ACTION ITEMS.

1. Legislative items.

   (1) **Recommendation.** Sponsor legislation for the 2018 Convention to amend Bylaw 16.1.1 (application of awards legislation) to specify that the limitations on awards received by a student-athlete are governed by Bylaw 16.1, if the student-athlete is representing the institution, or by the rules of the amateur organization that governs the competition, if the student-athlete is not representing the institution.

   (2) **Effective date.** August 1, 2018.

   (3) **Rationale.** This proposal simplifies the awards legislation by providing greater flexibility for student-athletes to receive awards for outside competition. This change also reduces the burden on institutional staff by eliminating the need to determine whether an award received while the student-athlete was not representing the institution but was enrolled full time satisfies the Bylaw 16 award limitations.

   (4) **Estimated budget impact.** None.

   (5) **Student-athlete impact.** None.


   (1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 13.1.1.2 (four-year college prospective student-athletes) to specify that permission to contact is not required for a student-athlete whose institution indicates through public announcement that their sport will be discontinued.

   (2) **Effective date.** Immediate.

   (3) **Rationale.** Current legislation requires permission to contact to be granted by a student-athlete's current institution, even if the institution has
announced an intent to discontinue the student-athlete's sport. The discontinued/nonsponsored sport exception to the four-year college transfer legislation permits a student-athlete to transfer and be immediately eligible once their institution publicly announces that the student-athlete's sport will be discontinued. This change will streamline the transfer process for student-athletes during a challenging time and ensure that the next institution can provide athletics aid to any student-athlete who seeks to transfer because of their sport being discontinued.

(4) **Estimated budget impact.** None.

(5) **Student-athlete impact.** Student-athletes whose current institution has announced that their sport will be discontinued will be permitted to engage in recruiting conversations with athletics department staff members at other institutions without having to wait for permission to contact to be granted.

c. **Noncontroversial Legislation – Bylaw 15.01.1 – Financial Aid – General Principles – Institutional Financial Aid Permitted – Exception to Attend Another Institution.**

(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 15.01.1 (institutional financial aid permitted) to specify that a student-athlete who receives a progress-toward-degree waiver of the full-time enrollment requirement to attend another institution may also receive institutional financial aid.

(2) **Effective date.** Immediate.

(3) **Rationale.** Annually, the NCAA academic and membership affairs staff receives waivers for student-athletes seeking to enroll in a professional program (e.g., medical school, nursing program) at a second institution. Currently, these student-athletes require two waivers to be approved. First, a progress-toward-degree waiver of the full-time enrollment requirement must be approved. If that waiver is approved, the institution must submit a legislative relief waiver to provide athletics aid during the term(s) of attendance at the second institution. The legislative relief waivers are routinely approved based on the approval of the progress-toward-degree waiver.

Establishing an exception to the financial aid legislation to permit an institution to award institutional aid to a student-athlete attending another institution in this limited instance would reduce bureaucracy for the
institution and involved student-athlete and would also eliminate an unnecessary waiver for staff to process.

(4) **Estimated budget impact.** None.

(5) **Student-athlete impact.** A student-athlete who receives a progress-toward-degree waiver to the full-time enrollment legislation to attend another institution would be permitted to receive financial aid from the first institution to attend the second institution without a legislative relief waiver.

d. **Noncontroversial Legislation – Bylaw 16.8.1 – Awards and Benefits – Expenses Provided by the Institution for Practice and Competition – Practice Partners at the NCAA Division II Wrestling Championships.**

(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 16.8.1 (permissible) to specify that, in wrestling, an institution may provide actual and necessary expenses to an eligible student-athlete who was not selected for the NCAA Division II Wrestling Championships in order for the student-athlete to serve as a practice partner for a student-athlete who was selected for championship participation.

(2) **Effective date.** Immediate.

(3) **Rationale.** Current legislation permits an institution to provide actual and necessary expenses to a student-athlete for competition, provided the student-athlete is eligible for competition. If a wrestling student-athlete is not selected for participation in the championship, the institution cannot provide expenses for the student-athlete to attend the event and serve as a practice partner for a teammate who was selected. This change will enhance student-athlete well-being by allowing the selected student-athlete to continue practicing with a teammate with whom he has practiced throughout the academic year on-site in preparation for the championship.

(4) **Estimated budget impact.** Institutions may pay for additional student-athletes to attend the championship to serve as a practice partner.

(5) **Student-athlete impact.** A student-athlete who is selected for the NCAA Division II Wrestling Championships will be able to practice with an eligible teammate on-site in preparation for the championship.

e. **Noncontroversial Legislation – Bylaw 18.4.1.4 – Championships and Postseason Football – Eligibility for Championships – Amateur-Status Certification.**
(1) **Recommendation.** Adopt noncontroversial legislation to eliminate Bylaw 18.4.1.4 (amateur-status certification) that requires amateur-status affidavits for student-athletes participating in any NCAA championship or football bowl contest.

(2) **Effective date.** Immediate.

(3) **Rationale.** The legislation associated with the amateur-status affidavits was adopted in 1976, at a time when the eligibility standards for regular-season and championship competition were different. The standards are now the same for regular-season and championship competition and institutions are expected to monitor and enforce such standards at all times. This change is also consistent with changes previously adopted in Division I.

(4) **Estimated budget impact.** None.

(5) **Student-athlete impact.** None.

2. **Nonlegislative items.**

   - **Preseason Activities Before the First Day of Classes or First Scheduled Date of Competition – Women’s Volleyball.**

      (1) **Recommendation.** That the NCAA Division II Management Council refer the following issue to the NCAA Committee on Competitive Safeguards and Medical Aspects of Sport for consideration of a potential legislative change:

         Whether, during the preseason practice period, an institution's women's volleyball team should be permitted to participate in multiple scrimmages or exhibitions during an exempted date of competition without providing student-athletes at least three continuous hours of recovery time between scrimmages.

      (2) **Effective date.** Immediate.

      (3) **Rationale.** The committee reviewed feedback from the Division II Volleyball Coaches Connection expressing concern that institutions are not applying the current legislation correctly. Additionally, a Division II conference expressed interest in submitting a membership-sponsored proposal to create an exception to the three-hour recovery period for exempted dates of competition occurring before the first day of classes or the first countable date of competition.
The rationale for the current legislation (NCAA Proposal No. 2010-5) was to reduce the risk of student-athlete injury and heat-related illnesses. The committee noted that heat-related illnesses may not be as much of a concern in women's volleyball as other fall sports, but requested that the issue be referred to the Committee on Competitive Safeguards and Medical Aspects of Sport for further review and discussion.

(4) **Estimated budget impact.** None.

(5) **Student-athlete impact.** Student-athletes would be permitted to participate in multiple scrimmages on one exempted date of competition before the first day of classes or the first scheduled date of competition without three hours of recovery time in between.

**INFORMATIONAL ITEMS.**

1. **Review of 2017 Convention Division II Legislation and the Legislative Proposal Question and Answer Guide.** The committee reviewed the 2017 Convention proposals and the Legislative Proposal Question and Answer Guide to resolve all possible questions and procedural issues prior to the 2017 Convention Division II business session January 21, 2017. The committee recommended that the NCAA Division II Academic Requirements Committee review Proposal No. 2017-9 (division membership – membership requirements – philosophy statement) to determine whether the philosophy statement should more significantly reference the academic success of student-athletes. Staff also provided the committee with an update on the release of the Question and Answer Guide. The final version of the guide for the 2017 Convention will be available not later than December 8, 2016, and will only be produced electronically.

2. **Review of 2017 Convention Membership-Sponsored Proposals Not Properly Co-Sponsored.** The committee reviewed a membership-sponsored proposal that did not receive proper co-sponsorship for the 2017 Convention. The proposal would have amended the organized competition before initial collegiate enrollment legislation to require a student-athlete who triggered full-time collegiate enrollment and subsequently has a lapse in enrollment of more than one term to be recertified for amateurism and organized competition. The committee took no further action.

3. **Update from the NCAA Division II Presidents Council and Management Council October 2016 meetings.** The committee received an update on the actions taken at the October Presidents Council and Management Council quarterly meetings.

4. **Review of September 29 Teleconference Report from the Legislative Review Subcommittee of the Division II Legislation Committee.** The committee reviewed and approved the September 29 Legislative Review Subcommittee teleconference report. The
committee agreed to support the subcommittee's recommendation for sponsorship of one 2018 Convention proposal [see Legislative Action Item No. 1-a].

5. **Review of September 29 Teleconference Report to the Management Council.** The committee reviewed and approved the September 2016 teleconference report.

6. **Update on 4-4 Transfer Discussion from Academic Requirements Committee.** The committee was provided with an update on the Academic Requirements Committee's four-year college transfer legislation review. The Academic Requirements Committee requested staff seek feedback from the NCAA Division II Student-Athlete Advisory Committee regarding any potential concerns regarding the current legislation and its impact on student-athlete well-being.

7. **Discussion on Permission to Contact Institutions that Discontinue a Sport.** The committee recommended the adoption of a noncontroversial proposal to specify that permission to contact is not required for a student-athlete whose current institution publicly announces that their sport will be discontinued. [See Legislative Action Item No. 1-b.]

8. **Referral from Management Council Regarding NCAA Division II Men's Soccer Committee and Organized Competition.** The committee received a referral from the Division II Men's Soccer Committee regarding the application of the organized competition legislation, noting concerns of competitive inequity. The committee reviewed data provided by the NCAA Eligibility Center and NCAA research staff regarding the average age of Division II student-athletes, the percentage of international student-athletes and the organized competition trends specific to men's soccer.

The committee agreed to conduct a comprehensive review of the organized competition legislation in all sports, starting with a further review of data specific to men's soccer student-athletes. The committee requested the following data for review at the March 2017 in-person meeting: (1) average age of men's soccer student-athletes, including graduate student-athletes; (2) differences in age between student-athletes who initially enroll at a Division II institution compared to student-athletes who trigger full-time enrollment at another institution (e.g., international institutions); (3) average age of student-athletes participating in the NCAA Division II Men's Soccer Championship in recent years; and (4) international student-athlete retention, including graduation rates. The committee also discussed a potential survey of men's soccer coaches for additional feedback.

9. **Review of Legislation Regarding the Timing of Football and Basketball Camps.** The committee reviewed the current legislation, which permits football and basketball camps to be conducted only during an institution's summer-vacation period. The committee agreed that no change to the legislation is currently necessary.
10. **Review of Team Entertainment During the Summer.** The committee reviewed the current team entertainment legislation, which does not permit expenses for team entertainment to be provided during the summer. The committee expressed concerns about the potential impact on institutional budgets and student-athlete time demands if institutions were permitted to provide team entertainment during the summer and agreed that no change to the legislation is currently necessary.

11. **Follow-Up Regarding Expenses for Championship Travel for Practice Partners.** The committee reviewed feedback from the NCAA Division II Championships Committee in regards to permitting practice partners in wrestling to be provided actual and necessary expenses to attend the NCAA championship and agreed to recommend sponsorship of noncontroversial legislation. [See Legislative Action Item No. 1-d.]

12. **Discussion Regarding Preseason Women's Volleyball Scrimmages and Exhibitions.** The committee reviewed the application of the current preseason practice legislation in women's volleyball, which requires student-athletes to be provided with three hours of continuous recovery time in between sessions of physical activity including scrimmages. Based on feedback received from the Division II Volleyball Coaches Connection program, the committee agreed to refer the issue to the Committee on Competitive Safeguards and Medical Aspects of Sport for further review and discussion. [See Nonlegislative Action Item.]

13. **Follow-Up Regarding Community Engagement and Promotional Activities.** The committee reviewed the promotional activities legislation and discussed whether an exception should be established to exempt community engagement activities from the promotional activities analysis. The committee noted that the concerns with the promotional activities legislation will be alleviated if Proposal No. 2017-4 (amateurism – promotional activities – permissible – institutional, charitable, educational or nonprofit promotions – monetary and educational requirements) is adopted and that no further changes are currently necessary.

14. **Discussion on Elimination of Bylaw 18.4.1.4 (Amateur-Status Certification).** The committee reviewed the amateur-status certification legislation and agreed to make a noncontroversial legislative recommendation, noting that Division I adopted a similar change in June 2016. [See Legislative Action Item No. 1-e.]

15. **Discussion Regarding Exception to Full-Time Enrollment and Financial Aid to Attend Another Institution.** The committee discussed situations where a student-athlete chooses to attend another institution to complete his or her degree or professional program (e.g., medical school, nursing program). A student-athlete must currently receive a progress-toward-degree waiver of the full-time enrollment requirement to continue participation in athletics while enrolled at the second institution. If approved, the institution must also file a legislative relief waiver to provide financial aid to a student-athlete
attending another institution. The committee agreed that requiring two waivers is unnecessary and recommended a noncontroversial legislative change to the financial aid legislation. [See Legislative Action Item No. 1-c.]

16. Discussion Regarding Student-Athlete Time Demands. The committee was provided with an overview of the proposals in the Division I legislative cycle pertaining to student-athlete time demands. The committee noted that several concepts under consideration in Division I are already in place in Division II and any changes in Division II should be data driven and developed with the input of the Student-Athlete Advisory Committee. The committee will receive an update at the March 2017 in-person meeting regarding the proposals adopted in Division I. The committee requested staff provide the results of the Division I student-athlete survey and educational materials developed previously for Division II student-athletes on countable athletically related activities.

17. Demonstration of the New Legislative Services Database for the Internet and Discussion Regarding the Potential Discontinuation of Hard-Copy NCAA Division II Manuals. Staff demonstrated the new LSDBi, including the custom Manual feature. The committee noted that a January e-Publication was no longer necessary since the membership can run an updated Manual at any time, but requested staff develop a document to assist the membership in using this functionality. The committee also received an update regarding the potential discontinuation of the hard-copy Division II Manual and noted there was no timeline for that change.

18. Update on Referral to the NCAA Division II Committee for Legislative Relief Regarding Organized Competition Minimal Competition Thresholds. The committee received an update on the Committee for Legislative Relief organized competition minimal competition thresholds. At the October 2016 meeting, the Management Council approved the Committee for Legislative Relief's recommendation to increase the threshold from 10 percent to 20 percent effective immediately for prospective student-athletes requesting final amateurism certification on or after April 1, 2017.

19. NCAA Division II Institutional Performance Program Presentation. The committee received an update and demonstration of the Institutional Performance Program system. Committee members who have utilized the system provided feedback regarding how the IPP has assisted decision making on campus.

20. 2016-17 Division II Priorities. The committee received an overview of the 2016-17 Division II Priorities as approved by the Presidents Council in August 2016.

21. Update on Regional Compliance Seminars. The committee received an update from staff regarding the 2016-17 educational programming, which includes six Regional Compliance Seminars and two Regional Rules Seminars. All eight sites will receive the same programming. The committee noted the positive membership feedback from the two
regions that have already hosted a seminar and the ease in bringing additional institutional staff members (e.g., financial aid, registrar, admissions, director of athletics) due to the more convenient geographical location.

The committee did not recommend any changes to the current format, but noted that it is not required for every region to annually host a Regional Compliance Seminar as compliance administrators would retain the option to attend a Regional Rules Seminar site any year in which the region does not host a Regional Compliance Seminar.

22. Future Meeting Dates.

a. March 6-7, 2017; (Indianapolis, Indiana).

b. June 29-30, 2017; (Indianapolis, Indiana).

c. November 2017 date to be determined; (Indianapolis, Indiana).

Committee Chair: Natasha Oakes, Missouri Western State University, Mid-America Intercollegiate Athletics Association

Staff Liaison(s): Karen Wolf, Academic and Membership Affairs
Amanda Conklin, Academic and Membership Affairs
Stephanie Quigg Smith, Academic and Membership Affairs
Angela Tressel, Academic and Membership Affairs
NCAA Division II Legislation Committee Report
November 7-8, 2016
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<table>
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<th>Attendees:</th>
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<tbody>
<tr>
<td>Molly Belden, Northeast-10 Conference.</td>
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<tr>
<td>Peggy Davis, Virginia State University, Central Intercollegiate Athletic Association.</td>
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<tr>
<td>Marty Gilbert, Mars Hill University, South Atlantic Conference.</td>
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<td>Chris Gregor, St. Martin's University, Great Northwest Athletic Conference.</td>
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<td>Jacob Long, Regis University, Rocky Mountain Athletic Conference.</td>
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<td>Kelly McLaughlin, Regis University, Rocky Mountain Athletic Conference.</td>
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<td>Jacque McWilliams, Central Intercollegiate Athletic Association.</td>
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<td>Natasha Oakes, Missouri Western State University, Mid-America Intercollegiate Athletics Association.</td>
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<tr>
<td>Pennie Parker, Rollins College, Sunshine State Conference.</td>
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<td>Kimberly Pate, University of Illinois at Springfield, Great Lakes Valley Conference.</td>
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<tr>
<td>Linda Van Drie-Andrzewski, Wilmington University (Delaware), Central Atlantic Collegiate Conference.</td>
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<tr>
<td>Keith Vitense, Cameron University, Lone Star Conference.</td>
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<td>Cherrie Wilmoth, Southeastern Oklahoma State University, Great American Conference.</td>
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<th>Guests in Attendance:</th>
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<th>NCAA Staff Liaisons in Attendance:</th>
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<tbody>
<tr>
<td>Amanda Conklin, Stephanie Quigg Smith, Angela Tressel and Karen Wolf.</td>
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<tr>
<th>Other NCAA Staff Members in Attendance:</th>
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<tr>
<td>Eric Breece, Chelsea Crawford, Mike DeCesare, Maritza Jones, Ryan Jones, Faith Morrison, Roberta Page, Molly Simons, Rachel Stark, Gregg Summers, Terri Steeb Gronau, Chris Termini, Jill Waddell, Mary Wilfert and Quintin Wright.</td>
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