



# Governance Hot Topics Spring 2020

## Agenda

- Board of Governors updates.
  - Name, image and likeness.
- Championship updates.
  - Joint basketball championships.
  - Championship site selection and bid process.
- Sport Science Institute (SSI) strategic priorities.
- NCAA Injury Surveillance Program.
- 2020 NCAA Convention Legislation.

## Agenda

- NCAA Transfer Portal.
- Division III updates.
  - Division III University.
  - Ice hockey international certification pilot.
- Officiating.
- Senior Woman Administrator resources.
- Working group updates.
- Division III Identity Initiative.

## Name, Image and Likeness

### Background:

- In May, BOG created an A-wide working group.
- Trigger: State (California) and federal draft legislation.
- Reviewed existing NIL legislation and recent waiver and interpretation trends.
- In Oct., BOG voted to permit student-athletes to benefit from the use of their NIL consistent with the collegiate model.

## Name, Image and Likeness

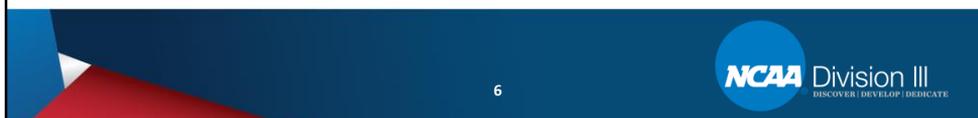
- The BOG charged each division with modernizing its rules within a collegiate framework.
- Division III will determine its best course of action.
  - Held two educational webinars in November.
  - Created Division III-specific Oversight Group.
  - Discussed and received feedback at 2020 Division Convention Issues Forum.
  - Governance committee review and recommendations (Feb. to Aug.).

### BOG principles and guidelines:

- Assure student-athletes are treated similarly to non-athlete students unless a compelling reason exists to differentiate.
- Maintain the priorities of education and the collegiate experience to provide opportunities for student-athlete success.
- Ensure rules are transparent, focused and enforceable and facilitate fair and balanced competition.
- Make clear the distinction between collegiate and professional opportunities.
- Make clear that compensation for athletics performance or participation is impermissible.
- Reaffirm that student-athletes are students first and not employees of the university.
- Enhance principles of diversity, inclusion and gender equity.
- Protect the recruiting environment and prohibit inducements to select, remain at, or transfer to a specific institution.

## **Name, Image and Likeness**

- Key governance review committees.
  - SAAC, ILC, SLR and SAR.
- Management and President Council initial review in April.
- Seek additional membership feedback (D3CA summer meeting, Regional Rules Seminars, etc..).
- Final MC and PC review in July/August.
- Proposed legislation at 2021 NCAA Convention.



SAAC had an initial review in January.

Three Board of Governor working group models for permissible NIL:

- Independent of student-athlete status.
- Includes student-athlete status.
- Institutional management.

ILC review in February.

## Joint Basketball Championships

- Based on recommendations that originated from the men's and women's Division III basketball committees and endorsed by the Championships Committee, the Councils approved one joint championship, per gender, before 2024-25.
  - 2020 – men in Atlanta.
  - 2023 – women in Dallas.
- Primary rationale: unequaled opportunity to promote the division.
- Championship season extended for two weeks for 2 teams.
- Cost is approx. \$250K per championship. SPFC approved funds from Division III Identity Initiative budget.

## Championships Site Selection and Bid Process

- NCAA is currently seeking bids for 86 of its 90 national championships for 2022-26.
- Bids accepted at [ncaa.org/bids](https://ncaa.org/bids).
- Timeline:
  - Feb. 3 – bid responses due.
  - March to Sept. – committee deliberations, recommendations and approvals.
  - Oct. 23 – hosts/sites announced.

## Sport Science Institute

- Independent health care: athletic trainer coverage.
- Health and Safety Survey. (Pilot in 2019-20)
- Arrington concussion settlement.
  - Certification, in writing, that schools have a concussion management plan – due no later than May 18, 2020.
  - Annual baseline testing of all student-athletes in 2020-21.
  - Management Council approved non-controversial legislation to require the annual reporting of all concussions. (Association-wide)
  - Frequently Asked Questions document.

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Sport Science Institute (SSI) Updates. Current initiatives and priority areas:

The Sport Science Institute received approval from the BOG to create a white paper and internal task force to examine athletics trainer coverage and in particular, liability issues with coverage for visiting teams. Two primary concerns: 1.) If a home ATC provides care and determines the best course of action and the visiting team isn't traveling with an ATC, does the home ATC have the final authority? and 2.) Does the home ATC have the liability insurance to care for the visiting players, coaches and officials? Anticipate a final endorsement by the BOG in August.

Management Council approved the administration of the SSI health and safety survey as a Division III pilot for 2019-20. 240 institutions participated in the survey that was distributed in late Dec. Staff will create a summary of the responses and survey the participants on the process. Management Council will review the feedback at its April meeting.

Arrington concussion class settlement finalized in November. The settlement agreement provides NCAA member institutions with an opportunity to benefit from a release from certain legal claims that might otherwise be brought by members of the settlement class. To benefit from the release, member institutions must certify in writing that they have put in place a concussion management plan that meets the requirements of Section IX.A. of the settlement agreement (described in the attached FAQ document). Certifications must be delivered to certain court-identified settlement representatives within six months of the settlement agreement effective date of November 18, 2019, which means schools will have to deliver their written certifications no later than May 18, 2020. Guidance on the certification process will be made available to the membership in early 2020.

The Frequently Asked Questions document has been provided to facilitate member institutions' review of the settlement terms. Additional information and instructions will be provided by the NCAA national office in the coming months.

## Injury Surveillance Program

- What is the NCAA ISP? Benefits in participating.
- Perceived obstacles, current and potential participation rates.
- In 2018-19, increased participation from 10% to 23%.
- Next steps include:
  - Continue to enhance communication.
  - Encourage institutions to submit data on two sports, of their choosing.
  - Quarterly reports to conference commissioners.

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The ISP is a data collection initiative designed to protect the health and safety of student-athletes. Since 1982, athletic trainers have collaborated with the NCAA to create the largest collegiate sports injury database program in the world. Today, the NCAA partners with the Datalys Center to manage the ISP and to inform injury prevention policies and practices at all levels of sport. Your help, through participation, is critical to the success of the ISP and to enhancing student-athlete care.

How will I benefit from participating in the ISP?

- Receive regular access to data that can inform injury prevention practices, risk and personnel management, and medical decision-making.
- Free continuing education credits for athletic trainers who submit the data. (10 – one time credit)
- Contribute to national health and safety policy and sport rules changes.

Obstacles and participation rates: Participation requires a time commitment of approximately 20 additional minutes of data submission per week, per sport. Currently 75% of Division III institutions have the technology to submit the data, but less than 10 percent are participating in the program.

For the second consecutive year, staff is encouraging participation in the NCAA Injury Surveillance Program (ISP). The ISP is a data collection initiative designed to protect the health and safety of student-athletes. Last year, Division III increased its participation from less than 10% to 23%. With 75% of Division III institutions having a compatible software system, staff would like participation rates to continue trending upward. The NCAA partners with the Datalys Center to manage the ISP and to inform injury prevention policies and practices at all levels of sport. The membership's help, through participation, is critical to the success of the ISP and to enhancing student-athlete care.

## 2020 Legislation Votes

PROPOSAL NUMBER	BUSINESS SESSION	RESULT	COUNT
2020-1	III	Adopted	467-8-0
2020-2	III	Adopted	454-24-2
2020-3	III	Adopted	448-31-1
2020-4	III	Adopted	433-44-1
*2020-5	III	Motion to Divide Adopted	366-90-18
*2020-5A	III	Adopted	387-59-31
*2020-5B	III	Adopted	218-196-66
*2020-5-1	III	Withdrawn	NA

*\* Effective immediately*

The Convention Q&A is now Educational Columns searchable on LSDBi. Also ILC will be reviewing those columns and determining if any of the questions should be interpretations.

Proposal No. 2020-1. ADOPTED. Requires an active member institution or conference to designate an athletics diversity and inclusion designee to be the primary contact and conduit for diversity and inclusion-related information. This proposal has an August 1, 2020 effective date.

Proposal No. 2020-2. ADOPTED. Reduces the provisional membership process from four to three years and eliminates any waiver during the provisional process. This proposal has an August 1, 2020 effective date.

Proposal No. 2020-3. ADOPTED. Reduces the reclassifying membership process from four to three years and eliminates the exploratory year requirement. This proposal has an August 1, 2020 effective date.

Proposal No. 2020-4. ADOPTED. Permits an institution, at its discretion, to provide snacks and permissible nutritional supplements to student-athletes as a benefit incidental to their participation in intercollegiate athletics. This proposal has an August 1, 2019 effective date.

Proposal No. 2020-5 (2020-5a & 2020-5b) ADOPTED. To permit an institution to provide expenses for practice activities conducted during an official vacation period for the sports of golf and swimming and diving anywhere in the continental United States. This proposal has an immediate effective date.

## 2020 Legislation Votes

PROPOSAL NUMBER	BUSINESS SESSION	RESULT	COUNT
2020-6	III	Adopted	293-180-4
2020-7	III	Defeated	174-195-109
2020-8	III	Adopted	367-28-74
2020-9	III	Adopted	419-11-45
2020-10	III	Adopted	423-36-6
*2020-11	III	Adopted	423-21-32
R2020-12	III	Adopted	334-114-23

*\* Effective immediately*



Proposal No. 2020-6. ADOPTED. Permits student-athletes serving in team leadership capacity to voluntarily participate in leadership programming involving general, athletically related content outside the declared playing season with any member of the institution’s coaching staff. This proposal has an August 1, 2020 effective date.

Proposal No. 2020-7. DEFEATED. Add equestrian as an emerging sport for women.

Proposal No 2020-8. ADOPTED. Add acrobatics and tumbling as an emerging sport for woman and establish legislation related to the playing and practice season and membership for the sport. This proposal has an August 1, 2020 effective date.

Proposal No. 2020-9. ADOPTED. Add women’s wrestling as an emerging sport for women and establish legislation related to the playing and practice season and membership for the sport. This proposal has an August 1, 2020 effective date.

Proposal No. 2020-10. ADOPTED. To permit institution in year three of the Division III provisional or reclassifying membership process to count towards the seven institutions necessary to comprise a conference provided there are at least four active member institutions. This proposal has an August 1, 2020 effective date.

Proposal No. 2020-11 ADOPTED. To permit Division III member institutions with Division I sports to apply Division I legislation, except Bylaw 15 (financial Aid), to the Division I sport. This proposal has an immediate effective date.

Proposal No. R-2020-12 ADOPTED. To request the Softball, Baseball and Championships Committees to review and discuss identified issues concerning the softball and baseball national championships.

## NCAA Transfer Portal

- As of Oct. 15, Division III has been able to use the NCAA Transfer Portal on a voluntary basis.
- The portal includes:
  - Student-athlete information.
  - Permission to contact.
  - Student-athlete transfer tracer.
- Compliance benefits:
  - Maintains the Division III self-release.
  - Creates a standard transfer tracer.

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Not a recruiting portal – it is a compliance tool.

Management and Presidents Councils approved Division III using the portal in 2019-20. What does the mean?

1. Students will still have the opportunity to use the self-release.
2. Once a student determines that they want to transfer, the compliance director may enter them into the portal, providing permission to contact. It is a voluntary decision by the compliance officer.
3. Initial information includes:
  - NCAA ID number – can get with the completion of the FREE Profile page on the Eligibility Center webpage.
  - Enter the student's name, email, and sport.
4. If the compliance officer chooses, they may use the standard transfer tracer associated with the portal.

Benefits with the system – standardized transfer tracer, centralized information, greater transparency, efficiency and consistency, repository of transfers and greater access to the information.

Division III began using the portal on Oct. 15. Staff held webinars in August and November, and the PowerPoints are housed on [ncaa.org](http://ncaa.org), Division III webinar page.

## Division III University

- “Division III University” – an online, web-based education portal launched in January.
- The modules include existing resources, such as:
  - Overview of NCAA Division III.
  - Student-athlete well-being.
  - Compliance.
  - Gameday the DIII Way.
- In August, access expanded to associate/assistant ADs, FARs, athletic trainers and compliance directors.

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Student-athlete well-being modules include two SSI developed modules: mental health and sexual violence prevention. Also includes 360 Proof alcohol prevention modules and Gameday the DIII Way – the Division’s sportsmanship and game environment initiative.

DIII University initially available to commissioners, ADs, SWAs and head coaches. In August, provided access to associate and assistant ADs, FARs, athletic trainers and compliance directors.

## Ice Hockey International Pilot

- Management Council endorsed a second year of the pilot with modifications.
- Student-athletes completed the Eligibility Center's certification application. A review was triggered by an institution submitting an IRL on or after August 1.
- Student-athletes paid the standard certification fee with their initial registration, and the NCAA reimbursed 50% at the conclusion of the review.
- This year, the EC conducted 156 student-athlete reviews.
- In April, the Council will review the pilot feedback.

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In coordination with the NCAA Eligibility Center (EC), the SPFC and Management Council approved a pilot in 2018-19 for men's and women's international ice hockey student-athlete certification. The EC conducted a sports participation review history of all international, first year men's and women's ice hockey players (approximately 200). The NCAA paid the \$135 fee to conduct each review, normally paid by the prospective student-athlete. Staff solicited feedback from pilot participants and 80% endorsed a second year of the pilot.

In April, Management Council approved a second-year pilot with the following parameters:

- a. Student-athletes will complete the EC's certification application. A review will be triggered by an institution submitting an IRL on or after August 1.
- b. Student-athletes will pay the standard certification fee (max. \$150) with their initial registration, and the NCAA will reimburse 50% at the conclusion of the review.

The Management Council will review the feedback and discuss possible next steps at its April 2020 meeting. The Council will not fund another pilot year.

## Officiating Update

- In Oct., the Management Council received an update on current officiating issues in Division III.
- D3CA hired a contractor to study the issue and propose solutions. The NCAA has hired the same contractor (Pictor Group) to oversee a national, A-wide review. Report due Aug. 2020.
- NCAA has created an Officiating Review Steering Committee with divisional representation. Teleconference in early Jan. and in-person meeting at the Convention.

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The Council received an update on the current officiating issues in Division III as well as the NCAA's role and current and potential initiatives to address those issues.

The Division III Commissioners Association hired a contractor (Pictor Group) to study the issue and propose solutions to close the officiating gaps. The NCAA has asked the Pictor Group to oversee a national Association-wide review. The Division III officiating study results are slated for a June 2020 release.

An Officiating Review Steering Committee inclusive of representatives from all three divisions has been established. The review is comprehensive and ambitiously includes 25 men's and women's NCAA sports. The role of the Steering Committee will be to help guide the information and data gathering process, assist with outreach to membership as well as the officiating communities, and to advise during the data analysis, report preparation and final recommendations. Division III reps include Katie Boldvich, Keri Luchowski, Dan McKane, Patrick Summers and Kim Wenger.

## Senior Woman Administrator Resources

- NCAA Office of Inclusion has released three (3) resources, on NCAA.org, to eliminate confusion around the designation.
  - The first resource clarifies the designation and its importance.
  - The second resource provides discussion questions about the designation that includes what success looks like.
  - The newest resource details division-specific obstacles.

SWA new resources: The office of inclusion has released three new resources as part of an action plan that was developed based on the findings in the Optimizing the Senior Woman Administrator Research Report (2018). The first resource clarifies what exactly the designation is and why it's important. The second resource provides discussion questions about the designation that include commentary on what success looks like for the designation to be used by athletics directors, conference commissioners, senior woman administrators and other relevant campus leaders. The newest resource details division-specific obstacles SWAs need to face and overcome.

The NCAA office of inclusion's findings of an Association-wide study of the SWA designation. Sixty-one (61) percent of SWAs, 42 percent of athletics directors and 67 percent of conference commissioners completed the survey. The survey revealed that there is still a lot of confusion around the designation. Only half of SWA respondents understand their role and a significant perception gap exists between athletics directors and SWAs. While 92 percent of athletics directors reported that they understand the SWA role, just 45 percent of SWAs reported having an athletics director who understands it. Further, the survey showed that 70 percent of Division III institutions had zero to one female administrator(s). The key findings as well as the full report are on NCAA.org.

## Gameday the DIII Way

- Gameday the DIII Way is a Division III-specific game environment standard to improve fan behavior and overall game environment and experience.
- Resources are available on the Division III Sportsmanship page. Online modules available in Division III University.
- Goals for 2019-20:
  - Encourage campuses and conference offices to invite a facilitator to conduct the training.
  - Hold two Ambassador trainings (Dec. and June).
  - Create NCAA championship public service announcements.
  - Request RACs and sport committees to watch the online module.

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Gameday the DIII Way is the outcome of a collaboration between the Division III Sportsmanship and Game Environment Working Group and the Disney Institute, a global leader in the development of customer service standards. Gameday the DIII Way provides Division III-specific game environment standards focused on improving parental and fan behavior. A list of trained facilitators can be found on [ncaa.org](http://ncaa.org), and over a hundred Division III administrators have been trained to facilitate the 90-minute training program. There are resources available on [ncaa.org](http://ncaa.org) on the Division III sportsmanship webpage. The training also is available in Division III University.

For 2019-20, staff continues to encourage campuses and conferences to invite a trained facilitator to provide the in-person trainings. Staff also is working with championships to incorporate Gameday into the Division III national championships. Action steps include producing a Gameday public service announcement to be read at all championships; requesting Regional Advisory Committee members and sport committee members to watch the on-line training as many serve as on-site representatives. In 2020-21, staff anticipates including the Gameday principles in all of the championship manuals (e.g. participant, host operations, etc.).

## LGBTQ Working Group

- Last year, distributed LGBTQ nondiscrimination policy guide, LGBTQ identity kit that includes a banner, posters, and stickers with the ONETEAM logo.
- Developed a facilitator training program and trained 55 individuals (May and Dec. 2019).
- Held an LGBTQ celebration event (2020 NCAA Convention).
- Opened the LGBTQ recognition award nomination process. Recipients recognized at 2021 Convention



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In Sept., the Division III LGBTQ Working Group released the LGBTQ Nondiscrimination Policy Guide and mailed an LGBTQ-inclusion promotion kit to every institution and conference office to help member institutions and conferences establish and maintain welcoming environments on their campuses. The promotion kit included the initiative's "ONETEAM" logo. Institutions and conference offices are encouraged to use the #d3oneteam hashtag when posting photos and comments on their social media platforms.

The working group developed a facilitator training program. The first training occurred May 22-23 and involved 29 participants and a second training occurred Dec. 17-19 in Indianapolis. The facilitator program has four objectives:

- a. To understand the involvement of the NCAA and Division III in LGBTQ inclusion;
- b. To recognize the importance of LGBTQ inclusion in college athletics; learn common LGBTQ terms, definitions and concepts;
- c. To identify strategies and best practices for institutions and conferences to ensure all individuals may participate in an athletics climate of respect and inclusion, regardless of sexual orientation, gender identity or gender expression; and
- d. To develop facilitation and presentation skills. The program is designed to provide peer-driven LGBTQ educational programming directly to Division III institutions and conferences. Facilitators will oversee the two-hour OneTeam Program on campuses and in conferences. Institutions and conference offices may request a facilitator. Details are on [ncaa.org](http://ncaa.org).

The working group also held a reception for the 2020 NCAA Convention. Staff launched the inaugural LGBTQ recognition award nomination process (LGBTQ student-athlete, LGBTQ coach/staff or administrator award and institution/conference award). Recipients will be recognized at the 2021 Convention.

## Identity Initiative

- Division III Week - April 13-19, 2020.
- Launched a Division III Instagram account. (Nov. 2018)
- Purchasing website.
- Special Olympics partnership.
- D3SIDA recognition award.
  - Three awards each year (\$1,500).
- Strategic Communications guide.

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DIII Week. The ninth annual Division III Week was April 13-19, 2020

Instagram account. Staff launched an Instagram account in November 2018. It now has more than 11,000 followers.

Purchasing Website. On September 10, all institutions and conference offices received a new \$500 credit to purchase items on the Division III purchasing website by August 31, 2020. Gameday the DIII Way and LGBTQ ONETEAM items, also are available.

Special Olympics. Staff continues to request that institutions report its Special Olympics activity. This partnership continues to be a priority of national SAAC and the division.

D3SIDA recognition. For the fourth consecutive year, in October, February and May, SIDs can submit stories and videos for the D3SIDA recognition award for best work. Winning submissions received \$1,500 to attend the annual CoSIDA Convention that includes Division III Day.

Strategic Communications Guide. A working group updated the existing 2012 Strategic Communications Guide that provides data regarding sports information directors and best practices. The guide was distributed to the membership in June and at the NCAA Convention and also is on [ncaa.org](http://ncaa.org).

# Questions