

NCAA Convention

Tuesday, January 17, 2023

San Antonio, Texas

NCAA Division III Special Rules of Order

Business Session

Presentation



JIM SCHMIDT: Calling the Business Session to order. Welcome to today's Division III Special Rules of Order Business Session.

I'm Jim Schmidt. I'm the chancellor of the University of Wisconsin-Eau Claire and serve as the chair of the Division III Presidents Council, and I'll be chairing today's Special Rules of Order Business Session.

Joining me at the dais this morning are Michelle Morgan, Senior Director of Athletics at John Carroll University, who chairs our Division III Management Council.

Georgana Taggart, who is faculty emerita at Mount St. Joseph University will be serving as our parliamentarian.

We have Louise McCleary, Vice President for Division III; Bill Reagan, Managing Director of Division III; Jeff Myers, Director of Academic and Membership Affairs for Division III; and Tiffany Alford, our Associate Director of Academic and Membership Affairs for Division III.

We have secured a transcription service to create an accurate record of our meeting. So please remember to give your name and institution or conference affiliation when you speak.

I would ask you to please set your mobile phones to silent or vibrate mode.

Let me review the agenda. Prior to voting on the two Presidents Council resolutions, we need to conduct a test vote to make sure the voting machines are working properly.

Unlike the Issues Forum roundtable discussion where we used our cell phones to participate for polling questions, today's Special Rules of Order Business Session is only to have voting by voting delegates who will cast a vote with the provided voting units.

If you or your institution or conference office are the voting delegate, you should have picked up the voting unit as you entered the ballroom.

After the test vote, we will consider the two resolutions to create Special Rules of Order for consideration of four proposals for tomorrow's Business Session.

We estimate that we will finish no later than 11:00. So let's get this party started.

You will need your electric voting unit for today's voting. Our procedures dictate that all voting must be done by paddle or electronically rather than by voice or hand.

Please note that all voting procedures and instructions are in the Official Notice.

President and Management Councils have adopted a policy to use electronic units to vote on all resolutions and legislative proposals. In order to do that, it's best that we conduct that test vote now, to give us plenty of time to address any technical issues you may have before the actual voting begins on the two resolutions.

The units are very easy to use. The process is described on a flyer that was in your convention registration packet. It's important to insert your school or conference smartcard into the voting unit.

When I declare it's time to vote, simply press the button for your selection.

Press 1 for Yes; 2 for No; 3 to Abstain.

The number you choose will appear in the LED window on the front of the keypad. It will only appear for a moment or two and will go out when your vote has been received by the system.

If any other number you've pressed in the LED window, please notify one of the voting technicians immediately. Their table is located to the right of the dais -- to your right.

For roll-call voting, a school-by-school, conference-by-conference printout of the voting results will be posted on the NCAA.org website following the conclusion of the Convention.



As a reminder, there will be no window for reconsideration for today's two resolutions.

Finally, please remember to leave your keypads at your table when our business session ends this morning. But remember to take your smartcard as you will need it for Saturday's Business Session.

If you happen to take your keypad with you, please return it promptly to the registration area or contact NCAA staff here at the hotel so they can make arrangements to pick it up.

Are there any questions about the electronic voting process? Crystal clear.

To be sure that the units are performing correctly, let's now conduct a test voting. If anyone has any problems casting a vote, again, please come forward to get some assistance.

Please note that if your vote is received, you should see a "yes received," "no received" or "abstain received" indication on it.

Let's respond to the following question to test our voting units. Again, fun facts.

Did you know that Division III national SAAC is partnering with the Sports Science Institute to release a video and statement on mental health? The voting is now open.

Voting is now closed. The results of the test question are:

Yes, 248 votes. No, 181 votes; abstain, 12 votes. For a total of 441 voting.

Again, if you had any difficulty, please come up for assistance.

Today we will consider two resolutions and related motions. These proposals are No. 1 and No. 2 in the Official Notice. We will conduct a roll-call electronic vote for each proposal and any motions related to it.

Please note that several questions and answers of interest appear in the Q&A document that is located on the Division III home page.

The questions and answers address the two resolutions being voted on today. We have covered the key issues during the legislative review and Q&A portion earlier in today's Issues Forum.

As we begin, I want to remind you of a couple of points of order. For the benefit of the historical record, please again state your name and institution when you are recognized by the chair to speak.

Also remember that delegates are limited to addressing the resolution twice, not counting answering questions directly posed to them by other delegates.

Finally, I'd like to review a couple of parliamentary issues both involve the motion to cease debate commonly referred to as call the question.

Robert's Rules of Order do not permit an individual delegate to cease debate simply by submitting a statement to call the question. Rather, a motion to cease debate or a motion to move the previous question must be formally made and seconded. If that motion is made, it is a nondebatability motion that requires a separate vote and a two-thirds majority for adoption.

If that motion is adopted, we then move immediately to a vote on the underlying resolution. If the motion to cease debate is not adopted, debate continues on the underlying resolution.

One more point. The chair considers it unfair for an individual to move to cease debate or move the previous question immediately after they've made several comments regarding the merits of the resolution.

In other words, if you want to move to cease debate, you should not engage in a debate in the merits of the resolution as a part of your motion. If you do so, the chair intends to rule the motion out of order. Thank you for your cooperation in this matter.

We're now ready to consider the two Presidents Council resolutions for Special Rules of Order to be used during tomorrow's Business Session.

Resolution No. 1, recognize the speaker at microphone 7.

JIM TROHA: Jim Troha, President of Juniata College. As a member of the Division III Presidents Council, I move Resolution No. 1.

JIM SCHMIDT: Is there a second? There is a second. Please proceed with your remarks.

JIM TROHA: We have two proposals amending the composition of both the Presidents and Management Councils up for vote tomorrow.

If one of these proposals passes, the other cannot. Our

current procedures and parliamentary rules allow discussion only on the proposal up for consideration and do not allow discussion of both of these proposals in conjunction with each other.

This resolution would change our procedures. This Special Rule of Order would be a temporary rule for this convention only that would allow us to discuss both proposals against each other. It would also allow this membership to determine the voting order between these two proposals.

This Special Rule of Order would ensure that, between these two proposals, the proposal that would be voted on first tomorrow will be the one preferred by the majority of the membership.

Once the voting order is determined, our normal voting process will resume. Because both proposals deserve to be discussed in relation to each other, and because the membership should determine the voting order of these two proposals, Presidents Council supports and urges you to support this resolution as well.

JIM SCHMIDT: Thank you. Any other discussion? Any further discussion? Okay.

We're now prepared to vote on the resolution. Please cast your vote. 1 is for Yes. 2 is for No. And 3 is for Abstain. The polls are now open. The polls are now closed. Vote was 410, yes; 26, no; six abstain. The motion carries.

We'll now move on to Resolution 2. Recognize the speaker at microphone 7.

JIM TROHA: Thank you. Hello again. Jim Troha, president of Juniata College. As a member of the Division III Presidents Council, I move Resolution No. 2.

JIM SCHMIDT: Is there a second?

DELEGATE: Second.

JIM TROHA: The 2022 Issues Forum and membership survey clearly showed that an update to the playing and practice season structure was a priority for this membership.

As a result of that priority, there are two different proposals amending the playing and practice season up for vote tomorrow.

Like before, if one of these proposals passes, the other cannot. This resolution would create a similar Special Rule of Order as just discussed and voted on and approved.

It would provide the membership an opportunity to first discuss these two playing season proposals in conjunction with each other and then vote on which proposal they prefer to vote on first.

Then tomorrow, during Saturday's Business Session, we would then vote on the preferred playing season proposal against the status quo, in line with our normal voting process.

Because both proposals deserve to be discussed, and because this membership should determine the voting order, Presidents Council supports this resolution and urges you to support it as well. Thank you.

JIM SCHMIDT: Thank you. Any further discussion? Any further discussion? If not, we'll move to a vote. Vote, 1 is Yes. Mark 2 for No. 3 for Abstain.

And the polls are now opened.

The polls are now closed.

The results are 434, yes; no, five votes; zero, abstain. The resolution is adopted.

With the adoption of both resolutions, tomorrow, during the Division III Business Session, we will use an alternative voting process that will allow delegates to debate the merits of both Proposals 7 and 8 at the same time.

After the debate, we will vote on the preferred voting order of the two proposals. Then we will vote on the preferred proposal with the understanding that, if it's adopted, the other proposal will be rendered moot.

Only if the preferred proposal is defeated would we vote on the second proposal.

The same process will be repeated for Proposals 10 and 11.

I know that this process has been a bit unique but I want to say that I'm proud of our governance structure that is allowing the most opportunity to discuss and debate different resolutions. And I appreciate everyone's understanding of walking through this proposal.

Thank you again for your attention and participation. We will see you again tomorrow morning at 8:00 for the Division III Business Session.

Remember to take your smartcards but leave your voting units in place. May you all have productive afternoon conference meetings. We are adjourned.

[Adjourned at 10:55 a.m.]

CERTIFICATION OF COMPLETION

I, DENISE HINXMAN, Certified Court Reporter, do hereby certify;

That on Friday, January 13, 2023, I was present and took verbatim stenotype notes of the Special Rules of Order Business Session entitled herein, and thereafter transcribed the same into typewriting as herein appears;

That said meeting was taken in stenotype notes by me, a Certified Court Reporter, and thereafter reduced to typewriting under my direction as herein appears;.

That the foregoing transcript is a full, true and correct transcription of my stenotype notes of said meeting.

Dated at Reno, Nevada, this 17th day of January 2023.

DENISE HINXMAN, RDR, CRR