



**REPORT OF THE NCAA DIVISION III OVERSIGHT
GROUP TO IMPLEMENT RECOMMENDATIONS OF FEDERAL AND STATE
LEGISLATIVE WORKING GROUP (NAME, IMAGE AND LIKENESS)
APRIL 9, 2020, TELECONFERENCE**

ACTION ITEM.

- None.

INFORMATIONAL ITEM.

1. **Welcome.** President Tori Murden McClure welcomed the working group to the teleconference and reviewed the roster.
2. **Charge and Background Information.** The Oversight Group reviewed its charge and composition, as established by the Division III Administrative Committee.
3. **NCAA Convention.**
 - a. **SAAC Executive Summary.** The working group received an update from SAAC's 2020 NCAA Convention meeting, noting the following areas where the committee members seek increased opportunities for student-athletes to utilize their name, image, and likeness:
 - Research - conducting and promoting research using student-athlete status.
 - Publishing and work product – art, literature, etc.
 - Tutoring, consulting, contracting, advising – student-athletes identified this category to serve as an all-encompassing group, featuring opportunities like college selection, and consulting with expertise as a student-athlete.
 - Recruiting and scouting.
 - Student-athlete business.

In addition, the committee showed preliminary support for private lessons but was neutral on crowd funding and brand ambassadors due to the Division III Philosophy.

During this discussion, Braly Keller, SAAC chair, expressed SAAC's excitement to have this discussion and that SAAC was encouraged to possibly have the same opportunity as students in general.

- b. **Issues Forum Executive Summary.** Issue Forum feedback indicated: (1) Concept A was the closest to the current model and Division III philosophy; (2) Concept B showed that less than half of the tables were concerned about possible negative outcomes with little to no institutional control; and (3) Concept C did not seem feasible for the average Division III institution, as it would increase institutional monitoring of both student-athlete activities and institutional logo usage.

4. Interpretations and Legislation Committee Report. The working group received an update from ILC noting its recommendations to consider potential legislative action allowing Division III student-athletes to use their student-athlete status in the following settings:

- The promotion of various academic and other endeavors involving their work product (e.g., research, book publishing, class projects, tutoring, personal business, creative endeavors, media activities, private lessons).
- Participation in promotions and other endorsements (e.g., brand ambassador, commercials, appearances/autographs, modeling) provided payment is commensurate with the going rate, the institution is not involved in securing the promotion and these opportunities are not part of the recruiting process.

NOTE: ILC will continue to refine these concepts, including monitoring/reporting.

The committee didn't recommend any changes to permit crowdfunding but will continue to discuss this issue.

5. Divisional Comparison Chart. Staff reviewed a comparison chart which shows that preliminary recommendations in all three divisions are in a fairly similar place. The working group noted that all divisions do not need to end up at exactly the same place; however, consistency will be beneficial

6. NIL PowerPoint. Staff noted a DIII NIL webinar was held April 1 and that over 300 attended. The ILC proposals were shared and overall feedback was positive. The biggest question related to monitoring, compliance and education, and related challenges on campus.

7. Input from FSLWG Members. President Mary-Beth Cooper, member of the FSLWG, felt that the Division III was consistent with the direction of the working group. She noted there are many challenges due to the mission of each division and will share the comments of this oversight group during its next meeting.

8. Future Division III Meetings/Timetable.

- April 18-19 Division III Student-Athlete Advisory Committee.
- April 20-21 Division III Management Council.
- April 29 Division III Presidents Council.
- Regional Rules Seminar (TBD).
- June 17-18 Division III Commissioners meeting (TBD).
- CoSIDA/NACDA/NADIII AA (TBD).
- July 18-19 Division III Student-Athlete Advisory Committee.
- July 20-21 Division III Management Council.
- August 4 Division III President's Advisory Group.
- August 5 Division III Presidents Council.

Staff noted the challenge in obtaining membership feedback due to the elimination of in-person meetings such as Regional Rules Seminars and NACDA..

9. **Other Business.** Staff noted a Membership Feedback Form will be sent to gain additional feedback regarding NIL since events are limited. The timeframe for these to be returned are mid-May to mid-June. The Councils will review during their summer meetings to determine if any legislation is needed for the 2021 NCAA Convention.

10. **Adjournment.** The meeting was adjourned at 10:57 a.m.

Committee Chair: Tori Murden McClure, Spalding University
Staff Liaisons: Dan Dutcher, Division III Governance
Louise McCleary, Division III Governance
Jeff Myers, Academic and Membership Affairs

| NCAA Division III Oversight Working Group on NIL April 9, 2020, Teleconference |
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| Attendees: |
| Heather Benning, Midwest Conference |
| Mary Beth Cooper, Springfield College |
| Jason Fein, Bates College |
| Braly Keller, Nebraska Wesleyan University, SAAC |
| Angela Marin, University of Texas at Dallas |
| Angie Morenz, Blackburn College |
| Tori Murden McClure, Spalding University |
| Absentees: |
| Jackson Erdmann, Saint John’s University, student-athlete |
| Daryl Sims, University of Wisconsin-Oshkosh |
| NCAA Staff Support in Attendance: |
| Scott Bearby, Dan Dutcher, Debbie Kresge, Louise McCleary, Jeff Myers, Ali Spungen and Rachel Stern |