

## **ISSUE FIVE: SPORTS SPONSORSHIP AND MEMBERSHIP REQUIREMENTS**

### Identification of Issue

In response to both membership growth and trends of existing Division III members, the division recently increased sports sponsorship minimums and enhanced other conditions and obligations of membership. The goal of these regulatory changes was to ensure that the division maintained its commitment to the broad-based program philosophy, and held its ever growing membership accountable for standards and expectations that come with being an active participant in the division. Recent survey results and membership conversations suggest there may be interest in continuing to refine sports sponsorship requirements as well as other conditions and obligations of membership, including the related penalty structure for failure to meet such requirements.

### Background

The current sports sponsorship average in Division III is 16.7; while the current minimum requirement is 10 (five sports for each gender). In 2010, this minimum increases to 12 (six sports for each gender) for institutions with enrollment greater than 1,000 full-time undergraduate students. Institutions also must fulfill minimum contest and participant requirements for a sport to count toward the sponsorship minimum.

Division III sports sponsorship exists within a significant range. Approximately 40% of the membership sponsors 15 or fewer sports, while approximately 60% sponsors 16 or more. Sports sponsorship minimums have been a challenge for new entrants to the division, where sports sponsorship is 13.2 (the average for institutions that have joined the division since 1990) and eight provisional institutions failed to meet sports sponsorship minimums between 2002 and 2007.

In addition to sports sponsorship minimums, the division has other conditions and obligations of membership, including requirements that institutions have at least one representative present at the business session of the annual NCAA Convention, administer the rules test to all head coaches and individuals with compliance responsibilities, and send at least one institutional representative to the NCAA Regional Rules Seminars at least once every three years. Further, institutions must complete a self study guide and submit a notification of completion of that study once every five years.

Failure to meet any of these conditions and obligations results in an institutional penalty (with the exception that failure to administer the rules test results in a secondary violation). The penalty structure operates within a ten-year window, where repeated failures to meet any of the conditions or obligations result in an increasingly stringent penalty. The penalty includes a change in membership status from good standing to probation, restricted, or corresponding membership for repeated failure to meet requirements. The status of probation serves as a warning to the institution, and no membership benefits are lost. Restricted membership removes most benefits from an institution, including championships access, grant funding, catastrophic

injury insurance coverage, and select other NCAA awards and programs. Corresponding membership results in an institution losing all of its active membership benefits, and places it in a category where it is an NCAA member in name only. Corresponding institutions receive NCAA correspondence but do not technically carry a divisional affiliation and they must complete the provisional membership process to reestablish active membership.

For comparison, penalties employed by the Division III Committee on Infractions for major violations in all areas other than membership requirements (e.g., recruiting, eligibility, playing seasons) operate within a three- to five-year window, whereby an institution that repeats a violation in that window faces significantly enhanced penalties.

### Division III Philosophical Principles

The Division III philosophy statement emphasizes the educational value of athletics participation. Accordingly, it urges institutions to offer broad-based programs, so that student-athletes will have access to the greatest number and variety of athletics opportunities possible. This philosophical tenet underscores the importance of the division establishing an appropriate sports sponsorship minimum. Further, the Division III philosophy statement indicates that the division shall encourage the development of sportsmanship and positive attitudes among all constituents, as well as assure that the actions of administrators and coaches exhibit fairness, openness and honesty. These second two statements provide the foundation by which the division seeks to hold its members accountable to standards in areas beyond just sports sponsorship—relating to professional development, involvement in the affairs of the Association, and a general respect and responsibility for the division’s rules and regulations.

Another significant tenet is the principle (d) of the philosophy statement, which says that Division III institutions shall “encourage participation by maximizing the number and variety of athletics opportunities for their students.” Several times in the history of playing season discussions, individuals have cited this principle in support of attempts to extend the playing season, arguing that it is a philosophic mandate to maximize the number of opportunities for participation within each sport. A closer review of the philosophy statement reveals that interpretation is incorrect. The purpose of section (d) is to encourage as many students as possible to participate in athletics by offering as many different sports as the institution is able – a principle not of the playing season, but rather, of sports sponsorship.

### Identification of Options

The division may consider increasing or decreasing sports sponsorship for all or for specific segments of the membership. These limited segments could be defined by institutional enrollment or other demographic considerations.

The division could consider changing its penalty structure to include a two-tiered approach, where sports sponsorship requirements hold more stringent penalties than other conditions and obligations of membership (e.g., Convention and seminar attendance). Also, the division could consider shortening the penalty structure window from 10 years to one that more closely aligns with the three- to five-year window used by the Committee on Infractions.

The division may also wish to consider whether the current conditions and obligations of membership are most appropriate for the division, or whether specific activities or commitments should be added to or removed from the current list. Current conditions could be amended, including the frequency with which institutions must send a representative to regional rules seminars, or even the method of delivery of that seminar information.

#### Summary of Survey and Membership Feedback

Survey results indicated that 52% of institutions prefer the 2010 sports sponsorship minimum of twelve. 23% of respondents expressed a preference for a minimum that is higher than 12, while 25% expressed preference for a minimum below 12.

Town Hall respondents reflected the general sense that the 12 sport minimum is appropriate and reasonably reflects the division's commitment to offering a broad range of athletics opportunities to its student-athletes. There was some suggestion that increased sports sponsorship requirements may help slow growth, but perhaps would be a very significant challenge to geographically isolated institutions. Related fuel and travel costs may challenge all institutions, not just those facing geographic isolation.

Respondents also expressed the value they place on holding Division III members accountable to conditions and obligations of membership, but did express considerable concern over the length of time an institution is subject to probation and related penalties (i.e., the ten-year penalty window).

Respondents requested that the division make available alternative approaches to physical attendance at required educational meetings. Suggestions included Web casting and on-line interactive tutorials.

In its preliminary review of this issue, the Division III Membership Committee considered whether the ten-year penalty window is too long. The committee noted that when the new provisional membership program was established, the membership expressed its desire for active members to be held to the same standards (thus resulting in active membership requirements to attend specific meetings and complete specific documents.). The committee noted that the initial concern over the first round of penalties was to be expected and institutions will grow accustomed to this structure with time. The committee felt that the low number of institutions facing penalties (three for 2008-09) indicated that these new requirements are fair and reasonable.

While the Membership Committee is relatively comfortable with current conditions and obligations of membership and its related penalty structure, it did commit to further discuss this structure based on membership feedback. The committee indicated it would consider a reduction in the penalty window, with a corresponding commitment to additional educational activities. The committee will consider other alternatives to present for discussion at the 2009 Convention.

The Chancellors and Presidents Advisory Group (PAG) also reviewed these issues. The group felt that the sports sponsorship standards that will be implemented in 2010 seem appropriate, although the division should further explore standards based on levels of student participation. The PAG supported the consideration of a more flexible penalty structure and probationary time period related to membership requirements, but felt that sports sponsorship should receive priority over other conditions and obligations of membership like seminar attendance and Convention attendance. The PAG also encouraged the use of technology (e.g., Web-based tools) to permit compliance with educational requirements.

#### Recommendations for Further Consideration

While all options identified in this paper are under consideration for further review, a consensus seems to support the following options:

- Implement the increased sport sponsorship requirements slated for 2010-11, consistent with the “broad-based program” philosophy;
- Amend the membership penalty structure and timetable to better distinguish requirements and related penalties, giving top priority to the fulfillment of sports sponsorship requirements;
- Pursue technology through which institutions and conferences may fulfill educational obligations of membership, and
- Review the current conditions and obligations of membership to determine what requirements are most appropriate for the division, and whether specific activities or commitments should be added to or removed from the current list.