



**NCAA DIVISION III  
PRESIDENTS AND MANAGEMENT COUNCILS  
SUMMARY OF SPRING 2021  
QUARTERLY MEETINGS**

**KEY ACTION/DISCUSSION ITEMS:**

Division III Strategic Positioning Platform Review.....Page No. 5

Full-time Enrollment Waiver .....Page Nos. 5-6

Emergency Legislation .....Page No. 8

Virtual Athletics Recruiting .....Page No. 8

Alternative Playing and Practice Seasons Waiver .....Page No. 9

Sickle Cell Solubility Test – Elimination of Written Re-lease/Waiver .....Page No. 11

STUNT – Emerging Sport for Women .....Page Nos. 11-12

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<p align="center"><b>Division III Management Council</b> <b>April 12-13, 2021</b> <b>Virtual</b></p>	<p align="center"><b>Division III Presidents Council</b> <b>April 28, 2021</b> <b>Virtual</b></p>
<p align="center">ATTENDEES</p>	<p align="center">ATTENDEES</p>
<p>Madeira Alexander, Salisbury University, SAAC representative Cheryl Aaron, Wentworth Institute of Technology Stephen Briggs, Berry College Charles (Chuck) Brown, Pennsylvania State University Erie, the Behrend Gerard Bryant, John Jay College of Criminal Justice Kate Corcoran, Cabrini University Tom DiCamillo, State University of New York Athletic Conference Jason Fein, Bates College [<i>chair</i>] Sarah Feyerherm, Washington College (Maryland) Troy Hammond, North Central College [<i>PC vice-chair</i>] Matt Hill, University of Northwestern – St. Paul Angela Marin, University of Texas Dallas Lori Mazza, Western Connecticut State University Scott McGuinness, Washington and Jefferson College Fayneese Miller, Hamline University [<i>PC chair</i>] Betsy Mitchell, California Institute of Technology Michelle Morgan, John Carroll University [<i>vice chair</i>] Jack Mulvihill, St. John Fisher College, SAAC representative Holly Sheilley, Transylvania University Dennis Shields, University of Wisconsin, Platteville Bill Stiles, Alvernia University Michelle Walsh, Vassar College Lawrence Ward, Babson College</p>	<p>Teresa Amott, Knox College Katherine (Kate) Conway-Turner, Buffalo State, State University of New York Mary-Beth Cooper, Springfield College Sean Decatur, Kenyon College Jason Fein, Bates College [<i>MC chair</i>] Davie Jane Gilmour, Pennsylvania College of Technology Troy Hammond, North Central College [<i>vice-chair</i>] Sue Hasseler, Muskingum University Robert Lindgren, Randolph-Macon College Richanne Mankey, Defiance College Fayneese Miller, Hamline University [<i>chair</i>] Michelle Morgan, John Carroll University [<i>MC vice chair</i>] Kathleen Murray, Whitman College Troy Paino, University of Mary Washington Frank Sanchez, Rhode Island College James Schmidt, University of Wisconsin, Eau Claire Kent Trachte, Lycoming College</p>
<p align="center">ABSENTEES</p>	<p align="center">ABSENTEES</p>
<p>None</p>	<p>Rich Dunsworth, University of the Ozarks Tiffany Franks, Averett University Jim Troha, Juniata College</p>
<p align="center">OTHER PARTICIPANTS</p>	<p align="center">OTHER PARTICIPANTS</p>
<p>Mark Aiken, NCAA Amanda Conklin, NCAA Mark Emmert, NCAA president Jarett Gerald, NCAA Brian Hainline, NCAA Eric Hartung, NCAA Jessica Kerr, NCAA</p>	<p>Mark Aiken, NCAA Mark Emmert, NCAA president Jarett Gerald, NCAA Brian Hainline, NCAA Eric Hartung, NCAA Louise McCleary, NCAA Jeff Myers, NCAA</p>

<b>OTHER PARTICIPANTS, cont....</b>	<b>OTHER PARTIPANTS, cont...</b>
Louise McCleary, NCAA Jeff Myers, NCAA John Parsons, NCAA Laura Peterson, NCAA Bill Regan, NCAA Donald Remy, NCAA Rachel Seewald, NCAA Adam Skaggs, NCAA Ali Spungen, NCAA Rachel Stern, NCAA Cari Van Senus, NCAA Jeremy Villanueva, NCAA Jessica Wagner, NCAA	John Parsons, NCAA Laura Peterson, NCAA Greg Pottorff, NCAA Bill Regan, NCAA Donald Remy, NCAA Adam Skaggs, NCAA Ali Spungen, NCAA Jeremey Villanueva, NCAA

[Note: This summary reflects only actions (formal votes or “sense of meeting”) in accordance with the established policy governing minutes of all NCAA entities. The only discussion included is that ordered by the chair or a member of the group.]

**1. WELCOME AND ANNOUNCEMENTS.**

April 12-13 Management Council. The virtual meeting was called to order at 10:02 a.m. (EST), by the chair, Jason Fein. The chair welcomed the Council, recognized its newest member, Lawrence Ward, and reviewed the agenda.

April 28 Presidents Council. The virtual meeting was called to order at 12:01 p.m. (EST) by the chair, President Fayneese Miller. The chair acknowledged the first meeting for Presidents Decatur and Hasseler.

**2. REVIEW OF RECORDS OF PREVIOUS MEETINGS.**

**a. Management Council Meetings – January 12 and 15, 2021.**

Management Council. The Management Council approved the summary of its January 12 and 15, 2021, meetings.

Presidents Council. No action was necessary.

**b. Presidents Council Meeting – January 14, 2021.**

Management Council. No action was necessary.

Presidents Council. The Presidents Council approved the summary of its January 14, 2021, meeting.

**c. Administrative Committee Actions.**

Management Council. The Council ratified the Administrative Committee reports from the January 19, February 3, February 18, and March 1, 2021 videoconferences.

Presidents Council. The Presidents Council ratified the Administrative Committee reports from the January 19, February 3, February 18, and March 1, 2021 videoconferences.

**3. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION III.**

**a. Division III Joint Presidents Council/Management Council Committees or Subcommittees.**

**(1) Convention-Planning Subcommittee.**

**(a) 2021 NCAA Convention Feedback.**

Management Council. The Council reviewed feedback from the 2021 Convention membership survey (321 Division III-specific responses). Notable highlights included the following: 88 percent rated the Convention virtual experience as very good or good and 96 percent said they would recommend attendance at a future Convention.

**(b) 2021 NCAA Convention – Educational Session Topics.**

Management Council. The Council reviewed the subcommittee's report regarding potential future educational session topics. It noted the following recommendations from the 2021 Convention survey, as well as prior suggestions:

- Post-COVID-19 discussion – Moving forward from COVID-19 (budgeting, mental health, recruiting, virtual platforms, championships, etc.).
- Faculty Athletics Representatives – successful athletic and academic interactions, retention.
- Mental health.
- Health and safety.
- Fundraising.
- Budgeting (e.g., championships, impact of COVID-19).
- Social media influence and impact.
- Social justice.
- Student-athlete career opportunities and resources (After the Game, etc.).
- Diversity topics.
- Serving underprivileged student-athletes/resources.

Staff Liaisons:  
Skaggs, Spungen

Council Reps:  
Corcoran, Fein,  
Gilmour, Has-  
seler, Mazza,  
Mankey, Mitch-  
ell, Mulvihill,  
Paino, Stiles

Staff will survey the membership via the May Monthly Update and the NADIII AA listserv. The survey will highlight the subcommittee's recommended educational sessions; indicate a 60- or 90-minute time preference; and denote the preference for the session to be a workshop, a Division III educational session, Issues Forum topic, or an Association-wide session. During the subcommittee's next videoconference, it will narrow the list of session topics to three.

Presidents Council. No action was necessary.

**Staff Liaisons:**  
Aiken, Hartung,  
McCleary, Myers,  
Spungen

**Council Reps:**  
Alexander, Brown,  
DiCamillo, Fein,  
Franks, Hammond,  
Lindgren, Mazza,  
Shields, Trachte,  
Walsh

**(2) Strategic Planning and Finance Committee (SPFC).**

**(a) Division III Strategic Positioning Platform Review.**

Management Council. The Council reviewed and endorsed the proposed edits made by the Strategic Positioning Platform Working Group's review of the platform. The edits update the platform's language to better reflect Division III in 2021. The Council will review and approve the platform in final form at its July meeting. The goal is to release the updated strategic positioning platform to the membership in August 2021.

Presidents Council. The Council also reviewed and provided feedback on the platform.

**(b) Division III Budget.**

Management and Presidents Councils. The Councils reviewed the budget to actual as of the end of March 2021 as well as the future budget projections.

**Staff Liaisons:**  
Myers, Regan

**Council Reps:**  
Briggs, Cooper,  
Decatur, Fein,  
Feyerherm, Miller,  
Shields, Ward

**(3) Joint Legislative Steering Subcommittee.**

Management Council. The subcommittee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

**b. Management Council Subcommittees.**

**Staff Liaison:**  
Berg

**Council Reps:**  
Aaron, Brown,  
DiCamillo, Mazza,  
McGuiness,  
Morgan, Sheilley,  
Stiles

**(1) Subcommittee for Legislative Relief.**

- **2021-22 Academic Year – Eligibility Waiver – Full-Time Enrollment – Requirement for Practice or Competition – Bylaw 14.1.8.1.**

Management Council. The committee recommended Presidents Council approve a blanket waiver for the 2021-22 academic year allowing a student-athlete to participate while enrolled less than full time as follows:

1. If a student-athlete has graduated, then they must be enrolled in a minimum of six (6) credit hours each semester in a second baccalaureate, graduate program or classes approved by an academic authority outside of athletics that progresses a professional or career goal.
2. If not yet graduated, then two potential paths are available:
  - a. A student-athlete would need to be enrolled a minimum of six (6) credit hours during the Fall 2021 semester and then satisfy the legislated final term exception in the spring semester of 2022; or
  - b. The student satisfies the legislated final term exception in the Fall 2021 semester and then is enrolled in a minimum of six (6) credit hours in the Spring 2022 semester in a second baccalaureate, graduate program or classes approved by an academic authority outside of athletics that progresses a professional or career goal.
3. This relief would be available to those on a quarter system on an equivalent basis.

As a result of the uncertainty regarding the COVID-19 pandemic during the 2020-21 academic year, student-athletes were effectively granted an additional year and season of eligibility. The Council recognized for students that are close to graduation a certain level of enrollment flexibility is appropriate to allow these students to use this additional year during the 2021-22 academic year. The recommendation maintains a base level of enrollment thereby ensuring that Division III athletics constitutes students competing against students, while providing flexibility that supports graduation and participation. This blanket relief does not address all situations and therefore it does not preclude institutions from seeking individual relief for their student-athletes that don't satisfy the criteria in this recommendation.

Presidents Council. The Council approved the blanket waiver and noted the recommendation would be applicable only for the 2021-22 academic year.

**c. Division III Committees.**

- (1) **Championships Committee.**
  - (a) **2021 Winter Championships.**

**Staff Liaisons:  
Peterson-Myllinski,  
Williams**

**Council Reps:  
Fein, Morgan,  
Sheilley**

Management Council. The Council ratified the Administrative Committee's approval in its February 3, 2021, report. [See Page No. 4, 2c]

Presidents Council. The Presidents Council ratified the Administrative Committee's approval in its February 3, 2021, report. [See Page No. 4, 2c]

**(b) 2021 Spring Championships.**

Management Council. The Council received several updates regarding the Division III spring championships. The Championships Committee expanded the brackets/field sizes for spring sports up to 85 percent capacity, or to a level between 75 and 85 percent that best accommodates a manageable bracket size. The increases continue to maintain the integrity of the bracket and protect access through conference automatic qualifications and Pools B and C without impacting the formats (i.e., not adding competition sites or rounds) or changing the championship dates. Staff provided an update on the pre-determined site selections for spring championships and answered questions related to possible hosting challenges and contingency plans.

Presidents Council. No action was necessary.

Staff Liaison:  
McVeigh

Council Rep:  
Feyerherm

**(2) Committee on Infractions.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:  
Hartung

Council Rep:  
Corcoran

**(3) Financial Aid Committee.**

• **Level II Reviews.**

Management Council. The Council noted the committee reviewed 18 cases and voted to refer three to NCAA Enforcement.

Presidents Council. No action was necessary.

Staff Liaison:  
Walters

Council Reps:  
Dunsworth,  
Marin

**(4) Infractions Appeals Committee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Myers, Regan

Council Rep:  
Hill

(5) **Interpretations and Legislative Committee (ILC).**

(a) **Convention Legislation – Emergency Legislation in Defined Situations.**

Management Council. The Council recommended Presidents Council sponsor 2022 NCAA Convention legislation that permits the Division III Presidents Council, with three-quarters present and voting, to adopt emergency legislation when the division must respond to, or comply with, a court, alternative dispute resolution (ADR) or government order or when the Council deems it appropriate to limit or avoid NCAA liability as a result of litigation and the use of the regular legislative cycle is likely to cause undue hardship to the Association or the Division III membership because of the delay in its effective date. The "emergency legislation" adopted by the Presidents Council must be ratified by the Division III membership at the next regularly scheduled NCAA Convention.

Presidents Council. The Council approved sponsorship of the 2022 NCAA Convention legislation.

(b) **Convention Legislation – To Permit Virtual Athletics Recruiting Presentations to Multiple Prospective Student-Athletes**

Management Council. The Council agreed to sponsor 2022 NCAA Convention allowing virtual recruiting activities that involve multiple prospective student-athlete subject to the following conditions:

- (1) The virtual recruiting activity may occur at any time of the year; may involve prospective student-athletes of any age or grade level; and does not have to be initiated by the institution.
- (2) Student-athletes may only participate in virtual recruiting events that occur during the regular academic year when they are enrolled full-time or eligible to compete. Further, the student-athlete's involvement must be voluntary, and they may not miss class.
- (3) Institutional athletics and coaching staff members, other members of the campus community, alumni and other permissible recruiters may participate in the presentation.
- (4) Institutions may publicize the logistical details concerning the virtual recruiting event but is prohibited from promoting or publicizing the participation of an individual or a group of prospective student-athletes.

Presidents Council. No action was necessary.



**(c) Alternative Coursework to Satisfy Full-time Enrollment Requirements.**

Management Council. The Council approved incorporating into the bylaws an official interpretation confirming that nontraditional coursework (e.g., distance-learning, correspondence, extension, internet/virtual courses) may be used to satisfy the full-time enrollment requirements for practice or competition in a manner that is consistent with established institutional policy used to determine the full-time enrollment status for all students.

Presidents Council. No action was necessary.

**(d) Alternative Playing and Practice Seasons Waiver.**

Management Council. The Council took no action on the Interpretations and Legislation Committee's decision not to extend the alternative playing and practice season waiver for the 2021-22 academic year and a return to the standards set forth in the current legislation. This includes all start dates for the fall of 2021, as well as all other playing and practice season regulations as set forth in Bylaw 17. The Council supported the committee's commitment to review Bylaw 17 and engage the membership, via a survey, to determine if legislative changes are warranted. This review and engagement will occur over the next year to ensure appropriate consideration is given to the varying perspectives on this topic

Presidents Council. No action was necessary

**(6) Membership Committee.**

**(a) Membership – Division III Membership Requirements – Sports Sponsorship Minimum Contests and Participants Requirements for Sports Sponsorship Bylaw 20.11.3.8.**

Management Council. The Council ratified the Administrative Committee's approval in its March 1, 2021, report. [See Page No. 4, 2c]

Presidents Council. The Presidents Council ratified the Administrative Committee's approval in its March 1, 2021, report. [See Page No. 4, 2c]

**(b) Provisional and Exploratory Membership.**

Management Council. Two institutions, Asbury University (Kentucky) and Johnson and Wales University (Charlotte) were approved for an exploratory year beginning in September 2021. Additionally, the committee approved and waived the exploratory year requirement for Asbury and the institution will begin year one of the provisional membership process in September 2021.

Presidents Council. No action was necessary.

Staff Liaisons: Alford, Hartung
Council Rep: Stiles

Staff Liaison:  
Roe

Council Rep:  
McGuinness

(7) **Nominating Committee.**

• **Governance Committee Appointments.**

Management Council. The Council ratified the Administrative Committee's approval in its January 19 and March 1, 2021, reports. [See Page No. 4, 2c]

Presidents Council. The Presidents Council ratified the Administrative Committee's approval in its January 19 and March 1, 2021, reports. [See Page No. 4, 2c]

Staff Liaisons:  
Barnhart, Berg,  
Malin, Skaggs,  
Spungen

Council Reps:  
Alexander,  
Bryant, Marin,  
Mulvihill

(8) **Student-Athlete Advisory Committee (SAAC).**

(a) **Committee Elections.**

Management Council. The SAAC elected its new committee liaisons – Bridgett Finn, Lebanon Valley College, will serve on the Championships Committee; Paxton Blanchard, Keene State College, Committee on Sportsmanship and Ethical Conduct; Mercy Ogutu, Trinity Washington University, Minority Opportunities and Interest Committee; Talia Williams, Carleton College, Committee on Competitive Safeguards and Medical Aspects of Sport; Vaishnav Siddapureddy, Pomona College, the Diversity and Inclusion Working Group; and Megan Koch, Colorado College, Student-Athlete Reinstatement Committee.

Presidents Council. No action was necessary.

(b) **Working Group Updates.**

Management Council. The Council received an update on the following SAAC working groups: (1) Mental and Physical Health; (2) Special Olympics; and (3) Social Justice and Inclusion. At the conclusion of the recent Division III Week celebration, national SAAC promoted the second annual mental health social media campaign, which will occur May 3-6. The hashtag, #DontSleepOnStigmas, will accompany messages sent across the membership on social media.

Presidents Council. No action was necessary.

Staff Liaison:  
Romash

Council Rep:  
Hill

(9) **Student-Athlete Reinstatement Committee.**

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

**d. Association-Wide Committees.**

Staff Liaisons:  
Durden, Parsons,  
Rohlman  
  
Council Rep:  
M. Walsh

**(1) Competitive Safeguards and Medical Aspects of Sports (CSMAS).**

**(a) NCAA Division III Bylaw 18.4.1.5.5 – Ineligibility for Use of Banned Drugs -- Appeals.**

Management Council. The Council adopted noncontroversial legislation to specify that an institution may appeal a drugtesting penalty to CSMAS (or designated subcommittee), as specified by the committee’s policies and procedures; further, to specify that the committee determination shall be final, binding and conclusive and shall not be subject to further review by any other authority.

Presidents Council. No action was necessary.

**(b) NCAA Division III Bylaw 17.1.6.4.1 – Sickle Cell Solubility Test – Elimination of Written Release/Waiver.**

Management Council. The Council agreed to sponsor 2022 NCAA Convention legislation to eliminate the option for a student-athlete to sign a written release or waiver declining the sickle cell solubility test. Considerations related to the administration of sickle cell solubility tests, student-athlete privacy and institutional management of the care of trait positive student-athletes have evolved since the adoption of the original legislation which permits a student-athlete to sign a written release or waiver to “opt out” of test participation. The original legislation was intended to provide institutions with the flexibility to evaluate individual program risks and practices and determine test participation requirements at the campus level. Since there is now an opportunity for institutions to efficiently and effectively manage the administrative and privacy burdens historically tied to testing, the benefits related to the appropriate monitoring of sickle cell trait positive student-athletes support the idea of consistent mandatory testing across institutions.

Presidents Council. No action was necessary.

Staff Liaisons:  
Brownlee,  
Ziegler  
  
Council Rep:  
Morgan

**(2) Committee on Sportsmanship and Ethical Conduct.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaisons:  
Hebberd, Wallach  
  
Council Rep:  
Mitchell

**(3) Committee on Women’s Athletics (CWA).**

- **STUNT – Emerging Sport for Women.**

Management Council. The Council approved sponsorship of 2022 NCAA convention legislation to add STUNT as an emerging sport for women. The Council noted the continued growth in high school STUNT sponsorship and participation, steady increase in the number of member institutions sponsoring STUNT, and support from the sport's national governing body as compelling rationale to include STUNT as an emerging sport for women.

Presidents Council. No action was necessary.

**Staff Liaisons:**  
Abdur-Rashid,  
Bazemore, Hackworth,

**Council Rep:**  
Aaron

(4) **Minority Opportunities and Interests Committee (MOIC).**

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

**Staff Liaisons:**  
Preston, Loechel,  
Register

**Council Rep:**  
Brown

(5) **Honors Committee meeting.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

**Staff Liaisons:**  
Smith, Suscha

**Council Rep:**  
Morgan

(6) **Olympic Sports Liaison Committee (OSLC).**

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

**Staff Liaison:**  
Seewald

(7) **Playing Rules Oversight Panel (PROP).**

Management Council. The Council reviewed the PROP reports. No action was necessary.

Presidents Council. No action was necessary.

**Staff Liaisons:**  
O'Barr,  
Thomas

**Council Rep:**  
Aaron

(8) **Postgraduate Scholarship Committee.**

Management Council. The Council reviewed the committee's report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:  
Bell

Council Rep:  
Ward

(9) **Research Committee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

Staff Liaison:  
Thomas

Council Rep:  
Mitchell

(10) **Walter Byers Scholarship Committee.**

Management Council. The committee had no formal report. No action was necessary.

Presidents Council. No action was necessary.

4. ***PROPOSED LEGISLATION FOR THE 2022 CONVENTION.***

Management Council. The Council already acted on noncontroversial legislation for the 2022 Convention. No action was necessary.

Presidents Council. No action was necessary.

5. ***DIVISION III INITIATIVES AND UPDATES.***

a. **Diversity and Inclusion Working Group.**

Management Council. The Council reviewed the working group's report. No action was necessary.

Presidents Council. No action was necessary.

b. **Faculty Athletics Representative (FAR) Advisory Group.**

Management Council. The Council reviewed the advisory group's report. No action was necessary.

Presidents Council. No action was necessary.

c. **LGBTQ Working Group.**

Management Council. The Council received an update on a recent open letter in support of transgender student-athletes sent by the Division III LGBTQ OneTeam facilitators. The letter was sent to the Human Rights Campaign, OutSports magazine and several additional outlets. It condemns recent state legislation and calls on elected officials across the country to immediately halt this legislation that is aimed at excluding transgender youth and young adults from equal and equitable participation in sport. The LGBTQ Working Group drafted a similar letter to the Division III Management and Presidents Councils.

Presidents Council. No action was necessary.

**d. Division III Identity Initiative.**

Management Council. The 10-year celebration of the Division III Identity Initiative officially concluded April 11 in conjunction with Division III Week, held April 5-11. The goal of the celebration was to recognize the impact of the initiatives over a three-month span via social media. Since the 2021 NCAA Convention, over 50 posts were shared with the membership, detailing the positive impact this enterprise has had on the division.

Presidents Council. No action was necessary.

**e. Technology Users Group.**

Management Council. The Council reviewed the users group's report. No action was necessary.

Presidents Council. No action was necessary.

**f. Division III Officiating Strategic Plan.**

Management Council. The Council reviewed the final version of the Division III Commissioners Association (DIIICA) Strategic Plan for Collegiate Officiating. It is the culmination of an 18-month study that included the collection and analysis of data for the purpose of addressing a perceived crisis in collegiate officiating. The plan has five key pillars and the DIIICA is continuing to work with the PICTOR Group to prioritize the implementation plan based on existing resources.

Presidents Council. No action was necessary.

**g. Feedback from Conference Meetings.**

Management Council. The Council provided updates from recent conference virtual meetings. No action was necessary.

Presidents Council. No action was necessary.

**6. ASSOCIATION-WIDE UPDATES AND ISSUES.**

**a. Board of Governors (BOG) Update.**

Management and Presidents Councils. The Councils received an update on the following Board of Governors topics:

- (1) Name, Image, and Likeness. At the 2021 NCAA Convention, the Division III Presidents Council postponed a vote on a proposal granting Division III student-athletes greater opportunities to use their Name, Image and Likeness for commercial purposes due to judicial, political, and governmental enforcement concerns. Presidents Council voiced its disappointment on the delay and reaffirmed its commitment to providing NIL opportunities to Division III student-athletes as soon as practical.

Many of these concerns continue to exist and therefore the Council cannot act at this time. The Council recognizes, however, that if these concerns are resolved prior to the next Council meeting in early August, the Council supports the Division III Administrative Committee taking immediate legislative action to allow for name, image, and likeness opportunities for Division III student-athletes. .

- (2) Transgender student-athlete participation. The BOG is tracking on evolving state legislation concerning transgender athletes that may impact future NCAA policy considerations. Currently four states have signed bills banning transgender student-athlete participation and twenty more have introduced legislation. The BOG released a statement regarding the recent state activity. The statement noted the BOG firmly and unequivocally supports the opportunity for transgender student-athletes to compete in college sports. This commitment is grounded in our values of inclusion and fair competition. When determining where championships are held, NCAA policy directs that only locations where hosts can commit to providing an environment that is safe, healthy, and free of discrimination should be selected.
- (3) Gender equity review. The Board of Governors recently announced a comprehensive review of all championships in the Association to identify any gaps that need to be addressed, both qualitatively and quantitatively, to achieve gender equity. To assist the NCAA in this effort, the BOG has retained the law firm of Kaplan Hecker & Fink LLP, which has significant experience in Title IX and gender equity issues, to evaluate practices and policies and provide recommendations. The goal is to have preliminary assessments in late April, with a final report this summer after the completion of all championships.

**b. Committee to Promote Cultural Diversity and Equity.**

Management Council. No action was necessary.

Presidents Council. The Council reviewed the committee's report. No action was necessary.

**c. Sport Science Institute (SSI) updates.**

• **Division III Football Concussion Task Force.**

Management and Presidents Councils. The Councils received an update on the recent head trauma and concussion trends as reported at this year's NCAA Football Concussion Data Task Force meeting. The data trends show a disproportionate number of head impact exposures during the football preseason as compared to the regular season. Additionally, most head impact exposures occur during practices and not games. With the recent trends, the Sport Science Institute asked each division to gather information and possibly recommend future policy and/or legislative changes to mitigate the issue. Division III has created a working group and developed a survey to distribute to Division III head football coaches to collect data on practice components. After its review of the survey feedback, the working group will recommend policy and/or legislative changes to the appropriate governance committee, if needed.

**d. Campus Sexual Violence Policy Implementation Task Force.**

Management Council. In April 2020, the BOG expanded the Association-wide policy on campus sexual violence to include individual accountability measures. To fully serve the membership in fulfilling this annual policy requirement, the BOG directed the development of a membership task force to provide resources to assist members in developing implementation measures on campus. The task force has developed operational guidelines, best practices and supporting documentation that campuses can use to implement the expanded policy effective with the 2022-23 attestation reporting. The Council provided feedback on the resources and requested guidance on logistical challenges (e.g. disclosure of a Title IX violation in high school) with implementing the new attestation requirements.

Presidents Council. No action was necessary.

**e. Division I Sustainability Working Group.**

Management Council. Staff provided an update on the current review of Division I sustainability, primarily in four areas: governance, financial concerns, membership requirements and legal fees. The initial report to the Division I Board in April will be largely focused on short-term recommendations associated with recruiting legislation (e.g. virtual recruiting, dead periods) to extend the flexibility provided in 2020-21. A number of long-term recommendations will remain under consideration over the next year (e.g. sports sponsorship requirements, enforcement process).

Presidents Council. No action was necessary.



**f. Diverse Student-Athlete Mental Health Summit.**

Management Council. Last summer, the NCAA held a two-day virtual summit as part of an ongoing effort to amplify the need of supporting the mental health of student-athletes and to continue efforts toward finding solutions to better support student-athletes of color. The summit's goal was to develop foundational statements that will shape the NCAA's short-term, intermediate, and long-term education, research and policy efforts intended to assist the membership in addressing student-athlete mental health and well-being with a specific focus on the challenges for people of color. The NCAA's long-term objectives will focus on infrastructure challenges and explore whether and how college athletics might play a part in addressing the underrepresentation of people of color in the professions of mental health care, athletic training, and sports medicine

Presidents Council. No action was necessary.

**g. Litigation Update.**

Management and Presidents Councils. The Councils received a litigation update. No action was necessary.

**8. ADDITIONAL BUSINESS.**

**• Acknowledgement of Departing Council Members.**

Management Council. No action was necessary.

Presidents Council. President Miller acknowledged departing Council member, Teresa Amott, Knox College, who is retiring in June.

**9. ADJOURNMENT.**

Management Council. The meeting adjourned at 12:58 p.m. on Tuesday, April 13 (EST)

Presidents Council. The meeting adjourned at 2:51 p.m. (EST)