AGENDA

National Collegiate Athletic Association
Division II Legislation Committee

Dial-in No. 866-590-5055  June 29, 2017
Passcode: 3736741  1 to 4 p.m. Eastern Time

1. Welcome and announcements. (Natasha Oakes)

2. Approve the March 2017 NCAA Division II Legislation Committee in-person meeting and teleconference report. [Supplement Nos. 1-a and 1-b] (Oakes)

3. Review the NCAA Division II Presidents Council and NCAA Division II Management Council April 2017 Summary of Actions. [Supplement No. 2] (Karen Wolf)

4. Review of the May 10 and June 13 NCAA Legislative Review Subcommittee of the Division II Legislation Committee teleconference report. [Supplement Nos. 3-a and 3-b] (Marty Gilbert)

5. Update from the NCAA Division II Culture of Compliance Think Tank. [Supplement Nos. 4-a and 4-b] (Stephanie Quigg Smith)

6. Review of nontraditional academic calendars. [Supplement Nos. 5-a and 5-b] (Wolf)

7. Update on feedback regarding awards legislation. (Quigg Smith) [Supplement Nos. 6-a and 6-b]

8. Update on feedback regarding out-of-season playing and practice legislation. (Geoff Bentzel)

9. Review of financial aid to professional athlete legislation. [Supplement No. 7] (Chelsea Crawford)

10. Discussion regarding the 2018 Division II membership census. (Wolf)

11. Educational updates. (Angela Tressel)
   a. Regional Compliance Seminars. [Supplement Nos. 8-a and 8-b]
   b. Online Coaches Education Program.

12. Update regarding discussions with the National Association of Intercollegiate Athletics and use of the one-time transfer exception. (Oakes)
13. Update on countable athletically related activity resource document for the NCAA Division II Student-Athlete Advisory Committee. (Crawford)

14. Approval of subcommittee and amateurism fact-finding policies and procedures. [Supplement Nos. 9-a, 9-b and 9-c] (Bentzel and Crawford)

15. Chair elections. (Oakes)
   a. Legislation Committee.
   b. Interpretations Subcommittee.
   c. Legislative Review Subcommittee.

16. Subcommittee appointments. (Oakes)

17. Recognition of outgoing members. (Oakes)

18. Future meeting dates.
   a. July 2017 date to be determined; (teleconference).
   b. September 2017 date to be determined; (teleconference).
   c. November 6-7, 2017; (Indianapolis);
   d. March 5-6, 2018; (Indianapolis); and
   e. June 2018 date to be determined (Indianapolis).
      (1) June 13-14, 2018 (Thursday/Friday).
      (2) June 20-21, 2018 (Wednesday/Thursday).
      (3) June 21-22, 2018 (Thursday/Friday).

19. Other business.

20. Adjournment.
ACTION ITEMS.

1. Legislative items.


      (1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 14.2.2 (10-semester/15-quarter rule) to establish an exception to the 10-semester/15-quarter rule to permit an institution to approve a two-semester or three-quarter extension of the 10-semester/15-quarter period of eligibility for a transgender female (male to female) student-athlete who uses two semesters or three quarters while completing one calendar year of testosterone suppression treatment or surgical intervention.

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

      (3) **Rationale.** Due to NCAA Board of Governors policy and consistent with medical treatment options, a transgender female (male to female) student-athlete who is being treated with testosterone suppression medication or who has undergone surgical intervention to suppress testosterone production for gender transition may continue to compete on a men’s team, but may not compete on a women’s team without changing that team’s status to a mixed team until the student-athlete has completed one calendar year of testosterone suppression treatment or one year has passed since surgical intervention. As such, if the student-athlete is full time during that calendar year, two semesters or three quarters are being used even though the student-athlete is not medically permitted to compete. Allowing an institution to approve a two-semester or three-quarter extension of the 10-semester/15-quarter legislation is consistent with medical treatment options and policy approved by the Board of Governors.

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

      (5) **Student-athlete impact.** A transgender female student-athlete will have the opportunity to receive a clock extension, if necessary, as a result of a missed participation opportunity due to testosterone suppression medication treatment or surgical intervention without the institution having to file an extension of eligibility waiver.

(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 15.6.3.1 (one year limit) to specify that athletically related financial aid awarded for one academic year shall be awarded in equal amounts for each term of the academic year; further, to specify that only the initial award shall be required to be awarded in equal amounts.

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

(3) **Rationale.** NCAA Division II Proposal No. 2017-13 (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) amended the period of award legislation to require that an offer of athletically related financial aid be awarded for one academic year, unless the student-athlete meets one of the legislated exceptions. Clarifying that the initial financial aid award must be awarded in equal amounts will assist the membership in applying the new legislation and is consistent with the guidance provided in the 2017 NCAA Convention question and answer guide.

(4) **Estimated budget impact.** Will vary.

(5) **Student-athlete impact.** A student-athlete must be provided a financial aid agreement, in equal amounts, for the full academic year unless the student-athlete meets one of the legislated exceptions.


(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 15.6.4.3 (increase, reduction or cancellation not permitted) to eliminate restrictions that preclude an institution from increasing athletically related financial aid during the period of the award on the basis of a student-athlete’s athletics ability, performance or contribution to a team’s success, or for any other athletics reason.

(2) **Effective date.** August 1, 2018.
Rationale. At the 2017 NCAA Convention, the delegates adopted Proposal No. 2017-14 (financial aid – terms and conditions of awarding institutional financial aid – reduction and cancellation during period of award – increases in athletically related financial aid permissible at any time, for any reason), which will permit institutions to increase a student-athlete’s athletically related financial aid at any time, for any reason. Amending the legislation addresses an inadvertent drafting error.

Estimated budget impact. None.

Student-athlete impact. None.

d. Incorporation of Interpretation into the NCAA Division II Manual.

Recommendation. To incorporate the following official interpretation into the Manual:

Nonbinding Agreements with Agents (II)

The NCAA Division II Legislation Committee confirmed that an individual who signs a contract to be represented by an agent for the purpose of marketing his or her athletics ability or reputation in the sport that does not become binding until the agent or agency representative also signs the document is ineligible.

[References: Division II Bylaws 12.1.2 (activities prior to initial full-time collegiate enrollment), 12.2.5.1.1 (nonbinding agreements), 12.3.1 (general rule) and 12.3.1.1 (representation for future negotiations)]

Effective date. Immediate.

Rationale. Incorporating the February 6, 2017, official interpretation into the Manual will clarify the application of the pre-enrollment amateurism legislation regarding agreements with agents.

Estimated budget impact. None.

Student-athlete impact. None.
2. **Nonlegislative items.**

   a. **Review of Division II Legislative Types.**

      (1) **Recommendation.** That the NCAA Division II Presidents Council and NCAA Division II Management Council consider streamlining the current legislative process and consider the following changes: (1) Presidents Council and Management Council continue to use noncontroversial legislation in any instance where a legislative change is necessary to maintain the normal and orderly administration of the division in between annual Conventions, including modifications of wording to the legislation and changes to administrative regulations (Bylaws 31 and 32), while maintaining the Presidents Council’s authority to adopt emergency legislation as necessary; (2) Presidents Council and Management Council sponsor Convention legislation in those instances where a Council or committee recommends a change to an administrative regulation that is not deemed to be noncontroversial; (3) Management Council provides Legislation Committee with authority to incorporate interpretations into the Manual and include such recommendations as an informational item in meeting reports; and (4) Management Council provides the NCAA Division II Academic Requirements Committee with authority to issue interpretations and incorporate interpretations of academic legislation into the Manual.

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

      (3) **Rationale.** The Legislation Committee requests that the Presidents Council and Management Council be given the opportunity to review the various legislative types. Specifically, the committee noted how the number of proposal types can be confusing for the membership.

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

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

   b. **Nonchampionship Segment Activities – Educational Resources on Countable Athletically Related Activities Legislation.**

      (1) **Recommendation.** That the NCAA Division II Student-Athlete Advisory Committee develop an educational document on the countable athletically related activities legislation reflecting the adoption of Proposal No. 2017-18.
(2) **Effective date.** August 1, 2017.

(3) **Rationale.** The Legislation Committee requests that the Student-Athlete Advisory Committee be given the opportunity to review an educational document which was developed for the 2005-06 academic year on the countable athletically related activities legislation, and attempt to develop an educational document reflecting the adoption of Proposal No. 2017-18. The committee agreed there was a need for an educational document.

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

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

**INFORMATIONAL ITEMS.**

1. **Review of Division II Legislation Adopted at the 2017 NCAA Convention.** The committee reviewed the following proposals that were adopted at the Convention:

   a. **Proposal No. 2017-12 – Modification to the Financial Aid Form.** The committee discussed what information should be included on the financial aid form for the 2018-19 academic year. The committee agreed that institutions should retain the ability to include all financial aid information in Compliance Assistant even though only athletics aid information will be required for reporting purposes. The committee directed staff to remove the “other countable aid” category and replace it with an “other institutional aid” category. The committee agreed to review the modified financial aid form at its November 2017 in-person meeting.

   b. **Proposal No. 2017-13 – Requirement to Award Equal Amounts.** The committee discussed whether the legislation should be amended to clarify that an award of athletically related financial aid should be awarded in equal amounts. The committee agreed to recommend sponsorship of noncontroversial legislation to specify that an award of athletically related financial aid should be distributed in equal amounts, consistent with the guidance in the question and answer guide. Further, the committee clarified that the requirement only applies to an initial award of athletically related financial aid. [See Legislative Action Item No. 1b.]

   c. **Proposal No. 2017-14 – Inadvertent Drafting Error.** The committee reviewed an inadvertent drafting error in Proposal No. 2017-14, which omitted necessary revisions to Bylaw 15.6.4.3 (increase, reduction or cancellation not permitted). The committee recommended sponsorship of noncontroversial legislation. [See Legislative Action Item No. 1c.]
d. Discussion Regarding Future Assessment of Impact of Financial Aid Proposals. The committee engaged in a conversation regarding how to assess the impact of the three financial aid proposals in the future. Based on financial reporting deadlines, the earliest the committee will have an opportunity to review financial data from the 2018-19 academic year will be at its March 2020 meeting. The committee agreed to have further conversations on whether additional financial data collection is necessary at a future meeting.

e. Proposal No. 2017-18 – Nonchampionship Segment and Football Spring Practice Period. The committee considered whether the nonchampionship segment limitations adopted in Proposal No. 2017-18 should apply to the football spring practice period. The committee noted the January 2017 release of the NCAA Sport Science Institute Interassociation Consensus Year-Round Football Practice Contact for College Student-Athlete Recommendations, and agreed no change was necessary at this time.

f. Feedback on Window of Reconsideration. The committee reviewed feedback from the Division II membership regarding the window of reconsideration, which is a period of time at the end of the business session during the Convention for delegates to reconsider the outcome of a proposal(s). The committee noted the lack of support for eliminating the window of reconsideration and did not recommend an amendment to the procedure. Further, the committee noted the Division III membership adopted Proposal No. 2017-9 (eliminate window of reconsideration and prohibit additional reconsideration), which eliminated the window of reconsideration from the Division III business session.

g. Update from the National Association of Intercollegiate Athletics Regarding the One-Time Transfer Exception. The committee received an update on conversations between NCAA staff and NAIA leadership. NAIA leadership indicated that it would engage its membership in a discussion regarding the adoption of Proposal No. 2017-5 (recruiting – contacts and evaluations – contactable prospective student-athletes – four-year college prospective student-athletes – removal of requirement to obtain permission from NAIA institution) at the NAIA Convention in April 2017. The committee directed staff to continue to track waivers regarding denials of the one-time transfer exception from NAIA institutions.

2. Discussion Regarding Organized Competition Before Initial Collegiate Enrollment and Division II Men’s Soccer. The committee reviewed participation data related to men’s soccer, including ages of participants in the 2014 and 2016 Division II championships. The committee noted no correlation between age of the team and success in the championship, and agreed that a legislative change to the organized competition rule is not necessary at this time.
3. **Review of Feedback on Scout Days.** The committee reviewed feedback from the Division II Conference Commissioners Association pertaining to scout days and whether a student-athlete should be permitted to participate in a professional scout day organized by a member institution or conference that includes current student-athletes from multiple institutions. The committee noted lack of support for a legislative change, and agreed to take no action at this time.

4. **Update on the Division II Academic Requirements Committee Review of Four-Year College Transfer Legislation.** The committee received an update on the Academic Requirements Committee’s review of the four-year college transfer legislation. No action was required at this time.

5. **Review of Awards Limits.** The committee reviewed the awards figures in Division II Bylaw 16 and discussed how Division II legislation aligns with the legislation in Divisions I and III. Based on the ongoing culture of compliance review, the committee directed staff to obtain feedback from the NCAA Division II Athletics Directors Association Regulatory Advisory Group on three potential options to amend the figures and legislation: (1) Deregulate the awards limitations to allow institutions to determine what awards are appropriate for a student-athlete to receive; (2) Eliminate the awards limits and amend the legislation to permit “reasonable” awards to be provided to a student-athlete; and/or (3) Increase the award limits to account for inflation, while providing a maximum limit for a student-athlete to receive on an individual basis. The committee agreed to review the feedback at its June or November 2017 in-person meeting.

6. **Discussion Regarding Potential Extension of 10-Semester/15-Quarter Clock for Transgender Female Student-Athletes.** The committee recommended sponsorship of noncontroversial legislation to establish an exception to the 10-semester/15-quarter rule to permit an institution to approve a two-semester or three-quarter extension of the 10-semester/15-quarter clock while completing one calendar year of testosterone suppression treatment or surgical intervention. [See Legislative Action Item No. 1a.]

7. **Discussion Regarding Legislative Types.** The committee discussed whether the Division II legislative process should be streamlined to include four proposal types. The committee recommended changes to the legislative process and referred the recommendations to the Presidents Council and the Management Council. Further, the committee noted its support for Academic Requirements Committee having legislated authority to issue interpretations and incorporate interpretations of academic legislation into the Manual. [See Nonlegislative Action Item No 2a.]

8. **Division II Educational Updates.**
   a. **NCAA Division II Culture of Compliance Think Tank.** The committee received an update of the work of the think tank and next steps, including a subgroup that will
review the Manual for possible legislative changes. The committee agreed to continue to review proposed legislative changes from the perspectives of competitive equity and ease of burden, and will continue to receive updates on the work of the think tank.

b. **Online Coaches Education Program.** The committee received an update regarding the progress of the online coaches education program and a timeline for the introduction of the program, which is scheduled to launch in Spring 2018. The committee agreed to discuss the impact of the education program on the coaches certification test at a future in-person meeting.

c. **Review and Approval of the 2017-18 NCAA Division II Coaches Certification Test.** The committee reviewed and approved the 2017-18 NCAA Division II coaches certification test, policies and procedures, and the test outline. Further, the committee amended the coaches test certification procedures to specify that coaches are permitted to use a copy of the NCAA Convention Division II Legislative Proposals Question and Answer Guide; however, the use of the practice questions document is prohibited. The updated test includes questions pertaining to newly adopted legislation. The committee also directed staff to seek feedback from the Division II Conference Commissioners Association Compliance Administrators regarding the process for the 14-day wait period between tests when a coach fails the test.

d. **2017-18 Compliance Forms.** The committee discussed the process for reviewing and approval of the 2017-18 compliance forms. The committee agreed the chair will complete the initial review and approve the forms. However, if necessary, the Legislative Review Subcommittee will perform a secondary review and approve the forms on its May 2017 teleconference.

9. **Discussion Regarding Issues Related to Student-Athlete Time Demands.**

a. **Division I Proposals Adopted at the 2017 NCAA Convention.** The committee received an overview of the legislation adopted by Division I pertaining to student-athlete time demands. The committee noted that the Student-Athlete Advisory Committee should receive a similar update to determine whether the legislative changes are necessary in Division II.

b. **Review of Out-of-Season Playing and Practice Season Legislation.** The committee discussed the out-of-season playing and practice season legislation and whether current restrictions on the permissible use of the eight-hour segment (maximum of two hours of team activities) remain appropriate. The committee directed staff to seek feedback from the: (1) Division II Student-Athlete Advisory Committee; (2) Division II Faculty Athletics Representatives Association; (3) Division II Coaches
Connection groups; and (4) Division II Sport Committees. The committee agreed to continue the discussions at its in-person meeting in November 2017.

c. Educational Resources on Countable Athletically Related Activities. The committee reviewed an educational document on the countable athletically related activities legislation that was developed for the 2005-06 academic year. The committee agreed to refer the issue to the Student-Athlete Advisory Committee for review and potential action. [See Nonlegislative Action Item No 2b.]

10. Appeals of Staff Interpretations. The committee reviewed two fact scenarios. The first appeal pertained to the application of the national/international competition exception to the organized competition legislation in Bylaw 14.2.4.2, and whether an individual’s participation on a Senior B national team met the national/international competition exception set forth in Bylaw 14.2.4.2.2. The committee upheld the staff interpretation and confirmed that competition on the Senior B national team did not meet the exception since it was junior-level competition. [Note: Pennie Parker, director of athletics, Rollins College, recused herself from voting on this item.]

The second appeal pertained to the application of the financial aid equivalency computation legislation, specifically related to the calculation of the denominator for an out-of-state student-athlete who is eligible for both a different tuition rate and an out-of-state tuition waiver. The committee upheld the staff interpretation and confirmed that the institution should make the determination of how to calculate the equivalency in a manner that is consistent with how its financial aid office treats all students who qualify for both the tuition rate and out-of-state tuition waiver. [Note: Natasha Oakes, associate director of athletics for compliance/SWA, Missouri Western State University, recused herself from voting on this item.]

11. Update on the Division II Census. Staff provided an update on the release of the 2018 membership census. The committee agreed to review census questions at its June 2017 in-person meeting.

12. Approval of the November 2016 Legislation Committee In-Person Meeting Report. The committee reviewed and approved its November 7-8, 2016, in-person meeting report.

13. Review of NCAA Interpretations Subcommittee of the Division II Legislation Committee Teleconference Reports. The committee reviewed and approved the February 6 and 20, 2017, Interpretations Subcommittee teleconference reports. The committee recommended that an official interpretation issued on the February 6, 2017, teleconference be incorporated into the legislation. [See Legislative Action Item No. 1d.]


16. **Nominations for Legislation Committee Chair and Subcommittee Chairs.** Staff noted that the terms for the current chairs of the committee and two subcommittees will expire August 31, 2017. Members interested in serving in any of the chair roles were instructed to contact the committee chair or the staff liaisons if interested in the positions. The committee agreed to elect the chairs at its June 2017 in-person meeting.

17. **Future Meeting Dates.**

   a. June 29-30, 2017; (Indianapolis).
   
   b. September 2017 teleconference, to be determined;
   
   c. November 6-7, 2017; (Indianapolis); and
   
   d. March 5-6, 2018; (Indianapolis).

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

**Staff Liaisons:** Karen Wolf, Academic and Membership Affairs  
Geoff Benzel, Academic and Membership Affairs  
Chelsea Crawford, Academic and Membership Affairs
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<tr>
<td>Jada Buckner, Amanda Conklin, Mike DeCesare, Maritza Jones, Rachel Stark, Stephanie Quigg Smith, Gregg Summers, Angela Tressel, Jerry Vaughn, Jill Waddell and Quintin Wright.</td>
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ACTION ITEMS.

1. Legislative items.

- Noncontroversial Legislation – NCAA Bylaw 17.25.2.2.2 – Playing and Practice Seasons – Women's Volleyball – Preseason Practice – Preseason Activities Before the First Day of Classes or First Scheduled Date of Competition – Exception for Exempted Scrimmages and Exhibitions.

  (1) Recommendation. Adopt noncontroversial legislation to amend NCAA Bylaw 17.25.2.2.2 (preseason activities before the first day of classes or first scheduled date of competition) to establish an exception to the women's volleyball preseason hour limitations to specify that during the preseason practice period before the first day of classes or first scheduled date of competition, on a day in which an institution utilizes an exempted scrimmage and exhibition date of competition, a physical activity session may exceed three hours and a three-hour break between sessions is not required. [Attachment].

  (2) Effective date. Immediate.

  (3) Rationale. Through the Division II Coaches Connection program, the volleyball coaches have expressed concerns about the impact of the preseason activities hour limitations on exhibition or scrimmage or exhibition dates of competition. Specifically, the coaches have indicated that there is confusion surrounding the hour limitations on scrimmage or exhibition dates and that the legislation is being applied inconsistently across the country. In addition, the coaches have noted the difficulty in effectively conducting a scrimmage or exhibition date of competition while applying the limit of three hours per session with a three-hour break in between sessions. Many programs participate in tournaments on those days and have indicated it is very difficult for a tournament to be run prior to the first day of classes or first date of competition in a manner that complies with the legislation.

  The three-hour break was adopted in all fall sports specifically to reduce the risk of student-athlete injury and heat-related illnesses, which is less of a concern in women's volleyball as an indoor sport. The NCAA Committee on Competitive Safeguards and Medical Aspects of Sports supports this legislative recommendation.

  (4) Estimated budget impact. None.
(5) **Student-athlete impact.** Student-athletes would be permitted to participate in multiple scrimmages on an 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 sessions.

**INFORMATIONAL ITEMS.**

1. **Discussion Regarding Preseason Volleyball Scrimmages and Exhibitions.** The NCAA Division II Legislation 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 and the Committee on Competitive Safeguards and Medical Aspects of Sport, the committee agreed to recommend sponsorship of noncontroversial legislation. [See Legislative Action Item.]

2. **Future Meeting Dates.**


   b. September 2017 teleconference, to be determined;

   c. November 6-7, 2017; Indianapolis, Indiana; and

   d. March 5-6, 2018; Indianapolis, Indiana.

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

**Staff Liaison(s):**
- Karen Wolf, Academic and Membership Affairs
- Geoff Bentzel, Academic and Membership Affairs
- Chelsea Crawford, Academic and Membership Affairs
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1. WELCOME AND ANNOUNCEMENTS.

Management Council. The chair convened the meeting at 8:32 a.m. He first welcomed the new members to the Council—Ashley Beaton, student-athlete, University of Illinois at Springfield; Jessica Chapin, senior woman administrator, American International College; Josh Doody, director of athletics, Notre Dame de Namur University; Storm Glautier, student-athlete, Nyack College; Chris Graham, commissioner, Rocky Mountain Athletic Conference; and Felicia Johnson, senior woman administrator, Virginia Union University. The chair noted that Scott Swain would not be in attendance and that Julie Beeman would be arriving a bit later in the day. Additionally, Bridget Lyons had another professional obligation and would not be arriving until late that evening. Kevin Schriver was expected to call in a bit later that morning and participate until the Council recessed for lunch.

The chair recognized the staff in attendance, after which he reminded Council representatives of the schedule for the day. The Council would participate in an icebreaker activity at the first break.

Presidents Council. The chair convened the Wednesday evening meeting at 6:12 p.m. after adjournment of the Board of Governors meeting. Presidents Council members were invited to complete their dinner as the chair introduced the two new members who were present, Connie Gores, Southwestern Minnesota State University, and Sandra Jordan, University of South Carolina Aiken. The third new member, Anthony Jenkins, West Virginia State University, was unable to be in attendance.

In addition, Ron Ellis, California Baptist University, was unable to attend the meeting. Others in the meeting were acknowledged, after which the chair introduced Mark Emmert, Donald Remy and Kathleen McNeely, all of whom were at the meeting for specific presentations.

Following Wednesday morning’s breakfast presentation, which included a “Pathway to Opportunity” update; a demonstration of the Institutional Performance Program; and information on the Committee on Infractions processes, the Presidents Council reconvened to complete the business portion of its meeting.
2. **PREVIOUS MEETING DOCUMENTATION.**


      Management Council. The Management Council approved the summary of actions document from its January meeting and teleconference.

      Presidents Council. The Presidents Council approved the summary of actions document from its January meeting.

   b. Board of Governors Meeting—January 18.

      Management Council. The Management Council received the report from the January 18 Board of Governors meeting. While the report was informational in nature, the Council did highlight the significance of the creation of the NCAA Board of Governors Student-Athlete Engagement Committee, which would encompass student-athletes from all three divisions.

      Presidents Council. The Presidents Council received the report from the January 18 Board of Governors meeting, noting that the body had created the Board of Governors Student-Athlete Engagement Committee.

      The Presidents Council was also updated verbally on the actions taken by the Board of Governors Tuesday afternoon, April 25, which included, among other issues:

      - A vote to end the international pilot and establish a formal policy regarding international membership in the NCAA. Each division, through its federated structure, may consider membership—indeedent of the other two divisions—for institutions located in Canada and Mexico that are accredited by an American accrediting body and meet the divisional standards for active membership.

      - The election of Glen Jones, president, Henderson State University, and chair of the Division II Presidents Council, as vice-chair of the Board of Governors.

      - Retain the structural composition of the Board of Governors as it presently stands. There will be no additional representatives from either division added at the current time.
c. Administrative Committee Meeting(s)/Action(s).

Management Council. The Management Council approved the report from the March teleconference, as well as the actions taken in the interim by the Committee.

Presidents Council. The Presidents Council approved the report from the March teleconference, as well as the actions taken in the interim by the Committee.

3. REVIEW OF 2016-17 DIVISION II PRIORITIES.

Management Council. The Management Council was updated on the 2016-17 Division II priorities, noting that staff would have an updated list for 2017-18 at the summer series of meetings.

Presidents Council. The Presidents Council was updated on the 2016-17 priorities, with specific updates provided on the Online Coaches’ Education Program and the Culture of Compliance Review.

4. NCAA CONVENTION AND LEGISLATION.


Management Council. The Management Council discussed the emergency legislation as presented, which specifies that an institution may not conduct multiple on-field practice sessions on the same day. The Division II Management Council supported the emergency legislative proposal and recommended that the Presidents Council adopt the proposal.

While supporting the emergency legislation, Management Council members also expressed a desire for more details around the appropriate activities, such as weightlifting, that coaches could hold on the same day as a preseason practice or on a day off. Therefore, the Management Council referred this issue to the Committee for Competitive Safeguards and Medical Aspects of Sports and the Sport Science Institute and asked both groups to bring back clarifications on these activities.

Presidents Council. The Presidents Council agreed to adopt emergency legislation to amend Bylaw 17.10.2.3 to specify that, in football, an institution may not conduct multiple on-field practice sessions on the same day.
This legislation became effective immediately upon adjournment of the Presidents Council meeting Wednesday, April 26.

Staff will continue to send communications to the membership and asks that dialogue on this issue be continued and any feedback and/or questions be submitted to the staff for discussion and review.

b. Noncontroversial Proposals.

Management Council. The Management Council adopted the noncontroversial legislation that had not previously been approved in legislative form (NC 2018-3 through NC 2018-6), as presented. See below for details:

(1) Organization—Division II Presidents Council-Duties and Responsibilities—Waiver Authority. To specify that the Presidents Council shall have the authority to grant relief from the application of legislation in circumstances in which significant values are at stake or the use of the regular legislative process is likely to cause significant harm or hardship to the Association or the Division II membership because of the delay in its effective date.

(2) Recruiting—Four-Year College Prospective Student-Athletes—Permission to Contact—Discontinued Sport Exception. To specify that permission to contact is not required for a student-athlete at an institution that indicates through public announcement that the student-athlete’s sport will be discontinued.

(3) Financial Aid—General Principles—Institutional Financial Aid Permitted—Exception to Attend Another Institution. 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.

(4) Championships and Postseason Football—Eligibility for Championships—Amateur-Status Certification. To eliminate the legislation associated with the amateur-status affidavits for any NCAA championship or football bowl contest.

Presidents Council. No action was necessary.
c. **Incorporations of Interpretations.**

**Management Council.** The Management Council reviewed the legislative drafts of the interpretations, which were previously approved by the Council. No action was necessary.

**Presidents Council.** No action was necessary.

d. **Inclusion of Proposals into the Division II Manual.**

**Management Council.** The Management Council approved the inclusion into the 2017-18 Manual of the proposals approved in legislative form and in concept at the April 2017 Management Council meeting that are considered the running supplements for the 2017 calendar year. These proposals will appear in the “blue pages” of the 2018 NCAA Division II Official Notice.

**Presidents Council.** No action was necessary.

5. **COMMITTEE RECOMMENDATIONS AFFECTING DIVISION II.**

a. **Division II Committees.**

(1) **Academic Requirements Committee.**

(a) **Bylaw 14.4.3.7.11—Eligibility—Progress-Toward-Degree Requirements—Eligibility for Competition—Regulations for Administration of Progress-Toward-Degree—Cooperative Education, Work Experience and Study-Abroad Programs—Adjustment of Progress-Toward-Degree Requirements.**

**Management Council.** The Management Council adopted noncontroversial legislation to amend Bylaw 14.4.3.7.11 to specify that the progress-toward-degree requirements for a student-athlete who participates in a cooperative educational, work experience or study-abroad program must be adjusted to require completion of 12 hours per term of actual attendance in traditional coursework, effective August 1, 2017, for certifications of progress toward degree for Fall 2017 and thereafter,

**Presidents Council.** No action was necessary.
(b) **Bylaw 14.5.4.2 and 14.5.4.3—Two-Year College Transfers—Grade-Point Average Requirement—Calculation of Grade-Point Average—Transferrable Degree Credit.**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaws 14.5.4.2 and 14.5.4.3 to clarify that the 2.200 minimum grade-point average required for purposes of meeting the two-year college transfer legislation must be calculated based on transferrable degree credit, effective August 1, 2017.

Presidents Council. No action was necessary.

(c) **Bylaw 21.8.5.1—Committees—Division II Committees—Division II General Committees—Academic Requirements Committee—Duties—Interpretive Authority.**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 21.8.5.1 to provide interpretive authority over academic bylaws, including incorporations of interpretations into the NCAA Division II Manual, to the Division II Academic Requirements Committee, effective immediately.

Presidents Council. No action was necessary.

(d) **Incorporation of Interpretation into the Division II Manual.**

Management Council. The Management Council approved the incorporation of the following official interpretation into the Manual:

**Definition of Good Academic Standing.**

The Academic Requirements Committee recommended that the [NCAA] Council issue an interpretation of Bylaws 14.01.1 and 14.02.5 to specify that the definition of good academic standing applied to student-athletes shall be a standard at least as demanding as the minimum standard applied to all students in order to participate in extracurricular activities at that institution.

Presidents Council. No action was necessary.
(e) Issuance of Official Interpretations.

Management Council. The Management Council noted that the committee had issued the following official interpretations, all of which are updates to previous interpretations, due to Path to Graduation legislative changes.

i. Student-Athlete Who Changes Designated Degree Program After Completion of the Academic Year (II).

The Academic Requirements Committee confirmed that a student-athlete who changes his or her designated degree program after the conclusion of the academic year may meet the academic year and annual credit-hour requirements only if the credits earned during the previous academic year are acceptable toward the degree previously sought during that year.

[References: Bylaws 14.4.3.3 (credit hours earned during the regular academic year) and 14.4.3.4 (annual credit-hour requirement); and an official interpretation (Reference: 8/25/1994, Item No. 7), which has been archived]

ii. Transfer Student Who Fulfills a Residence Requirement at the Certifying Institution with Enrollment in Nonconsecutive Terms (II).

The Academic Requirements Committee confirmed a student-athlete who fulfills a residence requirement by enrolling in nonconsecutive terms (e.g., fall terms of consecutive academic years, while missing the interim spring term), must meet all applicable progress-toward-degree requirements prior to competing in the semester following fulfillment of the residence requirement.

[References: Bylaws 14.4.3.2 (term-by-term credit-hour requirement), 14.4.3.3 (credit hours earned during the regular academic year), 14.4.3.4 (annual credit-hour requirement) and 14.4.3.5 (fulfillment of minimum grade-point average requirements); and an official interpretation (Reference: 2/8/2010, Item No. 7-b), which has been archived.]
iii. Use of Credit Hours Earned During Part-Time Enrollment at Another Institution while Enrolled Full Time at the Certifying Institution (II)

The Academic Requirements Committee confirmed that a student-athlete, who enrolls as a part-time student in a course(s) at another institution (e.g., traditional, extension, online, correspondence) after the beginning of the certifying institution's semester or quarter, and such course(s) is not completed until after the certifying institution's semester or quarter has ended, may not use these credit hours to satisfy the nine-hour rule but may use the credit hours to satisfy the 18/27-hour rule and/or the 24/36-hour rule. To be counted in the 18/27-hour minimum number of semester or quarter hours required for progress toward degree during the regular academic year, the course(s) must have been completed during the time beginning with the opening of the certifying institution's fall term and concluding with the certifying institution's spring commencement.

[References: Bylaws 14.4.3.2 (term-by-term credit-hour requirement), 14.4.3.3 (credit hours earned during the regular academic year) and 14.4.3.4 (annual credit-hour requirement); and an official interpretation (Reference: 7/24/2007, Item No. 1), which has been archived.]

iv. Eligibility - Enrollment as Full-Time Student During Portion of Term (II)

The Academic Requirements Committee confirmed that a student-athlete who enrolls at any point during a term as a full-time student may use credit hours earned during that term to meet the nine/eight-hour, 18/27-hour and 24/36-hour credit requirements.

[References: Bylaws 14.4.3.2 (term-by-term credit-hour requirement); 14.4.3.3 (credit hours earned during the regular academic year); and 14.4.3.4 (annual credit-hour requirement); and an official interpretation (Reference: 1/20/1994, Item No. 4), which has been archived.]

v. Calculation of Transferable Credit – Term-by-Term Credit-Hour Requirement – Transfer Students (II)
The Academic Requirements Committee confirmed that when certifying the term-by-term credit-hour requirement for a transfer student-athlete, the certifying institution may calculate the hours based on the earned transferable credit hours as they appear on the previous institution's transcript, rather than converting the transferable credit hours to the certifying institution. For example, a transfer student-athlete who attends a college using a quarter system and completes eight-quarter hours of transferable credit in the previous academic term satisfies the term-by-term credit-hour requirement for transfer students, even though the eight-quarter hours convert to 5.33-semester hours pursuant to the certifying institution's conversion formula.

[References: Bylaws 14.4.3.2 (term-by-term credit-hour requirement), 14.4.3.2.1 (application of rule to transfer student) and 14.5.4.5.3 (determination of transferable degree credit); and an official interpretation [Reference: 2/12/1990, Item No. 1], which has been archived.]

Presidents Council. No action was necessary.

(f) Review of Four-Year College Transfer Requirements.

Management Council. The Management Council noted that the committee continued a comprehensive review and discussion regarding the current four-year transfer legislation and, after looking at data and receiving feedback, agreed that no legislative changes are necessary at this time.

Presidents Council. No action was necessary.

(2) Championships Committee.

(a) Bylaw 17.25.2.3—Playing and Practice Seasons—Women’s Volleyball—First Date of Competition—Championship Segment—Exception—Division II National Championships Fall Festival.

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2018 NCAA Convention to amend Bylaw 17.25.2.3 to specify that in years in
which the Division II National Championships Festival occurs in the fall, a member institution shall not engage in its first date of competition in women’s volleyball before the Thursday preceding August 30, effective immediately.

Under current legislation, women’s volleyball loses a week of its competitive season during years in which the festival occurs in the fall, due to the timing of the festival. The loss of a week results in less time for student-athletes to recover between matches. In addition, it increases missed class time due to the need to schedule more midweek games because of the condensed regular season. The shortened season also results in a competitive disadvantage for schools located in remote geographic areas, as the opportunity to play midweek games is limited for those institutions due to travel considerations. The compacted season also reduces the opportunity for nonconference, in-region play, which is essential to the ranking and selection of teams for the postseason. This exception will provide student-athletes with the opportunity to participate in Division II’s marquee championship event without having to experience the negative impact of a shortened season.

Presidents Council. The Presidents Council agreed to sponsor the legislation and noted that it will have an opportunity to review the proposal in legislative form at its August in-person meeting to determine whether to sponsor it for the 2018 Convention.

(c) **Bylaw 17.22.7.1.2—Playing and Practice Seasons—Tennis—Maximum Number of Dates of Competition—Individual Singles or Doubles Tournament Limitations—Institutional—Number of Participants.**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 17.22.7.1.2 to increase from three to four the number of tennis student-athletes who may participate in an individual singles or doubles tournament without counting the event as one of the institution’s dates of competition, effective immediately.

Presidents Council. No action was necessary.

(c) **Bylaw 21.5.2—Common Committees—Committees With Only Championship Administration Responsibilities—Women’s Ice Hockey Committee—Composition.**
Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 21.5.2 to add a fifth member so that the committee consists of (1) one member from each conference that is eligible for, and applies for, automatic qualification into the National Collegiate Women’s Ice Hockey Championship; and (2) one Division II representative, effective immediately.

Presidents Council. No action was necessary.

(d) Bylaw 31.2.1.3—Executive Regulations—Eligibility for Championships—Institutional Eligibility—Deadline Waivers—Transition of Waiver Authority.

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 31.2.1.3 to transition authority of waivers for institutions that fail to meet a deadline for institutional eligibility in NCAA championships from the Division II Administrative Committee to the Division II Championships Committee, effective immediately.

Presidents Council. No action was necessary.

(e) Committee Appointments.

Management Council. The Management Council approved the following sport committee and playing rules committee appointments, effective September 1, 2017, unless otherwise specified.

i. Baseball. Angela Pohl, associate director of athletics, Saginaw Valley State University, to replace Thomas Madsen, assistant director of athletics, Truman State University (effective immediately), due to Mr. Madsen having left Truman; Todd Reeser, director of athletics, Columbus State University, to replace Mark Richard, director of athletics, University of Montevallo, due to Mr. Richard’s institution having changed regions; and Jacob VanRyn, associate commissioner, Northeast-10 Conference, to replace Rick Giannetti, assistant director of athletics and head baseball coach, Dominican College (New York), due to term expiration.
ii. Men’s basketball. Francis Reidy, director of athletics, Saint Leo University, to replace Willie Washington, director of athletics, Benedict College, due to term expiration.

iii. Men’s basketball rules. Nelson Haggerty, head men’s basketball coach, Midwestern State University, to replace Christopher Graham, commissioner, Rocky Mountain Athletic Conference (effective immediately), due to Mr. Graham having been appointed to the Division II Management Council.

iv. Men’s and women’s cross country. Michelle Edwards, associate director of athletics, Saint Leo University; Dianne Lee, associate director of athletics, Adams State University; Scott Lorck, head track and field/cross country coach, Northwest Missouri State University; and Andy Young, women’s cross country and track and field coach, Millersville University of Pennsylvania. [The eight-member men’s and women’s cross country committee is now a standing sport committee (cross country had previously been combined with track and field) that becomes effective September 1, 2017. Two positions have previously been filled; the Division II Nominating Committee is currently seeking to fill the remaining two positions.]

v. Field hockey. Debbie DeJong, senior associate director of athletics, Long Island University/LIU Post, to replace Meggan Dulude, assistant director of athletics, Saint Michael’s College, due to term expiration.

vi. Football. Gary Pine, director of athletics, Azusa Pacific University, to replace Michael McBroom, director of athletics, West Texas A&M University, due to term expiration.

vii. Men’s golf. Joe Vogl, head men’s and women’s golf coach, Saginaw Valley State University, to replace Ken Badylak, head men’s and women’s golf coach and director of athletics communications, Saint Joseph’s College (Indiana), due to term expiration.
viii. Women’s golf. Brad Fleetwood, head men’s and women’s golf coach, Southwestern Oklahoma State University, to replace Chad Markuson, director of athletics, Minnesota State University Moorhead; and Sandee Mott, senior associate director of athletics, University of Colorado, Colorado Springs, to replace Val Verhunce, head men’s and women’s golf coach, Sonoma State University, due to term expirations.

ix. Men’s lacrosse. A one-year term extension for Chris Barrett, head men’s lacrosse coach, Belmont Abbey College; Brad Davis, associate director of athletics, Merrimack College, to replace Dan Blair, associate director of athletics, Franklin Pierce University, due to term expiration.

x. Women’s lacrosse. Laura Taube, senior woman administrator, University of Alabama in Huntsville, to replace Margie Sullivan, senior woman administrator, Rollins College (effective immediately), due to Ms. Sullivan having resigned from the committee and Dean O’Keefe, director of athletics, Stonehill College, to replace Terry Beattie, associate director of athletics, West Chester University of Pennsylvania, due to term expiration.

xi. Women’s lacrosse rules. Renee Kania, assistant director of athletics, Seton Hill University, to replace Alicia Groveston, head women’s lacrosse coach, Grand Valley State University, due to term expiration.

xii. Women’s rowing. John Fuchs, head rowing coach, Western Washington University, to replace Robin Meiggs, head rowing coach, Humboldt State University, due to term expiration.

xiii. Men’s and women’s soccer rules. Frank Kohlenstein, head men’s soccer coach, Colorado School of Mines, to replace Evan Fiffles, head men’s soccer coach, Lewis University, due to term expiration.

xiv. Softball. Rob Fournier, director of athletics, Wayne State University (Michigan), to replace Melissa Frost, head softball coach, University of Indianapolis; and Patrick
Peasant, head softball coach/assistant director of athletics, Miles College, to replace Les Stuedeman, head softball coach, University of Alabama in Huntsville, due to term expirations.

xv. Men’s and women’s tennis. Bob Hogue, commissioner, Pacific West Conference, to replace A. Kenyon Wagner, director of athletics, Brigham Young University, Hawaii (effective immediately), due to Mr. Wagner having left Brigham Young-Hawaii; and Hannah Hinton, associate commissioner, Mountain East Conference, to replace Carrie Michaels, associate director of athletics, Shippensburg University of Pennsylvania, due to term expiration.

xvi. Men’s and women’s track and field. Adam Ward, head track and field coach, Augusta University. [The eight-member men’s and women’s track and field committee is now a standing sport committee (track and field had previously been combined with cross country) that becomes effective September 1, 2017. Five positions have previously been filled; the Division II Nominating Committee is currently seeking to fill the remaining two positions.]

xvii. Men’s and women’s track and field and cross country rules. Mike Mead, assistant director of athletics/head track and field coach, Clayton State University, to replace Lou Andreadis, head track and field coach, Grand Valley State University, due to term expiration.

xviii. Women’s volleyball. Dustin Fuls, director of compliance, North Greenville University, to replace Michelle Caddigan, associate director of athletics, Wingate University, due to term expiration.

xix. Women’s volleyball rules. Jennifer Flowers, assistant commissioner, Northern Sun Intercollegiate Conference, to replace Dominic Yoder, head women’s volleyball coach, Northern Michigan University (effective immediately), due to Mr. Yoder having left Northern Michigan.

xx. Wrestling. Brian Hughes, associate director of athletics, Long Island University/LIU Post, to replace Lauren Packer
Webster, assistant director of athletics, Mercyhurst University, due to term expiration.

xxi. Wrestling rules. Cy Wainwright, head wrestling coach, Newberry College, to replace Lars Jensen, head wrestling coach, San Francisco State University, due to term expiration.

(Please note that the immediate appointments noted above were approved by the NCAA Division II Administrative Committee during its March 1 teleconference. They are included in this document for ease of reference.)

Presidents Council. No action was necessary.

(f) Postseason Bowl Exemptions.

Management Council. The Management Council noted that the committee had reviewed and voted against supporting a noncontroversial proposal from the Division II Football Committee that would exempt from an institution’s maximum number of contests in football each year one postseason bowl game between two historically black colleges and universities (traditionally, one Division II institution against one Division I institution). The committee cited general concerns about the impact of allowing institutions to opt out of Division II championships as the primary reason for this opposition. In addition, the committee noted that the Division I institution could play this contest against another Division I institution.

Presidents Council. No action was necessary.

(g) 2018-21 Budget Review.

Management Council. The Management Council noted that the committee had begun its review of the budget priorities and requests for the 2018-21 budget cycle. The committee will review requests from sports committees during the spring and summer, making initial recommendations at its September meeting. Additionally, the committee will take into consideration the priorities from the Planning and Finance Committee, as well as requests that were both funded and denied from the last budget cycle.
**Committee for Legislative Relief.**

(a) Bylaw 15.4.1.3—Financial Aid—Maximum Institutional Grant-in-Aid Limitations by Sport—Counters—Counter Who Becomes Injured or Ill—Waiver—Committee for Legislative Relief Waiver Authority.

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 15.4.1.3 to specify that the Committee for Legislative Relief shall have the authority to waive the change in circumstances legislation for medical noncounters, effective immediately.

Presidents Council. No action was necessary.

(b) Term Limits.

Management Council. The Management Council noted that the committee had engaged in a discussion regarding the term limits for service on the committee and that the committee had directed staff to gather information regarding case volume, committee turnover and composition of the committee so that the committee could discuss a possible change to its members’ term limits during the September 2017 teleconference.

Presidents Council. No action was necessary.

(4) Legislation Committee.

(a) March 6 Meeting.

i. NCAA Bylaw 14.2.2—Eligibility—Seasons of Competition: 10-Semester/15-Quarter Rule—Ten-Semester/15-Quarter Rule—Exception for Transgender Female Student-Athlete.

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 14.2.2 to establish an exception to the 10-semester/15-quarter rule to permit an institution to approve a two-semester or three-quarter extension of the 10-semester/15-quarter period of...
eligibility for a transgender female (male to female) student-athlete who uses two semesters or three quarters while completing one calendar year of testosterone suppression treatment or surgical intervention, effective immediately.

Presidents Council. No action was necessary.

ii. **Bylaw 15.6.3.1—Financial Aid—Terms and Conditions of Awarding Institutional Financial Aid—Period of Institutional Financial Aid Award—Requirement to Provide Athletically Related Aid for One Academic Year in Equal Amounts.**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 15.6.3.1 to specify that athletically related financial aid awarded for one academic year shall be awarded in equal amounts for each term of the academic year; further, to specify that only the initial award shall be required to be awarded in equal amounts, effective August 1, 2018.

Presidents Council. No action was necessary.

iii. **Bylaw 15.6.4.3—Financial Aid—Terms and Conditions of Awarding Institutional Financial Aid—Reduction and Cancellation During Period of Award—Increases in Athletically Related Financial Aid Permissible at Any Time, for Any Reason.**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 15.6.4.3 to eliminate restrictions that preclude an institution from increasing athletically related financial aid during the period of the award on the basis of a student-athlete’s athletics ability, performance or contribution to a team’s success, or for any other athletics reason, effective August 1, 2018.

Presidents Council. No action was necessary.

iv. **Incorporation of Interpretation into the NCAA Division II Manual.**
Management Council. The Management Council agreed to incorporate the following official interpretation into the Manual, effective immediately.

Nonbinding Agreements with Agents (II)

The NCAA Division II Legislation Committee confirmed that an individual who signs a contract to be represented by an agent for the purpose of marketing his or her athletics ability or reputation in the sport that does not become binding until the agent or agency representative also signs the document, is ineligible.

[References: Division II Bylaws 12.1.2 (activities prior to initial full-time collegiate enrollment), 12.2.5.1.1 (nonbinding agreements), 12.3.1 (general rule) and 12.3.1.1 (representation for future negotiations)]

Presidents Council. No action was necessary.

v. Review of Division II Legislative Types.

Management Council. The Management Council agreed to recommend that the Presidents Council consider streamlining the current legislative process and consider the following changes, effective immediately.

- Presidents Council and Management Council continue to use noncontroversial legislation in any instance where a legislative change is necessary to maintain the normal and orderly administration of the division in between annual Conventions, including modifications of wording to the legislation and changes to administrative regulations (Bylaws 31 and 32), while maintaining the Presidents Council’s authority to adopt emergency legislation as necessary;

- Presidents Council and Management Council sponsor Convention legislation in those instances where a Council or committee recommends a change to an administrative regulation that is not deemed to be noncontroversial;
• Management Council provides Legislation Committee with authority to incorporate interpretations into the Manual and include such recommendations as an informational item in meeting reports; and

• Management Council provides the Division II Academic Requirements Committee with authority to issue interpretations and incorporate interpretations of academic legislation into the Manual.

Presidents Council. The Presidents Council approved the Management Council’s recommendation.


Management Council. The Management Council agreed that the Division II Student-Athlete Advisory Committee should develop an educational document on the countable athletically related activities legislation reflecting the adoption of Proposal No. 2017-18, with the date for development being August 1, 2017. The need for such an educational document is great.

Presidents Council. No action was necessary.

vii. Window of Reconsideration.

Management Council. The Management Council noted that the Legislation Committee, as a result of the adoption of Division III Proposal No. 2017-9 (eliminate window of reconsideration and prohibit additional reconsideration) at the Division III Business Session, had discussed the elimination of the window of consideration from the Division III Business Session. Based on the feedback received, the committee noted the lack of support for the elimination of the window of reconsideration in Division II and did not recommend any change at this time.
Presidents Council. No action was necessary.

viii. **NAIA and the One-Time Transfer Exception.**

Management Council. The Management Council noted that the committee was continuing to track waivers regarding denials of the one-time transfer exception from NAIA institutions. Conversations between the NCAA and the NAIA are ongoing, with the NAIA leadership indicating that it would engage its membership in a discussion regarding the adoption of Proposal No. 2017-5 (recruiting—contacts and evaluations—contactable prospective student-athletes—four-year college prospective student-athletes—removal of requirement to obtain permission from NAIA institution) at the NAIA April 2017 Convention. Staff is tracking on waivers regarding denials of the exception from NAIA institutions.

Presidents Council. No action was necessary.

ix. **Awards Limits.**

Management Council. The Management Council noted that the committee had directed staff to obtain feedback from the Division II Athletics Directors Association Regulatory Advisory Group on three potential options to amend figures and legislation with regard to awards limits. These would include: deregulating the awards limitations to allow institutions to determine what awards are appropriate for a student-athlete to receive; eliminating the awards limits and amending the legislation to permit ‘reasonable’ awards to be provided to a student-athlete; and/or increasing the awards limits to account for inflation, while providing a maximum limit for a student-athlete to receive on an individual basis.

Presidents Council. No action was necessary.

(b) **March 20 Teleconference—Bylaw 17.25.2.2.2—Playing and Practice Seasons—Women’s Volleyball—Preseason Practice—Preseason Activities Before the First Day of Classes or First Scheduled Date of Competition—Exception for Exempted Scrimmages and Exhibitions.**
Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 17.25.2.2.2 to establish an exception to the women’s volleyball preseason hour limitations to specify that during the preseason practice period before the first day of classes or first scheduled date of competition, on a day in which an institution utilizes an exempted scrimmage and exhibition date of competition, a physical activity session may exceed three hours and a three-hour break between sessions is not required, effective immediately.

Presidents Council. No action was necessary.

(5) Membership Committee.

Management Council. The Management Council reviewed the committee’s report. No action was necessary.

Presidents Council. No action was necessary.

(6) Nominating Committee.

(a) January 21 Meeting—Appointments/Reappointments.

Management Council. The Management Council recommended that the Presidents Council approve the following committee appointments/reappointments, effective as noted:

i. Division II Committee on Infractions. Reappointments—John Lackey, attorney, Paul & Lackey (term 2); Carey Snyder, associate director of athletics, East Stroudsburg University of Pennsylvania (term 3); and Harry Stinson, associate director of athletics, Central State University (term 3). Appointment—Richard Loosbrock, faculty athletics representative (FAR), Adams State University, effective September 1, 2017.

ii. Division II Infractions Appeals Committee. Bridget Niland, director of athletics, Daemen College; and Eddie Weatherington, senior associate commissioner, Central Intercollegiate Athletic Association, effective September 1, 2017.
iii. **International Student Records Committee.** Reappointment—**Brittany Henson**, international admissions counselor, Palm Beach Atlantic University (term 2), effective September 1, 2017.

iv. **Division II Legislation Committee.** **Brent Heaberlin**, associate director of athletics, Lenoir-Rhyne University; **Scott Larson**, senior associate director of athletics, Lubbock Christian University; and **Scott Young**, senior associate director of athletics, University of Indianapolis, effective September 1, 2017.

v. **Division II Membership Committee.** **Natasha Wilson**, associate director of athletics, Johnson C. Smith University, effective immediately.

vi. **Division II Nominating Committee.** **Mark Coleman**, director of athletics, Western New Mexico University; and **Robert Fiedler**, assistant director of athletics, University of Tampa, effective September 1, 2017.


ix. **Division II Committee on Student-Athlete Reinstatement.** Reappointment—**Daniel Mara**, commissioner, Central Atlantic Collegiate Conference (term 2). Appointment—**Marcus Grant**, associate commissioner, Central Intercollegiate Athletic Association, effective September 1, 2017.

**Presidents Council.** The Presidents Council approved the appointments, as recommended.
(b) March 8 Teleconference—Appointments.

Management Council. The Management Council recommended that the Presidents Council approve the following committee appointments, effective as noted:

i. Division II Championships Committee. Steve Card, director of athletics, Western Washington University, effective July 1, 2017.

ii. Committee on Competitive Safeguards and Medical Aspects of Sports. Jeff Williams, director of athletics, East Central University, effective September 1, 2017.

Presidents Council. The Presidents Council approved the appointments, as recommended.

(7) Planning and Finance Committee.

(a) 2016-17 Year-to-Date Budget-to-Actual Report.


Presidents Council. The Presidents Council reviewed the year-to-date budget-to-actual report as of February 28, 2017.

(b) Management Council and Presidents Council’s Ranking of Budget Priorities in the Areas of Academics, Diversity and Inclusion, and Health and Safety.

Management Council. The Management Council reviewed the composite of the priorities’ rankings in the areas of academics, diversity and inclusion, and health and safety, as put together from the joint Management Council/Presidents Council meeting conducted at the Convention. No action was necessary by the Council, as these priorities will be reviewed by the Planning and Finance Committee, during its meeting the latter part of April.

Presidents Council. No action was necessary.
Presidents Council. The Presidents Council was provided a verbal update on the actions taken by the Planning and Finance Committee.

The Presidents Council approved the Division II budget requests for the 2017-18 fiscal year, which were recommended by the Planning and Finance Committee. The Presidents Council noted that as budget discussions continue to occur, whether they are related to the Division II allocation guarantee or surplus uses, academics will continue to be at the forefront of these discussions. [See report from the April 25 Planning and Finance Committee meeting for specifics.]

The Presidents Council was also updated on actions taken by the Planning and Finance Committee regarding championships travel forecasting and a consistent date for submission of sports sponsorship information for purposes of the Division II enhancement fund and a penalty for failure to meet the deadline. Finally, the Council was updated on the liquidation of the NCAA quasi-endowment and the impact on Division II’s revenue.

(8) Student-Athlete Advisory Committee.

(a) Appointments.

Management Council. The Management Council noted the following appointments to the Student-Athlete Advisory Committee, which were made by the Administrative Committee via email and were effective immediately.

i. Central Intercollegiate Athletic Association, Aja Grant, Women’s Tennis, Winston-Salem State University.

ii. East Coast Conference, Jack Nicholson, Men’s Soccer, St. Thomas Aquinas College.

iii. Great American Conference, Josh Qualls, Football, Arkansas Tech University.

Summary of Spring 2017 Division II Management Council/Presidents Council Meetings
Page No. 25

v. Great Northwest Athletic Conference, Sarissa Lammers, Women’s Skiing, University of Alaska, Fairbanks.

vi. Heartland Conference, Taylor Stover, Women’s Soccer, Rogers State University.

vii. Mid-America Intercollegiate Athletics Association, Austin Acosta, Men’s Track and Field, Southwest Baptist University.

viii. Mountain East Conference, Nicholas Ely, Baseball, Notre Dame College (Ohio).


xi. Rocky Mountain Athletic Conference, Josh Shapiro, Baseball, Colorado Mesa University.

xii. Southern Intercollegiate Athletic Conference, Tom Johnson, Men’s Basketball, Central State University.

xiii. Sunshine State Conference, Kristina Ortiz, Women’s Golf, Lynn University.

Presidents Council. No action was necessary.

(b) Verbal Update—April 7-8 Meeting.

Management Council. The Management Council was updated by the two SAAC members regarding the meeting that was conducted the previous weekend. Information included the election of three SAAC members to the Board of Governors Student-Athlete Engagement Committee; an update on the relationship between Team IMPACT, Make-A-Wish and Division II SAAC; and SAAC’s goals and priorities for the upcoming year.

Presidents Council. No action was necessary.
(9) Student-Athlete Reinstatement Committee.

(a) Eligibility Ramifications—Restitution for Receipt of Improper Benefit—$100 to $200.

Management Council. The Management Council adopted noncontroversial legislation to increase from $100 to $200 the value of improper benefits for which restitution is required, effective August 1, 2018.

[Note that Division III approved the legislation as noncontroversial and it is anticipated that Division I will do the same.]

Presidents Council. No action was necessary.

(b) Bylaw 10.3.2—Ethical Conduct—Sports Wagering Activities—Sanctions.

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2018 Convention to eliminate the legislated penalty for sports wagering, effective immediately.

The student-athlete reinstatement process offers the opportunity for the Division II Committee on Student-Athlete Reinstatement and student-athlete reinstatement staff to review cases on an individual basis and consider the totality of the circumstances. For violations that trigger the legislated sports wagering sanctions, the minimum penalty is automatic and cannot be appealed. To promote increased fairness, it is important to conduct a case-by-case review of these sports wagering violations and also provide for an appellate opportunity. Further, it is important to note that, if the proposal is adopted, the legislated sanctions will be incorporated into the Division II Student-Athlete Reinstatement guidelines, which would recognize the Association’s continued emphasis on the severity of sports wagering violations.

[Note that Bylaw 10.3.2 is a common provision across NCAA Divisions I, II, and III and will not become effective until approved by all three divisions.]

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2018 Convention.
b. Division II Subcommittees, Project Teams and Working Groups.

(1) Convention Planning Project Team.

Management Council. The Management Council reviewed the project team’s report, along with the Convention survey results and proposed schedule and program suggestions. No action was necessary.

Presidents Council. The Presidents Council reviewed the report and was asked to provide feedback in the near future on programming that is geared toward presidents and chancellors.

(2) Degree-Completion Program Working Group.

Management Council. The Management Council reviewed the initial report from the working group’s December teleconference. The working group also met in person in March and has some initial recommendations with regard to the degree-completion program’s requirements, timeline and scoring instrument. The Council will receive a final report from the working group in July, which will detail the recommendations for making the program as beneficial to Division II student-athletes as possible.

Presidents Council. The Presidents Council received the teleconference report and was updated on key information and future dates for implementation of the proposed changes to the program.

(3) Identity Subcommittee.

Management Council. The Identity Subcommittee met Monday evening and received updates on the purchasing website credit, media agreement, social media and the Division II brand enhancement initiative. Additionally, the subcommittee received a presentation from “From Now On,” a web design company specializing in institutional athletics mobile sites.

Presidents Council. The Presidents Council received updates on the regular season media agreement, as well as the Make It Yours Phase 2 branding efforts.

(4) Regionalization Working Group.

Management Council. The Management Council received a progress report from the Division II Regionalization Working Group and was asked to
provide feedback at that time. It is anticipated that the Management Council will receive a final recommendation from the working group at its summer meeting.

Presidents Council. The Presidents Council received the executive summary from the Division II Regionalization Working Group and an update on the progress made.

c. Association-Wide and Common Committees.

(1) Committee on Competitive Safeguards and Medical Aspects of Sports.

(a) Bylaw 21.2.2.1—Committees—Association-Wide Committees—General Committees—Competitive Safeguards and Medical Aspects of Sports, Committee on—Composition—Student-Athlete Representation.

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 21.2.2.1 (composition) to specify that one student-athlete from each division shall serve as a voting member of the committee, effective August 1, 2017.

This legislation will increase the total votes on the committee for student-athletes from one to three, and provide an opportunity for each student-athlete to vote independent of the other two SAAC representatives.

[Note that this action was taken by the Management Council for all five Association-wide committees that requested this change—Committee on Competitive Safeguards and Medical Aspects of Sports; Minority Opportunities and Interests Committee; Olympic Sports Liaison Committee; Committee on Sportsmanship and Ethical Conduct; and the Committee on Women’s Athletics.]

[Also note that all three divisions must approve this legislation in order for it to become effective.]

Presidents Council. No action was necessary.

(b) Bylaw 31.2.3—Executive Regulations—Eligibility for Championships—Ineligibility for Use of Banned Drugs—Hormone and Metabolic Modulators. Noted that the recommendation to restructure the legislated banned drug class
“anti-estrogens” to create a new class titled, “hormone and metabolic modulators” was withdrawn by the committee prior to the Management Council meeting.

(c) Championships and Postseason Football—Bylaw 18.4.1.5.2—Penalty—“Illicit/Street Drugs”—Drug-Testing Penalty—50 Percent of the Season.

Management Council. The Management Council adopted a modification of wording to amend Division II Bylaw 18.4.1.5.2 to clarify that a student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in the banned drug class “illicit drugs” or “street drugs” shall be immediately declared ineligible and be withheld from competition for the next 50 percent of a season in all sports, effective August 1, 2017.

Presidents Council. No action was necessary.

(d) Referral to the Playing Rules Oversight Panel.

Management Council. The Management Council referred the following issue to the Playing Rules Oversight Panel for review and consideration:

To review the appropriateness of any sport rule that may act as a disincentive to reporting of injury or illness and, where appropriate, to modify existing playing rules to prevent this from happening.

Presidents Council. No action was necessary.

(2) Minority Opportunities and Interests Committee—Bylaw 21.2.4.1—Committees—Association-Wide Committees—General Committees—Minority Opportunities and Interests Committee—Composition—Student-Athlete Representation.

Management Council. See Item 5-c-(1)-(a) on Page No. 28 for action taken.

Presidents Council. No action was necessary.

(3) Olympic Sports Liaison Committee—Bylaw 21.2.5.1—Committees—Association-Wide Committees—General Committees—Olympic
Sports Liaison Committee—Composition—Student-Athlete Representation

Management Council. See Item 5-c-(1)-(a) on Page No. 28 for action taken.

Presidents Council. No action was necessary

(4) Playing Rules Oversight Panel (PROP).

Management Council. The Management Council reviewed the reports from the January 12, January 23, February 2, and March 6 teleconference, all of which were informational in nature. No action was necessary.

Presidents Council. No action was necessary

(5) Postgraduate Scholarship Committee.

Management Council. The Management Council reviewed the report from the March teleconference, which was informational in nature. No action was necessary.

Presidents Council. No action was necessary

(6) Committee on Sportsmanship and Ethical Conduct—Bylaw 21.2.2.1—Committees—Association-Wide Committees—General Committees—Sportsmanship and Ethical Conduct, Committee on—Composition—Student-Athlete Representation

Management Council. See Item 5-c-(1)-(a) on Page No. 28 for action taken.

Presidents Council. No action was necessary

(7) Committee on Women’s Athletics—Bylaw 21.2.10.1—Committees—Association-Wide Committees—General Committees—Women’s Athletics, Committee on—Composition—Student-Athlete Representation

Management Council. See Item 5-c-(1)-(a) on Page No. 28 for action taken.

Presidents Council. No action was necessary
6. **MANAGEMENT COUNCIL ROUNDTABLE DISCUSSION—STRATEGIES TO INCREASE THE MEMBERSHIP'S EFFECTIVENESS IN ACADEMICS AND LIFE SKILLS.**

Management Council. The Management Council convened in round table sessions at the conclusion of Monday’s business session to discuss opportunities that the division might have to increase its effectiveness in the areas of academics and life skills. Brainstorming ideas included showing the ways that athletics influences academics, possibly through a model document similar to those already created for athletics departments and conference offices; peer mentor/mentee programs; early reporting systems to identify student-athletes who are “at-risk”; online resource modules; etc.

Presidents Council. No action was necessary.

7. **DIVISION II MANAGEMENT COUNCIL.**

a. **Management Council Election for East Coast Conference Representative.**

Management Council. The Management Council recommended that the Presidents Council elect Robert Dranoff, commissioner, for the open position from the East Coast Conference on the Management Council, effective immediately.

Presidents Council. The Presidents Council approved the appointment.

b. **Management Council Committee/Project Team Assignments.**

Management Council. The Management Council reviewed the committee and project team assignments.

Presidents Council. No action was necessary.

c. **Management Council Policies and Procedures.**


Presidents Council. The Presidents Council approved the updated Presidents Council Policies and Procedures document, as submitted.

d. **Division II Management Council Vice Chair Election.**

Management Council. The Management Council was informed that Tonya Charland’s position as vice chair of the Management Council would expire August
31. Persons interested in seeking the position should voice that interest to the chair or the director of Division II.

**Presidents Council.** No action was necessary.

e. **Management Council/Student-Athlete Advisory Committee Summit.**

**Management Council.** The Management Council was updated on the anticipated activities for the joint Summit of the Management Council and SAAC in July.

**Presidents Council.** No action was necessary.

f. **Appeal—Armstrong State University.**

**Management Council.** The Management Council upheld a decision issued by the Interpretations Subcommittee of the Division II Legislation Committee with regard to an appeal from Armstrong State University regarding a former tennis student-athlete. The Management Council agreed that once a prospective student-athlete or enrolled student-athlete signs a contract with an agent, the individual has entered into an agreement with the agent per NCAA Bylaws 12.1.2 (activities prior to full-time initial collegiate enrollment) and 12.3.7 (general rule).

[Note that Pennie Parker, Lindsay Reeves and Cherrie Wilmoth recused themselves on the decision of the Management Council.]

**Presidents Council.** No action was necessary.

8. **DIVISION II PRESIDENTS COUNCIL.**

a. **At-Large Election.** The Presidents Council elected Allison Garrett, president, Emporia State University, as the at-large representative to the Presidents Council. President Garrett will begin her term on the Council immediately, with her expiration date being January 2022.

The Presidents Council was impressed with other nominations that it received in the process and asked staff to encourage those who were not elected to reapply at the earliest opportunity.

b. **NCAA Inclusion Statement.** The Presidents Council, having tabled the statement during its January meeting because of some questions that arose, reviewed the Inclusion Statement. After discussing the statement with the office of inclusion staff, the Presidents Council endorsed the statement with the inclusion of “gender identity” and “religion.”
c. **August 2017 Presidents Council Meeting.** The Presidents Council reviewed the proposed schedule for the August 7-8 joint meeting with chairs of Division II conference boards and Division II conference commissioners. The Council was asked to review a list of potential topics for discussion at the meeting and provide feedback.

d. **Discussion on Social Issues.** The Presidents Council reviewed a document from the Board of Governors on guidelines that the NCAA/Board of Governors should follow when determining whether to act on social issues. The Presidents Council endorsed the draft of the document in concept, noting that it would be further developed by the Board in the future.

9. **NATIONAL OFFICE STAFF UPDATES.**

   a. **Legal/Executive Update.**

      Management Council. The Management Council received an update from the executive vice president of law, policy and governance.

      Presidents Council. The Presidents Council received an update on issues and legal happenings surrounding the NCAA, which included championships selections for the next four years, updates on the Commission to Combat Campus Sexual Violence and a mention of eSports and how that might affect the Association.

   b. **Division II Winter Championships Festival.**

      Management Council. The Management Council received an update on the Division II Winter Championships Festival and viewed a video on the week’s activities, which took place in March in Birmingham, Alabama.

      Presidents Council. The Presidents Council received an update on the Winter Championships Festival, as well as the venues chosen as championships sites for the next three festivals.

   c. **Student-Athlete Insurance Survey.**

      Management Council. The Management Council received an update on the results of the Division II student-athlete insurance survey.

      Presidents Council. The Presidents Council received an update on the results of the student-athlete insurance survey.
d. **Grant-in-Aid Lawsuit Settlement.**


Presidents Council. The Presidents Council received an update on the grant-in-aid settlement.

e. **Sport Science Institute.**

Management Council. The Management Council received an update on the Sport Science Institute from the chief medical officer.

Presidents Council. The Presidents Council received an update on the Sport Science Institute from the chief medical officer.

f. **NCAA Injury Surveillance Program.**

Management Council. The Management Council received information from the Sports Science Institute and the Datalys Center on the NCAA Injury Surveillance Program. The Management Council affirmed that accurate data is an important component to the overall health and safety of Division II student-athletes and that, as a division, we need to ensure that we have data-driven information to enable us to make knowledgeable, informed decisions. The Management Council agreed to form a working group to study this issue and bring back recommendations that will assist the division in obtaining greater participation from the membership in this crucial area and with the current Injury Surveillance Program. Management Council members who volunteered to serve on the working group include Chris Graham, Laura Liesman, Steve Murray, Pennie Parker, Lindsay Reeves and Eric Schoh.

Presidents Council. The Presidents Council received the information from the Sport Science Institute and, agreeing with the Management Council, affirmed that having the appropriate information is essential and approved the formation of a working group to study the issue. In addition to those on the Management Council, President Wilson, Wayne State University, also agreed to participate on the working group.

g. **Division II Membership Census.**

Management Council. The Management Council was updated on the plans for the membership census, to be conducted in January 2018 with responses due in February.
h. Division II's Broadcast Agreements for 2017-18 Season.

Management Council. The Management Council was updated on the broadcast agreement for the division for the 2017-18 season.

Presidents Council. The Presidents Council was updated on the broadcast agreement for the division for the 2017-18 season.

10. AFFILIATED ASSOCIATION UPDATES.

Management Council. The Management Council was updated on the activities of the following affiliated associations.

a. Division II Athletics Directors Association (ADA).

b. Division II Conference Commissioners Association (CCA).

c. Co-SIDA.

d. Faculty Athletics Representative Association (FARA).

e. Minority Opportunity Athletics Administrators Association (MOAA).

f. National Association for Athletics Compliance (NAAC).

g. Women Leaders in College Sports.

Presidents Council. No action was necessary.

11. OTHER BUSINESS.

Management Council. The Management Council took a few minutes to comment upon a few ideas that individuals would like to see instituted and to congratulate each other on special recognitions that were received.

Presidents Council. No action was necessary.
12. **MEETING RECAP/THINGS TO REPORT BACK TO CONFERENCES.**

Management Council. The Management Council was provided with a list of topics/issues to report to its member institutions, via each member’s preferred method of delivery. These topics included: the emergency legislation with regard to the Division II football preseason; Division II Regionalization White Paper; the executive summary on insurance survey, Division II signage credit; Division II Championships Festival; NCAA sportsmanship awards; and the Student-Athlete Advisory Committee’s initiative on sexual assault awareness.

Presidents Council. No action was necessary.

13. **FUTURE MEETINGS.**

Management Council. The Management Council reviewed the upcoming meetings for the remainder of 2017 and 2018, noting the four-days set aside for the July Summit with the Student-Athlete Advisory Committee.

Presidents Council. The Presidents Council reviewed the upcoming schedule, noting specifically the August meeting with conference commissioners and chairs of conference boards and the October meeting in Los Angeles.

14. **ADJOURNMENT.**

Management Council. The Management Council adjourned at 10:57 a.m.

Presidents Council. The Presidents Council adjourned at 11:58 a.m.

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<tr>
<th>Division II Management Council</th>
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<td>April 10-11, 2017</td>
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<th>ATTENDEES</th>
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<tr>
<td>Robin Arnold, Holy Family University</td>
<td>John Denning, Stonehill College</td>
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<tr>
<td>Ashley Beaton, University of Illinois at Springfield (Monday Only)</td>
<td>Mike Fiorentino Jr., Lock Haven University</td>
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<td>Julia Beeman, Belmont Abbey College</td>
<td>Connie Gores, Southwest Minnesota State University</td>
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<td>Carrie Bodkins, Alderson-Broaddus College</td>
<td>Cynthia Jackson-Hammond, Central State University</td>
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<td>Curtis Campbell, Tuskegee University</td>
<td>Glen Jones, Henderson State University</td>
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<td>Jessica Chapin, American International College</td>
<td>Sandra Jordan, University of South Carolina Aiken</td>
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<td>Tonya Charland, Great Lakes Valley Conference</td>
<td>Philip Kerstetter, University of Mount Olive</td>
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<td>Josh Doody, Notre Dame de Namur University</td>
<td>William LaForge, Delta State University</td>
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<td>Kim Duyst, California State University, Stanislaus</td>
<td>Gary Olson, Daemen College</td>
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<td>Storm Glautier, Nyack College</td>
<td>Elwood Robinson, Winston-Salem State University</td>
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<td>Chris Graham, Rocky Mountain Athletic Conference</td>
<td>David Watts, University of Texas of the Permian Basin</td>
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<td>M. Roy Wilson, Wayne State University</td>
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<td>Steve Murray, Pennsylvania State Athletic Conference</td>
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<td>Ismael Pagan-Trinidad, University of Puerto Rico, Mayaguez</td>
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<td>Eric Schoh, Winona State University</td>
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<td>Kevin Schriver, Southwest Baptist University <em>(Monday via teleconference)</em></td>
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<td>Stan Williamson, University of West Alabama</td>
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<td>Cherrie Wilmoth, Southeastern Oklahoma State University</td>
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<td>Griz Zimmermann, Texas A&amp;M International University</td>
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<tr>
<td>Scott Swain, Notre Dame College</td>
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<td>John Baldwin, NCAA</td>
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### OTHER PARTICIPANTS

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<td>Jackie Campbell, NCAA</td>
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<td>Jenn Fraser, NCAA</td>
<td>Gary Gray, University of Alaska Fairbanks</td>
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<td>Ruth Reinhardt, NCAA (recording secretary)</td>
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<td>Donald Remy, NCAA</td>
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<td>Molly Simons, NCAA</td>
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<td>Amy Wilson, NCAA</td>
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ACTION ITEMS.

1. Legislative items.


(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 13.1.2 (permissible recruiters), to permit on-campus contact between a former student-athlete and a prospective student-athlete and his or her relatives or legal guardians.

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

(3) **Rationale.** Under current legislation, a former student-athlete is not permitted to interact with a prospective student-athlete. This proposal allows former student-athletes to engage in recruiting contact on the campus of the institution. Former student-athletes are some of the best-suited individuals to share their personal experiences with prospective student-athletes to help them make informed decisions. In addition, the current prohibition on allowing former student-athletes and prospective student-athletes to interact creates frequent uncomfortable situations on campus, especially during home competitions.

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

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


(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 13.17.4 (dead periods for other sports), to specify that, in rifle, during any year in which the National Letter of Intent signing date dead period occurs during the Junior Olympic Rifle Championships, it shall be permissible for authorized coaching staff members to observe prospective student-athletes participating in that event.
(2) **Effective date.** Immediate.

(3) **Rationale.** In certain years the Junior Olympic Rifle Championships coincide with the dead period surrounding the National Letter of Intent. In previous years waivers were granted to permit college coaches to attend the event. To avoid the need for future waivers, this change would provide a permanent exception. Additionally, this proposed exception is similar to the exceptions that exist for the U.S. Diving National Championships and the North American Cup Fencing Championships.

(4) **Estimated budget impact.** Limited additional recruiting costs.

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


(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 18.4 (general institutional requirements), to eliminate the requirement that an institution must complete annual certification of compliance forms (Certification of Compliance for Institutions and for Staff Members of Athletics Departments) in order to enter a team or an individual in an NCAA championship.

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

(3) **Rationale.** The administrative burden involved with these particular forms outweighs their utility and the involved process has become perfunctory. Institutions should have the discretion to determine appropriate ways to ensure and certify compliance with NCAA legislation. Other legislation sets forth the responsibility of control related to athletics in compliance with NCAA rules and the role of the institution's president or chancellor. Elimination of the forms does not diminish the importance of compliance and the responsibilities of the institution and its staff members.

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

(5) **Student-athlete impact.** None.
2. Nonlegislative items.

a. Legislative Referral to the NCAA Division II Culture of Compliance Think Tank Legislative Subgroup – Recruiting – Definitions and Applications – Recruited Prospective Student-Athlete.

(1) **Recommendation.** That the Culture of Compliance Think Tank Legislative Subgroup review NCAA Division I Proposal No. 2016-22 (recruiting – definitions and applications – recruited prospective student-athlete for consideration of a potential similar legislative change in Division II:

Whether to eliminate initiating telephone contact on more than one occasion to a prospective student-athlete or the prospective student-athlete's relatives or legal guardians as triggering status as a recruited student-athlete.

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

(3) **Rationale.** Currently, if an institutional staff member or a representative of athletics interest initiates or arranges telephone contact with a prospective student-athlete or a prospective student-athlete's relatives or legal guardians on more than one occasion, the prospective student-athlete becomes a recruited prospective student-athlete. Furthermore, it is a rare occurrence that the only action to cause a prospective student-athlete to become recruited is telephone contact on more than one occasion. Finally, the subcommittee noted that institutions are no longer required to track telephone contact with prospective student-athletes. Therefore, it should be eliminated as an action that causes a prospective student-athlete to become recruited.

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

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

b. Legislative Referral to the Culture of Compliance Think Tank Legislative Subgroup – Use of a Season of Competition – Participation in Full-Time Internships/Cooperative Educational Work Experience Programs.

(1) **Recommendation.** That the Culture of Compliance Think Tank Legislative Subgroup review Division I Proposal No. 2016-115 (athletics eligibility – five-year rule – exception – internships/cooperative educational work
experience programs) for consideration of a potential legislative change in Division II:

Whether to establish an exception to the 10-semester/15-quarter period of eligibility for a student-athlete who enrolls full-time in an internship or cooperative educational work experience program.

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

(3) **Rationale.** Participation in internships and cooperative educational work experience programs enhance a student's educational experience and preparation for life after graduation. Internship and cooperative educational work experience program opportunities should be made available to student-athletes without limiting their access to a full athletics participation experience. By allowing an exception to the 10-semester/15-quarter period of eligibility, institutions will be encouraged to establish internships and cooperative educational work experience programs that better accommodate the athletic and academic schedules of student-athletes.

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

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

c. **Legislative Referral to the Division II Swimming and Diving Committee – Non-NCAA Postseason Championships Participation – Swimming and Diving.**

(1) **Recommendation.** That the NCAA Division II Management Council refer review of Division I Proposal No. 2016-84 (playing and practice seasons – general playing season regulations – general regulations for computing playing seasons applicable to all sports – non-NCAA postseason championships participation – swimming and diving) to the NCAA Division II Men's and Women's Swimming and Diving Committee for consideration of a potential similar legislative change in Division II:

Whether practice and competition for the College Swimming Coaches Association of America (CSCAA) National Invitational should be exempt from an institution's declared playing and practice season limitations; furthermore, should the invitational be an annual exemption from the maximum dates of competition limitations.

(2) **Effective date.** Immediate.
Rationale. The Legislative Review Subcommittee requests that the Men's and Women's Swimming and Diving Committee discuss and provide feedback on the impact of the CSCAA National Invitational and whether a similar exception is necessary in Division II.

Estimated budget impact. None.

Student-athlete impact. None.

d. Legislative Referral to the NCAA Division II Championships Committee – Financial Penalties.

Recommendation. That the Division II Management Council refer review of Division I Proposal No. 2016-105 (executive regulations – administration of NCAA championships – financial penalties) to the Championships Committee for consideration of a potential similar legislative change in Division II:

Whether to remove the financial penalties for failure to adhere to policies and procedures governing championships administration from the legislation and to specify that the governing sports committee may assess financial penalties pursuant to established policies and procedures, subject to review by and appeal to the applicable sport oversight committee.

Effective date. Immediate.

Rationale. Moving the penalties and dollar amounts out of the legislation reduces bureaucracy when modifications are required and places authority with the sport committees and sport oversight committees responsible for the championship and well-being of the sport. The success of championships depends on adherence to established policies and procedures. At times, it is necessary to amend policies and procedures in order to ensure the efficient operation of a championship. Allowing the sport committees to establish and adjust specific policies and financial penalties will ensure efficient operation of championships and hold institutions accountable for failure to follow established policies and procedures. Penalties will remain subject to review by and appeal to the applicable sport oversight committee.

Estimated budget impact. None.
INFORMATIONAL ITEMS.

- **Review of Legislation Adopted in Divisions I and III Since January 2017.** The subcommittee conducted a review of legislation previously adopted in Divisions I and III. The subcommittee made three legislative recommendations as a result of the review [See Legislative Action Item Nos. 1a through 1c]. The subcommittee requested that the Culture of Compliance Think Tank legislative subgroup review and consider Division I Proposal Nos. 2016-22 (recruiting – definitions and applications – recruited prospective student-athlete) and 2016-115 (athletics eligibility – five-year rule – exception – internship/cooperative educational work experience programs). [See Nonlegislative Item Nos. 2a and 2b].

  Further, the subcommittee requested that the Men's and Women's Swimming and Diving Committee review and consider the following Division I Proposal No. 2016-84 (playing and practice seasons – general playing season regulations – general regulations for computing playing seasons applicable to all sports – non-NCAA postseason championships participation – swimming and diving). [See Nonlegislative No. 2c].

  Finally, the subcommittee requested that the Division II Championships Committee review and consider the following Division I Proposal No. 2016-105 (executive regulations – administration of NCAA championships – financial penalties). [See Nonlegislative No. 2d]. The subcommittee recommended no action on the other eight proposals reviewed.
## Attendees:
- Molly Belden; Northeast-10 Conference.
- Marty Gilbert, Mars Hill University; South Atlantic Conference.
- Chris Gregor, Saint Martin's University; Great Northwest Athletic Conference.
- Keith Vitense, Cameron University; Lone Star Conference.

## Absentees:
- Natasha Oakes, Missouri Western State University; Mid-America Intercollegiate Athletic Association.
- Linda Van Drie-Andrzewski, Wilmington University (Delaware); Central Atlantic Collegiate Conference.

## Guests in Attendance:
None.

## NCAA Staff Support in Attendance:
Chelsea Crawford and Karen Wolf.

## Other NCAA Staff Members in Attendance:
- Geoff Bentzel, Stephanie Quigg Smith, Angela Red and Anne Rohlman.
ACTION ITEMS.

1. Legislative items.
      (1) **Recommendation.** Adopt noncontroversial legislation to amend NCAA Bylaw 13.10.2 to establish an exception to the restrictions on publicity before commitment that permits actions (e.g., “like,” “favorite,” republish, etc.) by an institutional staff member on social media platforms that indicate approval of content on social media platforms that was generated by users of the platforms other than institutional staff members or representatives of an institution’s athletics interests.
      (2) **Effective date.** Immediate.
      (3) **Rationale.** Under current legislation, it is difficult to monitor all coaches and their social media activities (e.g., “like,” “favorites,” republishing, etc.). This proposal would create an exception to publicity related to recruiting on social media platforms and attempt to maintain pace with the frequent creation and/or endorsement of social media applications.
      (4) **Estimated budget impact.** None.
      (5) **Student-athlete impact.** None.

2. Nonlegislative items.
   a. Legislative Referral to the NCAA Division II Membership Committee – Minimum Participants – Women’s Rowing.
      (1) **Recommendation.** That the Division II Management Council refer review of Division I Proposal No. 2015-85 (division membership – sports sponsorship – minimum contests and participants requirements for sports sponsorship – minimum participants – women’s rowing) to the Membership Committee for consideration of a potential similar legislative change in Division II:
Whether, in rowing, an institution’s team shall include a minimum of 23 participants in each contest that is counted toward meeting the minimum-contests requirements.

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

(3) **Rationale.** Current legislation does not require a minimum number of participants for women’s rowing. Therefore, if an institution competes only one boat at an event, it counts toward the minimum contest requirement for sports sponsorship. Since it takes 23 student-athletes (two boats of eight rowers plus a coxswain and one boat of four rowers plus a coxswain) to be selected for and compete at the NCAA championship, the same number should be required to count a contest toward the minimum contests requirement. This change will also ensure that an institution makes at least a minimum commitment for the sport.

(4) **Estimated budget impact.** May increase an institution’s budget if at least 23 student-athletes do not currently compete in the minimum requirement of six contests.

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

**INFORMATIONAL ITEMS.**

- **Review of Legislation Adopted in Divisions I and III Since June 2015.** The subcommittee conducted a review of legislation previously adopted in Divisions I and III. The subcommittee made one legislative recommendation as a result of the review [See Legislative Action Item No.1a]. Furthermore, the subcommittee requested that the Division II Membership Committee review and consider the following Division I Proposal No. 2015-85 (division membership – sports sponsorship – minimum contests and participants requirements for sports sponsorship – minimum participants – women’s rowing) [See Nonlegislative No. 2a]. Finally, the subcommittee recommended no action on the other four proposals reviewed.
Subcommittee Chair: Marty Gilbert, Mars Hill University, South Atlantic Conference
Staff Support: Chelsea Crawford, Academic and Membership Affairs
Karen Wolf, Academic and Membership Affairs

<table>
<thead>
<tr>
<th>Attendees:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Molly Belden; Northeast-10 Conference.</td>
</tr>
<tr>
<td>Marty Gilbert, Mars Hill University; South Atlantic Conference.</td>
</tr>
<tr>
<td>Chris Gregor, Saint Martin's University; Great Northwest Athletic Conference.</td>
</tr>
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<td>Keith Vitense, Cameron University; Lone Star Conference.</td>
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<tr>
<td>Linda Van Drie-Andrzewski, Wilmington University (Delaware); Central Atlantic Collegiate Conference.</td>
</tr>
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</table>

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<tbody>
<tr>
<td>Natasha Oakes, Missouri Western State University; Mid-America Intercollegiate Athletic Association.</td>
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<tr>
<th>Guests in Attendance:</th>
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<tbody>
<tr>
<td>None.</td>
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<table>
<thead>
<tr>
<th>NCAA Staff Support in Attendance:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chelsea Crawford.</td>
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<tr>
<th>Other NCAA Staff Members in Attendance:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geoff Bentzel and Angela Red.</td>
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</table>
REPORT OF THE
NCAA DIVISION II CULTURE OF COMPLIANCE THINK TANK
MARCH 16, 2017, TELECONFERENCE

ACTION ITEMS.

1. Legislative items.
   • None.

2. Nonlegislative items.
   • None.

INFORMATIONAL ITEMS.

1. Trends in Legislative Proposals Authorizing Institutional Autonomy/Discretion. Staff provided an overview of legislative proposals that were considered by the Division II membership over the past 15 NCAA Convention cycles that provided institutions and conferences with additional discretion/flexibility to make decisions on various rules. Within this 15-year period, the NCAA Division II Presidents Council sponsored 26 Convention proposals and the NCAA Division II Management Council adopted seven uncontroversial proposals to accomplish this goal. Of the 26 proposals, 25 were adopted and one proposal was defeated. Eleven proposals amended NCAA Bylaw 16 (awards and benefits), five amended Bylaw 13 (recruiting), three amended Bylaw 14 (eligibility), three amended Bylaw 17 (playing and practice season), one amended Bylaw 15 (financial aid), one amended Bylaws 13 and 16, and one amended Bylaws 15 and 16. The defeated proposal, if adopted, would have modified the official and unofficial legislation in Bylaw 13. The NCAA Division II Culture of Compliance Think Tank discussed how this information may assist with its review of the current legislation for possible recommendations to amend the rules.

2. Scope of Review, Timeline and Recommendations of the Current Legislation. The think tank agreed to form a subgroup of think tank members to conduct a comprehensive review of current legislation. The think tank approved the scope of the subgroup’s review to develop possible recommendations to the governance structure to sponsor legislative proposals, as follows: (a) Eliminate or amend current rules that do not align and are not practical for Division II institutions to monitor and/or apply based on compliance resources available on campuses and conference offices; and (b) Balance the practical impact of potential legislative changes with competitive and recruiting equity. The think tank noted that the subgroup will participate in several teleconferences from April through September to review current legislation, and forward recommendations to the NCAA Division II Legislation Committee for its November in-person meeting.

3. Identification of Programs and/or Projects to Address Challenges and Pain Points in Compliance. During its December 2016, in-person meeting, the think tank identified
several challenges and pain points for compliance administrators, as follows: (a) Compliance administrators are spread too thin to properly monitor the rules and regulations set forth in the NCAA Manual due to multiple job responsibilities unrelated to compliance; (b) Compliance administrators have difficulties setting boundaries with coaches, student-athletes and other institutional personnel; (c) Compliance administrators are challenged to meet the expectations of various constituents they serve; and (d) Compliance administrators have little or no work/life balance as compliance is a 24 hour/seven day a week endeavor. The think tank discussed various ways to address these issues, including changes to technology (e.g., Compliance Assistant), enhancing the shared responsibility of compliance on campuses and the possible development of a Model Institutional Compliance Department resource. The think tank agreed to continue these discussions on future teleconferences and at the summit.

4. **Planning for the December 12-13 Culture of Compliance Summit.** The think tank agreed that the summit will take place over one full day and one half day in December, and further agreed to the process for identifying additional compliance administrators to participate in the summit. The think tank noted its preference to add participants from conferences that are not currently represented on the think tank, and directed staff to contact the 24 conferences seeking nominations for three to five additional compliance administrators. Staff was also directed to recommend a slate of candidates for consideration and approval by the think tank via electronic voting.

5. **Approval of the December 2016 Culture of Compliance Think Tank In-Person Meeting Report.** The think tank reviewed and approved the December 6-7, 2016, in-person meeting report.

6. **Election of a Chair and Vice Chair.** The think tank elected, via email prior to the teleconference, Tonya Charland, associate commissioner/senior woman administrator at the Great Lakes Valley Conference, to serve as the chair effective immediately. Scott Larson, senior associate athletics director/compliance at Lubbock Christian University, was elected to serve as vice chair, effective immediately.

7. **Future Teleconferences and Summit Date.**
   a. August 16, 2017; (teleconference).
   b. October 30, 2017; (teleconference).

*Staff Liaison(s):* Stephanie Quigg Smith, Academic and Membership Affairs  
Amanda Conklin, Academic and Membership Affairs
### NCAA Division II Culture of Compliance Think Tank
#### March 16, 2017, Teleconference

<table>
<thead>
<tr>
<th>Attendees:</th>
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<tbody>
<tr>
<td>Michael Bazemore, Truman State University.</td>
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<tr>
<td>Tonya Charland, Great Lakes Valley Conference.</td>
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<tr>
<td>Mark Corino, Caldwell University.</td>
</tr>
<tr>
<td>Kirsten Ford, Rocky Mountain Athletic Conference.</td>
</tr>
<tr>
<td>Drew Howard, Florida Southern College.</td>
</tr>
<tr>
<td>Butch Kamena, Western Washington University.</td>
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<td>Katari Key, Morehouse College.</td>
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<tr>
<td>Scott Larson, Lubbock Christian University</td>
</tr>
<tr>
<td>Paul Lyon, Belmont Abbey College.</td>
</tr>
<tr>
<td>Natasha Oakes, Missouri Western State University.</td>
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<tr>
<td>Angela Red, McKendree University.</td>
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<td>Abbey Strong, University of Minnesota Duluth.</td>
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<table>
<thead>
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<th>Absentees:</th>
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<tbody>
<tr>
<td>Jacqie McWilliams, Central Intercollegiate Athletic Association.</td>
</tr>
<tr>
<td>Scott Wiegandt, Bellarmine University.</td>
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<tr>
<td>Julie Work, National Association for Collegiate Directors of Athletics.</td>
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<th>Guests in Attendance:</th>
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<td>None.</td>
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<tr>
<td>Amanda Conklin, Stephanie Quigg Smith and Angela Tressel.</td>
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<tr>
<th>Other NCAA Staff Members in Attendance:</th>
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<tbody>
<tr>
<td>Chelsea Crawford and Jim Elworth.</td>
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</tbody>
</table>
Critical Thinking
DII tries to unravel complexities of compliance

April 21, 2017 10:00am Rachel Stark

One Division II bylaw. Thirty pages of rules. Thirty minutes. Go.

Such was the framework for an exercise taken on by a small cadre of Division II athletics administrators in December when they gathered at the NCAA national office to study the state of Division II compliance. The athletics directors, conference commissioners and compliance personnel were tasked with dissecting each rule in Bylaw 13 — the section in the Division II manual dedicated to recruiting — and identifying legislation that may no longer be practical or correctly monitored on campus.

For many, the activity yielded surprising results: Opportunities abounded for deregulating or tweaking rules to make them more realistic for Division II. “We were whittling it down to the stuff that is actually important,” says Scott Larson, the senior associate athletics director for compliance at Lubbock Christian. “They gave us 30 minutes, and we didn’t get through Bylaw 13.”

While merely designed to get administrators thinking critically about Division II rules, the exercise could be a precursor to actual and robust legislative changes to come. The 15
administrators in attendance that day make up the first Division II Culture of Compliance Think Tank, charged over the next year with addressing challenges facing Division II compliance offices. The think tank will continue its work via quarterly teleconferences and plans to conclude their review at a summit next December.

The need for a comprehensive review became apparent through a collaboration between Division II staff and the National Association for Athletics Compliance, from which outreach efforts to compliance personnel revealed a host of common concerns. Many of the administrators felt spread too thin, as the only person in their athletics department handling all compliance responsibilities while also juggling other roles, from academic advising to game operations to marketing. With so many other duties, compliance-related tasks often fell to the end of their daily to-do list, they said. Yet at the same time, they know those compliance duties, which include ensuring hundreds of student-athletes are certified to compete and correctly awarded financial aid, are not to be taken lightly.

“It’s a lot of work,” Larson says. “And people don’t realize it because they don’t see it every day. We’re not in the newspaper unless something goes wrong. There’s no box score.”

NCAA data also hints to challenges. In the 2014-15 academic year, 65 Division II schools did not self-report a single violation for their athletics department. Fifty schools the following year claimed to be violation-free. On the surface, such numbers might seem to be a point of pride, but to members of the think tank they tell a different story. “If they’re not reporting violations, then we’re concerned that they don’t have the policies and procedures in place to catch those violations,” says Kirsten Ford, the assistant commissioner of the Rocky Mountain Athletic Conference. “People are going to make mistakes. And we want to see that you’re reporting those mistakes and you’re learning from them.”

Think tank members predict their review could lead to deregulation of certain Division II bylaws, which would alleviate the burden on compliance administrators, cut back on paper pushing and sharpen the focus on rules that matter most. They also hope it will create better understanding and awareness of the compliance administrator’s role among presidents, chancellors and senior-level campus administrators.
They already are sensing progress. After the meeting in December, several administrators who don’t work in compliance admitted that their eyes had been opened to the breadth of the job. Jacqie McWilliams, the commissioner of the Central Intercollegiate Athletic Association and former chair of the Division II Management Council, was reminded about the importance of providing assistance — as well as a listening ear — to people in these roles.

“Compliance is an ongoing nonstop revolving door of administration that sometimes gets left behind,” she says. “As leaders, it’s our responsibilities to provide the tools and resources and be good listeners on what they’re dealing with so they can do their jobs effectively.”
### FIGURE 16-1
**Participation Awards [R]**

<table>
<thead>
<tr>
<th>Type of Award</th>
<th>Maximum Value of Award</th>
<th>Number of Times Award May Be Received</th>
<th>Permissible Awarding Agencies</th>
<th>Maximum Number of Permissible Awarding Agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Participation — Underclassmen</td>
<td>$175</td>
<td>Once per year per sport</td>
<td>Institution</td>
<td>1</td>
</tr>
<tr>
<td>Annual Participation — Senior</td>
<td>$325</td>
<td>Once per year per sport</td>
<td>Institution</td>
<td>1</td>
</tr>
<tr>
<td>Senior Scholar-Athlete Award</td>
<td>$150 (tangible item)</td>
<td>Once per year to two graduating seniors</td>
<td>Institution</td>
<td>1</td>
</tr>
<tr>
<td>Special Event Participation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Participation in postseason conference championship contest or tournament</td>
<td>$325*</td>
<td>Once per event</td>
<td>Institution, Management of event (may include conference office)</td>
<td>2</td>
</tr>
<tr>
<td>- Participation in postseason NCAA championship contest or tournament</td>
<td>Institution — $325</td>
<td>Once per event</td>
<td>Institution, NCAA</td>
<td>2</td>
</tr>
<tr>
<td>- Participation in all-star game or postseason bowl</td>
<td>$350**</td>
<td>Once per event</td>
<td>Institution, Management of event</td>
<td>2</td>
</tr>
<tr>
<td>- Participation in other established meets, tournaments and featured individual competition</td>
<td>$350**</td>
<td>Once per event</td>
<td>Institution, Management of event</td>
<td>2</td>
</tr>
</tbody>
</table>

*The combined value of all awards received for participation in this type of event from the institution and the management of the event may not exceed $325.
**Each permissible awarding agency is subject to a separate $350 limit per award.

### FIGURE 16-2
**Championship Awards [R]**

<table>
<thead>
<tr>
<th>Type of Award</th>
<th>Maximum Value of Award</th>
<th>Number of Times Award May Be Received</th>
<th>Permissible Awarding Agencies</th>
<th>Maximum Number of Permissible Awarding Agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Championship conducted by NCAA</td>
<td>$415*</td>
<td>Once per championship</td>
<td>Institution, Conference</td>
<td>2</td>
</tr>
<tr>
<td>National Championship not conducted by NCAA***</td>
<td>$415*</td>
<td>Once per championship</td>
<td>Institution, Conference</td>
<td>2</td>
</tr>
<tr>
<td>Conference Championship — regular season</td>
<td>$325#</td>
<td>Once per championship</td>
<td>Institution, Conference</td>
<td>2</td>
</tr>
<tr>
<td>Conference Championship — postseason contest or tournament</td>
<td>$325#</td>
<td>Once per championship</td>
<td>Institution, Conference</td>
<td>2</td>
</tr>
</tbody>
</table>

*Each permissible awarding agency is subject to a separate $415 limit per award.
**Award may be provided by another organization recognized by the institution or conference to act in its place.
***Applies only to sports or classification divisions in which the NCAA does not conduct championships. Teams must be designated as a “national champion” by a national wire-service poll or the national coaches association in that sport.
#The combined value of both awards shall not exceed $325 if same institution wins conference regular-season and postseason championships.
### FIGURE 16-3
Special Achievement Awards [R]

<table>
<thead>
<tr>
<th>Type of Award</th>
<th>Maximum Value of Award</th>
<th>Number of Times Award May Be Received</th>
<th>Permissible Awarding Agencies</th>
<th>Maximum Number of Permissible Awarding Agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special attainments or contribution to team’s season (e.g., scholar-athlete,</td>
<td>$175</td>
<td>Once category of award per year</td>
<td>• Institution • Conference</td>
<td>2</td>
</tr>
<tr>
<td>most improved player, most minutes played, most valuable player)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Most valuable player — special event*</td>
<td>$325**</td>
<td>Once per event</td>
<td>• Institution • Conference • Organization approved by institution or conference</td>
<td>Unlimited</td>
</tr>
<tr>
<td>Most valuable player — bowl game or all-star contest</td>
<td>$350</td>
<td>Once per event</td>
<td>Sponsoring entity of all-star contest or postseason bowl</td>
<td>1</td>
</tr>
<tr>
<td>Established regional/national recognition awards (e.g., Wade Trophy, Heisman</td>
<td>$325</td>
<td>Once per year per award</td>
<td>Management of award program</td>
<td>1</td>
</tr>
<tr>
<td>Trophy, conference academic award)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trophy recognizing established national award</td>
<td>Unlimited</td>
<td>Once per year</td>
<td>Management of award program</td>
<td>1</td>
</tr>
<tr>
<td>Specialized performance in single contest or during limited time period</td>
<td>$80 (certificate, medal</td>
<td>Unlimited</td>
<td>• Conference • Outside organization (e.g., local business)</td>
<td>Unlimited</td>
</tr>
<tr>
<td>(e.g., player of the week)</td>
<td>or plaque only)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hometown award</td>
<td>$80</td>
<td>Unlimited</td>
<td>Group (other than institution’s booster club) located in the student-athlete’s home town</td>
<td>Unlimited, other than institution’s booster club</td>
</tr>
<tr>
<td>Recognition of a student-athlete for community engagement achievements</td>
<td>$80</td>
<td>Unlimited</td>
<td>• Institution • Organization/Entity in the institution’s community</td>
<td>Unlimited</td>
</tr>
<tr>
<td>Conference student-athlete of the year award</td>
<td>$350</td>
<td>Once per year for one male student-athlete and one female student-athlete</td>
<td>Conference</td>
<td>1</td>
</tr>
<tr>
<td>Conference scholar-athlete of the year award</td>
<td>$350</td>
<td>Once per year for one male student-athlete and one female student-athlete</td>
<td>Conference</td>
<td>1</td>
</tr>
</tbody>
</table>

* The award recipient must be selected by a recognized organization approved by a member institution or conference.

** Each permissible awarding agency is subject to a separate $325 limit per award. Each awarding agency may provide only a single award for each event to each student-athlete.
# FIGURE 16-1
## Participation Awards

<table>
<thead>
<tr>
<th>Type of Award</th>
<th>Maximum Value of Award</th>
<th>Number of Times Award May Be Received</th>
<th>Permissible Awarding Agencies</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Annual Participation — Underclassmen</td>
<td>$225</td>
<td>Once per year per sport</td>
<td>Institution</td>
<td>1</td>
</tr>
<tr>
<td>Annual Participation — Senior</td>
<td>$425</td>
<td>Once per year per sport</td>
<td>Institution</td>
<td>1</td>
</tr>
<tr>
<td><strong>Special Event Participation</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Participation in postseason conference championship contest or tournament</td>
<td>$375*</td>
<td>Once per event</td>
<td>Institution</td>
<td>2</td>
</tr>
<tr>
<td>• Participation in postseason NCAA championship contest or tournament</td>
<td>Institution — $375</td>
<td>Once per event</td>
<td>Institution</td>
<td>2</td>
</tr>
<tr>
<td>• Participation in all-star game</td>
<td>$400**</td>
<td>Once per event</td>
<td>Institution</td>
<td>2</td>
</tr>
<tr>
<td>• Participation in other established meets, tournaments and featured individual competition</td>
<td>$400*</td>
<td>Once per event</td>
<td>Institution</td>
<td>2</td>
</tr>
</tbody>
</table>

* The combined value of all awards received for participation in this type of event from the institution and the management of the event may not exceed the maximum value in this figure. ** Each permissible awarding agency is subject to a separate limit per award.

# FIGURE 16-2
## Championship Awards

<table>
<thead>
<tr>
<th>Type of Award</th>
<th>Maximum Value of Award</th>
<th>Number of Times Award May Be Received</th>
<th>Permissible Awarding Agencies</th>
<th>Maximum Number of Permissible Awarding Agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Championship conducted by NCAA</td>
<td>$415*</td>
<td>Once per championship</td>
<td>Institution</td>
<td>2</td>
</tr>
<tr>
<td>National Championship not conducted by NCAA**</td>
<td>$415*</td>
<td>Once per championship</td>
<td>Institution</td>
<td>2</td>
</tr>
<tr>
<td>Conference Championship — regular season</td>
<td>$325*#</td>
<td>Once per championship</td>
<td>Institution</td>
<td>2</td>
</tr>
<tr>
<td>Conference Championship — postseason contest or tournament</td>
<td>$325*#</td>
<td>Once per championship</td>
<td>Institution</td>
<td>2</td>
</tr>
</tbody>
</table>

* Each permissible awarding agency is subject to a separate limit per award. ** Award may be provided by another organization recognized by the institution or conference to act in its place. *** Applies only to sports or classification division in which the NCAA does not conduct championships. Teams must be designated as a “national champion” by a national wire-service poll or the national coaches association in that sport. # The combined value of both awards shall not exceed the maximum value in this figure if same institution wins conference regular-season and postseason championships.
## FIGURE 16-3
### Special Achievement Awards

<table>
<thead>
<tr>
<th>Type of Award</th>
<th>Maximum Value of Award</th>
<th>Number of Times Award May Be Received</th>
<th>Permissible Awarding Agencies</th>
<th>Maximum Number of Permissible Awarding Agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special attainments or contribution to team's season (e.g., scholar-athlete, most improved player, most minutes played, most valuable player)</td>
<td>$175</td>
<td>Once per category of award per year</td>
<td>Institution • Conference</td>
<td>2</td>
</tr>
<tr>
<td>Conference student-athlete of the year award</td>
<td>$350</td>
<td>Once per year for one male student-athlete and one female student-athlete</td>
<td>Conference</td>
<td>1</td>
</tr>
<tr>
<td>Conference scholar-athlete of the year award</td>
<td>$350</td>
<td>Once per year for one male student-athlete and one female student-athlete</td>
<td>Conference</td>
<td>1</td>
</tr>
<tr>
<td>Most valuable player — special event*</td>
<td>$325**</td>
<td>Once per event</td>
<td>Institution • Conference • Organization approved by institution or conference</td>
<td>Unlimited</td>
</tr>
<tr>
<td>Most valuable player — bowl game or all-star contest</td>
<td>$350</td>
<td>Once per event</td>
<td>Sponsoring entity of all-star contest</td>
<td>1</td>
</tr>
<tr>
<td>Established regional/national recognition awards (e.g., Jostens Trophy, Gagliardi Trophy)</td>
<td>no limit</td>
<td>Once per year per award</td>
<td>Management of award program</td>
<td>1</td>
</tr>
<tr>
<td>Specialized performance in single contest or during limited time period (e.g., player of the game, player of the week)</td>
<td>$80 (certificate, medal or plaque only)</td>
<td>Unlimited</td>
<td>Conference • Outside organization (e.g., local business)</td>
<td>Unlimited</td>
</tr>
<tr>
<td>Hometown award</td>
<td>$80</td>
<td>Unlimited</td>
<td>Group (other than institution’s booster club) located in the student-athlete’s hometown</td>
<td>Unlimited</td>
</tr>
</tbody>
</table>

* The award recipient must be selected by a recognized organization approved by a member institution or conference.

** Each permissible awarding agency is subject to separate limit per award. Each awarding agency may provide only a single award for each event to each student-athlete.
SUPPLEMENT NO. 7


Issue:

Whether the NCAA Division II Legislation Committee should recommend noncontroversial legislation amending NCAA Bylaw 15.1.1.4 (institutional financial aid to professional athlete) to allow a student-athlete to continue to receive athletics aid once a professional contract is signed even if the student-athlete has not exhausted his or her eligibility.

Background:

Under Bylaw 15.1.1.4 (institutional financial aid to professional athlete), once a student-athlete signs a contract or receives compensation from a professional sports organization in the sport in which the student-athlete participates at the certifying institution, it is impermissible for the student-athlete to continue to receive athletics aid unless the student-athlete has completed his or her four seasons of competition.

In February 2017, NCAA staff reviewed an interpretation from a member institution seeking to provide a men’s soccer student-athlete, who had one year of eligibility remaining and who signed a contract with a professional soccer league, financial aid for the remainder of the spring term. Staff advised the institution that it would be impermissible to continue to provide athletics aid to a student-athlete who signed a contract unless the student-athlete has exhausted his eligibility. Due to the unique opportunity signing a professional contract represents for a Division II student-athlete, staff is presenting this issue to the committee for consideration of a potential legislative change.

Conclusions:

1. The Legislation Committee recommends a noncontroversial legislative change to permit a student-athlete to continue to receive athletics aid once a professional contract is signed even if the student-athlete has not exhausted his or her eligibility.

2. The Legislation Committee does not recommend a noncontroversial legislative change to permit a student-athlete to continue to receive athletics aid once a professional contract is signed even if the student-athlete has not exhausted his or her eligibility.

Associated References:

Bylaw 15.1.1.4 Institutional Financial Aid to Professional Athletics. An institution may not award financial 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 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 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. (Revised: 1/12/99, 1/8/01, 1/13/03, 4/14/15 effective 8/1/15)

**Division II Proposals.**

FINANCIAL AID -- PROFESSIONAL SPORTS ORGANIZATION

**Convention Year:** 1999  
**Status:** Adopted Final  
**Effective Date:** Immediate  
**SPOPL Number:** 13  
**Official Notice Number:** 1999-19  
**Source:** NCAA Division II Presidents Council [Management Council (Legislation Committee)].  
**Proposal Category:** Presidents Council  
**Topical Area:** Financial Aid

**Intent:** To permit an institution to continue to provide financial aid for the remainder of the term of the award to a student-athlete who completes his or her four seasons of competition in a sport and signs a contract or receives compensation from an agent or a professional sports organization.

**Bylaws:** Amend 15.3.1.4, as follows:

"15.3.1.4 Institutional Financial Aid to Professional Athlete. It is not permissible to award institutional financial aid to a student-athlete who is under contract to or currently receiving compensation from a professional sports organization. However, a student-athlete who currently is receiving institutional financial aid and signs a contract with 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."

**Rationale:** This proposal affects only student-athletes who have completed their four seasons of competition and remain in school for the remainder of the term after signing with or receiving compensation from an agent or a professional-sports team or organization. It also will address differences in the financial aid crediting procedures among institutions, which have resulted in some student-athletes receiving varying amounts of financial aid for the term after signing a contract with an agent or a professional-sports organization during the academic year.
Committee Representatives
Carlin Chesick – PSAC
Jane Teixeira – PacWest
Leslie Schuermann – Heartland
Matt Wilson – GSC
Dave Brunk – PBC
Tom Daeger - GMAC
Audra Kedy - GAC
Melissa Reilly - ECC
Scott Wiegandt (D2ADA) – Bellarmine
Kirsten Ford – RMAC
Chris Graham - RMAC

1) **Recommendations:** Reduce number of seminars per year from six to four maximum.
   **Rationale:** Calendar becomes too crowded. This provides flexibility with dates to avoid conference championship season, maximize attendance, etc.

2) **Recommendations:** Change to application process without regional restrictions. Allow conferences to pursue their own associations. Applications must only meet minimum participant requirement. Could be one conference – though committee encourages collaboration/communication. Applications chosen based on those who haven’t recently hosted RCS.
   **Rationale:** Concept allows for conferences to cross over regional lines and provide most convenient option. Should increase attendance.

3) **Recommendations:** Provide flexibility in format (1 vs. 2 days, certain programming on certain days).
   **Rationale:** Allows for more success attracting ancillary groups (FAR, FINID, REG).

4) **Recommendations:** No requirement for CA’s to engage in professional development. They will assist if needed, but not just for sake of professional development.
   **Rationale:** They get other types of pro-development, and wish to engage as participant to also listen and learn.
2017-18 Regional Compliance Seminars and Regional Rules Seminars Schedule

<table>
<thead>
<tr>
<th>Dates</th>
<th>Region(s)</th>
<th>Seminar Locations</th>
<th>Seminar Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 12-13, 2018</td>
<td>Midwest</td>
<td>TBD</td>
<td>Regional Compliance Seminar</td>
</tr>
<tr>
<td>Week of March 19, 2018</td>
<td>East</td>
<td>TBD</td>
<td>Regional Compliance Seminar</td>
</tr>
<tr>
<td>Week of April 16, 2018</td>
<td>Atlantic</td>
<td>TBD</td>
<td>Regional Compliance Seminar</td>
</tr>
<tr>
<td>May 17-18, 2018</td>
<td>West</td>
<td>Seattle, Washington</td>
<td>Regional Compliance Seminar</td>
</tr>
<tr>
<td>June 4-6, 2018</td>
<td>South Southeast</td>
<td>Atlanta, Georgia</td>
<td>Regional Rules Seminar</td>
</tr>
<tr>
<td>June 25-27, 2018</td>
<td>South Central</td>
<td>San Antonio, Texas</td>
<td>Regional Rules Seminar</td>
</tr>
</tbody>
</table>

[Note: The Central region will not host a Regional Compliance Seminar during the 2017-18 academic year. Representatives from institutions and conferences in this region will attend one of the Regional Rules Seminars in June 2018.]
Introduction.

The NCAA Interpretations Subcommittee of the Division II Legislation Committee is a standing subcommittee of the Division II Legislation Committee. The subcommittee's charge is to render decisions on legitimate interpretative inquiries related to the application of Division II legislation, excluding academic issues. The subcommittee does not have the authority to initiate or amend legislation but shall interpret legislation to the best of its ability consistent with the intent of the rule.

The subcommittee meets every other week via teleconference, as necessary, to address interpretive issues, including appeals of interpretations issued by the NCAA academic and membership affairs Division II staff. On a monthly basis, the subcommittee will review applicable interpretations issued by Divisions I and III to assess whether it is appropriate to issue a similar interpretation for the Division II membership. The subcommittee may also address issues at regular meetings of the legislation committee, which occur three times annually.

Composition.

The subcommittee is comprised of six members of the Division II Legislation Committee (five committee members and the chair of the full committee). The subcommittee shall appoint a chair. Generally, the subcommittee chair shall serve as chair for the remainder of his or her term on the subcommittee.

General Duties.

Generally, the subcommittee may be requested to issue official interpretations related to the application of Division II legislation in the following situations:

1. Referrals from the academic and membership affairs staff regarding the application of legislation.
2. Referrals from other committees within the Division II governance structure.
3. Requests by a member institution or conference for further review of an interpretation provided by the academic and membership affairs staff.

Emergency Issues.

The subcommittee convenes biweekly to review interpretative issues; however, emergency calls may be convened within 48 hours of receipt of a request of a member institution or conference for
issues relating to the immediate eligibility of a student-athlete. When necessary, the subcommittee may review an issue electronically.

**Institutional Presence on Teleconferences.**

The deliberation of an interpretation shall involve subcommittee members and academic and membership affairs staff members only. An institutional staff member may not request the right to appear on a subcommittee teleconference for the purpose of presenting the institution's case.

**Approval/Appeal Process.**

The subcommittee will issue interpretations that are either a confirmation or a determination of the meaning of the legislation. A confirmation is issued when an official interpretation or the legislation directly answers the question. Institutions are bound by a confirmation prior to and following its issuance since it is a confirmation of existing legislation. A determination is issued when the legislation or an official interpretation does not directly answer the question. Institutions are bound by a determination from the date of its issuance and notification to the membership.

The Division II Legislation Committee may review and ratify interpretations issued by the subcommittee. Interpretations not ratified at the next regular meeting of the Legislation Committee will be archived and are no longer effective.

The NCAA Division II Management Council may approve, reverse or modify interpretations issued by the subcommittee. A member institution may appeal a decision of the subcommittee to the Management Council at the Management Council meeting immediately following the subcommittee's decision.

**Recusal.**

A subcommittee member should recuse himself or herself where the potential for a conflict of interest may exist (e.g., subcommittee member is from the same institution or conference). The subcommittee chair reserves the right to request that any subcommittee member recuse himself or herself for reasons of possible bias.
Subcommittee Spokesperson.

It is important that the subcommittee's decisions and discussions are communicated to the membership and the public in a clear and consistent manner. To that end, the chair shall represent the subcommittee on all external communications (e.g., communications with those who are not members of the subcommittee) including conversations with the media. The NCAA speaking agent policy is as follows:

"The president of the Association and the chair of the Executive Committee are the only individuals authorized to speak on behalf of the Association except as outlined below.

An individual representing a member institution or conference who speaks or opines on an Association issue only has the authority to express the view of that individual or the member institution or conference unless the individual has been designated by the Executive Committee of the Association as a speaking agent of the Association on that issue.

Committee chairs are hereby designated as speaking agents of their committees regarding issues within their committees’ jurisdiction on which there is consensus, except that positions of advocacy on behalf of the committee or the Association to be communicated in writing or orally to persons or entities external to the Association must have prior approval by the NCAA Executive Committee or the president of the Association.

The president of the Association is hereby granted authority to designate additional speaking agents of the Association."

Ex Parte Communications.

In order to maintain the integrity of the interpretation process, the influence of outside discussions and arguments should be kept to a minimum. Once an issue has been submitted to the subcommittee for review, subcommittee members should not discuss an issue with noncommittee members (e.g., the public or the membership) prior to discussion of the issue by the subcommittee.
The Legislative Review Subcommittee of the Division II Legislation Committee is a standing subcommittee of the Division II Legislation Committee.

Subcommittee Duties.

The subcommittee has been charged with the following duties:

1. Review and consider legislative issues of those portions of the division’s constitutions and bylaws that relate to the principles governing financial aid and amateurism, professional sports relations, recruiting, personnel limitations, and playing and practice seasons. [Note: The subcommittee does not have the authority to initiate or amend legislation but shall make recommendations to the Legislation Committee for potential sponsorship of legislation.];

2. Review legislation adopted in Divisions I and III quarterly and make recommendations to the Legislation Committee for potential sponsorship of legislation;

3. Make recommendations to the Legislation Committee regarding incorporating new legislation and interpretations into the Division II Manual;

4. Review all editorial revisions to the Manual and report such revisions to the Legislation Committee; and

5. Be responsible for making a determination of facts related to the certification of a prospective student-athlete’s amateur status on request of an institution. An institution may make such a request if it disagrees with the determination of facts rendered by the NCAA Eligibility Center.

Composition.

The subcommittee is comprised of six members of the Legislation Committee (five committee members and the chair of the full committee).

Subcommittee Terms.

Each subcommittee member will generally serve on the subcommittee the duration of his or her term on the Legislation Committee.

Meeting Information.

The subcommittee shall meet via teleconference three times a year in advance of Legislation Committee meetings.
Selection of Subcommittee Chair.

The chair of the subcommittee shall be selected by members of the Legislation Committee. Generally, the chair serves as chair for the remainder of his or her term on the subcommittee.

Subcommittee Spokesperson.

It is important that the subcommittee’s decisions and discussions are communicated to the membership and the public in a clear and consistent manner. To that end, the chair shall represent the subcommittee on all external communications (e.g., communications with those who are not members of the subcommittee) including conversations with the media. The subcommittee will also follow the NCAA speaking agents policy as outlined in the Legislation Committee Policies and Procedures Manual.

Other Policy Matters.

For any other policy related matters (e.g., appointment or election, attendance policy, conflict of interest statement, recusal, policy regarding speaking agents of the Association), the subcommittee will follow, where applicable, the Legislation Committee Policies and Procedures Manual.
NCAA Division II

Amateurism Fact-Finding Group

Policies and Procedures Manual

Effective: 9/8/06

Last Updated: June 5, 2017
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<td>10</td>
</tr>
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<td>12</td>
<td>Reconsideration</td>
<td>10</td>
</tr>
</tbody>
</table>
General Policies for the NCAA Division II Amateurism Fact-Finding Group

1. **Legislated Duties of the NCAA Division II Amateurism Fact-Finding Group (NCAA Constitution 4.7.2.3 and NCAA Bylaw 21.8.5.6).**

The NCAA Division II Amateurism Fact-Finding Group shall be responsible for making a determination of facts related to the certification of a prospective student-athlete's amateur status on request of an institution. An institution may make such a request if it disagrees with the determination of facts rendered by the NCAA Eligibility Center.

2. **Legislated Group Composition and Reporting Lines (Bylaw 4.7.2.3).**

In Division II, the Legislative Review Subcommittee of the NCAA Division II Legislation Committee shall act as the Amateurism Fact-Finding Group. The group shall report directly to the NCAA Division II Management Council.

3. **Group Chair.**

The chair of the subcommittee shall serve as chair of Amateurism Fact-Finding Group.

4. **Confidentiality.**

The group and the staff shall treat all cases before them as confidential until it announces the determination in accordance with the prescribed procedures. The staff shall not confirm or deny the existence of a case prior to complete resolution of the case through normal NCAA procedures. However, if the involved institution makes a public announcement concerning a case, the vice president for academic and membership affairs or his or her designee may confirm the information made public and may correct erroneous or incomplete information about the investigation that has been made public by the institution or an involved individual. The staff's release of information shall always comport with federal law (i.e., Federal Educational Rights and Privacy Act). The vice president for academic and membership affairs or his or her designee has the discretion to prepare a press release on behalf of the NCAA when appropriate.

5. **Ex-Parte Communications.**

Members of the group shall not discuss a pending appeal with the NCAA staff, institutional representatives, the prospective student-athlete or his or her legal counsel without all parties having the opportunity to participate. The staff may contact group members to arrange a teleconference or a paper review of an institution's request. When an institution requests reconsideration of a group's decision, the staff may contact the chair of the group to provide the information submitted by the institution and the staff's evaluation of it. The staff may also contact the chair of the group regarding procedural matters relevant to processing an institution's request.
6. **Quorum.**

A quorum of more than 50 percent of the group members is required for the group's review of requests. If the designated group chair cannot participate in the review, he or she will appoint a presiding chair. If it is not possible to have the entire group hear or review the request and it is necessary to do so without delay, the proceeding or review may take place with less than a full group as long as the quorum requirements are met.

7. **Recusal.**

A group member shall recuse himself or herself from participating in proceedings (e.g., representing his or her institution or deliberating as a group member) connected with a case when he or she is directly connected with the involved institution making the request, including, but not limited to, a member of the group member's institution or institution's conference. A group member with a personal relationship or institutional affiliation that reasonably would result in a conflict or the appearance of bias or prejudice should refrain from participating in any manner in the processing of a request for determination of facts. It is the responsibility of the group member to remove himself or herself if a conflict exists. Objections to the participation of a group member should be raised as soon as recognized. The chair of the group has the final authority to determine whether the group member shall recuse himself or herself.

8. **Voting Requirements.**

The final finding of fact shall be decided by majority vote of the members of the group present and voting. A simple majority is necessary for a decision. However, in case of a tie vote, the chair will request the group meet via teleconference to discuss the case and reach a majority decision. Vote tallies of decisions are private and will not be provided to the media, the involved institution(s), the prospective student-athlete or his or her legal counsel.

9. **Revision of Procedures.**

The group has the authority to revise the procedures governing the applicable request procedures at any time, subject to the approval of the Management Council.

10. **Flow of Information.**

All materials relevant to the consideration of a request to the group shall be submitted to the NCAA Eligibility Center amateurism-certification process staff by the institution. The involved prospective student-athlete, as well as his or her legal counsel, shall work through the institution in preparing and submitting the request. Information submitted directly to
the amateurism-certification process staff shall be sent to the institution for it to determine whether the information should be included in its request.

11. **Request for New Information.**

In arriving at its determinations, the group may request additional information from any appropriate source, including the amateurism-certification process staff, institutional representatives, the prospective student-athlete or his or her legal counsel.

12. **Basis of Findings.**

The group shall base its findings on information presented to it that it determines to be credible, persuasive and of a kind on which reasonably prudent persons rely in the conduct of serious affairs.

13. **Determination of Violation.**

The group does not have the authority to determine whether a violation of NCAA amateurism or eligibility legislation has occurred. The determination of a violation shall be made by the academic and membership affairs staff after either the prospective student-athlete has agreed to the facts presented by the amateurism-certification process staff or the group has issued its findings. Any appeals of the interpretation of the legislation used to determine the violation shall be heard by the appropriate interpretative authority Division II Interpretations Subcommittee.

14. **Imposition of Condition of Reinstatement.**

The group does not have the authority to impose a condition of reinstatement. The authority to impose conditions is vested with the NCAA Division II Committee on Student-Athlete Reinstatement. The Committee on Student-Athlete Reinstatement has the authority to delegate the imposition of conditions to the student-athlete reinstatement staff. In addition, the Committee on Student-Athlete Reinstatement has the authority to create prescribed penalties to be administered by the amateurism-certification process staff.

**Determination of Facts by the Amateurism Fact-Finding Committee/Group**

1. **Need for a Determination of Facts.**

It may be necessary during a prospective student-athlete's amateurism certification review to have the group resolve one or more disputed factual questions. Such a dispute will, in most circumstances, relate to facts proposed by the amateurism-certification process staff in a draft statement of facts provided to an institution for the purpose of seeking interpretive review by the academic and membership affairs staff or penalty assessment by the student-
athlete reinstatement staff. Disputes may also arise with respect to proposed mitigating facts, relating to an eligibility determination, submitted by an institution to the student-athlete reinstatement staff or the academic and membership affairs staff liaison to the NCAA Division II Committee for Legislative Relief if the facts are inconsistent with information gathered during the amateurism-certification process staff review.

2. **Requirement Before a Request for a Determination of Facts Can Be Made by an Institution.**

If a prospective student-athlete does not agree with one or more proposed facts within the amateurism-certification process staff's statement of facts, an institution may submit a written request, on the prospective student-athlete's behalf, that the group determine the facts. Before the institution submits its formal request with all required information and documentation (described below), the institution and amateurism-certification process staff shall determine the wording of the question(s) that will be posed for the group review. Once agreement has been reached regarding the question(s), and within 30 calendar days from the date on which the amateurism-certification process staff provides a written statement of facts to the prospective student-athlete or institution, the institution shall submit its request for a determination of facts to the academic and membership affairs liaison to the group. Exceptions to the 30-day policy may be granted by the chair of the group when an institution is able to demonstrate in writing that exceptional circumstances required the request be submitted beyond the 30-day period.

An institution representing a prospective student-athlete's interest in an amateurism review shall be advised to contact the academic and membership affairs liaison for questions relating to general procedures to be followed during the determination of facts process.

3. **Contents of and Schedule for a Request for a Determination of Facts.**

Upon notification by an institution of its intent to seek a determination of facts, the academic and membership affairs liaison will work with the group to determine the date of its deliberations and provide that information to the institution. The group meets as necessary via teleconference call to review requests for a determination of facts. The following submission schedule will be keyed off the scheduled deliberation date:

a. **Institution's Opening Submission.**

Within 30 calendar days of receiving the amateurism-certification process staff's statement of facts, the institution shall submit its opening submission. This submission shall not include new information (information not previously presented to the amateurism-certification process staff) and shall include all of the following information and documentation:
i. A completed request form.

The institution must complete a required form. Signatures from two of the following institutional staff members shall be present on the form: either the Chancellor or president or the faculty athletics representative and either the senior woman administrator or director of athletics. Additionally, the request form shall contain the signature of the prospective student-athlete and, if the prospective student-athlete is under 18 years of age, the prospective student-athlete's parent(s) or legal guardian(s).

ii.(1) A formal statement identifying the disputed fact(s).

The institution's submission shall contain the agreed upon questions relating to the disputed facts. If a request is made before agreement has been reached on the disputed questions or if the agreed upon questions are modified in any way, the academic and membership affairs liaison shall suspend all fact-finding procedures, which may include rescheduling the group deliberations, and send the review back to the amateurism-certification process staff until agreement can be reached on the questions for the group review.

ii(2) Institution's position with respect to the questions at issue and its supporting documentation and information.

The institution shall include its position regarding the disputed facts and the rationale for that position. The institution shall also provide any documents and information that it believes supports its position.

b. Amateurism-Certification Process Staff's Response Submission.

The amateurism-certification process staff shall have the opportunity to review the institution's submission before submitting its response to the group. The amateurism-certification process staff's position shall be submitted to the academic and membership affairs liaison within five business days after receipt of the institution's position and not less than 48-hours before the group deliberations. If the timing of the institution's submission does not allow five business days before the 48-hour time period, the group deliberations may be rescheduled.

The amateurism-certification process staff's submission shall include all of the following information and documentation:

(1) A factual overview;
(2) The amateurism-certification process staff's position on the disputed facts, including the information on which the amateurism-certification process staff relied and the sources of that information; and

(3) The documents and information on which the amateurism-certification process staff relied to support its position.

c. Reply Memorandum.

The academic and membership affairs liaison shall provide the amateurism-certification process staff's submission to the institution. The institution may, upon review of the amateurism-certification process staff's position, draft a short reply memorandum. Such a reply shall only be submitted if the institution believes the amateurism-certification process staff has included new information or unforeseen supportive arguments. The institution shall not reserve material for the reply submission which should have been included in a full and fair opening submission. Nor shall the institution include newly gathered information that may impact the position of the amateurism-certification process staff or deviate from the agreed upon questions of fact.

4. Deliberation by the Group.

On the scheduled date of the group deliberations, at least a quorum of group members shall discuss the case via teleconference in an attempt to reach a decision. The purpose of the call is to discuss the case and not to gather additional information and, therefore, the amateurism-certification process staff, prospective student-athlete and institution shall not be participants on the call. On review of the required form and documentation submitted by an institution and amateurism-certification process staff, group members shall vote via teleconference to the academic and membership affairs liaison. A simple majority of the members voting is necessary for a decision. The group shall render a decision not later than seven consecutive calendar days of receiving the information.

The group may, upon review of the submissions, determine that a review of the case on the written record is sufficient and shall vote via electronic mail to the academic and membership affairs liaison. A quorum of the group members’ votes is needed for the request to be decided on the written record and a simple majority is sufficient to render a decision.

In case of a tie vote, the chair will request that the group meet via teleconference to discuss the request and reach a majority decision. It is vital that all group members be present on all teleconferences to ensure the timely consideration of requests.
5. **Request for a Hearing of the Parties via Teleconference.**

Before or after the scheduled deliberations, the group, in its discretion, may request a hearing conducted by teleconference. All parties shall be given 48-hours notice of such a request.

6. **Hearing of the Parties via Teleconference.**

The following individuals shall be present during a hearing:

a. Academic and membership affairs liaison;

b. Amateurism-certification process staff member who initially reviewed the case;

c. Prospective student-athlete;

d. If the prospective student-athlete is under 18 years of age, the prospective student-athletes' parent(s) or legal guardian(s), and at least one of the following:

e. Chancellor or president (or designee), faculty athletics representative, senior woman administrator or director of athletics.

The following individuals may be present during a hearing:

a. The institution's legal counsel;

b. Prospective student-athlete's legal counsel; and

c. Members of the NCAA national office staff.

7. **Hearing Procedures.**

The hearing shall be conducted pursuant to the following procedures:

a. Once all parties participating in the hearing have been introduced, the ACP staff shall have approximately 10 minutes to describe the facts as they have been determined by the amateurism-certification process staff. The institution and the prospective student-athlete shall have 10 minutes, respectively, to describe the case and explain the reasons for requesting a determination of the facts.

b. The group chair may terminate the teleconference at any time if the information is repetitive in nature or if substantive new information (that previously was not reviewed by the amateurism certification staff) is introduced.
c. The teleconference will conclude with the amateurism-certification process staff, institution and prospective student-athlete providing closing statements not to exceed five minutes.

d. The group has the authority not to render a decision if it has questions that the group believes the institution or prospective student-athlete reasonably can and should answer before a decision by the committee is made.

e. When the hearing has concluded, the institutional representatives, the involved prospective student-athlete [and parent(s) or legal guardian(s)], legal counsel and the Eligibility Center staff shall leave the teleconference. The recording shall be terminated at the conclusion of the hearing and prior to the start of deliberations, and all parties except the group members shall leave the teleconference at that time. The group members shall deliberate in private and reach a decision by majority vote.

f. All group materials and fact-finding proceedings are confidential. Institutional representatives and other participants on the teleconference shall maintain the confidentiality of the information discussed, as well as the identity of the participants.

g. When a request involves both Divisions I and II bylaws, the group that has jurisdiction over the division in which the institution holds membership shall determine the facts for both divisions.

h. Once a decision is rendered by the group, the chair of the group will notify the academic and membership affairs liaison of the determination of the facts. The academic and membership affairs liaison shall notify the amateurism-certification process staff member primarily responsible for processing the case. The amateurism-certification process staff member shall then provide the prospective student-athlete and the institution with a copy of the determined facts. The prospective student-athlete shall be notified that these facts shall be used to determine if a violation exists or if a season(s) of competition and year in residence should be charged.

8. Prohibition Against Requesting a Determination of Facts in the Interpretive, Waiver, or Student-Athlete Reinstatement Processes.

If an institution submits a request for an interpretation, a request for a waiver of NCAA legislation (e.g., legislative relief waiver) or a request for eligibility reinstatement, the institution is precluded from requesting factual determinations or appealing the agreed upon set of facts as determined by the group, unless such information meets the
reconsideration standard as set forth below. Thus, the institution acknowledges that it agrees with the facts as presented in the interpretation, waiver, or reinstatement request.

9 Appeals of Decisions of the Committee/Group.

If the institution and prospective student-athlete do not agree with the determination of facts made by the group, the following procedures shall apply:

a. In Division II, after the group has rendered a determination of facts, the involved institution may appeal that determination to the Management Council. The Management Council's determination shall be final, binding and conclusive and shall not be subject to further review by any other authority.

b. All appeals of determinations of facts shall be submitted in writing within 30 days of notification of the group determination and must be based on one of the following:

   (1) The group deviated from approved procedures;
   
   (2) The factual findings of the group are clearly erroneous; or
   
   (3) Any appeal filed after 30-calendar days must include an explanation regarding the reason(s) the appeal was not filed within the prescribed time period. The chair of the Management Council shall determine whether any appeal filed after 30-calendar days will be heard.

d. The Management Council shall follow, where applicable, the general policies and review procedures for determination of facts as outlined in the Division II Amateurism Fact-Finding Committee/Group Policies and Procedures Manual.

10. Application of Interpretations(s) of Facts.

After the facts have been determined by the group, the amateurism-certification process staff, in consultation with the academic and membership affairs staff, shall review the facts and apply the NCAA legislation to determine if a violation has occurred and/or if season(s) of competition should be charge if the institution requests an interpretation of the application of NCAA legislation to the determined facts, the amateurism-certification process staff shall follow the procedures set forth in the section titled, "Interpretive Requests."
11. **Violation(s) or Season(s) of Competition.**

If a violation has occurred or if season(s) of competition should be charged, the amateurism-certification process amateurism-certification process staff shall follow the following procedure:

a. Review the approved prescribed penalty schedule (provided by the student-athlete reinstatement staff) and in consultation with the student-athlete reinstatement staff, determine the appropriate penalties. If additional information is needed, the amateurism-certification process staff shall work with the student-athlete reinstatement staff to obtain the information.

b. If it is determined that a violation has occurred and/or if season(s) of competition should be charged, the decision shall be posted on the Eligibility Center website. The prospective student-athlete or the institution shall have 30-calendar days to submit a written request to appeal the interpretation and/or student-athlete reinstatement penalty.

12. **Reconsideration.**

After the group’s decision has been rendered, the member institution or amateurism-certification process staff may request that a determination of the facts be reconsidered based on the submission or discovery of new information that may affect the certification decision. That information must be newly discovered and nonrepetitive, and it must not have been reasonably available to any party involved in the review at the time of the factual determination for reconsideration to be appropriate. If the amateurism-certification process staff does not change its determination of facts, the group chair, at the institution's request, shall review the new information and may grant a new hearing only after concluding on review of the written materials that new information is of such importance as to make a different result reasonably probable.