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DIII presidents take positions on Convention legislation

By **Gary Brown**
NCAA.org

The Division III Presidents Council is opposing – at least for now – a proposal for the 2011 Convention that would allow institutions to earmark dollars from fundraising activities for individual student-athletes.

The Council's decision, reached by a slim margin after a twisting and turning review and a motion to reconsider that produced a tie, follows an equally complex discussion at [last week's Management Council meeting](#) in which members first opposed, then reconsidered and eventually took no position on a matter that has been debated for more than a year.

The presidents' action is the next stage of what has become a fascinating and often challenging review within the governance structure of a matter that may appear to be "inside baseball" but actually runs to the Division III tenet of treating student-athletes no differently than the rest of the student body.

It also may not be the end of the discussion, since the Presidents Council has another chance to address the proposal at its pre-Convention meeting January 14, a day before the business session in San Antonio.

For now, the presidents thought it was necessary for them to take a position to better manage what they believe would otherwise be an unwieldy debate on the Convention floor. But the path they took to get there was just as divided as the debate on the proposal's merits has been since the matter was first raised at the 2010 Convention.

Presidents weighed the same pros and cons that other groups have. Supporters say it provides increased institutional autonomy to manage fundraising activities within reasonable parameters to prevent abuse. Opponents, though, worry that it detracts from the team concept and that it may force student-athletes into fundraising when they may have another greater commitment (for example, a heavy class load in the nontraditional semester).

Those concerns prompted the Presidents Council to first consider a motion to oppose the measure. While that passed by just two votes, a member of the prevailing side sought to reconsider. That vote was 6-6, meaning that the opposition – divided as it was – stood.

Whether that position is enough to direct discussion on the Convention floor is yet to be determined. One president, in fact, joked, "This business session is going to last five days."

The Student-Athlete Advisory Committee also gets another chance to weigh in on the matter when it meets in November to take official positions on all Convention legislation. SAAC members have generally been opposed so far to the fundraising proposal (based on its potential detraction from the sense of team and related time demand concerns), but even that group's discussion has become more middle-ground as the year has progressed.

More legislative positions

The fundraising proposal was not the only one to stir Presidents Council debate. Proposal No. 2011-2-9 would permit certified strength and conditioning personnel to conduct voluntary workouts for student-athletes. There's also a proposed amendment to limit that availability to the academic year.

As their Management Council counterparts had done a week earlier, the presidents supported both the amendment and the base proposal, though the vote on the base proposal was close. Among concerns for the year-round approach are the availability of strength and conditioning personnel over the summer, and the additional time demands it might place on student-athletes.

The Presidents Council also considered proposal (No. 2011-2-7) regarding nonathletics recruiting advertisements. The measure would allow institutions (or a third party acting on their behalf) to produce nonathletics institutional promotional material (for example, signage, kiosks, printed materials, TV and radio ads) for use at high school or two-year college athletics events or during broadcasts of such events.



DIVISION III NEWS

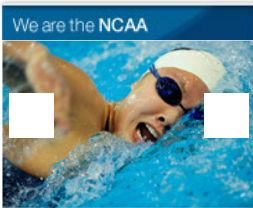
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During an August teleconference, the Division III Administrative Committee questioned whether the proposal would create a de facto "arms race" caused by pressure from high schools to advertise through the expanded methods of delivery. That could negatively affect colleges if they do not advertise with certain high schools who in turn limit access to prospective students.

In its review last week, the Management Council voted to support the measure because members didn't want to prohibit Division III schools from advertising in the same manner as Divisions I and II institutions are currently allowed to do. Doing so would put Division III institutions – particularly those in areas that have a number of competing schools (both from the NCAA and the NAIA) nearby – at a disadvantage in the advertising market for prospective students.

Presidents were challenged to distinguish the value of institutional advertising from the perceived recruiting advantage such advertising could produce. Once they took a closer look at the implications, they voted to maintain their sponsorship of the proposal.

(Click [here](#) for position statements from the governance structure on all Convention proposals.)

Other highlights

In other action at the Division III Presidents Council meeting Thursday in Indianapolis, members:

- Voted to sponsor a resolution at the 2011 Convention to examine the number of student-athletes in the bench area at Division III championships and to make adjustments if necessary. The resolution is an alternative to two proposals that call for institutional discretion in determining and funding the number of additional student-athletes in the bench area at championships. One (Proposal No. 2011-2-13) would allow institutions in sports other than football to determine how many student-athletes from their current active rosters they desire to dress, participate in warm-ups and be in the bench area. The other (No. 2011-2-12) includes football but limits the number of student-athletes in the bench area in that sport to 100. The Presidents Council voted to oppose both of those proposals.
- Agreed to allocate \$10,000 for single-sport conferences to access materials from the Division III purchasing website. Division III institutions and multi-sport conferences have been allocated \$1,000 this year to purchase or download materials relating to the Division III identity campaign and strategic positioning. There currently are about 20 single-sport conferences in Division III.
- Heard a presentation on athletics revenue and expense data from a good sampling of Division III institutions (about 80 percent). The Council acknowledged the value of institutions having fact-based financial data on which to compare institutions and understand relative expenses. The Presidents Council directed the staff to continue to develop "dashboard indicators" or a similar mechanism, and indicated that it will encourage Division III members to fully participate in the data collection efforts to best inform any tools developed.
- Heard a presentation on transgender issues as a result of the Council's summer referral to the Committee on Competitive Safeguards and Medical Aspects of Sports and the Committee on Women's Athletics to raise awareness of the issues and to establish a timeline for the NCAA to develop a formal policy on transgendered student-athlete eligibility. The Council heard from Betsy Crane, professor of human sexuality at Widener University, and from the NCAA inclusion and health and safety staffs on the sociological and practical implications of serving transgendered college students (particularly student-athletes). The Council, in fact, recommended that the Divisions I and II presidential bodies consider a similar educational session. The Division III Presidents Council remains focused on student-athlete well-being as the primary consideration in managing the complex issue of transgendered student-athlete eligibility. Members anticipate the committees' timeline and updated educational materials by their April meeting. Relevant committees and the Council are expected to forward Association-wide policy recommendations to the NCAA Executive Committee in either April or August.

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