

# AGENDA

The National Collegiate Athletic Association

Division III Presidents Council

**Tuesday, October 23, 2018** 12:10 p.m. – Buses depart for Barker House – Alfond front drive 12:20 – Lunch and Campus Engagement – Barker House 1 p.m. – Student Panel – Barker House 1:45 p.m. – Bus returns for those not on walking tour 1:45 to 2:30 p.m. – Walking tour – Ends at Alfond Inn

Park Ballroom 3 Alfond Inn October 23, 2018 3 to 6 p.m.

- 1. Welcome and announcements. (Jeff Docking)
- 2. General information. (Docking)
  - a. Roster. [Supplement No. 1]
  - b. Subcommittee assignments. [Supplement No. 2]
- 3. Division III Philosophy Statement and Strategic Positioning Platform. [Supplement Nos. 3a and 3b] (Dan Dutcher)
- 4. Minutes, summaries and agendas. (Docking)
  - a. Summary of summer 2018 Quarterly Meeting. [Supplement No. 4]
  - b. Administrative Committee action. [Supplement No. 5]
- @\* 5. Division III Strategic Planning and Finance Committee. (Sue Henderson/Dan Dutcher/Louise McCleary)
  - a. 2017-18 and 2018-19 budget-to-actual. [Supplement No. 6]
  - b. Future projections. [Supplement No. 7]
- @\* 6. Management Council report. [Supplement No. 8] (Shantey Hill/Kate Roy)
  - \* 7. Graduation rate report. [Supplement Nos. 9a and 9b] (Eric Hartung)
    - 8. Review Proof of Division III Faculty Athletics Representatives Engagement Best Practices Publication. [Supplement No. 10] (Eric Hartung)
  - @ 9. Presidents Council Nominations Subcommittee report. [Supplement No. 11] (Elsa Nunez)

Division III Presidents Council Agenda October 23, 2018 Page No. 2

- 10. President, Chancellor and Athletics Director Accountability: Overview of NCAA Division I Enforcement/Infractions Process Working Group Review. [Supplement No. 12] (Dutcher)
  - Attestation of Compliance Eligibility.
  - Lack of institutional control.
  - Failure to monitor.
- \* 11. Strategic Planning Working Group discussion. (Attain)

# Wednesday, October 24, 2018

7:30 to 9 a.m. Joint presidential breakfast with Divisions I and II Room: New England 1&2

# Wednesday, October 24, 2018

9 a.m. to Noon Room: Park Ballroom 3

- @\* 12. 2019 NCAA Division III Convention Legislation. (Jeff Myers/Bill Regan)
  - a. Review and approve proposal groupings and voting method. [Supplement No. 13a]
  - b. Review proposed legislation, governance structure positions and speaker assignments. [Supplement No. 13b]
  - c. Presidential outreach regarding key proposals. (Dutcher)
  - \* 13. Board of Governors updates. [Supplement Nos. 14a and 14b. Supplement No. 14b will be posted later.] (Bud Peterson, Mark Emmert, Cari VanSenus, Joni Comstock and Jackie Campbell)
    - College Basketball Reform. [Supplement Nos. 14c, 14d, 14e, 14f and 14g]
    - Committee to Promote Cultural Diversity and Equity.
    - Sports Wagering update. [Supplement No. 14h]
    - Governmental Relations report. [Supplement No. 14i]
  - \* 14. Sport Science Institute updates. (Brian Hainline and John Parsons)
    - a. SSI Strategic Priorities Timeline. [Supplement No. 15a]
    - b. Interassociation Recommendations: Preventing Catastrophic Injury and Death in College Student-Athletes. [Supplement No. 15b]
    - c. Football Data Task Force Executive Summary. [Supplement No. 15c]
    - d. Pain Management Summit Executive Summary. [Supplement No. 15d]
    - 15. Litigation update. [Naima Stevenson/Scott Bearby]

# 16. 2019 NCAA Division III Convention – Logistics. (Louise McCleary)

- a. Convention registration process. [Supplement No. 16a]
- b. President/Chancellor schedule. [Supplement No. 16b]
- 17. Future meetings. (Docking)
  - a. January 23-26, 2019 2019 NCAA Convention, Orlando, Florida.
    - January 24 9:15 to 11:15 a.m.
  - b. April 30 May 1, 2019 Indianapolis, Indiana.
    - April 30 6 to 9 p.m. Presidents Council dinner/meeting.
    - May 1 7:30 to 9 a.m. Joint presidential meeting with Divisions I and II.
    - May 1 9 a.m. to 12:30 p.m. Division III Presidents Council meeting.
  - a. August 6-7, 2019 Indianapolis, Indiana.
    - August 6 6 to 9 p.m. Presidential Leadership dinner/meeting [Includes President's Advisory Group/Presidents Council/Management Council].
    - August 7 7:30 to 9 a.m. Joint presidential meeting with Divisions I and II.
    - August 7 9 a.m. to 12:30 p.m. Division III Presidents Council meeting.
  - b. October 28-30 Emory University, Atlanta, Georgia Schedule TBD.
    - October 29 Noon to 2:30 Lunch and campus engagement.
    - October 29 3 to 6 p.m. Division III Presidents Council meeting.
    - October 30 7:30 to 9 a.m. Joint presidential meeting with Divisions I and II.
    - October 30 9 a.m. to noon Division III Presidents Council meeting.
- 18. Other Business. (Docking)
  - Presidents Council Policies and Procedures. [Supplement No. 17] (McCleary)

### 19. Adjournment.

@ Denotes key action items.

\* Denotes key discussion topics.



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### Management Council

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http://intra.ncaa.org/sites/gov/DIIICommittees /01PresidentsCouncil/Rosters/2017/2017\_upda tedPCRoster.doc/dsk/20180808



# Amott, Teresa [January 2022]

- Nominations Subcommittee
- BOG Commission to Combat Campus Sexual Violence

# Cevallos, Javier [January 2021]

• Diversity and Inclusion Working Group

# Conway-Turner, Katherine [January 2021]

• Nominations Subcommittee

# Cooper, Mary Beth [January 2019]

• PC/MC Joint Legislative Steering Committee

# Docking, Jeffrey, chair [January 2019]

- Administrative Committee
- Board of Governors (BOG)
- PC/MC Joint Legislative Steering Committee
- BOG Executive Committee
- BOG Strategic Planning Steering Committee

# Dorsey, Stuart [June 2019]

• Strategic Planning and Finance Committee

# Drugovich, Margaret [January 2020]

• Strategic Planning and Finance Committee

# Franks, Tiffany [January 2022]

• Convention-Planning Subcommittee

# Fritz, William [January 2020]

- PC/MC Joint Legislative Steering Committee
- Infractions Appeals

# 2018 PRESIDENTS COUNCIL COMMITTEE/SUBCOMMITTEE ASSIGNMENTS

# Henderson, Sue, vice chair [January 2020]

- Administrative Committee
- Board of Governors
- Strategic Planning and Finance Committee, chair
- BOG Finance and Audit
- BOG Strategic Planning Steering Committee
- BOG rep to Student-Athlete Engagement Committee

# Hirsh, Sharon [January 2019]

• Nominations Subcommittee

# Huntington, Robert [January 2019]

• Strategic Planning and Finance Committee

# Lindgren, Robert [January 2019]

• Nominations Subcommittee

# Miller, Fayneese [January 2022]

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

# Murden McClure, Tori [January 2021]

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

# Murray, Kathleen [January 2019]

- Nominations Subcommittee
- LGBTQ Working Group

# Nunez, Elsa [January 2020]

• Nominations Subcommittee

# Trachte, Kent [January 2022]

• Convention-Planning Subcommittee

# **DIVISION III PHILOSOPHY STATEMENT**

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

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

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

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

# DIVISION III STRATEGIC POSITIONING PLATFORM

### **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.

<b>DIII Positioning</b> <b>Statement</b> Who we are	<b>Follow your passions and discover your potential.</b> The college experience is a time of learning and growth – a chance to follow passions and develop potential. For studied classroom and through earning an academic degree. The Division III experience provides for passionate participation in a competitive athletics environment, where student-athletes push the 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 paths, follow their passions and find their potential through a comprehensive educational experience.					
DIII Attributes What we stand for	<b>Proportion:</b> appropriate relation of academics with opportunities to pursue athletics and other passions.	<b>Comprehensive Learning:</b> opportunity for broad-based education and success.	<b>Passion:</b> playing for the love of the game, competition, fun and self-improvement.	<b>Responsibility:</b> development of accountability through personal commitment and choices.	Sports respectfu participa	
NCAA Brand Attributes	Balance	Learning	Spirit	Character		
Audiences Who we are addressing	Student-Athletes / Parents		DIII Internal Constituencies			
Audience Benefits Key benefits of the DIII experience	<ul> <li>Continue to compete in a highly competitive athletics program and retain the full spectrum of college life.</li> <li>Focus on academic achievement while graduating with a comprehensive education that builds skills beyond the classroom.</li> <li>Access financial aid for college without the obligations of an athletics scholarship.</li> <li>Opportunities to play more than one sport.</li> <li>Be responsible for your own path, discover potential through opportunities to pursue many interests.</li> </ul>		<ul> <li>Academics are the primary focus for student-athletes. Shorter practice and playing seasons, no red-shirting and regional competition minimize time away from their academic studies and keep student-athletes on a path to graduation.</li> <li>Student-athletes are integrated on campus and treated like all other members of the general student-body, keeping them focused on being a student first.</li> <li>Participation in athletics provides valuable "life lessons" for student-athletes (teamwork, discipline, perseverance, leadership, etc.), which often translate into them becoming better students and more responsible citizens.</li> </ul>		<ul> <li>Division III ins educational ap Division III ins student-athlet</li> <li>Participation i (teamwork, dis them becomint</li> <li>Student-athlet full spectrum of Student-athlet</li> </ul>	
Reasons to Believe Supporting features of DIII	<ul> <li>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.</li> <li>2. Integrated campus environment. About one-quarter of all students at Division III institutions participate in athletics. Those participating in athletics are integrated into the campus culture and educational missions of their colleges or universities:         <ul> <li>Student-athletes are subject to admission and academic performance standards consistent with the general student body;</li> <li>Student-athletes are not provided any special housing, services or support from their institution different from other students or student groups;</li> <li>Athletics departments are regulated and managed through the same general procedures and practices as othe departments of the institution.</li> </ul> </li> <li>This integration of athletics allows the student-athletes to take full advantage of the many opportunities of campus lifterent national championship opportunities on a variety of athletics opportuniti</li></ul>			equal opportunit s leadership, abilit athletics scholars asize academics, t their own passio Student-athletes r the love and pas nvironment for all <b>ities.</b> Division III f mpionships. Thes ulfill their athletics <b>pation.</b> Division III f participation for		



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

student-athletes in Division III, this happens most importantly in the themselves to excellence and build upon their academic success with new ated environment for student-athletes to take responsibility for their own

ortsmanship: fair and actful conduct toward all cipants and supporters. **Citizenship:** dedication to developing responsible leaders and citizens in our communities.

Fair Play

and women's sports.

Community

# **General Public / Media**

I institutions develop student-athlete potential through a comprehensive al approach.

I institutions offer athletics for the educational value and benefit to the thlete, not for the purposes of revenue generation or entertainment. ion in athletics provides valuable "life lessons" for student-athletes

, discipline, perseverance, leadership, etc.), which often translate into oming better students and more responsible citizens.

thletes compete in a highly competitive athletics program and retain the um of college life.

thletes do not receive monetary incentive to play sports but rather e for the love of the game.

dent-athletes in Division III receive some form of grant or non-athletics unity and access to financial aid as the general student body – but are bility, performance or participation.

arships. Without the obligation of an athletics scholarship,

cs, athletics and other opportunities of college life appropriate to the ssions.

tes do not receive any monetary incentive (athletics scholarship) to passion of the game and to push themselves to be their best, creating all who participate.

III has more than 170,000 student-athletes competing annually, with hese competitions provide an opportunity for student-athletes to tics potential.

n III institutions are committed to a broad-based program of athletics for the student-athlete. The division has a higher number and wider any other division in the NCAA, emphasizing both competitive men's

# SUPPLEMENT NO. 04 DIII Presidents Council 10/18



# NCAA DIVISION III PRESIDENTS AND MANAGEMENT COUNCILS SUMMARY OF SUMMER 2018 QUARTERLY MEETINGS

# **KEY ACTION/DISCUSSION ITEMS:**

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Division III Management Council	Division III Presidents Council
July 16-17, 2018	August 7-8, 2018
Indianapolis, IN	Indianapolis, IN
ATTENDEES	ATTENDEES
Stevie Baker-Watson, DePauw University	Teresa Amott, Knox College
Brad Bankston, Old Dominion Athletic	Javier Cevallos, Framingham State University
Conference	Katherine Conway-Turner, Buffalo State, State
Heather Benning, Midwest Conference	University of New York
Gerard Bryant, John Jay College of Criminal	Mary Beth Cooper, Springfield College
Justice	Jeff Docking, Adrian College, chair
Madison Burns, Randolph-Macon College,	Stuart Dorsey, Texas Lutheran University
SAAC representative	Margaret Drugovich, Hartwick College
Sean Cain, Adrian College, SAAC representative	Tiffany Franks, Averett University
Gail Cummings-Danson, Skidmore College	William Fritz, College of Staten Island
Robert Davis, Jr., University of Scranton	Sue Henderson, New Jersey City University, vice
Jason Fein, Bates College	chair
Shantey Hill, St. Joseph's College, chair	Shantey Hill, St. Joseph's College, MC chair
Chris Kimball, California Lutheran University	Rob Huntington, Heidelberg University
Lori Mazza, Western Connecticut State	Robert Lindgren, Randolph-Macon College
University	Fayneese Miller, Hamline University
Tim Millerick, Austin College	Tori Murden McClure, Spalding University
Laura Mooney, Massachusetts College of Liberal	Kathleen Murray, Whitman College
Arts	Elsa Nunez, Eastern Connecticut State University
Kate Roy, Northern Vermont University, vice	Kate Roy, North Atlantic Conference, MC vice
chair Kandia Sahram Marguilla Collaga (Tannassaa)	chair Kent Trachte, Lycoming College
Kandis Schram, Maryville College (Tennessee) Dennis Shields, University of Wisconsin,	Kent Hachte, Lyconning Conege
Platteville	
Karen Tompson-Wolfe, Westminster College	
(Missouri)	
Denise Udelhofen, Loras College	
Michael Vienna, Emory University	
Joe Walsh, Great Northeast Athletic Conference	
ABSENTEES	ABSENTEES
	Sharon Hirsh, Rosemont College
OTHER PARTICIPANTS	OTHER PARTICIPANTS
Tiffany Alford, NCAA	Tiffany Alford, NCAA
Chris Brown, NCAA	Brian Burnsed, NCAA
Brian Burnsed, NCAA	Dan Dutcher, NCAA
Dan Calandro, NCAA	Mark Emmert, NCAA president
Jackie Campbell, NCAA	Eric Hartung, NCAA
Dan Dutcher, NCAA	Jay Jones, NCAA
Jim Elworth, NCAA	Debbie Kresge, NCAA, recording secretary
Jenn Fraser, NCAA	Louise McCleary, NCAA
Brian Hainline, NCAA	Jeff Myers, NCAA
Eric Hartung, NCAA	John Parsons, NCAA
Jay Jones, NCAA	Bill Regan, NCAA
Kenneth Kleppel, NCAA	Donald Remy, NCAA
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Heather McVeigh, NCAA	Liz Suscha, NCAA

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Adam Skaggs, NCAA	
Naima Stevenson, NCAA	
Liz Suscha, NCAA	

[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.

July 16-17 Management Council. The meeting was called to order at 8:04 a.m. July 16 and 8:01 a.m. July 17, by the chair, Shantey Hill.

<u>August 7 Presidential Leadership Groups (PC/MC/PAG) and August 8 Presidents Council</u>. The meetings were called to order at 6:15 p.m. August 7 and 9:07 a.m. August 8, by the chair, President Jeff Docking. The chair acknowledged the first meeting for President Katherine Conway-Turner.

### 2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.

### a. Management Council Meetings – April 9-10, 2018.

<u>Management Council</u>. The Management Council approved the summary of its April 9-10, 2018, meetings.

Presidents Council. No action necessary.

### b. Presidents Council Meeting – April 24, 2018.

Management Council. No action necessary.

<u>Presidents Council</u>. The Presidents Council approved the summary of its April 24, 2018, meeting.

### c. Administrative Committee Actions.

<u>Management Council</u>. The Management Council ratified the May 18 and July 6, 2018, Administrative Committee reports.

<u>Presidents Council</u>. The Presidents Council ratified the May 18 and July 6, 2018, Administrative Committee reports.

### 3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.

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

### (1) Convention-Planning Subcommittee.

### (a) Educational Session Topic Ideas.

<u>Management Council</u>. The Council reviewed the subcommittee's report regarding potential educational session topics. It endorsed the following recommendations:

- Athletics department management (adding/eliminating sports; roster management). NADIIIAA will present this session. Content will focus on managing an athletics department budget in addition to the budget impact regarding adding and/or eliminating sports and roster management.
- <u>Fundraising with a Division III focus</u>. Content areas may include strategic facility fundraising; athletic department annual operational fundraising; electronic fundraising; presentation of fundraising models; collaboration and coordination between athletics and campus-wide fundraising.
- <u>Sexual violence prevention (education and/or best practices)</u>. Content will focus on educational resources and best practices in relation to the Board of Governors' policy.

Presidents Council. No action was necessary.

### (b) Division III Commissioners Association Educational Session.

<u>Management Council</u>. The Council concurred with the subcommittee in allowing the Division III Commissioner's Association to oversee one of the three Division III education sessions, beginning with the 2020 NCAA Convention, as long as the topic is vetted and endorsed by the membership, as well as the subcommittee.

Presidents Council. No action was necessary.

### (c) Issues Forum – Friday, January 25.

<u>Management Council</u>. The Council reviewed the subcommittee's recommendation to follow the same legislative format as the 2018 Convention, in which staff will highlight key proposals and allow time for a more in-depth Q&A discussion.

In addition, the subcommittee recommended a roundtable presentation on the 2018 Division III Membership Survey feedback and an opportunity to discuss next steps.

Staff Liaisons: Brown, McCleary Council Reps:

Benning, Franks, Hill, Mazza, Schram, Trachte Presidents Council. No action was necessary.

### (d) Convention Management Updates.

<u>Management Council</u>. The Council reviewed the committee's report noting the following:

- <u>Hotel property update and rate</u>. The Division III Issues Forum and Business Session will be held at the Caribe Royale Orlando. The hotel rate is \$200 per night plus 12.5 percent tax.
- <u>Registration open date</u>. Registration will open September 12 at approximately 11:30 a.m. Eastern time. Due to a \$500K Convention budget shortfall, the registration fee will increase to \$275 for 2019, \$325 for 2020 and \$375 for 2021. The new rates represent the first increase in a decade. The student registration fee will double to \$50 in 2019.

The Council discussed the registration fee increases and noted the following:

- Would it be possible to provide a group rate if multiple individuals from the same institution attend the Convention?
- Noted that several Division III institutions may not be able to afford attending.
- Pondered if the membership will only come to the Convention to vote.
- Some concern with the membership dues and Convention registration fees increasing during the same year.

Presidents Council. No action was necessary.

### Strategic Planning and Finance Committee.

### (a) Division III 2017-18 Strategic Plan.

<u>Management Council</u>. The Council approved the committee's year two (2018-19) updates to the 2017-19 Strategic Plan. The committee reviewed the seven strategic priorities for 2018-19. Some initiatives highlighted include: a one year pilot with the NCAA Eligibility Center for Division III new international ice hockey players; continue to grow the Special Olympics partnership; update the sports information director resource and best practices guide; identify strategies to re-engage faculty athletics representatives (FARs); LGBTQ programming for coaches; promotion of Gameday the DIII Way; ensure the division is effectively managing diversity and inclusion issues; enhancing the well-being of prospects, student-athletes and staff through partnering with the Sports Science Institute, providing

Staff Liaisons: Dutcher, Hartung, Jones, Kresge, McCleary, Myers, O'Barr

(2)

Council Reps: Cain, Cummings-Danson, Davis, Dorsey, Drugovich, Ellis, Henderson, Hill, Huntington, Roy, Shields, Walsh additional funding via the Conference Grant Program; the availability of educational programs through the NCAA's Learning Management System; focus on student-athlete graduation rates; evaluation of the 2018 Membership Survey results; and need to maintain fiscal integrity.

<u>Presidents Council</u>. The Presidents Council approved the Management Council's recommendation.

### (b) 2018-19 Proposed Nonchampionships Initiatives.

<u>Management Council</u>. The Council approved the committee's proposed new nonchampionship initiatives for 2018-19.

With the implementation of a membership dues increase that will generate \$519,000 in new revenue, the committee, proposed several new nonchampionship initiatives. The initiatives include the following:

- \$242,000 to fund expansions to the Conference Grant Program, including additional education and enhancements for athletics trainers and officials;
- More than \$100,000 for health and safety, with an initial earmark to assist schools that need to purchase the electronic medical record software that enables them to participate in the NCAA Injury Surveillance Program;
- \$100,000 for new LGBTQ initiatives including annual programming and a recognition event;
- \$100,000 to fund a new professional development program designed to help female and ethnic minority assistant coaches further their careers; and
- Funding for the newly legislated SAAC associate members to attend the July national SAAC in-person meeting as well as offset expenses to attend the NCAA Convention.

While the funds generated by the dues increase are being used to fund nonchampionship initiatives, approximately \$1.5 million in supplemental spending already has been dedicated to championships enhancements, including increased travel party sizes and reimbursement for local ground transportation when a team flies to the competition site.

<u>Presidents Council</u>. The Presidents Council approved the Management Council's recommendation.

### (c) LGBTQ Promotional Kit.

<u>Management Council</u>. The Council approved the committee's one-time \$100,000 allocation to provide and distribute an LGBTQ Identity Promotional Kit to every Division III institution and conference.

Recent survey feedback, as well as input from delegates at the 2018 NCAA Convention, indicated that a majority of Division III members would be receptive to displaying LGBTQ-centric banners and other materials on campus. The working group will collaborate with a graphic design agency to create a logo for banners, posters and stickers that will be distributed to Division III institutions in August.

<u>Presidents Council</u>. The Presidents Council approved the Management Council's recommendation.

### (d) Bracket Expansion in Men's Volleyball.

<u>Management Council</u>. The Council approved the committee's recommendation to increase the number of teams selected to the Division III Men's Volleyball Championship from 12 to 14. Sport sponsorship data from 2017-18 merit the request and would keep the men's volleyball bracket at a 1:6.5 access ratio per Bylaw 31.3.1.1 and help accommodate the rapid growth in the sport.

<u>Presidents Council</u>. The Presidents Council approved the Management Council's recommendation.

### (e) **Division III Budget**.

<u>Management and Presidents Councils</u>. The Councils reviewed the 2017-18 budget-to-actual report as of June; the 2018-19 final budget; and the future budget projections. The championship budget will use all its supplemental spend, as well as an additional \$400,000 from the division's surplus primarily due to travel expenses. The nonchampionships initiatives are anticipating an approximate surplus of \$250,000.

# (f) Strategic Planning and Finance Committee's (SPFC) Grant Subcommittee Updates.

<u>Management Council</u>. The Council noted the following updates from the SPFC grant subcommittee:

• It reviewed a staff-created resource regarding the Level Two assessment process. The subcommittee suggested the resource include background information on the third-party review process;

- It reviewed a final report from a Level Two for-cause assessment and noted no concerns;
- It discussed the biennial requirement for ethnic-minority professional development expenses in Tier I. After reviewing data, the subcommittee decided to change the current language and make potential usages clearer and easier to understand. The subcommittee felt revising the current requirement language would be an appropriate first step before proposing an annual requirement.
- It reviewed and approved a narrow exception related to Tier One compliance spending.

Presidents Council. No action was necessary.

### (g) Division III Annual List of Required Forms.

<u>Management Council</u>. The Council reviewed a chart indicating the Division III annual list of required forms and actions. The chart reflected the type of report, description, responsible party, date due; as well as the NCAA contact person.

Presidents Council. No action was necessary.

### (3) Joint Legislative Steering Subcommittee.

### (a) Membership-Sponsored Proposal – Presidential Grouping.

<u>Presidents Council</u>. The Joint Legislative Steering Subcommittee reviewed the following membership-sponsored proposal and the Presidents Council approved the subcommittee's recommendation for the proposal to be included in the presidential grouping:

Plaving and Practice Seasons - Field Hockey and Soccer Preseason - Establishing a Three-Day Acclimatization Period. This proposal would amend preseason practice in the sports of field hockey and soccer as follows: (1) To add three additional days to the preseason practice period; (2) To require an acclimatization period during the first three days of the preseason practice period, during which a team would be limited to one single practice session no longer than three hours in duration, followed by a one-hour walk through, with a minimum of three hours of rest required in between the two activities; and (3) To mandate that on every preseason practice day following the three-day acclimatization period, a team would be limited to conducting no more than two on-field practices per day and a maximum of six hours of athletically related activity total during the two practices combined, with a minimum of three hours of rest required in between practice sessions.

Staff Liaisons: Dutcher, McCleary, Myers

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

### (b) Governance-Sponsored Proposals – Presidential Grouping.

<u>Presidents Council</u>. The Joint Legislative Steering Subcommittee reviewed six governance-sponsored proposals. The Presidents Council noted the following proposals were identified by the subcommittee to be presidential in nature and placed them in the presidential grouping:

i. <u>Membership – Conditionals and Obligations of Membership –</u> <u>Student-Athlete Graduation Rate Reporting</u>. This proposal is to include as a condition and obligation of Division III active membership, that an institution submit on an annual basis studentathlete graduation rate reporting data for the academic success rate (ASR) in a form prescribed by the Management Council, further to establish that annual championships eligibility is contingent upon submission of the ASR.

The Presidents Council agreed to sponsor this proposal. The Administrative Committee will review the proposal in final legislative format on its late-August teleconference.

 <u>Awards and Benefits – Housing and Meals – Exceptions – Snacks</u> <u>Incidental to Participation</u>. This proposal would allow institutions to provide snacks, but not nutritional supplements, to studentathletes as a benefit incidental to participation in intercollegiate athletics at any time during the academic year.

The Presidents Council voted to refer this proposal back to the Management Council for further review and refinement. The Council expressed concerns about potential inequities the rule could create between campuses – and on them. With no specific restrictions on the types of snacks that could be offered, or the amount schools would be allowed to spend to furnish them, Council members noted that schools with more financial resources might be able to provide a more robust selection than schools with tighter budgets. Such an imbalance could be leveraged for recruiting advantages. In addition, it worried the rule change could create issues between student-athletes, who could receive these snacks at any point during the academic year, and their fellow students, who might be barred from partaking.

Given the proposal allowed snacks, but not nutritional supplements, Council members also asked for clearer definitions on the differences between the two because the nuances can be difficult to discern. Ensuring compliance with that caveat could prove onerous for administrators. The Management Council will take this feedback into account before deciding whether to reshape the proposal and recommend a revised version during the legislative cycle leading to the 2020 Convention.  iii. Playing and Practice Seasons – Football Establishing Preseason Start Date 23 Days Before the Institution's First Permissible Contest. This proposal would amend the football preseason legislation as follows: (1) Establish the first permissible practice date as 23 days before the institution's first regular season contest; and (2) Require a day off from physical athletically related activity during each week of the preseason following the five-day acclimatization period.

> The Presidents Council agreed to sponsor this proposal. The Administrative Committee will review the proposal in final legislative format on its late-August teleconference.

### (c) Governance-Sponsored Proposals – General Grouping.

<u>Presidents Council</u>. The Council noted the following governancesponsored proposals will be part of the general grouping:

- i. <u>Amateurism Pre-Enrollment Educational Expenses</u>. This proposal would permit individuals to accept educational expenses (e.g., tuition, fees, room, board and books) prior to collegiate enrollment from any individual or entity other than an agent, professional sports team/organization or representative of an institution's athletics interests, provided such expenses are disbursed directly through the recipient's educational institution (e.g., preparatory school, high school).
- ii. <u>Recruiting Electronic Transmissions and Publicity Comments</u> <u>Before Acceptance – Social Media</u>. This proposal is to establish an exception to the restrictions on electronic transmissions and publicity before commitment legislation to permit athletics department staff members to (1) connect with (e.g., "friend," "follow," etc.) prospective student-athletes on social media platforms, and (2) take actions (e.g., "like," "favorite," republish, etc.) on social media platforms that indicate approval of content generated by users of the platforms other than institutional staff members or representatives of an institution's athletics interests.
- iii. <u>Eligibility Final Term Before Experiential Learning</u> <u>Requirement</u>. This proposal would extend the existing final term exception to the full-time enrollment requirement to include student-athletes that are carrying (for credit) all courses necessary to complete degree requirements but have an outstanding experiential learning requirement.
- iv. <u>Executive Regulations Eligibility for Championships Ineligi-</u> <u>bility for Use of Banned Drugs – Banned Drugs</u> – See Page No. 21 4 a (4).

### Management Council Subcommittees.

### (1) Subcommittee for Legislative Relief.

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

Presidents Council. No action was necessary.

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

### (a) Review Legislative Proposal for Preseason Football Practice Start Date and Associated Activities.

<u>Management Council</u>. The Council reviewed the subcommittee's report noting its review of the draft proposal put forth by the Division III Football Committee and sponsored by the Management Council [See Page No. 8, (3) (b) iii].

The subcommittee also reviewed feedback on the proposal obtained through a survey sent to Division III athletic directors, athletics trainers, conference commissioners, and head football coaches. Based on the survey results, the subcommittee continued its support for the proposal without any proposed amendments. Finally, the subcommittee directed NCAA staff to educate the membership on the application and impact of this proposal.

Presidents Council. No action was necessary.

### (b) Review Captain's Practice Legislation.

<u>Management Council</u>. The Council noted the subcommittee reviewed the captain's practice legislation, including feedback from the membership, and discussed solutions to clarify the application of the existing legislation.

The subcommittee stated several concerns with the existing legislation including: (1) Ability to understand and apply the legislation; (2) Ability to monitor and enforce compliance with the legislation; and (3) Whether the existing legislation is in the best interest of student-athletes and the division. Consequently, the subcommittee directed staff to explore a legislative amendment eliminating the prohibition on student-athletes engaging in out of season activities that are "confined primarily" to members of the team but maintain the prohibition on required activities. As part of this amendment, staff should develop parameters as to what constitutes "required" activities for future review by this committee.

Presidents Council. No action was necessary.

Staff Liaisons: Brown, Williamson b.

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

Staff Liaisons: Brown, Suscha Williamson

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

#### c. Division III Committees.

(1)

Staff Liaison: Harty, Suscha

Council Reps: Bankston, Hill Vienna (a) Bracket Expansion in Men's Volleyball.

**Championships Committee.** 

<u>Management and Presidents Councils</u>. See Strategic Planning and Finance Committee Action Item (2) (d) on Page No. 7 of the Summary of Actions.

### (b) Administrative Regulations – Amending Misconduct Bylaws to Make Them Consistent – Bylaws 31.02.3 and 31.1.1.8.3.

<u>Management Council</u>. The Council adopted an administrative regulation clarifying throughout Bylaw 31 that the misconduct period extends from when the championship field is announced through the end of the championship including travel en route to, from or at the locale of the competition or practice.

Presidents Council. No action was necessary.

### (c) Administrative Regulation – Alcohol Sales at Joint Championships.

<u>Management and Presidents Councils</u> – Approved a Championships Committee recommendation to permit alcohol sales at future joint championships that include Division I, provided sales are in the same facility and subject to the same parameters (e.g., personnel training, security, limited sale location).

The Division III Championships Committee continues to oppose selling alcohol at separate Division III championships (as do about two-thirds of respondents in the 2018 Division III membership survey) but is comfortable with selling alcohol at select joint championships under specified conditions that address the unique logistical and fan experience concerns associated with alcohol sales at an event with the other divisions.

### (d) Commissioners Subgroup on Championships.

<u>Management Council</u>. The Council received an update on the Division III Commissioners Association's subgroup's preliminary discussion about potential regional alignment alternatives, including one that would base the number of regions in a sport on the number of institutions sponsoring that sport.

Presidents Council. No action was necessary.

(2)

### (e) Geographically Isolated Division III Institutions.

<u>Management Council</u>. The Council acknowledged a concern from geographically isolated Division III institutions (e.g., the west coast) specific to first round NCAA championship competition. Institutions are requesting that they not be paired with conference opponents in the NCAA first round, but instead flown to another region to allow for geographic and competitive diversity. The Championships Committee will further discuss this concept during its September meeting.

Presidents Council. No action was necessary.

### Committee on Infractions.

### Infractions Program – Penalties – Penalties, Disciplinary Measures and Corrective Actions for Major Violations – Review of Penalty – New Information – Institution or Conference Discipline as New Information.

<u>Management Council</u>. The Council agreed to sponsor noncontroversial legislation to (1) Modify Bylaw 19.5.2.8.1 to require that parties to an infractions case submit any new information directly related to the NCAA Division III Committee on Infractions' findings or conclusions in the case no later than one year following the conclusion of the case; and (2) Remove Bylaw 19.5.2.8.1.2 providing that disciplinary measures prescribed by the institution or its conference after an infractions decision may be considered new information for purposes of the bylaw.

Presidents Council. No action was necessary.

### (b) Committee on Infractions' Internal Operating Procedures.

<u>Management Council</u>. The Council approved the Committee on Infractions' internal operating procedures, as formulated and adopted by the Committee on Infractions.

The internal operating procedures memorialize operating procedures of the committee and the NCAA Office of the Committee on Infractions to efficiently process infractions cases in conformity with Division III legislation. By providing this transparency, the procedures will help institutions, involved individuals and practitioners understand and navigate the infractions process from the issuance of a notice of allegations or submission of a summary disposition report through the decision.

Presidents Council. No action was necessary.

### (c) Enforcement Staff's Internal Operating Procedures.

<u>Management Council</u>. The Council approved the enforcement staff's internal operating procedures, formulated by the enforcement staff, as reviewed and approved by the Committee on Infractions.

Staff Liaisons: Cooper, Elworth Kleppel

Council Rep: Cummings-Danson (3)

The enforcement staff's internal operating procedures, formulated and to be applied by the enforcement staff, memorialize operating procedures of the enforcement staff to efficiently investigate and process infractions cases in conformity with Division III legislation.

Presidents Council. No action was necessary.

### Financial Aid Committee.

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

Presidents Council. No action was necessary.

## (4) Infractions Appeals Committee.

<u>Management Council</u>. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

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

(a) Noncontroversial Legislation – Recruiting – Recruiting Advertisements – Location of Advertisement. Bylaw 13.4.2.1.

<u>Management Council</u>. The Council agreed to sponsor noncontroversial legislation clarifying that an institution is permitted to produce any athletically related recruiting advertisements, provided the advertisements are not placed at athletics events featuring prospective student-athletes.

Presidents Council. No action was necessary.

### (b) Convention Legislation – Awards and Benefits – Housing and Meals – Exceptions – Meals Missed Due to Practice and Snacks Incidental to Participation. Bylaw 16.5.1.

<u>Management Council</u>. The Council reviewed and recommended splitting the committee's recommendation to sponsor Convention legislation specifying that an institution may provide the following: (1) Meals missed due to participation in institutional practice; and (2) Snacks to studentathletes as a benefit incidental to participation in intercollegiate athletics at any time during the academic year.

During its deliberation, the Council approved, in concept, meals missed due to participation in institutional practice as noncontroversial legislation. It was noted that meals already can be provided in conjunction with home competition. This proposal expands that allowance to meals missed due to practice.

Staff Liaisons: Brown, Hartung,

Council Rep: Schram

Staff Liaison: Walters

Council Reps: Fritz, Roy

Staff Liaisons: Brown, Myers, Williamson

Council Rep: Fein The second part of this recommendation was put forth as Convention legislation noting it would allow schools to provide snacks incidental to athletics participation – not including nutritional supplements – to student-athletes at any point during the academic year.

<u>Presidents Council</u>. The Presidents Council reviewed the Convention legislation piece regarding snacks, as part of the Joint Legislative Steering Subcommittee's presidential grouping, and referred the proposal back to the Management Council for further review and refinement. [See Page No. 9, (3) (b) ii]

### (c) Review of Captain's Practice Educational Column.

<u>Management Council</u>. The Council noted the committee reviewed a draft of an educational column seeking to clarify the application of athletically related activities to activities organized solely by student-athletes. Prior to posting, the committee instructed staff to add an additional example involving outside competitions organized by student-athletes.

Presidents Council. No action was necessary.

### (6) Membership Committee.

### Active and Provisional/Reclassifying Membership.

<u>Management Council</u>. The Council noted the Membership Committee elected the following institutions to active Division III membership:

- Alfred State College;
- Illinois Institute of Technology;
- Iowa Wesleyan University; and
- McMurry University (reclassifying).

The committee also approved the advancement of the following provisional and reclassifying institutions currently in the provisional/reclassifying process as follows, effective September 1, 2017:

- Year one to year two:
  - Brevard College (reclassifying);
  - Dean College; and
  - Pfeiffer College (reclassifying).
- Year three to year four:
  - Belhaven University.

For the 2018-19 academic year, there will be 442 active members and six provisional/reclassifying members for a total of 448 members.

Presidents Council. No action was necessary.

Staff Liaisons: DiBiase, Jones, Williamson

Council Rep: Mooney

(7	Nominating	Committee.
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Staff Liaison: Tufano		<b>(a)</b>	Governance Committee Reappointment.
Council Rep: Mazza			<u>Management Council</u> . The Council approved the following committee reappointment, effective September 1, 2018:
			• Minority Opportunities and Interests Committee – Bill Tsutsui, president, Hendrix College.
			Division III presidents are assigned two-year terms and are immediately eligible to be reappointed to an additional two-year term.
			Presidents Council. No action was necessary.
		<b>(b)</b>	Nominee References.
			<u>Management Council</u> . The Council noted the committee's review of the nominee reference section of the online nomination form. Since references aren't being checked, the committee decided to remove the reference request from the form.
			Presidents Council. No action was necessary.
Staff Liaisons: Barnhart,	(8)	Studen	t-Athlete Advisory Committee (SAAC).
Jones, Peterson, Council Reps: Burns, Cain	the resig		ement Council. The Council reviewed the committee's report noting with ignation of the current chair, SAAC elected Parker Hammel, Wartburg e, as its new chair and NJ Kim, Emory University as vice chair.
		Preside	nts Council. No action was necessary.
Staff Liaisons:	(9)	Studen	t-Athlete Reinstatement Committee.
Grace, Romash Council Rep:		(a)	Noncontroversial Legislation – NCAA Division III Bylaw 13.1 – Re- cruiting – Contacts and Evaluations.
Benning			<u>Management Council</u> . The Council adopted noncontroversial legislation to amend Bylaw 13.1 (Contacts and Evaluations) to specify that violations shall be considered <i>de minimis</i> and do not impact a prospective student-athlete's eligibility.
			Presidents Council. No action was necessary.
		(b)	Noncontroversial Legislation – NCAA Division III Bylaws 13.8.1 and 13.8.2 – Recruiting – Entertainment, Reimbursement and Employ- ment of High School/College Preparatory School/Two-Year College Coaches – Entertainment Restrictions and Material Benefits.

<u>Management Council</u>. The Council adopted noncontroversial legislation to amend Bylaw 13.8.1 (Entertainment Restrictions) and Bylaw 13.8.2

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(Material Benefits) to specify that violations shall be considered *de minimis* and do not impact a prospective student-athlete's eligibility.

Presidents Council. No action was necessary.

### d. Association-Wide Committees.

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

### (a) Independent Medical Care.

<u>Management Council</u>. The Council approved the following CSMAS recommendations:

- The NCAA Division I Interpretations Committee update the March 11, 2016, Division I educational column regarding independent medical care to include question No. 11 from the January 18, 2017, Division II and the January 23, 2017, Division III educational columns; and
- Commission the NCAA Sports Science Institute, in collaboration with the NCAA staff from academic and membership affairs and the office of legal affairs, to develop a white paper that fully explores relevant issues surrounding host and visitor care provisions, independent medical care, risk management and other pertinent concerns. The white paper would serve as a foundation for more thorough membership education efforts.
- The appropriate authorities in Divisions I, II and III add additional questions to their respective educational columns that specifically address the provision of the unchallengeable medical authority of the host primary athletics health care provider when visiting institutions travel without their own primary athletics health care provider.

The recommendations address existing confusion among primary athletics health care providers involved in the provision of care to visiting athletic teams, and the potential for significant medicolegal issues arising from these situations. Further, the recommendation ensures all three divisions will receive sufficient and consistent guidance regarding these issues.

Presidents Council. No action was necessary.

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

<u>Management Council</u>. The Council withdrew noncontroversial legislation to clarify that a student-athlete who tests positive for use of a substance in a banned drug class other than illicit drugs shall:

Staff Liaisons: Parsons, Rohlman Wilfert

Council Rep: Baker-Watson

- Be charged with the loss of one season of competition in all sports, in addition to the use of a season, pursuant to Bylaw 12.8.3.1;
- Be ineligible for the entirety of one season (i.e., the maximum number of regular-season contests or dates of competition per Bylaw 17), which must be served while the student-athlete is otherwise eligible for competition; and
- Be ineligible for at least one calendar year (i.e., 365 days) after the collection of the student-athletes' positive drug-test specimen and until he or she tests negative.

At its December 2017 meeting, the committee recommended noncontroversial legislation to ensure the drug-testing penalty for banned drug classes other than illicit drugs is applied consistently and equitably to all student-athletes, regardless of transfer or enrollment status. Since that recommendation, additional scenarios were identified that require further clarification. To avoid confusion, the committee requested that the NCAA Division I Council and Divisions II and III Management Councils withdraw the previous recommendation until a more comprehensive legislative solution can be finalized. The committee will continue to discuss the issue at its September teleconference, when it expects to have a new legislative recommendation.

Presidents Council. No action was necessary.

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

<u>Management Council</u>. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

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

<u>Management Council</u>. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

### (4) Honors Committee

<u>Management Council</u>. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons: Brownlee, Huber, Roxbury

Council Rep: Tompson-Wolfe

Staff Liaisons: Gentry, Wilson

Council Rep: Udelhofen

Staff Liaison: Tufano Council Rep: Benning (6)

(9)

Staff Liaisons: Abdur-Rashid, Crawford, Robinson

Council Rep: Bryant

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

Council Rep: Bryant, Udelhofen

Staff Liaisons: Smith, Suscha

Council Rep: Walsh

Staff Liaisons: Calandro, Halpin

Staff Liaisons: O'Barr, Thomas

Council Rep: Cummings-Danson

Staff Liaison: Roxbury

Council Rep: Millerick

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

<u>Management Council</u>. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

# Joint Minority Opportunities and Interest Committee and Committee on Women's Athletics.

<u>Management Council</u>. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

(7) Olympic Sports Liaison Committee (OSLC).

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

Presidents Council. No action was necessary.

# (8) Playing Rules Oversight Panel.

# • Field Hockey/Women's Lacrosse.

<u>Management Council</u>. The Council received an update on a rules proposal in field hockey and women's lacrosse to allow individual student-athletes in these sports to choose between kilts and shorts as opposed to requiring all student-athletes on the same team to wear the same garment. NCAA staff noted the first opportunity to review these potential rule changes would be in 2019. A two-week comment period would allow the membership the opportunity to provide feedback on the proposed rule.

Presidents Council. No action was necessary.

# Postgraduate Scholarship Committee.

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

Presidents Council. No action was necessary.

# (10) Research Committee.

<u>Management Council</u>. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison: O'Barr, Thomas

Council Rep: Walsh

- (11) Walter Byers Scholarship Committee.
  - Noncontroversial Legislation NCAA Bylaw 21.2.9.1 Committees Association-Wide Committees – General Committees – Walter Byers Scholarship Committee – Composition – Student-Athlete Representation.

<u>Management Council</u>. The Council adopted noncontroversial legislation to amend NCAA Bylaw 21.2.9.1 to specify that the committee shall consist of seven members, one position allocated for a man, one position allocated for a woman, one position allocated for a former student-athlete and four unallocated members.

Presidents Council. No action was necessary.

# 4. **PROPOSED LEGISLATION FOR THE 2019 CONVENTION.**

## a. Review of Noncontroversial Legislation for 2019 NCAA Convention.

## (1) Playing and Practice Seasons – Football – Flexibility in On-Field Practice Time and Use of Footballs During Walk-Through Sessions.

<u>Management Council</u>. The Council approved noncontroversial legislation to amend the football preseason legislation as follows: (1) Allow the use of footballs during walk through sessions that occur after the five-day acclimatization period; (2) Limit on-field activity (i.e., a practice session and a walk-through session) to a combined total of four hours in length per day with a practice session not to exceed three hours.

Presidents Council. No action was necessary.

### (2) Legislative Authority and Process - Enforcement Policies and Procedures – Infractions Program – Duties of Committee on Infractions – Establishment and Revision of Enforcement Policies and Internal Operating Procedures.

<u>Management Council</u>. The Council approved noncontroversial legislation to clarify that the NCAA Division III Committee on Infractions has the authority to adopt, formulate and revise its internal operating procedures and review and approve the enforcement staff's internal operating procedures, including amendments by the enforcement staff to its procedures, subject to Division III Management Council approval [See Page No. 12, 2 a & b]

Presidents Council. No action was necessary.

# (3) Playing and Practice Seasons – Observation of Enrolled Student-Athletes in Organized Activities – Open to All.

Management Council. The Council approved noncontroversial legislation to

clarify that an institutional coach is only permitted to observe student-athletes in organized activities outside of the playing season if the opportunity to observe is open to all.

Presidents Council. No action was necessary.

# (4) Executive Regulations – Eligibility for Championships – Ineligibility for Use of Banned Drugs – Banned Drugs.

<u>Management Council</u>. The Council approved, in concept, noncontroversial legislation to amend all legislated references of NCAA banned drug classes to align with the World Anti-Doping Agency (WADA) list of prohibited classes with the exception of the glucocorticoid class, as specified.

Presidents Council. No action was necessary.

### b. Review of Modifications of Wording Approved by the Management Council.

• Recruiting – Sports Camps and Clinics and Other Athletics Events – Hosting an Event Involving Prospective Student-Athletes Without Institutional Involvement.

<u>Management Council</u>. The Council approved a modification of wording to clarify that an institution may rent its facilities for an event involving prospective student-athletes even if the event does not satisfy the provisions of the sports camps and clinics and other athletics events legislation, provided institutional personnel are not involved with working, directing or administering the camp and the institution is not involved with promoting the event.

Presidents Council. No action was necessary.

- c. **Review of Membership-Sponsored Legislation.** [NOTE: The Joint Legislative Steering Subcommittee reviewed on its July 24 teleconference the one membership-sponsored legislation properly submitted by the July 15 deadline.]
  - Playing and Practice Seasons Field Hockey and Soccer Preseason Establishing a Three-Day Acclimatization Period. This proposal would amend preseason practice in the sports of field hockey and soccer [See Page No. 8, 3a]

<u>Management Council</u>. The Council reviewed the membership-sponsored proposal and forwarded it to CSMAS, all sport committees, Playing and Practice Seasons Subcommittee (PPSS) and the Student-Athlete Advisory Committee (SAAC).

Council members asked whether additional sports; specifically, volleyball, cross country and water polo should be added to the proposal. NCAA staff noted that the timing of the legislative cycle leaves no time to change the legislation to add additional sports, in that the amendment-to-amendment period does not permit a proposal to be more expansive than its original version.

Presidents Council. No action was necessary.

### 5. CHAIR AND VICE CHAIR ELECTIONS.

### b. Management Council Elections for 2019.

<u>Management Council</u>. The Council elected Stevie Baker-Watson, director of athletics at DePauw University, as chair and Heather Benning, executive director of the Midwest Conference, as vice chair.

Presidents Council. No action was necessary.

### c. Presidents Council Leadership.

<u>Presidents Council</u>. All potential leadership candidates were encouraged to forward their interest to staff. The Presidents Council Nominations Subcommittee will discuss recommendations in September and forward a report to the Council at its October meeting.

### 6. DIVISION III INITIATIVES AND UPDATES.

### a. Diversity and Inclusion Working Group.

<u>Management Council</u>. The Council reviewed feedback from the NCAA Regional Rules Seminars regarding the 2019 NCAA Convention legislation related to annual mandatory student-athlete graduation rate reporting and noted that additional membership education is needed.

Presidents Council. No action was necessary.

### b. Sportsmanship and Game Environment Working Group.

<u>Management Council</u>. The Council received an update noting the following ongoing program development and next steps: (1) All Division III commissioners are scheduled to receive facilitator training through the Disney Institute in September; (2) NCAA staff is finalizing an assessment tool to better evaluate the short-term and long-term impact of the program; and (3) Work is ongoing in the development of an online training tool.

Presidents Council. No action was necessary.

### c. FAR Engagement Working Group.

<u>Management Council</u>. The Council, endorsed, in concept, the FAR best practices resource that will be distributed to the membership in the 2018-19 academic year.

Presidents Council. No action was necessary.

### d. LGBTQ Working Group.

<u>Management Council</u>. The Council endorsed, in concept, a LGBTQ logo and nondiscrimination policy guide. Per the Council's and national SAAC's feedback, the working group will make a minor change to the logo. The LGBTQ identity kit and the guide will be sent to all Division III institutions and conference offices in August. The Council requested that the office of inclusion work with NCAA staff to transition to gender neutral language with all NCAA reports, resources, etc.

Presidents Council. No action was necessary.

### e. Injury Surveillance Program.

<u>Management Council</u>. The Council endorsed a strategic plan related to the Injury Surveillance Program (ISP). The plan would focus on: (1) A membership-wide communication effort; (2) Distribution of a survey to gather additional information; (3) Collaboration with commissioners; (4) Creation of a call to action; and (5) Request institutions submit data on two sports over the course of three seasons.

Presidents Council. No action was necessary.

### f. 360 Proof.

<u>Management Council</u>. The Council received an update on the continued work of 360 Proof. Out of 710 institutions eligible to use the program, 220 institutions are currently registered. The end of the year webinar data showed overall lower figures than the prior year, and low persistence numbers for webinar participants. An in-person strategy session will be held with NASPA officials on September 14 in Indianapolis to evaluate the program, its vision, and how to generate increased use by member institutions.

Presidents Council. No action was necessary.

### g. Division III Identity Initiative.

<u>Management Council</u>. The Council received a status report on the Division III Identity Initiative including an update on the purchasing website, DIII/D3SIDA Recognition Award, social media, Special Olympics, new Division III Identity Initiative video and Division III Week.

Presidents Council. No action was necessary.

### h. Technology Users Group.

<u>Management Council</u>. The Council received an update from the Technology Users Group noting that both the Conference Grant Program and the purchasing website for the Division III Identity Initiative will be moved to Single Source Sign-On. In addition, staff provided an update that starting next year, the NCAA will be using Genius Sports for its statistical collection. The software will be provided to the membership for free for the first three years. Each year, new sports will be phased in.

Presidents Council. No action was necessary.

### i. 2018 Governance Scorecard Report.

<u>Management Council</u>. Staff provided the results of the 2017-18 governance scorecard. The scorecard is a tool that allows Division III committee members to evaluate how well NCAA staff liaisons performed specific tasks and how important those tasks were to committee members. It also aids staff in managing the performance of governance structure committee liaisons. Based on a five-point scale, the overall performance rating was 4.69 (slightly higher than the prior year).

Presidents Council. No action was necessary.

### j. Feedback from Conference Meetings.

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

Presidents Council. No action was necessary.

# 7. ASSOCIATION-WIDE UPDATES AND ISSUES.

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

<u>Management Council</u>. The Council received an update on the NCAA's established eight working groups that have been conducting an in-depth review and analysis of each topical area. Staff noted the timetable that will have the Division I Council receiving final feedback at its August meeting. The Board of Governors will review the Association-wide recommendations, as well as the other working group recommendations, at its August meeting. The Division III Presidents Council will take legislative action accordingly at its August meeting regarding annual reporting requirements related to athletics compliance. Regarding the recommendation to add five public members to the Board of Governors, the initial recommendations include: (1) The BOG's executive committee will be responsible for vetting and nominating the public members. The BOG's executive committee has representation from all three divisions with the proposed addition of a public member; and (2) The public members' length of service would be three years and will be staggered for the initial terms of service.

The Council provided feedback received from the membership on the working groups, with the following specifically related to the Association-wide working group recommendations: (1) Communication prior to the vote will be critical to educate the membership; (2) BOG expansion represents an important opportunity to enhance the diversity of members (e.g., race, ethnicity, gender); and (3) The Council didn't note any significant concerns with the certification of compliance recommendation but did not favor establishing a related financial penalty.

<u>Presidents Council</u>. The Presidents Council endorsed the noncontroversial proposal from the BOG to require each school's president or chancellor to join all athletics staff members in personally affirming the athletics program meets the NCAA's membership obligations for institutional control and rules compliance – a compliance practice already in place on

Division III campuses. Schools also will have to confirm that, when they do not follow NCAA rules, they will cooperate fully with the NCAA and take appropriate corrective actions.

Individuals from any schools that fail to fulfill that obligation would lose their eligibility to serve on an NCAA board, Council or committee. The proposal will need to be ratified along with other noncontroversial legislation at the Division III Business Session at the 2019 Convention. If it is ratified, schools would need to comply with the new rule starting with the 2019-20 academic year.

The Presidents Council and Presidents Advisory Group, which includes a president representing each of Division III's conferences, also discussed at length the Board of Governors' proposal to add five independent voting members to the board, increasing its size from 20 to 25. Independent members would not have direct ties to NCAA schools. Because the legislation requires a change to the NCAA constitution, the proposal will be subject to an Association-wide vote at the NCAA Convention's plenary session, which will include delegates from all three divisions. The proposal would go into effect Aug. 1, 2019, if the membership votes to adopt it with a two-thirds majority.

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

<u>Management and Presidents Council</u>. The Councils approved a recommendation to develop a white paper that fully explores relevant issues surrounding host and visitor care provisions, independent medical care, risk management and other pertinent concerns. The recommendation also requests a Division III-specific educational column to address the unchallengeable medical authority of host primary athletics health care providers when visiting teams travel without a provider. At the recommendation of the Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS), the Council withdrew previously approved noncontroversial legislation related to banned drugs and champion-ship penalties. [See Page No. 18 d (1) (b)]

The Management Council also reviewed a draft of the most recent SSI interassociation guidelines on preventing catastrophic injury and death in college student-athletes. The guidelines have a sportsmanship focus; protective equipment section; acclimatization and conditioning; an emergency action plan; and strength and conditioning personnel guidelines. SSI anticipates the release of the guidelines in 2019, but not necessarily at the start of the academic year. The Council provided the following feedback related to the guidelines:

- The term "workout," used throughout the guideline, must be better defined.
- The recommended four-day transition period with one practice a day for the start of every playing season would be a new concept.
- Not every institution has a designated strength and conditioning coach, so it may be problematic to have all workout and conditioning sessions be approved by a credentialed strength and conditioning coach.
- Concerns with the practical implementation of exertional heat injury emergency requirements (e.g., 56-gallon tub, stirring implement, a minimum of two people).

• Requested SSI to provide educational resources to meet the requirement that everyone in athletics (e.g., coaches) received education and training to prevent catastrophic injuries.

SSI also reviewed its strategic priorities timeline noting the following: (1) Distribution of an executive summary from the Feb. Task Force on Football Data will be forthcoming; (2) Outcomes of the recent pain management task force; (3) A new template to support the recent adoption of noncontroversial concussion legislation; and (4) In June, the newly released mental health educational tools.

#### c. Litigation Update.

<u>Management and Presidents Council</u>. The Councils received a litigation update. No action was necessary.

#### 8. ADJOURNMENT.

Management Council. The Council meeting adjourned at 3:59 p.m. Monday, July 16 and 11:26 a.m. Tuesday, July 17.

<u>Presidents Council</u>. The Presidents Council meeting adjourned at 9:21 p.m. Tuesday, August 7 and 12:15 p.m. Tuesday, August 8.

### SUPPLEMENT NO. 05 DIII Presidents Council 10/18



### REPORT OF THE NCAA DIVISION III ADMINISTRATIVE COMMITTEE AUGUST 30, 2018, TELECONFERENCE

### ACTION ITEM.

• None.

### INFORMATIONAL ITEMS.

- 1. Welcome and Roster. The teleconference commenced at 3:04 p.m. Eastern time Thursday, August 30.
- 2. 2019 NCAA Convention Legislation. The Administrative Committee reviewed and approved the following 2019 NCAA Convention legislative drafts sponsored by the Division III Presidents and Management Councils, consistent with the September 1 deadline.
  - a. <u>Membership Conditions and Obligations of Membership Student-Athlete Graduation</u> <u>Rate Reporting</u>. This proposal will include as a condition and obligation of Division III active membership, that an institution submit on an annual basis student-athlete graduation rate reporting data for the academic success rate (ASR) in a form prescribed by the Management Council; further to establish that annual championships eligibility is contingent upon submission of the ASR.
  - b. <u>Amateurism Pre-Enrollment Educational Expenses</u>. This proposal would permit individuals to accept educational expenses (e.g., tuition, fees, room, board and books) prior to collegiate enrollment from any individual or entity other than an agent, professional sports team/organization or representative of an institution's athletics interests, provided such expenses are disbursed directly through the recipient's educational institution (e.g., preparatory school, high school).
  - c. <u>Recruiting Electronic Transmissions and Publicity Comments Before Acceptance –</u> <u>Social Media</u>. This proposal is to establish an exception to the restrictions on electronic transmissions and publicity before commitment legislation to permit athletics department staff members to (1) connect with (e.g., "friend," "follow," etc.) prospective student-athletes on social media platforms, and (2) take actions (e.g., "like," "favorite," republish, etc.) on social media platforms that indicate approval of content generated by users of the platforms other than institutional staff members or representatives of an institution's athletics interests.
  - d. <u>Eligibility Final Term Before Experiential Learning Requirement</u>. This proposal would extend the existing final term exception to the full-time enrollment requirement to include student-athletes that are carrying (for credit) all courses necessary to complete degree requirements but have an outstanding experiential learning requirement.
  - e. <u>Playing and Practice Seasons Football Establishing Preseason Start Date 23 Days Before</u> <u>the Institution's First Permissible Contest</u>. This proposal would amend the football preseason legislation as follows: (1) Establish the first permissible practice date as 23 days before the institution's first regular season contest; and (2) Require a day off from physical athletically related activity during each week of the preseason following the five-day acclimatization period.

- 3. Communications and Education Plan Regarding Association-Wide Vote on Board of Governors Composition. The committee discussed the proposed Association-wide communication plan and the importance of informing the Division III membership of the day and time of the vote. The following communication venues will be used: (1) Division III Monthly Update; (2) Membership-wide emails; (3) Teleconference with Division III commissioners, NCAA president Mark Emmert and Division III Presidents Council chair Jeff Docking; and (4) Management Council members presenting at conference meetings. The governance staff will inform the committee when it receives new communication information.
- 4. **Other Business.** None.
- 5. Adjournment. The teleconference concluded at 3:42 p.m. Eastern time.

Committee Chair:	Jeff Docking, Adrian College
Staff Liaisons:	Dan Dutcher, Division III Governance
	Jay Jones, Division III Governance
	Debbie Kresge, Division III Governance
	Louise McCleary, Division III Governance

August 30, 2018	
Attendees	Absentees
Jeff Docking, Adrian College	
Sue Henderson, New Jersey City University	
Shantey Hill, St. Joseph's College (Long Island)	
Chris Kimball, California Lutheran University	
Kate Roy, North Atlantic Conference	
NCAA staff:	
Tiffany Alford	
Dan Dutcher	
Jay Jones	
Debbie Kresge	
Louise McCleary	
Jeff Myers	
Bill Regan	



### SUPPLEMENT NO. 06 FY 2017 - 2018 DIII Budget to Actual (through 08/31/2018) and FY 2018 - 2019 DIII Budget to Actua DTHu Presidents Council 10/18

		FY 2016 - 2017		FY 2017 - 2018				FY 2018 - 2019	
	Actual	Budget	Variance	Actual	Budget	Variance	Actual	Budget	Variance
Revenue									
DII/DIII Allocation-Based Revenue	\$32,276,861	\$29,695,153	\$2,581,708	\$31,431,970	\$31,155,829	\$276,141	\$4,083,095	\$32,237,370	(\$28,154,275
Additional Revenue from Membership Dues Increase								\$519,000	(\$519,000
Other Non-DII/DIII Revenue	\$77,485	\$0	\$77,485	\$76,135	\$46,250	\$29,885	\$0	\$0	\$0
Revenue Total	<u>\$32,354,346</u>	<u>\$29,695,153</u>	<u>\$2,659,193</u>	<u>\$31,508,105</u>	<u>\$31,202,079</u>	<u>\$306,026</u>	<u>\$4,083,095</u>	<u>\$32,756,370</u>	<u>(\$28,673,275</u>
Expenses									
Championship Expenses									
Men's Championships									
DIII Men's Baseball	\$1,654,685	\$1,963,071	\$308,386	\$2,214,380	\$2,218,000	\$3,620	\$1,399	\$2,332,000	\$2,330,60
DIII Men's Basketball	\$1,136,845	\$1,039,241	(\$97,604)	\$1,284,977	\$1,142,000	(\$142,977)	\$1,113	\$1,169,000	\$1,167,88
DIII Men's Cross Country	\$550,629	\$560,320	\$9,691	\$595,832	\$576,500	(\$19,332)	\$0	\$592,500	\$592,50
DIII Men's Football	\$1,754,917	\$1,906,585	\$151,668	\$2,305,524	\$1,982,500	(\$323,024)	\$0	\$2,036,500	\$2,036,50
DIII Men's Golf	\$536,584	\$563,541	\$26,957	\$602,252	\$607,500	\$5,248	\$5,649	\$621,500	\$615,85
DIII Men's Ice Hockey	\$271,667	\$340,417	\$68,750	\$418,395	\$370,000	(\$48,395)	\$0	\$376,000	\$376,00
DIII Men's Lacrosse	\$600,594	\$480,824	(\$119,770)	\$647,071	\$622,000	(\$25,071)	\$0	\$634,000	\$634,00
DIII Men's Soccer	\$1,251,282	\$1,101,694	(\$149,588)	\$1,248,150	\$1,225,400	(\$22,750)	\$0	\$1,244,400	\$1,244,40
DIII Men's Swimming and Diving	\$636,166	\$531,072	(\$105,094)	\$598,095	\$619,000	\$20,905	\$0	\$629,000	\$629,00
DIII Men's Tennis	\$584,248	\$631,301	\$47,053	\$691,143	\$680,500	(\$10,643)	\$0	\$698,000	\$698,00
DIII Men's Track Indoor	\$515,085	\$625,267	\$110,182	\$774,526	\$682,500	(\$92,026)	\$540	\$840,500	\$839,96
DIII Men's Track Outdoor	\$809,508	\$795,214	(\$14,294)	\$922,434	\$907,500	(\$14,934)	\$458	\$929,500	\$929,04
DIII Men's Volleyball	\$186,131	\$180,281	(\$5,850)	\$277,130	\$235,000	(\$42,130)	\$0	\$315,000	\$315,00
DIII Men's Wrestling	\$387,882	\$391,535	\$3,653	\$434,908	\$440,500	\$5,592	\$75	\$451,500	\$451,42
Total	<u>\$10,876,223</u>	<u>\$11,110,363</u>	\$234,140	<u>\$13,014,818</u>	<u>\$12,308,900</u>	<u>(\$705,918)</u>	<u>\$9,234</u>	<u>\$12,869,400</u>	\$12,860,166
		-							
Women's Championships		•				• • • • •			
DIII Women's Basketball	\$1,062,826	\$1,350,348	\$287,522	\$1,202,747	\$1,231,000	\$28,253	\$551	\$1,253,000	\$1,252,44
DIII Women's Cross Country	\$581,093	\$581,323	\$230	\$595,000	\$597,000	\$2,000	\$0	\$614,000	\$614,00
DIII Women's Field Hockey	\$362,313	\$447,830	\$85,517	\$575,621	\$494,000	(\$81,621)	\$0	\$504,000	\$504,00
DIII Women's Golf	\$343,523	\$333,377	(\$10,146)	\$417,563	\$389,550	(\$28,013)	\$3,000	\$407,550	\$404,55
DIII Women's Ice Hockey	\$316,469	\$296,004	(\$20,465)	\$219,181	\$271,000	\$51,819	\$0	\$314,000	\$314,00
DIII Women's Lacrosse	\$759,179	\$746,444	(\$12,735)	\$914,629	\$834,000	(\$80,629)	\$150	\$851,000	\$850,85
DIII Women's Rowing	\$210,989	\$317,709	\$106,720	\$345,238	\$413,000	\$67,762	\$0	\$427,000	\$427,00
DIII Women's Soccer	\$1,146,681	\$1,263,436	\$116,755	\$1,219,224	\$1,305,000	\$85,776	\$0	\$1,327,000	\$1,327,00
DIII Women's Softball	\$1,349,031	\$1,453,315	\$104,284	\$1,776,627	\$1,563,000	(\$213,627)	(\$809)	\$1,597,000	\$1,597,80
DIII Women's Swimming and Diving	\$535,043	\$543,662	\$8,619	\$639,708	\$683,000	\$43,292	\$0	\$695,000	\$695,00
DIII Women's Tennis	\$628,389	\$664,143	\$35,754	\$695,575	\$720,500	\$24,925	(\$810)	\$740,000	\$740,81
DIII Women's Track Indoor	\$482,769	\$626,450	\$143,681	\$701,113	\$649,500	(\$51,613)	\$0	\$762,500	\$762,50
DIII Women's Track Outdoor	\$762,570	\$823,161	\$60,591	\$922,958	\$915,500	(\$7,458)	(\$673)	\$937,500	\$938,173
DIII Women's Volleyball	\$913,876	\$1,031,544	\$117,668	\$1,096,389	\$1,127,500	\$31,111	(\$510)	\$1,153,500	\$1,154,01
Total	<u>\$9,454,752</u>	<u>\$10,478,746</u>	<u>\$1,023,994</u>	<u>\$11,321,573</u>	<u>\$11,193,550</u>	<u>(\$128,023)</u>	<u>\$900</u>	<u>\$11,583,050</u>	<u>\$11,582,150</u>
Championship Evenence	¢20.220.075	¢01 500 400	¢1.050.404	100 000 LCD	¢00 500 450	(0000.044)	¢40.404	¢04 450 450	¢04.440.04
Championship Expenses	\$20,330,975	\$21,589,109	\$1,258,134	\$24,336,391	\$23,502,450	(\$833,941)	\$10,134	\$24,452,450	\$24,442,316
Overhead Allocation	\$374,000	\$343,000	(\$31,000)	\$410,000	\$428,000	\$18,000	<u> </u>	\$422,000	\$422,000
Total Championship Expense Execution Date/Time: 10/4/2018 10:28:29 AM Run By: NCAA\\c	\$20,704,975	<u>\$21,932,109</u>	<u>\$1,227,134</u>	<u>\$24,746,391</u>	<u>\$23,930,450</u>	<u>(\$815,941)</u>	<u>\$10,134</u>	<u>\$24,874,450</u>	\$24,864,316 Page: 1 of 1

		FY 2016 - 2017		FY 2017 - 2018			FY 2018 - 2019		
	Actual	Budget	Variance	Actual	Budget	Variance	Actual	Budget	Variance
Non-Championship Expenses									
Conference Grants	\$2,537,821	\$2,541,000	\$3,179	\$2,791,532	\$2,795,100	\$3,568	\$3,042,605	\$3,042,600	(\$5
Intern Program	\$1,088,724	\$1,130,000	\$41,276	\$1,089,884	\$1,130,000	\$40,116	\$1,118,102	\$1,130,000	\$11,89
Strategic Alliance Matching Grant	\$608,420	\$708,600	\$100,180	\$589,725	\$708,600	\$118,875	\$566,422	\$708,600	\$142,17
Leadership Conference	\$344,949	\$365,000	\$20,051	\$366,642	\$365,000	(\$1,642)	\$0	\$365,000	\$365,00
Identity Initiative	\$342,743	\$360,000	\$17,257	\$312,697	\$300,000	(\$12,697)	\$25,900	\$300,000	\$274,10
Diversity Initiatives	\$284,742	\$231,000	(\$53,742)	\$255,519	\$250,000	(\$5,519)	\$28,335	\$250,000	\$221,66
Injury Surveillance and Testing							\$0	\$104,500	\$104,50
Coaches and Administrators Diversity							\$0	\$100,000	\$100,00
360 Proof	\$124,744	\$176,000	\$51,256	\$111,264	\$125,000	\$13,736	\$21,344	\$125,000	\$103,65
Sportsmanship	\$523,325	\$50,000	(\$473,325)	\$228,694	\$250,000	\$21,306	\$39,163	\$250,000	\$210,83
ADR Institute	\$93,769	\$107,500	\$13,732	\$80,877	\$90,000	\$9,123	(\$124)	\$90,000	\$90,12
FAR Orientation/Institute	\$91,882	\$86,500	(\$5,382)	\$58,850	\$85,000	\$26,150	\$0	\$85,000	\$85,00
Leadership Development Initiatives DIII	\$80,000	\$80,000	\$0	\$86,662	\$80,000	(\$6,662)	\$0	\$100,000	\$100,00
LGBTQ							\$0	\$100,000	\$100,00
AD and Commissioner Orientation	\$71,942	\$60,000	(\$11,942)	\$78,886	\$85,000	\$6,114	\$1,500	\$85,000	\$83,50
NCAA Annual Convention	\$37,443	\$70,000	\$32,557	\$72,485	\$70,000	(\$2,485)	\$0	\$70,000	\$70,00
Athletics Administrator Partnership (NADIIIAA)	\$52,023	\$52,000	(\$23)	\$75,000	\$75,000	\$0	\$0	\$75,000	\$75,00
Administrative	\$145	\$4,000	\$3,855	\$49,303	\$85,300	\$35,997	\$0	\$95,300	\$95,30
Academic All-America Program (Co-SIDA)	\$39,500	\$44,000	\$4,500	\$39,500	\$44,000	\$4,500	\$0	\$44,000	\$44,00
Insurance	\$48,460	\$41,000	(\$7,460)	\$40,960	\$41,000	\$40	\$0	\$41,000	\$41,00
Special Olympics	\$38,847	\$35,000	(\$3,847)	\$38,341	\$35,000	(\$3,341)	\$0	\$35,000	\$35,00
Other Initiatives	\$24,994	\$25,000	\$7	\$35,262	\$35,000	(\$262)	\$0	\$35,000	\$35,00
Female Athletics Administator Support (NACWAA)	\$28,000	\$28,000	\$0	\$30,000	\$30,000	\$0	\$0	\$30,000	\$30,00
Membership Lerning Management							\$278	\$25,000	\$24,72
Working Groups	\$16,301	\$16,000	(\$301)	\$14,565	\$35,000	\$20,435	\$0	\$20,000	\$20,00
SAAC April and Associate Member Meetings	\$15,716	\$15,000	(\$716)	\$16,039	\$25,000	\$8,961	\$0	\$90,000	\$90,00
Conference Commissioner Meetings	\$16,237	\$20,000	\$3,763	\$10,497	\$20,000	\$9,503	\$0	\$20,000	\$20,00
Administrator and Commissioner Mtg (NADIIIAA and	\$9,594	\$10,000	\$406	\$19,711	\$10,000	(\$9,711)	\$391	\$10,000	\$9,60
CoSIDA DIII Day				\$22,537	\$0	(\$22,537)	\$150	\$15,000	\$14,85
Staff Professional Development							\$0	\$7,000	\$7,00
Exploratory/Provisional Membership				\$9,442	\$0	(\$9,442)	\$47	\$0	(\$47
Non-Championship Expenses	\$6,520,320	\$6,255,600	<u>(\$264,720)</u>	\$6,524,876	\$6,769,000	\$244,124	\$4,844,111	\$7,448,000	\$2,603,88
Overhead Allocation	\$944,000	\$1,054,000	\$110,000	\$1,031,000	\$1,128,000	\$97,000		\$1,062,000	\$1,062,00
Total Non-Championship Expense	\$7,464,320	\$7,309,600	(\$154,720)	\$7,555,876	\$7,897,000	\$341,124	\$4,844,111	\$8,510,000	\$3,665,88

Total Division III Expenses	<u>\$28,169,295</u>	<u>\$29,241,709</u>	<u>\$1,072,414</u>	<u>\$32,302,266</u>	<u>\$31,827,450</u>	<u>(\$474,816)</u>	<u>\$4,854,246</u>	<u>\$33,384,450</u>	<u>\$28,530,204</u>
Surplus (Deficit)	\$4,185,051	\$453,444		(\$794,161)	(\$625,371)		(\$771,151)	(\$628,080)	
Add: Prior Year Reserve Balance	\$25,819,680	\$25,819,680		\$30,004,731	\$30,004,731		\$29,210,570	\$29,210,570	
Estimated Reserve Balance	\$30,004,731	\$26,273,124		\$29,210,570	\$29,379,360		\$28,439,419	\$28,582,490	

#### NCAA Division III Projection Model thru FY2023-24

#### **DIII Future Projections**

Assumptions:

- Game Operations increases by X% each fiscal year based on FY2009-10 thru FY2015-16 average increases. Actual growth rate is 4.6%

- Committee expenses increase by X% each fiscal year based on FY2011-12 thru FY2015-16 average increases. Actual growth rate is -2.1%

0.00% DIII Champs Assumption Analysis 16-17 3.75% Presentation to CFO on Travel Models by division

3.00% DIII Champs Assumption Analysis 16-17

- Team Transportation increases by X% each fiscal year based on cost per traveler analysis for FY2008-09 thru FY2016-17. - Maintain 75%/25% ratio of championships to non-championships spending thru 2024 with draw on reserve to cover certain champs and non-

championships enhancements over the same period.

## The National Collegiate Athletic Association

**Division III Budget Projections** 

	2017-18 Actual	2018-19 Budget	2019-20 Projection	2020-21 Projection	2021-22 Projection	2022-23 Projection	2023-24 Projection
Revenue:					Ū.	0	
Division III 3.18% Revenue Allocation Draw from DIII Reserve	\$ 31,431,970	\$ 32,237,370	\$ 33,012,370	\$ 33,789,370	\$ 34,472,37	70 \$ 34,617,370	\$ 34,668,370
Additional Revenue from Membership Dues Increase	\$-	\$ 519,000	\$ 519,000	\$ 519,000	\$ 519,00	00 \$ 519,000	\$ 519,000
Division III Other Revenue Total Revenue	76,135 \$ 31,508,105	\$ 32,756,370	\$ 33,531,370	\$ 34,308,370	\$ 34,991,37		\$ 35,187,370
Projected Revenue Increase	-2.6%	\$ 32,750,370 2.6%	\$ <b>33,331,370</b> 2.4%	\$ <b>34,308,370</b> 2.4%	\$ <b>34,991,3</b> 7 2.0%	0.4%	\$ <b>35,187,570</b> 0.1%
Expenses:							
Championships Game Operations	4,528,254	4,777,150	4,920,465	5,068,078	5,220,12	5,376,724	5,538,026
Championships Committee	347,580	401,400	401,400	401,400	401,40		401,400
Championships Team Transportation Championships Per Diem	10,666,519 7,014,220	10,240,000 7,207,200	10,624,000 7,207,200	11,022,400 7,636,200	11,435,74 7,636,20		12,309,502 7,636,200
Championships Overhead Allocation <sup>4</sup>	410,000	422,000	435.000	448.000	461,00		489,000
Total Championship Expenses	22,966,573	23,047,750	23,588,065	24,576,078	25,154,46		26,374,128
Non-Championships Base Budget	6,458,872	6,929,000	7,149,000	7,320,000	7,457,00	7,458,000	7,435,000
Non-Championships Initiatives	-	-	-			-	
Non-Championships Overhead Allocation <sup>4</sup>	1,031,000	1,062,000	1,094,000	1,127,000	1,161,00	00 1,196,000	1,232,000
Total Non-Championship Expenses	7,489,872	7,991,000	8,243,000	8,447,000	8,618,00	8,654,000	8,667,000
Total Division III Expenses (before supplemental spending)	\$ 30,456,445	\$ 31,038,750	\$ 31,831,065	\$ 33,023,078	\$ 33,772,46	\$ 34,407,905	\$ 35,041,128
Net Change in Fund Balance (before supplemental spending)	\$ 1,051,660	\$ 1,717,620	\$ 1,700,306	\$ 1,285,292	\$ 1,218,90	9 \$ 728,465	\$ 146,242
Supplemental items:							
Local ground transportation for individual sports	580,426	602,000	625,000	648,000	672,00		723,000
Local ground transporation for team sports Increase in travel party size for team sports	493,864 705,528	512,000 712,700	531,000 720,700	551,000 756,000	572,00 764.00		615,000 781,000
Supplemental Championships Spending from reserve $^2$	1,779,818	1,826,700	1,876,700	1,955,000	2,008,00		2,119,000
Supplemental Non-Championships Spending from reserve	66,000	519,000	519,000	519,000	519,00	, ,	519,000
Total Supplemental Spending	1,845,818	2,345,700	2,395,700	2,474,000	2,527,00	2,581,000	2,638,000
Division III Membership Dues Credit	-	-	-	-	-	-	-
Total Division III Expenses (after supplemental spending)	\$ 32,302,263	\$ 33,384,450	\$ 34,226,765	\$ 35,497,078	\$ 36,299,46		\$ 37,679,128
Net Change in Fund Balance (after supplemental spending)	\$ (794,158) 14.7%	\$ (628,080)	\$ (695,395)	\$ (1,188,708)			\$ (2,491,758)
Projected Expense Increase	14.7%	3.4%	2.5%	3.7%	2.3%	1.9%	1.9%
Beginning Fund Balance (Projected Reserve and Unallocated Funds)	\$ 30,004,731	\$ 29,210,573	\$ 28,582,493	\$ 27,887,099	\$ 26,698,39	\$ 25,390,300	\$ 23,537,765
Less: Net Change in Fund Balance	(794,158)	(628,080)	(695,395)	(1,188,708)	(1,308,09	(1,852,535)	(2,491,758)
Ending Fund Balance (Projected Reserve and Unallocated Funds)	\$ 29,210,573	\$ 28,582,493	\$ 27,887,099	\$ 26,698,391	\$ 25,390,30	\$ 23,537,765	\$ 21,046,007
Fund Balance Less allocated funding:	\$ 29,210,573	\$ 28,582,493	\$ 27,887,099	\$ 26,698,391	\$ 25,390,30	00 \$ 23,537,765	\$ 21,046,007
Championship Contingency (Note 4)	-	-	-	-			-
Encumbered for future year programs	-		-	-			-
Available Fund Balance Event Cancellation Insurance Policy	\$ 29,210,573	\$ 28,582,493	\$ 27,887,099	\$ 26,698,391	\$ 25,390,30	00 \$ 23,537,765	\$ 21,046,007
Total Reserve Funding Available	\$ 29,210,573	\$ 28,582,493	\$ 27,887,099	\$ 26,698,391	\$ 25,390,30	00 \$ 23,537,765	\$ 21,046,007
Mandated Reserve <sup>1</sup>	(15,715,985)	(16,118,685)	(16,506,185)	(16,894,685)			(17,334,185)
Cash available in excess of reserve policy	\$ 13,494,588	\$ 12,463,808	\$ 11,380,914	\$ 9,803,706	\$ 8,154,11	.5 \$ 6,229,080	\$ 3,711,822

Notes:

1 Mandated reserve is 50% of the annual DIII revenue allocation in cash beginning in fiscal year 2017-18. The division also holds a separate event cancellation insurance policy with a \$5M limit. 2 Supplemental championships spending is earmarked for individual/team local ground transportation and returning travel party sizes to 2013-14 levels. This supplemental spending would be evaluated first for elimination in the event of an operating deficit.

3 Amount includes inflationary increase from prior year amount (light blue highlight).
 4 All amounts for 2017-18 are unaudited amounts. Overhead estimates were updated September 2018 based on current information.

Annual TO SOLVE value for Championships Change in Annual TO SOLVE value Cumulative Impact on Cash Reserve if not resolved	425,382 (374,444) 3,056,807	9,790 (415,592) 3,066,597	(401,625) (411,415) 2,664,972	(870,871) (469,246) 1,794,101		
Percentage DIII Spend - Championships	75%	74%	74%	74%	74%	75%
Percentage DIII Spend - Non-Championships	25%	26%	26%	26%	26%	25%

### **SUPPLEMENT NO. 07 DIII Presidents Council 10/18**

### **REPORT OF THE** NCAA DIVISION III MANAGEMENT COUNCIL

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

### ACTION ITEMS

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

### 1. Convention Proposal Grouping and Voting Method for 2019.

- a. <u>Recommendation</u>. Designate that votes for all proposals at the 2019 Convention be taken using the roll-call method, regardless of the proposal's grouping (Presidents Council or general) and approve the voting order and groupings as set forth in Supplement No. 13a.
- b. <u>Effective Date</u>. Immediate.
- c. <u>Rationale</u>. The Management Council endorsed the Interpretations and Legislation Committee's recommendation, noting that electronic voting units and technology permit 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 also endorsed the voting order and grouping as recommended by the committee.
- d. <u>Budget Impact</u>. None.
- e. <u>Student-Athlete Impact</u>. None.

### 2. Joint Men's and Women's Basketball Championships.

- a. <u>Recommendation</u>. Support one Division III Men's Basketball Championship and one Division III Women's Basketball Championship in conjunction with the Division I Men's Final Four and the Division I Women's Final Four, respectively, during the remaining period of the current NCAA broadcast agreement (through 2024).
- b. <u>Effective Date</u>. Immediate, with specific years for the joint championships to be determined pending future sites selected for the Division I Men's and Women's Final Fours.
- c. <u>Rationale</u>. The Division I, II and III Men's and Women's Basketball Committees recommended two joint championships for each gender over the next 10 years. The Division III committees highlighted that participation provides a heightened platform to promote the Division III identity for the entire basketball season (approximately six months). The media attention related to the Division I Final Fours is extensive, and it presents a unique opportunity to positively impact Division III branding efforts. The

Division III coaches' associations support this proposal. The Division III Championships Committee believes it is prudent, given the financial implications, to conduct one joint championship for each gender during the remaining years of the current broadcast agreement before re-evaluating additional commitments.

- d. <u>Budget Impact</u>. Approximately \$250,000 per gender for each joint championship. The Division III Championships Committee and Management Council also recommend asking the Division III Strategic Planning and Finance Committee to consider committing dollars from the Division III identity initiatives budget to assist with expenses, given the overall marketing and exposure benefits from the joint championships for the division.
- e. <u>Student-Athlete Impact</u>. The most recent joint championships in 2013 for men and 2016 for women garnered significant positive feedback regarding the student-athlete experience, increased attendance for the championship games versus when the championships are conducted as singular events, and significant additional publicity for the division.

### 3. 2019 NCAA Convention Proposal – Football Preseason – Amendment to Amendment.

- a. <u>Recommendation</u>. Sponsor an amendment-to-amendment to the 2019 Convention proposal that establishes the football preseason start date at 23 days before the institution's first contest. Specifically, the Council recommends that if an institution's first contest is on Thursday, the preseason start date would be 23 days from the following Friday. (Attachment)
- b. <u>Effective Date</u>. August 1, 2019.
- Rationale. Currently, the first permissible contest date is the Thursday preceding the c. weekend that is 11 weeks before the first round of the NCAA Division III football championships. The current rule establishing the first permissible practice date involves a counting formula that counts back from the institution's first contest date unless that contest occurs on the Thursday of opening weekend. If the first contest date is that Thursday, then the counting formula would start counting back from Friday. The proposal that changed the first allowable contest date from Friday to Thursday did not intend to expand the preseason. Therefore, the counting formula continued to use Friday as the date in which to count back from if the institution chose to have its first contest on the Thursday of the opening weekend. The 2019 proposal amending the start date would allow institutions to count back from the actual contest date even if that date is the Thursday of opening weekend. The Management Council concluded that allowing institutions to count back from Thursday would be too much of an expansion of the preseason and thus institutions should count the 23 days back from Friday if the institution's first contest is the Thursday of the opening weekend.

- d. <u>Budget Impact</u>. One less potential day of providing preseason expenses if the institution conducts its first contest on the Thursday of opening weekend.
- e. <u>Student-Athlete Impact</u>. None.

## 4. 2019 NCAA Convention Proposal – Field Hockey and Soccer Preseason Acclimatization Period.

- a. <u>Recommendation</u>. Oppose the membership-sponsored proposal to establish a threeday acclimatization in soccer and field hockey.
- b. <u>Effective Date</u>. Immediate.
- <u>Rationale</u>. The Council based its recommendation of opposition on the following: 1.) The proposal does not have existing data to support it; 2.) It doesn't take into consideration all fall sports; 3.) It could disadvantage financially challenged institutions; and 4.) It could negatively impact student-athlete summer work and internship opportunities. The Council noted the proposal was opposed by CSMAS, as well as the Division III Field Hockey Committee.
- d. <u>Budget Impact</u>. None.
- e. <u>Student-Athlete Impact</u>. Helps preserve student-athlete summer work and internship opportunities.

### **NO ACTION REQUIRED**

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

- **1. 2019 Convention.** The Convention Planning Subcommittee reported the following programming for presidents and chancellors:
  - a. <u>Presidents and Chancellors Engagement Program</u>. This session is open to all chancellors and presidents in Divisions I, II and III. The session will take place Thursday, January 24, from 8 to 9:30 a.m. All presidents and chancellors within the first 12 months of their presidency will receive a \$200 honorarium.
  - b. <u>Division III Presidents and Chancellors Forum and Luncheon</u>. This session is open to all Division III presidents and chancellors and will take place Thursday, January 24, from 11:30 a.m. to 1 p.m.

- c. <u>Association-wide Education Session</u>. The NCAA's Office of Legal Affairs, in conjunction with President Emmert's office, will conduct a session on Thursday, January 24, from 2:30-4 p.m.
- d. <u>Association-wide Business Session</u>. On Thursday, January 24, from 5:45-6:45 p.m., the membership will participate in an Association-wide vote on the proposal to add five public, independent members to the Board of Governors.

The subcommittee also noted that the Division III Issues Forum on Friday, January 25, will include roundtable discussions on the 2018 Division III Membership Survey results. In addition to the roundtable discussions, there will be a Q&A session on the key 2019 legislative proposals.

- 2. 2019 Proposal. In its review of the pre-enrollment educational expenses proposal that permits individuals to accept educational expenses prior to collegiate enrollment, the Council learned that institutions were already contacting NCAA staff with questions and waiver requests regarding current student-athletes who may have received pre-enrollment educational expenses. Based on this information, the Council approved a blanket waiver for all current student-athletes who may have received educational expenses for secondary education that are not allowed under the current legislation but would be permitted under the proposal. If the proposal is not adopted at the 2019 Convention, then those student-athletes that received impermissible secondary educational expenses would have to be declared ineligible and apply for reinstatement.
- **3. Division III University.** Similar to Division II, the Council endorsed a recommendation to create a "Division III University", an on-line learning management system for Division III head coaches and other administrators. The Division III rollout would be limited in scope with its initial existing educational modules released in January 2019. While there is no cost to develop the modules, there is a cost for Division III head coaches and administrators to access the modules. The cost is approximately two to three dollars per license. With close to 8,000 head coaches and 1,000 administrators (e.g., athletics directors, senior woman administrators and commissioners), staff estimates the initial cost to be \$25-30,000. The Management Council recommends the Strategic Planning and Finance Committee approve the funding by either paying for this expense from the Injury Surveillance Program budget of \$104,000 (which appears to be excessive) in 2018-19 or from the division's surplus above and beyond the mandated reserve.
- 4. **Sport Science Institute (SSI) Updates.** The SSI staff shared an update on the guidelines to prevent catastrophic injury and death in college student-athletes. SSI will send the guidelines to medical organizations for review and final endorsement. At its January meeting, the Council will review the interassociation guidelines and receive an update regarding any legislative

impacts. SSI anticipates the guidelines to be officially endorsed and adopted at the Board of Governors' spring meeting. SSI also anticipates hosting a Wagering Summit in the coming months.

5. Interpretation and Legislation Committee (ILC). The Management Council sponsored noncontroversial legislation to revise the definition of a captain's practice. This legislative amendment clarifies that student-athletes can participate in an activity limited to members of that team provided there is no coach involvement and the activity is voluntary. The Council also approved two official interpretations: 1.) Student-athletes may participate in a recreation league specific to their sport that is sponsored by their institution provided the institution conducts the league wholly outside of the athletics department and the league does not benefit the athletics department; and 2.) Clarify that the notification of transfer within the NCAA Transfer Portal equates to a permission to contact; thereby allowing Division III coaches to contact student-athletes that are in the NCAA Transfer Portal.

Staff noted that the NCAA Transfer Portal officially opened on October 15. Divisions I and II institutions will use the NCAA Transfer Portal to initiate student-athlete entries. Although Division III will not use the Transfer Portal to enter transferring student-athletes, institutions will have access to the portal to view Division I and II student-athlete information. The Transfer Portal shows the student-athlete's notification of transfer (Division I) and permission to contact (Division II) in addition to the student-athlete's transfer tracer.

### 6. Committee Appointments.

- a. The Management Council approved the following committee term extension.
  - Nominating Committee Andrea Belis, senior woman administrator, Becker College.
- b. Management Council approved the following governance committee appointments.
  - (1) <u>Division III Student-Athlete Advisory Committee (11 vacancies)</u>:
    - American Rivers Conference Braly Keller, Nebraska Wesleyan University.
    - American Southwest Conference Isiah Swann, University of Texas at Dallas.
    - City University of New York Athletic Conference (immediate vacancy) Anthony Francois, John Jay College of Criminal Justice.
    - Commonwealth Coast Conference Arcel Kabongo Ngoy, Western New England University.
    - Landmark Conference (immediate vacancy) Catherine Lanigan, Juniata College.

- New England Collegiate Conference Michael McMahon, Becker College.
- New Jersey Athletic Conference Christine Mayorga, Montclair State University.
- North Eastern Athletic Conference Michael Litz, Penn State University, Abington.
- Ohio Athletic Conference Hannah Durst, Baldwin Wallace University.
- Upper Midwest Athletic Conference Charlotte Ellis, Crown College (Minnesota).
- Wisconsin Intercollegiate Athletic Conference (immediate vacancy) Jake Santellano, University of Wisconsin-Whitewater.
- (2) <u>Division III Management Council (five vacancies)</u>:
  - Stephen Briggs, president, Berry College, Southern Athletic Association.
  - Charles Brown, faculty athletics representative, Pennsylvania State University Erie, the Behrend College, Allegheny Mountain Collegiate Conference.
  - Steve Cantrell, director of athletics, Delaware Valley University, Middle Atlantic Conferences.
  - Sarah Feyerherm, vice president for student affairs/athletics direct report, Washington College (Maryland), Centennial Conference.
  - Michelle Morgan, director of athletics, John Carroll University, Ohio Athletic Conference.
- (3) <u>Division III Championships Committee (two vacancies)</u>:
  - Penny Siqueiros, director of athletics, Wesleyan College (Georgia), USA South Athletic Conference (immediate vacancy).
  - Brian Jamros, director of athletics, The College of St. Scholastica, Upper Midwest Conference.
- (4) <u>Division III Financial Aid Committee (two vacancies)</u>:
  - Marybeth Lamb, director of athletics, Bridgewater State University, Massachusetts State Collegiate Conference.
  - James Schmidt, chancellor, University of Wisconsin-Eau Claire, Wisconsin Intercollegiate Athletic Conference.

- (5) <u>Division III Membership Committee (two vacancies)</u>:
  - Charles Jacobs, faculty athletics representative, St. Norbert College, Midwest Conference.
  - Megan Valentine, director of athletics, Hilbert College, Allegheny Mountain Collegiate Conference.
- (6) <u>Division III Nominating Committee (two vacancies)</u>:
  - Robert Davis Jr., chief of staff/athletics direct report, University of Scranton, Landmark Conference.
  - Josh Merchant, president, Buena Vista University, American Rivers Conference.

The Council approved a new policy that if a vacancy on a sports committee has been posted at least one time (in addition to the original posting of annual committee vacancies) and no eligible nominations have been received, the conference that has not had representation for the longest period will be required to submit an individual to be appointed to the committee.

- 7. LGBTQ Working Group. The LGBTQ Working Group distributed the LGBTQ nondiscrimination policy guide, as well as an LGBTQ identity kit, to every institution and conference office. The working group is currently developing the parameters for a facilitator training for head coaches slated for June 2019.
- 8. Gender Neutral Language. The Council directed staff to discuss ways to make Division III committee reports, policies, resources, applications and committee nominating processes gender neutral as well as Association-wide resources (e.g., NCAA Convention registration). Staff noted it has scheduled a preliminary meeting with the office of inclusion to discuss next steps.
- **9.** Faculty Athletics Representative (FAR) Working Group. The Council reviewed and endorsed the FAR best practices resource. The Division III Faculty Athletics Representative Association executive committee will provide feedback in November and staff anticipates the resource will be printed and delivered to the membership in December. All 2019 Convention delegates will receive a hardcopy in January.
- **10. International Ice Hockey Pilot.** Staff provided an update on the international ice hockey pilot. During 2018-19 academic year, at the request of the membership, staff created a pilot for all Division III schools that sponsor men's and/or women's ice hockey. The pilot parameters include the NCAA Eligibility Center reviewing the participation history of all international first year ice hockey players. As of early October, 72 percent of the division had participated in the pilot by either submitting a roster to the EC or declaring that it had no first-year

international players. Staff also noted that participation numbers have exceeded preliminary estimates, likely creating a budget overage. At the conclusion of the ice hockey season, staff will conduct a survey to assess the pilot.

**11. Strategic Planning Session.** The Council met with representatives from Attain, a strategic planning agency, to provide feedback related to the NCAA's current strategic planning process.

PLAYING AND PRACTICE SEASONS -- FOOTBALL -- ESTABLISHING PRESEASON START DATE 23 DAYS BEFORE THE INSTITUTION'S FIRST CONTEST- EXCEPTION THURSDAY CONTEST

**Convention Year: 2019** 

Effective Date: August 1, 2019

Source: NCAA Division III Presidents Council (Management Council).

Proposal Category: Presidents Council

**Topical Area:** Playing and Practice Seasons

**Intent:** To establish that the first permissible practice date for an institution that conducts its first contest on the Thursday of the opening weekend is 23 days before the following Friday.

Bylaws: Amend 17.10.2, as follows:

[Division III, roll call]

17.10.2 Preseason Practice.

17.10.2.1 First Practice Date. A member institution shall not commence official preseason football practice sessions for the varsity, junior varsity or freshman team earlier than 23 days before its first scheduled contest <u>or before the Friday after</u> <u>the institution's first contest (game) if the first contest is scheduled for a Thursday.</u>

[Remainder of 17.10.2 unchanged.]

**Rationale:** The first permissible contest date is the Thursday preceding the weekend that is 11 weeks before the first round of the NCAA Division III football championships. The current rule establishing the first permissible practice date involves a formula that counts back from the institution's first contest date unless that contest occurs on the Thursday of opening weekend. If the first contest date is that Thursday, then the formula would start counting back from the following Friday. The proposal that changed the first allowable contest date from Friday to Thursday did not intend to expand the length of the preseason and continued to use Friday as the date in which to count back from even when the institution chose to have its first contest on the Thursday of the opening weekend. This amendment will keep that application in place and require institutions to count the 23 days back from Friday if the institution's first contest is the Thursday of the opening weekend.

**Budget Impact:** This amendment results in a possible cost savings associated with having one fewer preseason practice day for institutions that conduct their first contest on Thursday of the opening weekend.

SUPPLEMENT NO. 09a DIII Presidents Council 10/18

## NC44 Research

## 2018 Division III Graduation Rates Report October 2018

# Background

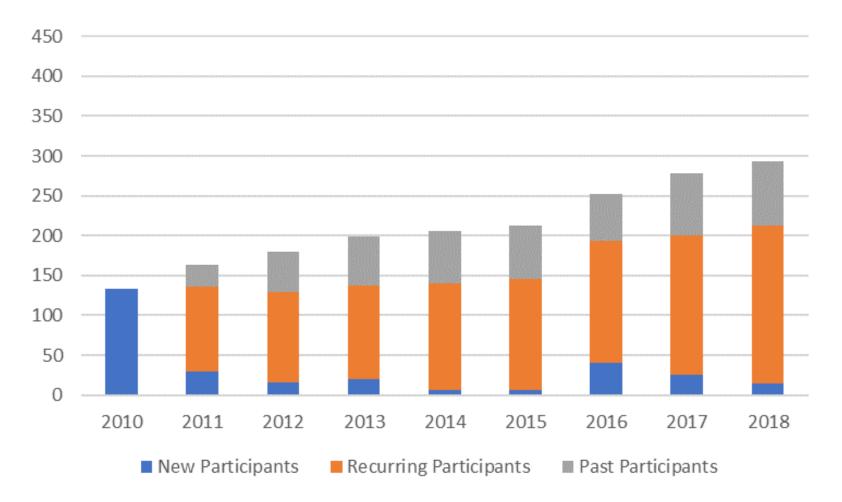
- 2018 is the 9th year of the voluntary collection of student-athlete graduation rates for Division III schools.
- Academic success defined as graduation.
  - Central goal of higher education and NCAA membership.
  - Allows for the comparison of student-athletes and the student-body.



## The Rates - Federal & ASR

Student Groups	Federal Numerator	Federal Denominator	ASR Numerator	ASR Denominator
Freshmen (Fall)		$\checkmark$		$\checkmark$
Freshmen (Mid-Year)				$\checkmark$
Incoming Transfers (2-Year and 4-Year)				$\checkmark$
Those who left in good academic standing				$\checkmark$
Allowable Exclusions		$\checkmark$		$\checkmark$
Graduates (Fall Freshmen)	$\checkmark$		$\checkmark$	
Graduates (Mid-Years/Transfers)			$\checkmark$	

## **Number of Institutions Participating**



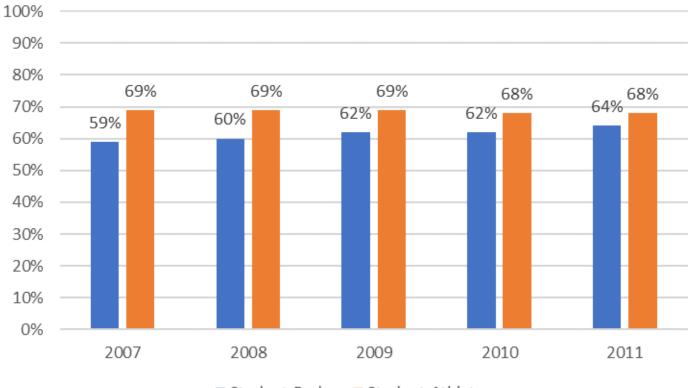


## **FINDING**:

# Student-athletes graduate at a higher rate than the student-body.



# Federal Graduation Rates for Division III Student-Body and Student-Athletes



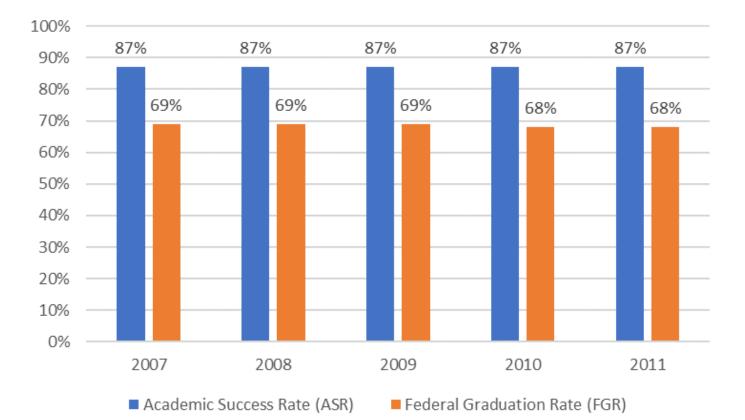
Student-Body Student-Athletes

## **FINDING**:

# Nearly 90% of student-athletes graduate or leave in good academic standing.



## Academic Success Rates and Federal Graduation Rates for Division III Student-Athletes



NCAA

8

## FINDING:

# Male African-American students and student-athletes graduate at a lower rate than any other race/ethnicity group.

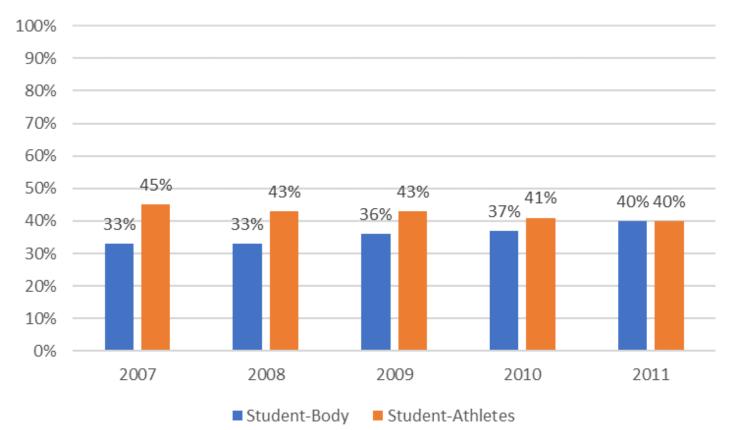


## Federal Graduation Rate by Race/Ethnicity for Division III Men (2011)

Sport	Student-Body	Student-Athletes
American Indian / Alaska Native	47	56
Asian	61	71
Black	40	40
Hispanic	51	53
Native Hawaiian / Pacific Islander	55	42
Non-Resident Alien	63	63
Two or More	60	58
Unknown	56	55
White	62	66



## Federal Graduation Rates for Division III Male African-American Student-Body and Student-Athletes



## **CONTEXT**:

# African-American men are overrepresented in football and basketball.



## Division III African-American Representation

Cohort	Male Student- Body (%)	Male Student- Athlete (%)	Football (%)	Men's Basketball (%)
2007	7.0	7.4	12.2	25.0
2008	6.4	8.0	13.2	23.9
2009	6.9	10.0	17.6	26.5
2010	6.9	10.2	17.6	26.8
2011	7.3	11.1	20.2	26.6



## **FINDING**:

# Half of football student-athletes do not graduate from the school they started at.

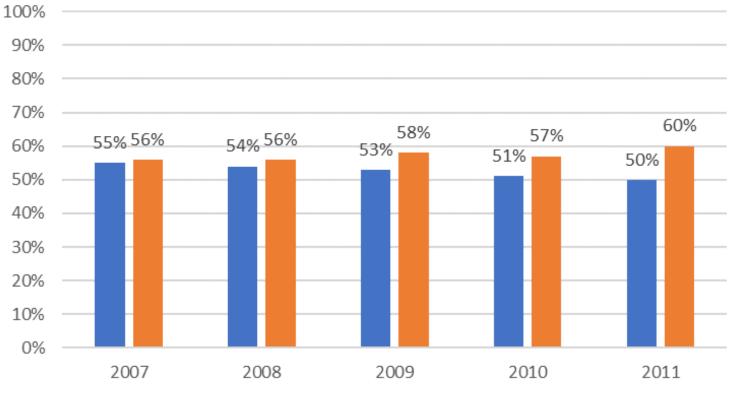


## Division III Federal Graduation Rates by Team Sport (2011)

Sport	FGR
Field Hockey	80
Women's Lacrosse	79
Women's Soccer	75
Softball	75
Women's Volleyball	73
Women's Basketball	71
Men's Lacrosse	66
Baseball	66
Men's Soccer	64
Men's Basketball	58
Football	50



# Division III Federal Graduation Rates for Football and Male Student-Body



Football Male Student-Body



## **FINDING**:

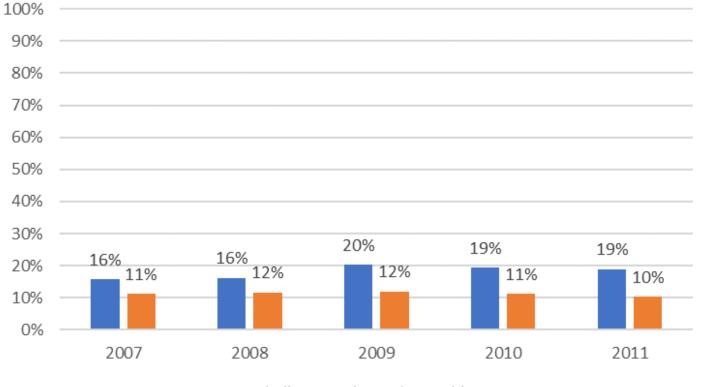
# Nearly one out of five football studentathletes leave in bad academic standing.



# Division III Percent Left in Bad Academic Standing by Team Sport (2011)

Sport	Percent
Field Hockey	5
Softball	5
Women's Lacrosse	5
Women's Volleyball	6
Women's Soccer	6
Women's Basketball	7
Baseball	10
Men's Lacrosse	10
Men's Soccer	13
Men's Basketball	14
Football	19

# Division III Percent Left in Bad Academic Standing Football and Male Student-Athletes



Football Male Student-Athletes

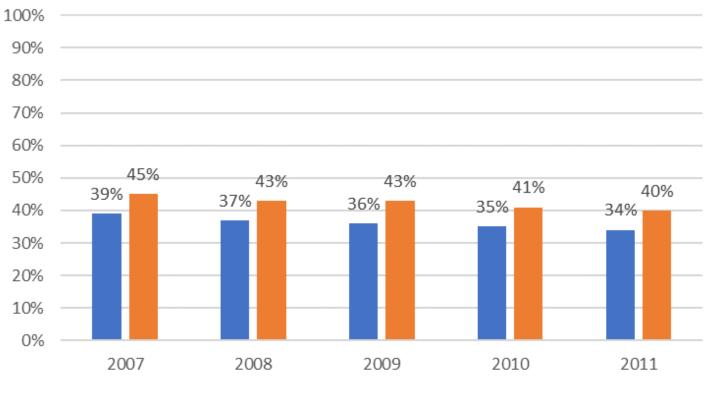


## **FINDING**:

Approximately two-thirds of African-American football student-athletes do not graduate from the school they started at.



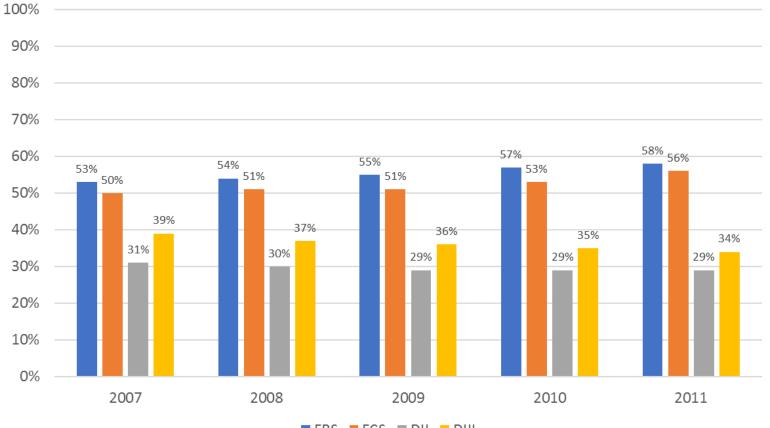
# Division III Federal Graduation Rates for African-American Football and Male Student-Athletes



Football Male Student-Athletes



# Federal Graduation Rates for African-American Football Student-Athletes



FBS FCS DII DIII

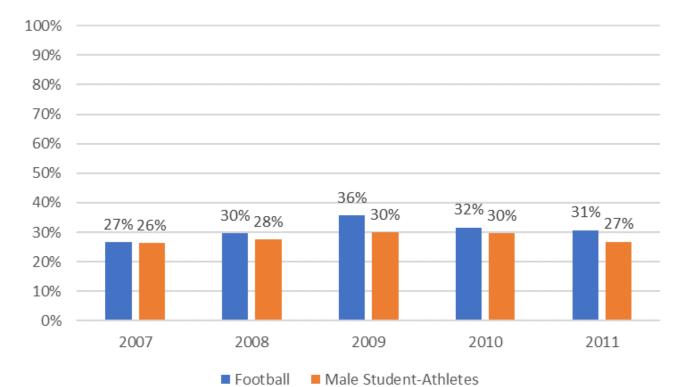


# FINDING:

# Nearly one out of three African-American football student-athletes leave in bad academic standing.



# Division III Percent Left in Bad Academic Standing African-American Football and Male Student-Athletes



## **POTENTIAL FACTOR:**

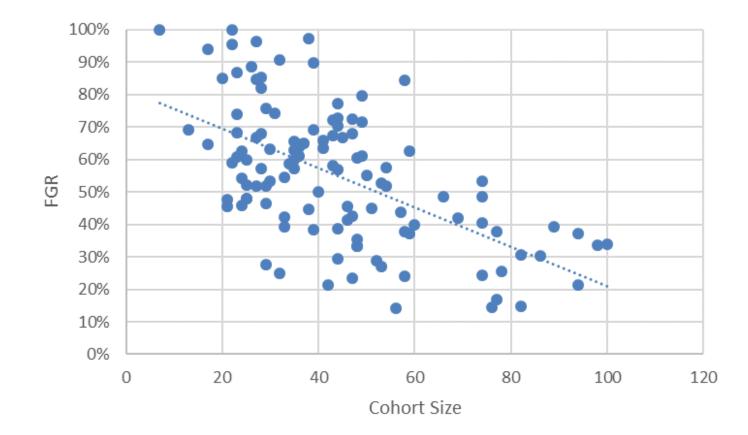
# The larger the football cohort, the lower the Federal Graduation Rate.



## **Football Cohort Sizes**

Cohort	Teams	Average Cohort	Minimum Cohort	Maximum Cohort	75 <sup>th</sup> Percentile
2007	75	37	10	70	48
2008	76	40	14	102	51
2009	103	42	10	110	52
2010	107	44	14	109	56
2011	116	44	7	100	53

# Relationship Between Cohort Size and FGR (2011)





- Student-athletes are graduating at a higher rate than the student-body.
- Nearly 90% of student-athletes are graduating or separating from their school prior to graduation in good academic standing.



- Male African-American students and studentathletes graduate at a lower rate than any other race/ethnicity group.
- African-American men are overrepresented in football and basketball.



- Half of football student-athletes do not graduate from the school they started at.
- Nearly one out of five football student-athletes leave in bad academic standing.
- Approximately two-thirds of African-American football student-athletes do not graduate from the school they started at.
- Nearly one out of three African-American football student-athletes leave in bad academic standing.



The larger the football recruiting class, the lower the Federal Graduation Rate.

# **Next Steps**

- Public release of NCAA graduation rates November 14<sup>th</sup>.
- Vote on the 2019 Division III Convention Proposal to require the submission of studentathlete graduation rates data.
- 2019 data collection opens in March.
  - Continued focus will be given to increasing participation.
  - If proposal adopted, development of additional educational opportunities and materials.



## SUPPLEMENT NO. 09b DIII Presidents Council 10/18 2018 Division III Aggregate Graduation Rates Report for Voluntary Reporting Institutions (213 institutions)

FRESHMAN-COHORT GRADUATION RATES 2011-12 Graduation Rate	All Students 64%	Student-Athletes # 68%
Four-Class Average	64%	68%
Student-Athlete Academic Success Rate		87%

#### **1. Graduation-Rates Data**

a. All Students

	Men				Womer	1			Total			
	2011-12	2	4-Class		2011-1	2	4-Class		2011-12		4-Class	
	Ν	%	Ν	%	Ν	%	Ν	%	Ν	%	Ν	%
Am. Ind./AN	176	49	789	47	211	53	1019	53	387	51	1808	51
Asian	2338	61	8943	61	2935	71	11474	71	5273	67	20417	67
Black	3148	39	11938	40	3708	53	14937	52	6856	47	26875	46
Hispanic	3431	52	12275	51	4893	61	17528	60	8324	57	29803	56
Nat. Haw./PI	65	43	252	55	55	69	233	61	120	55	485	58
N-R Alien	1306	61	4885	63	1245	73	5063	74	2551	67	9948	69
Two or More	1210	58	3335	60	1806	64	5035	67	3016	62	8370	64
Unknown	2175	56	9634	56	2534	65	11622	64	4709	61	21256	61
White	32724	64	137557	62	41230	70	173280	69	73954	67	310837	66
Total	46573	60	189608	60	58617	68	240191	67	105190	64	429799	64

## b. Student-Athletes

	Men						Women						Total					
	2011-12		4-Class		ASR		2011-12		4-Class		ASR		2011-12		4-Class		ASR	
	Ν	%	Ν	%	Ν	%	Ν	%	Ν	%	Ν	%	Ν	%	Ν	%	Ν	%
Am. Ind./AN	79	53	237	56	165	80	33	58	155	62	111	86	112	54	392	58	276	82
Asian	204	75	813	71	646	89	194	83	706	80	591	95	398	79	1519	75	1237	92
Black	1593	38	4797	40	3240	59	438	61	1465	60	1054	82	2031	43	6262	44	4294	64
Hispanic	945	53	2718	53	1952	74	493	69	1514	71	1192	89	1438	58	4232	59	3144	79
Nat. Haw./PI	37	32	118	42	75	65	20	70	69	67	52	88	57	46	187	51	127	75
N-R Alien	215	63	704	63	507	87	95	77	298	81	251	95	310	67	1002	68	758	90
Two or More	411	56	979	58	728	78	283	73	644	75	514	93	694	63	1623	65	1242	84
Unknown	840	54	2598	55	1794	79	519	70	1730	72	1350	90	1359	60	4328	62	3144	84
White	10571	67	35705	66	27400	85	7548	79	26064	78	21442	94	18119	72	61769	71	48842	89
Total	14895	62	48669	62	36507	82	9623	77	32645	77	26557	93	24518	68	81314	68	63064	87

## c. Student-Athletes by Sport Category

	Baseball					Men's Ba	asketba	ıll			Men's C	C/Tracl	K
	%-N					%-N					%-N		
	2011-12	4-Class	s ASF	L		2011-12	4-Class	ASI	R		2011-12	4-Class	ASR
Am. Ind./AN	73-с	70-е	95-0	l	Am. Ind./AN	67-а	73-с	85-	с	Am. Ind./AN	56-b	59-е	93-с
Asian	93-с	81-e	96-6	;	Asian	91-c	71-е	88-	e	Asian	68-е	74-е	89-е
Black	39-е	46-e	72 <b>-</b> e	;	Black	42-е	44-е	63-	e	Black	53-е	52-е	71-e
Hispanic	58-e	55-е	73-e	;	Hispanic	47-е	49-е	69-	e	Hispanic	68-e	63-е	81-e
Nat. Haw./PI	100-а	42-c	56-ł	)	Nat. Haw./PI	100-а	36-с	67-	b	Nat. Haw./PI	33-а	30-b	100-a
N-R Alien	71 <b>-</b> b	68-d	76-0	l	N-R Alien	25-ь	60-е	80-	e	N-R Alien	55-с	71-е	84-e
Two or More	66-e	70-е	93-e	;	Two or More	46-е	55-е	76-	e	Two or More	68-e	68-е	81-e
Unknown	63-е	63-е	83-e	;	Unknown	43-е	49-е	72-	e	Unknown	50-е	58-е	81-e
White	66-e	67-е	87-e	;	White	68-е	65-е	86-	e	White	77-е	76-е	91-e
Total	66-e	66-e	86-6	;	Total	58-е	58-е	79-	e	Total	71-е	72-е	88-е
	Football					Men's O	ther						
	%-N					%-N							
	2011-12	4-Class	s ASF	L		2011-12	4-Class	ASI	R				
Am. Ind./AN	39-е	49-е	78-e	;	Am. Ind./AN	57-е	55-е	73-	e				
Asian	59-е	55-е	83-e	;	Asian	78-е	75-е	90-	e				
Black	32-е	34-е	52-e	;	Black	47-е	48-е	70-	e				
Hispanic	44-е	41-e	63-6	;	Hispanic	56-е	60-е	80-	e				
Nat. Haw./PI	15-d	37-е	52-e	;	Nat. Haw./PI	50-с	50-е	79-	e				
N-R Alien	67-c	53-е	80 <b>-</b> 0	l	N-R Alien	65-е	63-е	89-	e				
Two or More	45-е	48-e	69-6	;	Two or More	67-е	66-е	84-	e				
Unknown	41-e	43-е	70-e	;	Unknown	64-е	62-е	84-	e				
White	57-е	56-е	79-e	;	White	71-е	70-е	87-	e				
Total	50-е	50-е	73-e	;	Total	68-е	68-е	86-	e				
	Women'	s Baske	tball			Women's	S CC/T	rack			Women'	s Other	
	%-N					%-N					%-N		
	2011-12	4-Cla	ass	ASR		2011-12	4-Cla	ass	ASR		2011-12	4-Class	ASR
Am. Ind./AN	0-a	26	ő-d	63-b	Am. Ind./AN	83-b	82	-е	90-d	Am. Ind./AN	61-е	64-е	87-е
Asian	83-d	78	8-е	94-е	Asian	77-е	82	-е	97-е	Asian	84-e	80-е	94-е
Black	62-е	59	9-е	81-е	Black	67-е	63	-е	83-е	Black	55-е	58-е	81-e
Hispanic	60-е	68	8-е	89-е	Hispanic	71-е	75	-е	91-е	Hispanic	69-е	70-е	89-е
Nat. Haw./PI	100-а	56	5-b	63-b	Nat. Haw./PI	67-a	57	-c	80-b	Nat. Haw./PI	67-с	72-е	97-е
N-R Alien	89-b	94	l-d	100-с	N-R Alien	80-a	84	-е	96-е	N-R Alien	75-е	79-е	95-е
Two or More	60-е	62	2-е	86-е	Two or More	80-е	81	-е	97-е	Two or More	75-е	77-е	93-е
Unknown	55-е	63	8-е	89-е	Unknown	74-е	72	-е	89-е	Unknown	72-е	73-е	91-е
White	74-е	75	5-е	94-е	White	82-е	82	-е	96-е	White	79-е	78-е	94-е
Total	70-е	71	-е	92-е	Total	80-е	80	-е	94-е	Total	77-е	77-е	93-е

Values for N (a. 1-5, b. 6-10, c. 11-15, d. 16-20, e. greater than 20)

## **Academic Success Rate Report**

## 2008 - 2011 Cohorts: Overall Division III

The student-athlete rates in this report is based on data that was submitted across each requested cohort, 2008 through 2011. Please keep in mind that your school may not have participated in the voluntary reporting program each year.

Men's Sports			Women's Sports		
Sport	ASR	Fed Rate	Sport	ASR	Fed Rate
Baseball	86	66	Basketball	92	71
Basketball	79	58	Bowling	-	-
CC/Track	88	72	CC/Track	94	80
Fencing	90	81	Crew/Rowing	96	86
Football	73	50	Fencing	82	73
Golf	89	70	Field Hockey	95	80
Gymnastics	96	92	Golf	94	79
Ice Hockey	88	65	Gymnastics	93	81
Lacrosse	85	66	W. Ice Hockey	93	72
Mixed Rifle	-	-	Lacrosse	95	79
Skiing	93	82	Skiing	96	80
Soccer	83	64	Soccer	93	75
Swimming	91	78	Softball	92	75
Tennis	91	75	Swimming	96	84
Volleyball	80	59	Tennis	93	76
Water Polo	87	75	Volleyball	93	73
Wrestling	82	61	Water Polo	99	85
Men's Non-NCAA Sponsor. Sports	91	77	Women's Non-NCAA Sponsor. Sports	91	72



## INFORMATION ABOUT THE GRADUATION RATES REPORT

## Introduction.

This information sheet and the NCAA Division III Academic Success Rate (ASR) Report have been prepared by the NCAA, based on data provided by the institution for the Division III voluntary graduation rates reporting program.

The ASR report provides information about two groups of students at the college or university identified at the top of the form: all undergraduate students who were enrolled in a full-time program of studies for a degree and student-athletes who were on an official team roster on or after the first date of competition during the championship season.

The report gives graduation information about the most recent graduating class of students and student-athletes entering as freshmen in 2011-12. The graduation rate (percent) is based on a comparison of the number (N) of students who entered a college or university and the number of those who graduated within six years. For example, if 100 students entered and 60 graduated within six years, the graduation rate is 60 percent.

Two different measures of graduation rates are presented in this report: Federal Graduation Rate and ASR. The freshman-cohort Federal Graduation Rate indicates the percentage of freshmen who entered during a given academic year and graduated within six years. The ASR adds to the first-time freshmen, those students who entered midyear, as well as student-athletes who transferred into an institution. Both the freshman-cohort rate and ASR subtracts students from the entering cohort who are considered allowable exclusions (i.e., those who either die or become permanently disabled, those who leave the school to join the armed forces, foreign services or attend a religious mission). The ASR also subtracts those who left the institution prior to graduation, had athletics eligibility remaining and would have been academically eligible to compete had they returned to the institution.

## **ASR Report**.

- <u>Graduation Rates Data</u>. The box at the top of the ASR report provides freshman-cohort graduation rates for all students and for student-athletes at this college or university. Additionally, this box provides ASR data for the population of student-athletes. [Note: When a cell containing cohort numbers includes only one or two students, the data in that cell and one other will be suppressed so that no individual can be identified.]
  - a. All Students. This section provides the freshman-cohort graduation rates for all fulltime, degree-seeking students by race or ethnic group. It shows the rate for men who entered as freshmen in 2011-12 and the four-class average, which includes those who entered as freshmen 2008-09, 2009-10, 2010-11 and 2011-12.

The same rates are provided for women. The total for 2011-12 is the rate for men and women combined, and the four-class average is for all students who entered in 2008-09, 2009-10, 2010-11 and 2011-12.

- b. Student-Athletes. This section provides the freshman-cohort graduation rates and the ASR for student-athletes in each race and ethnic group who received athletics aid. Information is provided for men and women separately and for all student-athletes.
- c. Student-Athletes by Sports Categories. This section provides the identified graduation rates as in 1-b for each of the eight sports categories. (The small letters indicate the value of N.)

SUPPLEMENT NO. 10 DIII Presidents Council 10/18



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**FPO** 

# BETTER ENGAGE YOUR FACULTY ATHLETICS REPRESENTATIVE

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# **INTRODUCTION**

The Division III Faculty Athletics Representatives (FAR) Engagement Working Group was created in 2017 to develop recommendations and resources to increase the engagement of Division III FARs at the institutional, conference and national levels. Members of the working group included FARs, directors of athletics, conference commissioners and a student-athlete. Utilizing historical and contemporary data and the expertise of the working group and others, the group developed three documents, which are contained in this report.

- Campus Recommendations for a Highly Engaged Division III FAR
- Conference Recommendations for a Highly Engaged Division III FAR
- Model for a Highly Engaged Division III FAR



I strongly believe in the role of the FAR as the hub of the athletic-academic connection for an institution. Although the AD hires all coaches and the coaches must carry out the academic focus of their players, the FAR is my central coordinator and communicator among all groups at the college - each athletics team, new faculty as a part of faculty orientation, the Student-Athlete Advisory Committee, the college president, the president's cabinet, and faculty.

Kenneth Garren, president, University of Lynchburg



## THE DIVISION III FAR...

- Helps to ensure a quality student-athlete experience and promote student-athlete well-being.
- Serves as an independent advocate for student-athletes.
- Assists in the oversight of intercollegiate athletics at the campus and conference levels to assure that they are conducted in a manner designed to protect and enhance the physical, psychological, and educational well-being of student-athletes.
- Oversees the nominations of student-athletes for NCAA grant, scholarship and recognition programs.
- Helps promote student-athlete success in the classroom, in athletics, and in the community by striking a balance among academic excellence, athletics competition, and social growth as they prepare for lifelong success.

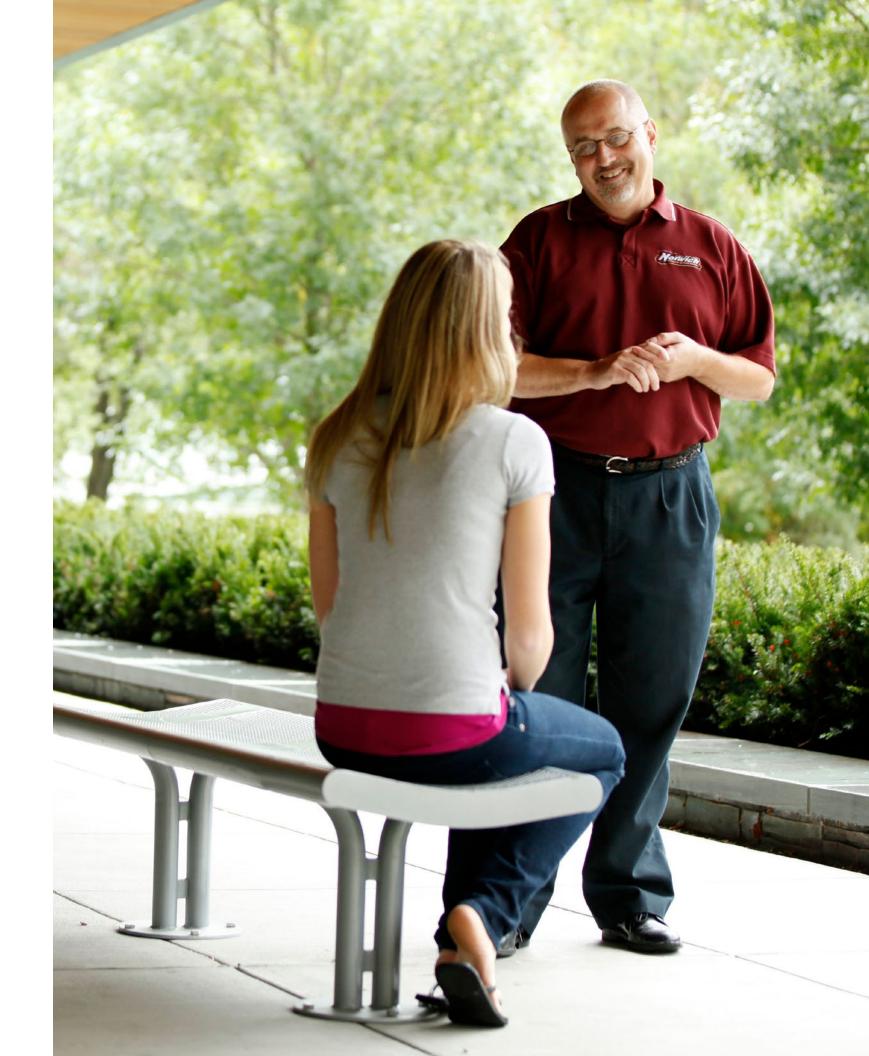
#### WHY DO WE NEED FARS IN THE FIRST PLACE?

- NCAA regulations require intercollegiate athletics programs to be designed as a vital part of the educational system and the student-athlete to be an integral part of the student body.
- Those same regulations require intercollegiate athletics programs to be conducted to protect and enhance the educational and physical welfare of the student-athletes.
- These areas of student life traditionally have involved significant faculty participation and oversight.
- Because student-athletes are to be students first, faculty voices and perspectives in the administration and in oversight of intercollegiate athletics programs have been recognized with the NCAA as legitimate and necessary.

## **HISTORY OF THE FAR**

Faculty voices and influence have been present in the affairs of the NCAA for as long as the NCAA has been in existence. The Carnegie Foundation Report on American College Athletics in 1928 attests to the presence of faculty views in the operation of the NCAA up to that time. In 1980, the NCAA released a study written by former NCAA president Earl Ramer, (1971-73), that outlined the history of the significant and continuing roles played by faculty in the NCAA in the decades before 1980.

Shortly after the Ramer Report was published, the NCAA produced the first Faculty Athletics Representative Handbook. These reports indicate that faculty athletics representatives have long been thoroughly integrated into the infrastructure of the NCAA. Faculty athletics representatives are prominent in all levels of NCAA governance, excepting those reserved for chief executive officers, and they continually serve as points of contact between their campuses and the NCAA in the regular conduct of intercollegiate athletics programs. Articles 4, 5 and 6 of the NCAA Constitution recognize the involvement of faculty athletics representatives in the organization, legislative authority and legislative process of the NCAA and the important role of faculty athletics representatives in the local institutional control of intercollegiate athletics programs. Division III Bylaw 6.1.3, adopted in 1989, requires each member institution to designate an individual to serve as FAR.





A highly engaged FAR improves the quality of an athletics department and, more importantly, the student-athlete experience. The FAR serves as an important bridge between the academic and athletic components on campus, providing support and guidance for faculty, staff, and students regarding the athletics experience. Studentathletes have an important advocate in the FAR on academic issues and can ask questions and seek advice in balancing both their academic and athletic pursuits. Similarly, faculty members have a resource to better understand the student-athlete experience.

Robert Davis Jr., athletics direct report at the University of Scranton



# **CAMPUS**

FOR A HIGHLY ENGAGED DIVISION III FACULTY ATHLETICS REPRESENTATIVE

These recommendations are endorsed by the Division III Presidents Council, Management Council, the Division III FAR Engagement Working Group and the Faculty Athletics Representative Association (FARA) Executive Committee. These groups firmly believe a highly engaged FAR will contribute to furthering the central goal of a Division III athletics department - ensuring the best student-athlete experience possible. Despite differences in institutional resources and missions, all Division III campuses can benefit from enhancing the role of the FAR and incorporating the suggestions contained in this document.

# RECOMMENDATIONS

## THE DIVISION III FAR...

- Helps to ensure a quality student-athlete experience and promote student-athlete well-being.
- Serves as an independent advocate for student-athletes.
- Helps promote student-athlete success in the classroom, in athletics, and in the community by striking a balance among academic excellence, athletics competition, and social growth as they prepare for lifelong success.
- Assists in the oversight of intercollegiate athletics at the campus and conference levels to assure that they are conducted in a manner designed to protect and enhance the physical, psychological, and educational well-being of student-athletes.
- Oversees the nominations of student-athletes for NCAA grant, scholarship and recognition programs.

### WHAT STANDS IN THE WAY OF A HIGHLY ENGAGED DIVISION III FAR?

- Approximately 50 percent of Division III FARs lack a clear position description with enumerated responsibilities and support. They also lack endorsement by key stakeholders (e.g. presidents and chancellors, conference commissioners, directors of athletics) which is not conducive to an engaged FAR.
- FAR compensation and/or time-release is rare in Division III with approximately 5 percent receiving release time from teaching obligations and 11 percent receiving some financial compensation. A highly engaged FAR provides value to the institution. Compensation and/or time release helps affirm that value.
- Approximately three-quarters of Division III FARs spend between one and five hours per week on their FAR duties. More than 90 percent spend 10 hours or less. Half of their time is spent on academically related issues and approximately one-quarter of their time on student-athlete well-being issues. If recommendations in this document are implemented, the amount of time FARs spend on their duties may increase.
- Approximately half of all Division III FARs have been in their position for four years or less.
   High turnover rates inhibit the effectiveness

of FARs. There are multiple reasons including term limits, rotating appointments, and that the role of FAR may not count towards the service requirement for faculty. This lack of consistency has broad impacts at the campus, conference, and national levels in terms of engagement.

- Nearly half of FARs are not involved in the campus-level Student-Athlete Advisory Committee. There are a number of potential reasons: 1) scheduling conflicts with meetings, 2) the director of athletics being reluctant to ask FARs to be more engaged, 3) coaches taking a more prominent role in the campus-level Student-Athlete Advisory Committee, and 4) Student-Athlete Advisory Committee involvement not being a defined role for the FAR on some campuses.
- There is no consistency in the reporting lines for Division III FARs. Current reporting lines include the president or chancellor (38%), the director of athletics (22%), chair of the faculty governance body (11%), the chief academic affairs administrator (9%) and the chief student affairs administrator (8%), among others. This stands in contrast to Division I and II. where 80 percent or more of FARs report to the president or chancellor.

## **RECOMMENDATIONS FOR DIVISION III MEMBER INSTITUTIONS**

The institution is called on to establish clearly stated expectations, best practices, potential policies and education for the FAR. It involves ensuring presidential leadership and a commitment to provide necessary support for the position (e.g., release time and a stipend), both of which are vital to the success of these efforts. Directors of athletics and conference commissioners also can help to support more FAR engagement.

#### Specifically, institutions are encouraged to:

- Ensure the FAR has a detailed position description. Using already established position descriptions and the model position description advocated by FARA.
- 2. Ensure the FAR reports to the president/ chancellor or the athletics direct report (ADR). To carry the authority necessary to fulfill the position's obligations, the FAR should report to the highest-level campus leader possible. Considering the need for the FAR's independence as an advocate for studentathletes, the FAR should report to someone other than the director of athletics, although it is important for FARs to have strong working relationships with the director of athletics.
- Review support for the FAR position on campus and evaluate options related to course release, financial compensation, and recognition of FAR service as fulfillment of campus service requirements. Support creates an additional incentive for faculty to pursue the position, increase the length of service, and increase the level of engagement.
   Consider potentially appointing two FARs at your institution. This model has the potential to increase effectiveness, address attendance issues at key meetings and events, and lengthen tenure.
   Commit to continuing professional development by supporting and encouraging your FAR to
- increase the length of service, and increase the level of engagement.
  4. Ensure the FAR maintains a high level of visibility on campus. To increase visibility in the athletics sphere, FARs should regularly attend athletics competitions, participate in special
  7. Commit to continuing professional development by supporting and encouraging your FAR to take advantage of educational and engagement opportunities via your conference and at the national level (e.g., the annual NCAA Convention, FARA fall meetings, the Division III FAR Institute).

	events, and contribute regularly to athletics
r	department meetings. To ensure recognition of
n	the FAR role among the faculty, FARs should
	participate and/or present at shared governance
	meetings (e.g., Faculty Senate) and engage in
	activities that facilitate communication between
	the faculty, the student-athletes, and the
	athletics department. Student-athletes, faculty,
	athletics staff and campus administrators
	should be able to easily identify the FAR and
	know how to contact him or her.

5. Commit to sustained FAR involvement with the Student-Athlete Advisory Committee on campus. It is an appropriate means for FARs to be better advocates for student-athletes.



It's extremely beneficial to have faculty athletic representatives engaged at the institutional, conference and national level. We value their role in the Southern California Intercollegiate Athletics Conference governance structure, giving them oversight of academic matters related to student-athletes. We encourage them to promote community between athletics and academics through education and communication. Engaging our FARs with consistent communication from the conference office and regular meetings throughout the year is integral to their impact in our conference and for our student-athletes.

> Jennifer Dubow, executive director, Southern California Intercollegiate Athletics Conference



## CONFERENCE RECOMMENDATIONS FOR A HIGHLY ENGAGED DIVISION III FACULTY ATHLETICS REPRESENTATIVE

These recommendations are endorsed by the Division III Presidents Council, Management Council, the Division III FAR Engagement Working Group and the Faculty Athletics Representative Association (FARA). These groups firmly believe each Division III multisport conference should provide FARs with opportunities to formally express their thoughts and opinions with regards to conference policy and operations, especially as they impact the academic and personal well-being of student-athletes. The level and extent of the formal involvement of FARs in the activities of athletics conferences will vary. FARs should be considered for service as conference officers, have a role in the conference committee structure, and involved in conference-level decision making.

## THE DIVISION III FAR...

- Helps to ensure a quality student-athlete experience and promote student-athlete well-being.
- Serves as an independent advocate for student-athletes.
- Helps promote student-athlete success in the classroom, in athletics, and in the community by striking a balance among academic excellence, athletics competition, and social growth as they prepare for lifelong success.
- Assists in the oversight of intercollegiate athletics at the campus and conference levels to assure that they are conducted in a manner designed to protect and enhance the physical, psychological, and educational well-being of student-athletes.
- Oversees the nominations of student-athletes for NCAA grant, scholarship and recognition programs.

## WHAT STANDS IN THE WAY OF A HIGHLY ENGAGED **DIVISION III FAR AT THE CONFERENCE LEVEL?**

- An estimated two-thirds of Division III conferences identify FARs as a key constituent per the conference constitution or bylaws. All Division III conferences should identify FARs as a key constituent.
- Sixty percent (60%) of conferences identify a specific role for the FARs in the governance of the conference where they actively assist in the establishment of conference policy (e.g., propose policy, vote). Without an explicit role and expectations, it will be challenging to ensure the sustained impact of FARs at the conference level.
- In approximately 40 percent of conferences, there is a FAR Committee or Council with varying roles and responsibilities. The Committee or Council's role varies ranging from advisement of academic eligibility, integrity, and compliance

issues to holding voting power on all conference matters, including representation by the chair of the Committee or Council on an executive-level conference group. Recognizing the diversity of Division III conferences, those that do want to improve engagement and the impact of their FARs should examine and delineate their roles and responsibilities.

In 40 percent of Division III conferences, FARs hold a position at the same level or higher than directors of athletics and serve as chairpersons within the conference committee structure. To serve effectively as an independent advocate for student-athletes, all conferences should examine and consider the position FARs currently hold in conference affairs and strive for a proper balance.

## RECOMMENDATIONS FOR DIVISION III MULTISPORT CONFERENCES

The conference is called on to establish clearly stated expectations, best practices, potential policies and education for the FAR. This involves ensuring the conference commissioner and conference executive committee leadership are committed to providing necessary support for the FAR's role in the conference, both of which are vital to the success of these efforts. Directors of athletics and presidents and chancellors can help to support more FAR engagement at the conference level.

- **1.** Codify in the conference bylaws the FAR's role in the conference governance structure.
- 2. Develop a model of information-sharing for conference FARs.
- 3. Develop a model to establish regular opportunities for conference FARs to meet whether in-person or remotely.



Our conference has a long history of FAR involvement. That group is a vital part of the governance structure of the American Rivers Conference. The faculty often has a different view of how a piece of legislation will affect a student-athlete from the academic side. As such, their vote is a formal one that is passed on to our Presidents Council to provide a multi-level view of the legislation. The FARs also can be called upon, through an Executive Committee, to help the commissioner rule on issues.

Chuck Yrigoyen, commissioner, American Rivers Conference



- 4. Develop expectations related to the role the conference office should play in facilitating FAR engagement in conference affairs.
- **5.** Ensure funds from the Strategic Initiative Conference Grant program are effectively being utilized for the professional development of FARs within the conference.



A highly engaged FAR is critical for many reasons with the primary goal to support our student-athletes. The FAR's input is invaluable and comes in many forms ranging from academic support to providing crucial insight for administrators regarding studentathlete issues and concerns. Additionally, FARs provide input from an academic perspective when helping to shape policy and voting at the conference and NCAA levels. FARs help our student-athletes be successful academically, on the fields of play, and ensure their overall well-being.

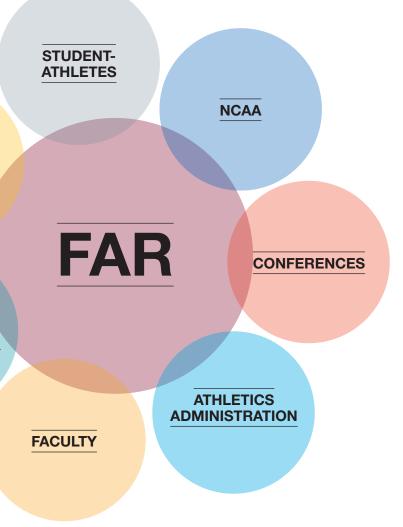
Scott Kilgallon, director of athletics at Webster University



# MODEL FOR A HIGHLY ENGAGED DIVISION III FAR

FARA

CAMPUS ADMINISTRATION



## CONNECTION TO THE CAMPUS ADMINISTRATION

The FAR, as Senior Faculty Advisor, provides advice to the president/chancellor and/or athletics direct report (ADR) that reflects the traditional values of the faculty and is rooted in the academic ethic of the institution.

- To be an effective advisor, the FAR must be knowledgeable regarding the athletics program and must devote the time and attention required to attain this familiarity.
- To ensure the FARs relationship with athletics and ability to be an effective advisor, the FAR needs to carry authority from the president/
- chancellor and/or athletics direct report, and this authority should be recognized on all campus venues.
- The FAR must have access to the president/ chancellor and/or athletics direct report on a regular basis.

## STRUCTURE OF THE POSITION

Above all, together with the president/chancellor, ADR and athletics director, two key pieces must be in place. First, a comprehensive plan for the institutional control of intercollegiate athletics and second, appropriate and explicit assignments of both responsibility and authority must be ensured.

#### Specifically, campuses are encouraged to:

- 1. Develop a written position description, which accurately and fully describes the duties and responsibilities. Obtain approval of the position description from the president/chancellor, ADR and faculty governance structure.
- 2. Deans, department chairs and other institutional administrators must acknowledge that the FAR's activities described in the position description require a significant commitment of time and energy. As a result, campuses should:
  - » Strongly consider release time from teaching responsibilities (with compensation to the affected academic unit, as appropriate).
  - » Strongly consider service-time recognition.
- **3.** There should be no predetermined limit to the length of time that FARs may serve.
- **4.** Strongly consider summer support, including the possibility of a fiscal-year contract.

- 5. Identify the resources needed to successfully meet the responsibilities of the FAR and arrange for these resources to be made available.
- 6. Maintain a travel budget sufficient to support professional development opportunities such as the FARA meetings, the annual NCAA Convention and any additional or special NCAA meetings. FARs also should receive travel support to attend athletics conference meetings.
- 7. Consider the appointment of two FARs per institution. This model has the potential to increase effectiveness, address attendance issues at key meetings and events and lengthen tenure.

## WAYS FOR THE FAR TO ENGAGE WITH THE CAMPUS ADMINISTRATION

- The FAR should ensure, either directly or indirectly, that student-athletes meet all NCAA, conference and institutional eligibility requirements for practice and intercollegiate competition. Eligibility checks should be periodically reviewed and audited by the FAR. Academic eligibility certifications should be performed by persons outside of the department of athletics.
- The FAR should develop, or arrange to have developed, periodic statistical reports on the academic preparation and performance of student-athletes for each sports team. This information should be provided to the president/chancellor and/or ADR. The FAR should be knowledgeable about the academic preparation and performance of each sports team and should use such reports to uphold high academic standards and expectations for these team members.



The FAR should be a senior advisor outside
of the athletics department to the president/
chancellor and/or ADR on matters related to
intercollegiate athletics. Together, with the AD,
the FAR should formulate and recommend
institutional positions on NCAA legislation
and other matters affecting, or related to,
intercollegiate athletics on the campus.

- The FAR must have solid working relationships with the AD, the athletics compliance coordinator, the director of admissions, the registrar and director of student financial aid.
- The FAR should provide periodic reports related to matters of academic integrity, academic preparation and performance of studentathletes, rules compliance or violations, and other matters related to the intercollegiate athletics program. To this end, FARs should have appropriate independent access to the systems to generate these reports.



## **CONNECTION TO** THE ATHLETICS DEPARTMENT

The working relationship between the FAR and the AD is very important. Regular interaction between them is necessary, and wide-ranging discussion of all aspects of the athletics program is encouraged. This will help the FAR to develop the knowledge base needed to make effective contributions to local athletics administration and will be useful to the AD in influencing the academic and personal well-being of the student-athletes. It's important to note that this is a working relationship, not a reporting line.

## WAYS FOR THE FAR TO ENGAGE WITH THE ATHLETICS ADMINISTRATION

- Work in concert with the AD and the compliance officer to ensure a comprehensive and effective rules education and compliance program on the campus.
- Participate in annual NCAA rules education, athletics staff meetings, and initial team meetings
- Serve as a member of search committees for head coaches and athletics administrators to ensure commitment to the educational mission of the institution and the guiding principles of Division III.
- Review travel and competition schedules to minimize missed class time.
- Work with coaches and student-athletes to minimize conflicts between practice and class schedules, and advocate for a climate of respect between coaches, faculty, and student-athletes.

- Conduct periodic reviews of the mechanisms used to monitor the hourly and weekly limitations on athletically related activities.
- Oversees the nominations of student-athletes for NCAA grant, scholarship and recognition programs.
- Have access to complete budgetary information about the athletics department.
- Attend sporting events when possible.
- Perform or review exit interviews to discern the success of the student-athlete experience.
- Become involved with the institution's Institutional Self-Study Guide (ISSG) and other compliance tools, including being broadly knowledgeable about the institution-wide implementation of athletics procedures and the institution's commitment to compliance.

## **CONNECTION TO THE FACULTY**

An efficient link between the FAR and the faculty senate is useful in assuring the faculty of accurate and timely information regarding the athletics program. Whether appointed by the president/chancellor or elected directly by the faculty, the FAR commonly serves as a conduit of information to and from the faculty and the athletics program. It is common for the FAR to report periodically to the faculty senate regarding the operation of the athletics program.

## WAYS FOR THE FAR TO ENGAGE WITH FACULTY

Report regularly to the faculty senate (or appropriate faculty governance body) on athletics points of interest or information, including Academic Success Rate, academic awards, and participation by student-athletes in research/honors projects.

## **CONNECTION TO THE NCAA**

The FAR should represent the institution as a delegate to the annual NCAA Convention and attend any special meetings of the NCAA. The FAR may be designated as the voting delegate in the absence of the President/Chancellor. He or she should be involved in discussions with the president/chancellor and the AD in which the institution's voting position on NCAA legislation is established.

## WAYS FOR THE FAR TO ENGAGE WITH THE NCAA

Attend national and regional meetings and conferences that provide professional development opportunities for rules education (e.g., NCAA Regional Rules Seminar, FARA Annual Meeting and Symposium, NCAA Convention, conference compliance meetings).

- Highlight the academic successes of student-athletes.
- Consider a team-based faculty mentor program to foster a better faculty understanding of the intercollegiate athletics program.

- Charge the FAR with the nominations of student-athletes for NCAA grant, scholarship and recognition programs.
  - Nominate FARs for service on NCAA committees where appropriate.

## **CONNECTION TO STUDENT-ATHLETES**

As members of the faculty, it is appropriate that FARs be involved in the monitoring and maintenance of the personal welfare of the student-athletes. Many of the FARs' activities directly influence the personal wellbeing of student-athletes. This aspect of their activities should be recognized by all campus constituencies and the FAR should offer themselves as independent sources of support and advice to student-athletes.

For example, they should know that missed-class time policies are being honored and that graduations or cancellations of financial aid are made for appropriate reasons. They should know when student-athletes encounter difficulties with class scheduling and should be of assistance when the student-athlete has occasion to be involved in waiver or appeals procedures at the institution. FARs also should be alert to conditions that affect the health of student-athletes, being ready to aid in referral to university resources that provide advice and counsel on all types of physical and psychological problems. FARs should strive to be seen by the student-athletes as independent advocates for their well-being. Stressing that independence should be a cornerstone of FARs' interactions with student-athletes.

The Importance of the Student-Athlete Advisory Committee (SAAC): SAACs, mandated by the NCAA for every member institution, play a significant role in promoting the academic, health, social and athletic welfare of student-athletes. FARs should be actively involved with institutional SAACs. They should regularly attend committee meetings and consult with committee officers. Such direct and personal exchanges are useful in obtaining current first-hand assessments of student attitudes and experiences and reinforce the understanding that the FAR is first and foremost a faculty member interested in the welfare of athletes as students. FARs should facilitate the inclusion of student-athlete participation on institutional athletics boards and committees.

## WAYS TO ENGAGE WITH STUDENT-ATHLETES

- The FAR should have direct contact with student-athletes on a systematic and periodic basis. He or she should participate in new student-athlete orientation activities and should interact frequently with the SAAC. Student-athletes should recognize the FAR as a source of information, support and counseling, which is located administratively outside of the athletics department.
- The FAR must be visible to the student-athletes. They should participate in orientation activities at the beginning of the year and exit-interview activities at the end of the year.
- The FAR must work to maintain a balance between student-athletes' academic and athletic goals. Considerations include scheduling to minimize missed class time, monitoring studentathletes' choice of major to ensure that athletics participation is not limiting student-athletes' choice of major, and encouraging student-athletes to graduate in a reasonable amount of time.

- At the beginning of each academic year, the FAR should address student-athletes as a group, or in individual team meetings, to emphasize the primacy of the academic mission of the institution and the responsibilities of student-athletes within that setting.
  - » The FAR should ensure that testing, counseling, evaluation and other careerplanning services are made available to student-athletes.
  - » The FAR should meet with each team and with the SAAC to explain the role of the FAR as it relates to the academic success of student-athletes. Meeting topics could include eligibility, good academic standing, progress-towards-degree, ethical and behavioral conduct, classroom responsibility, course scheduling, and communication with professors.

## WAYS TO ENGAGE WITH STUDENT-ATHLETES CONTINUED

- The FAR should serve as a liaison between faculty, administration and student-athletes and assist in the mediation of conflicts betwee these groups.
- The FAR should inform student-athletes ...
- » Of campus support services, including academic tutoring, advising and career development, counseling and health care, disability, and financial aid.
- » About available scholarship opportunities and application processes and work directl with student-athletes throughout the application process.
- The FAR should encourage student-athletes ...
- » To participate in community service projects (reaching out to help those in the communit



en	» To participate in community engagement projects (building lasting relationships with the community).
	» To represent the institution at social, civic and academic events.
	» To be good citizens, leaders and contributors in their community.
	<ul> <li>The FAR should be available for post-graduation advisement and collaboration with career services.</li> </ul>
ly 	The FAR should encourage student-athlete participation in leadership academies and/or other professional development opportunities at the campus, conference and national level.
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## **CONNECTION TO THE CONFERENCE**

Each Division III multisport conference should provide FARs with opportunities to formally express their thoughts and opinions with regard to conference policy and operations, especially as they impact the academic and personal well-being of student-athletes. The level and extent of the formal involvement of FARs in the activities of athletics conferences vary. FARs may serve as conference officers, have a role in the conference committee structure and cast the votes by which conference business is conducted.

## WAYS FOR FARS TO ENGAGE AT THE CONFERENCE LEVEL

- The FAR should be knowledgeable about conference rules related to academic eligibility, transfer requirements and restrictions, and enforcement procedures.
- FARs should be engaged in conference-level discussions that promote better understanding of NCAA regulations and how they affect conference members.
- FARs should be engaged in conference-level discussions regarding NCAA violations that involve conference members and discuss how best to maintain high ethical standards of conduct among conference members.
- FARs should be engaged in conference-level

discussions related to conference schedules of contests and help to assess their impact on the academic welfare of student-athletes. Special attention should be paid to final examination schedules of conference institutions.

- FARs should be engaged in conference-level decisions related to waivers of conference eligibility requirements, especially academic requirements.
- FARs should be engaged in discussions that determine the voting position of the conference at NCAA Conventions.
- FARs should be involved in determining recipients of conference academic honors.

## **CONNECTION TO THE FACULTY ATHLETICS REPRESENTATIVES ASSOCIATION (FARA)**

Connection to The Faculty Athletics Representatives Association (FARA) had its genesis in the mid-1980s when a group of FARs initiated a series of forums. The purpose of these forums, which were held in conjunction with the annual NCAA Convention, was to provide for discussion of issues that were of concern to the NCAA membership.

The first of these meetings was held in Nashville in 1985, with other forums following on an annual basis through 1988. At the special NCAA Convention held in Dallas in June 1987, a FAR task force was established to facilitate contributions by FARs to the reform agenda of the newly formed NCAA Presidents Commission. In November 1987, the task force created the FAR Academic Review Committee to assess the academic implications of legislation to be voted on at the subsequent NCAA Convention. The committee, which included representation from NCAA Divisions I, II and III, produced the first of what has become a continuing series of printed reports that are distributed to the NCAA membership to promote an understanding of the academic impact of proposed legislation.

The work of the task force reached its culmination in 1989 in the ratification of the bylaws of a new national organization for faculty athletics representatives. This organization, FARA, was designed to promote greater cohesion among faculty athletics representatives and to enhance their usefulness within the NCAA and at their respective institutions.

Organization of FARA: The membership of FARA includes all persons who hold appointments at their institutions as FARs. The work of FARA is facilitated by standing committees, including the nominating committee and legislative review committees for each division. The legislative review committee reviews issues affecting the welfare of the student-athlete, in addition to academic implications of proposed legislation. Other committees of FARA are formed on an ad hoc basis.

Purpose of FARA: Under the auspices of the NCAA and in concert with the Executive Committee, FARA's purpose is to enhance the FARs effectiveness in pursuing these important goals. With support from the NCAA staff, FARA provides a collective voice for FARs on collegiate athletics. FARA is an active participant in the national dialogue on the importance of academic values in the conduct of athletics programs and is frequently solicited by various NCAA committees and constituent organizations for a faculty perspective on a variety of topics.

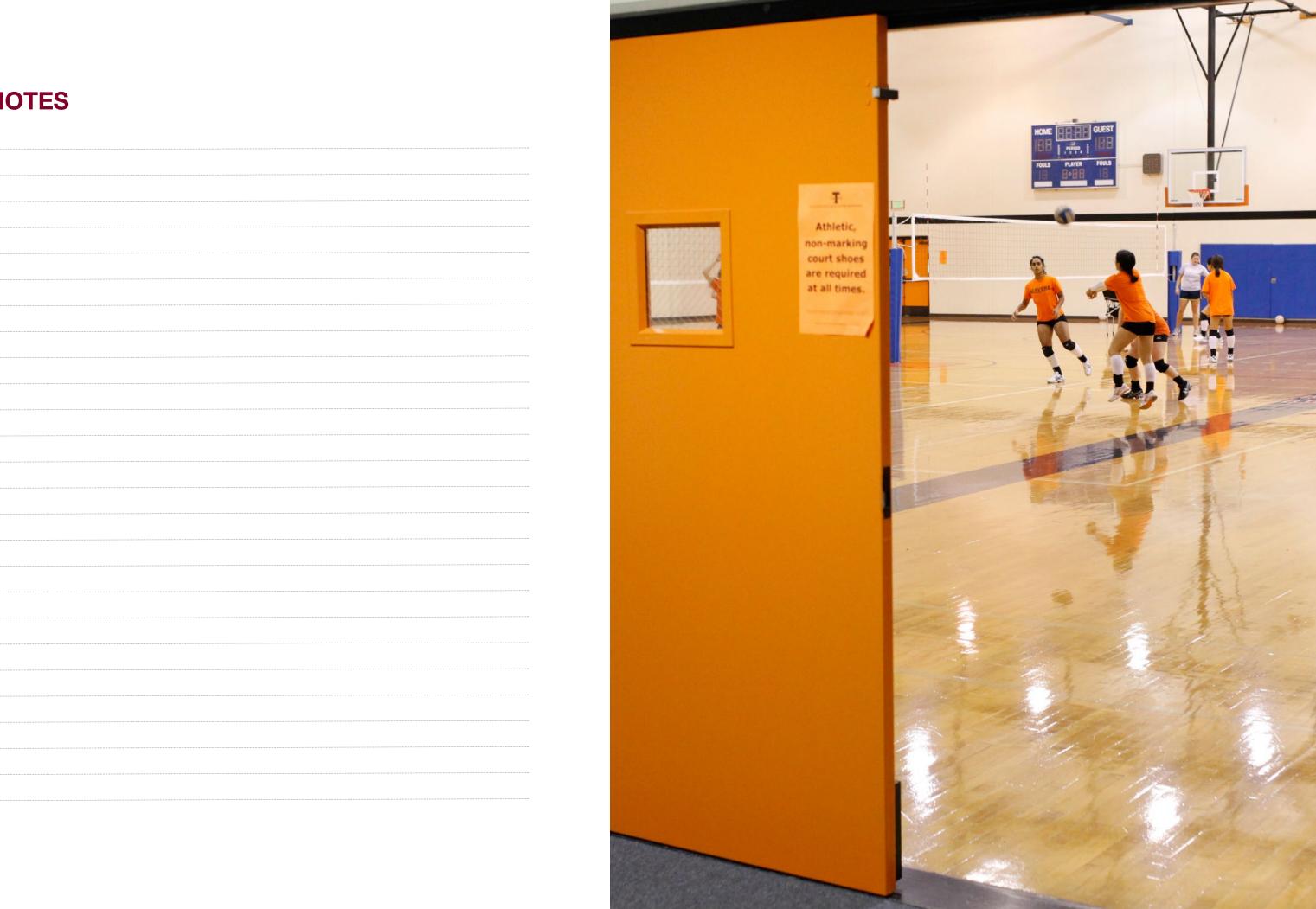
FARA Programs and Activities: To enhance the utility and effectiveness of FARs on campuses and with the NCAA, FARA sponsors a variety of programs and activities. Each fall, the legislative review committees conduct a review of proposed legislation to be voted on at the subsequent NCAA Convention, pertaining to academic standards or that which may otherwise impact the student-athlete, and circulates their written reports to the membership. FARA also conducts an annual meeting, as well as a meeting in conjunction with the NCAA Convention. The agenda of each meeting fosters the professional development of FARs through discussion of topics pertinent to their campus responsibilities. Training and orientation sessions for newly appointed FARs are available at both meetings. This aspect of FARA activities is particularly important given the substantial turnover in FARs.

## WAYS FOR FARS TO ENGAGE WITH FARA

- FARs should be encouraged to attend the FARA Annual Meeting and provided with adequate academic release and financial support to enable attendance.
- Conferences should designate a Conference Liaison to help facilitate communication between the FARs and the FARA Executive Committee.

When appropriate, institutions should encourage FARs to stand for election to the FARA Executive Committee or serve on the Legislative Review Committee.

## NOTES





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## SUPPLEMENT NO. 11 DIII Presidents Council 10/18



#### REPORT OF THE DIVISION III PRESIDENTS COUNCIL NOMINATIONS SUBCOMMITTEE SEPTEMBER 24, 2018, TELECONFERENCE

## ACTION ITEMS

### 1. Legislative Items.

• None.

### 2. Nonlegislative Items.

- a. 2019 Presidents Council Reappointments.
  - (1) <u>Recommendation</u>. Approve the following three reappointments to the Presidents Council for a four-year term (January 2019 January 2023).
    - Marybeth Cooper, Springfield College [New England Women's and Men's Athletic Conference].
    - Robert Lindgren, Randolph-Macon College [Old Dominion Athletic Conference].
    - Kathleen Murray, Whitman College [Northwest Conference].
  - (2) <u>Effective Date</u>. January 2019.
  - (3) <u>Rationale</u>. The subcommittee recommends both reappointments due to their current service on the Council, as well as their effective prior service on the Presidents/Chancellors Advisory Group (PAG).

#### b. 2019 Presidents Council Appointments.

- (1) <u>Recommendation</u>. Approve the following three appointments to the Presidents Council for a four-year term (January 2019 January 2023).
  - Richard Dunsworth, University of the Ozarks [American Southwest Conference].
  - Bill Tsutsui, Hendrix College [Southern Athletic Association].
  - Troy Hammond, North Central College [College Conference of Illinois and Wisconsin].
- (2) <u>Effective Date</u>. January 2019.
- (3) <u>Rationale</u>. The subcommittee recommends the above appointments to the Council due to their effective service in the NCAA committee structure, on PAG, and their fulfillment of Presidents Council representational requirements.

#### c. Presidents Council Leadership - Chair.

(1) <u>Recommendation</u>. Appoint Sue Henderson as chair elect.

- (2) <u>Effective Date</u>. January 2019.
- (3) <u>Rationale</u>. President Henderson has provided excellent leadership to the Presidents Council and NCAA Board of Governors over the past year. The subcommittee feels it will benefit the division to have her remain in a leadership position for 2019.

### d. Presidents Council Leadership – Vice Chair.

- (1) <u>Recommendation</u>. Appoint Tori Murden-McClure as vice-chair elect.
- (2) <u>Effective Date</u>. January 2019.
- (3) <u>Rationale</u>. President Murden-McClure has provided excellent leadership to the Presidents Council and related committees (e.g., Presidents Council Nominations Subcommittee, Board of Governors Committee to Promote Cultural Diversity and Equity) over the past several years.

### e. June 2019 Presidents Council Appointment.

- (1) <u>Recommendation</u>. Approve the following appointment to the Presidents Council, replacing Stuart Dorsey, who is retiring at the end of the 2018-19 academic year:
  - Troy Paino, University of Mary Washington, [Capital Athletic Conference]
- (2) <u>Effective Date</u>. July 1, 2019.
- (3) <u>Rationale</u>. The subcommittee recommends President Paino due to his fulfillment of Presidents Council representational requirements, his interest in Council service and his current service on the President's Advisory Group.

#### **INFORMATIONAL ITEMS**

• <u>Presidents Council Future Nominations</u>. The subcommittee reviewed representational requirements for future Council vacancies in January 2020. The subcommittee will continue to consider potential nominees, especially presidents currently serving on PAG in the Division III governance structure.

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Subcommittee Chair: Elsa Nunez, Eastern Connecticut State University, Little East Conference Staff Liaisons: Dan Dutcher; Louise McCleary; Jay Jones, Debbie Kresge and Sharon Tufano

September 24, 2018							
Attendees	Absentees						
Teresa Amott, Knox College	Katherine Conway-Turner, Buffalo State, State						
	University of New York						
Sharon Hirsh, Rosemont College	Fayneese Miller, Hamline University						
Robert Lindgren, Randolph-Macon College							
Tori Murden-McClure, Spalding University							
Elsa Nunez, Eastern Connecticut State University							
Other NCAA Participants:							
Dan Dutcher, Debbie Kresge, Louise McCleary and Sharon Tufano							



## Framework Chancellor/President and Director of Athletics Attestation

## **Background:**

The Commission on College Basketball recommended that coaches, athletics directors and college presidents certify annually that their athletics programs comply with NCAA rules and that the NCAA rules should provide for significant penalties for those individuals if they knew or should have known of violations and did not address them.

During the August NCAA Board of Governors meeting, the Board of Governors directed each division to consider adopting legislation to specify that in order to enter a team or to enter an individual into a NCAA championship, an institution's chancellor or president and all athletics department staff members (full time, part time, clerical, volunteer) shall attest that the membership obligations of NCAA Constitution 2.1 (institutional control and responsibility) and Constitution 2.8 (rules compliance) have been met; and to specify that an institution that fails to complete the annual institutional attestation by September 15 shall be subject to removal from and/or ineligibility of individuals to serve on an NCAA board, council or committee.

Each division's presidential body adopted this legislation during its August meetings.

## **Constitutional Principles for the Conduct of Intercollegiate Athletics:**

Principles in Constitution 2 for all three divisions specify the following:

## 2.1 The Principle of Institutional Control and Responsibility.

**2.1.1 Responsibility for Control.** It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures.

**2.1.2 Scope of Responsibility.** The institution's responsibility for the conduct of its intercollegiate athletics program includes responsibility for the actions of its staff members and for the actions of any other individual or organization engaged in activities promoting the athletics interests of the institution.

## 2.8 The Principle of Rules Compliance.

**2.8.1 Responsibility of Institution.** Each institution shall comply with all applicable rules and regulations of the Association in the conduct of its intercollegiate athletics programs. It shall monitor its programs to assure compliance and to identify and report to the Association instances in which compliance has not been achieved. In any such instance, the institution shall cooperate fully with the Association and shall take appropriate corrective actions.

Members of an institution's staff, student-athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

**2.8.2 Responsibility of Association.** The Association shall assist the institution in its efforts to achieve full compliance with all rules and regulations and shall afford the institution, its staff and student athletes fair procedures in the consideration of an identified or alleged failure in compliance.

**2.8.3 Penalty for Noncompliance.** An institution found to have violated the Association's rules shall be subject to such disciplinary and corrective actions as may be determined by the Association.

## Learning Management System (LMS) Modules for Attestation:

To assist with the overview information for the attestation, as well as to house the attestation electronically for presidents/chancellors and directors of athletics, video module(s) will be created and reside in the NCAA LMS system. The modules will outline the attestation requirements consistent with Constitution 2.1 and 2.8 and provide for the attestation by the chancellor/president and director of athletics following completion of the module.

Institutions will determine how and the process [e.g., forms, staff meetings, supervisor meetings, watching the module(s) in a staff meeting] by which other members of the athletics department are made aware of their obligations. Further, institutions will determine whether individuals outside of the athletics department (e.g., financial aid, registrar, faculty athletics representative) will be made aware of the obligations in Constitution 2.1 and 2.8 as the legislation adopted in August does not require attestation by these individuals.

## **Chancellor/President and Director of Athletics Accountability:**

Additionally, during the August Board of Governors meeting, the Governors charged the NCAA Divisions I, II and III Committees on Infractions to determine the appropriate penalties for those individuals if they knew and after appropriate due diligence or should have known of violations and did not address them.

This accountability in the enforcement and infractions process will require legislation to be adopted by each division and is a separate review and discussion from the attestation to the knowledge of Constitution 2.1 and 2.8. The appropriate divisional governance committee(s) are addressing this charge from the Board of Governors and will work with each division's presidential bodies and councils to recommend legislative changes, where appropriate. The work of the divisional governance committees on the accountability for chancellors/presidents and directors of athletics will be tracked and where necessary included in the modules being developed. Additional detail and information will be available in January.

Framework –Chancellor/President and Director of Athletics Attestation Page No. 3

# **Timeline:**

October 2018 – Update to divisional presidential bodies.

November/December - Creation of content/story boards for the modules.

January 2019 – Review of story boards by presidential bodies.

February to March 2019 – creation of modules

April 2019 – Review of modules by presidential bodies.

May 2019 – Modules shared with Division I, II and III institutions.

## **Budget Estimates for Creation of Video Modules:**

The costs associated with the development of the modules and the purchase of the LMS licenses for chancellor/presidents and directors of athletics will be a cost covered by the Association and not by individual institutions.

Budget Item	Amount	Details
Course Development	\$12,000 to \$15,000	Development of three to five-minute video course. Cost would include in-person design/development workshop.
LMS Licenses	\$8,000	\$2 to \$3 per user fee when licenses are purchased in bulk. License fee is not recurring. Once an individual has an account, there is no additional fee to maintain that license in perpetuity. Estimate assumes that course will need to be completed by 1,200 chancellors/presidents 1,200 directors of athletics. Additional users would incur additional license costs.
Development of Division I portal page in LMS	\$1,400	Expense would be unique to Division I as Divisions II and III have already developed landing pages for their divisions.
	Total: \$15,000 to \$25,000	

#### **Other Educational Modules:**

Compliance and rules education are on-going. To assist with on-going educational efforts, additional modules and/or resources may be created. For instance, educational modules for presidents/chancellors may include:

- Student-athlete health and safety (e.g., staffing, athletics health care administrator, emergency medical plans, concussion management plan, medical exam).
- Membership requirement (e.g. sports sponsorship, financial aid).
- Eligibility requirements.
- Playing and practice season regulations (e.g., in season, out of season, countable athletically related activities).
- Violations and reporting.



**Proposed Voting Grouping and Order** 

# **Board of Governors Grouping.**

1. ORGANIZATION -- BOARD OF GOVERNORS -- INDEPENDENT MEMBERS.

## **Presidents Grouping.**

- 1. PLAYING AND PRACTICE SEASONS -- FOOTBALL -- ESTABLISHING PRESEASON START DATE 23 DAYS BEFORE THE INSTITUTION'S FIRST ACTUAL CONTEST.
- 2. PLAYING AND PRACTICE SEASONS -- FIELD HOCKEY AND SOCCER PRESEASON -- ESTABLISHING A THREE-DAY ACCLIMATIZATION PERIOD.
- 3. MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- STUDENT-ATHLETE GRADUATION RATE REPORTING.

# General Grouping.

- 4. AMATEURISM -- PRE-ENROLLMENT EDUCATIONAL EXPENSES.
- 5. ELIGIBILITY -- FINAL TERM BEFORE EXPERIENTIAL LEARNING REQUIREMENT.
- 6. RECRUITING -- ELECTRONIC TRANSMISSIONS AND PUBLICITY -- COMMENTS BEFORE ACCEPTANCE -- SOCIAL MEDIA.



# NCAA Division III Presidents Council Convention Legislation for 2019 NCAA Convention Speaker Assignment Chart

This chart will serve two purposes during the October NCAA Division III Presidents Council meeting:

- 1. It details the feedback on positions from various committees which were assigned to review the proposal sponsored by the membership. The Presidents Council should use the committee and Management Council's feedback to develop the Council's official position on the membership sponsored proposal identified for presidential review.
- 2. It details the tentative speaker assignments for all proposals that will be voted upon during the business session at the 2019 NCAA Convention. The assignments are tentative, and the Council members should verify their willingness to speak the governance structure's official position on the assigned proposal. If a Council member chooses not to speak on the proposal assigned, another member will be chosen.

<b>ORGANIZATION BOARD OF GOVERNORS INDEPENDENT MEMBERS</b>	
Intent. To amend legislation related to the NCAA Board of Governors, as follows: (1)	Proposed Speakers:
Increase the number of members from 20 to 25 by adding five independent voting members;	
(2) Define an independent member; (3) Specify that an independent member shall be	PC (support) Jeff Docking
appointed to a three-year term that is renewable for an additional three-year term, and that an	
independent member who has served two terms shall not serve further; (4) Specify that the	
Board of Governors shall issue a call for nominations when a vacancy for an independent	
member occurs; and (5) Specify that the Board of Governors shall serve as the final authority	PC (support) Sue Henderson
for the selection of and additional duties assigned to independent members.	
Source. NCAA Board of Governors (Commission on College Basketball Association-Wide	
Issues Topical Working Group)	
Effective Date. August 1, 2019.	
Effective Date. August 1, 2019.	
Rationale. The Commission on College Basketball recommended that the NCAA	
restructure its highest governance body, the Board of Governors, to include at least five	
independent members with the experience, stature and objectivity to assist the NCAA in re-	
establishing itself as an effective, respected leader and regulator of college sports. One	
independent member will also serve on the Board of Governors Executive Committee. The	
current Board of Governors includes 16 institutional presidents or chancellors representing	
each division as voting members, the chairs of the Division I Council and the Division II and	

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III Management Councils as ex-officio nonvoting members, and the NCAA president (who may vote in case of a tie). Like public companies, major nonprofit associations typically include outside board members to provide objectivity, relevant experience, perspective and wisdom. Board members with those qualities will provide valuable insight to the NCAA as it works towards the restoration of public confidence in college basketball and college sports in general. The Board of Governors will issue a formal call for nominations to fill vacancies; appoint the Board of Governors Executive Committee as the nominating committee; and serve as the final authority for the selection of and additional duties assigned to independent members.

# PLAYING AND PRACTICE SEASONS -- FOOTBALL -- ESTABLISHING PRESEASON START DATE 23 DAYS BEFORE THE INSTITUTION'S FIRST CONTEST

Intent. To amend the football preseason legislation as follows: (1) Establish the first	Proposed Speakers:
permissible practice date as 23 days before the institution's first regular season contest; and (2)	
Prohibit physical athletically related activity one day each week of the preseason following the	PC (move and support): Stuart Dorsey
five-day acclimatization period.	
nve-day accimiatization period.	DC (summert), Dehert Linderen
	PC (support): Robert Lindgren
Source. NCAA Division III Presidents Council [Management Council (Playing and Practice	
Seasons Subcommittee)].	MC (support): Kandis Schram.
Effective Date. August 1, 2019.	MC (support): Denise Udelhofen
Encuive Date: August 1, 2019.	We (support). Denise odemoten
Rationale. The Interassociation Consensus: Year-Round Football Practice Contact for	6
College Student-Athletes Recommendations include the discontinuation of traditional two-a-	amendment-to-amendment consistent with current
day contact practices. Pursuant to those recommendations, the Division III Management	legislation that if the institution's first contest is on the
Council adopted noncontroversial legislation in April 2017 to eliminate multiple on-field	0
traditional contact practices on the same day. The noncontroversial legislation, however, did	days should be from Friday as opposed to Thursday.
	days should be from Friday as opposed to Thursday.
not change the calculation method for determining the first permissible preseason practice date,	
which assumes the permissibility of two-a-day practices. Consequently, the current calculation	
method could produce inequitable start dates and lost practice opportunities. This proposal	
seeks to rectify those potential inequities by providing consistent practice opportunities for all	
football sponsoring institutions. Institutions could start 23 days before their first contest,	
resulting in up to 21 practice days, while still providing student-athletes with two days off from	
physical athletically related activity during the preseason (During the off days, film review,	
team meetings, leadership and entertainment activities are permissible). This proposal	
maintains the health and safety provisions outlined in the Interassociation Recommendations	
and provides more equitable practice opportunities.	
and provides more equitable practice opportunities.	

PLAYING AND PRACTICE SEASONS FIELD HOCKEY AND SOCCER ACCLIMATIZATION PERIOD	PRESEASON ESTABLISHING A THREE-DAY
<b>Intent.</b> To amend preseason practice in the sports of field hockey and soccer as follows: (1)	
to add three additional days to the preseason practice period; (2) to require an acclimatization	
period during the first three days of the preseason practice period, during which a team would	PC (support/oppose): Margaret Drugovich
be limited to one single practice session no longer than three hours in duration, followed by	DC (managet(anneae)), Elec Nenee
a one-hour walk through, with a minimum of three hours of rest required in between the two activities; and (3) to mandate that on every preseason practice day following the three-day	
acclimatization period, a team would be limited to conducting no more than two on-field	
practices per day and a maximum of six hours of athletically related activity total during the	
two practices combined, with a minimum of three hours of rest required in between practice	
sessions.	
	Committee and Council Positions:
Source. City University of New York Athletic Conference and New Jersey Athletic	
Conference	<b>Management Council:</b> The Council recommends that Presidents Council oppose this proposal for the following
Effective Date. August 1, 2019	reasons: 1.) The proposal does not have existing data to
Elicente Date. August 1, 2017	support it; 2.) It doesn't take into consideration all fall sports;
<b>Rationale.</b> Under current NCAA legislation, the preseason practice time that is allotted in	3.) It could disadvantage financially challenged institutions;
the sports of field hockey and soccer is insufficient in regard to the time needed to properly	and 4.) It could negatively impact summer work and
	internship opportunities for student-athletes.
coaches are faced with in the preseason practice period, programs are forced to engage in	
strenuous practice activities, including multiple training sessions often in extreme conditions. The additional three practice opportunities will provide programs extra time to prepare for	<b>Playing and Practice Seasons Subcommittee:</b> The Subcommittee recommends a position of 'No Position.'
competition, resulting in a reduced workload during each practice day in the preseason. In	
	should be broader discussion regarding acclimatization
allow student-athletes who are returning from summer break to adjust to a return to strenuous	periods for all fall sports.
play in potentially extreme temperatures.	
	Committee on Competitive Safeguards and Medical Aspects of Sports:
	The Committee on Competitive Safeguards and Medical Aspects of Sports opposes this proposal. The proposal is in

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	<ul> <li>conflict with existing legislation and interassociation recommendations that define the acclimatization period as five days. The health and safety benefits of a three-day acclimatization period are also not supported by scientific literature.</li> <li>Fall Sport Committees. (See attachment)</li> </ul>
MEMBERSHIP – CONDITIONS AND OBLIGATIONS OF MEMBERSHIP – STUD	ENT-ATHLETE GRADUATION RATE REPORTING
Intent: To include as a condition and obligation of Division III active membership, that an	Proposed Speakers:
institution submit on an annual basis student-athlete graduation rate reporting data for the academic success rate (ASR) in a form prescribed by the Management Council; further to establish that annual championships eligibility is contingent upon submission of the ASR.	PC (move and support): Javier Cevallos
	PC (support): Teresa Amott
Source. NCAA Division III Presidents Council [Management Council (Diversity and	
Inclusion Working Group)].	MC (support): Gerard Bryant
Effective Date. August 1, 2019 [First report is due June 1, 2020].	MC (support): Heather Benning
Rationale. Currently, institutions are required to annually submit student-body enrollment	
and graduation information to the NCAA. Voluntary reporting of Division III student-athlete	
graduation rates during the last eight years has annually reflected lower rates for male	
African-American student-athletes, and in particular football players, than their student-	
athlete peers, as well as rates lower than the student-body. This proposal allows for the	
private identification and communication of student-athlete graduation rates at each member	
school. A mandatory collection also provides the data to develop Division III evidence-	
based best practices to improve the retention and graduation of all student-athletes, including	
male African-Americans and football student-athletes. Institution-specific rates will not be	
publicized; rather, institutions will be able to view their student-athlete graduation rates privately in the NCAA Institutional Performance Program (IPP) for assessment and bench-	
marking. In addition, a mandated division-wide graduation-rate submission program also	
allows for the better promotion of Division III's overall positive academic success story.	
anows for the better promotion of Division in s overall positive academic success story.	I <u></u>

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AMATEURISM – PRE-ENROLLMENT EDUCATIONAL EXPENSES	
Intent. To permit individuals to accept educational expenses (e.g., tuition, fees, room, board	
and books) prior to collegiate enrollment from any individual or entity other than an agent,	
professional sports team/organization or representative of an institution's athletics interests,	
provided such expenses are disbursed directly through the recipient's educational institution (e.g., preparatory school, high school).	MC (support): Karen Thompson-Wolf
(o.g., propulatory school, ingli school).	Ne (support). Karen mompson won
Source. NCAA Division III Management Council (Interpretations and Legislation	MC (support): Jason Fein
Committee).	
	Note: Management Council approved a blanket waiver
Effective Date. August 1, 2019.	pending the outcome of this legislation. Specifically,
<b>Defined</b> . Comment locialation and hadro account in a student othlates from an eight	student-athletes that received pre-enrollment educational
<b>Rationale.</b> Current legislation precludes prospective student-athletes from receiving educational expenses for secondary education when athletics participation is considered.	
This standard is more restrictive than the standard that is imposed on current student-athletes	
who are permitted to receive such assistance in recognition of high school athletics	
leadership, ability, participation or performance from an established and continuing program.	
It seems inconsistent that prospective student-athletes should be held to a higher standard	
than current student-athletes as it relates to the receipt of educational expenses to attend a	
secondary institution. This proposal would allow for consistency in application between	pre-enrollment educational expenses.
prospective student-athletes and current student-athletes.	

ELIGIBILITY FINAL TERM BEFORE EXPERIENTIAL LEARNING REQUIREM	IENT
<b>Intent.</b> To extend the existing final term exception to the full-time enrollment requirement	Proposed Speakers:
to include student-athletes that are carrying (for credit) all courses necessary to complete degree requirements but have an outstanding experiential learning requirement.	MC (move and support): Laura Mooney
Source. NCAA Division III Management Council (Interpretations and Legislation Committee).	MC (support): Tim Millerick
Effective Date. August 1, 2019.	
<b>Rationale.</b> This proposal provides flexibility for student-athletes who are unable to satisfy an experiential learning requirement in the same term in which they complete the other credits necessary for graduation. The proposal would save student-athletes from incurring the additional expense of taking courses unnecessary for their degree solely for the purpose of playing their final season.	
<b>RECRUITING SOCIAL MEDIA AND PUBLICITY EXCEPTIONS CONNECT</b>	WITH PROSPECTIVE STUDENT-ATHLETES
<b>Intent.</b> To establish an exception to the restrictions on electronic transmissions and publicity	Proposed Speakers:
before commitment legislation to permit athletics department staff members to (1) connect with (e.g., "friend," "follow," etc.) prospective student-athletes on social media platforms,	MC (move and support): Kate Roy
and (2) take actions (e.g., "like," "favorite," republish, etc.) on social media platforms that	
indicate approval of content generated by users of the platforms other than institutional staff members or representatives of an institution's athletics interests.	MC (support): Bobby Davis
includers of representatives of an institution's autories interests.	MC (support): Lori Mazza
Source. NCAA Division III Management Council (Interpretations and Legislation	
Committee).	
Effective Date. Immediate.	
<b>Rationale.</b> This proposal provides continuity among the three divisions regarding public social media communication, thereby minimizing confusion for prospective student-athletes	

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and ensuring equitable access for Division III coaches. First, the proposal allows prospective student-athletes to receive electronic notifications automatically generated by the social media platform (e.g., the platform notifies a prospective student-athlete that he or she has received a friend request); coaches may not include any additional language in either the request or the reply. Next, the proposal permits coaches to respond to content produced by prospective student-athletes. By limiting coaches' initial social media correspondence to a response, this proposal allows prospective student-athletes to control a level of privacy and the extent to which they would like to engage in the recruiting process on social media platforms. Under current legislation, it is difficult to monitor all coaches and their social media activities (e.g., "likes," "favorites," republishing, etc.). This proposal creates an exception to publicity related to recruiting on social media platforms and attempts to maintain pace with the frequent creation and/or enhancement of social media applications. The immediate effective date will provide relief from the current application of the legislation without detrimentally impacting prospective student-athlete well-being.



# NCAA Division III Management Council and Presidents Council Convention Legislation for 2019 NCAA Convention Division III Sport Committees Proposal Feedback

Sport	Recommendation	Rationale
Cross Country/Track & Field	Support	The cross country and track and field committee would recommend that Division III Management Council supports the proposal and would like the possibility to explore adding cross country to be considered for an acclimatization period similar to what field hockey and soccer are proposing. The committee's reasoning was that it could potentially lighten the load for some of their incoming freshman and benefit returning student-athletes. Currently on a few of the campuses, freshman report and start practice and orientation activities on the same day. Being able to bring in student-athletes a few days prior could help with acclimatization both academically and athletically.
Men's Soccer	Support	Three additional days for acclimation added to preseason would be tremendously beneficial to student-athlete health/wellness and development. Soccer has one of the highest injury rates of all the NCAA sports with many of these injuries being due to accumulation of fatigue and overuse. Allowing for three additional days and restricting activities over that period would allow coaches and training staffs to better prepare student-athletes to handle the physical and mental rigor of the fall college soccer season by having a standardized schedule that eases the players into preseason.
Women's Volleyball	Support	<ul> <li>The women's volleyball committee SUPPORTS the proposal but strongly believes that women's volleyball also should be included in the recommendation to extend the preseason by three days, for the following reasons:</li> <li>The current rationale for the proposal applies to women's volleyball for the same reasons it applies to soccer and field hockey. Women's volleyball teams also have insufficient time to properly prepare student-athletes for competition and have a training overload at the beginning of the season, and student-athletes are reporting to practice after a prolonged time of relative inactivity. Asking them to perform at their peak performance within two weeks of reporting to campus is unsafe. Freshmen, in particular, are not used to this type of intense activity. In addition, many women's volleyball teams do tryouts the first few days of preseason.</li> </ul>

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		<ul> <li>The issue of acclimatization is not limited to outdoor sports. Many Division III volleyball facilities do not have air conditioning. (These numbers can be verified by a simple survey of the membership.) In these facilities, student-athletes deal not only with extreme temperatures but also with slick floors and potentially unsafe footing and exposure to injury. (Note: This issue is not limited to Division III facilities. The University of Minnesota canceled its home women's volleyball match against Kansas State University September 15, 2018, due to "extreme heat and unsafe conditions inside the unairconditioned Maturi Pavilion.")</li> <li>All fall sports should be treated equitably regarding opportunities to adequately and safely prepare for their season.</li> </ul>
Women's Soccer	Support	Most seem to be in support of the proposal and believe the acclimation period would benefit student safety. The few that are wavering on supporting it are mainly concerned with the budget impact it could have.
Field Hockey	Oppose	<ul> <li>While the committee agrees to the addition of days to preseason for acclimatization and student-athlete well being, there are concerns associated with this proposal.</li> <li>The committee raised the following concerns: Budgetary, facility availability, and institutions/conferences that already have stricter preseason models than the NCAA</li> </ul>
		designates. We would like to offer a friendly amendment to the proposal as follows:
		To amend preseason (1) add three additional days to the preseason practice period; (2) to require an acclimatization period during the first three days of the preseason practice period, during which a team would be limited to one single practice session no longer than three hours in duration, followed by a one-hour walk through, with a minimum of <i>two</i> hours of rest required between the two activities; and (3) to mandate that every preseason practice day following the three-day acclimatization period, a team would be limited to conducting

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		<ul> <li>no more than two on-field practices per day and a maximum of six hours of sport specific athletically related activity total during the two practices combined with a minimum of two hours of rest required in between practice sessions.</li> <li>Team bonding and non-sport related meetings also may occur during the acclimatization and preseason periods. These team related activities do not count as sport-specific practice time during preseason.</li> <li>In addition, the committee suggests that institutions and conferences which restrict preseason to later than the date of the NCAA's preseason practice formula start date consider starting closer to that date for student-athlete acclimatization and overall program success.</li> </ul>
Football	Take no action.	Because football proposal and guidelines were a direct response from the Sport Science Institute and earlier football summit meetings, the committee feels an "acclimatization period" for all sports would be beneficial, however, since fall sports come to campus before school begins, as compared to most other sports where student-athletes are already on campus and conduct conditioning sessions in preparation for the start of their formal activities, the committee would like all fall sports (football, soccer, field hockey, and volleyball) to have comparable preseason practice periods as it relates to acclimatization, number of practices per day, hours of practice, required rest, etc. Specifically, this would improve safety measures create consistency among fall sports.
		Common theme among the committee: football has five acclimation days, with no double day practices, only walk throughs and meetings. Meanwhile, soccer, on an adjacent field, has different restrictions (no limits on practice times, no required rest), but often times has a higher number of concussions compared to other fall sports. Volleyball, has another set of restrictions, and many on the committee noted that many institutions don't have air conditioned gyms for practice which is often warmer than the outside temperatures in August.

Proposal Number: BOG-2019-1

Title: ORGANIZATION -- BOARD OF GOVERNORS -- INDEPENDENT MEMBERS

Convention Year: 2019

Date Submitted: August 21, 2018

Status: Ready for Convention Vote

Effective Date: August 1, 2019

**IPOPL Number:** 

#### SPOPL Number: 1

**Source:** NCAA Board of Governors (Commission on College Basketball Association-Wide Issues Topical Working Group)

Category: Board of Governors

#### Topical Area: Organization

**Intent**: To amend legislation related to the NCAA Board of Governors, as follows: (1) Increase the number of members from 20 to 25 by adding five independent voting members; (2) Define an independent member; (3) Specify that an independent member shall be appointed to a three-year term that is renewable for an additional three-year term, and that an independent member who has served two terms shall not serve further; (4) Specify that the Board of Governors shall issue a call for nominations when a vacancy for an independent member occurs; and (5) Specify that the Board of Governors shall serve as the final authority for the selection of and additional duties assigned to independent members.

A. Constitution: Amend 4.02, as follows:

[Dominant provision, all divisions, common vote]

4.02 Definitions and Applications.

[4.02.1 through 4.02.3 unchanged.]

4.02.4 Independent Member of the Board of Governors. An independent member of the Board of Governors shall be an individual who is not salaried by an NCAA member institution, conference or affiliated member, and shall be verified as independent by the Board of Governors.

[4.02.4 through 4.02.5 renumbered as 4.02.5 through 4.02.6, unchanged.]

B. Constitution: Amend 4.1, as follows:

[Dominant provision, all divisions, common vote]

4.1 Board of Governors.

4.1.1 Composition. The Board of Governors shall consist of 20 members. The NCAA president and the chairs of the Division I Council and the Division II and Division III Management Councils shall be ex officio nonvoting members, except that the NCAA president is permitted to vote in the case of a tie among the voting members of the Board of Governors present and voting. The other 16 voting members of the Board of Governors shall include:

[4.1.1-(a) through 4.1.1-(c) unchanged.]

(d) Two Division II presidents or chancellors from the Division II Presidents Council; and

(e) Two Division III presidents or chancellors from the Division III Presidents Council-: and

#### (f) Five independent members (see Constitution 4.02.4).

4.1.2 Duties and Responsibilities. The Board of Governors shall:

- [4.1.2-(a) through 4.1.2-(k) unchanged.]
- (l) Review and coordinate the catastrophic-injury and professional career insurance (disability injury/illness) programs; *and*
- (m) Compile the names of those individuals associated with intercollegiate athletics who died during the year immediately preceding the annual Convention:
- (n) Issue a call for nominations when a vacancy for an independent member occurs on the Board of <u>Governors; and</u>
- (o) Serve as the final authority for the selection of and additional duties assigned to independent members of the Board of Governors.
- 4.1.3 Election/Term of Office.

4.1.3.1 Election. Division I members of the Board of Governors shall be appointed by the Division I Board of Directors. Divisions II and III members of the Board of Governors shall be appointed by the Divisions II and III Presidents Councils, respectively.

4.1.3.2 *Terms***Term of Office**. *The terms of service of members of the Board of Governors shall coincide with their service on the applicable divisional presidential governing body, unless otherwise specified by that governing body.* 

- (a) President or Chancellor Members. The terms of office of president or chancellor members of the Board of Governors shall coincide with their service on the applicable divisional presidential governing body, unless otherwise specified by that governing body.
- (b) Independent Members. An independent member of the Board of Governors shall be appointed to a three-year term that is renewable for an additional three-year term. An independent member who has served two terms shall not serve further on the Board of Governors.

4.1.3.3 Committee Chair. The Board of Governors shall elect one of its members to serve for a two-year period as chair.

**Rationale:** The Commission on College Basketball recommended that the NCAA restructure its highest governance body, the Board of Governors, to include at least five independent members with the experience, stature and objectivity to assist the NCAA in re-establishing itself as an effective, respected leader and regulator of college sports. One independent member will also serve on the Board of Governors Executive Committee. The current Board of Governors includes 16 institutional presidents or chancellors representing each division as voting members, the chairs of the Division I Council and the Division II and III Management Councils as ex-officio nonvoting members, and the NCAA president (who may vote in case of a tie). Like public companies, major nonprofit associations typically include outside board members to provide objectivity, relevant experience, perspective and wisdom. Board members with those qualities will provide valuable insight to the NCAA as it works towards the restoration of public confidence in college basketball and college sports in general. The Board of Governors will issue a formal call for nominations to fill vacancies; appoint the Board of Governors Executive Committee as the nominating committee; and serve as the final authority for the selection of and additional duties assigned to independent members.

**Budget Impact:** \$25,000 each fiscal year [committee expenses (e.g., travel, hotel, per diem) for the five independent members to attend Board of Governors in-person meetings (four times per year)].

Co-sponsorship - Conference:

None

Co-sponsorship - Institution: None

#### **Position Statements:**

#### **Review History:**

Aug 8, 2018: Approved in Legislative Format - Board of Governors

#### Additional Information:

**Question:** What entity will serve as the nominating committee to vet the nominated individuals and recommend a slate of independent members for full approval by the Board of Governors?

**Answer:** The Board of Governors Executive Committee.

Question: What is the composition of the Executive Committee?

**Answer:** The Executive Committee includes representation of all three divisions. Specifically, the committee includes the chair and vice chair of the Board of Governors (who must represent different divisions) and the members of the Governors who are the chairs of each divisional presidential body (Division I Board of Directors, Division II Presidents Council, Division III Presidents Council). When the chair or vice chair of the Board of Governors also serves as the divisional chair, then the vice chair from that division also serves on the Executive Committee. It is also the intent that the lead independent member will serve on the Executive Committee.

Question: What will be the duties and responsibilities of independent members?

**Answer:** Independent members will have the same duties and responsibilities of all governors. See Constitution 4.1.2 (duties and responsibilities). In addition, independent members will be responsible for meeting current Board of Governors policies and procedures regarding the duty of care, duty of loyalty, and duty of obedience.

Question: Will each independent member have voting rights?

Answer: Yes.

**Question:** What is the time and date for the vote on this proposal?

**Answer:** The discussion and vote will occur at the 2019 NCAA Convention on Thursday, January 24, immediately after the NCAA Plenary Session: State of College Sports. The Association-wide Business Session will begin at 5:45 p.m. in Grand Ballroom 7-8 at the Orlando World Center Marriott.

Legislative Cite	Title
4.02	Definitions and Applications.
4.1	Board of Governors.
4.1.1	Composition.
4.1.2	Duties and Responsibilities.
4.1.3	Election/Term of Office.
4.1.3.1	Election.
4.1.3.2	Terms.
4.1.3.3	Committee Chair.

#### Proposal Number: 2019-

**Title:** MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- STUDENT-ATHLETE GRADUATION RATE REPORTING

Convention Year: 2019

Date Submitted: May 31, 2018

Status: SPOPL

Effective Date: August 1, 2019 [First report is due June 1, 2020]

**IPOPL Number:** 

#### SPOPL Number: 2

Source: NCAA Division III Presidents Council [Management Council (Diversity and Inclusion Working Group)]

Category: Presidents Council

Topical Area: Membership

**Intent:** To include as a condition and obligation of Division III active membership, that an institution submit on an annual basis student-athlete graduation rate reporting data for the academic success rate (ASR) in a form prescribed by the Management Council; further to establish that annual championships eligibility is contingent upon submission of the ASR.

A. Constitution: Amend 3.2.4, as follows:

[Division III, roll call]

3.2.4 Conditions and Obligations of Membership.

[3.2.4.1 through 3.2.4.20 unchanged.]

3.2.4.21 Academic Success Rate. Active members shall annually submit student-athlete graduation rate data, by the applicable deadline, for the Academic Success Rate (ASR) in a form prescribed by the Management Council.

3.2.4.21.1 Failure to Submit Data. An active member institution that fails to submit student-athlete graduation rate data for the ASR by the applicable deadline shall not be eligible to enter a team or individual competitors in an NCAA championship (See Bylaw 31.2.1.9) and may be subject to additional membership penalties.

B. Administrative: Amend 31.2.1, as follows:

[Division III, roll call]

31.2.1 Institutional Eligibility. To be eligible to enter a team or an individual in NCAA championship competition, an institution shall recognize the sport involved as a varsity intercollegiate sport (see Bylaw 17.02.13) and shall:

[31.2.1-(a) through 31.2.1-(h) unchanged.]

[31.2.1.1 through 31.2.1.8 unchanged.]

31.2.1.9 Academic Success Rate. An institution shall not be eligible to enter a team or individual competitors in an NCAA championship unless it has submitted, by the applicable deadline, student-

# athlete graduation rate data for the Academic Success Rate (ASR), in a form prescribed by the Management Council.

[31.2.1.9 renumbered as 31.2.1.10, unchanged.]

**Rationale:** Currently, institutions are required to annually submit student-body enrollment and graduation information to the NCAA. Voluntary reporting of Division III student-athlete graduation rates during the last eight years has annually reflected lower rates for male African-American student-athletes, and in particular football players, than their student-athlete peers, as well as rates lower than the student-body. This proposal allows for the private identification and communication of student-athlete graduation rates at each member school. A mandatory collection also provides the data to develop Division III evidence-based best practices to improve the retention and graduation of all student-athletes, including male African-Americans and football student-athlete graduation rates privately in the NCAA Institutional Performance Program (IPP) for assessment and bench-marking. In addition, a mandated division-wide graduation-rate submission program also allows for the better promotion of Division III's overall positive academic success story.

**Budget Impact:** Minimal initial campus-based reporting expenses for schools currently not reporting student-athlete graduation rates. Currently, institutional financial aid directors submit annual data on student-athletes, and consequently are already coding the student-athlete cohort within institutional software on an annual basis. By sharing such information across institutional departments, this data collection and submission will not prove overly burdensome.

# Co-sponsorship - Conference:

None

**Co-sponsorship - Institution**: None

**Position Statements:** 

#### **Review History:**

Apr 10, 2018: Approved in Concept - Management Council

Apr 24, 2018: Approved in Concept - Presidents Council

#### Additional Information:

Legislative Cite	Title
3.2.4	Conditions and Obligations of Membership.
31.2.1	Institutional Eligibility.

Proposal Number: 2019-

Title: AMATEURISM -- PRE-ENROLLMENT EDUCATIONAL EXPENSES

Convention Year: 2019

Date Submitted: January 25, 2018

Status: SPOPL

Effective Date: August 1, 2019

**IPOPL Number:** 

SPOPL Number: 3

Source: NCAA Division III Management Council (Interpretations and Legislation Committee).

Category: Management Council

Topical Area: Amateurism

**Intent:** To permit individuals to accept educational expenses (e.g. tuition, fees, room, board and books) prior to collegiate enrollment from any individual or entity other than an agent, professional sports team/ organization or representative of an institution's athletics interests, provided such expenses are disbursed directly through the recipient's educational institution (e.g., preparatory school, high school).

A. Bylaws: Amend 12.1.3.1, as follows:

[Division III, roll call]

12.1.3.1 Permissible Activities -- Before Initial, Full-Time Collegiate Enrollment. Before initial, full-time collegiate enrollment, an individual may engage in the following without jeopardizing his or her amateur status:

[12.1.3.1-(a) through 12.1.3.1-(q) unchanged.]

- (r) Educational Expenses. May accept educational expenses (e.g. tuition, fees, room, board and books) from any individual or entity other than an agent, professional sports team/organization or a representative of an institution's athletics interests, provided such expenses are disbursed directly through the recipient's educational institution (e.g., high school, preparatory school).
- B. Bylaws: Amend 12.1.7, as follows:

#### [Division III, roll call]

12.1.7 Prohibited Forms of Pay. "Pay" as used in the sections above includes, but is not limited to, the following:

[12.1.7.1 through 12.1.7.2 unchanged.]

12.1.7.3 Educational Expenses. Except as provided for in Bylaw<u>s</u> 12.1.3.1-(r) and 12.1.6-(a), educational expenses not permitted by the governing legislation of this Association (see Bylaw 15 regarding permissible financial aid to enrolled student-athletes) that includes those provided to an individual by an outside sports team or organization that are based in any degree on the recipient's athletics ability (except as specified in Bylaw 15.2.3.5), even if the funds are given to the institution to administer to the recipient.

[12.1.7.4 unchanged.]

**Rationale:** Current legislation precludes prospective student-athletes from receiving educational expenses for secondary education when athletics participation is considered. This standard is more restrictive than the standard that is imposed on current student-athletes who are permitted to receive such assistance in recognition of high school athletics leadership, ability, participation or performance from an established and continuing program. It seems inconsistent that prospective student-athletes should be held to a higher standard than current student-athletes as it relates to the receipt of educational expenses to attend a secondary institution. This proposal would allow for consistency in application between prospective student-athletes.

#### Budget Impact: None

#### **Co-sponsorship - Conference:** None

**Co-sponsorship - Institution**: None

#### **Position Statements:**

#### **Review History:**

Jan 17, 2018: Approved in Concept - Management Council

#### Additional Information:

Legislative Cite	Title
12.1.3.1	Permissible Activities Before Initial, Full-Time Collegiate Enrollment.
12.1.7	Prohibited Forms of Pay.
12.1.7.3	Educational Expenses.

#### Proposal Number: 2019-

**Title:** RECRUITING -- SOCIAL MEDIA AND PUBLICITY -- EXCEPTIONS -- CONNECT WITH PROSPECTIVE STUDENT-ATHLETES

Convention Year: 2019

Date Submitted: April 23, 2018

Status: SPOPL

Effective Date: Immediate

**IPOPL Number:** 

SPOPL Number: 4

Source: NCAA Division III Management Council (Interpretations and Legislation Committee).

Category: Management Council

#### Topical Area: Recruiting

**Intent:** To establish an exception to the restrictions on electronic transmissions and publicity before commitment legislation to permit athletics department staff members to (1) connect with (e.g., "friend," "follow," etc.) prospective student-athletes on social media platforms, and (2) take actions (e.g., "like," "favorite," republish, etc.) on social media platforms that indicate approval of content generated by users of the platforms other than institutional staff members or representatives of an institution's athletics interests.

A. Bylaws: Amend 13.02.11, as follows:

#### [Division III, roll call]

13.02.11 Electronic Transmissions. Any electronically transmitted correspondence (e.g., electronic mail, Instant Messenger, private communication through *social networking site* **social media platforms**, text messages or facsimiles) may be sent to a prospective student-athlete (or his or her parents or legal guardians) provided the communication is private between only the sender and recipient (e.g., no use of public chat rooms, message boards, public communication through *a social networking site* **social media platforms**). An enrolled student-athlete may send private electronic correspondence (e.g., electronic mail, Instant Messenger, private communication through *social networking site* **social media platforms**), text messages or facsimiles) to a prospective student-athlete for recruitment purposes. [D]

[13.02.11.1 through 13.02.11.4 unchanged.]

13.02.11.5 Exception—Actions on Social Media Platforms. An athletics department staff member may connect with (e.g., "friend," "follow," etc.) a prospective student-athlete on social media platforms. Further, an athletics department staff member may take actions (e.g., "like," "favorite," republish, etc.) on social media platforms that indicate approval of social media content generated by users of the platforms other than institutional staff members or representatives of an institution's athletics interests.

B. Bylaws: Amend 13.10, as follows:

#### [Division III, roll call]

13.10.2 Comments Before Acceptance. An institution may comment publicly only to the extent of confirming its recruitment of the prospective student-athlete. [D]

[13.10.2.1 unchanged.]

# 13.10.2.2 Exception—Actions on Social Media Platforms. An athletics department staff member may connect with (e.g., "friend," "follow," etc.) a prospective student-athlete on social media platforms. Further, an athletics department staff member may take actions (e.g., "like," "favorite," republish, etc.) on social media platforms that indicate approval of social media content generated by users of the platforms other than institutional staff members or representatives of an institution's athletics interests.

**Rationale:** This proposal provides continuity among the three divisions regarding public social media communication, thereby minimizing confusion for prospective student-athletes and ensuring equitable access for Division III coaches. First, the proposal allows prospective student-athletes to receive electronic notifications automatically generated by the social media platform (e.g., the platform notifies a prospective student-athlete that he or she has received a friend request); coaches may not include any additional language in either the request or the reply. Next, the proposal permits coaches to respond to content produced by prospective student-athletes. By limiting coaches' initial social media correspondence to a response, this proposal allows prospective student-athletes to control a level of privacy and the extent to which they would like to engage in the recruiting process on social media activities (e.g., "likes," "favorites," republishing, etc.). This proposal creates an exception to publicity related to recruiting on social media applications. The immediate effective date will provide relief from the current application of the legislation without detrimentally impacting prospective student-athlete well-being.

#### Budget Impact: None.

#### **Co-sponsorship - Conference:** None

**Co-sponsorship - Institution**: None

#### **Position Statements:**

#### **Review History:**

Apr 10, 2018: Approved in Concept - Management Council

#### Additional Information:

Legislative Cite	Title
13.02.11	Electronic Transmissions.
13.10.2	Comments Before Acceptance.

Proposal Number: 2019-

Title: ELIGIBILITY -- FINAL TERM BEFORE EXPERIENTIAL LEARNING REQUIREMENT

Convention Year: 2019

Date Submitted: April 12, 2018

Status: SPOPL

Effective Date: August 1, 2019

**IPOPL Number:** 

SPOPL Number: 5

Source: NCAA Division III Management Council (Interpretations and Legislation Committee).

Category: Management Council

Topical Area: Eligibility

**Intent:** To extend the existing final term exception to the full-time enrollment requirement to include student-athletes that are carrying (for credit) all courses necessary to complete degree requirements but have an outstanding experiential learning requirement.

Bylaws: Amend 14.1.8, as follows:

[Division III, roll call]

14.1.8 Full-Time Enrollment.

[14.1.8.1 unchanged.]

14.1.8.1.6 Exceptions.

14.1.8.1.6.1 Final Semester/Quarter -- Practice or Competition. A student-athlete may practice or compete while enrolled in less than a minimum full-time program of studies, provided the student is enrolled in the final semester or quarter of the baccalaureate or graduate program and the institution certifies that the student is carrying (for credit) the courses necessary to complete degree requirements. For a student-athlete who competes while eligible pursuant to this exception, the student-athlete shall forfeit eligibility in all sports, unless the student completes all degree requirements during that semester or quarter and is eligible to receive the baccalaureate or graduate diploma on the institution's next degree-granting date.

14.1.8.1.6.1.1 Final Term Before Experiential Learning Requirement. A student-athlete may practice or compete while enrolled in less than a minimum full-time program of studies in the final semester or quarter of the student's baccalaureate degree program before participating in an experiential learning requirement (e.g., student teaching, internship, clinical, capstone project) in the following term, provided the student-athlete is carrying (for credit) all courses necessary to complete degree requirements as determined by the faculty of the institution, other than the experiential learning requirement. For a student-athlete shall forfeit eligibility in all sports, unless the student completes all other degree requirements during that semester or quarter and participates in the experiential learning requirement no later than the next regular academic term. A student-athlete who uses this exception is not permitted to use the final semester/quarter exception the following semester or quarter.

#### [14.1.8.1.6.2 through 14.1.8.1.6.7 unchanged.]

#### [14.1.8.1.7 unchanged.]

**Rationale:** This proposal provides flexibility for student-athletes who are unable to satisfy an experiential learning requirement in the same term in which they complete the other credits necessary for graduation. The proposal would save student-athletes from incurring the additional expense of taking courses unnecessary for their degree solely for the purpose of playing their final season.

#### Budget Impact: None

# Co-sponsorship - Conference:

None

#### **Co-sponsorship - Institution**: None

#### **Position Statements:**

#### **Review History:**

Apr 10, 2018: Approved in Concept - Management Council

#### Additional Information:

Legislative Cite	Title
14.1.8	Full-Time Enrollment.
14.1.8.1.6	Exceptions.
14.1.8.1.6.1	Final Semester/Quarter Practice or Competition.

#### Proposal Number: 2019-

**Title:** PLAYING AND PRACTICE SEASONS -- FIELD HOCKEY AND SOCCER PRESEASON -- ESTABLISHING A THREE-DAY ACCLIMATIZATION PERIOD

Convention Year: 2019

Date Submitted: June 27, 2018

Status: SPOPL

Effective Date: August 1, 2019

IPOPL Number: 1

#### SPOPL Number: 6

Source: City University of New York Athletic Conference and New Jersey Athletic Conference

Category: Membership Proposal

Topical Area: Playing and Practice Seasons

**Intent**: To amend preseason practice in the sports of field hockey and soccer as follows: (1) to add three additional days to the preseason practice period; (2) to require an acclimatization period during the first three days of the preseason practice period, during which a team would be limited to one single practice session no longer than three hours in duration, followed by a one-hour walk through, with a minimum of three hours of rest required in between the two activities; and (3) to mandate that on every preseason practice day following the three-day acclimatization period, a team would be limited to conducting no more than two on-field practices per day and a maximum of six hours of athletically related activity total during the two practices combined, with a minimum of three hours of rest required in between practice sessions.

A. Bylaws: Amend 17.02.12, as follows:

#### [Division III, roll call]

17.02.12 Fall Preseason Practice Formula -- Sports Other Than Football-, **Field Hockey, Soccer and Water Polo.** In cross country, *field hockey,* golf, rowing, rugby, *soccer,* tennis and women's volleyball, the first permissible date for preseason practice shall be determined by the application of 16 units in the preseason practice formula, as specified in this section.

17.02.12.1 Unit -- Defined. A "unit" is a numerical value assigned to a particular calendar day within the application of the preseason practice formula that is used to determine the first permissible practice date for fall sports other than football. The number of units assigned to a particular day does not determine or limit the number of practices that may be conducted on that day.

17.02.12.2 *Determining the First Permissible Practice Date for Fall Sports Other Than Football* -- Application of the 16 Units. To determine the first permissible practice date, an institution shall count back a total of 16 units on a calendar starting with the day before the first scheduled intercollegiate competition (see Bylaw 17.02.12.2.1), as follows:

(a) Never assign any units to Sundays on the calendar; it is permissible to practice on Sundays;

- (b) Never assign any units to calendar days during the preseason when all institutional dormitories are closed, the institution's team must leave campus, and practice is not conducted;
- (c) The first six units: assign one unit to each of the six calendar days (not including Sunday) before the first scheduled intercollegiate competition (see Bylaw 17.02.12.2.1);

(d) The remaining 10 units:

- (1) Assign one unit to each calendar day (not including Sundays) that occurs on or after the opening day of classes for the fall term (see Bylaw 17.02.12.2.2), and
- (2) Assign two units to each calendar day before the opening day of classes for the fall term (not including Sundays) until the sum of units on the calendar reaches 16;
- (e) The date on which the total count of units on the calendar reaches 16 is the first permissible date for preseason practice (see Bylaw 17.02.12.2.3).

[17.02.12.2.1 through 17.02.12.2.5 unchanged.]

<u>17.02.12.2.6</u> Field Hockey and Soccer. In the sports of field hockey and soccer, the first permissible date for preseason practice shall be determined by the application of 19 units in the preseason practice formula as follows:

- (a) The first 16 units shall be applied in the same manner as set forth in Bylaw 17.02.12.2 (a)-(e); and
- (b) The remaining three units shall be applied one unit per day for three days.
- B. Bylaws: Amend 17.1.1.3, as follows:

[Division III, roll call]

17.1.1.3 Length of Playing Season.

17.1.1.3.1 Sports with a Fall NCAA Championship. The length of an institution's playing season shall be limited to a maximum of 18 weeks.

17.1.1.3.1.1 Segment Limitations. Except for the sport of football (see Bylaw 17.10) and unless otherwise noted in the applicable sport section, the playing season shall be conducted according to the following:

- (a) Traditional Segment.
  - (1) First Permissible Practice. A member institution shall not commence practice before the date that permits a maximum of 16 units in the preseason practice formula (see Bylaw 17.02.12) before the first scheduled intercollegiate competition. This provision is not applicable to men's water polo [see Bylaw 17.26.2-(a)]., field hockey [see Bylaw 17.9.2] and soccer [see Bylaw 17.19.2].
  - [17.1.1.3.1.1-(a)-(2) through 17.1.1.3.1.1-(a)-(3) unchanged.]
- [17.1.1.3.1.1-(b) unchanged.]

[17.1.1.3.2 through 17.1.1.3.4 unchanged.]

C. Bylaws: Amend 17.9, as follows:

#### [Division III, roll call]

17.9 Field Hockey. Regulations for computing the field hockey playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1)

17.9.1 Length of Playing Season. (See Bylaw 17.1.1.3.1 for fall NCAA championship sports.)

17.9.2 Preseason Practice. (See Bylaw 17.1.1.3.1.1) A member institution shall not commence practice sessions in field hockey before the date that permits a maximum of 19 permissible units in the preseason practice formula (see Bylaw 17.02.12.2.6) before the first scheduled intercollegiate competition.

<u>17.9.2.1</u> <u>Three-Day Acclimatization Period.</u> <u>Preseason practice shall begin with a three-day</u> acclimatization period for both first-time participants (e.g., freshmen and transfers) and continuing

student-athletes. All student-athletes, including those who arrive to preseason practice after the first day of practice, are required to undergo a three-day acclimatization period. The three-day acclimatization period shall be conducted as follows:

17.9.2.1.1 Institutions may not conduct conditioning, speed, strength or agility tests before the start of the three-day acclimatization period.

17.9.2.1.2 During the three-day acclimatization period, an institution may only conduct one onfield practice session per day not to exceed three hours followed by a one-hour walk-through session. Student-athletes must be provided with at least three hours of continuous recovery time between the sessions. During the recovery time, student-athletes may not attend any meetings or engage in other athletically related activities (e.g., weight lifting); however, time spent receiving medical treatment and eating meals may be included as part of the recovery time.

17.9.2.1.3 Institutions are permitted to conduct weight training activities during the three-day acclimatization period without counting those activities toward the maximum hour limitations for on-field practices; however, weight training activities may not be conducted during the required three hours of continuous recovery time between sessions.

17.9.2.2 Preseason Activities After the Three-Day Acclimatization Period. For each preseason practice day following the three-day acclimatization period, an institution may only conduct two on-field practices not to exceed six hours total combined. Student-athletes must be provided with at least three hours of continuous recovery time between the sessions. During the recovery time, studentathletes may not attend any meetings or engage in other athletically related activities (e.g., weight lifting); however, time spent receiving medical treatment and eating meals may be included as part of the recovery time.

[17.9.3 through 17.9.6 unchanged.]

D. Bylaws: Amend 17.19, as follows:

#### [Division III, roll call]

17.19 Soccer. Regulations for computing the soccer playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1)

17.19.1 Length of Playing Season. (See Bylaw 17.1.1.3.1 for fall NCAA championship sports.)

17.19.2 Preseason Practice. (See Bylaw 17.11.3.1.1) <u>A member institution shall not commence practice</u> sessions in soccer before the date that permits a maximum of 19 permissible units in the preseason practice formula (see Bylaw 17.02.12.2.6) before the first scheduled intercollegiate competition.

17.19.2.1 Three-Day Acclimatization Period. Preseason practice shall begin with a three-day acclimatization period for both first-time participants (e.g., freshmen and transfers) and continuing student-athletes. All student-athletes, including those who arrive to preseason practice after the first day of practice, are required to undergo a three-day acclimatization period. The three-day acclimatization period shall be conducted as follows:

17.19.2.1.1 Institutions may not conduct conditioning, speed, strength or agility tests before the start of the three-day acclimatization period.

17.19.2.1.2 During the three-day acclimatization period, an institution may only conduct one onfield practice session per day not to exceed three hours followed by a one-hour walk-through session. Student-athletes must be provided with at least three hours of continuous recovery time between the sessions. During the recovery time, student-athletes may not attend any meetings or engage in other athletically related activities (e.g., weight lifting); however, time spent receiving medical treatment and eating meals may be included as part of the recovery time.

17.19.2.1.3 Institutions are permitted to conduct weight training activities during the three-day acclimatization period without counting those activities toward the maximum hour limitations for

on-field practices; however, weight training activities may not be conducted during the required three hours of continuous recovery time between sessions.

17.19.2.2 Preseason Activities After the Three-Day Acclimatization Period. For each preseason practice day following the three-day acclimatization period, an institution may only conduct two on-field practices not to exceed six hours total combined. Student-athletes must be provided with at least three hours of continuous recovery time between the sessions. During the recovery time, student-athletes may not attend any meetings or engage in other athletically related activities (e.g., weight lifting); however, time spent receiving medical treatment and eating meals may be included as part of the recovery time.

#### [17.19.3 through 17.19.6 unchanged.]

**Rationale:** Under current NCAA legislation, the preseason practice time that is allotted in the sports of field hockey and soccer is insufficient in regard to the time needed to properly prepare student-athletes for intercollegiate competition. Due to the time constraints that coaches are faced with in the preseason practice period, programs are forced to engage in strenuous practice activities, including multiple training sessions often in extreme conditions. The additional three practice opportunities will provide programs extra time to prepare for competition, resulting in a reduced workload during each practice day in the preseason. In addition, the implementation of an acclimatization period for health and safety reasons will allow student-athletes who are returning from summer break to adjust to a return to strenuous play in potentially extreme temperatures.

**Budget Impact:** Would vary based on costs that institutions would need to incur for preseason housing and meals.

#### Co-sponsorship - Conference:

City University of New York Athletic Conference

#### **Co-sponsorship - Institution**: None

NONC

#### Additional Information:

Legislative Cite	Title
17.02.12	Fall Preseason Practice Formula Sports Other Than Football.
17.02.12.1	Unit Defined.
17.02.12.2	Determining the First Permissible Practice Date for Fall Sports Other Than Football Application of the 16 Units.
17.1.1.3	Length of Playing Season.
17.1.1.3.1	Sports with a Fall NCAA Championship.
17.1.1.3.1.1	Segment Limitations.
17.9	Field Hockey.
17.9.1	Length of Playing Season.
17.9.2	Preseason Practice.
17.19	Soccer.

Legislative Cite	Title
17.19.1	Length of Playing Season.
17.19.2	Preseason Practice.

#### Proposal Number: 2019-

**Title:** PLAYING AND PRACTICE SEASONS -- FOOTBALL -- ESTABLISHING PRESEASON START DATE 23 DAYS BEFORE THE INSTITUTION'S FIRST PERMISSIBLE CONTEST

Convention Year: 2019

Date Submitted: April 12, 2018

Status: SPOPL

Effective Date: August 1, 2019

**IPOPL Number:** 

SPOPL Number: 7

**Source:** NCAA Division III Presidents Council [Management Council (Playing and Practice Seasons Subcommittee)].

Category: Management Council

Topical Area: Playing and Practice Seasons

**Intent:** To amend the football preseason legislation as follows: (1) Establish the first permissible practice date as 23 days before the institution's first regular season contest; and (2) Prohibit physical athletically related activity one day each week of the preseason following the five-day acclimatization period.

Bylaws: Amend 17.10.2, as follows:

[Division III, roll call]

17.10.2 Preseason Practice.

17.10.2.1 First Practice Date. A member institution shall not commence official preseason football practice sessions for the varsity, junior varsity or freshman team **earlier than 23 days** before **its first scheduled contest** the date that will permit a maximum of 25 practice opportunities (see Bylaw 17.10.2.1.1) before its first scheduled intercollegiate game or before the Friday after the institution's first contest (game) if the first contest is scheduled for a Thursday.

17.10.2.1.1 Practice Opportunities --- Football. In football only, to establish the starting date for preseason practice, the institution shall count one practice opportunity for each day beginning with the opening day of classes and one practice opportunity for each day classes are not in session in the week of the first scheduled intercollegiate contest (see Bylaw 17.10.3). Next, the institution shall count practice opportunities on an alternating basis in a two-one-two-one format (i.e., the first of the remaining days is counted as two, the next day is counted as one, the next as two, etc.) up to and including the 20th opportunity. Finally, the institution shall count one practice opportunity for each of the five days before the day of the 20th opportunity. The institution shall not count any days during the preseason when all institutional dormitories are closed, the institution's team must leave campus and practice is not conducted.

17.10.2.1.1.1 Sunday. Sundays before the institution's opening day of classes are included in the counting. Sundays after the institution's opening day of classes are excluded from the counting.

17.10.2.1.1.2 Week. The "week" of the first scheduled intercollegiate contest is defined as the six days, including or excluding Sunday pursuant to Bylaw 17.10.2.1.1.1, before the first contest (or before Friday if the first contest is on a Thursday, see Bylaw 17.10.3) even if one or more of the days fall into different traditional calendar weeks.

17.10.2.1.1.3 Opening Day of Classes. The "opening day of classes" is defined as the first day of classes as listed in the institution's official catalog. Required freshman orientation is not considered to be the opening day of classes for the academic year.

17.10.2.2 Five-Day Acclimatization Period. Preseason practice shall begin with a five-day acclimatization period for both first-time participants (e.g., freshmen and transfers) and continuing student-athletes. All student-athletes, including those who arrive to preseason practice after the first day of practice, are required to undergo a five-day acclimatization period. The five-day acclimatization period shall be conducted as follows:

[17.10.2.2-(a) through 17.10.2.2-(e) unchanged.]

17.10.2.3 Preseason Activities After Five-Day Acclimatization Period. The remaining preseason practice period shall be conducted as follows:

[17.10.2.3-(a) unchanged.]

(b) Student-athletes shall not engage in more than one on-field practice and one walk-through session, which shall be limited to a combined total of four hours per day with the practice session not to exceed three hours; and

#### (c) All physical athletically related activity (e.g., on-field activity, weight lifting and conditioning) is prohibited during one calendar day per each defined week after the week including the acclimatization period (minimum of two days off prior to first contest) if classes are not in session during any portion of the defined week (See Bylaw 17.1.4.1 for day-off requirements when classes are in session).

[17.10.2.3.1 unchanged.]

**Rationale:** The Interassociation Consensus: Year-Round Football Practice Contact for College Student-Athletes Recommendations include the discontinuation of traditional two-a-day contact practices. Pursuant to those recommendations, the Division III Management Council adopted noncontroversial legislation in April 2017 to eliminate multiple on-field traditional contact practices on the same day. The noncontroversial legislation, however, did not change the calculation method for determining the first permissible preseason practice date, which assumes the permissibility of two-a-day practices. Consequently, the current calculation method could produce inequitable start dates and lost practice opportunities. This proposal seeks to rectify those potential inequities by providing consistent practice opportunities for all football sponsoring institutions. Institutions could start 23 days before their first contest, resulting in up to 21 practice days, while still providing student-athletes with two days off from physical athletically related activity during the preseason (During the off days, film review, team meetings, leadership and entertainment activities are permissible). This proposal maintains the health and safety provisions outlined in the Interassociation Recommendations and provides more equitable practice opportunities.

**Budget Impact:** The proposal provides a permissive first practice date and therefore institutions would not be obligated to incur additional expense by starting preseason before what is currently allowed. Regardless, by comparing the first permissible practice date under the proposed model with the current model, some institutions will have an earlier start date, others later and some the same. Therefore, the budget impact varies per institution.

Co-sponsorship - Conference:

None

**Co-sponsorship - Institution:** None

**Position Statements:** 

**Review History:** 

## Additional Information:

Legislative Cite	Title
17.10.2	Preseason Practice.
17.10.2.1	First Practice Date.
17.10.2.1.1	Practice Opportunities Football.
17.10.2.1.1.1	Sunday.
17.10.2.1.1.2	Week.
17.10.2.1.1.3	Opening Day of Classes.
17.10.2.2	Five-Day Acclimatization Period.
17.10.2.3	Preseason Activities After Five-Day Acclimatization Period.

# REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION BOARD OF GOVERNORS MEETING AUGUST 7, 2018

# ACTION ITEMS:

• **Certification of compliance penalties.** The NCAA Board of Governors voted to charge the NCAA Divisions I, II and III Committees on Infractions to determine the appropriate penalties for those individuals required to attest to certification of compliance if they knew or should have known of violations and did not address them.

# **INFORMATONAL ITEMS**:

- 1. Welcome and announcements. NCAA Board of Governors Chair President Bud Peterson convened the meeting at approximately 2 p.m. and welcomed the Governors. He gave a special welcome to President Nayef, a new member of the Board of Governors who was attending his first meeting. NCAA staff confirmed that a quorum was present. Because they were participating in their last meeting, President Peterson recognized the following members with gifts of appreciation: Presidents Dianne Harrison and Samuel Stanley.
- 2. Consent Agenda. By way of a consent agenda, the Board of Governors approved the reports of its May 3, 2018, teleconference, and May 15-16, 2018, electronic vote, as well as the appointments of Sue Henderson, president of New Jersey City University, to the NCAA Board of Governors Student-Athlete Engagement Committee, and Dylan Gladney, a Prairie View A&M student-athlete, to the NCAA Board of Governors Committee to Promote Cultural Diversity and Equity. The Governors also approved revisions to its policies and procedures based on board action over the past year. (Unanimous voice vote)
- 3. NCAA president's report. President Mark Emmert reported that much of the meetings this week will focus on the work to address the Commission on College Basketball recommendations. President Emmert reviewed the timeline for how the Association arrived at this point of final action on the working groups' recommendations. He expressed thanks to the staff for all the work done in a very short time and in addition to their regular job responsibilities. He also noted that this will continue to be a work in progress as adjustments likely will need to be made as we move forward in implementing the recommended changes.
- 4. NCAA strategic plan update. President Glendell Jones, Board of Governors vice chair and lead for the strategic planning process, updated the Governors on the strategic planning process. President Jones noted that the process has been deliberately slowed to allow for membership focus on the initial phase of addressing the Commission on College Basketball recommendations. He also noted that earlier this year, consultants were brought on board and the initial meeting of the NCAA Strategic Planning Working Group was conducted in June, during which time the working group reviewed a draft workplan for the process and provided input on the workplan and a timeline moving forward. This fall will be used to gather feedback from various governance bodies, as well as the membership at large. The

goal remains that the final plan be presented to the Board of Governors during its August 2019 meeting.

5. NCAA Board of Governors Finance and Audit Committee report. Chancellor Philip DiStefano, chair of the Finance and Audit Committee, presented the committee's report.

# a. Executive summary of NCAA president's recommendations for 2018-19 budget.

- (1) <u>Evaluation criteria memorandum from NCAA President Mark Emmert</u>. Chancellor DiStefano noted that President Emmert's budget recommendations for 2018-19 were guided by the following criteria:
  - (a) Covering compensation increases and contract inflation.
  - (b) Division II and Division III allocations based on legislated mandates.
  - (c) Division I programming for championships.

President Emmert noted that pending the outcome of the men's basketball working groups' recommendations, he chose to reserve the rest of the allocations for future needs.

- (2) <u>FY 2018-19 budget requests and recommendations</u>. Chancellor DiStefano reported that the proposed FY 2018-19 total budget is \$1,000,854,922 which includes requests and recommendations in the amount of \$27,690,272. Chancellor DiStefano highlighted the following areas of the budget, indicating that full details were included in the written materials:
  - (a) A \$14.4 million increase to the Division I Distribution.
  - (b) Increases to the Division II and Division III allocations of \$2.4 million.
  - (c) Division I Championship spend increased \$2.3 million.
  - (d) Total compensation increases of \$4.5 million.
  - (e) Contract inflationary increases of \$783,000.
  - (f) A total of \$3.3 million set aside for future allocation needs based on recommendations that resulted from the Commission on College Basketball report.

Chancellor DiStefano reflected that the committee approved the budget as proposed and recommended approval by the full board.

It was VOTED

"That the Board of Governors approve the budget for the 2018-19 fiscal year as recommended." (Unanimous voice vote)

**b. FY 2017-18 external audit plan presented by Deloitte.** Chancellor DiStefano described the Deloitte external audit plan for the 2017-18 fiscal year and indicated that the committee had no concerns with the material presented.

# It was VOTED

"To accept the external audit plan from Deloitte for the 2017-18 fiscal year." (Unanimous voice vote)

c. FY 2018-19 NCAA internal audit plan. Chancellor DiStefano noted the committee received a report of the internal audit plan for 2018-19 fiscal year from NCAA Director of Internal Audit Jim Brown. The plan is based on a risk assessment that is performed annually by staff. The committee had no concerns and accepted the report.

# It was VOTED

"To approve the internal audit plan for the 2018-19 fiscal year." (Unanimous voice vote)

d. Third quarter fiscal year 2017-18 budget-to-actual review. Chancellor DiStefano reported that the committee reviewed a comparison of actual revenues and expenses versus budgeted revenues and expenses during the third quarter of the current fiscal year (2017-18) and advised that the Association is on track to meet budget. Chancellor DiStefano reported that the committee understood all significant variances and had no concerns.

# 6. NCAA Board of Governors committee reports.

- a. **Commission to Combat Campus Sexual Violence**. NCAA Chief of Staff Cari Van Senus
  - (1) <u>Report of institutions that have fulfilled the requirements of the campus sexual violence policy</u>. The board received a list of all member institutions that appropriately completed the attestation form required by policy. It was noted that 11 institutions did not appropriately complete the form. President Peterson noted that the Executive Committee met earlier in the day and reviewed the list of schools that have not provided the appropriate certification under the NCAA Campus Sexual Violence Policy. The Executive Committee determined that the published list should include both schools that have certified appropriately and those that have not.

#### It was VOTED

"That the list of compliant schools be published immediately and prior to publishing the list of non-compliant schools, the Board of Governors instruct the NCAA president to send a letter to the president/chancellor of each school that has not properly certified and inform him or her that they have not properly certified and the entire list shall be published in two weeks." (Unanimous voice vote)

- (2) <u>Final report of the Commission to Combat Campus Sexual Violence</u>. Van Senus reviewed with the board the final commission report, which included recommendations to amend the Association-wide sexual violence policy, to clarify the education requirement and to add a penalty for failure to complete the attestation form. In addition to including in the published list those schools that have not certified appropriately, the Commission recommended that the board approve the following:
  - (a) Clarify that the education requirement is annual;
  - (b) Change the "fully knowledgeable" language to "should be informed on;"
  - (c) Modify the Title IX coordinator asterisk to apply for international members and schools that do not receive federal funding or are otherwise exempt from Title IX; and
  - (d) Articulate in year two and beyond that failure to sign the annual attestation form will result in prohibition of hosting championships for the next applicable academic year.

It was VOTED "That the Board of Governors approve the Commission recommendations outlined in Item No. 6-a-(2) above." (Unanimous voice vote)

(3) <u>Final commission recommendations and dissolution of commission</u>. Van Senus noted the additional informational items included in the final Commission report. The Commission suggested that NCAA staff provide enhanced education, resources and clarification to the membership to assist with full compliance with the policy. In addition, the commission provided guidance on strategic research areas that could be pursued by staff. Lastly, an issue on which the Commission spent considerable time was individual accountability of student-athletes involved in acts of sexual violence. The Commission encouraged the board to direct the divisional governance bodies to consider legislation that reflects an Association-wide approach to individual accountability.

President Peterson informed the board that the Executive Committee reviewed the work of the Commission and determined that it has completed its charge and will be disbanded. He also noted that the Executive Committee discussed the Commission's recommendation related to individual accountability and agreed that together with NCAA legal counsel, the Executive Committee would continue to monitor and track on sexual violence issues considering differing state laws and institutional polices and will follow up with the board as necessary.

b. **Student-Athlete Engagement Committee**. President Samuel Stanley reported that the Student-Athlete Engagement Committee participated in its first in-person meeting in July and much of its discussion centered around two issues: 1) A sexual violence recognition program; and 2) Mental health. The Committee discussed the desired elements of a program to recognize student-athletes that are leading the way in raising awareness and fostering an environment where sexual violence is not acceptable, with the goal of the first recognition occurring in spring 2019. The Committee also spent time discussing mental health issues among student-athletes. Mary Wilfert, recently retired NCAA associate director of prevention and health promotion, shared with the committee recently released resources to assist institutions and conferences in implementing mental health workshops. The Committee noted the importance of supporting student-athlete mental health and issued the following statement:

Student-athlete mental health should be a top priority on all NCAA member campuses, and the NCAA Board of Governors Student-Athlete Engagement Committee believes schools must commit more support and resources to this crucial part of overall student-athlete health and well-being, no matter the school's budget level. As a first step, campuses should implement NCAA best practices regarding mental health. Also, the committee urges schools to create and support intervention and treatment resources as well as other types of programming to help student-athletes. The Committee recommends the NCAA Board of Governors make additional resources available to schools to support this vital health initiative. The health and wellness of the whole student-athlete is a critical part of the higher education experience.

7. Sports Wagering Update. NCAA Senior Vice President of Championships Joni Comstock and NCAA Executive Vice President for Law, Policy and Governance/Chief Legal Officer Donald M. Remy provided an update on sports wagering issues after the Supreme Court of the United States decision invalidating the Professional and Amateur Sports Protection Act (PASPA). Comstock informed the Board of Governors that in an effort to examine the long-term impact of legal sports wagering on college sports, an internal task force has been created to explore how best to protect game integrity, monitor betting activity, manage sports data and expand educational efforts. Comstock noted that six focus areas have been identified: 1) Education; 2) Integrity services; 3) Information/data management; 4) NCAA legislation and policy; 5) Political landscape; and 6) Officiating. The key to success will be the task force working in partnership and collaboration with the membership.

Remy reminded the board that in the initial discussions following the United States Supreme Court decision, the Executive Committee agreed that the Association should work in concert with other professional and amateur sports organizations to pursue a core federal regulatory framework for legalized sports betting to ensure student-athlete well-being and the integrity of amateur and professional sports. The NCAA government relations staff have been active in Washington, D.C. in pursuit of such regulation.

The Governors noted the significance of the legalization of sports wagering and the urgency to address several of the areas identified by the task force and voted to adopt the following resolution:

On May 14, 2018, the Supreme Court of the United States issued its opinion in Murphy vs National Collegiate Athletic Association, et. al, which struck down the Professional and Amateur Sports Act (PASPA), a federal ban on state-sponsored sports betting and legalized sports wagering, including single-game sports wagering on competitions between NCAA members in various sports.

On May 14, 2018, the NCAA Board of Governors Executive Committee convened to discuss the Supreme Court decision and the Association's championships policy related to sports wagering, which prohibited any championship competition from occurring in any state that allows single-game sports wagering. The Executive Committee was informed of the number of states that had enacted legislation to legalize sports wagering if PASPA were deemed unconstitutional, as well as the growing number of states considering similar legislation. The Executive Committee recommended that the NCAA championships policy related to sports wagering be suspended immediately.

On May 16, 2018, the Board of Governors voted to suspend the NCAA championships policy related to sports wagering and to allow for championships hosting in locations regardless of whether a state is considering, or has legalized, sports wagering. The board's decision provided championship location continuity as states contemplate whether to allow legalized sports betting.

WHEREAS the Board of Governors has suspended the NCAA championships policy related to sports wagering, the NCAA remains committed to protecting the integrity of college sports and is working with the NFL and other professional and amateur sports organizations to call on Congress to enact a core regulatory framework for legalized sports betting.

WHEREAS some have advocated that NCAA members financially benefit from new state laws, including integrity fees levied on sports wagering revenues, the NCAA chooses to focus its attention on education, the protection of student-athletes and staff, and a standard approach to game integrity through consistent national guidelines.

WHEREAS the landscape is changing, the NCAA must evolve and expand its longstanding efforts to protect both the integrity of competitions and the well-being of student-athletes.

WHEREAS student-athlete well-being is at the core of NCAA values, the Association will continue to build on its efforts related to policy, research and education around sports wagering to assist members as they adapt to legalized sports wagering in their states and regions.

NOW THEREFORE BE IT RESOLVED by unanimous vote that the Board of Governors reaffirm its support to maintain current NCAA legislation that prohibits NCAA student-athletes, member institutions' athletics staff and non-athletics staff with athletics responsibilities, and conference office staff from participating in sports wagering activities. Further, the Board directs the divisional governance bodies to examine existing legislation related to sports wagering and explore whether additional legislation is appropriate recognizing a change in environment that includes legalized sports wagering, but that also safeguards fair competition and ethical practices expected in intercollegiate athletics programs and benefits nearly 500,000 student-athletes.

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

- **a. Government relations**. The Governors were informed of the quarterly government relations activity report included in their meeting materials.
- **b.** Legal and litigation update. NCAA Vice President and General Counsel Scott Bearby facilitated a privileged and confidential discussion regarding several matters of ongoing litigation.
- **9.** NCAA Board of Governors' Executive Committee report. President Peterson reported on matters considered in the Board's Executive Committee meeting earlier in the day.
- **10.** Executive Session. The Governors convened in executive session to discuss various administrative matters.

Members of the Division I Board of Directors who do not serve on the Board of Governors joined the meeting at this time.

- 11. Commission on College Basketball Association-wide recommendations. President Ronald Machtley, chair of the Association-wide Issues Topical Working Group, presented to the Board of Governors the working group's recommendations to address the Associationwide issues included in the Commission on College Basketball report. The working group was charged with addressing two Commission recommendations:
  - **a.** Adding independent members to the Board of Governors. To add at least five independent Board of Governors members with the experience, stature and objectivity

to assist the NCAA in re-establishing itself as an effective and respected leader, and that one of the independent members shall also serve as a member of the Board of Governors Executive Committee.

- (1) <u>Legislative recommendation</u>. President Machtley informed the board that a change in the composition of the Board of Governors requires a two-thirds majority vote by all three divisions voting together in a joint session at the annual NCAA Convention and only the Board of Governors can sponsor such legislation. President Machtley noted that the working group recommended that the board sponsor legislation for the 2019 NCAA Convention that would:
  - (a) Increase the number of members from 20 to 25 by adding five independent voting members;
  - (b) Define an independent member;
  - (c) Specify that an independent member shall be appointed to a three-year term that is renewable for one additional three-year term; with the first group of five independent directors having a staggered initial term;
  - (d) Specify that the Board of Governors shall issue a call for nominations when a vacancy for an independent member occurs; with nominations from any source to the Executive Committee of the Board of Governors; and
  - (e) Specify that the Board of Governors shall serve as the final authority for the election of and additional duties assigned to the independent members

The Commission on College Basketball recommended that the NCAA restructure its highest governance body, the Board of Governors, to include at least five independent members with the experience, stature and objectivity to assist the NCAA in re-establishing itself as an effective and respected leader and regulator of college sports. One of these independent members will also serve on the Board of Governors Executive Committee. The current Board of Governors includes 16 institutional presidents or chancellors representing each division as voting members, the chairs of the Division I Council and the Division II and III Management Councils as ex-officio nonvoting members, and the NCAA president (who may vote in case of a tie). Like public companies, major nonprofit associations typically include outside board members to provide objectivity, relevant experience, perspective and wisdom. Board members with those qualities will provide valuable insight to the NCAA generally as it works towards the restoration of public confidence in college basketball and college sports in general. The Board of Governors will issue a formal call for nominations to fill vacancies; appoint the Board of Governors Executive Committee as the nominating committee; and serve as the final authority for the selection of and additional duties assigned to the independent members.

It was VOTED

"It was voted that the Board of Governors sponsor legislation for the 2019 NCAA Convention to add five independent members to the board as specified above and that the legislation be effective not later than August 1, 2019." (For 16, Against 0, Abstain 0)

- (2) <u>Policy recommendations</u>. President Machtley reported that the working group recommended the following Board of Governors policy changes to support the five independent members serving on the Board of Governors:
  - (a) That its Executive Committee shall serve as the nominating committee for independent members and that the nominating committee shall vet and make recommendations on these individuals to serve as independent representatives for final approval by the Board of Governors. When possible, consideration should be given to ensure that these five new positions enhance the gender, diversity and ethnicity of the Board of Governors.
  - (b) That the composition of the Executive Committee be amended to add one independent member (lead independent member); that the independent members shall vote annually to determine the lead independent member; and that an independent member shall serve no more than three years as the lead independent member.
  - (c) That the terms of the first selected independent members be staggered as follows:
    - i. One independent Governor one-year term (August 1, 2019, through August 31, 2020), **automatically** renewed for an additional three-year term (September 1, 2020, to August 31, 2023)
    - ii. Two independent Governors two-year term (August 1, 2019, through August 31, 2021), **automatically** renewed for an additional three-year term (September 1, 2021, through August 31, 2024); and
    - iii. Two independent Governors three-year term (August 1, 2019, through August 31, 2022), renewable for an additional three-year term (September 1, 2022, through August 31, 2025).

### It was VOTED

"That the Board of Governors approve the recommended policy changes specified above, effective immediately following the adoption of legislation to add five independent members to the Board of Governors for Item No. 11-a-(2)-(a), which establishes the Executive Committee as the Nominating Committee. Item Nos. 11-a-(2)-(b) and 11-a-(2)-(c) would be effective not later than August 1, 2019."

- **b.** Annual certification of compliance. To require coaches, athletics directors and college presidents to certify annually that their athletics programs comply with NCAA rules and that the NCAA rules should provide for significant penalties for those individuals if they knew or after appropriate due diligence should have known of violations and did not address them.
  - <u>Divisional Legislation</u>. President Machtley reported that the working group recommended the Board of Governors direct each division to consider adopting legislation to specify that in order to enter a team or to enter an individual into a NCAA championship, an institution's president or chancellor and all athletics department staff members (full time, part time, clerical, volunteer) shall attest that the membership obligations of Constitution 2.1 (institutional control and responsibility) and Constitution 2.8 (rules compliance) have been met; and to specify that an institution that fails to complete the annual institutional attestation by September 15 shall be subject to removal from and/or ineligibility of individuals to serve on an NCAA board, council or committee.

### It was VOTED

"That the Board of Governors direct each division to consider adopting legislation as specified above to complete an annual certification of compliance attestation, effective August 1, 2019." (For 16, Against 0, Abstain 0)

• <u>Increased penalties</u>. The working group recommended that the Board of Governors charge the NCAA Divisions I, II and III Committees on Infractions to determine the appropriate penalties for those individuals required to attest to certification of compliance if they knew or after appropriate due diligence should have known of violations and did not address them.

### It was VOTED

"That the Board of Governors charge the NCAA Divisions I, II and III Committees on Infractions to determine the appropriate penalties for those individuals if they knew or should have known of violations and did not address them." (For 16, Against 0, Abstain 0)

12. Adjournment. The meeting adjourned at approximately 5:33 p.m.

Board of Governors chair:G.P. "Bud" Peterson, Georgia Institute of TechnologyStaff liaisons:Jacqueline Campbell, law, policy and governanceDonald M. Remy, law, policy and governance.

#### **NCAA Board of Governors**

Report of the NCAA Board of Governors August 7, 2018, Meeting Page No. 11

August 7, 2018, Meeting
Attendees
Eli Capilouto, University of Kentucky
Philip DiStefano, University of Colorado, Boulder
Jeffrey Docking, Adrian College
Mark Emmert, NCAA
Burns Hargis, Oklahoma State University
Dianne Harrison, California State University, Northridge
Sue Henderson, New Jersey City University
Susan Herbst, University of Connecticut
Shantey Hill, St. Joseph's College, Long Island
Glendell Jones, Jr., Henderson State University
Eric Kaler, University of Minnesota, Twin Cities
Ronald K. Machtley, Bryant University
Gary Olson, Daemen College
Pennie Parker, Rollins College
Bud Peterson, Georgia Institute of Technology
Nayef Samhat, Wofford College
Samuel Stanley, Stony Brook University
Denise Trauth, Texas State University
Satish Tripathi, University at Buffalo, The State University of New York
Absentees
Blake James, University of Miami
Guests
Frank Bonner, Gardner-Webb University
Dean Bresciani, North Dakota State University
Walter E. Carter, United States Naval Academy
Christine Copper, United States Naval Academy
Philip DuBois, University of North Carolina at Charlotte
Anthony J. Frank, Colorado State University
Andrew Hugine, Jr., Alabama A&M University
Noah Knight, University of Missouri, Kansas City, Division I Student-Athlete Advisory Committee
James J. Maher C.M., Niagara University
Jane Miller, University of Virginia
Michael Rao, Virginia Commonwealth University
NCAA staff liaisons in attendance
Jacqueline Campbell and Donald Remy.
Other NCAA staff in attendance
Katrice Albert, Scott Bearby, Joni Comstock, Diane Dickman, Dan Dutcher, Kimberly Fort, Jenn Fraser, Dan
Gavitt, Terri Gronau, Michelle Hosick, Kevin Lennon, Felicia Martin, Kathleen McNeely, Stacey Osburn,
Dave Schnase, Naima Stevenson, Cari Van Senus, Bob Williams and Leeland Zeller.

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

### SUPPLEMENT NO. 14b DIII Presidents Council 10/18



### <u>AGENDA</u>

### National Collegiate Athletic Association Board of Governors

New England 1&2 Alfond Inn at Rollins College Winter Park, FL

October 23, 2018 8 a.m. to 12 p.m.

- 1. Welcome and announcements. (President Bud Peterson)
- 2. Reports of the NCAA Board of Governors August 7, 2018, meeting and August 27-30, 2018 electronic vote. (*Action Anticipated*) [Supplement Nos. 1a and 1b]
- 3. NCAA president's report. (*Information*) (President Mark Emmert)
- 4. Sports wagering update. (Joni Comstock and Naima Stevenson) (*Action Anticipated*) [Supplement No. 2]
- 5. NCAA Board of Governors Finance and Audit Committee report. (President Satish Tripathi)
  - a. 2017-18 year-end fiscal update. (Information)
  - b. NCAA internal audit year-end review for 2017-18. (Information) [Supplement No. 3]
  - c. Commission on College Basketball Recommendations financial update. (*Information*)
- 6. Board of Governors Committee to Promote Cultural Diversity and Equity report. [Supplement No. 4) (*Information*) (Tripathi)
- 7. Law, Policy and Governance Strategic Discussion.
  - a. Sports Science Institute/Committee on Competitive Safeguards and Medical Aspects of Sports. (*Information*) (Brian Hainline) [Supplement No. 5]
  - b. Government relations. (*Information*) [Supplement No. 6]
  - c. Legal and litigation update. (*Information*) (Scott Bearby) [Supplement No. 7]
- 8. NCAA Board of Governors' Executive Committee report. (*Information*) (Peterson) [Supplement No. 8]

### BREAK – 10:25-10:35 a.m.

### All staff will depart the room leaving Attain with the BOG to conduct its strategic planning exercise.

- 9. NCAA strategic planning session with consultants. (*Information*) (President Glen Jones and Attain Consultants)
- 10. Executive Session.
- 11. Adjournment.

From:	Jeff Docking
To:	Kresge, Debra
Subject:	Association-wide vote at the 2019 NCAA Convention to add five public members to the NCAA Board of Governors
Date:	Thursday, September 20, 2018 1:12:54 PM

To view this email as a web page, go here.

?
At its 2019 Convention, the NCAA membership will vote on a proposal to add five (5) public members to the Association's Board of Governors. This proposal was part of a series of recommendations forwarded to the governors in April by the Commission on College Basketball (chaired by former U.S. Secretary of State Condoleezza Rice) and approved unanimously. You can access the commission's full report <u>here</u> .
In particular, please note that the vote on this proposal will occur during a joint business session of the entire Association on Thursday, January 24, at 5:45 p.m. in Grand Ballroom 7-8 at the Orlando World Center Marriott, immediately following the NCAA Plenary Session: State of College Sports.
Enclosed are links to "Key Points." to consider regarding this proposal, as well as a thorough series of relevant "Questions and Answers." I believe you will find this information very informative. You can access the actual draft legislative proposal here, as well as via the Second Publication of Proposed Legislation (SPOPL) which will be released via LSDBi on September 21.
As the commission's report and these materials suggest, this proposal is a unique opportunity to broaden the membership of the Association's highest policy-making body, consistent with best practices in nonprofit associations. It also will better position the Association to address its future challenges. As many of you know, this has been an expressed goal of the Division III Presidents Council and leadership for several years. For this reason, I encourage you to support the proposal.
I urge you to discuss this proposal during upcoming meetings on campus, within your athletics conference, and with other colleagues in higher education and intercollegiate athletics. If you have any questions or comments regarding the proposal, I encourage you to share them directly with me ( <u>jdocking@adrian.edu</u> ) or with Division III vice president Dan Dutcher ( <u>ddutcher@ncaa.org</u> ).
Thank you for your on-going commitment to the NCAA, and to Division III and its 190,000 student-athletes.
Jeff Docking Division III Presidents Council chair Adrian College w: 517/264-3167 jdocking@adrian.edu
This email was sent to ALL DIVISION III PRESIDENTS AND CHANCELLORS; ATHLETICS DIRECTORS; SENIOR WOMAN ADMINISTRATORS; FACULTY ATHLETICS REPRESENTATIVES; ATHLETICS DIRECT REPORTS; AND CONFERENCE COMMISSIONERS.
National Collegiate Athletic Association 700 W. Washington St., Indianapolis, IN, 46204 US
This email was sent to: dkresge@ncaa.org
View privacy policy

### 2019 NCAA Convention -- Association-wide Vote Board of Governors Sponsored Legislation

### Key Points

- If adopted by the NCAA membership in January, five public members not affiliated with the NCAA or member schools will join the NCAA Board of Governors as voting members to bring fresh perspectives and independent judgment to the board's oversight of the entire Association.
- Adding independent members will not only help build public confidence in the NCAA, it also represents a governance best practice in the non-profit, higher education and corporate sectors while providing opportunity to add diversity to the board.
- By definition, an independent member is not employed by or serving on the board of any member school, conference or affiliate. Further, these individuals would have the background and professional experience to provide fresh perspective and insight to the board's decision-making and oversight function.
- Each of the five independent members would be nominated by the Board of Governors Executive Committee and approved by the full board. Each would serve a three-year term, which can be renewed once for an additional three-year term.
- All three divisions have representation on the Board of Governors Executive Committee. Specifically, the committee includes the chair and vice chair of the Board of Governors (who must represent different divisions) and the members of the board who are the chairs of each divisional presidential body (Division I Board of Directors, Division II Presidents Council, Division III Presidents Council). When the chair or vice chair is also a divisional chair, his or her division shall designate another president who is already a member of the board to serve on the Executive Committee.
- One independent member, voted on annually by all five of the independent members, would serve as the lead independent member on the Board of Governors Executive Committee and could serve in that role up to three years.
- The discussion and vote on the proposal will take place at the 2019 NCAA Convention on Thursday, Jan. 24, immediately after the NCAA Plenary Session: State of College Sports. The Association-wide Business Session will begin at 5:45 p.m. Eastern time in Grand Ballroom 7-8 at the Orlando World Center Marriott.

- The proposal will be voted on by roll call. Each active member institution and conference (all three divisions) present for the Association-wide Business Session will be permitted to register one vote on the proposal via an electronic voting unit.
- The terms of the five independent members will begin Aug. 1, 2019, if this change is adopted at the 2019 NCAA Convention.

Attached is a Q&A document.

### **ORGANIZATION – BOARD OF GOVERNORS – INDEPENDENT MEMBERS**

### Updated: September 14, 2018

### **Nominations**

- Q: When will the Board of Governors issue a call for nominations for independent members?
- A: A call for nominations for the inaugural group of five independent members will be issued shortly after adjournment of the 2019 NCAA Convention. Thereafter, a call for nominations will occur when a vacancy for an independent member(s) is available on the board.
- Q: Who is eligible to serve as an independent member?
- A: The Board of Governors will develop formal policies and procedures before the Association vote in January 2019 to ensure and maintain that individuals nominated to serve as independent members are in fact independent and have the appearance of independence. As such, certain individuals will not be eligible to serve given a potential conflict of interest (e.g., individuals on the staff at an active member institution or conference).
- Q: May any individual be nominated as an independent member of the Board of Governors?
- A: Yes, as long as they meet the requirements as an independent member.
- Q: May an individual self-nominate as an independent member?
- A: Yes.
- Q: Which entities (e.g., active member conference, governance council or committee) may nominate an individual as an independent member of the Board of Governors?
- A: Any entity may nominate an individual(s).

### **Nominating Committee**

- Q: What entity will serve as the nominating committee to vet the nominated individuals and recommend a slate of independent members for full approval by the Board of Governors?
- A: The Board of Governors Executive Committee.

- Q: Is the Executive Committee a standing and functioning committee of the Board of Governors?
- A: Yes.
- Q: What is the composition of the Executive Committee?
- A: The Executive Committee includes representation of all three divisions. Specifically, the committee includes the chair and vice chair of the Board of Governors (who must represent different divisions) and the members of the governors who are the chairs of each divisional presidential body (Division I Board of Directors, Division II Presidents Council, Division III Presidents Council).
- Q: Are substitutes permitted on the Executive Committee?
- A: No. However, in the event that the chair or vice chair of the governors is also a divisional chair, then that division shall designate another president who is already a member of the governors (e.g., Council vice chair) to be a member and serve on the Executive Committee.
- Q: Will the composition of the Executive Committee be amended to add an independent member?
- A: Yes. The lead independent member will serve on the Executive Committee.
- Q: How will the lead independent member be selected to serve on the Executive Committee?
- A: The five independent members will vote annually to determine the lead independent member.
- Q: Will the lead independent member have voting rights on the Executive Committee?
- A: Yes.

### **Terms of Service**

- Q: What will be the term of service of independent members?
- A: An independent member shall be appointed to a three-year term that is renewable for an additional three-year term. An independent member who has served two terms shall not serve further on the Board of Governors.
- Q: When will the term of service begin for the inaugural group of five independent members?
- A: August 1, 2019.
- Q: Will the inaugural group of five independent members have staggered terms for purposes of continuity?
- A: Yes. The Board of Governors adopted a policy to create the following staggered terms for the inaugural group of five independent members:

One independent governor – one-year term (August 1, 2019, through August 31, 2020), automatically renewed for an additional three-year term (September 1, 2020, through August 31, 2023);

Two independent governors – two-year term (August 1, 2019, through August 31, 2021), automatically renewed for an additional three-year term (September 1, 2021, through August 31, 2024); and

Two independent governors – three-year term (August 1, 2019, through August 31, 2022), renewable for an additional three-year term (September 1, 2022, through August 31, 2025).

- Q: What will be the term of service of the lead independent member?
- A: An independent member shall serve no more than three years as the lead independent member.

### **Duties, Responsibilities and Obligations**

- Q: What will be the duties and responsibilities of independent members?
- A: Independent members will have the same duties and responsibilities of all governors. See Constitution 4.1.2 (duties and responsibilities). In addition, independent members will be responsible for meeting current Board of Governors policies and procedures regarding the duty of care, duty of loyalty, and duty of obedience.

- Q: Will independent members be required to adhere to the NCAA Conflict of Interest Policy?
- A: Yes.
- Q: Will each independent member have full voting rights on the Board of Governors?
- A: Yes.
- Q: Will independent members be eligible to serve on other committees of the Board of Governors, in addition to the Executive Committee?
- A: Yes.
- Q: Will independent members receive an orientation regarding duties, responsibilities and expectations before their service on the Board of Governors?
- A: Yes.
- Q: Will the NCAA cover limited expenses for independent members to travel to Board of Governors meetings?
- A. Yes. Policies for reimbursement of travel expenses and per diem that apply to other Board of Governors members will also apply to independent members.

### **Prior Discussions**

- Q: What was the result of prior discussions to expand the composition of the Board of Governors?
- A: In April 2017, the governors accepted a recommendation from the Ad Hoc Committee on Structure and Composition that no change be made to the composition of the Board of Governors at that time. The ad hoc committee recommended that at the conclusion of the Division I Board of Directors' review of its composition, and if the governors deem it appropriate, additional conversations occur to address the possibility of an "untethered" model for Board of Governors composition and to align the timing of appointments and term expirations of members of the three divisional bodies who serve on the Board of Governors.

- Q: How was the proposed structure and nominating process developed?
- A: A team of presidents representing all three divisions developed the process with the assistance of NCAA staff members.

### **Procedural Issues**

- Q: What is a dominant provision?
- A: A rule that applies to all members of the Association and is of sufficient importance to the entire membership that it requires a two-thirds vote of all delegates present and voting in a joint session at an annual or special Convention.
- Q: How are dominant provisions identified in the NCAA Manual?
- A: The rule is accompanied by an asterisk (\*).
- Q: Is the Board of Governors the only body that has the authority to sponsor an amendment to a dominant provision?
- A: Yes.
- Q: Does an active member institution or conference have the authority to sponsor an amendment-to-amendment of this proposal?
- A: No. The Board of Governors is the only body that may sponsor an amendment-toamendment of a proposal amending a dominant provision.
- Q: How does an institution or conference appoint a delegate to vote on this proposal?
- A: Presidents, chancellors, directors of athletics and commissioners will receive emails in mid-November providing instructions to gain entry to the school- or conference-specific Appointment of Delegate Form.
- Q: What is the time and date for the vote on this proposal?
- A: The discussion and vote will occur at the 2019 NCAA Convention on Thursday, January 24, immediately after the NCAA Plenary Session: State of College Sports. The Association-wide Business Session will begin at 5:45 p.m. in Grand Ballroom 7-8 at the Orlando World Center Marriott.

- Q: Will delegates be permitted to discuss the proposal during the session before the vote?
- A: Yes. Delegates with speaking rights will be permitted to discuss the proposal on the floor before the vote. Delegates with speaking rights include the following individuals (see Constitution 5.1.3.6.1):
  - The three or four accredited delegates representing an active member institution or conference with voting privileges (see Constitution 5.1.3.1.1).
  - The single accredited delegate representing a member conference without voting privileges (see Constitution 5.1.3.1.2) or the single accredited delegate representing an affiliated or provisional member.
  - Any member of the Board of Governors, the divisional governance entities in Constitution 4 (e.g., Board of Directors; Presidents Council; Management Council), and the respective chairs of the NCAA committees listed in Bylaw 21.
  - Any member of a division's national Student-Athlete Advisory Committee.
- Q: What is the process for voting?
- A: The proposal will be voted on by roll call. Each active member institution and conference present for the Association-wide Business Session will be permitted to register one vote on the proposal via an electronic voting unit.
- Q: Will each divisional Student-Athlete Advisory Committee have one vote respectively on this proposal?
- A: No.
- Q: Is a quorum required for the vote?
- A: Yes. One hundred, active member institutions and conferences constitute a quorum for the transaction of the Association's business.
- Q: May an active member institution or conference vote by proxy?
- A: No.

- Q: When and where does the voting delegate from an active member institution or conference obtain the smart card and voting unit?
- A: The smart card will be included in the active member institution or conference voting delegate's packet upon pickup from Convention registration. The voting units will be available to the voting delegates on the day of the vote and before to entry in the ballroom where the vote will take place.
- Q: Will reconsideration of the original vote on the proposal be permitted?
- A: Yes. After an affirmative or negative vote on an amendment to a dominant provision, any member that voted on the prevailing side in the original consideration may move for reconsideration. Only one motion for reconsideration is permitted.

### SUPPLEMENT NO. 14f DIII Presidents Council 10/18

### **ORGANIZATION – BOARD OF GOVERNORS – INDEPENDENT MEMBERS**

**Convention Year: 2019** 

Date Submitted: August 7, 2018

Effective Date: August 1, 2019

Source: NCAA Board of Governors

Proposal Category: Board of Governors

Topical Area: Organization

**Intent:** To amend legislation related to the NCAA Board of Governors, as follows: (1) Increase the number of members from 20 to 25 by adding five independent voting members; (2) Define an independent member; (3) Specify that an independent member shall be appointed to a three-year term that is renewable for an additional three-year term, and that an independent member who has served two terms shall not serve further; (4) Specify that the Board of Governors shall issue a call for nominations when a vacancy for an independent member occurs; and, (5) Specify that the Board of Governors shall serve as the final authority for the selection of and additional duties assigned to the independent members.

A. Constitution: Amend 4.02, as follows:

[Dominant provision, all divisions, common vote]

4.02 Definitions and Applications.

[4.02.1 through 4.02.3 unchanged.]

4.02.4 Independent Member of the Board of Governors. An independent member of the Board of Governors shall be an individual who is not salaried by an NCAA member institution, conference or affiliated member, and shall be verified as independent by the Board of Governors.

[4.02.4 through 4.02.4.1 renumbered as 4.02.5 through 4.02.5.1, unchanged.]

**B.** Constitution: Amend 4.1, as follows:

[Dominant provision, all divisions, common vote]

4.1 Board of Governors.

4.1.1 Composition. The Board of Governors shall consist of  $20 \underline{25}$  members. The NCAA president and the chairs of the Division I Council and the Division II and Division III Management Councils shall be ex officio nonvoting members, except that the NCAA president is permitted to vote in the case of a tie among the voting members of the Board of Governors present and voting. The other  $16 \underline{21}$  voting members of the Board of Governors shall include:

[4.1.1-(a) through 4.1.1-(c) unchanged.]

(d) Two Division II presidents or chancellors from the Division II Presidents Council; and

(e) Two Division III presidents or chancellors from the Division III Presidents Council: and

### (f) Five independent members (see Constitution 4.02.4).

4.1.2 Duties and Responsibilities. The Board of Governors shall:

[4.1.2-(a) and 4.1.2-(k) unchanged.]

(l) Review and coordinate the catastrophic-injury and professional career insurance (disability injury/illness) programs; *and* 

(m) Compile the names of those individuals associated with intercollegiate athletics who died during the year immediately preceding the annual Convention:

### (n) Issue a call for nominations when a vacancy for an independent member occurs on the Board of Governors; and

### (o) Serve as the final authority for the selection of and additional duties assigned to independent members of the Board of Governors.

4.1.3 Election/Term of Office.

[4.1.3.1 unchanged.]

### 4.1.3.2 Terms of Office.

(a) <u>President or Chancellor Members.</u> The terms of *service* <u>office</u> of <u>president or chancellor</u> members of the Board of Governors shall coincide with their service on the applicable divisional presidential governing body, unless otherwise specified by that governing body.

### (b) Independent Members. An independent member of the Board of Governors shall be appointed to a three-year term that is renewable for an additional three-year term. An independent member who has served two terms shall not serve further on the Board of Governors.

[4.1.3.3 unchanged.]

**Rationale:** The Commission on College Basketball, chaired by former Secretary of State Condoleezza Rice, recommended that the NCAA restructure its highest governance body, the Board of Governors, to include at least five independent members with the experience, stature and objectivity to assist the NCAA in re-establishing itself as an effective and respected leader and regulator of college sports. One of these independent members will also serve on the Board of Governors Executive Committee. The current Board of Governors includes 16 institutional presidents or chancellors representing each division as voting members, the chairs of the Division I Council and the Division II and III Management Councils as ex-officio nonvoting members, and the NCAA president (who may vote in case of a tie). Like public companies, major non-profit associations typically include outside board members to provide objectivity, relevant experience, perspective and wisdom. Board members with those qualities will provide valuable insight to the NCAA generally as it works towards the restoration of public confidence in college basketball and college sports in general. The Board of Governors will issue a formal call for nominations to fill vacancies; appoint the Board of Governors Executive Committee as the

nominating committee; and serve as the final authority for the selection of and additional duties assigned to the independent members.

**Estimated Budget Impact:** \$25,000 each fiscal year [committee expenses (e.g., travel, hotel, per diem) for the five independent members to attend Board of Governors in-person meetings (four times per year)].

### Student-Athlete Impact: None.

Review History: August 8, 2018: Approved in Legislative Format – Board of Governors

### **Background**

- The Commission on College Basketball was established by the NCAA Board of Governors, Division I Board of Directors and the NCAA President to fully examine critical aspects of Division I men's basketball.
- In April 2018, the commission recommended that the Board of Governors add at least five public members "to assist the NCAA in re-establishing itself as an effective and respected leader and regulator of college sports."
- The current Board of Governors, adopted by approximately 90% in a membership-wide vote in 1996, includes 16 institutional Presidents or Chancellors (12 from Division I, two from Division II and two from Division III). Also included as non-voting members are the chairs of the Division I Council and the Division II and III Management Councils, and the NCAA president. The Board of Governors is the highest governance body in the NCAA and is charged with ensuring that each division operates consistently with the basic purposes, fundamental policies and general principles of the Association.
- In the summer of 2016 multiple Division III conferences worked on legislation that would increase Division III representation on the Board of Governors from two to four chancellors or presidents. The rationale focused on the fact that current representation on the Board of Directors does not represent the divisional numbers of the Association. Division III represents approximately 40 percent of all member institutions in the NCAA and with 451 members in Division III, it is the largest division by nearly 100 members. Increasing representatives from Division III would allow for greater input into the leadership and direction of the NCAA and ensure broad perspective and consideration of impact in decisions on all three divisions. This proposal was eventually ruled out of order and pulled from the NCAA legislation docket.
- Only the Board of Governors (BOG) can sponsor Association-wide legislation to revisit the composition of the BOG. For approximately three years, a BOG working group explored this and related issues, focusing on its Division II and Division III membership. Ultimately, the working group recommended against changing the BOG composition "at this time." A key rationale was the ongoing evolution of the Division I governance structure, and especially the establishment of a new Division I budget committee. Until that time, the BOG had exercised direct authority over the Division I budget, which made the addition of non-Division I members more controversial. The same working group successfully recommended changing the name of BOG from its former title, "NCAA Executive Committee," and also sponsored the creation and appointment of a vice chair to the BOG from a division other than that of the chair (traditionally from Division I).

### Division III Commissioners Association (DIIICA) Talking Points

- An Association-wide business session and vote will occur after the NCAA Convention's "Plenary Session: State of College Sport" Thursday, January 24 in the Grand Ballroom 7-8 at the Orlando World Center Marriott. A "General Business Session" to address the BOG proposal is expected to gavel in at 5:45 p.m. This vote requires a 2/3 affirmative vote of those present to pass. The DIIICA has strongly encouraged each Division III institution to be present for this vote.
- If the proposal passes, the public members would outnumber Division III's representation on the Board of Governors. There is no legislative requirement that these five public members be diverse in their background. In order to add to the legitimacy and diversity of the Board of Governors' proposal, the DIIICA supports the concept that at least one of the five public members has a Division III perspective in order to help ensure appropriate balance.
- It is understood that the five public members would be nominated by the Board of Governors Executive Committee and approved by the full board. All three divisions have representation on the Executive Committee, as the committee includes the chair and vice chair of the Board of Governors (who must represent different divisions) and the members of the board who are the chairs of each divisional presidential body (Division I Board of Directors, Division II Presidents Council, Division III Presidents Council). Thus, the Executive Committee has a

majority Divisions II and III makeup. In addition, the proposal would add one of the new public members to the Executive Committee, furthering its non-Division I composition. If the proposal is adopted, it will be incumbent upon institutions and/or conferences to provide the names of "nominees" with a Division III perspective to the Board of Governors Executive Committee for appropriate consideration.

- If this proposal passes and the public-member choices are made, the DIIICA would encourage the on-boarding process of the five new members (and any subsequent members) include one-on-one time with the Division III BOG representatives and/or the Division III Presidents Council in order to review issues specific to our division.
- There is also continued support to review the appointment of two additional Division III presidents or chancellors to the Board of Governors (BOG). It is integral for Division III that the BOG comprehends the differences between the Association's Divisions when proposing Association wide-policies. This would prevent adoption of policies that disproportionately affect smaller institutions (e.g., unfunded mandates) or potentially the entire membership (e.g., officiating).

### SUPPLEMENT NO. 14h DIII Presidents Council 10/18



## The NCAA and Legalized Sports Wagering

## Goal:

Undertake efforts to both support the well-being of NCAA student-athletes and protect the integrity of NCAA competition within the environment of increased legalized sports wagering.

## **Strategic Areas to Address:**

- 1. Education.
- 2. Competition Integrity.
- 3. NCAA Legislation and Policy.
- 4. Information/Data Management.
- 5. Officiating.
- 6. Political Landscape (State and Federal Legislation).

## Education.

- Implement comprehensive educational programming related to sports wagering across constituencies.
  - > FAQ document distributed to the membership in August.
  - New content to include information related to NCAA rules and studentathlete health and well-being considerations (gambling and addictive behavior).
  - Create a sports wagering fact sheet geared to student-athletes.
  - Refresh and expand the Don't Bet On It campaign materials.
  - Conduct a 2019 NCAA Convention session on sports wagering.
  - Consider delivery methods of educational programming, including an online platform.

## Competition Integrity.

- Monitoring NCAA competition.
  - Competition integrity to be prevention focused and include monitoring, detection and awareness elements.
  - Short-term strategy in place for the 2018-19 academic year.
  - Long-term strategy to be in place prior to the 2019-20 academic year.

### NCAA Legislation and Policies.

- > Review NCAA legislation and policies.
  - Board of Governors to establish Association-wide committee to engage in review of current legislation. Identify changes and potential new legislation that may need to be considered.
  - Engagement with SAAC on review of legislation and policies.

### Information/Data Management.

- > Player availability.
  - Association-wide committee to address within legislative review.
  - Student-athlete privacy considerations.

## Officiating.

> Review the background check program.

- > Enhancement of current program; sports and depth of check.
- Collaboration with conferences.
- Identify education opportunities for officials.

### Political Landscape (State and Federal Legislation).

- Continued collaboration with lawmakers regarding federal guidelines and other action.
- > Monitor state legislative actions.





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### **NCAA Government Relations Report**

(September 2018)

### **Congressional Overview**

As Congress moves closer to the November midterm elections, a significant amount of time is being devoted to the confirmation process for Judge Brett Kavanaugh along with several lingering legislative priorities. With only a simple majority needed for confirmation, the next several weeks will be spent speculating on whether Judge Kavanaugh will garner the necessary votes for appointment. In addition to these votes, Congress is expected to work on opioid legislation, an FAA Reauthorization proposal, and spending bills for fiscal year 2019 prior to the September 30 government funding deadline. It is expected that Congress will leave Washington for the campaign trail by mid-October and return for a lame-duck session following the elections.

Members of Congress continue to have an interest in sports, particularly on health and safety matters related to amateur and professional athletics.

#### **Federal Issues**

#### **Sports Wagering**

Following the Supreme Court's decision in May, which allowed the possibility of legalized sports gambling nationwide, the NCAA worked with the NFL and others to urge Congress to pass legislation creating statutory and regulatory standards that protect the integrity of amateur and professional sports and athletes who compete at all levels.

Senator Hatch (R-UT) has taken the lead on this issue. He spoke on sports gambling on the Senate floor, noting his concern with legalized sports betting and the need for consistent minimum federal standards. Senator Hatch also publicly announced his intention to introduce legislation setting forth fundamental federal standards, which is expected to be released this legislative session. On August 29, 2018, Senate Minority Leader Chuck Schumer (D-NY) released a framework on sports betting to protect consumers and games from potential corruption. In line with the NCAA's approach, Senator Schumer encouraged the creation of strong national integrity standards for the sports gambling industry.

On September 27, 2018, the House Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations held a hearing titled *Post-PASPA: An Examination of Sports Betting in America*. Witnesses addressed the Subcommittee, chaired by Representative Jim Sensenbrenner (R-WI), on a variety of issues surrounding legalized sports betting. Witnesses included Jocelyn Moore, NFL; Les Bernal, Stop Predatory Gambling; Sara Slane, American Gaming Association; Jon Bruning, Coalition to Stop Online Gambling; and Becky Harris, Nevada Gaming Control Board.

NCAA government relations staff will continue to communicate our priorities to a broad, bipartisan group of interest holders. We will also continue to closely monitor how other leagues and stakeholders respond to our approach and how state legislation on this topic progresses.

### Health & Safety

On January 5, 2017, Representative Brett Guthrie (R-KY) introduced H.R. 302, the Sports Medicine Licensure Clarity Act of 2017. Shortly after introduction, the measure passed the House of Representatives. The proposal would allow sports medicine professionals traveling with teams across state lines to remain covered by their medical liability insurance. The bill would eliminate ambiguities with current law that place sports medicine professionals at risk of personal liability when providing care to athletes outside of their home state. On September 6, 2018, the bill passed the Senate with minor changes. The House of Representatives will need to approve the slightly amended version of the bill before it can be sent to the White House where it will await the President's signature. The NCAA has been supportive of this measure and will continue to work with sponsors, and a wide range of medical organizations, to seek final passage.

On September 7, 2018, Representative Al Lawson (D-FL) introduced H.R. 6749, the National Collegiate Athletics Advancement Act of 2018. By amending the Higher Education Act of 1965, the proposal, among other things, raises issues regarding scholarships and student-athlete health insurance. H.R. 6749 has not received any legislative attention and currently has no cosponsors.

### The Commission on College Basketball

Since the creation of the Commission on College Basketball last fall, NCAA government relations staff has been proactive in educating interested policymakers on the recommendations set forth by the Commission and the Association's timeline for implementation. On August 8, 2018, the NCAA government relations office provided coordinated outreach to policymakers, informing them on the NCAA Board of Governors and Division I Board of Directors adoption of a series of policy and legislative changes stemming from the Commission's recommendations. With more recommendations scheduled to be considered at the 2019 NCAA Convention in January, we will continue to communicate updates to interested parties to keep them aware of actions that alter the structure of the NCAA and college basketball.

Earlier this year, the NCAA received a letter from the Congressional Black Caucus (CBC) NCAA Task Force, urging the Association to reexamine the NCAA's operating model to ensure fairness in the relationship between student-athletes and member institutions. In addition to responding to the letter, NCAA staff participated in a roundtable discussion on some of the challenges facing college athletics and ongoing efforts to ensure the well-being of student-athletes and fairness within college athletics. NCAA government relations staff has also updated the Task Force on the August vote by the NCAA Board of Governors and Division I Board of Directors, implementing the policy and legislative initiatives stemming from the Commission on College Basketball's recommendations.

#### State Issues

The majority of state legislatures have adjourned for the year with only Michigan, New Jersey, Ohio, and Pennsylvania remaining in regular session. The November elections have the potential to alter the political landscape in Congress and in state governments. Among the nation's governors, 16 are Democrats, 33 are Republicans, and one is Independent. This year, 36 gubernatorial elections will occur.

Following the Supreme Court's ruling in *Murphy v. NCAA et. al*, state legislatures have had an increased interest in sports wagering stemming from the possibility of new tax revenue. Currently, nine states have authorized legal sports betting. These states are Connecticut, Delaware, Mississippi, Nevada, New Jersey, New York, Pennsylvania, Rhode Island, and West Virginia. While over 20 states considered bills on whether to legalize sports betting this year, only two remain active – Michigan and Ohio. A bill is also being considered in Washington, D.C. Bets are currently being accepted in Nevada, Delaware, New Jersey, Mississippi, and West Virginia and are expected to occur in Rhode Island and Pennsylvania by the end of the year.

The Association supports strong regulatory standards and will continue to express the need to include these standards in proposals considered by state legislatures.

#### Student-Athlete Health & Well-Being

On June 26, 2018, North Carolina SB 335, a proposal that had been active since March of last year, became law without the signature of Governor Roy Cooper (D). Authored by North Carolina Senator Warren Daniel (R), the measure, among other things, creates the Legislative Commission on the Fair Treatment of College Student-Athletes, which will study a variety of issues related to college athletics. The Commission is made up of a dozen North Carolina lawmakers and is scheduled to submit its report on college athletics by March 1, 2019, whereby the Commission will be terminated. The Commission's first meeting is scheduled for October 3, 2018.

#### **Daily Fantasy Sports**

Over the last two years, nearly 20 states have passed bills legalizing daily fantasy sports; however, due to the Court's ruling in *Murphy*, very little has occurred on this topic over the last several months. We continue to work with member institutions and other stakeholders to ensure proposals introduced include a carveout prohibiting contests that include college, high school, or youth athletics.

#### **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: September 24, 2018

Strategic Priority	Initiative	Summary	Anticipated Deliverable	Estimated Timeline
Athletics Health Care Administration	NATA-NCAA Summit on the Organizational and Administrative Aspects of Athletic Health Care in College / University Settings	Will result in an interassociation consensus statement or summary report about key organizational and administrative aspects of athletics health care delivery. This document will be intended to contribute to an NCAA member school's ability to meet evolving interassociation health and safety standards for college student-athletes. No public documents were produced during the meeting	Interassociation recommendations*	<ul> <li>Event date: Jan. 2017</li> <li>Document drafting: through September 2018</li> <li>Membership &amp; external review: Initiated in January 2019, expected to take several months.</li> <li>External review &amp; endorsement: Initiated in March 2019</li> <li>CSMAS review and endorsement: June 2019</li> <li>BOG review and endorsement: August 2019</li> <li>Final deliverable: TBD</li> </ul>
Concussion	2 <sup>nd</sup> Annual Task Force on Football Data	A closed meeting to review emerging data from the		Event date: February 25-26, 2019 Document drafting: March 2019

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

		CARE Consortium and NCAA ISP.		Membership review: Not necessary. CSMAS review and endorsement: March 2019 (no endorsement) BOG review and endorsement: N/A Final deliverable: April 2019
Data-driven Decisions	Integrated Technology in Coaching and Athletic Health Care	SSI will host a meeting to discuss issues arising for both coaching and the delivery of athletic health care from the use of wearable technologies (e.g., global positioning systems; heart rate monitors).	To Be Determined	Anticipated Event date: TBD Document drafting: Membership review: CSMAS review and endorsement: BOG review and endorsement: Final deliverable:
Doping & Substance Abuse	Pain Management in the Collegiate Athlete Task Force	SSI will host a discussion focused on pain management for the collegiate athlete.	Interassociation recommendations*	Event date: July 10-11, 2018 Document drafting: Thru December 2018 Membership review: Thru April 2019 CSMAS review and endorsement: June 2019 External review and endorsement: Thru November 2019 BOG review and endorsement: January 2020 Final deliverable: TBD
Mental Health	Task Force to Advance Mental Health Best Practice Strategies	SSI will host a task force that will serve as a follow-up to the 2013 Mental Health Task	Educational tools <sup><math>\dagger</math></sup>	Event date: November 9-10, 2017

		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.		<ul> <li>Document drafting: November – March 2018</li> <li>Membership review: April 2018</li> <li>CSMAS review and endorsement: June 2018</li> <li>BOG review and endorsement: August 2018</li> <li>Final deliverable: First deliverable of MH Workshop Planning Kit and MHBP implementation resources were released June 2018.</li> <li>Final deliverables expected in Winter 2019.</li> </ul>
	Sports Wagering Task Force	TBD	TBD	Event Date: Spring 2019
Overuse, Sleep, and Performance	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> Peer-review journal article	Event date: May 1-2, 2017Tool Development: TBD.Membership review:CSMAS review and endorsement: NABOG review and endorsement: NAFinal deliverable:Article submission: September 2018
Other	2016 Safety in College Football Summit		Interassociation Recommendations: Preventing Catastrophic Injury and Death in College Student- Athletes.	<ul> <li>Event date: February 2016</li> <li>Membership &amp; external review: June 2018, expected to take several months.</li> <li>CSMAS preliminary review: Begin June 2018; Completed in September 2018</li> <li>External endorsement: Begin October 2018 thru March 2019</li> <li>CSMAS final review and endorsement: March 2019</li> </ul>

		BOG review and endorsement: April 2019
		Final deliverable: Summer 2019

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

## Interassociation Recommendations: Preventing Catastrophic Injury and Death in College Student-Athletes

The *Second Safety in College Football Summit* resulted in interassociation consensus recommendations for four paramount safety issues in collegiate athletics:

- 1. Independent medical care for college student-athletes.
- 2. Diagnosis and management of sport-related concussion.
- 3. Year-round football practice contact for college student-athletes.
- 4. Preventing catastrophic injury and death in college student-athletes.

This document addresses the prevention of catastrophic injury, including traumatic and nontraumatic death, in college student-athletes. The final recommendations in this document are the result of presentations and discussions on key items. Following the presentations and discussions, endorsing organization representatives agreed on foundational statements that became the basis for a draft consensus paper that was reviewed further by relevant stakeholders and endorsing organizations. The final, endorsed document for preventing catastrophic injury and death in college athletes follows.

This document is divided into the following components:

- 1. *Background*. This section provides an overview of catastrophic injury and death in college athletes.
- 2. *Recommendations for preventing catastrophic injuries and death in college studentathletes.* This section provides the final recommendations of the medical organizations for preventing catastrophic injuries in college athletes.
- 3. *References*. This section provides the relevant references for this document.
- 4. *Checklist*. This section provides a checklist for each member school. The checklist statements were voted as foundational statements by representatives of medical organizations during the summit, and they serve as the primary vehicle for each member school to implement the prevention recommendations.
- 5. *Appendices*. This section lists the agenda, summit attendees, and medical organizations that endorsed this document.

#### BACKGROUND

Data about catastrophic injuries and illnesses in college athletes began with intermittent accounts from print media, and more formally in 1931 through the American Football Coaches Association initiation of the Annual Survey of Football Fatalities. Since 1982, the National Center for Catastrophic Sport Injury Research at the University of North Carolina at Chapel Hill<sup>1</sup>has been the nation's premier source of catastrophic injury and death related to participation in organized sports at all levels of competition, including college. The NCCSIR monitors, collects, and analyzes data on catastrophic injuries, illnesses and death, and provides publicly

available reports about football and other sports.<sup>1</sup>

In order to create enhanced national surveillance abilities for catastrophic injuries, illness and death, the NCCSIR has partnered with the Consortium for Catastrophic Injury Monitoring in Sport (Consortium). The consortium includes: the division on traumatic injury at the Matthew Gfeller Sport-Related TBI Research Center - University of North Carolina at Chapel Hill; the division on exertional injury at the Korey Stringer Institute, the University of Connecticut; and the division on cardiac injury in sport at the University of Washington.<sup>1</sup>

Researchers who study the epidemiology of catastrophic injury and death in sport identify two mechanisms by which these events occur. *Traumatic* catastrophic injuries, also called direct injuries, are bodily injury caused directly by participation in a sport activity.<sup>1</sup> An example of a traumatic catastrophic injury is a spinal cord injury caused by tackling in the sport of football. The three leading causes of death from traumatic injury are traumatic brain injuries, spinal cord injuries, heart (including commotio cordis), and organ injuries. *Nontraumatic* catastrophic injury or within 1 hour following sport participation and not the result of direct bodily injury."<sup>2</sup> Indirect injuries are generally the "…result of exertion while participating in a sport activity or by a complication that was secondary to a non-fatal injury."<sup>1</sup> An example of an nontraumatic catastrophic injury is sudden cardiac arrest in a basketball athlete occurring during a basketball practice. The four leading causes of death from nontraumatic injury are sudden cardiac death (SCD), exertional heat stroke (EHS), exertional collapse associated with sickle cell trait (ECAST), and asthma.<sup>2</sup>

Enhancing a culture of safety in college sports in general, and college football in particular, is foundational to reducing the occurrence of catastrophic injury and death and the basis for bringing college athletics stakeholders to the first Safety in College Football Summit in 2014, and then reconvening in 2016. The goal of this and any sport safety initiative is protecting the life and the long-term well-being of all student-athletes.

### **Catastrophic Injury Patterns**

Since 1982, the first year for which catastrophic injury/illness data were available across all collegiate sports (i.e. National Collegiate Athletic Association; National Association of Intercollegiate Athletics; National Junior College Athletic Association), there have been 503 all-cause catastrophic injuries or illnesses. Of these, 328 (65%) were traumatic events and 175 (35%) were nontraumatic events.<sup>1</sup> In 2015-2016, the last year for which data across all collegiate sports is available, 18 catastrophic events occurred, 2 of which were fatal.<sup>1</sup>

Since 1931, the first year in which football-specific fatality data were collected, there have been 94 traumatic fatalities in college football and 127 nontraumatic fatalities.<sup>3</sup> Since 1960, there are 99 nontraumatic versus 51 traumatic fatalities in football.<sup>3</sup> Overall, football has the highest *number* of both traumatic and nontraumatic catastrophic injuries of any collegiate sport. After adjusting for the total number of participating athletes, football is joined by male gymnastics, female skiing, male ice hockey, and female skiing for the highest *rates* of traumatic catastrophic injury.<sup>1</sup> Traumatic events in football had fallen every decade since 1960 until 1994. That decline is associated with rule modifications based on research,<sup>4,5</sup> enhanced medical care, and education.

Since 1994, the number of traumatic injury has varied, but at a level generally lower than those of the 1970s and 1980s.

Since 1970, in both high school and college football, nontraumatic fatalities have outnumbered traumatic fatalities. Nontraumatic deaths in American football have remained relatively steady for over 5 decades. Data from  $2017^3$  reveal the current decade will continue this unfortunate and often preventable trend of nontraumatic death that occurs largely in out-of-season or preseason workouts. From 2001-2010, the ratio of nontraumatic to traumatic death in collegiate football was 7:1 – 22 nontraumatic deaths compared to 3 traumatic fatalities.<sup>3</sup>

While rule modification has the potential to decrease nontraumatic deaths in certain situations (e.g., verification of sickle cell trait decreasing ECAST in DI football), the policy and procedures to prevent nontraumatic catastrophic death have not kept pace with strength and conditioning sessions and practice sessions that continue to be the setting for record rates of high school and college athlete deaths. For example, of the nine nontraumatic deaths occurring to football players at all levels of the sport in 2017, six occurred during conditioning sessions and one occurred during a strengthening session.<sup>1</sup> For the 2015-2016 academic year, six (18%) of the 40 nontraumatic catastrophic injuries and illnesses that occurred across all sports and all levels of competition occurred during strength and conditioning sessions.<sup>1</sup>

#### **Policy Developments**

Available research provides important insight into risk factors for catastrophic injury and have facilitated significant policy decisions meant to mitigate them. Established research demonstrates that NCAA DI football athletes with sickle-cell trait are at a higher risk of nontraumatic catastrophic events, including death. <sup>4,6,7</sup> In response, the last decade has seen an increase in policy recommendations for the prevention of ECAST in collegiate sport. In 2007 the National Athletic Trainers' Association released a consensus statement on sickle-cell trait in the athlete.<sup>8</sup> By 2013, all three NCAA divisions had adopted legislation requiring confirmation of student-athlete sickle-cell trait status prior to participation.<sup>9-11</sup> This policy, in tandem with targeted onsite precautions, has resulted in a statistically significant decrease in the number of ECAST deaths in college athletes.<sup>12,13</sup>

Transition periods, defined below, are often associated with poor acclimatization and fitness levels.<sup>14,15</sup> These concerns have prompted several policy developments. In 2003, the NCAA implemented pre-season acclimatization legislation for football.<sup>16,17</sup> In the same year, NCAA Division I passed a bylaw<sup>18</sup> that requires any strength and conditioning coach who conducts voluntary off-season weight-training or conditioning activities to be certified in first aid and cardiopulmonary resuscitation and to be accompanied by a member of the sports medicine staff who has unchallengeable authority to cancel or modify the workout for health and safety reasons. NCAA Division II passed similar legislation one year later.<sup>19</sup> In 2012, NATA released interassociation best practices on the prevention of sudden death in collegiate student-athletes during strength and conditioning drills.<sup>14</sup>. As of 2016, all three NCAA divisions have legislation that requires strength and conditioning coaches to have a certification from an accredited strength and conditioning coaches.

However, despite these policy developments, catastrophic injuries and fatalities continue to occur. In recent years, most of the fatalities are from nontraumatic causes, and can be mitigated at the member school if appropriate strategies are in place.

#### **Prevention Strategies**

Nontraumatic deaths can be mitigated at the on-site locale through consensus- and science-based recommendations. Yet, the number of nontraumatic fatalities are two-fold those of traumatic fatalities. There have been 99 nontraumatic deaths in collegiate football compared to 51 traumatic deaths since 1961. Just as the number of fatal head injuries and catastrophic cervical spine injuries occurring from 1960-1975 can be directly related to the skills that were being taught,<sup>23-25</sup> nontraumatic, exertion-related death is directly related to the conduct and construct of workouts intended to prepare athletes to play sport.<sup>4,15,26,27</sup> Whereas spearing is often the mechanism for traumatic catastrophic injury and death in football,<sup>24,25</sup> intense, sustained exertion that is not sport-specific and does not include appropriate work-to-rest ratios coupled with modifications for individual risk and precautions, is too often the mechanism for exertion-related nontraumatic fatality.<sup>4,8,15,26-28</sup>

Since 1970 traumatic deaths have a steep and steady decline; nontraumatic deaths, however, have remained steady since 1960. The current era, from 2000 to present, is notable for the following: year-round training for football coupled with the highest incidence of non-traumatic sport-related training deaths in recorded history. A proper combination of (1) strategies to prevent the condition from arising in the first place; (2) assuring optimal medical care delivery by key stakeholders on-site for the condition in the second place; and (3) transparency and accountability in workouts should help to eliminate nontraumatic deaths – a major goal of this document.

### CONSENSUS FOUNDATIONAL STATEMENTS

Emerging information and available, peer-reviewed science were presented and discussed at the Second Safety in College Football Summit. Following presentations and discussions, all attendees were invited to weigh in on "foundational statements" about the prevention, mitigation, and response to catastrophic events. Foundational statements and recommendations were amended based on feedback, and when more than 80 percent consensus was reached among the participants, the statements and recommendations were then voted on by representatives of medical endorsing organization representatives (see Appendix X for endorsing organizations). Only those statements that were agreed upon by 100 percent of the endorsing organization representatives were then placed into this document for further review and final endorsement.

The following eighteen foundational statements were unanimously approved:

1. All football practices and competitions must adhere to safety standards, including:

- Keeping the head out of blocking and tackling;
- Prohibiting the use of the helmet as a weapon;
- Not deliberately inflicting injury on another player.

2. In contact sports, all practices and competitions must adhere to safety standards, including:

- Prohibiting the use of equipment as a weapon;
- Not deliberately inflicting injury on another player.

3. All equipment, as warranted, must meet applicable certification requirements.

4. Football helmets must be certified and properly maintained.

5. All schools must adhere to the NCAA Concussion Safety Protocol Checklist.

6. There must be a well-rehearsed Emergency Action Plan, consistent with the NCAA Concussion Safety Protocol Checklist, for the following:

- All suspected concussions;
- All suspected moderate or severe traumatic brain injuries;
- All suspected cervical spine injuries.

7. Provide education and prevention strategies about catastrophic injuries to all relevant stakeholders, including all sport coaches, strength and conditioning coaches, primary athletics healthcare providers, and student-athletes.

8. Conditioning periods should be phased in gradually and progressively to encourage proper exercise acclimatization and to minimize the risk of adverse effects on health.

- 9. All workouts shall have a written plan that is exercise-science-based, physiologically sport-specific, and tailored to the individual, as warranted;
  - a. Workout plan shall be approved by a credentialed strength and conditioning coach;

- b. Components of the workout plan include volume, intensity, mode and duration;
- c. Activity location must be stated in the workout plan to accommodate venue-specific emergency action planning;
- d. All workout plans shall be submitted to athletics administration prior to implementation and publicly available, upon request;
- e. Modification due to environmental conditions, scheduling considerations, etc., is supported. The amended workout plan shall maintain the above principles with documentation submitted to athletics administration.
- 10. The first 7 days of any new conditioning cycle are transition periods.
- 11. Examples of transition periods for athletes include, but are not limited to:
  - Returning after an injury or illness;
  - Returning after school break, e.g., winter, spring, summer;
  - Beginning as a delayed start.
- 12. The first 4 days of transition periods must be separate-day workouts.
- 13. Introduce new conditioning activities gradually.
- 14. Exercise should never be used for purely punitive purposes.

15. Ensure proper education, experience, and credentialing of all strength and conditioning coaches.

16. Develop and rehearse Emergency Action Plans. This includes but is not limited to:

- Cardiac arrest;
- Exertional Heat illness and heat stroke;
- Rhabdomyolysis (may manifest over 1-2 days; ECAST)
- Any exertional or non-exertional collapse.

17. Strength and conditioning venues should have EAPs specific to the venue, sport, and circumstances.

18. Each institution must adopt requirements for the education and training of strength and conditioning coaches, sport coaches, athletic trainers, and team physicians for the prevention of sudden death in sport. Such education and training should occur annually.

# INTER-ASSOCIATION RECOMMENDATIONS: PREVENTING CATASTROPHIC INJURY AND DEATH IN COLLEGE STUDENT-ATHLETES

Best practices for preventing catastrophic injury in sport are organized into five (5) key areas that reflect the eighteen consensus foundational statements identified above.

#### **Sportsmanship**

The principle of sportsmanship is foundational to NCAA athletic competition and creates a moral and ethical framework within which athletic competition occurs. This framework rejects any intentional effort by an athlete to use any part of his or her body, uniform, or protective equipment as a weapon to injure another athlete.<sup>29</sup> This philosophical commitment is further amplified by express prohibitions of such behaviors in sport playing rules<sup>30-32</sup> The avoidance of on-field or on-court behaviors intended to cause injury to another athlete must become part of the cultural foundation from which all subsequent sport safety initiatives arise.

While acknowledging that football, like other contact/collision sports, is an aggressive, rugged, contact sport, the rules of football and of all other sports identify a responsibility shared by all involved to conduct themselves according to a shared ethical code.<sup>32</sup> This code requires that the head and helmet not be used as a weapon, and that unsportsmanlike efforts to deliberately injure an opponent are outside the boundaries of fair and legal play. The act does not need to be purposeful to be considered an infraction.

Given such a code of ethics, coupled with the considerable safety implications of such a code, the following recommendations regarding deliberate injury to an opponent should be considered in football and other sports:

- 1. Immediate ejection from competition (in addition to particular penalty) for first infraction.
- 2. Video replay (when available) after the competition can verify missed calls and would cause ejection from the following competition.
- 3. Officials who fail to call such infractions are educated and/or disciplined appropriately.
- 4. Any uninterrupted tackle or block in football or other relevant sports that initiates contact with the helmet is an immediate ejection from the competition.

### Protective Equipment

Protective equipment that is used in sport must typically be manufactured and maintained according to performance and safety standards promulgated by standards organizations such as the National Operating Committee on Standards for Athletic Equipment (NOCSAE)<sup>33,34</sup> and ASTM International.<sup>35</sup> Where sport playing rules required equipment to comply with existing standards, the legality of the equipment is dependent on compliance, certification, or both with existing standards. For example, current playing rules in the sport of football require that helmets be manufactured and maintained according to standards established by NOCSAE. These standards have been demonstrated to reduce the occurrence of catastrophic brain injury.<sup>36</sup> In some cases, as with the helmet in the sport of football, equipment must be maintained through a reconditioning process. Where this responsibility exists, member institutions must remain

vigilant about ensuring necessary maintenance to ensure the continued safety and legality of protective equipment.

The following should be implemented across all sports:

• Every member school should have in place an annual policy to assure certification and compliance with all protective equipment.

#### Acclimatization and Conditioning

Many nontraumatic deaths take place during the first week of activity after a transition period in training.<sup>14</sup> Given this fact, it is imperative to recognize the vulnerability during these periods and to assure that both proper exercise and heat acclimatization are implemented. Transition periods hold particular risk, but absent adherence to established standards, best practices, and precautions – student-athletes are at-risk at all points in the off-season regimen. For example, February and July typically are not transition times yet from 2000 to 2017, they are the deadliest months of winter and summer training in college football.<sup>27</sup> Acclimatization and physiologic progression with a basis of exercise science and sport specificity are the cornerstones of safe conditioning and physical activity. It takes approximately seven to ten days for the body to acclimatize to the physiologic and environmental stresses placed upon it at the start of a conditioning or practice period, especially during periods of warm or hot weather.<sup>14,37,38</sup> Acclimatization, especially heat acclimatization, can only occur through repeated exposure to a hot environment<sup>39</sup> while progressively increasing the volume and intensity of physical activity.<sup>40</sup> Unfortunately, perceived time pressures by coaches coupled with the culture of certain sports that excesses in training make athletes tough, disciplined, and accountable contribute to a tendency to overload athletes during transition periods.<sup>14,41</sup>

A minimum expectation is that *all* conditioning sessions, regardless of when in the year they occur, are 1) evidence- or consensus-based; 2) sport-specific; 3) intentionally administered; 4) appropriately monitored, irrespective of the phase of training; and (5) are not punitive in nature

For acclimatization and conditioning, the following guidance should be implemented for all sports:

1. Conditioning periods should be introduced intentionally, gradually and progressively to encourage proper exercise acclimatization and to minimize the risk of adverse effects on health. This is especially important during the first seven (7) days of any new conditioning cycle, which should be considered a *transition period*. A lack of progression and sportspecificity in the volume, intensity, mode and duration of conditioning programs in transition periods has been noted as a primary factor in nontraumatic fatalities.<sup>15</sup>

Examples of transition periods for athletes include, but are not limited to:

Individual transitions:

- Athletes new to the program;
- Returning after an injury or illness;
- Any delayed participation relative to the team schedule

#### Team transitions:

- Resumption of training after an academic break, (e.g., winter, spring, summer breaks)
- 2. Workouts should be exercise-science based and physiologically representative of sport and the performance components. Conditioning programs should begin with a work-to-rest ratio of 1:4.<sup>14</sup>
- 3. The first 4 days of transition periods must be separate-day workouts, and all workouts should be: well-documented (preferably in writing); intentional; and a progressive increase in the volume, intensity, mode and duration of physical activity. It is highly encouraged to use extra caution during transition periods. The athlete is most vulnerable during these times, and the data supports that modifications in these periods can greatly decrease risk.
  - Properly training during transition periods should also greatly reduce or eliminate rhabdomyolysis, which is largely preventable. Since 2007, 57 NCAA student-athletes have been reported as suffering from exertional rhabdomyolysis in 9 team outbreaks representing 8 different institutions, with 51 of the afflicted student-athletes requiring hospitalization.<sup>42</sup> Novel overexertion is the single most common cause of exertional rhabdomyolysis and is characterized as too much, too soon, and too fast in a workout regimen. Team outbreaks of exertional rhabdomyolysis in NCAA athletes have similarities of irrationally intense workouts designed and conducted by coaches and/or strength and conditioning personnel.<sup>42</sup>
  - The phasing in of activity during transition periods should consider:
    - A) Days/week;
    - B) Body part;
    - C) Activity/exercise;
    - D) Sets/reps/distance;
    - E) Load (% one-repetition maximum, i.e. 1RM);
    - F) Work-rest ratio;
    - G) Modifications: position; individual; return from injury; environment.
- 4. All workouts shall have a written plan that is exercise-science-based, physiologically sport-specific, and tailored to the individual, as warranted;
  - f. Workout plan shall be approved by a credentialed strength and conditioning coach;
  - g. Components of the workout plan include volume, intensity, mode and duration;
  - h. Activity location must be stated in the workout plan to accommodate venue-specific emergency action planning;
  - i. All workout plans shall be submitted to athletics administration prior to implementation and publicly available, upon request;
  - j. Modification due to environmental conditions, scheduling considerations, etc., is supported. The amended workout plan shall maintain the above principles with documentation submitted to athletics administration.

- 5. During the off-season and preseason, all written strength and conditioning plans should be posted publicly at least three days prior to the session in which those plans are to be used. Penalties should be considered for not following these policies, such as:
  - Suspension of the strength and conditioning coach for first infraction;
  - Termination of the strength and conditioning coach for second infraction;
  - Such infractions should be reportable offenses by the member school to the NCAA.

### Emergency Action Plan

There is broad agreement that the most effective way to prevent catastrophic fatalities and manage non-fatal catastrophic events is through a well-rehearsed emergency action plan.<sup>12,14,28,43,44</sup> Venue-specific EAPs are a cornerstone of emergency readiness for campus and athletics health care providers<sup>37,45</sup>

EAPs should be broadly available to all members of the athletics community, centrally located, and should be rehearsed with all relevant sports medicine and coaching staff at least once a year. Special attention should be given to EAPs for venues where strength and conditioning activities occur, since catastrophic events are known to occur with more likelihood in these circumstances.<sup>46</sup>

At a minimum, well-rehearsed and venue-specific EAPs should be developed for the following nontraumatic catastrophic events:

- Cardiac arrest;
- Exertional heat stroke;
- Asthma;
- Exertional collapse associated with sickle cell trait;
- Any exertional or non-exertional collapse.

In addition, well-rehearsed and venue-specific EAPs should be consistent with the NCAA Concussion Safety Protocol Checklist.<sup>47</sup> This checklist was created in response to NCAA legislation passed by the Division I conferences with autonomy in January 2015.<sup>47</sup> The checklist facilitates the development of a comprehensive and coordinated set of policies to guide institutions in the diagnosis, management, and eventual return-to-play and return-to-classroom of student-athletes with concussion. Concussion EAPs should be created for the following suspected conditions:

- Concussion;
- Moderate or severe traumatic brain injury;
- Cervical spine injuries;

Special considerations:

#### Cardiac emergencies:

Research has shown that in sudden cardiac arrest, the probability of survival drops by 7-10% for every minute of active arrest, whereas the probability of survival is 89 percent in properly administered CPR and AED.<sup>48,49</sup>

The location of automated external defibrillators (AEDs) should be documented and should reflect a strategy that ensures their arrival at the scene of a collapse within two minutes. All AEDs should be checked at least monthly to assure they are fully charged. <sup>48</sup>

#### Exertional heat injury emergencies:

Exertional heat stroke is a medical emergency that is characterized by extreme hyperthermia (>40.0 degrees C/>104 degrees F) and central nervous system dysfunction such as altered behavior or decreased consciousness. To differentiate heat stroke from other acute medical events, primary athletics health care providers should be prepared to measure core body temperature using rectal thermometry. Rectal temperature has been demonstrated as the most accurate method for measuring body temperature, whereas other methods such as axillary, tympanic (aural), temporal, oral, and skin measurements are not valid or reliable predictors of core temperature.<sup>50</sup>

During warm-weather events, but especially preseason practices of fall season sports, resources (e.g., equipment and personnel) should be readily available to ensure that fullbody ice water immersion can be conducted in a timely manner. Full body immersion in cold water (1.0 degrees C to 14.0 degrees C/35 degrees F to 57 degrees F) is the most effective immediate treatment of exertional heat stroke, with fatality rates close to zero if the body temperature is brought to less than 40.0 degrees C within 30 minutes after collapse. Full-body cold water immersion should be conducted prior to patient transport, and should be continued until the body has cooled to a temperature below 38.9 degrees C/102 degrees F. During cold water immersion, body temperature should be monitored through rectal thermometry. Required resources include a 56-gallon tub (or similar device), ice, water, a stirring implement to constantly circulate the cold water, and a minimum of two people.

### Strength & Conditioning Personnel

Physical activity should never be used for purely punitive purposes. Exercise as punishment invariably abandons sound physiologic principles and elevates risk above any reasonable reward.<sup>14</sup> This principle has been reinforced by the NCAA Committee on Competitive Safeguards and Medical Aspects of Sport (CSMAS) as stated in the 2014-2015 NCAA Sports Medicine Handbook.<sup>51</sup> All athletics personnel, including both sport and strength and conditioning coaches, should intervene when they suspect that physical activity is being used as punishment.

All conditioning sessions, regardless of when in the year they occur, must be 1) evidence- or consensus-based; 2) sport-specific; 3) intentionally administered; and 4) appropriately monitored, irrespective of the phase of training. Sessions should be administered by personnel

with demonstrated competency in the safe and effective development and implementation of strength and conditioning activities, and with the necessary training to respond to emergency situations arising from those activities.

NCAA bylaws in all three divisions require that strength and conditioning coaches (S&CC) have a strength and conditioning certification from either a nationally accredited<sup>20,21</sup> or nationally recognized<sup>22</sup> strength and conditioning certification program. Additional NCAA bylaws<sup>18,19</sup> require that in certain circumstances, strength and conditioning coaches must be accompanied by members of the sports medicine staff when conducting voluntary, off-season conditioning sessions, and that the sports medicine staff have unchallengeable authority to cancel or modify workouts for health and safety reasons.

The following questions about the strength and conditioning credential should be considered when hiring a strength and conditioning professional:

- Is the strength and conditioning credential one that reflects attaining of relevant competencies in the delivery of strength and conditioning services to college athletes and team?
- Is the credential conferred by a certification program/process that is nationally accredited?
- What are the requisite educational standards required for certification eligibility, as well as the continuing education requirements required by the certification program?
- Does the certification require CPR and AED certification?
- Does the certification require a baccalaureate degree or higher, and is it in a degree field with relevance to the provision of strength and conditioning services?

The current state of credentialing across the strength and conditioning profession makes it difficult to ensure that all strength and conditioning professionals have the requisite competency to safely and effectively conduct conditioning sessions. Many organizations currently offer "strength and conditioning" credentials, though there is significant variability in both the topic content represented by these credentials and the rigor required to attain them. The complete absence of state regulation further complicates this landscape because there is no clearly established strength and conditioning scope of practice, and therefore, there is no authoritative accounting of the knowledge and skill domains required for the safe and effective practice of a strength and conditioning professional. If carefully considered, the questions above can assist institutions in identifying strength and conditioning credentials reflecting the attainment of minimal competence in provision of strength and conditioning services.

An additional problem arises through the increasingly close alignment between sport coaches and strength and conditioning coaches, especially in the sport of football. Strength and conditioning professionals are frequently hired by the head football coach, and/or subject to his administrative oversight. This alignment is potentially problematic because it contributes to the perception that the strength and conditioning professional are members of the coaching staff rather than independent credentialed strength and conditioning professionals.

#### Education & Training

Beyond strength and conditioning professionals, each institution must adopt requirements for the education and training of all involved in athletics, including, but not limited to, strength and conditioning specialists, sport coaches, athletic trainers and team physicians. Education should focus on preventing catastrophic injury and sudden death in sport. Such education and training should occur annually. Regular education can not only serve to improve the recognition and response skills of those who may be involved in a catastrophic event, but can also contribute to a heightened state of organizational mindfulness that contributes to an environment of emergency readiness. Education and prevention strategies should be customized for the unique learning needs of relevant stakeholders and their roles on the athletic team.

Such training should include:

- Foundational information regarding Emergency Action Plans;
- Head and neck injuries;
- Cardiac events;
- Environmental monitoring (heat/humidity, lightning);
- Exertional heat illness and heat stroke;
- Exertional collapse associated with sickle cell trait;
- Asthma;
- Rhabdomyolysis;
- Any exertional or non-exertional collapse.

#### Checklist

Below is a checklist that will help the director of medical services/athletics health care administrator to ensure that the athletic department is compliant with *Interassociation Recommendations: Preventing Catastrophic Injury and Death in College Student-Athletes.* 

#### 1. Traumatic: General

In all	sports, all practices and competitions must adhere to existing ethical standards, including:
	Prohibiting the use of playing or protective equipment as a weapon.
	Not deliberately inflicting injury on another player.
-	laying and protective equipment, as applicable, must meet relevant equipment safety randards and related certification requirements.
	chools must adhere maintain and implement concussion protocols that are consistent ith the Concussion Safety Protocol Checklist.
	e must be a regularly-rehearsed emergency action plan (EAP) consistent with the ussion Safety Protocol Checklist for the following:
	All venues at which practices or competitions are conducted.
	All suspected concussions.
	All suspected moderate or severe traumatic brain injuries.
	All suspected cervical spine injuries.
	de annual education and prevention strategies about catastrophic injuries to all relevant holders, including:
	All sports coaches.
	Strength and conditioning professionals.
	Primary athletics health care providers.
	Student-athletes.

#### 2. Traumatic: Football

All football practices and competitions must adhere to existing ethical standards, including:

- □ Keeping the head out of blocking and tackling.
- Prohibiting the use of the helmet as a weapon.
- Not deliberately inflicting injury on another player.
- **D** Football helmets must be maintained and certified to existing helmet safety standards.

### 3. Non-Traumatic: General

- Adherence to established scientific principles of acclimatization and conditioning:
- Conditioning periods should be phased in gradually and progressively to encourage proper exercise acclimatization and to minimize the risk of adverse effects on health.
- The first seven (7) days of any new conditioning cycle are to be considered transition periods and a time of physiologic vulnerability for athletes
- Transition periods for athletes include, but are not limited to:
  - Returning after an injury or illness.
  - Returning after school break (e.g., winter, spring, summer)
  - Beginning as a delayed start.
- The first four (4) days of transition periods must be separate-day workouts.
- All workouts shall have a written plan that is exercise-science-based, physiologically sportspecific, and tailored to the individual, as warranted;
  - a. Workout plan shall be approved by a credentialed strength and conditioning coach;
  - b. Components of the workout plan include volume, intensity, mode and duration;
  - c. Activity location must be stated in the workout plan to accommodate venue-specific emergency action planning;
  - d. All workout plans shall be submitted to athletics administration prior to implementation and publicly available, upon request;

- e. Modification due to environmental conditions, scheduling considerations, etc., is supported. The amended workout plan shall maintain the above principles with documentation submitted to athletics administration.
- Exercise should never be used for purely punitive purposes.
  - Ensure proper education, experience, and credentialing for all strength and conditioning coaches.
  - Develop and rehearse Emergency Action Plans (EAP) for the following:
  - All venues in which practices or competitions are conducted
  - Cardiac arrest.
  - Exertional Heat illness and heat stroke.
  - Exertional Rhabdomyolysis.
  - Exertional collapse associated with sickle cell trait.
  - Any exertional or non-exertional collapse.
- Strength and conditioning venues should have EAPs specific to the venue, sport, and circumstances.
- Each institution must adopt requirements for the annual education and training for the prevention of sudden death in sport for the following individuals:
  - Strength and conditioning coaches/specialists.
  - Sport coaches.
  - Athletic trainers.
  - **Team physicians**.

This Consensus Best Practice, Catastrophic Injury, has been endorsed by:

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Section	Page	Membership Concern	Staff & Author Notes
Throughout Paper		General concern that by articulating these concepts and producing a checklist that we are creating liability where there wasn't before if a member school does not comply with this guidance.	This is a common opinion about interassociation recommendations documents. NCAA Office of Legal Affairs has been consistent in saying 1) risk already exists, so better to be aware and understand mitigation strategies, and 2) interassociation recommendationis allow flexible solutions that are often difficult to achieve through legislation.
Education and training	13	Vague on specific kinds of education that are recommended.	
Acclimatization and conditioning	9-10	Concern that ADs are involved in receiving the conditioning workouts. ADs do not have the expertise to approve.	The intent of the recommendation is not to have ADs approve. The intent is to create 1) transparency, and 2) commitment, so as to avoid "in the moment" changes that increase risk.
Acclimatization and conditioning	8, 11	How would an administrator know if a conditioning session was applied for punitive purposes? That would require an administrator attempting to determine intent.	
Strength & conditioning personnel	-,	Also, it should be clearly stated that primary athletics health care providers have a duty to intervene if a conditioning session is being conducted punitively.	
Acclimatization and conditioning	9	Identified transition periods (first 4 days) have logistic and scheduling implications that need to be acknowledges.	

#### DII MC

Section

Page

#### Membership Concern No concerns were identified.

Staff & Author Notes

#### DIII MC

Section	Page	Membership Concern	Staff & Author Notes
Throughout paper		What is meant by the term "workout"? How is it defined? If it is not formally defined, should it be?	
		Concern with the logistics of making workouts publicaly available on a regular basis. How will that be accomplished?	
Acclimatization and conditioning	9-10	Also, related question if the intent was to have ADs or other administrators "approve" the workouts.	The intent of the recommendation is not to have ADs approve. The intent is to create 1) transparency, and 2) commitment, so as
	5 10	Is there any way to bring transparency and accountability to the planning and implementation of workouts without being so prescriptive in the process for doing so?	to avoid "in the moment" changes that increase risk.
		Also, what constitutes public positing?	
Strength & conditioning personnel	11	Concern about the general applicability of the guidelines to small schools with small staffs - too much focus on strength & conditioning personnel. How do these guidelines apply to coaches and other non-strength & conditioning personnel involved in conditioning sessions, etc.	
Checklist - Section #3	15	Concern that the checklist requires workouts be approved by a credentialed strength & conditioning coach - DIII may not have such personnel.	
Emergency action plan	11	Ensure recommendation is accurate and consistent with legislated S&C personnel requirements for DIII. Concern with the specificity of the guidance under "exertional heat injury emergencies", especially reference to 56-gallon tub". Request is that the language become more flexible and less prescriptive.	
Throughout paper		Make it clearer that this document applies to all sports, and not just football	

#### DII PC

Section

Page

#### Membership Concern No concerns were identified

Staff & Author Notes

#### DIII PC

Section	Page	Membership Concern	Staff & Author Notes
Strength and conditioning personnel	11	The statement about using physical activity for punitive purposes needs to be stated more directly (e.g., eliminate purely). There are also many subordinate issues in the same section, so we should be careful about clarity and purpose across that section.	
Strength and conditioning personnel	12	Make sure that credentialling information for S&CC is accurate and realistic for DIII. How will the same information be modified to speak to non-credentialed sport coaches who have responsibility for application of conditioning?	

#### FCS CCA

Section

Page

Membership Concern

Staff & Author Notes

#### **AMA - Legislative**

Section	Page	Membership Concern	Staff & Author Notes
Throughout paper		Determine intentionality of "shoulds" vs. "musts". Musts are interpreted by AMA to have legislative implications.	
Foundational statements	5-6	Clarify the original and purpose of the foundational statements, and make clearer in the narrative that they do not represent formal recommendations.	
Protective Equipment	8	Legislative impact: Every member school should have in place an annual policy to assure certification and compliance with all protective equipment	
Acclimatization and Conditioning	8	Legislative impact: A minimum expectation is that all conditioning sessions, regardless of when in the year they occur, are 1) evidence- or consensus-based,	
Acclimatization and Conditioning	8	Legislative impact: The first seven days of any new conditioning cylce should be considered a transition period.	
Acclimatization and Conditioning	9	Legislative impact: The first 4 days of transition periods must be separate-day workouts,	If this is not football specific, it would be contrary to our legislation for other sports.
Acclimatization and Conditioning	9-10	Legislative impact: All workouts shall have a written plan that is exercise-science-based, physiologicall sport-specific, and tailored to the individual as warranted	
Acclimatization and Conditioning	10	Legislative impact: During the off-season and preseason, all written strengh and conditioning plans	
Strength & Conditioning Personnel	11	Legislative impact: Physical activity should never be used for purely punitive purposes.	
Education and Training	13	Legislative impact:each institution must adopt requirements for the education and training of all involved in athletics	

#### PRO

Section	Page	Membership Concern	Staff & Au
		Update references 30-32 to latest version of rules books, and	
Sportsmanship	7	adjust sentence to reflect that those sports are offered only as	
		examples.	
		Consider updating phrasing of "code of ethics" to "code of	
		behavior" or "behavioral code."	
		Deliberate injury may be problematic. Several sports have	
		removed reference to deliberate or intentional from rules	
		because of difficulty interpreting when a behavior is truly	
		intentional. "Flagrant" and "malicious" are frequently used	
		substitutes.	
		Consider addting sentence or two to note importance of	
		conference in enforcing rules, especially video review, and in	
		monitoring officiating performance, education and correction.	
		Change "video replay" to "video review" - preferred phrasing.	
		Replace "ejection" in #2 with "suspension".	
		Eliminate first half of #4, and adjust sentence to amplify the	
		importance of rules that prohibit initiation of contact with the	
		head.	

#### Staff & Author Notes

### Executive Summary of the NCAA Football Data Task Force February 26-27, 2018, Meeting

- 1. Overview. The Football Data Task Force was held February 26-27, 2018, at the NCAA national office. The purpose of the meeting was to: 1) review emerging information from the NCAA-DoD CARE Consortium, The Datalys Center and the Ivy League Conference regarding concussion and repetitive head impact exposure in football, and; 2) facilitate dialogue around how the emerging information may impact and help shape college football rules, policies and procedures going forward. Attendees included at least one representative from each NCAA Division I Autonomy 5 conference, one representative for the non-Autonomy 5 Football Bowl Subdivision conferences, football coaches, scientists and representatives from the NCAA Division I Football Oversight Committee, NCAA Division I Football Championship Committee, football officials, NCAA Football Rules Committee and other stakeholders from the membership. The meeting was co-chaired by Bob Bowlsby, commissioner of the Big 12 Conference, and Brian Hainline, NCAA chief medical officer.
- **2. Welcome and introduction.** Hainline welcomed the attendees and gave an overview of collaborative concussion projects within the NCAA, particularly for the sport of football.
- **3.** The importance of data to the sport of college football. Bowlsby welcomed attendees and spoke on the importance of data to the sport of college football and how supports data-driven decisions, policy and rules that may improve the safety of football.
- **4. Summary of changes to the 2017 football preseason.** NCAA Academic and Membership Affairs Director Kris Richardson summarized pre-season practice changes that were implemented across all three NCAA divisions prior to the 2017 football preseason.
- **5. Presentations.** The following presentations were given to the task force. Many of the presentations included emerging and other confidential pre-publication data and information.
  - a. *Overview of the NCAA Injury Surveillance Program and Football*. Datalys President Christine Collins and Datalys Director Erin Wasserman shared an overview of the NCAA Injury Surveillance Program and participation rates among the three divisions.
  - b. *The NCAA-Department of Defense CARE Consortium.* Tom McAllister, co-principal investigator of CARE, provided an overview and update on the multi-site study, currently being conducted at 30 NCAA schools, as well as with all cadets at the military service

NCAA Football Data Task Force Executive Summary February 26-27, 2018 Page No. 2

academies. Hainline summarized the structure of the data review and spoke on the key questions the study is working to answer.

- c. *Preseason Injury and Concussion Rates*. Steve Broglio, CARE co-Principal Investigator, and Collins discussed emerging information related to preseason football injury data from both CARE and the NCAA ISP.
- d. *The Ivy League -- Analyzing Football Data to Reduce Concussions*. Ivy League Deputy Executive Director Carolyn Campbell-McGovern discussed data related to certain football practice modifications that were implemented in the Ivy League, beginning June 2011.
- e. *Injury and Concussion Rates: In-Season and Post-Season*. Broglio and Wasserman reviewed data collected from the CARE Consortium and the NCAA ISP during the 2017 football in-season and post-season.
- f. *CARE Head Impact Measurement Data Across Season*. Michael McCrae, Medical College of Wisconsin professor; Stefan Duma, Virginia Tech professor; Medical College of Wisconsin professor Brian Stemper shared data related to daily head impacts that were recorded and reported during the 2017 football in-season.
- g. *Comparative Data: NCAA 1999-2001 vs. CARE 2014-2016.* McCrae analyzed and compared data related to concussion recovery and return-to-play in college football players from the original NCAA Concussion Study (1999-2001) and the more recent CARE Consortium.
- h. *Overview of All Injuries in Football*. Wasserman and Collins reviewed 2017 in-season football injury data from all three divisions, including specific injury data for varying body parts.
- i. *Special Topics in Football*. Wasserman addressed specific topics of interest to the task force, including kickoffs, pace of play and the targeting rule.
- 6. Closing comments and next steps. Bowlsby and Hainline thanked the attendees for their participation, as several attendees were also going to be attending the Division I Football Oversight Committee meetings in the next days. Key takeaways from the meeting included an emphasis on the need for high quality data and higher participation in the NCAA ISP as well as enhancing common data elements that are football specific. It was agreed that the current preseason policy in place for 2018-19 does not need to be altered based on the emerging

NCAA Football Data Task Force Executive Summary February 26-27, 2018 Page No. 3

> information that was shared during the task force. Bowlsby suggested that the kickoff should be studied further in light of the emerging data reflecting overrepresentation of concussion and other injuries during this play. Additionally, this task force will likely occur on yearly basis, possibly in conjunction with the American Football Coaches Association annual meeting.

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# Summary of the NCAA Summit on Pain Management in College Athletes July 10-11, 2018

- 1. Welcome and announcements. NCAA Chief Medical Officer Brian Hainline welcomed the attendees and gave an overview of the purpose of the summit. The purpose of the summit was: (1) to review consensus-and evidence-based strategies on pain management in elite and college athletes; (2) to present original data on pain management trends in college athletes; (3) to present Department of Defense perspectives and strategies on pain management in the military; and (4) to develop consensus-based foundational statements that will serve as a springboard for a peer-reviewed publication and educational tools.
- 2. **Presentations.** The following presentations were given, during the course of the summit, to establish a scientific foundation of shared information. These presentations will later be incorporated into consensus statements and publications:
  - a. <u>Injury and Pain</u> (Hainline). The presentation focused on how to differentiate injury from pain and identified the three different types of pain: nociceptive/inflammatory pain, neuropathic pain and nociplastic pain.
  - b. <u>Acute vs. Subacute/Chronic Pain</u> (University of Washington professor Judith Turner). A review of the differences between acute and subacute/chronic pain, as well as the biopsychosocial model of pain.
  - c. <u>Acute Pain: When Pain and Injury Recovery Coincide</u> (A.T. Still University professor and independent consultant Sue Falsone). An overview of non-pharmacologic strategies for treating pain and injuries, including kinetic chain evaluation and intervention, as well as exercise, periodization and physical therapy.
  - d. <u>Pharmacological Strategies</u> (University of Washington professors David Tauben and Stanley Herring). A review of the role of NSAIDs and acetaminophen, injectable and topical medications and opioids.
  - e. When Pain Persists Beyond Expected Recovery.
    - (1) Hainline provided a broad overview of the topic.
    - (2) Falsone presented strategies on the kinetic chain/overload reassessment and intervention.
    - (3) Turner presented psycho-social and cognitive behavioral strategies, emphasizing that psychosocial assessment and intervention be normalized by the treatment and coaching team.

- (4) NCAA Sport Science Institute Director of Sports Medicine LaGwyn Durden presented strategies for physiologic recovery, sleep and nutrition.
- (5) Hainline informed the group that elective surgery should only address structural damage that is non-responsive to non-operative treatment and should never be performed to treat chronic pain simply because all other interventions have failed.
- (6) Hainline provided information on pharmacologic strategies and the limited use of acute pain medications.
- (7) Tauben provided information on anti-convulsant and anti-depressant medications and their value for treating neuropathic pain.
- f. <u>NCAA Student-Athlete Survey Data</u>. (Lydia Bell and Markie Cook, NCAA Research). Data from the NCAA Student-Athlete Survey on injury and pain medication usage was presented, as well as data from a survey conducted in June 2018 that addressed the team physician and athletic trainer perspective on pain management in college athletics.
- g. <u>United States Olympic Committee Opiate Use Reduction Strategies</u> (USOC vice president of sports medicine William Moreau). An overview of the USOC's purpose and role in preserving the health of its athletes, as well as strategies used to monitor and treat pain while decreasing opioid use in USOC athletes.
- h. <u>Army Task Force on Pain Management Practices</u> (U.S. Army physician COL Scott Griffith, USAMRMC Clinical & Rehabilitative Medicine Research Program's Peter Murray and Uniformed Services University's Defense & Veterans Center for Integrative Pain Management's Chester Buckenmaier).
  - (1) COL Griffith provided an overview of pain conditions and management approaches in the U.S. Military, highlighting the evolution of pain management approaches from 2007 to present.
  - (2) Murray presented research and investment strategies of the U.S. Army Medical Research and Materiel Command.
  - (3) Buckenmaier provided a summary of the 2010 Department of Defense Pain Management Task Force: Pain and Pain Measurement. The task force provided recommendations for a comprehensive pain management strategy that took a holistic approach, utilized state of the art/science technologies and aimed to provide an optimal quality of life for soldiers and others who develop acute and chronic pain.

Summary of the NCAA Summit on Pain Management in College Athletes July 10-11, 2018 Page No. 3

- <u>Cannabinoids and Musculoskeletal Pain Management</u> (Hainline). The presentation differentiated marijuana (cannabis) from cannabidiol and emphasized the limited research support for the use of any cannabinoids for the treatment of musculoskeletal pain in athletes.
- **3.** Consensus building. All attendees reviewed and approved for further consideration 36 foundational statements that will become the springboard for subsequent peer-reviewed publications and educational documents. A modified Delphi process will be initiated with the summit attendees to further modify these foundational statements and to establish consensus around them. Summit attendees will be involved throughout the process, including in the dissemination of resulting resources. Membership engagement is expected to take place in spring 2019, with final materials being released fall 2019.

Good afternoon:

An email blast regarding registering for the 2019 NCAA Convention in Orlando, Florida will be sent **Wednesday, September 12 at approximately 11 a.m. (Eastern)**. Please keep in mind that, as a member of the Division III Presidents Council, you must register by **October 10** to obtain the early bird registration fee and to reserve your hotel room, both of which are paid for by the NCAA.

There are a couple of things you must do in order to be recognized as a "Presidents Council" member.

- 1. When you click on the link to register, please make sure that you select Division III as your division. Please select 'Committee' as your choice when the next screen appears, after which you will enter the password: **2019committee**. Please do not share this password with other institutional members, as it is for our Presidents Council members only. Once you enter the password, please proceed to enter all information as requested by the system.
- 2. Please note that room reservations will be accepted ONLY through the online system. As a member of the Division III Presidents Council, your room and tax for Wednesday, January 23, through Friday night, January 25, will be charged to the NCAA master account. I will not be sending a separate room-reservation form later so please make your room reservations when you register.

[**NOTE**: All Council members are expected to depart Saturday afternoon/evening. If you plan on staying Saturday night, you need to receive prior approval.]

- 3. I entered you into the Short's Travel Portal for travel. I encourage you to make your flights by calling the toll-free number at 866/655-9215 no later than October 10. Your flight to and from Orlando will be charged to the NCAA master account.
- 4. As you are making your reservations, please note that you will need to be in Orlando no later than Wednesday, January 23, as our joint breakfast with Management Council and SAAC begins bright and early Thursday morning, January 24. The business session is scheduled for Saturday, January 26, and should conclude no later than noon.

[NOTE: Presidents Docking and Henderson only] According to the latest Convention core schedule, the following meetings are occurring <u>Wednesday</u>, January 23.

Board of Governors Executive Committee – 10:30 a.m. to 12:30 p.m. Board of Governors – 1:30 to 5 p.m.

Please note that the registration fee includes all Convention programming and one ticket to the Delegates Reception on Thursday, January 24, and Delegates Breakfasts on Friday, January 25, and Saturday, January 26. Additionally, attendees will have the opportunity to purchase one ticket to the Honors Celebration on a first-come, first-served basis and to receive one complimentary ticket to the Association Luncheon on a first-come, first-served basis. Available tickets can be reserved during the Convention registration process. Note that these tickets are limited, so the sooner that you register, the better your chance to be able to purchase/secure tickets to the events noted above.

If you should have any additional questions, please let me know.

Thank you!



#### 2019 NCAA CONVENTION DIVISION III DELEGATES SCHEDULE ORLANDO, FLORIDA JANUARY 22-26, 2019

SUPPLEMENT NO. 16b DIII Presidents Council 10/18

DIVISION III OFFICE Caribe Royale Orlando TBD

TIME	DIVISION III	ASSOCIATION-WIDE	<b>ROOM LOCATION</b>
Thursday, January 24			
8 to 9:30 a.m.		Chancellors and Presidents Engagement	
8:45 to 9:30 a.m.		Association-wide Programming (5 sessions)	
9:15 to 11:15 a.m.	Division III Presidents Council Meeting [Must be a member of this committee to attend]		
9:45 to 11:15 a.m.		Association-wide Programming (5 sessions)	
11:30 a.m. to 1 p.m.	Division III Chancellors/Presidents Luncheon		
1:15 to 2:15 p.m.		Association-wide Programming (5 sessions)	
2:30 to 4 p.m.		Association-wide Programming (5 sessions)	
4:30 to 5:30 p.m.		NCAA Plenary Session: State of College Sports [Doors open at 4:15 p.m.]	
5:45 to 6:45 p.m.		Association-Wide Business Session	
6:45 to 8 p.m.		Delegates Reception	
		Friday, January 25	
7 to 8 a.m.	Division III Delegate Breakfast		
8 to 11 a.m.	Division III Issues Forum		
11:30 a.m. to 1 p.m.		Association Luncheon	
1 to 5:30 p.m.	Conference Meetings		
6 to 7 p.m.		Presidents & Chancellors Reception	
		Saturday, January 26	
7 to 8 a.m.	Division III Delegates Breakfast		
8 a.m. to 11 a.m.	Division III Business Session		



# DIVISION III PRESIDENTS COUNCIL POLICIES AND PROCEDURES

### NCAA Structure

The Board of Governors establishes and directs the general policy of the Association (see NCAA Constitution 4.1).

The Division III Presidents Council establishes and directs the general policy of Division III (see Constitution 4.4).

The Division III Management Council implements policies adopted by the Association's Board of Governors and the Division III Presidents Council and manage the Division III governance structure (see Constitution 4.8).

The Division III Administrative Committee is empowered in the interim between meetings of the Division III Presidents Council and Management Council to conduct business necessary to promote the normal and orderly administration of Division III (see Constitution 4.11).

Division III Presidents Council Structure 4.4.1

The Presidents Council is an 18 -member body, with at least two members from each of the four Division III geographical regions and ten shall serve "at large". The geographical regions are as follows: Region 1 – Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont; Region 2 – New York, Pennsylvania; Region 3 – Alabama, Arkansas, Florida, Georgia, Indiana, Kentucky, Louisiana, Michigan, Mississippi, North Carolina, Ohio, Puerto Rico, South Carolina, Tennessee, Virginia, West Virginia; and Region 4 – Alaska, Arizona, California, Colorado, Hawaii, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, Wyoming.

Among the 18 members, at least three must be from institutions with full-time undergraduate enrollment of 2,400 or more; at least three must be from institutions with full-time undergraduate enrollment between 1,400 and 2,400; at least three must be from institutions with full-time undergraduate enrollment of 1,400 or less; at least three must be from public institutions; at least three must be from private institutions; there must be at least four women and four men; at least two who are members of an ethnic minority; and at least two who are not ethnic minorities.

**Presidents Council Election & Appointment 4.4.3** 

Council members appointed to serve half of a term or less (due to interim vacancies) will not be considered to have served a full term and, thus, would be eligible to serve two full terms beyond

Presidents Council Policies and Procedures Page No. 2

their interim service. Council members serve terms of four years and are not eligible for reelection to another term on the Council until two years have elapsed. The Council may waive the four-year term limit if an extension is necessary and appropriate to enhance the Council's continuity and effectiveness or otherwise allow the Council to continue to fulfill its representational requirements. A member may not serve on the Council more than two terms.

### **Nominations Process**

The Council annually shall appoint a nominations subcommittee. The Presidents Council Nominations Subcommittee identifies a slate of nominees to fill Presidents Council vacancies consistent with composition requirements (Bylaw 4.4.1) and forwards a slate to the Presidents Council for ratification. Interim vacancies are filled by the Presidents Council, upon recommendation by the nominating subcommittee. Vacancies due to expired tenures are filled by mail vote of the presidents/chancellors of Division III institutions. Additional candidates must have the endorsement of at least 10 chancellors or presidents to be placed on the appropriate slate of nominees.

### **Officers**

The chair and vice-chair of the Presidents Council are nominated by the President Council Nominations Subcommittee and elected by the Presidents Council. A member must serve a minimum of one year on the Presidents Council prior to serving as chair or vice chair. The terms of the chair and vice chair shall not exceed two years. The chair and vice chair shall not be eligible for immediate reelection to that position. The terms of Council service of the chair and vice chair shall expire on a staggered basis. The term of office of the chair and vice chair runs from January to January (term ends upon adjournment of the relevant NCAA Convention.

#### **Duties**

- <u>Duties of the Chair</u>
  - a. Serve as a spokesperson for Division III;
  - b. Preside at Division III Presidents Council meetings;
  - c. Preside at the Division III business session at the annual Convention;
  - d. Serve as chair of the Division III Administrative Committee;
  - e. Attend Division III Management Council meetings, as available;
  - f. Serve as a member of the Association's Board of Governors (BOG);
  - g. Serve as a member of the BOG's Administrative Committee, and
  - h. Serve on the BOG's Finance and Audit Committee (if that role is not filled by the vicechair).

The chair of the Presidents Council is always welcome, as a matter of right and privilege, to attend any Division III committee meeting or championship.

### • <u>Duties of the Vice Chair</u>

- a. Take the chair's place and perform the chair's duties if the chair is absent or incapacitated;
- b. Serve as a member of the Association's Board of Governors (BOG);
- c. Serve as a member of the Division III Administrative Committee;
- d. Serve as chair of the Division III Strategic Planning and Finance Committee;
- e. Serve on the BOG's Finance and Audit Committee (if that role is not filled by the chair); and
- f. Attend Division III Management Council meetings, as available.

The vice chair is also always welcome to attend any Division III committee meeting or championship.

**NOTE:** When the Board of Governors (BOG) Convention meeting occurs after the adjournment of the Division III Business Session, the outgoing Division III Presidents Council chair, vice chair and Management Council chair, will represent Division III at the BOG meeting, rather than the new incoming chairs and vice chair.

# **Election Procedures**

The election of the chair and vice chair will be conducted to ensure staggered terms so that both positions are not vacated in the same year. Elected officer(s) will begin his or her official duties following the adjournment of relevant NCAA Convention.

The process to elect the Presidents Council chair and vice chair will begin during the August Presidents Council meeting. During this meeting, the responsibilities for the applicable position will be reviewed. All eligible members for the position of chair and vice chair will be given the opportunity to indicate interest in being nominated by informing the national office staff by a predetermined date. The Presidents Council Nominations Subcommittee will review the candidates on a teleconference and make a recommendation for each office, subject to approval by the Presidents Council, at its October meeting. Over time, the Council should attempt to elect officers that reflect the diversity of the Council.

## **Special Circumstances**

• In the event that the chair of the Presidents Council leaves the position of chair prior to expiration of his or her term as chair, there will be an election to fill the vacancy. The vice chair of the Presidents Council will fulfill the duties of the chair on an interim basis (and also will continue to fulfill the necessary duties as vice chair) until the chair vacancy has been filled. [Note: The election to fill the vacancy may be immediate and occur either by mail or electronic ballot or telephone conference of the Presidents Council if the Administrative Committee agrees to expedite the process. Otherwise, the election would occur at the next regularly scheduled Presidents Council meeting.]

• In the event that the vice chair of the Presidents Council leaves the position of vice chair prior to expiration of his or her term as vice chair, there will be an election to fill the vacancy. [Note: The election to fill the vacancy may be immediate and occur either by mail or electronic ballot or telephone conference of the Presidents Council if the Administrative Committee agrees to expedite the process. Otherwise, the election would occur at the next regularly scheduled Presidents Council meeting.]

## Role and Purpose/Responsibilities 4.4.2

The Division III Presidents Council serves as a leadership structure and forum for presidential interests in Division III intercollegiate athletics matters. The Presidents Council is empowered to:

- a. Implement policies adopted by the Association's Board of Governors;
- b. Establish and direct the general policy of Division III;
- c. Establish a strategic plan for Division III;
- d. Adopt noncontroversial and intent-based amendments, administrative bylaws and regulations to govern Division III;
- e. Sponsor Division III legislation independent of the Management Council;
- f. Identify, prior to the printing of the notice of any Convention, Division III proposals for which a roll-call vote of the eligible voters may be required and designate during the Convention the roll-call votes that must occur;
- g. Delegate the resolution of management and administrative issues to the Management Council and ratify those actions (see Constitution 4.8.3);
- h. Ratify, amend or rescind the actions of the Management Council (see Constitution 4.8);
- i. Assure that there is gender and ethnic diversity among its membership, the membership of the Management Council (see Constitution 4.8) and the membership of each of the other bodies in the Division III administrative structure;
- j. Make budgetary recommendations to the Association's Board of Governors related to Division III matters, including championships and approve the use of funds allocated to Division III;
- k. Approve regulations providing for the administration of Division III championships; and

1. Advise the Board of Governors concerning the employment of the NCAA president and concerning the oversight of his or her employment.

# **Responsibilities of Presidents Council Members**

## **Attending the Council meeting**

- Attendance and participation at all Presidents Council meetings, including the annual NCAA Convention, are expected. If a Presidents Council member must miss a meeting, the member should notify the office of the Division III vice president.
- A Presidents Council member's absence from two consecutive Presidents Council meetings in a calendar year, regardless of the reason, shall constitute that member's resignation from the Presidents Council. The chair may waive the application of this policy in the case of extenuating circumstances.
- Presidents Council members are encouraged to be in attendance when the meeting is called to order and stay until the meeting is adjourned. Conflicts that require individuals to plan late arrivals or early departures should be communicated before the meeting to the office of the Division III vice president.

### **Preparing for the Presidents Council meeting**

- Presidents Council members should become knowledgeable on all agenda issues and be prepared to discuss items the Presidents Council will be asked to consider.
- A Presidents Council member will provide a report (with appropriate recommendations) when the individual's name appears next to an agenda item.
- The Presidents Council discourages the representative from reading the entire background of information to the Council. The Presidents Council has received a written report as part of the agenda/supplements and is responsible to be prepared for the report. You should highlight the key components related to the committee request, ask for a motion if necessary and then be prepared to answer questions regarding the issue. Knowledge of how Divisions I and II have acted or reacted may be helpful.
- Presidents Council members have an opportunity to serve on various Division III committees and Task Forces. Presidents Council members are encouraged to accept such assignments, when possible.

## Presidents Council Procedures

The Presidents Council procedures are intended to achieve three goals:

• Assure emphasis on major policy issues in Presidents Council meetings.

- Promote thorough discussion of significant issues while curtailing discussions that become unproductive or unnecessary.
- Enhance efficiency and communication in the Presidents Council Management Council relationship.

# **Presidents Council Meetings**

The Division III Presidents Council meets four times annually: at the NCAA Convention in January, in April, in early August and again in the fall (late October or early November). The meeting schedule is designed in part to assure that the Presidents Council is enabled to make decisions regarding legislative matters in time to meet its September 1 deadline for submission of legislative proposals. The Division I Board of Directors, the Division II Presidents Council and the Division III Presidents Council shall have at least one combined meeting per year [Constitution 4.1.2-(g)].

## **Meeting Information**

The Presidents Council, as is the case with all entities in the NCAA, is bound by various Association meeting policies, including these:

- All meetings must be held in the contiguous 48 states.
- All meetings will be held on weekdays, with the possible exception of the Convention meeting, which is subject to scheduling of other major sessions.
- All meetings should be held in the metropolitan area where the national office is located, with the exception of the meeting held in conjunction with the NCAA Convention.
- For the transaction of business, a quorum shall consist of a majority of the members of the Presidents Council. For the Presidents Council to take action (including action to sponsor, cosponsor, support or oppose a legislative proposal), a simple majority of Presidents Council members present, and voting shall be required, unless otherwise specified.
- Presidents Council meetings are considered closed business meetings and are not open to any interested president/chancellor without invitation. However, those presidents/chancellors who have been elected to join the Presidents Council at the conclusion of the Convention are invited to attend the President Council's Convention meeting as observers.

In the usual Presidents Council meeting format (except for the Convention meeting), the Presidents Council will conduct a planning session from 6 to 9 p.m. the evening prior to the meeting and will conduct its official meeting from 9 a.m. to noon. A joint breakfast for the Division I Board of Directors and Division II and III Presidents Councils will be conducted the morning of the Presidents Council meeting and will include informational items of mutual interest to each presidential body.

The Association's policies regarding meeting expenses are set forth in Bylaw 31.7.2 in the NCAA Manual. In short, the NCAA pays for transportation to and from Presidents Council meetings, hotel room and tax charges at the meetings, and a \$75 per diem for each day or part thereof involved in

traveling to and from and attendance at the meeting. The member may claim 53 cents per mile for the round trip based upon the most direct route between the two points if travel is by automobile.

Transportation and the hotel room and tax are billed directly to the NCAA; the member needs only to pay incidental charges to his or her room when leaving the meeting site. The Travel Expense System (TES) has been implemented for committee members to file their requests for per diem and travel expense reimbursement electronically. Also, early in each calendar year, each member will receive a Form 1099 reporting the amounts thus paid during the preceding year, if that amount exceeds \$600. In such instances, the member then will declare that amount in filing his or her income tax return for that year, so members will want to record their Council-related expenses in order to deduct the appropriate amount. Some Presidents Council members prefer to have their expense reimbursement paid directly to their institutions to eliminate the need for such personal record keeping.

<u>Accommodations</u>: The NCAA is committed to diversity and inclusion. To support our committee members and invited guests, our National Office offers a range of accommodations including – but not limited to – physical accessibilities, food allergies and dietary restrictions, gender neutral bathrooms, and private lactation spaces. Please reach out to your staff liaison for your accommodation needs or to inquire about the availability for other accommodations not noted above.

## **Membership Notification**

Proper notification of Presidents Council actions shall occur through The NCAA News, an online publication. The Presidents Council also will use other notification vehicles, including the Division III homepage of NCAA On-line (www.ncaa.org) and the Division III Presidential Quarterly Update.

- Each Presidents Council member will receive a reminder notice of the next meeting about eight weeks in advance, with a request for desired hotel accommodations. The NCAA staff makes hotel reservations; the Presidents Council member makes his or her own travel arrangements through Short's Travel (888/655-9215), the NCAA travel service. Council members are required to use the NCAA travel service inasmuch as the NCAA pays travel expenses in full.
- Presidents Council members will receive via electronic access an agenda and supplements approximately one week in advance of the meeting.
- In the meeting, therefore, generally there should be no need to review item by item what is stated in the report unless a member of the Presidents Council raises a question, or an action needs to be clarified. The chair simply will call attention to the agenda item involved, ask if there are any questions and allow sufficient time for such questions. The chair declares the material approved if no questions arise.
- Presidents Council members must observe all customary NCAA procedures when issues arise directly involving student-athletes or the athletics programs at their own institutions (or in the case of conference issues, the institutions within their playing conference) and should not participate during consideration of such issues by the Administrative Committee, Management Council, Presidents Council or Board of Governors.

- Presidents Council members receive a link to the Quarterly meeting summary document via email within two weeks after the meeting.
- Following each Presidents Council meeting, the NCAA News will run a story about key discussion and action items.

# Policies regarding Confidentiality and Speaking Agents of the Division and Association

- Presidents Council members may not report the actions of the Presidents Council to individuals outside the Presidents Council until the meeting adjourns.
- When an issue is extremely sensitive, the Council will determine specific policies to follow outside the meeting. These will include general "talking points" and key "spokespersons" (e.g., chair, staff).
- The president of the Association and the chair of the Board of Governors are the only individuals authorized to speak on behalf of the Association except as outlined below.

An individual representing a member institution or conference who speaks or opines on an Association issue only has the authority to express the view of that individual or the member institution or conference unless the individual has been designated by the Board of Governors of the Association as a speaking agent of the Association on that issue.

• The Presidents Council chair and vice chair on behalf of the chair are hereby designated as speaking agents of the Council regarding issues within their jurisdiction on which there is consensus, except that positions of advocacy on behalf of the Presidents Council or the Association to be communicated in writing or orally to persons or entities external to the Association must have prior approval by the NCAA Board of Governors or the president of the Association.

The president of the Association may designate additional speaking agents of the Association.

# **Presidents Council at Convention**

The Presidents Council chair is the presiding officer and formally opens and closes the business session proceedings on Saturday (as well as the forum session on Friday). Beyond that, the Presidents Council chair can delegate the gavel to others during those sessions as he/she sees fit. The Management Council chair traditionally presides over the consideration of proposed legislation (especially legislation not designated in the "presidential grouping"). The Presidents Council vice chair sits with the delegates on the Convention floor and serves as governance structure "floor manager."

At the Convention, the Presidents Council meets: 1) In a joint breakfast with the Division III Management Council and Student-Athlete Advisory Committee (SAAC) on Thursday morning; 2) during a Presidents Council focus meeting Thursday late morning to early afternoon; and 3) with the President's Advisory Group (PAG) during the president's luncheon on Friday. Meals are provided as appropriate for the time of day during which the meeting is conducted.

# **Presidents Council Operating Policies**

## Administrative Structure

The actions of the Management Council and Administrative Committee are subject to review and final approval by the Presidents Council. The Board of Governors has final authority over all Association-wide matters (e.g., the Association-wide budget).

The Presidents Council is committed to working closely with the Management Council to enhance the efficiency and administration of the Division III governance structure.

Presidents Council-Management Council relationship: each receives the summary of the other's meetings, and the Management Council receives a report at each meeting on the activities of the Presidents Council. Both groups have authorized their respective chairs to communicate with each other between meetings. Two chancellors/presidents serve as members of the Management Council.

In addition, Presidents Council officers will attempt to attend Management Council meetings and Management Council officers will attempt to attend Presidents Council meetings as often as possible.

The Presidents Council and Management Council will conduct one joint meeting per year (NCAA Convention) to further the communication efforts between the two governing bodies. This meeting also includes the Student-Athlete Advisory Committee (SAAC). A joint subcommittee of Management Council and Presidents Council members has been established to identify key issues and evaluate potential legislative proposals that warrant Presidents Council review designation and sponsorship based on the division's philosophy, strategic plan or Strategic Positioning Platform. This joint subcommittee is comprised of the two presidents or chancellors and the two athletics direct reports from the Management Council, along with representatives from the Presidents Council.

#### **Appeals**

## I. General Authority

The Management Council shall review membership appeals and decisions made by a Division III committee or the NCAA staff regarding the application of NCAA legislation to a particular situation when no other committee, subcommittee, or conference has the authority to act (Const. 4.8.3(h)). All Management Council decisions shall be reported to the Presidents Council which may ratify, amend or rescind the actions of Management Council (Const. 4.4.2(g)-(h)). The Presidents Council shall hear appeals of original Management Council

actions (as opposed to Management Council appellate decisions). Presidents Council is not required to hear or act on any request for additional consideration in which an appellate opportunity has already been provided by the Management Council. Presidents Council may, however review any issue at its discretion.

Decisions of the Division III Committee on Infractions, Infractions Appeals Committee and the Committee on Student-Athlete Reinstatement are not reviewable by the Management Council or the Presidents Council.

### II. Standard of Review

A Council shall not alter the decision of the committee, subcommittee or Council that initially decided the matter unless it concludes that the committee, subcommittee or Council erred in its decision in a manner that, in the judgment of the Council affected the decision. The finding of such an error shall be based upon a determination of one of the following:

- The committee, subcommittee or Council improperly applied NCAA legislation or official interpretations;
- The committee, subcommittee or Council took an action inconsistent with established precedent; or
- The committee, subcommittee or Council deviated from its approved procedures or that the decision is clearly erroneous.

## III. Timing of Review

If an issue may be appealed to either of the Councils, the involved institution must submit a written notice of appeal to be received in the national office not later than 30 days after it has received notification of the adverse decision. The appeal must be submitted by at least two of the following institutional representatives: president/chancellor, faculty athletics representative, director of athletics, and senior woman administrator.

Each request for an appeal shall be reviewed by the officers of the applicable Council or Administrative Committee and placed on the appropriate agenda. Review of appeals shall take place only in conjunction with regularly scheduled meetings of the applicable council or the Administrative Committee. All supporting documentation from the involved institution shall be submitted no later than five business days before the meeting in which the appeal will be reviewed. Reports from the committee, subcommittee or Council that detail the initial decision shall be submitted no later than 48 hours before the meeting in which the appeal will be reviewed.

#### IV. Record for Review

The Notice of Appeal must include the reasons the institution believes the decision was erroneous.

The involved committee, subcommittee or Council, shall provide a written report setting forth the basis for its decision. The report shall identify the involved NCAA rules and interpretations and shall specify the information and precedent relied upon in reaching the decision.

All appeals shall be based on the written record, unless the Council officers conclude that compelling reasons exist to conduct an in-person meeting.

### V. Parliamentary Procedure and Recusals

For purposes of parliamentary procedure, the Presidents Council, Management Council or Administrative Committee shall constitute a "board," rather than a "committee," in applying the provisions of Robert's Rules of Order, Newly Revised; therefore, parliamentary procedures shall be those specified for boards by Robert's Rules in such matters as appeals, rehearing or other appearances. [Note: This affects such matters as motions to reconsider, amend or rescind earlier actions.]

Members shall recuse themselves from participating in the complete review process (discussion and vote) if the matter involves their institution or conference.

Members shall recuse themselves from voting on a matter of a decision by a committee or subcommittee on which they serve or if the matter involves a member of their conference. However, these members may participate in discussions related to the matter.

### VI. Decision

Upon conclusion of the review, the Presidents Council, Management Council, or Administrative Committee shall deliberate and notify the national office staff of its decision (*based on standard of review set forth above*). The national office staff shall notify the involved institution and shall provide a written confirmation of the decision. The notification should occur as soon as practical after the decision is reached and adjournment of the meeting. No notification, formal or informal, should occur before adjournment. The appellant also should be notified of any additional procedures available. No public announcement shall be made until the meeting adjourned.

### VII. Rehearing

Rehearing of an issue may be granted only on the basis of new, relevant and significant information directly related to the original findings. The applicable officers will review the submitted evidence to determine if it believes the new-evidence requirement has been met.

If, in reviewing the appeal, the Presidents Council, Management Council or Administrative Committee concludes that new information that was not made available to the involved committee or subcommittee at the time of its initial decision has been reported and that the information is of such importance, in the judgment of the Presidents Council, Management Council or Administrative Committee, to make a different result reasonably probable, the case shall be redirected to the committee or subcommittee that initially considered it for further review.

### **Conflict of Interest Policy**

The NCAA is a voluntary Association comprised of colleges, universities, conferences and other organizations, and governed through a membership-led committee structure. Within the governance structure, committee members must carefully balance their responsibilities to their respective institutions and/or conferences with the obligation to advance the interests of the Association, the division, or the sport, and ultimately enhance the student-athlete experience. While the fiduciary obligations of committee members to their own institution, their conference, and to the Association ordinarily are not in conflict, it is recognized that as a representative membership organization, committee members' fiduciary obligations are first to their institution, second to their conference, and third to the Association. NCAA committee service involves important ethical and moral obligations. Committee integrity is critical to the decision-making process and includes trust, confidentiality and honesty in all issues and aspects of service and representation. NCAA committee personal, professional, institutional, conference, or business interests and the interests of the Association that may affect or otherwise threaten such integrity, in any and all actions taken by them on behalf of the Association, for committee evaluation under this Statement.

In addition to any fiduciary obligation to their institution and conference, committee members also have a fiduciary duty to the Association not to use knowledge or information obtained solely due to service on that committee to the disadvantage of the Association during the term of committee service. Further, a Committee member shall not participate in the committee's discussion or vote on any action that might bring direct or indirect personal financial benefit to the member or any organization (other than the member's institution or conference) in which the member is financially interested. A committee member should also not participate in a discussion or vote for which the member's institution or conference is to be accorded a special benefit beyond benefits shared with other institutions or conferences or is to receive a penalty or disqualification. A violation of either of the above rules by a member of the committee shall not invalidate the action taken by the committee if, following disclosure of the conflict of interest, the committee authorizes, ratifies or approves the action by a vote sufficient for the purpose, without counting the vote of the committee member with the conflict of interest, and the appropriate oversight body approves the action. A committee member is responsible for advising the chair of any actual or potential conflicts of interest or obligations which he/she may have hereunder and should recuse him/herself from participating in proceedings, as may be warranted by this policy. Abuse of one's position as a member of a committee may result in dismissal from that position. Where such abuse appears evident, a committee member will be notified by the committee chair and will have the opportunity to present a rebuttal or details of the situation.

## Speaking Agent Policy

The president of the Association and the chair of the Board of Governors are the only individuals authorized to speak on behalf of the Association except as outlined below.

An individual representing a member institution or conference who speaks or opines on an Association issue only has the authority to express the view of that individual or the member institution or conference unless the individual has been designated by the Board of Governors of the Association as a speaking agent of the Association on that issue.

Committee chairs are hereby designated as speaking agents of their committees regarding issues within their committees' jurisdiction on which there is consensus, except that positions of advocacy on behalf of the committee or the Association to be communicated in writing or orally to persons or entities external to the Association must have prior approval by the NCAA Board of Governors or the president of the Association.

The president of the Association is hereby granted authority to designate additional speaking agents of the Association. (April 2001 Board of Governors minutes)

## **Appointment of Special Committees/Consultants**

Generally, no special committees shall be appointed by the Presidents Council. Rather than appointing special committees, subcommittees of the Presidents Council, Management Council and/or existing committees should be used for special projects, with specialized consultants added as needed.

When an ad hoc or special subcommittee is appointed, a specific charge for each such committee should be established, as well as completion and dissolution dates for each. [Note: The Administrative Committee and/or Presidents Council will review all such committees, their charges and their "sunset" dates annually.]

## **Defense and Indemnification Policy**

The Association shall defend and indemnify any present or former employee, committee member or agent of the Association who was or is a party or is threatened to be made a party to, or who is to be subpoenaed to be deposed or to give evidence in, any civil, criminal, administrative or investigative action or proceeding, including those brought by the Association, provided the conditions enumerated below are met. For purposes of this policy, "committee" shall include all Association committees, Boards, Cabinets, Councils, subcommittees and panels.

Conditions for Defense and Indemnification:

- 1. The person requesting defense and indemnification is being named as a party or subpoenaed to be deposed or to give evidence by reason of the fact that the person was or is an employee, committee member or agent of the Association or is or was serving at the request of the Association as a director, officer, employee or agent of another association, corporation, partnership, joint venture, trust or other enterprise.
- 2. The person is determined to have been acting within the scope of the person's duties to the Association.
- 3. The person is determined to have been acting in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the Association in the performance of the person's duties to the Association. In respect to any alleged criminal action or proceeding, the person must also be determined to have had no reasonable cause to believe the alleged conduct was unlawful.

Note: The termination of any action or proceeding by judgment, order, settlement, conviction or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption in regard to these determinations. However, if a person is adjudged to be liable for negligence or misconduct in the performance of the person's duty to the Association, there shall be no indemnification unless and only to the extent that the court in which such action or suit was brought shall determine that, despite the adjudication of liability but in view of all circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses as the court shall deem proper.

- 4. The person promptly and timely notifies the Association's general counsel of the actual or threatened service of process, subpoena, and notice of deposition or other legal process before incurring attorney fees or other expenses.
- 5. The person accepts counsel provided or approved by the Association and agrees to accede to the legal strategies approved by the Association's general counsel, including any settlement determinations. In the event the person wishes to hire other counsel or not accede to the Association's legal strategies, the Association shall not be obligated to defend or indemnify the person, except when it is determined that a conflict of interest exists with the Association such that retaining separate counsel is warranted.

6. The person agrees to repay any expenses, including attorney fees, incurred in bringing or defending a civil or criminal action or proceeding paid by the Association in advance of the final disposition of such action or proceeding if it is ultimately determined that the person is not entitled to be indemnified by the Association as authorized in this policy.

For purposes of this policy, "indemnification" shall consist of payment against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by the person in connection with such action or proceeding.

Determinations as to whether indemnification is proper in the circumstances because the person has met the applicable standards of conduct set forth in this policy shall be made (1) by the NCAA Board of Governors by a majority vote of a quorum consisting of members who are not parties to such action or proceeding, or (2) if such a quorum is not obtainable, or, even if obtainable if a quorum of disinterested Board of Governors members so directs, by independent legal counsel in a written opinion, or (3) by the Association's president if so delegated by the Board of Governors.

The indemnification provided by this policy is not exclusive of any other rights to which those indemnified may be entitled under any bylaw, agreement, vote of members or disinterested Board of Governors members or otherwise, both as to action in the person's official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be an employee, committee member or agent and shall inure to the benefit of the heirs, executors and administrators of such a person.

The Association may purchase and maintain insurance on behalf of any person who is or was an employee, committee member or agent of the Association, or is or was serving at the request of the Association as a director, officer, employee or agent of another association, corporation, partnership joint venture, trust or other enterprise against any liability asserted against the person and incurred by the person in any such capacity or arising out of the person's status as such, whether or not the Association would have the power to indemnify the person against such liability under the provisions of this policy.

<u>Effect of Change in Indemnification Law</u>. If any change in any applicable law, statute, or rule expands the power of the Association to indemnify a person, the change shall be within the purview of the person's rights and the Association's obligations under this policy. If any change in any applicable law, statute, or rule narrows the right of the Association to indemnify a person, the change shall have no effect on this policy or the parties' rights and obligations under this policy, except to the extent otherwise required by law, statute, or rule to be applied to this policy.

### Legislative Issues

The Management Council and Presidents Council serve a critical role in the legislative process. For legislation to be voted upon at the annual Convention the following shall apply:

- All proposed legislation must be reviewed by appropriate NCAA committees before it can be considered at an NCAA Convention. Such committees shall be required to conclude their review not later than October 7, thus assuring time for amendments-to-amendments to be submitted in accordance with the November 1 deadline.
- The Interpretations and Legislation Committee shall develop likely interpretations of proposed legislation for review by the Management Council in its pre-Convention meeting through the development of a Question and Answer document.
- The Presidents Council is obligated to fill a leadership role in Association activities; therefore, it takes positions regarding key legislative proposals, including opposition to some proposals, to fulfill that role, rather than to be "negative." The Management Council forwards recommended positions to the Presidents Council in that regard, upon initial review by the Management Council/Presidents Council Joint Legislative Steering Committee. A majority vote of the Division III Management Council (present and voting) is required to support or oppose a specific legislative proposal sponsored by the membership or to recommend that the Presidents Council support or oppose a specific legislative proposal sponsored by the membership that is deemed presidential in nature.

A majority vote of Presidents Council members present and voting is required to sponsor Division III legislative proposals. The Management Council, by a two-thirds vote of those present and voting has the authority to sponsor Division III legislative proposals that are not deemed presidential in nature. The Presidents Council will consider any proposal that received a majority vote of Management Council but not the requisite two-thirds vote.

Management Council members should support the assigned presenters of Presidents Councilsponsored legislation as needed during presentation and discussion of the proposals on the Convention floor. However, Management Council members, on behalf of the Council, shall not participate in Convention floor debate on occasions where the Management Council's position on a proposal directly conflicts from the Presidents Council's position. In these cases, the Management Council shall not express statements of opposition or support and the committees in the governance structure will be encouraged to share positions when they are consistent with the position of the Presidents Council.

• In the event an institution seeks to change an interpretation of proposed legislation acted upon by the Management Council during its pre-Convention meeting, the chair of the Business Session may direct the Management Council to take under advisement the Convention discussion in the Management Council's post-Convention review of legislative actions. If the Management Council becomes aware of such concerns in advance of meeting during the Convention, the interpretation in question may be reviewed at that time. Presidents Council Policies and Procedures Page No. 17

Other important legislative dates include:

- July 15: Deadline for submission of amendments by primary sponsor(s).
- August 15: Posting of Initial Publication of Proposed Legislation.
- September 1: Deadline for submission of amendments by the Presidents Council or Management Council.
- September 1: Deadline for submission of amendments by co-sponsor(s).
- September 15: Deadline for submission of any modification to their original amendments.
- September 23: Posting of Second Publication of Proposed Legislation.
- November 1: Deadline for all amendments-to-amendments and resolutions to be received in the national office.
- November 15: Mailing of the Official Notice of the Convention.