances:

- The day of a home contest;
- In conjunction with an away-from-home contest (including practice activities);
- During a vacation period when student-athletes are required to be on campus (e.g., preseason; winter break); and
- When a meal was missed due to practice activities.

Outside the above, there are a few limited exceptions (e.g. educational meetings, celebratory events) where an institution may provide a meal or reasonable refreshments.

An institution may only provide nutritional supplements in conjunction with a permissible meal.

If the institution has a food bank available to all students or otherwise provides for students generally, then student-athletes may also benefit from these resources in the same way as the general student body.

Providing meals, snacks or nutritional supplements beyond these parameters would constitute an extra benefit.

**Question No. 2:** How would this proposal change the current rule?

**Answer:** An institution would still be permitted to provide the meals and nutritional supplements as described in the answer to Question No. 1. The proposal allows for institutions to provide snacks and nutritional supplements as a benefit incidental to participation. The institution determines the manner, timing and scope in which to provide for the additional nutritional needs of its student-athletes.

**Question No 3:** How is a snack differentiated from a meal per the proposal?

**Answer:** The proposal does not define what a snack is or differentiate a snack from a meal. The proposal identifies that the allowance for snacks incidental to participation is for additional calories and electrolytes and it is left to the institution to determine the best way to provide that benefit.

Below is a table addressing the current and proposed rules regarding when an institution may provide a meal or snack.

|  | Meals   |          | Snacks  |          |
|--|---------|----------|---------|----------|
|  | Current | Proposed | Current | Proposed |
| Educational/business meetings.   | No      | Yes      | Yes     | Yes      |
| Celebratory events.  | No      | Yes      | Yes     | Yes      |
| On day of home contest.  | Yes     | Yes      | Yes     | Yes      |
| Away-from-home competition and practice.   | Yes     | Yes      | Yes     | Yes      |
| In conjunction with practice.  | No      | No       | No      | Yes      |
| In conjunction with practice if practice resulted in missing a meal that was previously paid by the student-athlete. | Yes     | Yes      | Yes     | Yes      |
| Preseason practice before academic year.   | Yes     | Yes      | Yes     | Yes      |
| Vacation period when required to be on campus.   | Yes     | Yes      | Yes     | Yes      |
| In conjunction with voluntary workout outside the playing season.  | No      | No       | No      | Yes      |
| In conjunction with a nontraditional practice.   | No      | No       | No      | Yes      |

**Question No. 4:** Does the proposal permit an institution to provide a student-athlete cash to purchase a snack?

**Answer:** No. An institution may only provide the snack and not cash or some other means to purchase a snack.

**Question No. 5:** What nutritional supplements may be provided to a student-athlete if the proposal is adopted?

**Answer:** The NCAA Committee on Competitive Safeguards and Medical Aspects of Sports, along with the NCAA Sports Science Institute, has provided guidance for Divisions I and II institutions regarding permissible nutritional supplements. That guidance is consistent for both divisions and would apply to Division III if this proposal passes. It states that an institution would be able to provide nutritional supplements for the purpose of providing additional calories and electrolytes, identified according to the following classes: (a) carbohydrate/electrolyte drinks; (b) energy bars; (c) carbohydrate boosters; (d) protein supplements; (e) omega-3 fatty acids; and (f) vitamins and minerals.

An institution may not provide a nutritional supplement that contains an NCAA banned substance. Additionally, it is not permissible for an institution to provide a nutritional supplement to student-athletes if:

- a. The nutritional supplement includes any impermissible ingredient;
- b. The nutritional supplement lists any parts of protein separately (e.g., amino acid); or
- c. The nutritional supplement lists a "proprietary protein" or "protein blend," unless the proteins in the proprietary blend are identified on the label and are from whole food sources.

The following is a list of nutritional supplements/ingredients as developed by the CSMAS. The list is not exhaustive but should assist institutions in determining the types of nutritional supplements that may be provided to student-athletes.

| Permissible   | Not Permissible <sup>1</sup>   |
|---|--|
| <ul style="list-style-type: none"> <li>• Calorie replacement drinks.</li> <li>• Carbohydrate/electrolyte replacement drinks.</li> <li>• Energy bars.</li> <li>• Fish oil (omega-3 fatty acids).</li> <li>• Protein supplements (e.g., protein powder).</li> <li>• Vitamins and minerals.</li> </ul> | <ul style="list-style-type: none"> <li>• Amino acids (including amino acid chelates).</li> <li>• Chondroitin.</li> <li>• Chrysin.</li> <li>• CLA (Conjugated Linoleic Acid).</li> <li>• Creatine/creatine-containing compounds.</li> <li>• Garcinia cambogia (hydroxycitric acid).</li> <li>• Ginkgo biloba.</li> <li>• Ginseng.</li> <li>• Glucosamine.</li> <li>• Glycerol.<sup>2</sup></li> <li>• Green tea.</li> <li>• HMB.</li> <li>• Carnitine.</li> <li>• Melatonin.</li> <li>• MSM (Methylsulfonyl methane).</li> <li>• Tribulus.</li> <li>• Yohimbe.</li> </ul> |

<sup>1</sup>*It is permissible for an institution to provide any supplement to a student-athlete for medical purposes, provided such substances are provided by a licensed medical doctor to treat a specific, diagnosed medical condition (as opposed to prescribing them for preventative reasons).*

<sup>2</sup>*Glycerine or glycerol as a binding ingredient in a supplement product is permissible.*

**Proposal No. 2020-5 (2-5)**

**Title:** AWARDS AND BENEFITS -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- PERMISSIBLE PRACTICE EXPENSES -- EXCEPTIONS FOR GOLF AND SWIMMING AND DIVING

**Effective Date:** Immediate.

**Source:** American Rivers Conference and Minnesota Intercollegiate Athletic Conference.

**Intent:** To allow an institution to provide practice expenses in the sports of golf and swimming and diving during an official vacation period regardless of location.

**Question No. 1:** Under the current rule, when may an institution provide expenses for practice?

**Answer:** Under current legislation, an institution may only provide expenses for practice if they are associated with an away-from-home contest, or if the practice is conducted at a site located within the state of the institution or, if outside the state, not more than 100 miles from the institution's campus.

**Question No. 2:** If the proposal is adopted, what would change?

**Answer:** If adopted, this proposal would allow institutions to pay expenses for practice in the sports of golf and swimming and diving beyond the current geographic limits (see answer to Question No. 1) without the team having to engage in a contest, provided the practice occurs during an official vacation period, the student-athletes are eligible and do not miss class.

**Question No. 3:** Would this proposal permit an institution to provide expenses associated with practice that occurs during any official vacation period?

**Answer:** No. The proposal only creates an exception for an official vacation period that occurs during the institution's declared playing and practice season.

**Question No. 4:** Does a student-athlete need to be eligible for practice or competition to receive the practice expenses allowable under the proposal?

**Answer:** If the institution provides expenses associated with practice pursuant to this exception, (i.e., beyond the 100 miles or outside the state), then the student-

athlete will need to be eligible for competition to receive these expenses. This proposal creates an exception to the requirement that outside of these geographic limitations, competition must occur in order to justify the provision of expenses. For eligibility purposes, the practice activities shall be treated as if they were being conducted in conjunction with a competition.

**Question No. 5:** May a student-athlete that is serving a transfer year-in-residence receive the practice expenses allowable under the proposal?

**Answer:** No. A student-athlete serving a transfer year-in-residence is not eligible for competition; therefore, the student-athlete may not receive the expenses for practice under this exception.

**Question No. 6:** Are there any limits on where these practice activities may occur?

**Answer:** Yes. The proposal only permits an institution to provide for expenses for practice that occurs in the continental United States.

**Question No. 7:** Are there similar exceptions for other sports in Division III?

**Answer:** Yes. For the sports of skiing and women's rowing, a member institution may transport a team to a practice site beyond the mileage limits if necessitated by weather conditions.

**Proposal No. 2020-5-1**

**Title:** AWARDS AND BENEFITS -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- PERMISSIBLE PRACTICE EXPENSES -- EXCEPTIONS FOR GOLF

**Effective Date:** Immediate.

**Source:** American Rivers Conference and Minnesota Intercollegiate Athletic Conference.

**Intent:** To allow an institution to provide practice expenses in the sport of golf during an official vacation period regardless of location.

**Question No. 1:** How does this amendment-to-amendment change the original proposal?

**Answer:** This amendment-to-amendment would eliminate the sport of swimming and diving from the original proposal.

**Question No. 2:** What is the process for voting on an amendment-to-amendment?

**Answer:** There will be two votes, as follows:

- Proposal No. 2020-5 will be introduced to the membership.
- An individual from the membership will stand and move the proposal and it will be seconded.
- Proposal No. 2020-5-1 (the amendment-to-amendment) will then be introduced to the membership; it will be moved and seconded.
- After discussion, the first vote is to determine if the membership wants to amend Proposal No. 2020-5 as set forth in Proposal No. 2020-5-1.
- If the membership votes "yes" on the first vote, then the second vote is to approve or defeat Proposal No. 2020-5 as amended.
- If the membership votes "no" on the first vote, then the second vote is to approve or defeat Proposal No. 2020-5 as originally submitted.

**Proposal No. 2020-6 (2-6)**

**Title:** ATHLETICALLY RELATED ACTIVITIES -- LEADERSHIP PROGRAMMING OUT-OF-SEASON INVOLVING ATHLETICS RELATED INFORMATION AND CONTENT (GENERAL IN NATURE)

**Effective Date:** August 1, 2020.

**Source:** North Coast Athletic Conference and Upper Midwest Athletic Conference.

**Intent:** To allow student-athletes serving in a team leadership capacity to voluntarily participate in leadership programming involving general, athletics-related content/information outside of the declared playing season with any member of an institution's coaching staff, provided the content of the programming does not include any: (a) Field, floor, or on-court activity; (b) Setting up offensive or defensive alignment; (c) Chalk talk; (d) Lecture on or discussion of strategy related to the specific-sport of the student-athlete(s); (e) Activities using equipment related to the sport; (f) Discussion

or review of game films, motion pictures or videotapes related to the sport;  
or (g) Any other athletically related activity.

**Question No. 1:** What does the current legislation permit?

**Answer:** Currently, student-athletes and their coaches may participate in leadership and other programming involving sports-related information outside the playing and practice season if: (1) Similar programming is available to students generally; (2) The programming is not limited to members of a specific team; and (3) Participation is voluntary. Further, there is no restriction on the frequency or length of these activities.

**Question No. 2:** How does the proposal change the current rule?

**Answer:** If the proposal is adopted, it would still be permissible to engage in leadership activities involving sports-related information as set forth in the answer to Question No.1. The proposal would, under certain conditions, also allow coaches to engage in leadership programming involving sports-related information with their student-athlete leaders outside the season, without having to include members from other teams. The specific conditions for this engagement are as follows: (1) The programming does not include the practice activities as defined in Bylaw 17.02.1.1; (2) The programming occurs during the academic year and is completed no later than five days before the start of the institution's official final examination period; (3) The programming is limited to one 90-minute meeting per week, not more than ten times outside the season; and (4) The programming plan is submitted to the athletics director and compliance officer.

**Question No. 3:** What activities would be impermissible if the proposal is adopted?

**Answer:** All athletically related activities listed in Bylaw 17.02.1.1-(a)-(k) will continue to be impermissible outside the playing and practice season. These practice activities include, but are not limited to field, floor or on-court activity; chalk talk; film review; competition; required weight-training, camps, clinics and individual workouts and practice called by members of the team.

**Question No. 4:** What does it mean to be serving in a "team leadership capacity?"

**Answer:** A student-athlete serving in a "team leadership capacity" is any team member identified by the coach as serving in a team leadership capacity.



**Question No. 5:** Could a team have different groups of student-athlete leaders for each leadership program?

**Answer:** Yes. Since the definition of team leadership is broad in nature, a team could include different leaders for each leadership program to allow multiple student-athletes the opportunity to participate in leadership programming. There is no limit to the number of student-athletes from a team that may be involved in leadership programming under this proposal. However, the intent of the proposal is for these programming sessions to occur in small group settings. Institutions will define what constitutes a small group based on the student-athletes involved and the type of programming.

**Question No. 6:** Are there any limits on the number of athletics leadership programming sessions in which a student-athlete may participate?

**Answer:** Yes. A student-athlete would only be permitted to engage in 10 leadership programming sessions outside the playing and practice season and no more than one, 90-minute session per week. These limitations apply per sport.

**Question No. 7:** What is "athletics-related general information?"

**Answer:** "Athletics-related general information" is any information that may involve any number of leadership and/or personal development topics that involve sport or are set within the context of athletics. Athletics-related general information would not permit a coach to discuss skill technique, game tactics, training programs or review film related to the sport.

**Question No. 8** The proposal would require that the activities be voluntary. How is voluntary defined?

**Answer:** Voluntary is defined in Bylaw 17.02.14 and includes the following:

1. If the activity is not being conducted by the coach, the student-athlete must not be required to report back to a coach or other athletics department staff member any information related to the activity nor may any athletics department staff member who observes the activity report back to the student-athlete's coach any information related to the activity;
2. Neither the institution nor any athletics department staff member may require the student-athlete to participate in the activity at any time;

3. The student-athlete's attendance and participation in the activity (or lack thereof) may not be recorded for the purposes of reporting such information to coaching staff members or other student-athletes; and
4. The student-athlete may not be subjected to penalty if he or she elects not to participate in the activity. In addition, neither the institution nor any athletics department staff member may provide recognition or incentives (e.g., awards) to a student-athlete based on his or her attendance or performance in the activity.

**Question No. 9:** What benefits may the institution provide as part of leadership programming permitted under this proposal?

**Answer:** The proposal does not expressly permit an institution to provide any benefits in conjunction with the leadership programming. However, an institution may provide benefits that are permitted under NCAA Division III legislation (e.g., refreshments provided for student-athlete educational meetings).

**Question No. 10:** Can the leadership programming occur off-site or must it occur on-site?

**Answer:** The proposal does not permit an institution to finance the leadership programming, unless similar programming is available to the institution's students. As such, the leadership programming could occur at any site, provided the student-athletes are voluntarily engaging in the activity, the programming does not exceed 90 minutes once per week and the student-athletes pay for any expenses associated with the programming. This would include the cost of any transportation to attend or return from the programming activity.

**Question No. 11:** Is prior approval needed for this leadership programming?

**Answer:** The plan for the leadership programming must be on file with the institution's director of athletics and compliance officer, if these are separate individuals, before any of the programming activities occur.

**Question No. 12:** Would this type of leadership programming be permitted to occur during a vacation period?

**Answer:** No. The leadership programming may occur outside of the declared playing and practice season, but it may not occur during an official vacation period. This would include the summer, between terms and before initial enrollment.

**Question No. 13:**     Can the leadership programming involve a ropes course or other physical activity?

**Answer:**             No, physical activities remain prohibited.

**Proposal No. 2020-7 (2-8)**

**Title:**                     DIVISION MEMBERSHIP -- PLAYING AND PRACTICE SEASONS --  
EMERGING SPORTS FOR WOMEN -- WOMEN'S EQUESTRIAN

**Effective Date:**        August 1, 2020.

**Source:**                 Adrian College; Albion College; Alfred State College; Alvernia University; Berry College; Bethany College (West Virginia); Bridgewater State University; East Texas Baptist University; Emory University; Morrisville State College; Nazareth College; Roger Williams University; Randolph-Macon College; Salve Regina University; State University of New York at Geneseo; State University of New York at New Paltz; Sweet Briar College; University of Lynchburg; Wentworth Institute of Technology; and Wilson College.

**Intent:**                 To add equestrian as an emerging sport for women and establish legislation related to playing and practice seasons and membership.

**Question No. 1:**       What is an emerging sport?

**Answer:**                 An emerging sport is a women's sport recognized by the NCAA that is intended to help schools provide more athletics opportunities for women and see if the sport grows to championship level. The NCAA Committee on Women's Athletics is charged with identifying and managing progress of emerging sports for women. Additional information about the NCAA emerging sport for women program, including the policies and procedures, is located through  
<http://www.ncaa.org/about/resources/inclusion/emerging-sports-women> .

**Question No. 2:**       How long will a sport remain an emerging sport?

**Answer:**                 NCAA bylaws require that emerging sports must gain championship status within 10 years or show steady progress toward that goal to remain on the list.

**Question No. 3:**      How many institutions must sponsor women's equestrian as a sport for it to gain championship status?

**Answer:**              Because women's equestrian is an individual sport, at least 40 institutions across all three divisions must sponsor women's equestrian to establish a National Collegiate Championship. For a Division III championship, at least 40 Division III member institutions must sponsor the sport.

**Question No. 4:**      May an emerging sport be used to satisfy sport-sponsorship requirements?

**Answer:**              Institutions may use emerging sports to help meet the NCAA membership minimum sports-sponsorship requirements provided minimum contest and participant requirements are met.

**Question No 5:**      If the institution has a varsity women's equestrian program, will they need to apply Division III legislation?

**Answer:**              Yes. If women's equestrian becomes an emerging sport for women and is recognized by the institution as a varsity program, then the institution must apply the constitution, bylaws, interpretations and other legislation of the Association to the institution's varsity women's equestrian program.

**Question No. 6:**      Are all three divisions considering proposals to add women's equestrian to the emerging sport list for women?

**Answer:**              No. Divisions I and II already recognize equestrian as an emerging sport for women.

**Question No. 7:**      Have the playing rules for women's equestrian been developed?

**Answer:**              No. The NCAA does not create or administer playing rules for an emerging sport until there is an established National Collegiate Championship or division championship for that sport.

**Question No. 8:**      What is the proposed championship segment for women's equestrian?

**Answer:**              Spring.

**Question No. 9:**      What would be the length of the playing and practice season for women's equestrian?

**Answer:** The length of the playing and practice season (traditional and nontraditional) would be 19 weeks, in accordance with the segment limitations in Bylaw 17.1.1.3.3.1 (sports with spring championships).

**Question No. 10:** What are the maximum dates of competition for the team and the student-athlete?

**Answer:** A member institution must limit its total playing schedule with outside competition in women's equestrian to eight dates of competition. Likewise, each student-athlete is limited to eight dates of competition.

**Question No. 11:** What are the minimum number of participants and contests required for an institution to use equestrian for sport sponsorship?

**Answer:** An institution must complete at least three contests against varsity programs from four-year, degree-granting collegiate institutions. In addition, the institution must have at least a minimum of six participants in each contest that is used to count toward meeting the minimum-contests requirements.

**Question No. 12:** How would mixed equestrian teams be treated for sports-sponsorship purposes?

**Answer:** Mixed equestrian teams would be considered a men's sport and, therefore, could not be used for sports-sponsorship purposes.

**Question No. 13:** If the proposal is adopted, and women's equestrian becomes a Division III sport, could an institution pay riding fees and stable fees?

**Answer:** Yes. These types of expenses would be permissible practice and competition expenses for the sport under Bylaw 16 and are not considered financial aid for purposes of NCAA bylaws.

#### PRIZES AND AWARDS

**Question No. 14:** In the sport of women's equestrian, is it permissible for a student-athlete to accept prize money or expenses based on performance in an event?

**Answer:** Only during the institution's summer vacation period (and outside the declared playing and practice season) may student-athletes, in individual sports, accept prize money not to exceed actual and necessary expenses based on place, finish or performance in an open athletics event (an event that is not invitation only) [Bylaw 12.1.5.1]. Further, such prize money may be provided only by the sponsor of the open event. Actual and necessary

expenses include necessary travel, lodging and meals, entry fees, and apparel and equipment for the specific event. The calculation of actual and necessary expenses shall not include the expenses for anyone other than the student-athlete (e.g., parent).

**Question No. 15:** May a women's equestrian student-athlete receive an award for participating in a competition?

**Answer:** Any award (e.g., saddle) received by a student-athlete for participating in any competition while not representing the institution must conform to the regulations of the recognized amateur organization that governs the competition.

Any award received by the student-athlete for participation in competition while representing their institution must comply with the limitation in Bylaw 16.1.

**Question No. 16:** Would women's equestrian student-athletes be permitted to accept prize money awarded in disciplines in which the performance of the student-athlete's horse is judged?

**Answer:** No. NCAA legislation does not distinguish equestrian disciplines in which the rider is judged from those disciplines in which the horse is judged. Therefore, prize money won in any equestrian discipline is attributable to the student-athlete and subject to the parameters of Bylaws 12.1.5.1 and 12.1.5.2, regardless of whether the performance of the student-athlete, the student-athlete's horse, or both is being judged.

#### NON-VARSITY PROGRAM

**Question No. 17:** If the proposal passes, does an institution that sponsors a non-varsity equestrian program have to apply NCAA regulations?

**Answer:** No. If the institution does not designate its equestrian program as a varsity program, then it does not have to adhere to Division III legislation.

**Question No. 18** May an institution sponsor both a varsity equestrian program and a separate non-varsity equestrian program?

**Answer** Yes.

**Question No. 19:** If an institution sponsors both a varsity equestrian program and a separate non-varsity program that participates in non-NCAA competition, can varsity competitors compete with the non-varsity program?

**Answer:** No. A student-athlete may compete individually in an outside event, but the institution could not provide expenses for that participation, nor could the student-athlete use any apparel or equipment from the institution.

**Question No. 20:** If an institution sponsors both a non-varsity program and a varsity program, can a student-athlete transition from the non-varsity program to the varsity team?

**Answer:** Yes, but the student-athlete would have to be certified (e.g. amateurism, seasons of participation, academic eligibility) in the same manner as any other student-athlete.

### **Proposal No. 2020-8 (2-7)**

**Title:** DIVISION MEMBERSHIP, PLAYING AND PRACTICE SEASONS -- EMERGING SPORTS FOR WOMEN -- ACROBATICS AND TUMBLING

**Effective Date:** August 1, 2020.

**Source:** NCAA Division III Management Council (Committee on Women's Athletics).

**Intent:** To add acrobatics and tumbling as an emerging sport for women and establish legislation related to playing and practice season and membership.

**Question No. 1:** What is an emerging sport?

**Answer:** An emerging sport is a women's sport recognized by the NCAA that is intended to help schools provide more athletics opportunities for women and see if the sport grows to championship level. The NCAA Committee on Women's Athletics is charged with identifying and managing progress of emerging sports for women. Additional information about the NCAA emerging sport for women program, including the policies and procedures, is located through <http://www.ncaa.org/about/resources/inclusion/emerging-sports-women>.

**Question No. 2:** How long may a sport be identified as an emerging sport?

**Answer:** NCAA bylaws require that emerging sports must gain championship status within 10 years or show steady progress toward that goal to remain on the list.

**Question No. 3:** How many institutions must sponsor an emerging sport for it to gain championship status?

**Answer:** Acrobatics and tumbling is a team sport, and as an emerging team sport a National Collegiate Championship may be established if 40 institutions across all three divisions sponsor the sport; or a Division III championship may be established if at least 28 Division III institutions sponsor the team sport.

**Question No. 4:** May an emerging sport be used to satisfy sport-sponsor requirements?

**Answer:** Institutions may use emerging sports to help meet the NCAA membership minimum sports-sponsorship requirements provided minimum contest and participant requirements are met.

**Question No. 5:** If the proposal is adopted, will Division III institutions be required to sponsor acrobatics and tumbling?

**Answer:** No. Institutions maintain autonomy regarding the sports it sponsors at the varsity level.

**Question No. 6:** If the institution has a varsity acrobatics and tumbling team, will that team need to apply Division III legislation?

**Answer:** Yes. If acrobatics and tumbling becomes an emerging sport and the institution identifies its team as a varsity team, the institution must apply the constitution, bylaws, interpretations and other legislation of the Association to the institution's varsity acrobatics and tumbling team.

**Question No. 7:** If the institution has an acrobatics and tumbling club team, will that team need to apply Division III legislation?

**Answer:** No. The club team is not required to adhere to Division III legislation until the institution recognizes the team as a varsity team. An institution is permitted to sponsor the sport at the varsity or club level.

**Question No. 8:** Are all three divisions considering proposals to add acrobatics and tumbling to the emerging sport list for women?



**Answer:** Yes. Division I will vote on the proposal in April 2020 and Division II will consider the proposal at the 2020 NCAA Convention.

**Question No. 9:** Have the playing rules for women's acrobatics and tumbling been developed?

**Answer:** Since the NCAA does not create playing rules for an emerging sport until there is an established National Collegiate Championship or divisional championship, the playing rules established by the National Collegiate Acrobatics and Tumbling Association will be used for women's acrobatics and tumbling.

**Question No. 10:** What is the proposed championship segment for women's acrobatics and tumbling?

**Answer:** Spring.

**Question No. 11:** What would be the length of the playing and practice season for women's acrobatics and tumbling?

**Answer:** The length of the playing and practice season would be 19 weeks, in accordance with the segment limitations in Bylaw 17.1.1.3.3.1 (sports with spring NCAA championship). Those 19 weeks would include both the traditional and nontraditional segment of the declared playing and practice season.

**Question No. 12:** What is the maximum number of dates of competition for the team and the student-athlete?

**Answer:** A member institution must limit its total playing schedule with outside competition in acrobatics and tumbling to 12 dates of competition. All these contests must occur during the traditional segment of the declared playing season. Further, the 12 dates of competition may include not more than two tri-meets, which are meets that occur on one day and consist of three teams competing in the same contest.

**Question No. 13:** Are there any specific limitations as to how the dates of competition must be allocated between the traditional and nontraditional segment of the playing season?

**Answer:** Yes. For acrobatics and tumbling no contests are permitted during the nontraditional portion of the playing season, including any contests exempted under Bylaw 17.1.4.5 (standard contests or dates of competition

exemption). All dates of competition must occur during the traditional segment of the playing season. However, an institution is permitted to engage in an exempted foreign tour per Bylaw 17.29.

**Question No. 14:** What are the minimum number of participants and contests required for an institution to use acrobatics and tumbling for sport sponsorship?

**Answer:** An institution must complete at least six contests against varsity programs from four-year, degree-granting collegiate institutions. In addition, the institution must have at least 18 participants in each contest that is counted toward meeting the minimum-contests requirements.

**Question No 15:** Are acrobatics and tumbling and gymnastics considered the same sport?

**Answer:** No. For the purposes of amateurism and outside competition legislation, acrobatics and tumbling and gymnastics are considered different sports.

**Question No. 16:** If an institution sponsors both a club team and a varsity team, can a student-athlete transition from the club team to the varsity team?

**Answer:** Yes, but the student-athlete would have to be certified in the same manner as any other student.

### **Proposal No. 2020-9 (2-9)**

**Title:** DIVISION MEMBERSHIP, PLAYING AND PRACTICE SEASONS -- EMERGING SPORTS FOR WOMEN -- WOMEN'S WRESTLING

**Effective Date:** August 1, 2020.

**Source:** NCAA Division III Management Council (Committee on Women's Athletics).

**Intent:** To add women's wrestling as an emerging sport for women and establish legislation related to playing and practice seasons and membership.

**Question No. 1:** What is an emerging sport?

**Answer:** The NCAA Committee on Women's Athletics is charged with identifying and managing progress of emerging sports for women. An emerging sport is a women's sport recognized by the NCAA that is intended to help schools provide more athletics opportunities for women and see if the sport grows

to championship level. Additional information about the NCAA emerging sport for women program, including the policies and procedures, is located through <http://www.ncaa.org/about/resources/inclusion/emerging-sports-women>.

**Question No. 2:** How long will a sport remain an emerging sport?

**Answer:** NCAA bylaws require that emerging sports must gain championship status within 10 years or show steady progress toward that goal to remain on the list.

**Question No. 3:** How many institutions must sponsor an emerging sport for it to gain championship status?

**Answer:** Because women's wrestling is an individual sport, at least 40 institutions across all three divisions must sponsor women's wrestling to establish a National Collegiate Championship. For a Division III championship, at least 40 Division III member institutions must sponsor the sport.

**Question No. 4:** May an emerging sport be used to satisfy sport-sponsor requirements?

**Answer:** Institutions may use emerging sports to help meet the NCAA membership minimum sports-sponsorship requirements provided minimum contest and participant requirements are met.

**Question No. 5:** If the proposal is adopted, will Division III institutions be required to sponsor women's wrestling?

**Answer:** No. Institutions maintain autonomy regarding the sports it sponsors at the varsity level.

**Question No 6:** If the institution has a varsity women's wrestling team, will that team need to apply Division III legislation?

**Answer:** Yes. If women's wrestling becomes an emerging sport and the institution identifies its team as a varsity team, the institution must apply the constitution, bylaws, interpretations and other legislation of the Association to the institution's varsity women's wrestling team.

**Question No. 7:** If an institution has a women's wrestling club team, will that team need to apply Division III legislation?

**Answer:** No. The club team is not required to adhere to Division III legislation until the institution recognizes the team as a varsity team.

**Question No. 8:** Are all three divisions considering proposals to add wrestling to the emerging sport list for women?

**Answer:** Yes. Division I will vote on the proposal in April 2020 and Division II will consider the proposal at the 2020 NCAA Convention.

**Question No. 9:** Have the playing rules for women's wrestling been developed?

**Answer:** Since the NCAA does not create playing rules for an emerging sport until there is an established National Collegiate Championship or divisional championship, the playing rules established by USA Wrestling will be used for women's wrestling.

**Question No. 10:** What is the proposed championship segment for women's wrestling?

**Answer:** Winter.

**Question No. 11:** What would be the length of the playing and practice season for women's wrestling?

**Answer:** As a sport with a winter championship, the playing and practice season for women's wrestling is limited to a maximum of 19 weeks (Bylaw 17.1.1.3.2). Additionally, the playing and practice season may not begin before October 10.

**Question No. 12:** What is the maximum number of dates of competition for the team and individual student-athletes?

**Answer:** A member institution must limit its total playing schedule with outside competition in women's wrestling to 16 dates of competition.

**Question No. 13:** Are there specific limitations as to the maximum numbers of dates of competition?

**Answer:** The dates of competition may include not more than two, two-day meets that shall count as a single date of competition.

**Question No. 14:** What would be the minimum number of participants and contests required for an institution to use women's wrestling for sport sponsorship?

**Answer:** An institution must complete at least seven contests against varsity programs from four-year, degree-granting collegiate institutions. In addition, the institution must have at least a minimum of six participants in each contest that is counted toward meeting the minimum-contests requirements.

**Question No. 15:** Are there any additional restrictions regarding outside competition for a student-athlete in the sport of women's wrestling?

**Answer:** Yes. In addition to the prohibition of outside competition during the institutions declared playing and practice season, a student-athlete in the sport of women's wrestling would be prohibited from competing as a member of an outside team or as individual from the beginning of the institution's academic year to November 1.

**Question No. 16:** If an institution sponsors both a club team and a varsity team, can a student-athlete transition from the club team to the varsity team?

**Answer:** Yes, but the student-athlete would have to be certified in the same manner as any other student-athlete.

**Proposal No. 2020-10 (2-2)**

**Title:** NCAA MEMBERSHIP -- MEMBER CONFERENCE -- ELIGIBILITY -- COMPOSITION OF CONFERENCE -- PROVISIONAL OR RECLASSIFYING MEMBERS AS CORE MEMBERS

**Effective Date:** August 1, 2020.

**Source:** NCAA Division III Presidents Council [Management Council (Membership Committee)].

**Intent:** To specify that institutions in years three and four of the NCAA Division III provisional and reclassifying membership process may count towards the requisite seven institutions necessary to comprise a conference, provided there are at least four active member institutions.

**Question No. 1:** What is the current rule regarding the requirements for the composition of a conference?

**Answer:** Under the current rule, a conference shall be comprised of at least seven core institutions.

**Question No. 2:**      What is the definition of a core institution?

**Answer:**              A core institution is an active Division III member institution that is a member of an NCAA Division III conference and participates in that conference in more than one conference-sponsored sport.

**Question No. 3:**      What is the current rule regarding how provisional members are classified for purposes of conference composition?

**Answer:**              Under the current rule, a conference may include provisional members in addition to the required seven core members. However, provisional members do not count as core members and cannot be used to meet the minimum members needed to comprise a conference.

**Question No. 4:**      If adopted, how would the proposal differ from the current legislation?

**Answer:**              If this proposal is adopted, institutions in years three and four of the provisional and/or reclassifying membership process may be considered as core members for comprising a conference, provided there are at least four active member institutions.

**Question No. 5:**      What happens if an institution in year three or four of the provisional or reclassifying membership process does not become an active member?

**Answer:**              If the provisional or reclassifying member is one of the seven core conference member institutions required for conference composition, then the conference would trigger the grace period outlined in Bylaw 3.3.1.2.4. At the end of the grace period, if the conference does not meet the composition requirement to continue to qualify as a member conference, it will enter restricted status, which would include the loss of such membership privileges as voting, automatic qualification, and grant and initiative funding.

**Question No 6:**      What would happen if a provisional or reclassifying member is required to repeat a year of the membership process?

**Answer:**              An institution that is required to repeat a year of the membership process remains in the year it is required to repeat. For example, a provisional member that is asked to repeat year two remains in year two of provisional membership. Therefore, only provisional or reclassifying members that are in years three and four can repeat a year of the membership process and still qualify towards the composition of a conference.

**Question No. 7:** Will this proposal apply to a single-sport conference?

**Answer:** Yes. If this proposal is adopted, it would apply to single-sport conferences.

**Question No. 8:** If this proposal is adopted would it change when a conference would start receiving conference grant-program funds?

**Answer:** If this proposal is adopted, the timing for receipt of conference grants funds would remain unchanged. A new conference would still be required to serve a two-year waiting period before being eligible to receive conference grant funding.

**Question No. 9:** May provisional or reclassifying institutions used to satisfy conference composition requirements receive strategic grant-conference funding?

**Answer:** No. Provisional/reclassifying member institutions will not be included in the calculation used to determine a conference's share of strategic grant funding.

**Question No 10:** How would waivers granted to institutions in the membership process impact this proposal?

**Answer:** If this proposal is adopted, waivers granted to institutions during the membership process would not impact this proposal. Currently, an institution may apply for a waiver of the four-year membership process at the completion of year two of the provisional or reclassifying membership process, provided it meets the criteria outlined in Bylaw 20.3.3.1.1. If the waiver is approved, the institution advances from year two to year four of the membership process.

**Question No 11:** Will this proposal change if one or both of the proposals that reduce the length of time for provision or reclassifying members to become active members is adopted by the membership at the 2020 Convention?

**Answer:** If one or both of the noted proposals are adopted, this proposal will be revised to conform to the legislation as amended. Specifically, this proposal will be rewritten to specify that an institution must be in year three of the membership process to count towards conference composition.

**Proposal No. 2020-11 (2-11)**

**Title:** DIVISION MEMBERSHIP -- SPORT CLASSIFIED IN DIVISION I --  
APPLYING DIVISION I LEGISLATION

**Effective Date:** Immediate.

**Source:** NCAA Division III Management Council (Membership Committee).

**Intent:** To permit Division III member institutions with Division I sports to apply all NCAA Division I legislation, except Bylaw 15 (financial aid), to the Division I sports.

**Question No. 1:** Currently, which division's legislation does a Division III institution apply to Division I sports that it sponsors?

**Answer:** Under the current rule a member institution, that has one or more sports classified in Division I, must apply the rules of both divisions or the more stringent rule if both divisions have a rule concerning the same issue. Further, the institution may apply the Division I playing and practice season regulations of Bylaw 17 in the Division I sport (Bylaw 20.7.1.1). The institution has to follow Division III financial aid regulations unless the institution satisfies the exception set forth in Bylaw 20.7.1.1.1.

**Question No. 2:** How would this proposal change the current rule?

**Answer:** If this proposal is adopted, a member institution that has one or more sports classified in Division I will apply Division I legislation to those sports in all areas, except financial aid. For this area, the institution will apply Division III financial aid legislation unless specifically exempted per Bylaw 20.7.1.1.1.

**Question No. 3:** How many Division III institutions sponsor Division I sports?

**Answer:** Ten.

**Question No. 4:** Will the number of Division III institutions that sponsor a Division I sport increase?

**Answer:** Currently, Division I legislation prohibits any additional Divisions II or III institutions to reclassify an existing sport to Division I. The only sports from Division III institutions that are classified as Division I were classified as such during the 2010-11 academic year. The only exception to this



prohibition permits a Division III institution with a Division I sport to petition to have the sport of the opposite gender classified as Division I.

**Question No. 5:** Will Division III institutions be able to award athletics aid for their Division I sport?

**Answer:** If this proposal is adopted, only institutions that currently offer athletically related financial aid to their Division I student-athletes may continue offering it.

**Proposal No. R-2020-12**

**Title:** RESOLUTION -- SOFTBALL/BASEBALL NATIONAL CHAMPIONSHIP TOURNAMENT TIMING

**Source:** Allegheny Mountain Collegiate Conference, Commonwealth Coast Conference, Great Northeast Athletic Conference, Michigan Intercollegiate Athletic Association and North Eastern Athletic Conference.

**Question No. 1:** What is the resolution asking to happen?

**Answer:** The resolution is asking the Division III Baseball Committee; Division III Softball Committee and the Division III Championships Committee to review the timing of the championship tournament in those sports and consider the feasibility of aligning the two tournaments, and moving the tournament later to allow institutions the flexibility to conduct regular season contests later in the spring. Currently, the specific dates of these tournaments are not proscribed in Division III bylaws, and the baseball, softball and championship committees oversee the timing of tournament dates. Finally, the resolution is asking that any resulting changes be implemented no later than for the 2023 championships to account for current timing of the championship bid process.

**Question No. 2:** Does voting in favor of the resolution mean that this proposed alignment of the baseball/softball tournaments or moving them later will occur?

**Answer:** No, this is not a legislative proposal. Rather, if approved, this resolution is a directive from the membership to the baseball, softball and championships committees to engage in discussion regarding the overall impact (e.g. regular season implications, budget, student-athlete experience) of potential changes to the timing of these tournaments.



**2020 NCAA CONVENTION  
DIVISION III PRESIDENTS SCHEDULE  
ANAHEIM, CALIFORNIA  
JANUARY 21-25, 2020**

**SUPPLEMENT NO. 12  
DIII Presidents Council 01/20**

**DIVISION III OFFICE  
Orange County 3**

| TIME                        | DIVISION III   | ASSOCIATION-WIDE  | ROOM LOCATION                          |
|-----------------------------|--|---|--|
| <b>Thursday, January 23</b> |  |   |  |
| 8:30 to 9:30 a.m.           |  | Chancellors and Presidents Engagement                                   | Grand Ballroom E                       |
| 8:30 to 9:30 a.m.           | Division III Education Session: "Collaborative Approaches – When Mental Health Intersects with Student-Athlete Identities. | Association-wide Programming (5 sessions)                               | Convention Center Room 201             |
| 9:15 to 11:15 a.m.          | Division III Presidents Council Meeting [Must be a member of this committee to attend]                                     |   | Platinum Ballroom 3-4                  |
| 9:45 to 11:15 a.m.          | Division III Education Session: Crisis Management: Being Your Best During Your Institution's Worst Days.                   | Association-wide Programming (5 sessions)                               | Convention Center Room 204             |
| 11:30 a.m. to 1 p.m.        | Division III Chancellors/Presidents Luncheon   |   | Marquis Ballroom Northwest             |
| 1 to 3 p.m.                 | Special Olympics Unified Sports Activity   |   | Anaheim Convention Center Room 213 A-C |
| 1:15 to 2:15 p.m.           |  | Association-wide Programming (5 sessions)                               |  |
| 2:30 to 4 p.m.              | Division III Education Session: NADIIIAA: Growing Our Next Generation of Leaders through Mentorship and Opportunity        | Association-wide Programming (5 sessions)                               | Convention Center Room 207             |
| 4:30 to 6 p.m.              |  | NCAA Plenary Session: State of College Sports [Doors open at 4:15 p.m.] | Convention Center Anaheim Ballroom     |
| 6 to 7:30 p.m.              |  | Delegates Reception   | Convention Center ACC North 200 Level  |
| <b>Friday, January 24</b>   |  |   |  |
| 7 to 8 a.m.                 | Division III Delegate Breakfast  |   | Platinum Ballroom 5-10                 |
| 8 to 11 a.m.                | Division III Issues Forum  |   | Marquis Ballroom                       |
| 11:30 a.m. to 1 p.m.        |  | Association Luncheon [Ticket required]                                  | Convention Center Anaheim Ballroom     |
| 1 to 5:30 p.m.              | Conference Meetings  |   |  |
| 5:30 to 7:30 p.m.           | LGBTQ and Allies Reception   |   | Platinum Patio                         |
| 6 to 7 p.m.                 | Division III SWA Reception   |   | Platinum Ballroom 10                   |
| 6 to 7 p.m.                 |  | FARA Reception  | Grand Ballroom E                       |
| <b>Saturday, January 25</b> |  |   |  |
| 7 to 8 a.m.                 | Division III Delegates Breakfast   |   | Marquis Ballroom Foyer                 |
| 8 a.m. to 11 a.m.           | Division III Business Session  |   | Marquis Ballroom                       |

National Collegiate Athletic Association  
Joint Meeting of the Division III Presidents Council,  
Management Council and Student-Athlete Advisory Committee

Marquis Ballroom Northwest  
Anaheim Marriott

January 23, 2020  
7:30 to 9 a.m.

- |           |    |  |
|-----------|----|--|
| 7:45 a.m. | 1. | Opening remarks. [Sue Henderson]   |
| 7:50 a.m. | 2. | Recognition of SAAC leadership. [Madison Burns]                          |
|           | 3. | SAAC report on key issues. [Brady Keller]                                |
|           | a. | Mental health initiative.  |
|           | b. | Sustainability.  |
|           | c. | Name, Image and Likeness.  |
| 8:10 a.m. | 4. | 2020 legislative proposals. [Annabelle Feist]                            |
|           | a. | Committee positions.   |
|           | b. | Questions and answers.   |
| 8:25 a.m. | 5. | Round table discussions. [All attendees, led by NJ Kim]                  |
|           | a. | Discuss vaping and marijuana use on campus by student-athletes.          |
|           | b. | Discuss best practices for sexual assault and domestic abuse prevention. |
| 8:55 a.m. | 6. | Adjournment. [Mika Costello]   |



**Management Council/Presidents Council/  
Student-Athlete Advisory Committee  
Seating Chart  
Thursday, January 23, 2020  
86 Attendees**

**SUPPLEMENT NO. 13b  
DIII Presidents Council 01/20**

**Table 1**

Sue Henderson  
Stevie Baker-Watson  
Madison Burns  
Dan Dutcher

Michelle Morgan  
Mike Litz  
Liv Coletta

**Table 2**

Tori Murden McClure  
Heather Benning  
NJ Kim  
Louise McCleary

Richard Dunsworth  
Mika Costella  
Elle Pickrell

**Table 3**

Fayneese Miller  
Gerard Bryant  
Annabelle Feist  
Eric Hartung

Stephen Briggs  
Cat Lanigan  
Sydney Rainey

**Table 4**

Tiffany Franks  
Brad Bankston  
Hannah Durst  
Debbie Kresge

Braly Keller  
JT Klopccic  
Scott McGuinness

**Table 5**

Margaret Drugovich  
Chuck Brown  
Fran Capaldi  
Adam Skaggs

Bill Fritz  
Mikayla Arimura  
Justice Mercadel

**Table 6**

Mary Beth Cooper  
Dennis Shields  
Lottie Ellis  
Corey Berg

Javier Cevallos  
Emily Goodwin  
Cassandra Contigiani

**Table 7**

Teresa Amott  
Troy Hammond  
Sammy Kastner  
Mike McMahon

Kevin Lammers  
Sarah Feyerherm  
Casey Hipp

**Table 8**

Kathleen Murray  
Elsa Nunez  
Anthony Francois  
Kiana Verdugo

Mike Vienna  
Ireland Clare Kennedy  
Mckenzie Maneggia

**Table 9**

Kate Conway-Turner  
Jason Fein  
Colby Pepper  
Luisa Valles

Laura Mooney  
Christine Mayorga  
Alyssa Leventer

**Table 10**

Rob Lindgren  
Tim Millerick  
Lori Mazza  
Patrick Malin

Abigail Newkirk  
Kristin Lasker  
Diamond Onomake  
Bridget Finn

**Table 11**

Troy Paino  
Denise Udelhofen  
Kandis Schram  
Jake Santellano

Annie MacMillan  
Mikayla McCartney  
Owen Harkins

**Table 12**

Kent Trachte  
Joe Walsh  
Kate Roy  
Arcel Kabongo Ngoy

Isaiah Swann  
MC Trueting  
Lillian Chamberlin

**Not Attending:** Jeff Myers, Bill Regan, Brynna Barnhart, Cameron Gardner Nicolson, CJ Pakeltis, Emily Carr, and Sarah Schmidt.

**A G E N D A**

The National Collegiate Athletic Association

2020 Division III Issues Forum

Anaheim Marriott  
Marquis Ballroom

January 24, 2020  
8 to 11 a.m.

- |                     |    |   |
|---------------------|----|---|
| 8 to 8:15 a.m.      | 1. | Welcome and Overview. [Sue Henderson, President, New Jersey City University]  |
| 8:15 to 9:15 a.m.   | 2. | Generational Gaps. [Haydn Shaw, People Driven Results]  |
| 9:15 to 10:15 a.m.  | 3. | Name, Image and Likeness. [Tori Murden-McClure, Spalding University; Mary-Beth Cooper, Springfield College; Darryl Sims, University of Wisconsin-Oshkosh; and Braly Keller, Nebraska Wesleyan University] |
| 10:15 to 10:55 a.m. | 4. | 2020 Legislative Proposals and Q&A. [Jeff Myers, director of academic and membership affairs for Division III and Bill Regan, associate director of academic and membership affairs for Division III]     |
| 10:55 to 11 a.m.    | 5. | Final Remarks. [Henderson]  |
| 11 a.m.             | 6. | Adjournment.  |



**A G E N D A**

The National Collegiate Athletic Association

Division III Presidents and Chancellors Luncheon

Marquis Ballroom Northwest  
Anaheim, California

January 23, 2020  
11:30 a.m. to 1 p.m.

- |                     |    |   |
|---------------------|----|---|
| 11:30 a.m.          | 1. | Lunch served.   |
| 11:45 a.m. to noon  | 2. | Welcome and remarks. [Sue Henderson, President, New Jersey City University]   |
| Noon to 12:15 p.m.  | 3. | 2020 Convention legislative review. [Jeff Myers, Director of Academic and Membership Affairs for Division III]                        |
| 12:15 to 12:25 p.m. | 4. | Update on Association-wide issues. [Mark Emmert, NCAA President and Donald Remy, Chief Operating Officer, Law, Policy and Governance] |
| 12:25 to 12:55 p.m. | 5. | Roundtable discussions – Name, Image and Likeness. [Mary-Beth Cooper, President, Springfield College]                                 |
| 12:55 to 1 p.m.     | 6. | Open forum.   |
| 1 p.m.              | 7. | Closing remarks and adjournment. [Henderson]  |

**TABLE ASSIGNMENTS**  
**PRESIDENTS LUNCHEON AND FORUM**  
**Friday, January 24, 2020**  
**11:30 a.m. to 1 p.m.**

Table One – Teresa Amott

Table Two – Javier Cevallos

Table Three – Kate Conway-Turner and Tiffany Franks

Table Four – Mary Beth Cooper

Table Five – Margaret Drugovich and Kathy Murray

Table Six – Bill Fritz and Richard Dunsworth

Table Seven – Tori Murden McClure

Table Eight – Elsa Nunez and Fayneese Miller

Table Nine – Kent Trachte and Troy Hammond

Table Ten – Bob Lindgren and Troy Paino

President's Council members will serve as moderator and note taker at their respective tables. All notes should be given or emailed to Debbie Kresge, [dkresge@ncaa.org](mailto:dkresge@ncaa.org).

Thank you!





**A G E N D A**

The National Collegiate Athletic Association

2020 Division III Business Session

Anaheim Marriott  
Marquis Ballroom

January 25, 2020  
8 to 11 a.m.

- |                     |    |  |
|---------------------|----|--|
| 8 to 8:10 a.m.      | 1. | Welcome and Announcements. [Sue Henderson, President, New Jersey City University]  |
| 8:10 to 8:20 a.m.   | 2. | Division III SAAC Update and Video. [Madison Burns, National SAAC]   |
| 8:20 to 8:30 a.m.   | 3. | Election of New Management Council Members. [Keri Luchowski, Executive Director, North Coast Athletic Conference]  |
| 8:30 to 8:40 a.m.   | 4. | Acceptance of Convention Notice and Program. [Henderson]   |
| 8:40 to 10:30 a.m.  | 5. | Voting on Presidential and General Groupings. [Henderson and Stevie Baker Watson, Associate Vice President for Campus Wellness and Director of Athletics, DePauw University] |
| 10:30 to 10:45 a.m. | 6. | Open Forum.  |
| 10:45 a.m.          | 7. | Closing Remarks. [Henderson]   |
| 11 a.m.             | 8. | Adjournment.   |

**REPORT OF THE  
NCAA BOARD OF GOVERNORS  
October 29, 2019, MEETING**

**ACTION ITEMS:**

- None.

**INFORMATONAL ITEMS:**

1. **Welcome and announcements.** NCAA Board of Governors chair Michael Drake convened the meeting at approximately 7:30 a.m. and welcomed everyone. President Drake welcomed new members Ken Chenault, David Wilson and Randy Woodson to their first in-person meeting.
2. **Consent agenda.** By way of a consent agenda, the Board of Governors approved the reports of its August 6, 2019, meeting, its September 3, 2019, teleconference and its September 3-4, 2019, voting opportunity.
3. **NCAA president's report.** NCAA President Mark Emmert noted that while most of the day's discussion would center on the NCAA Board of Governors Federal and State Legislation Working Group recommendations, he wanted to note another important matter for future dialogue. President Emmert informed the Board that the Association has been working for some time on how to ensure a fair competitive environment for transgender student-athletes. Recently, the landscape on how to manage fair standards for competition for transgender athletes has changed in other sports arenas (e.g., Olympics, international competition) and the NCAA has been monitoring those changes. With the upcoming Olympics, the discussion of the issue will become more frequent and as the NCAA continues to review its policy, there may be a request to revise it.
4. **NCAA championships sponsorship restrictions.** The Board was reminded of its previous actions to revise the Association-wide policy to allow each of the divisions to pursue division-specific legislation regarding alcohol sales and advertising at championship events. Division I voted to allow the sale of beer and wine at championships events. All three divisions currently are considering legislation to modify or eliminate limitations related to alcohol advertising (i.e., advertising of malt beverages, beer and wine is limited to those products that do not exceed six percent alcohol by volume, advertisements are limited to not more than 60 seconds per hour of any telecast or broadcast) in conjunction with NCAA championships. The Board was asked to consider modifying the championships sponsorship restrictions to permit sponsorships by liquor, beer or wine companies. After due consideration, the Board declined to support modification of those sponsorship categories.

It was VOTED

“That the Board of Governors support modifications of the Association-wide championships sponsorship policy as well as endorse any efforts by divisional bodies to modify legislation to permit championship sponsorships by liquor, beer or wine companies.”

**Motion failed.** [For 7 (Drake, Hargis, Hill, Jordan, Khator, Machtley, Olson), Against 11 (Capilouti, Chenault, Coleman, DeGioia, Henderson, Maher, McDonough, Murden-McClure, Murthy, Wilson, Woodson), Abstain 0.]

5. **NCAA strategic plan update.** Strategic Planning Working Group Chair Glen Jones and Reshma Patel-Jackson, Attain consultants project lead, updated the Board on the strategic planning process, including an additional feedback session with divisional governance groups.
6. **NCAA Board of Governors Finance and Audit Committee report.** In the absence of the committee chair, the NCAA chief financial officer presented the committee's report.
  - a. **NCAA internal audit year-end review for 2018-19.** The Finance and Audit Committee received a review of the prior fiscal year audits that were performed under staff's purview. In summary, 13 audits were completed with 69 percent of the reports showing adequate internal controls. Thirty-one percent showed controls that should be enhanced, and zero instances where controls were inadequate. All findings that reflected a need for improvement have mitigation plans in place that have been completed or are on target to complete.
  - b. **Update to FY 2019-20 NCAA internal audit plan.** An additional audit by a third party audit firm was introduced to the 2019-20 audit plan. The additional audit relates to non-scholastic basketball financial transparency efforts. In 2019-20, the NCAA started requesting and collecting financial information from non-scholastic basketball teams and event coordinators.

It was VOTED

"That the Board of Governors approve the change to the 2019-20 internal audit plan."  
(Unanimous voice vote.)

- c. **Approval of new committee member, Melody Bianchetto, to the NCAA Board of Governors Finance and Audit Committee.** The committee recommended Melody Bianchetto, vice president for finance at the University of Virginia, be appointed to the Finance and Audit Committee.

It was VOTED

"To approve the appointment of Melody Bianchetto to the Board of Governors Finance and Audit Committee." Motion passed. (Unanimous voice vote)

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

- a. **NCAA Sports Science Institute/NCAA Committee on Competitive Safeguards and Medical Aspects of Sports.** The NCAA chief medical officer reviewed the differences in the divisional legislation regarding concussion management plan protocols. Division I legislation requires an annual submission of concussion safety protocol to the NCAA Concussion Safety Protocol Committee for review. In Divisions II and III, schools are

required to have a concussion management plan for its student-athletes, and that the plan adheres to the process and format (e.g., concussion protocol checklist) prescribed by the Board of Governors or its designee. With the creation of the new NCAA Concussion Advisory Group, whose work is overseen by the Committee on Competitive Safeguards and Medical Aspects of Sports, it was recommended that the CSMAS be designated to prescribe the process and format of Divisions II and III concussion management plans as specified in the NCAA Constitution.

It was VOTED.

“That the Board of Governors approve the recommendation.” Motion passed. (Unanimous voice vote.)

- b. **Government relations.** The Board was informed of state and federal legislative activity related to sports wagering and student-athletes’ ability to benefit from use of their name, image and likeness included in the quarterly government relations report.
- c. **Legal and litigation update.** NCAA general counsel facilitated a privileged and confidential discussion regarding several matters of ongoing litigation.

- 8. **NCAA Federal and State Legislation Working Group report.** Val Ackerman and Gene Smith, working group co-chairs presented the working group report and recommendations related to student-athletes benefitting from the use of their name, image and likeness. Nicholas Clark, chair of the NCAA Board of Governors Student-Athlete Engagement Committee, shared the student-athlete perspective on the issue. The Board accepted the report (see Attachment) and the included recommendations.

It was VOTED

“It is the policy of the Association that NCAA member schools may permit students participating in athletics the opportunity to benefit from the use of their name, image and/or likeness in a manner consistent with the values and beliefs of intercollegiate athletics. To effectuate this change, the Board of Governors directs each of the three divisions to immediately begin considering modification and modernization of relevant NCAA bylaws and rules in harmony with the following principles and guidelines:

- Assure student-athletes are treated similarly to non-athlete students unless a compelling reason exists to differentiate.
- Maintain the priorities of education and the collegiate experience to provide opportunities for student-athlete success.
- Ensure rules are transparent, focused and enforceable and facilitate fair and balanced competition.
- Make clear the distinction between collegiate and professional opportunities.
- Make clear that compensation for athletics performance or participation is impermissible.
- Reaffirm that student-athletes are students first and not employees of the university.

- Enhance principles of diversity, inclusion and gender equity.
- Protect the recruiting environment and prohibit inducements to select, remain at, or transfer to a specific institution.

The federal and state working group will continue to gather feedback from the membership and its student-athletes through April 2020 on how best to respond to the state and federal legislative environment and refine its recommendations on the Association-wide principles and regulatory framework. The working group will periodically report its progress to the Board of Governors including at its January and April 2020 meetings and provide regular public briefings about its progress. Further, gathering as much feedback and information as necessary through a process that is inclusive and transparent, divisions shall work to create new NCAA bylaws reflecting divisional priorities on a timeline most appropriate for those authorized to legislate, commencing immediately and concluding not later than January 2021.

These guidelines, principles and potential changes will form the basis for those continued conversations and engagement with state and federal lawmakers around enacted, introduced and proposed legislation on name, image and likeness. Further, the Board directs the NCAA leadership to develop and advance a comprehensive plan to prepare the membership to collaborate with legislators on important issues in college sports.

Lastly, the Board reaffirms its commitment to the college model of athletics in America. We – our schools, conferences, and the NCAA national governance boards – exist for the purpose of providing for the well-being of the over 500,000 student-athletes and will continue to advocate for them. This has been exhibited through benefits such as \$3.5 billion in scholarships annually; degree-completion programs; enhanced nutrition and wellness; academic assistance; and much more. Let us continue to work together to advocate and provide for the best interests of the student-athlete, working with them, on our campuses and nationally.” Motion passed. (Unanimous voice vote.)

**9. Adjournment.** The meeting adjourned at approximately 12:08 p.m.

*Board of Governors chair: Michael Drake, The Ohio State University*

*Staff liaisons: Jacqueline Campbell, Law, Policy and Governance  
Donald M. Remy, Law, Policy and Governance.*

| <b>NCAA Board of Governors<br/>October 29, 2019, Meeting</b>   |  |
|--|--|
| <b>Attendees</b>   |  |
| Stevie Baker-Watson, DePauw University.  |  |
| Grace Calhoun, University of Pennsylvania.   |  |
| Eli Capilouto, University of Kentucky.   |  |
| Ken Chenault, General Catalyst.  |  |
| Mary Sue Coleman, Association of American Universities.  |  |
| John DeGioia, Georgetown University.   |  |
| Michael Drake, The Ohio State University.  |  |
| Mark Emmert, NCAA.   |  |
| Burns Hargis, Oklahoma State University.   |  |
| Sue Henderson, New Jersey City University.   |  |
| Grant Hill, CBS/Warner Media/Atlanta Hawks.  |  |
| Sandra Jordan, University of South Carolina Aiken.   |  |
| Renu Khator, University of Houston.  |  |
| Laura Liesman, Georgian Court University.  |  |
| Ronald Machtley, Bryant University.  |  |
| Fr. James Maher, Niagara University.   |  |
| Denis McDonough, Former White House Chief of Staff.  |  |
| Tori Murden McClure, Spalding University.  |  |
| Vivek Murthy, 19 <sup>th</sup> United States Surgeon General   |  |
| Gary Olson, Daemen College.  |  |
| David Wilson, Morgan State University.   |  |
| Randy Woodson, North Carolina State University.  |  |
| <b>Absentees</b>   |  |
| Philip DiStefano, University of Colorado.  |  |
| Denise Trauth, Texas State University.   |  |
| Satish Tripathi, University at Buffalo, The State University of New York.  |  |
| <b>Guests</b>  |  |
| Val Ackerman, Board of Governors Federal and State Legislation Working Group co-chair.   |  |
| Greg Baroni, Attain, LLC.  |  |
| Nicholas Clark, Board of Governors Student-Athlete Engagement Committee chair.   |  |
| Briana Guerrero, Attain, LLC.  |  |
| Glen Jones, Board of Governors Strategic Planning Working Group chair.   |  |
| Reshma Patel-Jackson, Attain, LLC.   |  |
| Gene Smith, Board of Governors Federal and State Legislation Working Group co-chair.   |  |
| <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, Kimberly Fort, Dan Gavitt, Terri Gronau, Brian Hainline, Kevin Lennon, Kathleen McNeely, Stacey Osburn, Dave Schnase, Naima Stevenson, Cari Van Senus, Stan Wilcox and Bob Williams. |  |

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

**Federal and State Legislative Working Group  
Report to the NCAA Board of Governors  
October 23, 2019**

**Introduction.**

For the reasons identified in the Board of Governors [charge](#), and after our own further examination of the issues around name, image and likeness, we agree change is appropriate, necessary and in the best interest of student-athletes and the Association. The NCAA membership and its divisions have a long history of [expanding opportunities for college athletes](#), and enhanced opportunities related to name, image or likeness would be an appropriate extension of efforts to modernize NCAA rules in a way that is consistent with our values and principles. We believe additional flexibility in this space can and must continue to support the collegiate model in clear contrast to the professional sports model.

The working group spent many hours studying, considering extensive feedback, discussing and deliberating challenges and opportunities related to student-athlete engagement in activities that use a student-athlete's name, image or likeness in return for some form of compensation. As part of this process, the working group engaged a diverse group of stakeholders through in-person interviews, written feedback and formal presentations. These stakeholders included current and former student-athletes, faculty, presidents, conference commissioners, athletics administrators and coaches from Divisions I, II and III, as well as thought leaders and experts in the higher education and college sports communities. Members of the working group agree that issues related to such use are complex and any potential modifications should be carefully considered by the NCAA membership. Further, members of the working group agree that any changes must both enhance the student-athlete experience and support the collegiate model.

At this stage, the working group is prepared to make the following recommendations to the Board of Governors with the request that each division have the benefit of providing input to identify appropriate regulations and address divisional needs. Membership input and decision-making are the foundation of our voluntary association and, while our working group was a representative body, the issues here are so important, complex and challenging that we believe further dialogue is appropriate before we submit additional recommendations. These recommendations will form the basis for continued conversations and engagement with state and federal lawmakers around enacted, introduced and proposed legislation.

### **Recommendations.**

To best serve student-athletes, the Federal and State Legislation Working Group recommends that the Board of Governors:

- Authorize change in policy and bylaws to permit name, image and likeness benefits consistent with NCAA values and principles as well as with legal precedent.
- Reject any approach that would make student-athletes employees or use likeness as a substitute for compensation related to athletic participation and performance.
- Reaffirm the integrity of the student-athlete recruitment process, which is unique to college sports. Changes to NCAA name, image and likeness rules should support this principle and not result in undue influence on a student's choice of college.
- Extend the timeframe of this working group through April 2020 to continue to gather feedback and work with the membership on the development and adoption of new NCAA legislation.
- Endorse the regulatory framework described in this report as appropriate guardrails for future conversations and possible NCAA legislation.
- Instruct NCAA leadership on engagement with state and federal lawmakers.

The NCAA, over many years, has progressively adapted to changing student-athlete environments by adopting regulations that meet their needs in a manner consistent with NCAA values and principles, including the opportunity to receive cost of attendance. Our recommendations reject the idea of student-athletes as employees and the use of their name, image, or likeness as a substitute currency in a “pay-for-play” model.

The current state and federal legislative efforts are in conflict with NCAA values and principles and fail to differentiate the NCAA intercollegiate athletic experience from those of professional athletes. These efforts also undermine the legal precedent that the U.S. Supreme Court and other courts have afforded the NCAA to regulate intercollegiate athletics at a national level. What we are proposing within this document is a framework by which all student-athletes in all sports across all three divisions have the opportunity to engage in name, image and likeness activities without eroding the priorities of education and the collegiate experience.

NCAA member schools also continue to seek opportunities to allow prospective and current student-athletes to go directly into the professional leagues. Students should have choice and opportunity to select the professional model whenever they believe they are ready to pursue a professional sports career.



The law does not recognize name, image and likeness compensation to individuals in the broadcast of athletic events. Student-athletes cannot be afforded special publicity rights regarding name, image or likeness that are not available to the general population.

The working group recommends a uniform set of principles and a framework that will allow for equitable national collegiate competition and championships. State mandates such as the law enacted by California or those contemplated by other jurisdictions fail to address this necessary uniformity. NCAA legislation that allows for variability based on identified circumstances must first be vetted and adopted by the membership representing college athletics in all 50 states – not by a single state or even multiple states. The framework proposed by the working group will facilitate national consistency while allowing for divisional differences and greater student-athlete choice within our structure. This approach works for colleges and universities throughout our membership, public and private, urban and rural, in all three divisions and addresses the needs of 500,000 student-athletes nationwide. Institutions will need to consider how gender equity, including Title IX regulations, may be applied for all student-athletes.

Our recommendations are made with the explicit reliance on the principles, guidance, and framework identified below, based on the NCAA constitution and operating bylaws.

### **PRINCIPLES AND ADDITIONAL GUIDANCE FOR THE DECISION-MAKING PROCESS RELATED TO POTENTIAL NAME, IMAGE AND LIKENESS MODIFICATIONS**

Student-athletes may pursue and receive benefits for the use of their name, image and likeness in a manner consistent with the principles stated below.

1. In order to maintain the differentiation of collegiate and professional sports, payment to a student-athlete for use of his or her name, image or likeness should not be a substitute form of currency to pay for athletic performance or participation; nor should the payment serve as an inducement for a prospective or current student-athlete to select a particular NCAA member school.
2. Regulation of a student-athlete's name, image or likeness use should be transparent, narrowly tailored and enforceable, and it should facilitate the principle of fair competition among schools in a division, including the integrity of the recruiting process. While the concept of fair competition is important to all three divisions, all divisions recognize variability will exist among member schools based on institutional mission, priorities, resources and membership in a particular division or subdivision.
3. A student-athlete should be able to use his or her name, image or likeness similar to college students who are not student-athletes, while recognizing the importance of interstate, uniform competition and recruiting rules that are unique to NCAA athletics. To fairly balance these interests, there must be some factors that result in treating student-athletes differently.

When identifying a compelling reason to differentiate, through regulation, a student-athlete's name, image and likeness activities from those of a college student who is not a student-athlete, the following considerations may allow for additional flexibility in some form:

- a. Name, image and likeness benefits should be tethered to education.
- b. The determination and receipt of name, image and likeness benefits should be transparent, objective and reasonable.
- c. The activity is regulated to allow first amendment expression that is without the expectation of compensation.
- d. Regulation of a student-athlete's name, image and likeness use should promote student-athlete well-being and educational achievement.

#### **Regulatory framework developed by the working group.**

The working group spent considerable time discussing a regulatory framework that will serve as guidance for additional discussions by the working group and the divisions' governance structures, as well as the enactment of future NCAA legislation. The working group believes the framework is consistent with NCAA values and principles, enhances the collegiate model, affirms an appropriate nexus between higher education and intercollegiate athletics and supports the guiding principles developed by the working group.

It is important that the framework addresses both current and future opportunities related to the use of a student-athlete's name, image or likeness. The working group will continue to develop resource materials, including targeted issues for discussion, that will inform the group and the membership about licensing and monetization opportunities so that proper assessment can occur before additional recommendations are provided to the Board of Governors in April 2020.

The working group conceptualized name, image and likeness benefits and opportunities on a continuum. At one end of the spectrum, the working group generally believes student-athletes should be permitted to use their name, image or likeness to promote their own work product or business, particularly when the work product or business is not related to athletics. Even when the work product or business is related to athletics, the working group believes sufficient controls can be developed to mitigate potential abuse, including current rules related to recruitment offers and inducements and extra benefits, and permit student-athletes to pursue opportunities in a manner consistent with the collegiate model. Any regulation should focus on restricting behavior that is inconsistent with the collegiate model. Further, the working group acknowledges some amount of regulation may be necessary to ensure the relevant activities remain consistent with the principles developed by the working group.

It is important to note that NCAA bylaws already allow for student-athletes to have outside employment and business activity. This framework of review and regulation is specific to when student-athletes wish to lend their name, image or likeness to promote a student's own enterprise or an employer's business activity, such that name, image and likeness become intertwined.

Examples include but are not limited to:

- Student-athlete uses name, image or likeness to promote his or her legitimate commercial activity (for example, writing and publishing a book or charging a fee for a lesson).
- Student-athlete creates a social media channel to serve as the platform for his or her business.
- Student-athlete uses name, image or likeness to promote his or her own nonprofit organization.
- Student-athlete creates and produces a video series containing nutritional tips for athletes and distributes the content via social media.

Potential issues to consider:

- Whether a student-athlete is truly being compensated for the work product, as opposed to being compensated (directly or indirectly) for participation in NCAA athletics.
- Challenges of determining where “work product” ends and the name, image and likeness begins as the value-driver.
- Possible inappropriate involvement of institutional boosters that could impact enrollment decisions of prospective student-athletes.

Examples of regulation to consider:

- Prior approval from athletics director, faculty athletics representative or their designee (for example, the compliance administrator) to address potential pay-for-play and related concerns.
- Student-athletes may not miss class or required team activities to participate in promotional activities.
- No involvement of schools, employees or boosters in the development or promotion of these opportunities.
- No use of institutional, conference or NCAA brand marks.

- Include a “failsafe” or “backstop” provision to address obvious malfeasance not clearly prohibited by the legislation.

Next steps for working group and divisional governance structures:

- Develop regulation to mitigate potential abuse and ensure appropriate institutional oversight.
- Propose legislation to codify or develop waiver guidelines to facilitate or support the concepts noted above.
- Determine the extent to which current rules would apply to possible modifications.
- Examine and make recommendations about application of these rules to pre-enrollment activities.

On the other end of the spectrum of activities, the working group believes that the commercial value of a student-athlete’s name, image or likeness may be derived largely through that student-athletes association with his or her school and/or participation in NCAA athletics. As such, the working group believes that, in many cases, allowing student-athletes to be paid for the right to use their name, image or likeness in these circumstances could be tantamount to allowing compensation for athletic participation. Such compensation could be a substitute form of currency to pay for athletic performance, which is inconsistent with the principles developed by the working group. Without mitigation, these activities would be inconsistent with the collegiate model.

Potential issues to consider:

- Unregulated use of student-athlete name, image and likeness could inappropriately impact the recruitment process. (For example, a student-athlete’s endorsement agreement explicitly or implicitly requires the student-athlete to attend a particular college or university.)
- Representatives of a student-athlete’s interests or an institution’s athletics interests could inappropriately insert themselves into business agreements to provide enrollment inducements for prospective student-athletes or extra benefits for enrolled student-athletes.

Examples of regulation to consider:

- Agreements may not require or encourage enrollment in a particular school or set of schools.
- Institutions and boosters may not be involved in arranging endorsement activities.
- Institutional, conference and NCAA brand marks may not be used in any aspect of the activity.

- Student-athletes may not miss class or required team activities to participate in promotional activities.

Next steps for working group and divisional governance structures:

- Determine whether enforceable regulation could address the concerns around recruiting and improper inducement in order to make the activities permissible.
- Review and develop current agent and advisor regulations with respect to allowing student-athletes representation to further permissible name, image and likeness activities.
- Examine and make recommendations about application of these rules to pre-enrollment activities.
- Examine whether shared revenue activities generated by the commercial use of a student-athlete's name, image or likeness would be lawful.

**SUPPLEMENT NO. 17b**

**BOARD OF GOVERNORS  
AGENDA**

**WILL BE DISTRIBUTED**

**AT A LATER DATE**



**REPORT OF THE NCAA BOARD OF GOVERNORS  
STUDENT-ATHLETE ENGAGEMENT COMMITTEE  
NOVEMBER 14, 2019, TELECONFERENCE**

**ACTION ITEMS.**

- None.

**INFORMATIONAL ITEMS.**

1. **Welcome and announcements.** Nicholas Clark, chair of the NCAA Board of Governors Student-Athlete Engagement Committee, welcomed the committee members and thanked them for taking the time to participate on the call.
2. **Report of August teleconference.** The committee approved the report of its August 7, 2019, teleconference.
3. **NCAA Board of Governors Federal and State Legislation Working Group discussion.** The committee discussed the October 23, 2019, Federal and State Legislation working group report specific to name, image and likeness. Staff noted discussions continue to center on narrow, focused and enforceable rules that maintain fair, national competition without compensating student-athletes for their competition. Each division has been charged with reviewing name, image and likeness and providing legislative recommendations by April 2020, with an effective date of January 2021; however, nothing prevents any of the divisions from acting sooner.
4. **Sports wagering update.** The committee received an update on the work of the NCAA Board of Governors Ad Hoc Committee on Sports Wagering. Nicholas Clark, who served as a representative on the Ad Hoc Committee on Sports Wagering, noted that after gathering broad membership feedback, reviewing a number of research and expert opinion papers and seeking advice from professionals, the Ad Hoc committee concluded that player availability reporting is not a viable option at this time. The Ad Hoc committee noted that such reporting would not advance student-athlete well-being nor protect the integrity of competition. The Ad Hoc committee recommended that the NCAA national office, through the internal working group, emphasize educational efforts for the membership and continue to work collaboratively with conferences and institutions to support this effort. The Board of Governors accepted the Ad Hoc committee's final report.
5. **Strategic priorities.** The committee received an update on the One Love Foundation initiative and the communication developed by the committee to facilitate NCAA Student-Athlete Advisory Committee involvement. Additionally, NCAA staff provided information specific to the NCAA Life After the Game initiative. The committee continues to support Life After the Game and recommended members of the NCAA communications social media team speak with the committee about the initiative during its February 2020 teleconference. The committee's goal is to implement the campaign in May 2020.

6. **Future scheduled meetings.** The committee established the following future meeting schedule:
  - a. February 2020, teleconference; and
  - b. May 2020, teleconference.
7. **Other business.** The committee recognized the work of the departing members and thanked them for their participation.
8. **Adjournment.** The teleconference was adjourned at 1 p.m. Eastern time.

*Committee Chair:* Nicholas Clark, Coastal Carolina University, Former Division I Student-Athlete Advisory Committee

*Staff Liaisons:* Mark Bedics, Championships and Alliances  
 Todd Shumaker, Enforcement  
 Danielle Teetzel, Academic and Membership Affairs

| NCAA Board of Governors Student-Athlete Engagement Committee<br>November 14, 2019, Teleconference |  |
|---|--|
| <b>Participants:</b>  |  |
| Nicholas Clark, Coastal Carolina University, Former Division I SAAC.                              |  |
| Annabelle Feist, Williams College, Division III SAAC.   |  |
| Grant Foley, Delta State University, Division II SAAC.  |  |
| Maisha Kelly, Bucknell University, Division I Council.  |  |
| Jessica Koch, California State University, San Bernardino, Division II SAAC.                      |  |
| Justice Littrell, University of Northern Colorado, Division I SAAC.                               |  |
| Colby Pepper, Covenant College, Division III SAAC.  |  |
| Michael Rubayo, Swarthmore College, Former Division III SAAC.                                     |  |
| <b>Absentees:</b>   |  |
| Amanda Carroll, Florida Gulf Coast University, Division I SAAC.                                   |  |
| Sue Henderson, New Jersey City University, Board of Governors.                                    |  |
| Joshua Shapiro, Colorado Mesa University, Division II SAAC.                                       |  |
| <b>NCAA Staff Liaisons in Attendance:</b>   |  |
| Mark Bedics, Todd Shumaker and Danielle Teetzel   |  |
| <b>Other NCAA Staff in Attendance:</b>  |  |
| Scott Bearby, Ryan Bermudez and Chantee Eldridge.   |  |



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

**Congressional Overview**

As the first session of the 116<sup>th</sup> Congress nears an end, the impeachment inquiry into President Trump continues to dominate the agenda and headlines in Washington. Reports suggest that House Democrats are pushing for a vote on the articles of impeachment before the end of the year, which could lead to a Senate trial in early January. While the impeachment hearings continue, Congress has several remaining legislative priorities including funding the government beyond December 20<sup>th</sup> to avoid another shutdown, passing the National Defense Authorization Act and reauthorizing the Violence Against Women Act.

**Federal Issues**

**Name, Image and Likeness**

H.R. 1804, the Student Athlete Equity Act, was introduced by Rep. Mark Walker on March 14, 2019. The proposal would amend the Internal Revenue Code of 1986 by removing the tax-exempt status of any qualified amateur sports organization that limits a student-athlete's ability to be compensated for the use of their name, image or likeness. H.R. 1804 has been referred to the House Ways and Means committee and currently has six cosponsors.

While legislative activity related to student-athlete name, image and likeness has been limited, the issue is of increasing interest to policymakers. NCAA government relations staff continue to meet with Members of Congress and staff to share updates on efforts to modernize NCAA rules related to name, image and likeness. Through these outreach efforts, we have learned that federal lawmakers have diverse opinions on how Congress might help to maintain competitive equity and fairness within intercollegiate athletics. On December 5, 2019, Senators Mitt Romney (R-UT) and Chris Murphy (D-CT) announced the formation of a bi-partisan working group to facilitate ongoing discussions about student athlete compensation and related issues.

**Sports Wagering**

NCAA government relations staff continue to work with the professional sports leagues and other stakeholders to seek introduction of a bipartisan sports betting bill that would require states with legalized sports betting to adhere to important core competencies. These competencies include: 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.

Congressional legislative priorities along with ongoing negotiations regarding specific provisions have slowed efforts this fall. However, introduction of a bipartisan proposal remains a priority and government relations staff will continue to educate Members in the House and Senate on the need for federal legislation to protect the integrity of athletic competitions and the well-being of student-athletes.

## **State Issues**

### **Name, Image and Likeness**

California's Fair Pay to Play Act was signed into law by Governor Gavin Newsom on September 30, 2019. The law, which takes effect January 1, 2023, prohibits California postsecondary education institutions, athletic conferences and the NCAA from preventing a student-athlete from being compensated for use of their name, image or likeness. Governor Newsom's signing statement stated that his administration plans on reviewing the recommendations from the NCAA Federal and State Legislation Working Group and addressing any unintended consequences from the law that negatively impacts California colleges, universities and student-athletes.

Since enactment of California's Fair Pay to Play Act, 30 additional states have introduced, pre-filed, carried-over or are expected to introduce legislation related to the compensation of student-athletes for use of their name, image or likeness. To date, eleven states have introduced, pre-filed or carried over legislation (FL, GA, IL, MA, MI, MO, NH, NJ, NY, PA, WA). The majority of these proposals mirror the California law, however, there are a few that go beyond name, image and likeness and establish additional requirements such as the creation of wage and injury funds for student-athletes. Further, many bills contain a more immediate effective date than the California law. Legislators in an additional 19 states have signaled their intention to introduce name, image or likeness legislation during the next legislative cycle (CO, CT, DC, IA, KY, MN, MO, MS, NE, ND, NM, NV, OH, OR, SC, TN, TX, WI, WV). Legislatures in most states have adjourned for the year, however, bills remain active in Michigan, New Jersey and Pennsylvania. NCAA government relations staff continues to work with member schools to educate state legislators about the ongoing efforts to modernize NCAA rules and encourage their home legislature to allow member schools the time to update relevant rules by not passing or delaying the effective date of legislation.

### **Sports Betting**

Efforts to legalize sports betting continue in states throughout the country. Currently, 13 states are accepting wagers on athletic competitions (AR, DE, MS, NV, NJ, NM, NY, PA, RI, WV, OR, IN, IA) and six additional states (CO, IL, MT, NH, NC, TN) and the District of Columbia have legalized sports betting and are in the process of developing regulations. Legislation has been passed in Maine to legalize sports betting, however, the Governor has not yet acted. Legislation to legalize sports betting remains active in Michigan, Ohio and Massachusetts.

**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: December 2019**

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

| <b>Strategic Priority</b> | <b>Initiative</b>  | <b>Summary</b>   | <b>Anticipated Deliverable</b>                 | <b>Estimated Timeline</b>   |
|---------------------------|--|--|--|---|
|                           | Independent Medical Care – Access to Care for a Visiting Athletic Team |  |  | <b>Initial BoG Review:</b> May 2019<br><br><b>Document drafting:</b> Thru February 2020<br><br><b>Membership review:</b> April – June 2020<br><br><b>CSMAS review:</b> March 2020<br><br><b>BoG final review and/or endorsement:</b> August 2020<br><br><b>Final deliverable:</b> Fall 2020 |
| <b>Concussion</b>         | Annual Meeting of the Concussion Safety Advisory Group                 | A group of independent experts selected by their respective professional medical or scientific   | Possible recommendations for Concussion Safety | <b>Event date:</b> February 24-25, 2020.<br><br><b>Document drafting:</b> Informs NCAA Concussion Safety Protocol Checklist   |
|                           |  | 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. | Protocol Checklist and Template                | <b>Membership review:</b> Not necessary.<br><br><b>CSMAS review and endorsement:</b> Ongoing, as recommendations are received from Advisory group.<br><br><b>BOG review and endorsement:</b> NA<br><br><b>Final deliverable:</b> Spring 2020  |



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|  | 3 <sup>rd</sup> Annual Concussion Data Task Force           | Closed meeting of leaders from the football communities in each division as well as researchers. Purpose is to evaluate emerging information about concussion and head impact from the CARE Consortium and the NCAA Injury Surveillance Program.               | Possible recommendations for rules or policy changes  | <b>Event date:</b> February 24, 2020<br><b>Document drafting:</b> NA<br><b>Membership review:</b> NA<br><b>CSMAS Review:</b> NA<br><b>BOG Review:</b> NA   |
|  | NCAA-DoD Mind Matters Summit                                | This will be the final presentations from the NCAA-DoD Mind Matters Research Challenge. In addition, relevant material from CARE Consortium and Mind Matters Education Challenge will be presented. Membership will be invited                                 | Executive statements were developed that became the basis of an Executive Summary and other educational material (November 2019). | <b>Event date:</b> June 10-11, 2019<br><b>Document drafting:</b> October 2019<br><b>Membership review:</b> Not necessary<br><b>CSMAS review and support:</b> December 2019<br><b>Final deliverable:</b> Available <a href="#">online</a> |
|  | NCAA-DoD Concussion Education Video                         | A Concussion Education video will be developed based on the concussion findings from the NCAA/DoD Grand Alliance partnership   | A completed video product with related ancillary materials  | <b>Planning meeting with DoD:</b> February 2020.<br><b>Project draft:</b> Spring 2020.<br><b>Production:</b> Summer/Fall 2020.<br><b>Final Deliverable:</b> December 2020.   |
|  | Arrington Class Settlement Implementation and Communication | SSI is leading a cross-functional staff initiative to 1) implement various programs required for NCAA-compliance with the Arrington class settlement, and 2) educate and inform the NCAA membership of its obligations under the terms of the class settlement | Deliverables and messaging ongoing through May 18, 2020   | <b>Settlement Effective Date:</b> November 18, 2019.<br><b>Deadline for Membership Certification with Settlement Terms:</b> May 18, 2020.  |



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|                                     | Third Safety in College Football Summit                      | SSI will host the third such meeting, which will comprehensively review health and safety issues in college football.  | Football-specific rules and policy review. | <p><b>Event date:</b> February 2021</p> <p><b>Document drafting:</b> Thru May 2021</p> <p><b>Membership review:</b> May-June 2021</p> <p><b>CSMAS review and endorsement:</b> June 2021</p> <p><b>External review and endorsement:</b> June – August 2021</p> <p><b>Final deliverable:</b> Fall 2021</p>   |
| <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.   | Membership guidance*                       | <p><b>Event date:</b> July 10-11, 2018</p> <p><b>Document drafting:</b> Thru December 2019</p> <p><b>Membership review:</b> January – April 2020</p> <p><b>CSMAS review and endorsement:</b> June 2020</p> <p><b>External review and endorsement:</b> NA</p> <p><b>BOG review and/or endorsement:</b> NA</p> <p><b>Final deliverable:</b> Fall 2020</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 April 2020.</p> |



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|  | 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 deliverables will be determined at the summit.                     | Peer-reviewed Journal Article  | <b>Article submission:</b> TBD  |
|  |                                 |  | Educational Tools  | <b>Event Date:</b> March 12-13, 2019<br><b>Tool Development:</b> TBD<br><b>Membership review:</b><br><b>CSMAS review and endorsement:</b> NA<br><b>BOG review and endorsement:</b> NA<br><b>Final deliverable:</b> TBD  |
|  | Mental Health Waiver Think Tank | SSI and AMA will host a think tank to discuss waivers relating to student-athlete mental health. Attendees will include a group of sport psychologists with experience working in the college/university athletic environment.   | Waiver-related decision-making tree for use by AMA staff.<br><br>Recommendations for a mental health review as part of the waiver consideration process. | <b>Event date:</b> November 14-15, 2019<br><b>Document drafting:</b> November 2019 - January 2020<br><b>Membership review:</b> TBD<br><b>CSMAS review:</b> TBD<br><b>BOG review and endorsement:</b> TBD<br><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><br><br>Peer-review journal article  | <b>Event date:</b> May 1-2, 2017<br><b>Tool Development:</b> Spring 2019.<br><b>Membership review:</b><br><b>CSMAS review and endorsement:</b> NA<br><b>BOG review and endorsement:</b> NA<br><b>Final deliverable:</b> Complete - October 2019<br><b>Article submission:</b> Complete – Accepted for publication with the British Journal of Sports Medicine |



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| <b>Athletics<br/>Health Care<br/>Administration</b> | NATA-NCAA Summit<br>on the Organizational<br>and Administrative<br>Aspects of Athletic<br>Health Care in College /<br>University Settings | This project has been<br>transitioned into several<br>separate projects focusing on<br>various aspects of<br>independent medical care. |  | <b>Event date:</b> Jan. 2017 |
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\*Will result in uniform standards of care for the Association; †Outcomes will be educational in nature, and will serve as a resource for member schools





## Important implications for institutions: concussion-related policies and procedures

The purpose of this memo is to announce the final approval and effective date of the class settlement agreement for the medical monitoring portion of Arrington v. NCAA, which has implications for member institutions and their concussion-related policies and procedures. This content is provided for informational purposes only and should not be construed as legal advice or a substitute for legal advice. We encourage you to review the content with applicable legal and other advisors and school staff who might assist you in appropriately evaluating this information as it applies to your individual institutional risk and practices.

Earlier this week, a memo was sent from the NCAA Office of Legal Affairs to the general counsel of each member institution or, at institutions where counsel has not been identified, the president/chancellor. That memo is available for [review here](#). The purpose of that memo was to notify campus risk management staff of the established effective date of the settlement agreement for Arrington v. NCAA, and to urge timely institutional review of the terms of this settlement.

### **Certifications must be submitted by May 18,2020**

The settlement agreement provides NCAA member institutions with an opportunity to benefit from a release from certain legal claims that might otherwise be brought by members of the settlement class. To benefit from the release, member institutions must certify in writing that they have put in place a concussion management plan that meets the requirements of Section IX.A. of the settlement agreement (described in the attached FAQ document). Certifications must be delivered to certain court-identified settlement representatives within six months of the settlement agreement effective date of November 18, 2019, which means schools will have to deliver their written certifications no later than May 18, 2020. Guidance on the certification process will be made available to the membership in early 2020.

## **Go to FAQ document for details**

As a companion to this memo, a [Frequently Asked Questions document](#) has been provided to facilitate member institutions' review of the settlement terms. Additional information and instructions will be provided by the NCAA national office in the coming months.

## **What should I do now?**

In the meantime, institutions should begin a careful review of the settlement terms in conjunction with their general counsel and/or primary risk management staff. Additional questions may be submitted to the NCAA National Office via the Sport Science Institute at [ssi@ncaa.org](mailto:ssi@ncaa.org).

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*This email was sent to NCAA Athletics Health Care Administrators, Directors of Athletics, Directors of Compliance, Conference Commissioners, General Counsel, Head Athletic Trainers, Head Team Physicians, Presidents and Chancellors, and Senior Woman Administrators based on contact information in the [NCAA Directory](#) on Friday, November 22, 2019.*