REPORT OF THE
NCAA DIVISION III MEMBERSHIP COMMITTEE
JUNE 23-24, 2016, IN-PERSON MEETING

ACTION ITEMS.

• Legislative Items.
  a. Class Size Limit – NCAA Bylaw 20.3.2 (Class Size and Assignment).

    (1) Recommendation. Sponsor Convention legislation to modify the limitations on
        the number of institutions admitted to the provisional or reclassifying membership
        program to indicate that ‘there shall be a maximum of four institutions admitted in
        any one year, with no more than 12 total institutions participating in all years of
        the provisional or reclassifying program.”

    (2) Effective Date. September 1, 2017.

    (3) Rationale. In setting an overall limit on the number of schools in the new
        membership process at any time, the Membership Committee aims to improve the
        quality of attention and service provided to each new member institution. Limiting
        the number of institutions in the process to 12 will allow each school to have an
        experienced mentor, by allowing new committee members the opportunity to
        spend one year on the committee before assigning as mentor to a new school.
        Participant institutions in the exploratory year would not be included in
        calculations of the limit.

    (4) Estimated Budget Impact. None.

    (5) Student-Athlete Impact. None.

  b. Elements –Bylaw 20.3.2 (Class Size and Assignment).

    (1) Recommendation. Sponsor noncontroversial legislation to clarify that the four
        legislated elements to be reviewed during an institution’s evaluation for acceptance
        and placement in the provisional/reclassifying membership process are each items
        for consideration that are not ordered by priority, and to add an institution’s current
        provision of athletics aid as an additional element to be considered during
        evaluation.

    (2) Effective Date. Immediate.

    (3) Rationale. Each legislated criterion the Membership Committee reviews when
        conducting candidacy evaluations is evaluated in conjunction with the others, with
        no one element favored over another. When taken as a whole, these attributes are
        predictive of an incoming member institution’s membership success, and, are not
        reviewed independent of each other. In addition, the committee has noted over time
        that whether a membership candidate institution offers athletically related financial
        aid has an impact on future membership success. These revisions to the legislation
        will clarify how the committee evaluates candidate institutions.
INFORMATIONAL ITEMS.

1. Welcome and Announcements. The committee commenced business at 8:07 a.m. Eastern time Thursday, June 23, 2016. The chair welcomed President F. Javier Cevallos to his first in-person meeting and also welcomed Reed Fogle, the 2016-17 Division III governance intern, and Erin Burke, the 2016-17 academic and membership affairs intern.

2. Membership Committee Roster and Conflict of Interest. Committee members were reminded of the NCAA Conflict of Interest Policy and proper procedures for recusal in the event that a conflict of interest might arise. Committee members reviewed the conflict of interest documentation and updated as necessary. Committee members followed the recusal procedures during all deliberations.

3. Review updated policies and procedures. The committee reviewed and approved the committee policies and procedures documents, noting a change to the conflict of interest policy to ensure that committee discussions relate only to committee business. The committee asked NCAA staff to amend language on page three of the document to remove a current sentence fragment in the document.

4. Review February 10 teleconference report. The committee reviewed and approved the February 10 teleconference report, noting that the Division III Management Council has now acted on, and accepted the recommendations within the report.

5. Division III Governance Update. NCAA governance staff reviewed the following key items with the committee:
   a. Changes to the Division III reserve policy;
   b. NCAA and CBS/Turner contract extension and revenue disbursement;
   c. Playing and Practice Seasons Subcommittee review;
   d. Progress of the division’s Diversity and Inclusion working group;
   e. Championships access improvements;
   f. Technology users group;
   g. Changes to the composition of the NCAA Board of Governors;
h. Impact of Fair Labor Standards Act changes on Division III institutions;

i. ADR Institute; and

j. Sportmanship and Game Environment educational modules.

6. **Multidivision Institutions.** The committee discussed the legislated requirement that Division III institutions that sponsor a Division I sport must apply the rules of both divisions, or the more stringent rule if both divisions have a rule concerning the same issue for that particular sport. Committee members noted the legislation can cause restrictions that detrimentally impact Division III transfer student-athletes when compared to their Division I counterparts. Specifically, the transfer student-athlete who leaves a Division III institution and goes to a Division I institution would use a season of participation, whereas the student-athlete who transfers to a Division III institution from a Division I institution would not use a season for any redshirting activity in the previous division. Committee members wondered whether it is fair to limit the student-athlete experience for Division III student-athletes because they are involved in Division I athletics, when the division has explicitly permitted Division III schools to operate under a multidivision construct. The committee agreed that a recommendation to allow institutions in this position to apply Division I legislation in all areas other than financial aid is not unreasonable. The committee reviewed the legislative history of the multidivision classification legislation and noted that when the membership adopted the legislation in 1983, the rationale behind the restrictions stemmed from fears that Division III institutions would sponsor multiple Division I sports and there would be a conflict of divisional philosophies across Division III campuses. The committee agreed that in the present environment, the Division III philosophy has been firmly established and is ingrained in the operation of all Division III athletics departments. NCAA staff informed the committee that only 12 Division III institutions have Division I sports, and that Division I legislation now prevents any additional institutions from becoming multidivisional classification in Division I. The committee noted that should any of those institutions want to propose legislation, the number of institutions directly impacted by this issue falls short of the minimum number of 20 sponsoring institutions or two conferences. Committee members cautioned the group that a wide selection of bylaws impact student-athletes, including benefits, recruiting and amateurism. The committee discussed concerns with the future state of amateurism in Division I and what impact that might have on multidivision institutions. The committee agreed not to take immediate action, but instead to solicit information from the institutions directly impacted by this legislation, with the intent to determine if those 12 institutions are in consensus on the direction that should be taken with this legislation and to discuss the feedback at a later meeting.

7. **Division III Provisional/Reclassifying Membership.**

a. Current Roster. The committee reviewed the current roster of provisional and reclassifying institutions and their mentors. NCAA staff answered committee questions regarding timing of initial communications between committee mentors and exploratory institutions. Staff recommended that mentors wait until after the exploratory institutions have completed the exploratory membership orientation, due to the potential of many of the exploratory institutions’ questions being answered by staff at that meeting.
b. **Process Advancement** – 2015-16 Provisional and Reclassifying Institutions. The committee reviewed annual reports from the following provisional and reclassifying institutions and took the following actions:

1. **Year One to Year Two – Approval.** The committee accepted the annual report from Belhaven University with feedback in areas where the institution could enhance its current practices, and approved their advancement in the membership process from year one to year two.

2. **Year Two to Year Three - Approval.** The committee accepted the annual reports of the following provisional and reclassifying institutions with feedback in any areas where the institutions could enhance their current practices, and approved their advancement in the membership process from year two to year three:
   - Alfred State College;
   - Berea College (see item 7(b)(4));
   - Bryn Athyn College (see item 7(b)(4));
   - Iowa Wesleyan College;
   - McMurry University (reclassifying); and
   - Pennsylvania College of Technology (see item 7(b)(4)).

3. **Year Two to Year Three – Conditional Approval.** The committee reviewed the annual report from Illinois Institute of Technology and confirmed that the institution fulfilled all requirements for provisional membership during the 2015-16 academic year; however, the committee also expressed deep concerns with the thoroughness and completeness of the institution’s annual report. As a result, the committee approved the school’s advancement from year two to year three on the condition that the institution satisfy additional requirements in addition to the established obligations of year three of the membership process.

4. **Approval of Membership Process Acceleration.** The committee accepted the annual reports of the following provisional institutions and approved the institutions’ requests to waive the four-year participation requirement in Bylaw 20.3.3 and bypass year three of the provisional membership process:
   - Berea College;
   - Bryn Athyn College; and
   - Pennsylvania College of Technology.

5. **Denial of Membership Process Acceleration.** The committee denied the request from McMurry University (reclassifying) to waive the four-year participation requirement in Bylaw 20.3.3 and bypass year three of the
provisional membership process. The committee noted that although the institution has been an excellent candidate throughout the process, the legislative language prevents the institution from being eligible to apply for the waiver.

(6) **Election to active membership.** Approval. The committee accepted the annual reports of the following provisional institutions with feedback in areas where the institutions could enhance their current practices, and approved their election to active membership status per NCAA Constitution 3.2.3.3:

(a) Houghton College;  
(b) Southern Virginia University; and  
(c) University of Valley Forge.

8. **Division III Active Membership.**

a. **Athletics Program Assessment Review – 2015-16 Probation Institutions.** The committee reviewed, and took action on, the following athletics program assessments from institutions that are in year one of their probationary period:

(1) **Accepted.** The committee accepted the program assessments of the following institutions:

(a) St. John’s University (Minnesota)  
(b) York College (New York)  
(c) SUNY Buffalo State; and  
(d) Louisiana College.

(2) **Accepted with Opportunities for Enhancement.** The committee accepted the program assessments of the following institutions and provided feedback in areas where the institutions could enhance their current practices:

(a) Maranatha Baptist College; and  
(b) Green Mountain College – resubmission.

(3) **Approval with Restricted Status – Trinity Washington University.** The committee approved the program assessment from Trinity Washington University. However, the committee noted that the institution failed to satisfy the overall sports-sponsorship requirements for the second time within the probationary period. Specifically, the institution failed to meet overall sports sponsorship for the 2015-16 academic year.
Due to this failure, the institution will automatically move to restricted status for the 2016-17 academic year, as of September 1, 2016. The committee did not require the institution to resubmit the athletics program assessment. However, in addition to all other conditions of restricted status, the institution must submit full and complete sports sponsorship results at the close of each of the fall, winter and spring seasons.

(4) Rejection and Restricted Status – Rust College. The committee rejected the program assessment from Rust College and voted to move the institution to restricted status for the 2016-17 academic year, as of September 1, 2016. During the review of Rust College, the committee noted the institution’s submission was not sufficiently thorough and incomplete. For this reason, the committee directed the institution to resubmit the athletics program assessment not later than May 15, 2017. The committee noted the institution also failed to satisfy the overall sports-sponsorship requirements for the second time within the probationary period. Specifically, the institution failed to meet sports sponsorship in three different sports during the 2015-16 academic year in the following sports, and had two additional sports that were unverified.

The committee noted that the sports sponsorship failure itself triggers restricted status. Due to the failure to satisfy the overall sports-sponsorship requirements for the second time within the probationary period, in addition to satisfying all other conditions of restricted status, the institution must also submit full and complete sports sponsorship results at the close of each of the fall, winter and spring seasons.

b. Co-ed Transition Update – Bylaw 20.11.3.10.2 (single-gender institution transitioning to co-educational institution). The committee reviewed updates from two institutions that summarized the institutions’ progress on transitioning from a single-gender institution to a co-educational institution:

(1) Pine Manor College. The waiver the institution previously received for the 2014-15, 2015-16 and 2016-17 academic years requires the institution to submit an annual update through the conclusion of the 2016-17 academic year. The committee expressed concerns regarding the institution’s progress through the transition. Specifically, the committee noted the institution has changed its transition plan for the second year in a row and does not demonstrate a clear or detailed plan moving forward. Noting the institution’s current probationary status for shortcomings with their women’s sports, the committee also noted the institution is currently on academic probation with its accrediting agency. The committee instructed staff to discuss the institution’s progress through the process with institutional executive administrators.

(2) Wilson College. The committee reviewed an update from Wilson summarizing the institution’s progress on transitioning from a single-gender institution to a co-educational institution. The waiver the institution previously received for the 2013-14, 2014-15 and 2015-16 academic years requires the institution to submit an annual update through the conclusion of the 2015-16 academic year. The committee noted the institution provided an exemplary and thorough update to its transition plan and showed substantial progress toward its goal and voted to grant
the institution a second three-year waiver for the 2016-17, 2017-18 and 2018-19 academic years, as is permitted under the legislation in Bylaw 20.11.3.10.2.

c. **Probation Institution Summary.** Staff noted that six institutions will complete the probationary period and return to active status in good standing on September 1, 2016. Staff informed the committee that historical records of institutional probationary and restricted status are kept on file should future issues arise.

d. **Overview of the 2015-16 Sports-Sponsorship Audit.** Staff informed the committee that six institutions were randomly selected to be audited for sports sponsorship for the 2015-16 academic year following the NCAA Sports Sponsorship and Demographic Form submission deadline of August 15, 2016. Staff also informed the committee that institutions will be identified to be audited for-cause for the 2015-16 academic year once the membership sports sponsorship data review is completed by NCAA research staff.

9. **Educational Initiatives.**

a. **2016 NCAA Regional Rules Seminar Attendance – Constitution 3.2.4.15.** Staff informed the committee that the institutions that were required to attend the 2016 NCAA Regional Rules Seminars achieved full attendance. The committee also recognized the following institutions that have had perfect attendance since the start of reporting of rules seminar attendance in 2007:

- College of Wooster;
- Colorado College;
- Morrisville State College;
- Plattsburgh State University of New York;
- State University of New York at Geneseo; and
- University of Chicago.

b. **Division III Commissioners Update.** The committee received an update on issues discussed at the June 2016 Division III Conference Commissioners Associations meeting. The information included development of best practice policies for transgender student-athletes and a communications and best practices guide for commissioners and presidents to effectively communicate. NCAA championships liaisons also presented the commissioners with information regarding changes to championships selections.

c. **Getting in the Game Video Update.** Staff noted the 2016-17 Getting in the Game videos will be ready for release August 1, 2016.

d. **Division III Rules Test.** NCAA staff provided the committee an updated version of the 2016-17 Division III Rules Test that incorporated the committee's previous suggestions. The committee approved the test as amended. The committee reviewed the current format and subject matter of the test and declined to make fundamental changes, noting that the current structure and level of difficulty is appropriate in light of the purpose of the exam. Specifically, the test is designed to encourage use of the Division III Manual.
and LSDBi service and provides institutions with a method to augment general rules education.

e. **2016 NCAA Division III Institutional Self-Study Guide (ISSG) Update.** NCAA staff informed the committee that 155 Division III institutions were required to submit the 2016 ISSG per the once-in-five-years requirement in Constitution 6.3.1 were in compliance with the ISSG requirements.

The committee granted the College of New Rochelle an extension to complete the ISSG due to extenuating circumstances surrounding administrative transition that would prevent the successful completion of the ISSG prior to the deadline.

The committee discussed feedback it received from the membership regarding the new ISSG instrument. Institutions reported that the new substance of the instrument is thorough and helpful for institutions; however, institutions noted areas of overlap that caused repetitive responses. Specifically, documentation that answers multiple questions in the instrument must still be uploaded to the system for each question that the documentation answers.

f. **Provisional and Reclassifying Membership Process Question and Answer Document.** Staff provided the committee an updated version of the membership process question and answer document. The committee approved the document as amended.

10. **Institutions with Persistent Membership Issues.** The committee discussed the trend in institutions that continue to have issues that threaten their membership in the division. The committee was concerned with the seeming lack of comprehension of the gravity of reaching restricted status. Committee members agreed that presidential involvement at an earlier point is necessary to foster intervention and change at a point in the probationary process when effective changes are still possible. Committee members suggested that the presidents of institutions should have a private discussion with NCAA staff and/or the committee without the director of athletics involved.

The committee also strongly encouraged integrating an institution’s conference office into discussions and remedies. The committee believes that conversations with an institution’s conference leadership have had a significant impact in past cases and agree that including an institution’s conference is an appropriate element. Committee members also noted that the NCAA infractions process has a requirement that the institution must notify the conference of the situation. The committee agreed that such a requirement should be applied similarly in membership scenarios and determined that a probationary institution must have a discussion with the conference. For institutions not in a conference, having a conversation at the executive level with someone from the committee would be appropriate, or perhaps receiving a letter addressed by a sitting president or executive on the committee. The committee agreed that hearing from a committee member via phone also raises the level of importance in the situation.
The committee agreed that the original intent of the first year in the probationary process was to be an educational and non-punitive step; however, many committee members suggested comparing membership probation with the objectively stricter procedures within the infractions and enforcement process. Committee members noted that an institution that commits a major violation incurs significant consequences as a first step of the process, and is also required to take measures to remedy the violation. The committee noted that within the membership probationary process, the athletics program assessment has no questions that directly speak to the membership violation itself. The current assessment does not address how the institution came to commit the violation, nor does it have a corrective action plan to move forward. Committee members agreed that a corrective action plan should be included within the athletics program assessment and that it must be reviewed and signed by the top five administrators at the institution and the chief conference officer.

The committee instructed NCAA staff to draft a corrective action plan document with enhanced accountability requirements and develop a set of remedial standards that are appropriate for the probationary period and restricted status.

11. **Terminology for Probation.** Staff notified the committee of a conflict in the use of the word “probation” when compared for enforcement purposes and for membership purposes. Staff noted that the term is applied differently in each arena. Specifically, the enforcement and infractions operate independent of the membership legislation, conduct a penalty process that is wholly separate from the Membership Committee’s active member probationary structure, and assign different sanctions to probationary status than the membership structure. The staff sought clarification from the committee as to how the legislation should differentiate the two, whether by modifying the term or by replacing the word entirely. The committee strongly preferred to retain the term “probation” because of its connotations and the level of seriousness that it conveys, and declined to replace the word. Instead, the Membership Committee voted to make an editorial revision to change the terminology for probation in Constitution 3 and Bylaws 3, 6, and 20 from “probation” to “membership probation,” and also to modify references to probation in that legislation to read, “as defined by the membership committee.” The committee also requested that staff draft cross-reference notations (e.g., “see Bylaw 20”) in the legislation wherever such information is appropriate.

12. **2017 Conference Rules Seminar.** Staff informed the committee that the Boston Conference Rules Seminar group is currently working with staff to prevent conflicts between the dates of the seminar and other heavily-attended membership events, like CoSIDA and NACDA.

13. **New Member Working Group Recommendations.**

   a. **Financial aid videoconference.** The committee heard recommendations from the new member working group regarding possible changes within the membership process. As requested by the working group, staff consulted with the NCAA general counsel’s office regarding the feasibility of requiring incoming members to have greater sports-sponsorship minimums than active institutions. The committee concluded it would not pursue this concept. The committee continued reviewing the working group recommendations and directed staff to modify the current educational process to include a financial aid review.
videoconference as a requirement for all year two provisional and reclassifying institutions, with an immediate effective date.

b. Campus visit. The committee then discussed the timing and purpose of the campus visit and considered whether the visit should be conducted during the exploratory year instead of during the first year of the provisional and reclassifying membership process. Ultimately, committee discussion resulted in several options: to make no changes to the current process for the exploratory year; to establish separate timelines for provisional institutions and reclassifying institutions; or to continue conducting the current process as is, but allow staff or the committee the discretion to conduct the exploratory year visit at the candidate institution's expense as necessary. The committee agreed to continue discussion of this issue on a future teleconference and instructed NCAA staff to return with revised options, as well as to provide a copy the provisional and exploratory application forms for review and enhancement at a later date.

14. **Selection of 2018 In-Person Meeting Dates.** The committee agreed to conduct its February 2018 in-person meeting Wednesday-Thursday, February 7-8, 2018; and its June in-person meeting Wednesday-Thursday, June 20-21, 2018. The committee will continue to conduct monthly teleconferences from 1 to 3 p.m. Eastern time on the second Thursday of each month.

15. **Committee Member Farewells.** The committee thanked Heather Benning, Kim Fierke, and Chris Ragsdale for their service on the committee. NCAA staff informed the committee that discussions of an election for the new committee chair will take place in November.

16. **Adjournment.** The committee concluded its business and adjourned at 12.11 p.m. Eastern time Friday, June 24, 2016.

*Committee Chair:* Heather Benning, Midwest Conference, chair  
*Staff Liaison:* Jay Jones, Division III Governance  
Kristin DiBiase, Academic and Membership Affairs  
Jean Orr, Academic and Membership Affairs
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<td>Heather Benning, Midwest Conference, chair</td>
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<td>Keith Cecil, Transylvania University</td>
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<td>F. Javier Cevallos,</td>
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<td>Terri Deike, LeTourneau University</td>
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<td>William Fell,</td>
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<td>Kim Fierke, Hartwick College</td>
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<td>Julie Kline, University of La Verne</td>
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<td>Rob Larson, Luther College</td>
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<td>Chris Ragsdale, Heartland Collegiate Athletic Conference</td>
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