This legislation is only a heading and does not contain any text in the manual. **

References

Other

Title: 6.01.1 - Institutional Control.

This legislation is only a heading and does not contain any text in the manual. **

References

Other

Major Infractions Cases:
5

Title: 6.01.1 - Institutional Control.

This legislation is only a heading and does not contain any text in the manual. **

References

Other

Title: 6.01.1 - Institutional Control.

The control and responsibility for the conduct of intercollegiate athletics shall be exercised by the institution itself and by the conference(s), if any, of which it is a member. Administrative control or faculty control, or a combination of the two, shall constitute institutional control.
Title: 6.1 - Institutional Governance.

Previous Cite: 6.01.1
Institutional Control.

Next Cite: 6.1.1 President or Chancellor.

This legislation is only a heading and does not contain any text in the manual. **

Title: 6.1.1 - President or Chancellor.

Previous Cite: 6.1
Institutional Governance.

Next Cite: 6.1.2 Athletics Board.

A member institution's president or chancellor has ultimate responsibility and final authority for the conduct of the intercollegiate athletics program and the actions of any board in control of that program. (Revised: 10/3/05)

Title: 6.1.2 - Athletics Board.

Previous Cite: 6.1.1
President or Chancellor.

Next Cite: 6.1.2.1
Composition.
A board in control of athletics or an athletics advisory board, which has responsibility for advising or establishing athletics policies and making policy decisions, is not required. However, if such a board exists, it must conform to the following provisions.

References

Other

Interpretations: 1

Title: 6.1.2.1 - Composition.

Previous Cite: 6.1.2 Athletics Board.

Next Cite: 6.1.2.1.1 Administrator Defined.

Administration and/or faculty staff members shall constitute at least a majority of the board in control of athletics or an athletics advisory board, irrespective of the president or chancellor’s responsibility and authority or whether the athletics department is financed in whole or in part by student fees. If the board has a parliamentary requirement necessitating more than a simple majority in order to transact some or all of its business, then the administrative and faculty members shall be of sufficient number to constitute at least that majority. (Revised: 10/3/05)

References

Other

Proposals: 1

Interpretations: 1

Title: 6.1.2.1.1 - Administrator Defined.

Previous Cite: 6.1.2.1 Composition.

Next Cite: 6.1.2.1.2 Board Subcommittee.

An administrator (for purposes of this legislation) is an individual employed by the institution as a full-time administrative staff member who holds an academic appointment, is directly responsible to the institution’s president or chancellor or serves as a chief administrative official (e.g., admissions director, finance officer, department head, or athletics department head). Other nonacademic staff members and individuals who are members of an institution’s board of trustees or similar governing body would not be considered to be administrators for purposes of this regulation. (Revised: 10/3/05)
If a board subcommittee is appointed, it is not necessary for the subcommittee to have majority control by administration and/or faculty members (see Constitution 6.1.2.1), provided all actions of the subcommittee are approved by the entire board before becoming effective. However, if the subcommittee's actions are effective permanently or become effective immediately and remain in effect until reviewed by the entire board at a later date, the subcommittee's membership must satisfy the majority-control requirement.

A parliamentary majority of administrators and faculty members of a board in control of athletics is not required to be present at any single meeting in order to conduct business.
Only an administrator or faculty member (as opposed to a student, alumnus or governing board member) may serve as chair of a member institution's board in control of intercollegiate athletics or represent the board as the institution's voting delegate at Conventions. Institutional representatives in these positions have responsibility for advising or establishing athletics policies and making policy decisions that require administrative and/or faculty control.

References

Other

Title: 6.1.3 - Faculty Athletics Representative.

Previous Cite: 6.1.2.2 Chair or Voting Delegate.  
Next Cite: 6.1.4 Student-Athlete Advisory Committee.

A member institution shall designate an individual to serve as faculty athletics representative. An individual so designated after January 12, 1989, shall be a member of the institution's faculty or an administrator who holds faculty rank and shall not hold an administrative or coaching position in the athletics department. Duties of the faculty athletics representative shall be determined by the member institution. (Adopted: 1/11/89)

References

Other

Interpretations: 3
SA Reinstatement/Secondary Cases: 1

Title: 6.1.4 - Student-Athlete Advisory Committee.

Previous Cite: 6.1.3 Faculty Athletics Representative.  
Next Cite: 6.2 Budgetary Control.

Each institution shall establish a student-athlete advisory committee for its student-athletes. The composition and duties of the committee shall be determined by the institution. (Adopted: 1/10/95 effective 8/1/95)
Title: 6.2 - Budgetary Control.

Previous Cite: 6.1.4 Student-Athlete Advisory Committee.

Next Cite: 6.2.1 Normal Budgeting Procedures.

This legislation is only a heading and does not contain any text in the manual. **

Title: 6.2.1 - Normal Budgeting Procedures.

Previous Cite: 6.2 Budgetary Control.

Next Cite: 6.2.2 President or Chancellor Approval.

The institution’s annual budget for its intercollegiate athletics programs shall be controlled by the institution and subject to its normal budgeting procedures.

Title: 6.2.2 - President or Chancellor Approval.
The institution's president or chancellor or an institutional administrator designated by the president or chancellor from outside the athletics department shall approve the annual budget in the event that the institution's normal budgeting procedures do not require such action. (Revised: 10/3/05)

References

Other
Proposals: 1

Title: 6.2.3 - Financial Report.

Previous Cite: 6.2.2 President or Chancellor Approval.  Next Cite: 6.2.3.1 Requirement.

This legislation is only a heading and does not contain any text in the manual. **

References

Other
Proposals: 3
Interpretations: 3
Education Column: 2
SA Reinstatement/Secondary Cases: 3

Title: 6.2.3.1 - Requirement.

Previous Cite: 6.2.3 Financial Report.  Next Cite: 6.2.3.1.1 Schedule.

At least once every three years, all expenses and revenues for or on behalf of a Division II member institution's intercollegiate athletics programs, including those by any affiliated or outside organization, agency or group of individuals (two or more), shall be subject to agreed-on procedures approved by the Division II membership (in addition to any regular financial reporting policies and procedures of the institution) conducted for the institution by a qualified independent accountant who is not a staff member of the institution and who is selected either by the institution's president or chancellor or by an institutional administrator from outside the athletics department designated by the president or chancellor. If, within the last three years, the institution has conducted an overall institutional audit that includes a financial audit of all athletics department funds, then the
institutions is not required to perform a separate financial audit of all athletics department expenditures. (Revised: 1/13/03 effective 8/1/03, 1/10/05, 10/3/05)

References

Other
Proposals: 3
Interpretations: 11
Education Column: 2
SA Reinstatement: 10
Secondary Cases: 10

Title: 6.2.3.1.1 - Schedule.

Previous Cite: 6.2.3.1

The report created pursuant to the approved procedures shall be completed and presented to the president or chancellor on or before January 15 after the end of the institution's fiscal year. (Revised: 1/10/05, 10/3/05, 9/8/08)

References

Other
Interpretations: 2

Title: 6.3 - Self-Study and Evaluation.

Previous Cite: 6.2.3.1.1  Next Cite: 6.3.1 Self-Study Report.
Schedule.

This legislation is only a heading and does not contain any text in the manual. **

References

Other
Proposals: 1

Title: 6.3.1 - Self-Study Report.
Institutions shall conduct a comprehensive self-study and evaluation of their intercollegiate athletics programs at least once every five years, using the Institutional Self-Study Guide (ISSG). The report of the self-study and supporting documentation shall be available for review and examination on request by an authorized representative of the Association and the Membership Committee. Subjects covered by the self-study shall include: (Adopted: 1/14/97 effective 8/1/97, Revised 4/30/10, 1/15/11 effective 8/1/11, for an institution that completes the Institutional Self-Study Guide [ISSG] report on or after 6/1/11)

(a) Compliance-related topics: (Revised: 4/30/10)

(1) Institutional oversight;
(2) Budgetary control;
(3) Ethical conduct;
(4) Recruiting;
(5) Eligibility;
(6) Financial aid;
(7) Rules compliance;
(8) Health and safety; and

(b) Strategic-initiative related topics: (Revised: 10/3/05, 4/30/10)

(1) Philosophy statement;
(2) Institutional control and responsibility;
(3) Athletics operations;
(4) Student-athlete well-being;
(5) Health and safety;
(6) Life in the balance/overall educational experience; and
(7) Cultural diversity and gender equity.
Title: 6.3.1.1 - Deadline.

**Previous Cite:** 6.3.1 Self-Study Report.

**Next Cite:** 6.3.1.1 Extension.

The Institutional Self-Study Guide must be postmarked by 5 p.m. Eastern time June 1 of the year it is due to the national office, based on the published schedule for Division II member institutions.  *(Adopted: 10/17/06, Revised: 10/18/11)*

Title: 6.3.1.1.1 - Extension.

**Previous Cite:** 6.3.1.1 Deadline.

**Next Cite:** 6.3.1.2 Failure to Complete Self-Study Report.

The Membership Committee may approve additional time for an institution to complete the required self-study and evaluation of its intercollegiate athletics program if extraordinary circumstances warrant such action (e.g., change in administration).  Such requests must be received in the NCAA national office by March 1 of the year the self-study is due to the national office.  *(Adopted: 7/22/08)*
Title: 6.3.1.2 - Failure to Complete Self-Study Report.

Institutions failing to complete the self-study report within the five-year time period shall be placed on probation for one year pursuant to Bylaw 20.02.3 and shall not be eligible to receive Division II Enhancement Funds proceeds. An institution that fails to complete the self-study report during the probationary year shall be fined $1,000, placed on restricted membership status pursuant to Bylaw 20.02.5, shall not be eligible to receive Division II Enhancement Funds proceeds and shall not be eligible for NCAA championships competition in all sports. In order for an institution to be removed from probation or restricted membership status, the institution must supply the Membership Committee with a complete self-study report including the institution's action plan. The Membership Committee may remove an institution from probation or restricted membership status by a two-thirds vote of the Membership Committee members present and voting. A notice of any action taken by the Membership Committee shall be given in writing to the president or chancellor of an institution. (Adopted: 1/9/06)

Title: 6.4 - Responsibility for Actions of Outside Entities.

This legislation is only a heading and does not contain any text in the manual. **
Title: 6.4.1 - Independent Agencies or Organizations.

Previous Cite: 6.4 Responsibility for Actions of Outside Entities.

Next Cite: 6.4.2 Representatives of Athletics Interests.

An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of an independent agency or organization, including corporate entities (e.g., apparel and equipment companies), when a member of the institution's executive or athletics administration, or an athletics department staff member, has knowledge that such agency or organization is promoting the institution's intercollegiate athletics program.  (Revised: 1/14/02)

References

Other
Interpretations: 1

SA Reinstatement/Secondary Cases: 1

Title: 6.4.2 - Representatives of Athletics Interests.

Previous Cite: 6.4.1 Independent Agencies or Organizations.

Next Cite: 6.4.2.1 Agreement to Provide Benefit or Privilege.

An institution's "responsibility" for the conduct of its intercollegiate athletics program shall include responsibility for the acts of individuals when a member of the institution's executive or athletics administration has knowledge or should have knowledge that such an individual:

(a) Has participated in or is a member of an agency or organization, including corporate entities (e.g., apparel and equipment companies), as described in Constitution 6.4.1;  (Revised: 1/14/02)

(b) Has made financial contributions to the athletics department or to an athletics booster organization of that institution;

(c) Has been requested by the athletics department staff to assist in the recruitment of prospective student-athletes or is assisting in the recruitment of prospective student-athletes;

(d) Has assisted or is assisting in providing benefits to enrolled student-athletes; or

(e) Is otherwise involved in promoting the institution's athletics program.
Title: 6.4.2.1 - Agreement to Provide Benefit or Privilege.

Previous Cite:  6.4.2 Representatives of Athletics Interests.  
Next Cite: 6.4.2.2 Retention of Identity as "Representative."

Any agreement between an institution (or any organization that promotes, assists or augments in any way the athletics interests of the member institution, including those identified per Constitution 6.4.1) and an individual who, for any consideration, is or may be entitled under the terms of the agreement to any benefit or privilege relating to the institution's athletics program, shall contain a specific clause providing that any such benefit or privilege may be withheld if the individual has engaged in conduct that is determined to be a violation of NCAA legislation. The clause shall provide for the withholding of the benefit or privilege from a party to the agreement and any other person who may be entitled to a benefit or privilege under the terms of the agreement.  (Adopted: 1/10/95)

Title: 6.4.2.2 - Retention of Identity as "Representative."

Previous Cite:  6.4.2.1 Agreement to Provide Benefit or Privilege.  
Next Cite:  10 Ethical Conduct

Any individual participating in the activities set forth in Constitution 6.4.2 shall be considered a "representative of the institution's athletics interests," and once so identified as a representative, it is presumed the person retains that identity.