Title: FINANCIAL AID - TERMS AND CONDITIONS OF AWARDING INSTITUTIONAL FINANCIAL AID -- REDUCTION AND CANCELLATION DURING PERIOD OF AWARD -- INCREASE PERMITTED -- INCREASE FOR ANY REASON AT ANY TIME

Convention Year: 2017
Date Submitted: May 19, 2016
Effective Date: August 1, 2018
IPOPL Number:
SPOPL Number: 14
Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].
Category: Presidents Council
Topical Area: Financial Aid
Intent: To permit increases in athletically related financial aid at any time, for any reason.
Bylaws: Amend 15.6.4.2, as follows:

15.6.4.2 Increase Permitted. Institutional financial aid may be increased for any reason prior to the commencement of the period of the award. Once the period of the award begins, institutional financial aid may only be increased if the institution can demonstrate that such an increase is unrelated in any manner to an athletics reason (see Bylaw 15.6.4.3) at any time.

[15.6.4.2.1 unchanged.]

Rationale: Current legislation permits an institution to increase athletics aid for any reason prior to the start of the period of the award. However, once the period of the award begins, athletics aid may only be increased if the institution can demonstrate the increase is unrelated in any manner to an athletics reason. Permitting an increase in athletics aid at any time, for any reason will provide institutions the discretion to distribute athletics aid as deemed appropriate on an individual campus. Institutions would still be limited to providing athletics aid within the team and individual equivalency limits.

Budget Impact:

Co-sponsorship - Conference: None
Co-sponsorship - Institution: None

Position Statements:

Review History:
Mar 8, 2016: Recommends Approval - Legislation Committee
Apr 19, 2016: Approved in Concept - Management Council
Apr 28, 2016: Approved in Concept - Presidents Council
Jul 19, 2016: Approved in Legislative Format - Management Council
Aug 4, 2016: Approved in Legislative Format - Presidents Council

Additional Information:

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Title: FINANCIAL AID -- TERMS AND CONDITIONS OF AWARDING INSTITUTIONAL FINANCIAL AID -- PERIOD OF INSTITUTIONAL FINANCIAL AID AWARD -- ONE-YEAR LIMIT -- REQUIREMENT TO PROVIDE ATHLETICALLY RELATED FINANCIAL AID FOR ONE ACADEMIC YEAR

Convention Year: 2017
Date Submitted: May 19, 2016
Effective Date: August 1, 2018
IPOPL Number:
SPOPL Number: 13
Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].
Category: Presidents Council
Topical Area: Financial Aid

Intent: To specify that an offer of athletically related financial aid shall not be awarded for a period of less than one academic year; further, to establish exceptions for providing athletically related financial aid for less than one academic year, as specified.

A. Bylaws: Amend 15.02.6, as follows:

15.02.6 Period of Award. The period of award begins when the student-athlete receives any benefits as part of the student-athlete's grant-in-aid on the first day of classes for a particular academic term, or the first day of practice, whichever is earlier, until the conclusion of the period set forth in the financial aid agreement. An athletics grant-in-aid shall not be awarded in excess of one academic year nor for a period less than one academic year.

B. Bylaws: Amend 15.6.3, as follows:

15.6.3 Period of Institutional Financial Aid Award.

15.6.3.1 One-Year Limit Period. When a student's athletics ability is taken into consideration in any degree in awarding financial aid, such aid shall not be awarded in excess of one academic year nor for a period less than one academic year.

15.6.3.1.1 Exceptions. An institution may award athletically related financial aid to a student-athlete for a period of less than one academic year only under the following circumstances.

(a) Midyear Enrollment. A student-athlete whose first full-time attendance at the certifying institution during a particular academic year occurs at midyear (e.g., the beginning of the second semester or second or third quarter of an academic year) may receive a financial aid award for the remainder of that academic year.

(b) Final Semester/Quarter. A student-athlete may receive athletically related financial aid for less than one academic year, provided the student is in the final semester or final two quarters of his or her degree program and the institution certifies that the student is carrying (for credit) the courses necessary to complete the degree requirements.

(c) Graduated During Previous Academic Year and Will Exhaust Eligibility During the Following Fall Term. A student-athlete who graduated during the previous academic year (including summer) and will exhaust his or her athletics eligibility during the following fall term may be awarded athletically related financial aid for less than one academic year.

(d) One-Time Exception. One time during a student-athlete's enrollment at the certifying institution he or she may be awarded athletics aid for less than a full academic year, provided the student-athlete has been enrolled full time at the certifying institution for at least one regular academic term.

(e) Eligibility Exhausted/Medical Noncounter. A student-athlete who has exhausted eligibility and is exempt from counting (per Bylaw 15.4.1.3) in the institution's financial aid limit, or a student-athlete who is exempt from counting (per Bylaw 15.4.1.1) due to an injury or illness may receive athletically related financial aid for less than one academic year. If an institution awards aid under this provision, the institutional financial aid agreement shall include specific nonathletically related conditions (e.g., academic requirements) the student-athlete must satisfy in order for the aid to be renewed for the next academic term or terms. If the student-
If the student-athlete satisfies the specified conditions, the institution shall award financial aid at the same amount for the next term or terms of the academic year. If the student-athlete does not satisfy the specified conditions, he or she must be provided a hearing opportunity per Bylaw 15.6.2.4.

[15.6.3.1.1 through 15.6.3.1.3 renumbered as 15.6.3.1.2 through 15.6.3.1.4, unchanged.]

15.6.3.2 Regular Term Versus Summer and Voluntary Winter Term. An institution may award financial aid to a student-athlete for an academic year or part thereof. An institution may also award financial aid for a summer term or summer-orientation period or voluntary winter term, provided the conditions of Bylaw 15.2.1.1 have been met.

[15.6.3.2.1 unchanged.]

Rationale: Current legislation permits an institution to offer athletics aid on a term-by-term basis. According to the 2015 GOALS study, nearly one-half of Division II student-athletes have concerns about how finances will impact their ability to complete their degree. Eliminating term-by-term awards addresses student-athlete well-being concerns by ensuring that a student-athlete will know the status of his or her financial aid agreement for the full academic year. In addition, it eliminates situations where the receipt of athletically related financial aid for the spring term may be based on athletics performance in the fall term. However, in certain situations, an aid agreement for less than one academic year is appropriate and does not detrimentally impact the student-athlete. The proposed legislation includes several exceptions that provide flexibility to the institution in specific situations. The financial data indicates that roughly three quarters of financial aid awards are provided for a one-year term. The legislation regarding permissible reduction or cancellation of athletics aid during the period of the award is not impacted by this proposal, so an institution would retain the ability to reduce or cancel the one-year award if a student-athlete engages in one of the specified actions that are detrimental to the team.

Budget Impact:

Co-sponsorship - Conference:
None

Co-sponsorship - Institution:
None

Position Statements:

Review History:

Mar 8, 2016: Recommends Approval - Legislation Committee
Apr 19, 2016: Approved in Concept - Management Council
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Title: FINANCIAL AID -- MAXIMUM LIMITS ON FINANCIAL AID -- TEAM LIMITS - INSTITUTIONAL ATHLETICS AID ONLY

Convention Year: 2017

Date Submitted: June 6, 2016

Effective Date: August 1, 2018

IPOPL Number:

SPOPL Number: 12

Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].

Category: Presidents Council

Topical Area: Financial Aid

Intent: To specify that only institutional athletics aid shall count toward individual and team equivalency limits.

Bylaws: Amend 15, as follows:

15 Financial Aid

[15.01 unchanged.]

15.02 Definitions and Applications.

[15.02.1 unchanged.]

15.02.2 Athletics Aid. Athletics aid is financial aid awarded by the institution's athletics department.

[15.02.2 renumbered as 15.02.3, unchanged.]

15.02.3 Counter. A "counter" is an individual who is receiving institutional financial athletics aid based in any degree on athletics ability. Further, once a student becomes a counter, any countable aid received by that student-athlete is countable against the aid limitations in that sport. (See Bylaw 15.4.2.2.)

[15.02.4 through 15.02.6 renumbered as 15.02.5 through 15.02.7, unchanged.]

15.02.2 Athletics Aid. Athletics aid is financial aid awarded by the institution's athletics department.

[15.02.2 renumbered as 15.02.3, unchanged.]

15.02.3 Counter. A "counter" is an individual who is receiving institutional financial athletics aid based in any degree on athletics ability. Further, once a student becomes a counter, any countable aid received by that student-athlete is countable against the aid limitations in that sport. (See Bylaw 15.4.2.2.)

[15.02.4 through 15.02.6 renumbered as 15.02.5 through 15.02.7, unchanged.]

15.02.3 Counter. A "counter" is an individual who is receiving institutional financial athletics aid based in any degree on athletics ability. Further, once a student becomes a counter, any countable aid received by that student-athlete is countable against the aid limitations in that sport. (See Bylaw 15.4.2.2.)

15.02.4 Counter. A "counter" is an individual who is receiving institutional financial athletics aid based in any degree on athletics ability. Further, once a student becomes a counter, any countable aid received by that student-athlete is countable against the aid limitations in that sport. (See Bylaw 15.4.2.2.)

15.02.5 Counter. A "counter" is an individual who is receiving institutional financial athletics aid based in any degree on athletics ability. Further, once a student becomes a counter, any countable aid received by that student-athlete is countable against the aid limitations in that sport. (See Bylaw 15.4.2.2.)

15.02.6 Counter. A "counter" is an individual who is receiving institutional financial athletics aid based in any degree on athletics ability. Further, once a student becomes a counter, any countable aid received by that student-athlete is countable against the aid limitations in that sport. (See Bylaw 15.4.2.2.)

15.02.7 Counter. A "counter" is an individual who is receiving institutional financial athletics aid based in any degree on athletics ability. Further, once a student becomes a counter, any countable aid received by that student-athlete is countable against the aid limitations in that sport. (See Bylaw 15.4.2.2.)

15.1 Eligibility for Financial Athletics Aid.

15.1.1 Eligibility of Student-Athletes for Institutional Financial Athletics Aid. A student-athlete must meet applicable NCAA (see Bylaw 14), conference and institutional regulations to be eligible for institutional financial athletics aid. A student-athlete may be awarded athletics aid during any term in which a student-athlete is in regular attendance (i.e., was enrolled initially in a minimum full-time program of studies as defined by the certifying institution during that term). If these regulations are met, the student-athlete may be granted athletically related financial athletics aid for a maximum of 10 semesters/15 quarters. Any institutional athletics financial aid provided after 10 semesters/15 quarters is left to the discretion of the institution consistent with institutional policies for awarding financial aid in general. A student-athlete may be awarded institutional financial aid during any term in which a student-athlete is in regular attendance (i.e., was enrolled initially in a minimum full-time program of studies as defined by the certifying institution during that term).

[15.1.1 unchanged.]

15.1.2 Withdrawal From Institution. A student-athlete who withdraws from the institution may not receive financial athletics aid during the remainder of the term.

15.1.3 Retroactive Financial Athletics Aid. Institutional financial Athletics aid awarded to an enrolled student-athlete after the first day of classes in any term may not exceed the remaining room and board charges and educational expenses for that term and may not be made retroactive to the beginning of that term. Payments credited to a student-athlete’s account that are not refundable need not become the student’s obligation.

15.1.4 Institutional Financial Athletics Aid to Professional Athlete. An institution may not award financial athletics aid to a student-athlete who is under contract to or currently receiving compensation from a professional sports organization in the sport in which the student-athlete will participate at the certifying institution. It is permissible to award institutional financial athletics aid to a student-athlete provided the student-athlete is not a professional in the sport in which the student-athlete will participate at the certifying institution. However, a student-athlete who currently is receiving institutional financial...
athletics aid and signs a contract in the same sport or receives compensation from an agent or a professional sports organization may continue to receive such aid for the remainder of the term of the award, provided the student-athlete has completed his or her four seasons of competition.

15.1.1.4.1 Exception for Former Professional Athlete. A former professional athlete may receive institutional financial athletics aid, provided the following conditions are met:

15.1.1.4.1-(a) through 15.1.1.4.1-(c) unchanged.

15.1.1.4.1 uncharged.

15.1.2 Permissible Sources of Financial Aid.

15.2 Institutional Financial Aid. The following sources of financial aid are considered to be institutional financial aid:

15.2.1-(a) unchanged.

15.2.1-(1) through 15.2.1-(3) unchanged.

(4) Tuition waivers awarded based in any degree on athletics ability; and

(5) Loans that are based upon a regular repayment schedule, available to all students and administered on the same basis for all students.

15.2.1-(b) unchanged.

15.2.1.1 Summer and Voluntary Winter Term Financial Athletics Aid. Summer or winter term (e.g., optional J-term, miniterm, intersession, wintermester) financial athletics aid may be awarded only to attend the awarding institution’s summer term(s), summer school, summer-orientation program or winter term, in accordance with institutional policy.

15.2.1.1.1 Before Initial Full-Time Enrollment at the Certifying Institution. Summer financial athletics aid may be awarded to a student-athlete to attend an institution in the summer before the student’s initial full-time enrollment at the certifying institution. A midyear enrollee may be awarded financial athletics aid to attend a voluntary winter term before the student’s initial full-time enrollment at the certifying institution.

15.2.1.1.2 Summer or Voluntary Winter Term Financial Athletics Aid to Two-Year College Transfer Student. Summer or voluntary winter term financial athletics aid may only be awarded to a two-year college transfer student who has fulfilled the two-year college transfer requirement at the time of enrollment at the awarding institution for the summer or voluntary winter term(s) (see Bylaw 14.5.4).

15.2.2 Financial Aid From Outside Sources.

15.2.2.1 through 15.2.2.3 unchanged.

15.2.2.4 Educational Expenses -- U.S. Olympic Committee or U.S. National Governing Body. A student-athlete may receive educational expenses awarded by the U.S. Olympic Committee or a U.S. national governing body (or, for international student-athletes, expenses awarded by the equivalent organizations of a foreign country). The amount of the financial assistance shall be subject to the following limitations:

15.2.2.4-(a) unchanged.

(b) The recipient's choice of institutions shall not be restricted by the U.S. Olympic Committee, a U.S. national governing body (or, for international student-athletes, expenses awarded by the equivalent organization of a foreign country); and

(c) The value of the award alone or in combination with other aid per Bylaw 15.2.1 athletics aid provided by the institution shall not exceed the value of a full grant-in-aid; and,

(d) The recipient shall be considered a counter per Bylaw 15.4, and the amount shall be applied to the maximum awards limitations of Bylaw 15.4 for the sport in question.

15.2.2.4.1 Operation Gold Grant. Funds administered by the U.S. Olympic Committee pursuant to its Operation Gold Grant Program shall not be included when determining the permissible amount of a full grant-in-aid for a student-athlete.

15.2.2.5 Educational Expenses -- Professional Team or League. A former professional athlete may receive educational expenses from a professional team or league, provided the following conditions are met:
[15.2.2.5-(a) through 15.2.2.5-(c) unchanged.]

(d) Disbursement of the aid shall be through the member institution for the recipient’s educational expenses while attending that institution; and

(e) The value of the award alone or in combination with other aid per Bylaw 15.2.1 **athletics aid provided by the institution** shall not exceed the value of a full grant-in-aid; and,

(f) The recipient shall be considered a counter per Bylaw 15.4.1; and the amount shall be applied to the maximum award limitations of Bylaw 15.4 for the sport in question.

[15.2.3 unchanged.]

15.3 Maximum Limit on Financial Aid -- Individual. An institution shall not award financial aid to a student-athlete that exceeds the cost of attendance that normally is incurred by students enrolled in a comparable program of study at that institution or that exceeds the limitations established by the membership division of the institution the student-athlete attends, whichever is less. A student-athlete shall not be eligible to participate in intercollegiate athletics, if he or she receives **financial athletics aid** that exceeds the value of a full grant-in-aid as defined in Bylaw 15.02.56. A student-athlete may receive **institutional financial aid based on athletics ability** (per Bylaw 15.2.1) **athletics aid** and educational expenses awarded per Bylaws 15.2.2.4 and 15.2.2.5 up to the value of a full grant-in-aid, plus any other **institutional financial aid unrelated to athletics ability** up to the cost of attendance. (See Bylaws 16.3, 16.4 and 16.12.)

15.3.2 Types of Aid Included in Limit. In determining whether a student-athlete’s financial aid exceeds the value of a full grant-in-aid, all institutional financial aid (per Bylaw 15.2.1) and all funds received from the following and similar sources shall be included:

(a) **Government Grants.** Government grants other than awards based on a student’s demonstrated financial need or for educational purposes;

(b) **Other Scholarships and Grants.** Other institutional or outside scholarships or grants-in-aid, except those academic awards exempted per Bylaw 15.5-(a) and outside educational grants that may be awarded up to the cost of attendance per Bylaw 15.2.2.2;

(c) **Gifts.** The value of gifts given to a student-athlete after completion of eligibility in appreciation for or recognition of the student-athlete’s athletics accomplishments;

(d) **Professional Sports Stipend.** Any bonus or salary (no matter when received or contracted for) from a professional sports organization;

(e) **Athletics Participation Compensation.** Any other income (no matter when received or contracted for) from participation in an athletics event (except funds that are administered by the U.S. Olympic Committee pursuant to its Operation Gold Grant Program) unless eligibility has been exhausted in that sport; and

(f) **Loans.** Loans, except legitimate loans that are based upon a regular repayment schedule, available to all students and administered on the same basis for all students.

15.3.2.1 **Nonrecruited Student-Athlete Receiving Institutional Financial Aid.** If a student-athlete was not recruited and receives institutional financial aid unrelated to athletics ability and in excess of a full grant-in-aid, the student may retain the aid for the period of the award without any adjustment. Once the original period of the award expires, renewal of the same financial aid in excess of the limitation is permissible only if the aid is renewed on the same basis as originally awarded.

15.3.2 Elements of **Financial Athletics Aid.**

15.3.2.1 **Tuition and Fees.** An institution may provide a student-athlete **financial athletics aid** that includes the actual cost of tuition and required institutional fees.

15.3.2.1.1 **Permissible Fees.** A student-athlete may be awarded **financial athletics aid** that covers the payment of fees for a course in which the student-athlete is enrolled, if the course is part of the institution’s regular curriculum (included in the institution’s catalog of classes), and the institution pays
these same fees for other students enrolled in the course who receive fees as a part of a grant-in-aid or scholarship.

[15.3.3.12 and 15.3.3.13 renumbered as 15.3.2.1.2 and 15.3.2.1.3, unchanged.]

15.3.3.2 Fees and Related Expenses for Prospective Student-Athletes. An institution shall not waive, pay in advance or guarantee payment of the following expenses for a prospective student-athlete, unless such benefits generally conform to institutional policy as it applies to other prospective student-grantees:

15.3.3.2.1 Fees Rebate. If the prospective student-athlete enrolls and is awarded financial athletics aid covering institutional fees, the fees described in Bylaw 15.3.2.1.4-(a) through -(d) above may be rebated as a part of the institution’s regular fees.

15.3.3.2.2 Room and Board. An institution may provide a student-athlete financial athletics aid that includes the cost of room based on the official allowance for room as listed in the institution’s official publication (e.g., catalog) and a board allowance that consists of three meals per day, even if the institution’s maximum permissible award allowance for all students represents a lesser cost figure.

15.3.3.2.1.7 Meals and Snacks Incidental to Participation. The cost of meals and snacks provided as benefits incidental to participation in intercollegiate athletics need not be deducted from a student-athlete’s board allowance. Such meals and snacks also may be received by a student-athlete who is not receiving athletically related financial athletics aid as a benefit incidental to athletics participation (see Bylaw 16.5.1-(c)).

15.3.2.2.3 Books and Supplies. An institution may provide a student-athlete financial athletics aid that covers the actual cost of required course-related books and course-related supplies. [R]

15.3.3.3 Other Expenses Related to Attendance. An institution may provide a student-athlete financial aid that covers other expenses related to attendance in combination with other permissible elements of financial aid (per Bylaw 15.2) up to the cost of attendance. (See Bylaws 15.02.2, 15.3, 16.3, 16.4 and 16.12.)

15.3.3.5 Reduction When Excess Aid Is Awarded. In the event that a student-athlete’s financial aid from the sources listed in Bylaw 15.3.2, which includes institutional financial aid, will exceed a full grant-in-aid for the balance of the academic year, the institution shall reduce institutional financial aid so as not to exceed a full grant. Payments credited to a student-athlete’s account that are not refundable by the institution to the scholarship office or other appropriate institutional agency shall not become the student’s obligation.

15.4 Maximum Institutional Grant-In-Aid Limitations by Sport.

15.4.1 Counters. A student-athlete who is receiving institutional financial athletics aid based in any degree upon athletics ability shall be a counter and included in the maximum awards limitations set forth in this bylaw.

[15.4.1.1 unchanged.]

15.4.1.2 Athletics Aid Not Renewed, Successful Appeal. If an institution does not renew financial athletics aid for a counter in a following year, and a hearing before the institution’s regular financial aid authority results in a successful appeal for restoration of aid, the student-athlete shall continue to be a counter if the individual continues to receive athletically related financial athletics aid. However, the student-athlete shall not be a counter, if he or she receives institutionally arranged or awarded, nonathletically related financial nonathletics aid available to all students, provided such financial aid was granted or arranged without regard in any degree to athletics ability.
15.4.1.3 Eligibility Exhausted. A student-athlete receiving institutional financial athletics aid after having exhausted his or her eligibility in a sport is not a counter in that sport in future academic years after completion of eligibility in the sport. For this provision to be applicable, the student-athlete is otherwise eligible for the aid and is not permitted to take part in organized, institutional practice sessions in that sport, unless the individual has eligibility remaining under the 10-semester/15-quarter rule. (See Bylaw 15.11.)

15.4.1.4 Athletics Aid After Student-Athlete Becomes Permanently Ineligible. A student-athlete receiving institutional financial athletics aid after becoming permanently ineligible due to a violation of NCAA regulations (e.g., amateurism legislation) may receive athletics aid during the next academic year without counting in the institution’s financial aid limitations, provided the student-athlete is otherwise eligible for the aid and does not practice or compete in intercollegiate athletics at any time. If circumstances change and the student-athlete practices or competes after being certified permanently ineligible, the institution is required to count the financial athletics aid received by the student-athlete during each academic year in which the aid was received.

15.4.1.5 Summer-and Voluntary Winter Term Athletics Aid. Institutional financial Athletics aid received during a summer or voluntary winter term is not countable in these limitations and does not make a student-athlete a counter.

15.4.1.6 unchanged.

15.4.1.7 No Institutional Financial Athletics Aid. A student-athlete who does not receive institutional financial athletics aid (as set forth in Bylaw 15.21 15.02.2) shall not be a counter.

15.4.1.8 Becoming a Counter After the Beginning of an Award Period. If a student-athlete becomes a counter (per Bylaw 15.4.1) at any point during the academic year, all countable institutional aid received during that academic year is countable toward the student-athlete’s equivalency per Bylaw 15.4.2.2.

15.4.2 Equivalency Sports.

15.4.2.1 renumbered as 15.4.2.0, unchanged.

15.4.2.2 Equivalency Computations. In equivalency sports, each institutional financial aid award (per Bylaw 15.2) to a counter Equivalencies shall be computed as follows:

(a) Once a student becomes a For each counter, the institution shall count all institutional athletics aid (per Bylaw 15.21 15.02.2) received during that academic year for room, board, tuition and fees, as well as books and required course-related supplies (which shall count for calculation purposes as $800 in the denominator and, if they are provided or their cost covered by the institution, as $800 in the numerator, regardless of the actual amount received). If a student-athlete is enrolled for less than a full academic year (e.g., one semester, one or two quarters) and receives any portion of a book allowance, the institution must use the amount in the numerator that is proportionate to the number of terms of enrollment ($400 for semester systems, $534 or $267 for quarter systems). Exempted government grants and exempted institutional aid per Bylaw 15.5 specifically are excluded from this computation.

15.4.2.21-(b) and 15.4.2.21-(c) unchanged.

15.4.2.21 Exception. Academic awards that meet the criteria set forth in Bylaw 15.5-(a) are exempt from an institution’s equivalency computation.

15.4.3 Multisport Participants. A counter who participates in two or more sports shall be counted in one or more sports as specified on the individual’s financial athletics aid agreement.

15.4.3.1 Multisport Participant Receiving Athletically Related Institutional Aid Sport Not Specified on Athletics Aid Agreement. An institution shall divide countable athletically related athletics aid equally among all sports in which the student-athlete participates in instances when the financial athletics aid agreement does not specify how such aid should be counted toward institutional limits.

15.4.3.2 Multisport Participant Receiving Nonathletically Related Institutional Aid. An institution shall divide nonathletically related institutional aid in the same proportion that athletically related aid is divided for purposes of the institutional limits in the sports in which the student-athlete participates.

15.4.3.3 renumbered as 15.4.3.2, unchanged.

15.4.3.4 Requirement to Qualify as Multisport Athlete. To be considered a multisport athlete under this section, an individual must meet all of the following requirements:

15.4.3.43-(a) through 15.4.3.43-(c) unchanged.
If a recruited student-athlete, the individual shall have been earnestly recruited to participate in the sport in which financial athletics aid is counted (i.e., the institution recruiting the student-athlete shall have a reasonable basis to believe that the student-athlete is capable of participating in the institution's varsity intercollegiate program in that sport, including documentation of a record of previous participation in organized competition in the sport that supports the student-athlete's potential to participate in that sport in varsity intercollegiate competition).

15.5 Exempted Institutional Financial Aid. The following institutional financial aid is exempt and is not counted in determining a student-athlete's full grant-in-aid or in the institution's financial aid limitations:

(a) Academic awards below:

(1) Academic awards that are part of the institution's normal arrangements for academic scholarships, awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution are exempt from an institution's equivalency computation, provided:

(i) The recipient was ranked in the upper 20 percent of the high school graduating class or achieved a cumulative grade-point average of at least 3.500 (based on a maximum of 4.000) or a minimum ACT sum score of 100 or a minimum SAT score of 1140. The minimum combined SAT score of 1140 applies to scores for SAT tests taken prior to March 1, 2016. The minimum SAT score required for tests taken on or after March 1, 2016, will be evaluated based on the concordance established by the College Board. An institution may exempt an academic honor award from both individual and institutional equivalency limits if the recipient qualifies for the award under minimum institutional criteria and satisfies any of the criteria set forth in this bylaw, regardless of whether the institution considered any of the qualifying criteria in making the award; or

(ii) The recipient does not qualify under (i) and has completed at least one academic year in college and achieved a cumulative grade-point average of 3.300 (on a 4.000 scale) for all academic work completed during the student's collegiate enrollment resulting in degree credits at the awarding institution; or

(2) An academic award for outstanding academic achievement or a research grant is an award that meets the following criteria:

(i) The award or grant is a standing scholarship award or an established research grant;

(ii) The basis for the award or grant shall be the candidate's academic record at the awarding institution; and

(iii) The award or grant shall be determined by competition among the students of a particular class or college of the institution. Competition for the award or grant may include additional objective criteria unrelated to athletics ability (e.g., gender, race and ethnicity, financial need).

(b) Legitimate loans, based upon a regular repayment schedule, available to all students and administered on the same basis for all students;

(c) Out-of-state tuition waivers and grants awarded solely on bases having no relationship to athletics ability;

(d) Employee-dependent tuition benefits;

(e) A postgraduate scholarship awarded by an institution in accordance with Bylaw 16.1.3.1.1;

(f) Government grants awarded based on a student's demonstrated financial need, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing supplementary funds for a previously determined amount; and
(g) Government grants awarded for educational purposes.

15.5.1 Operation Gold Grant. Funds administered by the U.S. Olympic Committee pursuant to its Operation Gold Grant program shall not be included when determining the permissible amount of a full grant-in-aid or cost of attendance for a student-athlete.

15.6 Terms and Conditions of Awarding Institutional Financial Athletics Aid.

[15.6.1 renumbered as 15.5.1, unchanged.]

15.6.2 Terms of Institutional Financial Athletics Aid Award.

15.6.2.1 Conformance to Institutional and Conference Regulations. Financial Athletics aid awarded by an institution to a student-athlete shall conform to the rules and regulations of the awarding institution and of that institution’s conference(s), if any. A violation of this bylaw that relates only to a violation of a conference rule shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete’s eligibility.

15.6.2.2 Physical Condition of Student-Athlete. Financial Athletics aid awarded to a prospective student-athlete may not be conditioned on the recipient reporting in satisfactory physical condition. If a student-athlete has been accepted for admission and awarded financial aid, the institution shall be committed for the term of the original award, even if the student-athlete’s physical condition prevents him or her from participating in intercollegiate athletics.

15.6.2.3 Written Statement Requirement. The institutional agency making an financial athletics aid award for a regular academic term or academic year shall give the recipient a written statement of the amount, duration, conditions and terms of the award. The chair of the regular committee or other agency for the awarding of financial aid to students generally, or the chair’s official designee, shall sign or electronically authorize (e.g., electronic signature) the written statement. The signature of the athletics director, attesting to the committee’s award, does not satisfy this requirement.

15.6.2.4 Hearing Opportunity. The institution’s regular financial aid authority shall notify the student-athlete in writing, within 14 consecutive calendar days from the date the student-athlete has been notified of the decision to reduce or cancel athletics aid during the period of the award or the reduction or nonrenewal of financial athletics aid for the following academic year, of the opportunity for a hearing when institutional financial athletics aid based in any degree on athletics ability is reduced or canceled during the period of the award, or not renewed. The hearing shall be conducted by an institutional entity or committee outside of the athletics department (e.g., financial aid review committee, the office of student affairs, office of the dean of students or a committee composed of the faculty athletics representative, student-athletes and nonathletics faculty/staff members). The notification of the hearing opportunity shall include a copy of the institution’s established policies and procedures for conducting the required hearing, including the deadline by which a student-athlete must request the hearing. The institution shall conduct the hearing within 30 consecutive calendar days of receiving a student-athlete’s request for the hearing.

15.6.3 Period of Institutional Financial Athletics Aid Award.

15.6.3.1 One-Year Limit. When a student’s athletics ability is taken into consideration in any degree in awarding financial aid, such Athletics aid shall not be awarded in excess of one academic year.

15.6.3.1.1 Financial Aid Authority Precedent. A staff member may inform a prospective student-athlete that the athletics department will recommend to the financial aid authority that the prospective student-athlete’s financial athletics aid be renewed each year for a period of four years and may indicate that the authority always has followed the athletics department’s recommendations in the past. However, the prospective student-athlete must be informed that the renewal will not be automatic.

15.6.3.1.2 Injury or Illness Policy. It is not permissible for an institution to assure the prospective student-athlete that it automatically will continue an grant-in-aid athletics aid award past the one-year period if the recipient sustains an injury that prevents him or her from competing in intercollegiate athletics, but an institutional representative may inform the prospective student-athlete of the regular institutional policy related to renewal or continuation of athletics aid past the one-year period for recipients who become ill or injured during their participation.

[15.6.3.1.3 renumbered as 15.5.3.1.3, unchanged.]

15.6.3.2 Regular Term Versus Summer and Voluntary Winter Term. An institution may award financial athletics aid to a student-athlete for an academic year or part thereof. An institution also may award financial athletics aid for a summer term or summer-orientation period or voluntary winter term, provided the conditions of Bylaw 15.2.1.1 have been met.
15.6.4 Reduction and Cancellation during Period of Award.

15.6.4.1 Reduction or Cancellation Permitted. Institutional financial aid based in any degree on athletics ability may be reduced or canceled during the period of the award, if the recipient:

(d) Voluntarily withdraws from a sport at any time for personal reasons; however, the recipient's financial athletics aid may not be awarded to another student-athlete in the term in which the aid was reduced or canceled. Further, if the financial athletics aid is canceled before a regular academic term (e.g., preseason practice period), the aid may not be provided to another student-athlete during the ensuing academic term.

15.6.4.1.1 Nonathletically Related Conditions. An institutional financial athletics aid agreement may include nonathletically related conditions (e.g., compliance with academic policies or standards, compliance with team rule or policies) by which the aid may be reduced or cancelled during the period of the award.

15.6.4.1.2 Fraudulent Misrepresentation. If a student-athlete is awarded institutional financial athletics aid on the basis of declaring intention to participate in a particular sport by signing a letter of intent, application or tender, action on the part of the grantee not to participate (either by not reporting for practice or after making only token appearances as determined by the institution) would constitute fraudulent misrepresentation of information on the grantee's application, letter of intent or financial athletics aid agreement and would permit the institution to cancel or reduce the financial athletics aid.

15.6.4.1.3 Misconduct. An institution may cancel or reduce the financial athletics aid of a student-athlete who is found to have engaged in misconduct by the university's regular student disciplinary authority, even if the loss-of-aid requirement does not apply to the student body in general.

15.6.4.2 Increase Permitted. Institutional financial Athletics aid may be increased for any reason prior to the commencement of the period of the award. Once the period of the award begins, institutional financial athletics aid may only be increased if the institution can demonstrate that such an increase is unrelated in any manner to an athletics reason (see Bylaw 15.5.4.3).

15.6.4.2.1 Initial Award of Athletically Related Institutional Financial Athletics Aid. A student-athlete who is receiving only institutional nonathletically related financial nonathletics aid may receive an initial award of athletically related institutional financial athletics aid at any point during the academic year. The initial award of athletically related financial athletics aid may not be retroactive to a previous academic year.

15.6.4.3 Increase, Reduction or Cancellation Not Permitted. Institutional financial aid based in any degree on athletics ability Athletics aid may not be increased, decreased or canceled during the period of its award:

(a) through 15.5.4.3-(c) unchanged.

15.6.4.3.2 Athletically Related Condition Prohibition. An institution may not set forth an athletically related condition (e.g., financial athletics aid contingent upon specified performance or playing a specific position) that would permit the institution to reduce or cancel the student-athlete's financial athletics aid during the period of the award, if the conditions are not satisfied.

15.6.4.3.3 Decrease Not Permitted. An institution may not decrease a prospective student-athlete's financial athletics aid or a student-athlete's financial athletics aid from the time the prospective student-athlete or student-athlete signs the financial aid award letter until the conclusion of the period set forth in the financial athletics aid agreement, except under the conditions set forth in Bylaw 15.6.4.1.

15.6.5 Renewals and Nonrenewals.

15.6.5.1 Institutional Obligation. The renewal of institutional financial athletics aid based in any degree on athletics ability shall be made on or before July 1 before the academic year in which it is to be effective. The institution shall promptly notify in writing each student-athlete who received an award the previous academic year and who has eligibility remaining in the sport in which financial aid was awarded the previous academic year (under Bylaw 14.2) whether the grant has been renewed or not renewed for the
ensuing academic year. Notification of financial athletics aid renewals and nonrenewals must come from the institution's regular financial aid authority and not from the institution's athletics department.

15.6.5.2 Reconsideration of Nonrenewal. It is permissible for an institution that has notified a student-athlete that he or she will not be provided institutional financial athletics aid for the next academic year to then award financial aid to that student-athlete.

15.6.6 Changes in Participation. If a student-athlete changes sports during an academic year, the student-athlete's financial athletics aid shall be counted in the maximum limitations for the first sport for the remainder of the year. If the student-athlete continues to receive financial athletics aid, the award shall be counted the next academic year against the maximum limitations in the second sport.

[15.6.7 renumbered as 15.5.7, unchanged.]

[Figure 15-1 and Figure 15-2 unchanged.]

Rationale: Under current legislation, the calculation of individual equivalencies includes all institutional aid received during the term of the award, excluding government grants and exempted institutional aid. This calculation can result in a student-athlete having to decline financial aid for which he or she is eligible due to concerns of exceeding the individual and/or team equivalency limits. According to the 2015 GOALS study, over two-thirds of Division II student-athletes report that college costs were an important consideration in making their college choice. Amending the legislation to count only athletics aid will permit institutions to award athletics aid to deserving student-athletes without concern of the impact on other aid sources and may have a positive impact on enrollment management. Division II financial aid data demonstrates that only four institutions fully fund their athletics programs and only 13 percent of teams are fully funded. Further, a model in which only athletics aid counts toward the individual and team equivalency limits would support the partial scholarship model, assist with enrollment management and ensure consistency in calculations among institutions. Institutions would only be responsible for ensuring that student-athletes do not receive a financial aid package that exceeds a full grant-in-aid or the cost of attendance.

Budget Impact:

Co-sponsorship - Conference:
None

Co-sponsorship - Institution:
None

Position Statements:

Review History:

Mar 8, 2016:    Recommends Approval - Legislation Committee
Apr 19, 2016:  Approved in Concept - Management Council
Apr 28, 2016:  Approved in Concept - Presidents Council
Jul 19, 2016:  Approved in Legislative Format - Management Council
Aug 4, 2016:   Approved in Legislative Format - Presidents Council

Additional Information:

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