

# NCAA Convention

Wednesday, January 18, 2023

San Antonio, Texas

## Division II Business Session



[GAVEL]

STEVE SHIRLEY: Good morning, everyone. It is 8:00. So we will begin.

My name is Steve Shirley. I serve as president at Minot State University, a proud member of the Northern Sun Intercollegiate Conference. And I currently serve as chair of the Division II Presidents Council.

The 2023 Division II Business session will now come to order. As we begin today's annual meeting, I would like to ask the Division II Student-Athlete Advisory Committee to please stand and be recognized.

This is a remarkable group of talented student-athletes who represent the best and brightest in our division.

(Applause.)

They represent the very best and brightest among our division. Thank you, SAAC members.

SAAC will play an active and important role in our legislative debate today. Based on the action taken eight years ago by the membership, SAAC will once again, officially vote on each of the proposals during today's business session.

My purpose in introducing them now is to highlight the work that they do for our division throughout the year in bringing positive attention to our values and attributes. I am convinced, more than ever, that this group and our 124,000 D-II student-athletes are the greatest resources on all of our campuses.

I would next like for the officers of the Division II Management Council and Presidents Council to please stand and be recognized as I introduce you:

Presidents Council Vice Chair Gayle Hutchinson, president at Cal State Chico, representing Region 4; Management Council chair Jim Johnson, athletic director at Pittsburg State University, representing the Mid-America Intercollegiate Athletics Association; Management Council vice chair Jerry Wollmering, Director of Athletics at Truman

State University, representing the Great Lakes Valley Conference.

Additionally, I would like to recognize the outgoing members of the Management Council and Presidents Council. These representatives have done a fantastic job of representing their conference and/or region. It is their duty to keep the membership informed, and they have all done a terrific job with that.

I ask that these individuals stand and be recognized as I call your name. First, from the Management Council: Teresa Clark, Faculty Athletics Representative, Cedarville University, representing the Great Midwest Athletic Conference.

(Applause.)

Bob Dranoff, Commissioner, East Coast Conference, representing the institutions within the East Coast Conference.

(Applause.)

Laura Clayton Eady, Associate Athletics Director/Senior Women's Administrator, University of West Georgia, representing the Gulf South Conference.

(Applause.)

Courtney Lovely Evans, Director of Athletics, Palm Beach Atlantic, representing the Sunshine State Conference.

(Applause.)

I learned earlier this week this is the illustrious Marty Gilbert, Faculty Athletics Representative, Mars Hill University, representing the South Atlantic Conference.

(Applause.)

Jim Johnson, as you saw, AD at Pittsburg State University, Pittsburg, Kansas, representing the Mid-America Intercollegiate Conference.



(Applause.)

David B. Kuhlmeier, Faculty Athletics Representative, Valdosta State University, serving in an at-large capacity.

(Applause.)

And Julie Rochester, Faculty Athletics Representative, Northern Michigan University, serving in an at-large capacity.

(Applause.)

From the Presidents Council: Gayle Hutchinson, president, Cal State Chico, representing institutions in Region 4.

(Applause.)

At this time, we would like to recognize everyone who is planning to retire in 2023 to please -- this is where it's always maybe a surprise to your colleagues --

(Laughter.)

But please stand if you're retiring this year.

(Applause.)

To all of you, we appreciate your time, your efforts and your dedication. Thank you for all of your contributions to Division II, and we wish you the very best in your future endeavors.

I would also like to take this opportunity to introduce Dan Dutcher, who will serve as our Division II parliamentarian today. Dan, thank you.

(Applause.)

Additionally, members of the Division II Governance staff, and Academic and Membership Affairs staff are with us today. They are here to assist with our legislative questions and issues that may arise during the course of today's business session.

As required by the NCAA constitution, we would like to take a few minutes to share some routine announcements regarding the events of the past year and discuss some key future priorities.

I will now ask Gayle Hutchinson, president at Cal State Chico and vice chair of the Presidents Council, to provide a brief update.

GAYLE HUTCHINSON: Good morning. Thank you,

President Shirley.

My name is Gayle Hutchinson. I am in my seventh and final year as president at Chico State University, and I'm a proud member of the California Collegiate Athletic Association.

(Applause.)

Before I begin, I wish to sincerely thank Mark Emmert for his leadership and service as president of the NCAA for the past 12 years. Mark has many accomplishments during his tenure.

One that stands out to me, though, to me personally and my community, was his commitment and follow-through to sponsor the building of a Habitat For Humanity home where, upon completion, was made available to a family that was burned out of the most deadliest wildfire in California history, on November 8, 2018, known as The Camp Fire.

The community continues its rebuilding efforts, and to this day still talks about this important contribution made by the NCAA. We, the community, are sincerely grateful for the association's compassion and commitment to Paradise and the other communities on the Ridge. Thank you, Mark, and best wishes to you and your family.

(Applause.)

And it is with enthusiasm that I offer a hearty congratulations to Governor Charlie Baker on earning the opportunity to serve as the NCAA's newest president. I know Division II looks forward to working with you to advance the NCAA mission of helping students realize their academic and athletic dreams today and into the future, especially Division II, where we help students succeed while striving for life in the balance.

In my role as vice chair of the Division II Presidents Council and chair of the Planning and Finance Committee, I have the responsibility and the honor to provide you an annual report at this business session.

This year, my focus will be on the division's constitution implementation process, the division update and division strategic direction. And I promise -- I will try to keep my remarks brief.

Constitution Implementation Committee. At last year's business session, we adopted a new NCAA constitution and set to work on reviewing all of Division II's existing policies and rules, making sure they aligned with it -- or proposed revisions so that our policies and rules would be



revised to align with the new constitutional changes -- a complex task that took nearly a year to complete.

And although our work was not dominated by the challenges associated with the COVID global pandemic, it still was conducted against the backdrop of ongoing political and legal pressures, for example, Name, Image and Likeness, employment challenges and other things.

To oversee the constitution implementation initiative, Division II appointed a 28-member Implementation Committee that represented all 23 Division II conferences and included five student-athletes.

In about 30 minutes, we will begin voting on many of the items proposed by the Implementation Committee.

First, let's say thanks to the Implementation Committee. Would members of the Implementation Committee please stand. And let's give them and the five student members special recognition. Thank you.

(Applause.)

Great work. The past few years have been intense, yet Division II leadership and membership always rise to the challenge. And you might wonder why Division II has weathered change and challenge over the past few years so well.

There are many reasons, several of which I have observed consistently over the last six years. And here are three of my observations.

First, our commitment to health and well-being of the student-athlete with an emphasis on their mental health has been absolutely unwavering -- unwavering -- our commitment to help students succeed not only through competitive athletic environments and championships, but in their academic pursuits and their service to community.

Second, our legacy of collaboration to which our governance structure is well-known; frankly, our collaborative spirit and ability to cooperate is the glue that unites us. The latest example of this is the work of the Implementation Committee. They exceeded many people's expectations when they produced quality results under the constraints of time.

The way in which the committee achieved these results was through unselfish commitments to improve the division and enhance student-athlete experience, truly a strong demonstration of our collective and collaborative spirit.

The third value I observed is demonstrated commitment to

the student-athlete voice. Now, Division II has consistently considered student-athlete interaction and input in our decision-making as a top priority over many years. We were the first division, in fact, to give student-athlete representatives -- to actually give student-athlete representatives on governance committees the opportunity to vote.

And this past year we enhanced that voice by including two student-athletes with voting rights on the Presidents Council and giving each of the two student-athletes on Management Council their own individual vote.

The student voice is essential to the division's decision-making, and our student-athletes embody the division tag line "Make it Yours." And the Student-Athlete Advisory Committee, SAAC, is progressive and outspoken to all members of SAAC. Thank you for your leadership and your courage.

These three values, along with others that I have witnessed throughout my service, helps us provide student-athletes with the most meaningful education and experiences.

These values are also what distinguish us as a division, for which I am proud.

Now, let me move on to budget update. Some good news in this for you.

Division II engages in a long-range, budget-planning process consistent with the association's 10-year financial plan. Strategic priorities always guide the planning process, and for '22-'23, as you know, those priorities include balance, academic success, access to championships, community engagement, inclusive cultures and preparation for life.

This past October, the Presidents Council approved a revised long-range budget for the division that aligns the Division II revenue allocation with the association's 10-year financial plan. It also provides enhancements to Division II championships, distributions to member schools and conferences and other strategic priorities.

Specifically, the championships enhancements include an annual increase of 5 percent to the travel budget and triennial increases in per diem, game operations and championships enhancements. The Conference Sports Sponsorship Fund and Equal Distribution Fund also received 3 percent annual increases.

The Conference Strategic Priorities Fund will increase each triennial. Further, we received the final surplus



amount from the '21-'22 fiscal year, and we were very fortunate to have a little over 4.5 million in surplus.

At the Presidents Council meeting on Thursday, the Planning and Finance Committee recommended and the Presidents Council approved the following use of '21-'22 Division II surplus money. Wait for it.

Beginning with supplemental distribution of \$8,000 per institution this year, which is an equivalent of \$2.3 million going back to our colleges. Congratulations on that.

(Applause.)

In addition, the Planning and Finance Committee recommended and the Presidents Council approved rolling over unused funds in the amount of \$450,000 for the joint championships line item. A portion of these funds will be used for the joint women's basketball championships in Dallas in March-April '23, \$275,000 for the Make Game Day Yours initiative.

These funds were allocated for this initiative to implement over three years. The remaining dollars will be used to continue paying the Disney Institute for facilitating training sessions and continuing to implement the modules via Division II University.

If you haven't checked into those Disney Institute modules, I encourage you to do so. We've had a look and are participating in them ourselves, and we think they're pretty darn good.

\$250,000 towards the 50th anniversary of Division II during the '23-'24 academic year. These funds will be used to purchase signage, 50th anniversary team recognition trophies, and other initiatives to celebrate the division.

These funds will be used in fiscal year '23, and the remaining funds will be rolled over for fiscal year '24.

Finally, the Presidents Council approved adding just a little over, a smidgen over \$1 million into the reserve.

Other minor adjustments were recommended to cover enhanced initiatives for the division and support additional groups within the governance structure.

As a reminder, the NCAA fiscal year begins on September 1st. The first quarter budget to actuals are just being completed, and it's still relatively early in the budget cycle. But we are on track to remain within our budget this year.

Beginning with the strategic planning update -- I know you're really waiting on this one, but it is important -- let me

tell you about the timeline.

In 2015, we adopted a division strategic plan scheduled to sunset in 2024. However, with the creation of the Constitution Committee, in August of '21, and the anticipated vote on a new constitution at the '22 convention, the Division II Administrative Committee, last August, agreed to delay the process for creating a new plan for the division.

Now, with the adoption of the new constitution, the completed work of Division II Implementation Committee and the report from the Division I Transformation Committee that was released recently, the time is to look forward, look forward to our future and develop a new strategic plan.

At its meeting on Thursday, the Presidents Council adopted a new strategic planning timeline that builds toward distributing the membership census next January and using those results to develop a six-year plan that will be launched at the 2026 convention and run through 2032. Now, 2032 makes me laugh because I don't know about you, but I have no idea where I'm going to be in 2032.

But that's nonetheless important because the future will soon be today. Developing a new strategic plan is exciting. It's an opportunity to hold on to our strengths and values that we hold dear. But it's also an opportunity to establish a progressive agenda that continues to honor and serve our students best as they strive toward their potential.

We celebrate our 50th anniversary as Division II during the '23-'24 academic year. Our golden anniversary is an important milestone, especially as we reflect upon all that we have accomplished together.

The challenge becomes advancing our mission and goals over the next 50 years that makes us more proud of Division II and our student-athletes than we are today.

In closing, I have loved my time serving our student-athletes and Division II. I've loved my time working with all of you. I believe in our mission, and find our work noble. It is a noble service.

I have enjoyed working with so many of you on committees. And I also want to thank all of the Division II staff for their leadership, their commitment and their productivity.

I often tell my friends and colleagues that I absolutely love serving on the NCAA committees, mostly because of the quality of the professionals on staff and the colleagues from across the country with whom I get to work. All of you



make working hard together productive and you make working hard together fun, as it should be.

Best wishes to all of you for a healthy, happy, meaningful 2023. And, President Shirley, that concludes my report.

(Applause.)

STEVE SHIRLEY: Thank you so much, President Hutchinson. Thank you for all your leadership and work and efforts over the past couple of years, and truly have enjoyed working with you and getting to know you. So thank you very much for your leadership.

We're going to get to the voting instructions in a minute. Before I do that, we recognized the outgoing members of a couple of committees, but I also want to recognize all members of a couple of groups.

So, first and foremost, all members of Management Council, if you're on current Management Council, please stand up, let us give you a round of applause.

(Applause.)

And for all of my colleagues here this morning who are on Presidents Council, please stand so we can give you a round of applause as well.

(Applause.)

We need to take just a few minutes now to review the voting process we will be using today.

We have 12 proposals this year. We will conduct some of them via paddle vote and the remainder as roll-call votes. Let me walk you through how to cast a vote using the voting units. All voting delegates should have a voting unit and a smartcard.

The smartcard should be inserted into the top of the unit, noting the direction of the arrows, with the chip facing you. When the card is inserted correctly, you should see a welcome sign with a name at the top of the screen.

When it is time to conduct a roll-call vote, either press the number that corresponds to the answer that you wish to register or use the track ball to scroll down and select your response. There is no enter key required.

Check your response in the display screen on your keypad. To change your vote, press the "X" button to clear and then input your new choice. The last number you press prior to the voting window closing will be your registered vote.

When you abstain, your institution will be noted as present, but not voting. Your voting unit does not have to be pointed in any particular direction in order for your vote to be counted. You will be allowed approximately 30 seconds to cast your vote.

Once discussion on a particular proposal is completed, I will say, "It is now time to decide. Please cast your vote by pressing the Number 1 button for Yes, the Number 2 button for No or the Number 3 button to Abstain."

We will then wait approximately 30 seconds to say, "The polls will close in 5 seconds."

Any votes after I say, "The polls are now closed" will not be registered. If your electronic voting unit malfunctions or displays an error message, please find a representative of the Membership Committee or proceed to the voting area to my left so that they can assist you.

If there is a malfunction, you will have to complete a declaration form declaring the correct and complete voting action for your institution or conference. These forms are available in the voting area.

Please note that we have five representatives from our Division II Membership Committee available to assist you if you have any problems with your voting unit. I encourage you to find these folks if you need assistance. And I would like for them to please stand as I call your name.

Keri Becker, Director of Athletics, Grand Valley State University, is seated in the back of the center section.

Andy Carter, Director of Athletics, Missouri Western State University, is seated directly in front of me at the front of the room.

Jessica McIntyre, Associate Athletics Director of Internal Affairs/SWA, Lee University, is seated in the section to my left in the middle of the room.

Will Prewitt, Commissioner, Great American Conference, is seated in the section to my left in the middle of the room.

Where are you, Will? Thank you.

And, finally, Debbie Snell, Director of Athletics, Hawaii Pacific University, is seated in the section to my right in the back of the room.

(Applause.)

We also have Kevin Schriver. Kevin, give a wave, faculty



Athletics Representative from Southwest Baptist University, who is seated in the voting area to my left. Kevin will work with the voting technicians to assist you if there are technical issues that need to be resolved.

Those are the members of your voting committee this year, so please find someone if you are experiencing any difficulties.

We are using the large video screens to project voting information. Voting results will be provided immediately for all electronic roll-call votes. We will display the roll-call results on the large screens and make an announcement regarding the vote tally after we close and before we proceed to the next proposal.

If your travel schedule necessitates that you leave the meeting before the session is adjourned, please make sure that you take your voting unit, smartcard and paddle with you to deposit them at the voting unit table outside this ballroom. This is the same location where you picked up the unit this morning.

You must physically be present to vote if you are designated as the voting delegate for a conference or institution. You cannot have a person from another institution or conference cast your vote for you. We ask that all abide by these rules.

Before we start our official voting, we need to conduct a couple of test votes to ensure that your voting units are working properly. If you have not done so already, please find your voting unit and insert your smartcard into your voting unit.

For the first test vote, please press the Number 1 or the Yes button on your voting unit. Please press the Number 1 button now so that we can confirm that the units are working.

While we check the voting results for the first test vote, we will begin our presentation of the Division II Award of Excellence.

This award, now in its 10th year, recognizes the very best across Division II when it comes to community engagement, a positive game day environment and the development of student-athlete leadership.

Last year, the University of Minnesota, Duluth, was the winner for its Green Bandana project. Again, this year, each conference was awarded \$500 and an additional six at-large honorees were also awarded \$500 each.

From there, the selection committee faced the difficult task

of choosing those three institutions or conferences that would walk away with additional prize money for being the best of the best.

We will now play a video that highlights the top three finalists.

(Video played.)

(Applause.)

Congratulations to our top three finalists: Cedarville University; Minnesota State University Moorhead; and Roberts Wesleyan University. The video obviously highlights the great initiatives that each of these three campuses have done in the past year.

Before we get to the winner, I would like to confirm that the first test vote was successful, so we are ready for our second test vote. For the second test vote, please press the Number 2, the "No" button on your voting unit now, so we can confirm that it works. Please press the Number 2 button now.

While we are checking the voting results for the second test vote, we are going to announce the Award of Excellence grand prize winner.

Congratulations to Minnesota State University Moorhead.

(Applause.)

Let me introduce Chad Markuson, Director of Athletics, at MSUM to accept the D-II Award of Excellence on behalf of his campus. Congratulations.

CHAD MARKUSON: Good morning. I want to congratulate the other finalists. This is a great honor, and I accept it on behalf of my amazing student-athletes, my amazing SAAC, and the Joe Keller family. That was a powerful day, and the overall event was very successful.

And I also want to just congratulate Division II for all the work we do with Make-A-Wish. I think it's a very worthy cause, and I encourage you all to continue to work with Make-A-Wish. And thank you.

(Applause.)

STEVE SHIRLEY: Congratulations, Chad, and to the MSUM community and all the finalists we saw today. I'm just so proud of the work we've done for so many years with Make-A-Wish, and it's great to see those initiatives in action. So well done.



Our second test vote was indeed, I believe, a success. So we are good. Thank you, all.

As a reminder, Robert's Rules of Order provides that procedures therein may be superseded or replaced by an organization's own traditional or customary procedures. This Association has a number of such legislative requirements and procedures.

Several of them are reviewed in the introductory section of the Official Notice. In addition, you will find in Appendix B of your Official Notice, on blue pages 307-308, a list of Convention voting procedures that may be of assistance to you.

NCAA Convention procedures are designed to ensure fairness and equitable treatment for all members and to expedite our work as delegates.

I will not take the time to explain all of the parliamentary procedures used to ensure fairness, because that would put most of us to sleep, but I will remind the delegates that we fully intend to apply these procedures through our business session today.

There are certain procedures we employ in attempting to use our time wisely and efficiently, and let me briefly review those.

As stated, we will use the voting machines for roll-call votes. All other votes will be handled by paddles. Roll-call votes were designated by the Presidents Council for those proposals where it is important to create a historical record of how each Division II institution, conference and SAAC voted on the issues.

If a delegate intends to debate an issue during the business session, we ask that you be at one of the microphone locations and be prepared to speak when the motion has been made and seconded, or as soon as the previous speaker has concluded their remarks.

The microphone numbers will be used to recognize speakers, and delegates will be limited to speak to a single motion not more than twice. If I see no one at the microphones, the vote will be called as quickly as possible.

The voting and speaking privileges for NCAA Conventions are set forth in NCAA legislation and are summarized in the Official Notice. I would ask that you identify yourself by name and institution or affiliation whenever you address the Convention.

Those delegates wearing lanyards that are red, blue or green are permitted to speak. Those with other colors are

visitors and may not participate other than as observers.

As a reminder, the speeches made during today's business session for each proposal create a historical record that becomes important for preserving the legislative intent of the 2023 voting delegates.

The annual Convention proceedings will serve as the official record of this business session and will be included in these proceedings.

Let me also review the window of reconsideration opportunity. After we complete the consideration of the 12 proposals this morning, we will pause for approximately three minutes for people to organize for the period of reconsideration.

I will call for a motion to reconsider any of the proposals that have been voted on. We will verify that the motion maker did vote on the prevailing side during our initial vote on the proposal.

We ask that all motions to reconsider occur during this window of reconsideration. Also, please note that two of the proposals have an immediate effective date. For these two proposals, the immediate effective date will be voted on by paddle, followed by machine vote on the merits of the proposal.

If the immediate effective date is defeated and the proposal is adopted, the effective date will be August 1, 2023.

We have a court reporter joining us virtually today to prepare a transcript of this business session, so I again remind you to please identify yourself and your institution or affiliation whenever you speak.

The 2023 NCAA Convention Division II Official Notice, which was released in November, includes all of the legislative proposals pertinent to today's business session.

I would also like to call your attention to the procedural issues document that was handed out this morning. This document highlights procedural issues related to the division's legislative proposals.

Our first order of business this morning is to approve the Official Notice format. If we vote to accept the Official Notice, we will vote on the proposals in the order in which they appear in the Notice.

I also want to point out that by adopting the Official Notice, you will have approved the noncontroversial legislation in Appendix A included on blue pages 48 through 306.

These amendments have been approved by both the Presidents Council and Management Council during the past 12 months, and we will not discuss any of them individually unless someone moves to do so.

I will now ask for someone to make a motion to adopt the Official Notice and the printed order of proposals so that we may proceed with our work. After such a motion, we can consider any motion to reorder proposals.

Jim Johnson at mic 2.

JIM JOHNSON: Jim Johnson, Director of Athletics, Pittsburg State University. On behalf of the most amazing Management Council in the last 25 years, I move for the adoption of the 2023 NCAA Convention Division II Official Notice, including the printed order of the proposals.

STEVE SHIRLEY: Thank you. Microphone No. 1.

WILEY CAIN: Wiley Cain, on behalf of the Division II National SAAC, I second the motion.

STEVE SHIRLEY: Moved and seconded. Any discussion?

All right. It is now time for our paddle vote on the motion to adopt the Official Notice and printed order of proposals. All in favor, please raise your paddles. Looks pretty convincing.

All right. All opposed, please raise your paddles.

Any abstentions?

All right. Thank you. The Official Notice and printed order of proposals are approved.

This year, the Presidents Council has identified Proposal Nos. 2023-1 through 2023-5 as the consent package, and they are intended to be voted on as a group.

We are now ready to begin our consideration of the legislative proposals. We will start on page 3 of the Official Notice with the Consent package, Proposal Nos. 2023-1 through 2023-5.

As we begin, I remind you to please state your name and institution or affiliation for the record when you are recognized at one of the microphones.

Proposal Nos. 2023-1 through 2023-5 are the consent package and they will be considered as a group, unless there is an objection. This is a paddle vote.

Proposal No. 2023-1 has an effective date of August 1, 2025, for implementation of the penalty for failure to submit the data. Proposal No. 2023-2, 4 and 5 have an effective date of August 1, 2023. Proposal No. 2023-3 has an effective date of August 1, 2023, for proposals submitted for the 2024 NCAA Convention.

Microphone 2.

JIM JOHNSON: Jim Johnson, Director of Athletics, Pittsburg State University. On behalf of the Management Council I move Proposals 2023-1 through 2023-5 as the consent package.

STEVE SHIRLEY: It's been moved.

WILEY CAIN: Wiley Cain on behalf of the National Student-Athlete Advisory Committee, I second the motion.

STEVE SHIRLEY: It's been moved and seconded. Any discussion?

JIM JOHNSON: These proposals were placed in the consent package due to the nature of the changes being proposed. Based on membership feedback received, each proposal is considered without controversy. Management Council agreed it's appropriate to vote on these five proposals as a package.

Please join our council in support of this consent package.

STEVE SHIRLEY: Thank you. Any further discussion?

Not seeing any, It's now time for our paddle vote on the Consent Package proposals 2023-1 through 2023-5.

All in favor, please raise your paddles. Thank you.

All opposed, raise your paddles. Thank you.

Any abstentions?

Okay. That is adopted.

We are now ready to look at the remainder of this year's legislative proposals. Proposal No. 2023-6 is a paddle vote with an effective date of August 1, 2023.

Microphone 4.

CARRIE MICHAELS: Good morning. Carrie Michaels, Senior Associate Director of Athletics - SAW at Shippensburg University. On behalf of the Division II Management Council, I move proposal No. 2023-6.



STEVE SHIRLEY: It's been moved. It's been seconded by Jim Johnson. You may continue at microphone 4.

CARRIE MICHAELS: Adding stunt as an emerging sport will increase participation opportunities for women in Division II.

During their meetings this week, the Presidents Council and Management Council discussed a recommendation from the Committee on Women's Athletics requesting the referral of Proposal No. 2023-6 back to the committee to allow for further review and discussion due to some legal developments that were not available at the time the legislative recommendation was made in February 2022.

While the councils agree that student-athlete health and well-being is a top priority for the division and the association, the legal developments that were raised and the recommendation to refer Proposal 2023-6 back to the Committee on Women's Athletics do not involve the national governing body for stunt, only affiliated club associations. Nor do they involve collegiate level stunt, who have demonstrated the requirements to be an emerging sport.

Further, stunt is not cheerleading and is not the same as the emerging sport of acrobatics and tumbling. The competition format differs between the two sports and they each utilize different skill sets from student-athletes.

Adding stunt as an emerging sport does not require institutions to sponsor the sport at the varsity level since each member institution has the discretion and autonomy to determine which sports are best for their athletics program and how their programs are managed.

This proposal is simply designed to establish legislation that adds stunt as an emerging sport, to continue fostering its growth and more participation opportunities for women student-athletes at participating institutions.

Please join me in supporting the adoption of Proposal No. 2023-6.

STEVE SHIRLEY: Thank you. We're going to go to microphone 6 next.

KELLEY KISH: Good morning. Kelley Kish, Director of Athletics, Wingate University.

With deep respect to the National Student-Athlete Advisory Committee, and the Committee on Women's Athletics and their work, I would like to have institutions consider voting no today to align with the CWA's recommendation for further time to review and research info that, as we heard,

they just didn't have in February '22 when they put forward their first original recommendation.

Their public report states that the time is made to make a more informed recommendation that could include, and people in this room who sponsor stunt, your information and your data for them.

Why do we as a division want to separate ourselves and go directly against an association-wide committee and their recommendations, especially when the public report specifically says the need to prioritize student-athlete health and well-being which could be adversely affected by the new information that they received?

Let's let the Committee on Women's Athletics do the work that they have asked to do and the time that they have been asking to do that.

Please join me and Wingate University in opposing this today so we can elevate our division and our voice collectively and individually can be on the record to prioritize student-athlete health and well-being.

STEVE SHIRLEY: Thank you.

Microphone No. 1.

ISH CONTRERAS: Good morning. My name is Ish Contreras, a former men's soccer student-athlete from the Great Lakes Intercollegiate Athletic Conference. I'm the vice chair of the Division II National Student-Athlete Advisory Committee, speaking on behalf of nearly 120,000 Division II student-athletes.

The Division II SAAC supports Proposal No. 2023-6 for the following reasons: The adoption of this proposal will provide more opportunity for female student-athletes to continue their careers at the collegiate level. And there are currently Division II institutions that already sponsor the sport of stunt.

Finally, adding stunt will also provide institutions with an opportunity to increase their athletics presence within the NCAA and further develop their student population. Please join us in supporting the adoption of Proposal No. 2023-6.

STEVE SHIRLEY: Thank you.

Microphone 2.

CONNOR SMITH: Good morning. My name is Connor Smith. I serve as director of athletics at Dallas Baptist University in Dallas, Texas, proud member of the Lone Star Conference. I'm honored to stand in support of Proposal

No. 2023-6.

As an institution that already sponsors the sport of stunt, we have seen firsthand how this new and fast-growing sport can positively impact the university campus in many ways.

More importantly, this has been an incredible and new opportunity for female student-athletes.

A vote in support of Proposal No. 2023-6 is a vote in support of a new and exciting opportunity for female student-athletes.

STEVE SHIRLEY: Thank you.

Microphone 3.

CARLOS CAMPO: Good morning. I'm Carlos Campo. I serve as president of Ashland University, also a proud member of the Great Midwest Athletic Conference and a member of the Presidents Council.

And I stand today in support of 2023-6. We've already heard from President Hutchinson that athlete well-being supersedes all other actions on behalf of our association. And yet the concerns that were raised by CWA are not raised as an imminent threat to any student-athlete.

Further, the reference to culture is, from my perspective, unprecedented in our discussions. Without going into detail, we all realize that cultural concerns have been raised about other sports, including gymnastics, lacrosse and others, but they've never been used to impede student-athlete progress toward their work.

We believe the timing of these concerns, the very amorphous nature of the allegations, and, for the facts that have already been mentioned, that this does not directly relate to the association as such. I'll speak against any waiting at this time.

I would further say that I applaud Division II for standing outside of others because of the very nature of institutional autonomy.

We all know that as individual institutions, we foster character development and would in no way place these female athletes at risk if there were even a whiff of concern of danger to their well-being.

But instead, we would stand firm together to pause if we believe that it was in the best interests of these students.

And I would close by stating -- I say this with all sincerity --

I invite any member of the CAW, at the cost of our institution, to come and see the very culture that's been established in our program over the last year. It is extraordinary. It supports those women and their work.

Thank you for your consideration.

STEVE SHIRLEY: Thank you.

Microphone 2.

(Applause.)

THOMAS WEBB JR.: Good morning. My name is Thomas Webb Jr., a football student-athlete from the Lone Star Conference. And I'm speaking on behalf of the student-athletes from the Lone Star Conference.

I stand in support of stunt as an emerging sport for women. Currently, the LSC has the minimum number of teams to be a conference sport. However, our bylaws specify the sport to be cost funded as an NCAA sport.

This status would provide our stunt student-athletes the opportunity to compete for numerous academic and athletic awards throughout the season as well as a conference championship.

Additionally, we have several other members exploring the addition of stunt, and this status would be the final piece of information they need to finalize a decision.

A potential for hundreds of new opportunities for women in the LSE is a real possibility. The LSE has a rich tradition in women's athletics, just a month ago, winning the 2022 Volleyball National Championship.

We also have recent women's national championships in track and field, golf, softball and basketball. Our stunt student-athletes will be welcomed into this culture of excellence.

I ask you to join the student-athletes of our 17-member institutions in support of stunt. Thank you.

STEVE SHIRLEY: Thank you.

Microphone 6.

(Applause.)

PATRICK BRITZ: Good morning, Mr. Chair. Patrick Britz, Commissioner of the South Atlantic Conference. I rise in opposition of this proposal.



Two years ago, three years ago, actually, we voted as a membership to support acro and tumbling as an emerging sport. And this addition of a sport very similar to it could jeopardize the substantial growth that has occurred in acro tumbling.

For example, in the world of stunt, the events are all compulsory routines, and teams receive a video from U.S.A. Cheer prior to the season and compete only those skills on the video in each competition.

Acro and tumbling has one compulsory event with foundational skills chosen by the NCATA Compulsory Committee and implemented to provide a baseline of competition and safety.

Additional five events are optional. Skills are strategically selected by coaches based on abilities of student-athletes on teams.

Further, in October, through a review of the institutional websites, 12 of the 26 varsity NCAA programs listed on the stunt website show complete or significant overlap between stunt and cheerleading rosters. Two schools listed do not even have stunt listed on their athletics website as a varsity sport. Three are listed explicitly as cheer or cheer and stunt, and an NCAA update posted on the website, the stunt website, has an NAIA institution listed as a new NCAA program.

Acro and tumbling currently has 35 Division II sponsoring institutions and is growing rapidly and is a much different and, in my opinion, better option for the selection of women to participate in additional sports.

Please support me in opposing this proposal. Thank you.

(Applause.)

STEVE SHIRLEY: Thank you.

Microphone 6.

ALLIE DE WITT: My name is Allie De Witt, Senior Associate Commissioner, SWA, at the Mountain East Conference. I rise today in opposition to this piece of legislation.

As a former National SAAC member, I have a deep appreciation and respect for the commitment, time and work this committee requires, along with the full understanding of the weight and responsibility that comes with representing fellow student-athletes and serving as a collective voice of an entire division.

I also appreciate the sacrifice, diligence and thoroughness necessary for guiding the Division II membership and advocating for our collective best interests.

My time on National SAAC prepared me well as I currently serve on an NCAA women's sport committee. As a female, I owe a debt of gratitude to those who have come before me and made my path easier because of sacrifices they have made to advocate for equal opportunities for women.

Like many of you, I advocate for opportunities for female student-athletes and aim to use my position not only to demonstrate the possibilities that exist for females in collegiate athletics, but also to inspire the future generation of women leaders that they, too, can impact change and can be a driving force in the industry.

The Committee on Women's Athletics, an association-wide committee, has requested additional time to reconsider the proposal of stunt as an emerging sport. Out of respect for our own process as a division, an association, I feel it's necessary that we provide the amount of time required and requested to fully examine and evaluate the viability of potentially adding a new sport to the NCAA, regardless of whether it's a men's or women's sport.

As someone that has directly benefited from the opportunity sport provides, expanding opportunities for females is always at the forefront.

On its surface, one would presume that an additional sport for women would expand opportunities for women student-athletes. This is a rational, reasonable line of thinking. However, stunt and acrobatics and tumbling involve a very similar skill set and discipline.

As a result, both entities pull from one pool of athletes, thus potentially hindering the success of both. If institutions are recruiting for two different sports from one talent pool and pick either one sport or the other with regard to sport sponsorship, the impact of this compounds.

Conferences and the division will be challenged to reach and maintain the minimum sponsorship numbers required for enhancement funding, limiting their ability to offer (indiscernible) for student-athletes in either sport. This does not enhance the student-athlete experience. It denigrates it.

An additional obstacle is the reality that both acrobatics and tumbling and stunt have declared their season in the spring. This, along with the inherent competition that comes with recruiting from the same talent pool for two sports, will likely result in the division of resources at the campus, conference and national level, further hindering

wholesale growth.

For these reasons, I urge you to oppose this piece of legislation, allowing the Committee on Women's Athletics additional time to assess the potential impact of stunt as an emerging sport and its potential alignment with current NCAA sport offerings.

As our colleagues in Division I and III have done, I encourage you all to ponder the value of additional time for discussion, exploration and evaluation by the CWA as they have requested. The potential impacts of the addition of stunt among other existing NCAA sport and emerging sport offerings must be considered.

Will the addition of stunt enhance opportunities for women or divide them? We may not have the answer to that today, but let's give ourselves the time and space to make that determination.

As such, I ask for your consideration to vote no on Proposal No. 2023-6. Thank you.

STEVE SHIRLEY: Thank you.

Microphone No. 5.

LONNIE FOLKS: Lonnie Folks, Director of Athletics at Maryville University in St. Louis. I stand in support of 2023-6. As I've been following along, with all the information that we got recently regarding stunt, it had to do, from my view, it had to do with information that seemed to be a little bit inaccurate. And I'm pleased that we were able to find out that that was not the case anymore.

We, on our campus, while we don't have acrobatics and tumbling, we heard the same thing regarding stunt that -- we started four years ago, as we had a cheer and dance squad. And I'm happy to say that it has not divided the student-athletes on our campus, but we've more than doubled the number of participation that we've had between cheer, dance and stunt.

I believe that stunt is a vibrant sport. It's growing very well on our campus. The numbers have doubled in the last three years that we've had and have had no negative impact on our cheer or dance programs. And we've had zero -- zero -- issues as relates to the welfare of our student-athletes.

Maryville University stands in support of stunt as an emerging sport. And I encourage my colleagues to do the same.

(Applause.)

STEVE SHIRLEY: Thank you.

Microphone No. 6.

GARY PINE: Gary Pine, Director of Athletics, Azusa Pacific University, member of the Pacific West Conference.

I recognize there's a deal of emotion around this proposal. That also has brought along confusion and perhaps even apathy.

I would ask that we be patient as we move forward with this proposal. It is important that we are clear on the concerns from the Committee of Women's Athletics.

The CWA called an emergency meeting this past December. In fact, they met four weeks ago. And in that meeting, they voted to have all three divisional governing bodies refer this proposal back to the CWA for further review and discussion.

Directly from the CWA's December report, I quote, "The chair led a discussion regarding legal complaints that could impact the student-athlete health and well-being and the development and culture of stunt. The legal complaints include allegations of sexual abuse in youth cheerleading programs and were filed in September of 2022, after the committee's recommendation of February 2022. NCAA legal staff noted that similar lawsuits have been filed since then and are at various stages of legal proceedings."

A referral back to the CWA allows the CWA to take further review of these allegations. It does not, however, end stunts' opportunity to move forward in future conventions as an emerging sport.

In fact, a referral back to the committee allows current stunt student-athletes to continue to participating and competing in the sport without interference.

I ask that you vote no to allow CWA a seamless and continual review so that we can come back here next year with full confidence of what we are voting on. Thank you.

STEVE SHIRLEY: Thank you.

Microphone No. 3.

(Applause.)

DAVID HICKS: Thank you. David Hicks, Keeton University. Mr. President, given the debate we have heard this morning, I would like to move that this be changed from a paddle vote to a roll-call vote, if that is permissible.

STEVE SHIRLEY: It has already been decided that it is a paddle vote. And I was actually asking a few minutes ago -- we'll do the paddle vote. If it looks very close, we will then move to a roll-call vote. But it has already been determined to be a paddle vote. Thank you.

Other discussions before we vote? Any further comments? Last call. Any further discussion?

I think we are now ready to vote on 2023-6. Again, it will be a paddle vote.

So all those in favor of 2023-6, please raise your paddles. Thank you.

All opposed, please raise your paddles.

Both the opinion of the chair -- I'm sorry, abstentions, please raise your paddles.

In the opinion of the parliamentarian and both the parliamentarian and the chair it is adopted.

(Applause.)

We'll move on to Proposal No. 2023-7. It is a roll-call vote with an effective date of February 1, 2024, for Parts A, B, C, D and F; and an effective date of August 1, 2023, for Part E.

Microphone No. 2.

COLLEEN KEITH: I am Colleen Keith, the president at Goldey-Beacom College, Wilmington, Delaware, a proud member of the Central Atlantic Conference.

On behalf of the Division II Presidents Council and the Division II Implementation Committee, I move Proposal No. 2023-7.

STEVE SHIRLEY: It's been moved. Is there a second? It's been seconded here. Continue.

COLLEEN KEITH: The Division II Implementation Committee developed this proposal during its review of current legislation to determine alignment with the principles in the constitution that was adopted at the 2022 NCAA Convention.

The proposal includes renaming the Division II Presidents Council as the Division II Executive Board and restructuring the council.

This will streamline the division's ability to be more nimble

in its decision-making and strategic thinking. Further, delegating additional decision-making authority to the Division II Management Council will provide the board with additional time to discuss strategic issues that directly impact Division II and higher education.

Amending the composition to include two independent members will permit perspectives in thoughts from the individuals outside of higher education. This is also consistent with the composition of boards on our campuses.

Additionally, the proposal will provide each conference with more representation on the board by basing it on championships regions, while also reducing the terms of service to permit a rotation of presidents and chancellors in the championships region to occur more frequently, increasing the number of opportunities for presidents and chancellors to serve.

The Management Council currently manages and has decision-making authority for the day-to-day affairs of the division. It reviews and acts on recommendations from Division II and association-wide committees, while also serving as an advisory group to the Presidents Council.

Increasing the minimum number of athletics directors, senior women administrators, faculty athletics representatives and conference office staff by one each will result in over half of the council being represented by those leadership positions in athletics, while also adding the perspective and ideas to the discussions from other positions on campus.

A delayed effective date of February 1st, 2024 will permit current Presidents Council members to complete their service through the full 2023 legislative cycle that concludes with the 2024 NCAA Convention. It will also permit current members of the Division II Planning and Finance Committee to participate through the entire meeting cycle of April, August, September and December of 2023.

The noncontroversial change that amends the effective date from August 1st of 2023 to February 1st of 2024 for the change in composition and duties and responsibilities of the Management Council will provide an opportunity for an expanded pool of candidates to meet the new requirements under this proposal.

And finally, this proposal will also allow for the very important greater student-athlete representation within the governance structure.

Please join me in supporting the adoption of Proposal No.



2023-7.

STEVE SHIRLEY: Thank you. Other comments on the proposal? Other comments?

Not seeing any. It is now time to decide Proposal No. 2023-7. Please use your voting machine to cast your roll-call vote by pressing the Number 1 for Yes. Press the Number 2 for No and the Number 3 to Abstain. Please vote now. The polls will close in 5 seconds.

The polls are now closed. Any votes still being cast will not be registered. And as you can see on the screen, 2023-7 is easily adopted.

We'll move on to 2023-8, which is a roll-call vote with an effective date of August 1, 2023.

Microphone No. 6, please.

MARTY GILBERT: Thank you, President Shirley. And in your own words, I am the illustrious Marty Gilbert, Faculty Athletics Representative at Mars Hill University. And on behalf of the Management Council and Division II Implementation Committee, I move Proposal No. 2023-8.

STEVE SHIRLEY: All of that duly noted in the minutes. Thank you.

(Laughter.)

Been seconded up front here. You may continue at Microphone 6.

MARTY GILBERT: The proposal would establish necessary changes to the legislation surrounding agents in light of the ever-changing landscape surrounding Name, Image and Likeness, continuing to prohibit the ability to receive benefits such as transportation or other material items while permitting student-athletes the ability to work with agents or other individuals prior to entering into contractual agreements would ensure that the best interests of the division are maintained while making sure student-athletes are receiving the necessary information to make a well-informed decision.

Finally, this proposal will continue to prohibit the use of an agent to secure enrollment at a particular institution, protecting the integrity of the recruiting process.

Please join me in supporting the adoption of Proposal No. 2023-8.

STEVE SHIRLEY: Thank you.

Microphone No. 1.

CORBIN TATE: Hello, my name is Corbin Tate, a former men's soccer student-athlete from the California Collegiate Athletic Association. I'm a member of the National Student-Athlete Advisory Committee, speaking on behalf of nearly 120,000 Division II student-athletes.

The Division II SAAC supports Proposal No. 2023-8 for the following reasons: Redefining the term "agent" will reduce confusion for institutions and student-athletes that are involved with NIL contracts.

Additionally, by providing access to agent services, student-athletes will have the opportunity to navigate the uncertain spaces surrounding NIL with the correct support and advice from a professional.

Please join us in supporting the adoption of this proposal.

STEVE SHIRLEY: Thank you. Other comments or discussion on the proposal? Any further comments?

Okay. It is now time to decide Proposal 2023-8. Please use your voting machine to cast your roll-call vote by pressing the Number 1 to vote Yes. Press the Number 2 to vote No, and the Number 3 to Abstain.

Please vote now.

The polls will close in 5 seconds.

The polls are now closed. Any votes still being cast will not be registered. And, again, you can see 2023-8 on the screen passes overwhelmingly. Thank you.

We'll move on to Proposal No. 2023-9, a membership-sponsored proposal with an immediate effective date.

There will be two votes on this proposal. The immediate effective date will be considered by paddle vote, and it needs a two-thirds approval to pass. We will then have a discussion on the proposal, followed by a roll-call vote on the merits of Proposal No. 2023-9.

Microphone No. 1.

MIKE RACY: Good morning. My name is Mike Racy, Commissioner of the Mid-America Intercollegiate Athletics Association.

On behalf of the MIAA and the Great Lakes Intercollegiate Athletics Conference, I move Proposal No. 2023-9.



STEVE SHIRLEY: It's been moved and seconded. You may continue on Microphone 1.

MIKE RACY: On behalf of the MIAA and GLIAC, I move immediate effective date of Proposal No. 2023-9.

STEVE SHIRLEY: It's been moved and seconded for the immediate effective date.

MIKE RACY: This is an important legislative change, especially for our fall student-athletes. It's permissive legislation.

In sponsoring the proposal, both the MIAA and the GLIAC agree that the legislation should have an immediate effective date so schools and student-athletes wanting to provide the skill instruction for fall student-athletes this summer may do so during a limited three-week window after the July 4th holiday.

STEVE SHIRLEY: Thank you. Any further discussion on the immediate effective date? We will vote on that first.

All those in favor of the immediate effective date, please raise your paddles.

All those opposed to the immediate effective date. Thank you.

Abstentions? Thank you.

In the opinion of the parliamentarian and chair, that did not receive two-thirds vote for the immediate effective date. So the effective date would be August 1st, 2023. All right. Now we'll go back to discuss the merits of the proposal itself. You may continue at No. 1.

MIKE RACY: Mike Racy, Commissioner of the MIAA. The intent of this proposal is to create an opportunity for student-athletes competing in Division II team sports to participate during the summer in up to two hours of weekly skill instruction or individual workouts with a member of the institution's coaching staff.

These workout sessions must occur after the 4th of July holiday for a limited period of three weeks and must conclude by the start of the institution's fall term.

I hope all in this ballroom are aware that since 1992, both Division II and Division I have permitted student-athletes in individual sports to participate during the summer in workout and skill instruction activities with their coaches.

This legislation is attempting to provide those same benefits for team sport student-athletes.

As you know, any coach that would be involved in the individual workout sessions must be currently certified in first aid, CPR and AED use.

This is permissive legislation. I believe this is a great example of decentralized legislation that we promote in this new NCAA governance model.

Those conferences and Division II schools that don't want to take part for whatever reason may decide to prohibit these limited summer workouts.

The real beneficiaries of this permissive legislation are our fall Division II team sport student-athletes who will receive additional skill development just before their preseason practice begins.

Those same opportunities currently exist for winter sport student-athletes and spring sport student-athletes.

As you recall, we tested this model during summer workouts and skill instruction for team sport student-athletes during COVID. And by all accounts, that experience was positive.

This proposal has been overwhelmingly supported by the American Football Coaches Association, the NCAA Division II Football Coaches Connection representatives and members of the MIAA and GLIAC.

For these and other reasons, I urge you to vote in favor of Proposal No. 9.

STEVE SHIRLEY: Thank you.

Again, at Microphone No. 1.

COURTNEY LOVELY EVANS: Good morning. Courtney Lovely Evans, Director of Athletics at Palm Beach Athletic University, a proud member of the Sunshine State Conference.

On behalf of the Division II Management Council, I speak in opposition of Proposal No. 2023-9. This proposal is contrary to the "Life in the Balance" philosophy of Division II.

While these are voluntary activities, the potential pressure placed on student-athletes to take advantage of these opportunities may lead to student-athletes foregoing summer activities such as internships, study abroad or jobs, things that help our Division II student-athletes become more well-rounded individuals.

Further, while this proposal is similar to the relief provided during COVID-19, many Division II institutions implemented remote learning or canceled sports seasons which made it nearly impossible for student-athletes to participate in any practices. Such relief is no longer necessary.

For these reasons, I encourage you to join me in opposing Proposal No. 2023-9.

STEVE SHIRLEY: Thank you. Other comments?

Looks like Microphone No. 1 again.

STAN WAGNON: Good morning. Stan Wagon, Director of Athletics at the University of Central Oklahoma. I'm going to speak in support of Proposal 9.

As we heard already, this type of individual skill instruction is already permitted for student-athletes in individual sports. And those are actually permitted throughout the entire institutional vacation period, whereas this proposal is limited to a three-week period in the back half of the summer break.

As the conversation has unfolded about this and the merits of this proposal both on my campus, in our conference and throughout this body, I've not really heard among the concerns raised of any real issues or hardships that are currently being experienced by the student-athletes in the individual sports where this type of thing is already permitted.

So that gives me hope that we can approve this proposal and allow our student-athletes in team sports to benefit from individual skill instruction and expect similar results.

Lastly, one of the concerns we have heard in opposition is a concern that student-athletes may feel compelled to forego study abroad programs, internships or summer jobs.

That same concern was raised in 2014 when our division considered whether to allow student-athletes in fall championship sports to train with strength and conditioning personnel in the summer.

So I'd say if we still have student-athletes who are participating in study-abroad programs and internships and working summer jobs since 2014, that gives me hope and reason to believe that student-athletes can continue participating in those activities after this proposal is adopted.

I ask for your support of Proposal 9.

STEVE SHIRLEY: Thank you. Microphone 1 again.

SKYLAR ROSS: Good morning. My name is Skylar Ross, and I'm a men's tennis student-athlete representing the Central Atlantic Collegiate Conference. I speak on behalf of the Division II Student-Athlete Advisory Committee, nearly 120,000 student-athletes within the division.

Division II National SAAC opposes Proposal No. 2023-9 for the following reasons: Allowing team sports student-athletes to access summer workouts with members of the coaching staff directly contradicts the "Life in the Balance" philosophy of Division II.

Further, it discourages student-athletes from pursuing summer jobs and internships that can lead to professional opportunities following the conclusion of their athletic careers.

This proposal also creates an atmosphere where student-athletes will feel obligated to take part in the summer workouts as opposed to seeing them as an extra opportunity.

Finally, out-of-state student-athletes are disadvantaged and must choose between being at home with their families or remaining at school to practice within the limited timeframe of two hours a week.

Please join us in opposing the adoption of Proposal No. 2023-9.

STEVE SHIRLEY: Thank you. Other comments? Other discussion on 23-9?

Back to microphone No. 1 again.

MIKE RACY: Mike Racy, Commissioner of the MIAA. I just want to close with making a comment regarding "Life in the Balance." It's a wonderful part of our identity. It's who we are. It's served us well for many years.

We all have different interpretations of what that means and how that impacts our students and sports on our campus. But I hope we can all agree that "Life in the Balance" is not static. It's something that evolves and something that changes with time.

It evolves with time and that's at the essence of what balance is. For those reasons, I urge your support of Proposal 9.

STEVE SHIRLEY: Thank you. Any further comments or discussion? Any further comments? Last call. Any further comments?



We are ready to vote on Proposal 2023-9.

Please use your voting machine to cast your roll-call vote by pressing the Number 1 to vote Yes. Press Number 2 to vote No, and the Number 3 button to Abstain. Please vote now.

The polls will close in 5 seconds.

The polls are now closed. Any votes still being cast will not be registered.

As you can see, 2023-9 fails to be adopted.

(Applause.)

Proposal No. 2023-10 is a membership-sponsored proposal with an immediate effective date. There will be two votes on this proposal.

The immediate effective date will be considered first by paddle vote, and it needs a two-thirds approval to pass. We will then have a discussion on the proposal, followed by a roll-call vote on the merits of Proposal No. 2023-10.

In addition, this proposal is a football-only vote. So only those institutions and conferences that sponsor football are permitted to cast a vote. However, any delegate with speaking rights may speak to the proposal on the Convention floor.

Microphone No. 1.

MIKE RACY: Good morning. Mike Racy, Commissioner of the MIAA. On behalf of the MIAA, the Great American Conference, the Great Lakes Intercollegiate Athletics Conference, Gulf South Conference and the South Atlantic Conference, I move Proposal 2023-10.

STEVE SHIRLEY: I've got a motion and a second. You may continue.

MIKE RACY: On behalf of the MIAA, the Great American Conference, the Great Lakes Intercollegiate Athletic Conference, the Gulf South Conference and the South Atlantic Conference, I move the immediate effective date of Proposal No. 2023-10.

STEVE SHIRLEY: It's been moved and it's been seconded on the immediate effective date. You may continue.

MIKE RACY: This is an important legislative change. It helps enhance Division II football.

The proposal sponsors agree it's important that the legislation have an immediate effective date so that schools may take advantage of this permissive legislation this spring.

STEVE SHIRLEY: Thank you. Any further comments on the immediate effective date? Again, this will be by paddle. And this, again, also requires two-thirds.

Okay. At this time we're ready to vote.

All those in favor of the immediate effective date -- again, only football-sponsoring institutions -- please raise your paddle. Thank you.

Those opposed. Thank you.

Abstentions. Thank you.

We're just checking on the technology. It was very close on whether or not that was two-thirds. So I think we're going to try and see if we can get a vote with technology. I think we're ready to vote. Again this is on the immediate effective vote.

Those in favor press 1 for Yes, 2 for No and 3 for Abstention.

Again, this is just football only, football-only sponsoring institutions. 5 seconds remaining.

Okay. The polls are now closed. And that is not adopted as far as the immediate effective date. Again, that required two-thirds. So the effective date would be August 1st of 2023.

Back to Microphone No. 1.

MIKE RACY: Mike Racy, Commissioner of the MIAA. The intent of this proposal is to permit a scrimmage against a four-year school during spring football practice and not trigger the use of a season of competition for participating students.

Last year, this proposal was pulled due to concerns expressed by the NCAA Health and Safety Committee. Those concerns have been addressed to the committee's satisfaction by including the requirement that these types of scrimmages would occur on or after the 10th spring practice date.

This is permissive legislation. Division II schools would not be required to organize such a scrimmage with another four-year school if it decides it only wants to conduct intra-squad scrimmages.

This proposal is intended to provide student-athletes with an enhanced Division II football experience. This proposal might also help schools generate more local fan interest and additional attendance at the spring game if there's an opponent the institution will be bringing to campus.

This proposal's been overwhelmingly supported by the AFCA, the Division II Football Coaches Connection and a number of Division II football-playing conferences.

For these reasons and others I urge you to vote in favor of Proposal No. 10.

STEVE SHIRLEY: Thank you. Anyone else with comments or discussion on Proposal 2023-10?

Microphone 1.

ANDY PETERSON; Andy Peterson, Director of Athletics, Northwest Missouri State, proud member of the MIAA.

Speaking in support of Proposal 10, and enhancing the Division II student-athlete experience, this proposal provides opportunities for enhanced collegiate experience, as Commissioner Racy just mentioned, in Division II football where student-athletes can now participate against another team in the spring that they normally wouldn't get to in a nearby community.

The equity of this proposal as well, allowing NCAA Division II student-athletes to compete during their non-championship segment, an opportunity against another four-year collegiate institution that most other programs have in their non-championship segment.

As Commissioner Racy said, it's responsive to the NCAA concerns of last year. This proposal can also impact positively retention at institutions supporting football and student-athlete engagement.

Student-athlete development evaluation can also be positively impacted due to the opportunity to schedule that spring scrimmage after obviously the 10th practice of the spring.

The community interest could be enhanced as well, and even the opportunity for enhanced and improved revenue generation through selling tickets of a highly anticipated spring scrimmage.

So I urge your support of Proposal 10. Thank you.

STEVE SHIRLEY: Thank you.

Microphone No. 4.

STEVE MURRAY: Steve Murray, Commissioner of the Pennsylvania State Athletic Conference. Since we have now an extra year before the implementation, do we have a clarification if this is going to be triggering outside competition and whether athletes that are added to football rosters in the spring would count towards the male participation in the Equity in Athletics Disclosure Act, perhaps throwing off some Title IX numbers across the division?

Just clarification, if somebody could help, if anybody knows that. But we also have a year now to figure that out.

STEVE SHIRLEY: The chair has no clue, I can tell you that.

(Laughter.)

We'll see if we can get any clarification.

Other comments while we're seeking some clarity on that? Any further comments on the proposal? Any further comments?

Bring the attorney up, Microphone 2.

JARED TIDEMANN: Dangerous to give the attorney the microphone, but I think since this is voluntary legislation -- this is Jared Tidemann, by the way, with the Office of Legal Affairs, NCAA -- it would be for the institution to assess its compliance with Title IX.

And obviously we are not the enforcers of Title IX. Office of Civil Rights is.

So it primarily would be for the institution, as it does with all of its competition facilities, management rosters, to ensure that they follow Title IX.

So that's the lawyer answer.

STEVE SHIRLEY: Thank you for your input. Appreciate it.

Anyone else to speak on the merits of Proposal 2023-10? Last call for comments.

Okay. Not seeing any, I think it's time to vote. We're prepared to vote on 2023-10. So, again, use your voting machine to cast your vote -- No. 1 for Yes, No. 2 to vote No and No. 3 to Abstain.

And, again, this is on the merits of Proposal 2023-10. And only for football-sponsoring institutions.



The polls will close in 5 seconds. The polls are now closed. Any votes still being cast will not be registered.

And 2023-10 is adopted, as you can see, with about a 70/30 split.

We'll move on to Proposal No. 2023-11, which is a membership-sponsored proposal with an August 1, 2023, effective date.

This proposal is a football-only vote. So only those institutions and conferences that sponsor football are permitted to cast a vote.

However, any delegate with speaking rights may speak to the proposal on the Convention floor.

Microphone No. 1.

MIKE RACY: Good morning, Mike Racy, Commissioner of the MIAA. On behalf of the MIAA, the Great Lakes Intercollegiate Athletic Conference, Great Lakes Valley Conference, the Gulf South Conference, the Rocky Mountain Athletic Conference and the South Atlantic Conference, I move Proposal No. 2023-11.

STEVE SHIRLEY: It's been moved, and I have a second up front. You may continue at Microphone 1.

MIKE RACY: The intent of this proposal is to specify that a football student-athlete representing a Division II school during their initial year of collegiate enrollment may participate in up to three contests without using a season of competition.

A similar proposal was adopted and implemented in Division I football four years ago, and the NAIA took similar action in 2020.

The feedback regarding the rule change for both organizations has been very positive. Permitting Division II freshmen football players to compete in a limited number of games without using a season of competition and still having four years of competition remaining should help keep football student-athletes engaged, enrolled and improve their chances for academic success.

This proposal enhances the student-athlete experience for football players and hopefully will help student retention. The proposal has overwhelming support by the AFCA and also the NCAA Football Coaches Connection group.

For these and other reasons, I urge your support of proposal No. 11.

STEVE SHIRLEY: Thank you.

Microphone No. 6.

STEVE BROCKELBANK: Good morning. My name is Steve Brockelbank, Director of Athletics at Ferris State University, proud member of the Great Lakes Intercollegiate Athletic Conference.

We support the passage of Proposal 2023-11.

So often, there seems to be a story where a football student-athlete plays a small number of snaps in a college football game and loses a redshirt year. This often happens due to injuries. Coaches do not want to take away the opportunity to retain a redshirt year but are forced to do so. This is unfortunate and unfair to the student-athlete.

The passage of this proposal would eliminate this situation. Providing student-athletes with a chance for limited playing time while maintaining the opportunity to retain a redshirt year is a fantastic motivator and keeps student-athletes engaged.

Engaged and motivated student-athletes are more likely to be retained on our campuses. Recognizing the contribution that many football rosters make to enrollment, why would we not create rules that provide us the best opportunity to retain football student-athletes?

Many times, freshmen football student-athletes are not ready or prepared to play early in the season as they work to adapt to school and football. However, later in the season, once they have been on campus for a few weeks, they are often more prepared to be given some playing time.

The passage of this proposal would allow for that, while maintaining their redshirt year.

In conversations with our faculty athletic rep, we've often spoken about the importance of the fifth year academically. Often student-athletes need additional semesters to complete their bachelor's degree.

Playing a student-athlete in one, two, or in the case of this proposal, up to three games protects the fifth year for the student-athlete, giving them additional time.

By passing this proposal, we're better positioning the student-athletes for success academically.

A roster that can support the physical demands of football



will create a safer environment. Injuries happen in football and roster flexibility is a must.

Finally, the passage of this proposal just makes sense. It protects the health and well-being of student-athletes, keeps freshmen more engaged, promotes retention in the academic sense and can make the freshman football season a better student-athlete experience.

I encourage you all to support Proposal 2023-11.

STEVE SHIRLEY: Thank you.

Microphone No. 2.

ANDY CARTER: Thank you, Mr. Chairman. My name is Andy Carter, Director of Athletics at Missouri Western State University, a member of the MIAA conference.

I won't repeat the fine things my colleague just said. I'll just skip around to a couple things that I think should be added.

Several of our other -- most of our other sports do allow Division II student-athletes permission to participate in competition during the non-championship segment without using a season of competition, provided they were academically eligible during the segment that concluded with the NCAA championship.

Additionally, academically, a student-athlete who participates in limited contests during their initial year of collegiate enrollment will likely have a more favorable experience, as it's more likely the student-athlete will be retained at the institution.

Just note that this rule would not change the Division II 10-semester, 15-quarter rule or the eligibility of a partial qualifier to participate in NCAA athletics.

And finally, and I think this is really important, seldom do we see six conferences joining together to sponsor a convention proposal, but that's exactly what we have here -- overwhelming support from conferences to provide Division II football student-athletes the type of opportunities that are occurring in both Division I and the NAIA.

For all of these reasons, I ask membership to join me in supporting Proposal 2023-11.

STEVE SHIRLEY: Thank you. Any further comments or discussion on 23-11? Any further comments?

Okay. Not seeing any further, it is time to vote on 2023-11. Please use your voting machine to cast your roll-call vote by pressing the No. 1 to vote Yes, press the No. 2 to vote

No, and the No. 3 button to Abstain.

Please vote now. The polls will close in 5 seconds.

The polls are now closed. Any votes still being cast will not be registered.

And that is adopted, 92% to 8%.

We'll move on to 2023-12. Proposal No. 2023-12 is a membership-sponsored proposal with an effective date of August 1, 2023.

Microphone No. 3.

JEN FLOWERS: Good morning, Dr. Shirley. Jen Flowers, Director of Athletics at Southwest Minnesota State University, proud member of the Northern Sun Intercollegiate Conference.

On behalf of the Northern Sun Intercollegiate Conference, Great American Conference and Gulf South Conference, I move Proposal No. 2023-12.

STEVE SHIRLEY: Okay. It's been moved in the record number of seconds by Jim Johnson. Back to Microphone 3.

JEN FLOWERS: Thanks, Jim.

In the sport of basketball, to specify that an institution shall not commence on-court preseason practice sessions before the date that is 35 days before the institution's first regular season contest; further, to specify that an institution shall not engage in more than 25 days of countable athletic-related activities during the on-court preseason practice period.

Current legislation specifies that on-court preseason practice may not begin before October 15th. Given the first permissible contest date, this results in basketball programs completing approximately 24 practices within 27 days on average. This reflects 85.7 percent of the preseason period days involving basketball activities.

The proposed legislation would provide a greater amount of rest and recovery time in the preseason period while maintaining approximately the total number of days featuring countable athletic-related activities in a 35-day period.

This results in a 14 percent reduction in days with countable athletically related activities in the preseason period.

The proposed legislation does not adjust the first permissible contest or any other bylaw 17 countable athletic-related activities legislation. Further, the proposed legislation would provide institutions the flexibility to build the preseason practice schedule appropriately to accommodate academic schedules, facility constraints and other factors that are unavoidable under the current preseason model.

Please join me in support of Proposal No. 2023-12.

STEVE SHIRLEY: Thank you. Other comments on 2023-12?

Microphone No. 3.

WENDELL STATON: Yes. Wendell Staton, Director of Athletics, Georgia College, proud member of the fantabulous Peach Belt Conference. Yes, thank you, Brian.

I really struggled with this one. It's good, health and wellness. As a former student-athlete in college basketball, I like a lot of the parts to this.

The part I really struggle with is you're going to have the other sports in the following spring want the same thing. That means we're going to have to house them when they come back at Christmas, as soon as the Christmas period is over they're going to want to come back. The same thing in the fall. I think this starts to get on a slippery slope of coaches creep and "Life in the Balance."

I really struggled with this one a lot. But I would ask for everybody to think about that aspect of it because I think that's where this is headed.

So for that reason I will oppose this, but thank you for your consideration.

STEVE SHIRLEY: Thank you. Other comments or discussion on 23-12?

Microphone 3.

BRIAN REESE: Brian Reese, Director of Athletics, Lander University, proud member of the Peach Belt. Hopefully we get more claps here. Thank you, Wendell.

(Applause.)

STEVE SHIRLEY: You did better than your colleague there.

BRIAN REESE: Exactly. No question.

I am also a member of the National Volleyball Committee. And this was a very, very robust discussion that we had on our committee. I think we have six, seven people on our committee. And every one of them have a scheduling issue already, especially since it's a fall sport and they're starting right when everybody comes back to school.

They have lost practice time due to orientation sessions being held in the gym or in their arena. It's the biggest place on campus. So they have to have it held there.

Some institutions lose a day, two days of practice, possible, at times. And this is just amongst our committee members.

As my colleague, Wendell, said, there's going to be a lot of coach creep here. I love our basketball coaches and everything, but if anybody is going to creep, they're going to creep.

(Laughter.)

And so...

(Applause.)

And so, as I said, I want to please think about this. Also, too, if anybody was in that athletic trainers meeting the other day, once again, we kind of talk out of both sides of our mouth here. We're worried about our athletic trainers, but then again we're going to extend the basketball preseason schedule.

So as a member of the national committee, we voted robustly against this. So thank you.

STEVE SHIRLEY: Thank you. Some grumpy people towards basketball this morning.

(Laughter.)

Must be those people that lost by one point last night. Wayne State, I'm talking to you. I digress.

(Laughter.)

Microphone No. 1.

KARA AMOS: Thank you. Hello. My name is Kara Amos, a softball student-athlete from Missouri State University, representing the Mid-America Intercollegiate Athletics Association.

I'm a member of the National Student-Athlete Advisory

Committee, speaking on behalf of nearly 120,000 Division II student-athletes. On behalf of the Division II Student-Athletic Advisory Committee, I speak in support of Proposal No. 2023-12.

The proposal will benefit basketball student-athletes during their competitive preseason by allowing more days off during the 35-day practice window. The adjustment would limit athletic injuries with more time to rest as well as more time for academic studies.

Finally, the scheduling conflicts with volleyball and basketball programs may be resolved as there will be more free days available for no overlapping practice facilities.

For these reasons, the Division II SAAC encourages you to support Proposal No. 2023-12. Thank you.

STEVE SHIRLEY: Other comments or discussion on 2023-12? Other comments on 23-12? Last call.

Without seeing anyone at the microphones, it's now time to decide Proposal No. 2023-12.

Please use your voting machine to cast your roll-call vote by pressing the No. 1 to vote Yes. Press the No. 2 to vote No, and the No. 3 button to Abstain. Please vote now.

The polls will close in 5 seconds.

The polls are now closed. Any votes still being cast will not be registered.

Okay. And that is our closest vote of the day. That is adopted, 56 percent to 54 percent, with a couple of abstentions.

Per Division II policies and procedures, I would now like to open the window of reconsideration for all of the proposals that we just considered.

Any delegate that voted on the prevailing side of any proposal may move for reconsideration. We will pause for just a few minutes to give delegates who want a chance to organize, and then I will open the floor for reconsideration.

If you elect to leave, please take your paddle, voting unit and smartcard to the tables outside this ballroom where you received your paddle and voting unit earlier this morning.

As a reminder, additional voting may occur during the window of reconsideration. Only the delegate appointed by your institution or conference as the voting delegate is permitted to vote.

During our brief intermission, we will watch a highlight video of 2022 Division II championships competition.

(Video played.)

[Gavel]

STEVE SHIRLEY: The window of reconsideration for the 2023 proposals is now open. The chair would accept any motions for reconsideration if there are any. If anyone has any motions for reconsideration, now is the time to do so.

Final call for any motions for reconsideration this morning.

Okay. Not seeing any.

The window for reconsideration for the 2023 proposals is now closed.

Although we are coming to the close of another Division II Business Session, I wanted to let you know, or warn you, I guess, that I have time remaining on my term with the Presidents Council and have been elected to serve as the chair for one more year.

(Applause.)

I'm going to come back and meet with my faculty senate next week. That will be great, we'll bring that applause. A higher ed joke.

I look forward to the opportunity to being of service to the Division II membership and expect to be standing on the dais next Convention offering up much more good news about Division II and all of the great work going on across our campuses, institutions, conferences and, most importantly, the great work being done by our student-athletes and our coaches and administrators within athletics.

Thanks to all for your attention and hard work today and really throughout this week during a very busy and really productive Convention.

Before going on, I want to also recognize, as I think it's really important to do, there is a ton of work that goes on behind the scenes to pull off a convention like this.

We had -- we were sort of back last year, the year before that we didn't have a convention at all. This is kind of our first full convention back kind of the old way, pre-pandemic.

And it's taken a tremendous amount of work for everyone in the NCAA office but especially for our wonderful staff



and members of the Division II team. So let's have all of our Division II staff stand up and be recognized. Stand up.

(Applause.)

You're a shy bunch. You look at each other like whether or not you're supposed to stand up. Yes, you were. Well done. Good. Good. Thank you so much for all of your work.

I would also like to recognize Jim Johnson, again, for his outstanding leadership of the Division II Management Council this past year. Thank you, Jim, for everything.

Complimentary buses to the airport will be outside the hotel until 5 p.m. this evening for shuttle rides to the airport.

Does anyone have any other closing comments before adjourning today? All right. Not seeing any, The Division II Business Session at the 2023 Convention is now closed.

[Gavel]

See you next year in the desert in sunny Phoenix in 2024. Back to the frozen tundra.

[Session adjourned at 10:03 a.m.]

#### CERTIFICATION OF COMPLETION

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

That on Saturday, January 14, 2021, I was present and took verbatim stenotype notes of the 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 16th day of January 2021.

DENISE HINXMAN, CCR #234, RDR, CRR