ACTION ITEMS.

1. Legislative items.


      (1) **Recommendation.** Sponsor legislation for the 2017 Convention to amend Bylaw 12.2.1.1 (tryout after enrollment) to specify that a student-athlete may try out with a professional athletics team or permit a professional athletics team to conduct medical examinations at any time, provided the student-athlete does not miss class.

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

      (3) **Rationale.** Current legislation permits a student-athlete to participate in a professional tryout at any time outside of the playing season. This proposal expands the professional tryout opportunities for student-athletes without interfering with class time. This change aligns with Division I legislation regarding professional team tryouts and ensures that Division II student-athletes are provided similar legislative access to tryout opportunities as their Division I counterparts. The immediate effective date will permit student-athletes to participate in professional team tryouts during the 2017 spring term.

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

      (5) **Student-athlete impact.** A student-athlete will be permitted to participate in a professional sport tryout at any time, provided the student-athlete does not miss class.

   b. 2017 Convention Legislation – Bylaw 12.5.1.1 – Amateurism – Promotional Activities – Permissible – Institutional, Charitable, Educational or Nonprofit Promotions – Elimination of Requirement that All Money Go Directly to the Member Institution, Member Conference or the Charitable, Educational, Nonprofit or Government Agency.
(1) **Recommendation.** Sponsor legislation for the 2017 NCAA Convention to amend Bylaw 12.5.1.1 (institutional, charitable, educational or nonprofit promotions) to eliminate the requirement that all money derived from a permissible promotional activity or project must go directly to the member institution, member conference or the charitable, educational, nonprofit or government agency; further, to eliminate the requirement that an authorized representative of the charitable, educational, nonprofit, or government agency must sign a release statement and require the institution to provide educational material to the charitable, educational, nonprofit or government agency notifying the entity of its obligation to ensure that a student-athlete’s name, likeness, appearance or image is used in a manner consistent with the legislation.

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

(3) **Rationale.** Current legislation requires all money derived from a promotional activity or project to go directly to the permissible entity (e.g., member institution, member conference or the charitable, educational, nonprofit or government agency). Many Division II institutions partner with commercial businesses that have established fundraising programs that are not set up in a manner that complies with the current legislation, which limits the ability for student-athletes to be involved in the activity. Removing this requirement will increase opportunities for student-athletes to be involved in promotional activities for both the institution and other permissible entities. Eliminating the signature requirement for an authorized representative of the charitable, educational, nonprofit or government agency while still requiring education on the requirements of the promotional activities legislation will maintain the intent of the legislation and reduce administrative burden. The immediate effective date will permit institutions to apply the less stringent standard to promotional activities during the 2017 spring term.

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

(5) **Student-athlete impact.** A student-athlete may participate in additional promotional activities with fewer concerns about a potential impact on eligibility.

c. **2017 Convention Legislation – Bylaw 13.1.1.2 – Recruiting – Contacts and Evaluations – Contactable Prospective Student-Athletes – Four-Year College Prospective Student-Athletes – Removal of Requirement to Obtain Permission from NAIA Institution.**
(1) **Recommendation.** Sponsor legislation for the 2017 Convention to amend Bylaw 13.1.1.2 (four-year college prospective student-athletes) to specify that permission to contact is not required for a student-athlete transferring from a National Association of Intercollegiate Athletics (NAIA) institution; further, to require an institution’s director of athletics (or an individual designated by the director of athletics) to send a courtesy notification of recruitment to the NAIA institution prior to contact with an NAIA student-athlete.

(2) **Effective date.** Immediate, for prospective student-athletes transferring for the 2017-18 academic year and thereafter.

(3) **Rationale.** Institutions that are not members of the NCAA are not bound by NCAA rules, including the timeline to respond to requests for permission to contact. If a NAIA institution denies a student-athlete permission to contact, the NAIA institution is not required to provide the student with a hearing opportunity. Eliminating the requirement of obtaining permission to speak to a student who is enrolled at a NAIA institution interested in transferring to an NCAA Division II institution will ease the burden on compliance administrators. However, requiring a courtesy notification to the NAIA institution prior to initiating contact with a NAIA prospective student-athlete ensures there is adequate transparency in the recruiting process. The immediate effective date will permit institutions to use the new process during the spring 2017 term and the following summer while recruiting potential transfers for the 2017-18 academic year.

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

(5) **Student-athlete impact.** A prospective student-athlete transferring from a NAIA institution may have recruiting contact with a Division II institution without having to obtain permission to contact. In addition, a prospective student-athlete transferring from a NAIA institution will not be required to receive permission to contact in order to receive athletics aid in the first year of enrollment at a Division II institution.


(1) **Recommendation.** Sponsor legislation for the 2017 Convention to amend Bylaw 13.2 (offers and inducements) to specify that an institution may
waive, pay in advance or guarantee payment of any institutional pre-enrollment fee for a prospective student-athlete who has signed a National Letter of Intent or the institution's written offer of admission and/or financial aid or for whom the institution has received a financial deposit in response to its offer of admission.

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

(3) **Rationale.** Current legislation limits the pre-enrollment fees an institution may pay for a prospective student-athlete, unless the institution has similar policies for all prospective student-grantees. By permitting payment for a committed prospective student-athlete, the institution is not gaining a recruiting advantage and the prospective student-athlete and family will incur less financial burden. Many prospective student-athletes do not have the financial means to cover basic fees required by the institution for all students and are unaware that these basic institutional fees are not covered by athletically related financial aid. The prohibition on covering these required institutional fees has led to difficult situations and leaves the institution vulnerable to outside parties providing impermissible financial aid to financially disadvantaged prospective student-athletes. Furthermore, the institution is permitted to reimburse or pay for many of these pre-enrollment fees after the individual becomes a student-athlete. The period of time between a prospective student-athlete's commitment and enrollment is a time of significant need for institutional support. The payment of pre-enrollment fees will promote the membership's commitment to implementing rules and policies intended to enhance the support of student-athletes. The immediate effective date will permit institutions to pay pre-enrollment fees for prospective student-athletes enrolling for the 2017-18 academic year.

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

(5) **Student-athlete impact.** A prospective student-athlete may not have to pay pre-enrollment fees, subject to institutional policy and budget limitations.

e. **2017 Convention Legislation – Bylaw 17 – Playing and Practice Seasons – Out-of-Season and Nonchampionship Segment Athletically Related Activities – Nonchampionship Segment Activities.**

(1) **Recommendation.** Sponsor legislation for the 2017 Convention to amend Bylaw 17 (playing and practice seasons) to amend the nonchampionship segment, as follows: (1) In all sports, to prohibit all countable athletically
related activity during two calendar days per week; (2) In all sports other than golf, rowing and tennis, to limit a student-athlete’s participation in countable athletically related activity to a maximum of four hours per day and 15 hours per week during a 45-consecutive calendar day period, omitting vacation and examination days officially announced or on days that the institution is closed due to inclement weather, as long as no practice or competition occurs on such days; (3) In golf and tennis, to limit a student-athlete’s participation in countable athletically related activity to a maximum of four hours per day and 20 hours per week during a 60-consecutive calendar day period, omitting vacation and examination days officially announced or on days that the institution is closed due to inclement weather, as long as no practice or competition occurs on such days; and (4) In rowing, to limit a student-athlete’s participation in countable athletically related activity to a maximum of four hours per day and 15 hours per week during a 65-consecutive calendar day period, omitting vacation and examination days officially announced or on days that the institution is closed due to inclement weather, as long as no practice or competition occurs on such days.

(2) **Effective date.** August 1, 2017.

(3) **Rationale.** The current legislation requires institutions to toggle between in-season and out-of-season countable athletically related activity limitations during the nonchampionship segment, which causes considerable confusion. Additionally, according to the 2015 GOALS study, Division II student-athletes report spending as much or more time on their sport during the off-season as during their competitive season. This proposal will make the nonchampionship segment legislation easier to apply and also provide student-athletes with additional time off, both in terms of number of days and hours per week.

Competition during the nonchampionship segment in golf and tennis counts toward championship selections, so it is appropriate for these sports to have additional flexibility on both the number of in-season hours and the window in which to use those hours.

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

(5) **Student-athlete impact.** A student-athlete would have two days off per week and, in sports other than golf and tennis, five fewer hours of countable athletically related activity during the nonchampionship segment.
f. Noncontroversial Legislation – Bylaw 13.1.7.2 – Recruiting - Contacts and Evaluations – Contact Restrictions at Specified Sites – Practice or Competition Site – Exception for On-Campus Contact.

(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 13.1.7.2 (practice or competition site) to permit institutional coaching staff members to have contact with a prospective student-athlete on a day of competition prior to the competition, provided that contact occurs on the institution's campus and the institution's campus is not the competition site.

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

(3) **Rationale.** Permitting contact on an institution's campus on the day of competition prior to competition allows prospective student-athletes more flexibility when arranging campus visits in locations to which they may already be traveling for competition. Currently, prospective student-athletes are prohibited from making contact with institutional athletics staff members on a day of competition, prior to competition, even if they are visiting an institution's campus on an official or unofficial visit on a day of competition. This restriction often requires prospective student-athletes to remain in the locale of the institution additional days following competition to visit the campus and meet with athletics staff members, resulting in additional cost and additional missed class time. This proposal would not only offer greater flexibility to prospective student-athletes who wish to meet with athletics staff members while visiting a campus in a locale of a site of competition or in route to a site of competition, but may also improve recruiting efficiency and potentially result in fewer days away from campus for coaches.

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

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


(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 13.4.3 (conference restrictions) to eliminate the conference restrictions on providing recruiting materials to prospective student-athletes (or his or her parents, legal guardians or coaches).
(2) **Effective date.** Immediate.

(3) **Rationale.** The current legislation restricting conference offices from providing recruiting materials to prospective student-athletes (or his or her parents, legal guardians or coaches) is unnecessary and inhibits the ability of conference offices to spread awareness of Division II as a participation opportunity for prospective student-athletes. Allowing the conference office to share recruiting materials, particularly with coaches of prospective student-athletes, will enhance the visibility of Division II without giving any particular institution a recruiting advantage.

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

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

**h. Noncontroversial Legislation – Bylaw 13.6.2.1 – Recruiting – Official (Paid) Visit – Requirements for Official Visit – High School or Preparatory School Prospective Student-Athlete – Exception for High School Prospective Student-Athlete With a Final Academic Certification.**

(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 13.6.2.1 (high school or preparatory school prospective student-athletes) to permit institutions to provide an official visit to a high school prospective student-athlete without receiving a current high school transcript, provided the prospective student-athlete’s final academic certification has been issued by the NCAA Eligibility Center.

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

(3) **Rationale.** The intent of requiring a current high school transcript in advance of an official visit is for the institution to be able to properly assess the academic standing of a prospective student-athlete. If a high school prospective student-athlete has received a final academic certification by the Eligibility Center prior to the official visit, the intent of the legislation has been accomplished. This exception would reduce burden on both the prospective student-athlete and the institution by not requiring a current transcript to be sent in advance of an official visit.

(4) **Estimated budget impact.** None.
(5) Student-athlete impact. A high school prospective student-athlete with a final academic certification may take an official visit without providing a current high school transcript.


(1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 13.17.3 (football) to amend the football recruiting calendar to begin the contact period in football on the Monday immediately following Thanksgiving.

(2) Effective date. Immediate.

(3) Rationale. Currently, the winter contact period begins on December 1. In most years, December 1 falls in the middle or end of week. The Monday following Thanksgiving is a more appropriate day to begin this contact period as both collegiate institutions and secondary schools have resumed classes following the Thanksgiving break.

(4) Estimated budget impact. Will vary.

(5) Student-athlete impact. None.

j. Noncontroversial Legislation – Bylaw 14.2.4.2.2.4 – Eligibility – Seasons of Competition: 10-Semester/15-Quarter Rule – Criteria for Determining Season of Eligibility – Participation in Organized Competition Before Initial Collegiate Enrollment – Exceptions to Participation in Organized Competition – Men’s Ice Hockey Exception – Additional Year.

(1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 14.2.4.2.2.4 (men’s ice hockey exception) to extend the men’s ice hockey exception to the organized competition before initial collegiate enrollment legislation from one to two years.

(2) Effective date. Immediate, for prospective student-athletes enrolling in the 2017-18 academic year and thereafter.

(3) Rationale. Division II currently has the most restrictive organized competition legislation of the three divisions in men’s ice hockey. There are only six Division II institutions that sponsor Division II men’s ice
hockey and there is no Division II championship, which further puts these institutions at a recruiting disadvantage. Permitting Division II men’s ice hockey prospective student-athletes to participate in one additional year of organized competition before initial collegiate enrollment is consistent with the structure of USA Junior Hockey, where prospective student-athletes may participate for three years after high school and until turning 21. This recommendation is similar to the legislated exception in skiing.

(4) Estimated budget impact. None.

(5) Student-athlete impact. A prospective student-athlete in men’s ice hockey will have an additional grace year to participate in organized competition before initial collegiate enrollment before being charged with the use of a season.


(1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 16.9 (permissible travel expenses) to specify that an entity hosting a noncompetitive event may provide a student-athlete with actual and necessary expenses to represent the institution at the event.

(2) Effective date. Immediate.

(3) Rationale. Current legislation only permits an institution, conference or the NCAA to provide actual and necessary expenses to a student-athlete to represent the institution at a noncompetitive event. In some instances, the host offers to pay the student-athlete’s actual and necessary expenses, which requires the expenses to be donated to the institution and the institution, in turn, provides the expenses to the student-athlete. Allowing the host to provide actual and necessary expenses to the student-athlete reduces bureaucracy and may have a positive budget impact on Division II institutions.

(4) Estimated budget impact. Institutions may no longer have to provide actual and necessary expenses for a student-athlete to represent the institution at a noncompetitive event should the host offer to pay the student-athlete’s actual and necessary expenses.
1. Noncontroversial Legislation – Bylaw 16.10 – Awards and Benefits – Provision of Expenses by Individuals or Organizations Other Than the Institution – Lodging Provided by Relative of Student-Athlete.

(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 16.10 (provision of expenses by individuals or organizations other than the institution) to specify that a relative of a student-athlete is permitted to pay for, or provide lodging to, eligible student-athletes in conjunction with, or in route to or from, an away-from-home contest.

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

(3) **Rationale.** Current legislation permits an institution to provide lodging to student-athletes in conjunction with away-from-home competition. Student-athletes are not permitted to receive lodging from a relative of a team member unless the relative donates the use of the lodging to the institution and the institution, in turn, provides the lodging to the student-athletes. Requiring relatives of student-athletes to donate lodging to the institution is unnecessary and overly bureaucratic.

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

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


(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 31.1.4.4 (noon start time) to specify that in fencing, competition conducted on Sunday in the men's and women's fencing championships may begin prior to noon.

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

(3) **Rationale.** Currently, the men's and women's fencing championships are conducted Thursday through Sunday, with competition starting at 9 a.m. local time. Given the number of bouts that must take place over this four-
day period for each gender and each weapon, this proposal will allow the approved format to continue without budgetary ramifications. If competition could not start until noon on Sunday, a number of teams would have to stay an additional day in the host city, thus increasing per diem expenses. Finally, this format and early start time is familiar to institutions that are competing, as they routinely start competition at this time, if not earlier, during the regular season. In addition, fencing is a National Collegiate Championship sport and Division I adopted this exception in October 2015. Because institutions from all three divisions participate in the championship, it is imperative that the legislation is consistent among divisions.

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

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

n. **Incorporation of Interpretation into the NCAA Division II Manual.**

(1) **Recommendation.** To incorporate the following official interpretation into the Manual:

**Postponed/Canceled Contest Due to Inclement Weather**

Decided that for purposes of Case No. 256 and the need to determine whether or not an institution has used a date of competition in a sport in the event the competition is postponed or canceled due to inclement weather or a comparable factor, such competition shall not be countable unless the results are considered final under the applicable playing rules of the sport in question.

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

(3) **Rationale.** Incorporating the December 18, 1986, official interpretation into the Manual will clarify the application of the legislation in situations where competition is cancelled due to inclement weather.

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

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

a. Referral to NCAA Division II Committee for Legislative Relief – Review of Minimal Competition Threshold.

(1) Recommendation. That the NCAA Division II Management Council refer the following issue to the Committee for Legislative Relief for consideration of potential guideline changes:

Whether the current minimal competition threshold (10 percent of the Bylaw 17 maximum) remains appropriate or should be increased to 20 percent of the Bylaw 17 maximum.

(2) Effective date. Immediate.

(3) Rationale. The NCAA Division II Legislation Committee requested that a review of the minimal competition threshold for organized competition waivers be referred to the Committee for Legislative Relief. As part of a discussion regarding the organized competition before initial collegiate enrollment legislation, the committee reviewed amateurism data from the last two academic years. While the committee agreed that a legislative change was not necessary at this time, the committee believes further discussion regarding the minimal competition threshold is warranted. Specifically, the committee noted 105 prospective student-athletes over the past two years have participated in more than 10 percent but less than 20 percent of the Bylaw 17 maximum, and requests that the Committee for Legislative Relief discuss whether these individuals received a meaningful participation opportunity that warranted a full season being charged.

(4) Estimated budget impact. None.

(5) Student-athlete impact. None.

b. Legislative Referral to NCAA Division II Championships Committee – Review Practice Partners at NCAA Championships.

(1) Recommendation. That the Division II Management Council refer the following issue to the Championships Committee for consideration of potential legislative change:
Whether an eligible student-athlete who is not selected to participate in the championship should be permitted to serve as a practice partner for qualifying participants on site at the NCAA championship event.

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

(3) **Rationale.** In June 2014, the Legislation Committee issued an official interpretation to clarify that student-athletes not eligible for competition may not receive expenses for or participate in practice sessions associated with away-from-home competition. The prohibition on practice applies even if the student-athlete pays his or her own way to travel to the site of competition.

NCAA staff regularly receives questions, most commonly in wrestling, regarding whether eligible but nonqualifying student-athletes may travel and serve as practice partners for student-athletes selected for the Division II Championship. The committee requests the Championships Committee review this issue and discuss any unintended consequences (e.g., hotel room space, credential limits) of such a change in individual sports.

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

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

**INFORMATIONAL ITEMS.**

1. **Financial Aid Review.** The committee continued its review of the current financial aid legislation, including:
   
a. **Discussion Regarding 2017 Convention Proposals.** The committee discussed feedback received on the three NCAA Division II Presidents Council-sponsored 2017 Convention financial aid proposals. Additionally, the committee reviewed the proposals in legislative form and made the following recommended changes to capture the intent of the original recommendations:

   (1) **Division II Proposal No. 2017-5 (financial aid -- maximum limits on financial aid -- team limits - institutional athletics aid and outside educational expenses only).** The committee agreed that the proposal should be specific to institutional athletics aid and that outside educational expenses from the United States Olympic Committee, national governing
body or professional team or league should not count toward individual and team limits.

(2) Proposal No. 2017-6 (financial aid - terms and conditions of awarding institutional financial aid -- period of institutional financial aid award -- period of institutional financial aid award -- requirement to provide athletically related financial aid for one academic year). The committee agreed that the student-athlete has not previously received athletically related financial aid from the certifying institution should be eliminated from the one-time exception.

(3) Proposal No. 2017-7 (financial aid - terms and conditions of awarding institutional financial aid -- reduction and cancellation during period of award -- increase permitted -- increase for any reason at any time). The committee did not have any recommended amendments to this proposal.

b. Order of Proposals. The committee discussed the order of proposals and recommended the same order be used for voting at the 2017 Convention.

c. Discussion Regarding Modifications to the Financial Aid Form. The committee engaged in initial conversations regarding necessary modifications to the financial aid form if NCAA Division II Proposal No. 2017-5 (financial aid -- maximum limits on financial aid -- team limits - institutional athletics aid and outside educational expenses only) is adopted. The committee directed staff to invite an academic and membership affairs staff member from the Compliance Assistant (CA) team to the March 2017 in-person meeting to discuss modifications to CA and the financial aid form should the athletics aid only proposal be adopted.

d. Review of Financial Aid Legislative Proposal Question and Answer Guide. The committee reviewed the Financial Aid Legislative Proposal Question and Answer Guide in an attempt to provide the membership with education in advance of the 2017 Convention. The initial version will be released after the August 2016 Division II Presidents Council meeting and will be updated again in the fall prior to the release of the final version of the 2017 Question and Answer Guide in December 2016, which will include all proposals to be voted on by the membership.

2. Review of Promotional Activities Legislation. The committee discussed the promotional activities legislation, including:
a. **Review of Promotional Activities Requirements.** The committee reviewed the current promotional activities legislation set forth in Bylaw 12.5.1.1, and recommended sponsorship of 2017 Convention legislation to assist the Division II membership in its application. [See Legislative Action Item No. 1-b]

b. **Fees Associated with Commercial Crowdfunding Websites.** The committee discussed commercial crowdfunding websites that charge a service fee (flat rate and/or percent-based) and agreed to issue the following official interpretation:

**Fees Charged by Commercial Crowdfunding Websites (II)**

The Legislation Committee determined that payment of fees (e.g., flat rate fee, percent-based fee) associated with the use of a commercial crowdfunding website is an incidental cost to use the service and does not constitute endorsement of a commercial product. The committee noted that the use of a crowdfunding website is limited to activities for which it is otherwise permissible for a student-athlete to raise funds.

[Reference: Bylaw 12.5.2.1 (advertisements and promotions following enrollment)]

c. **Participation of Ineligible Student-Athletes in Community Engagement or Promotional Activities Involving Physical Activity.** The committee confirmed that it is permissible for ineligible student-athletes to participate in community engagement events and promotional activities that involve physical activity, and directed staff to update Figure 14-2 (initial eligibility) to clarify that the promotional activities legislation applies to community engagement events. The committee also requested that a member of the NCAA office of legal affairs staff join the November 2016 in-person meeting to discuss whether student-athlete participation in community engagement events must be subject to the promotional activity legislation.

3. **Review of Feedback on the Nonchampionship Segment Concepts.** The committee discussed feedback from the membership on the nonchampionship segment concepts and recommended sponsorship of 2017 Convention legislation. [See Legislative Action Item No. 1-e]

4. **Discussion Regarding Organized Competition Before Initial Collegiate Enrollment Legislation.**

   a. **Review of Certification Data from the Eligibility Center.** The committee received an update from the Eligibility Center staff regarding organized
competition certification outcomes from the 2014-15 and 2015-16 certification cycles. Based on the number of prospective student-athletes who participated in more than 10 percent [the current minimal competition threshold for the NCAA Division II Committee for Legislative Relief streamlined review process] and less than 20 percent of the Bylaw 17 maximum number of contests or dates of competition, the committee agreed to refer the issue to the Committee for Legislative Relief for consideration of a possible change to the guideline. [See Nonlegislative Action Item No. 2-a]

b. **Discussion Regarding the Men’s Ice Hockey Grace Period.** The committee reviewed a request from a Division II conference to extend the grace period in men’s ice hockey by one additional year. The committee noted the competitive disadvantage created by the current rule in contrast to the legislation in Divisions I and III and agreed to recommend noncontroversial legislation to extend the grace period. [See Legislative Action Item No. 1-j]

Additionally, the committee expressed support for Division II men’s ice hockey prospective student-athletes to receive a Division II amateurism certification from the Eligibility Center. These prospective student-athletes already receive a Division II academic certification and in many cases also receive a Division I amateurism certification.

5. **Review of Legislation Pertaining to Professional Team Tryouts.** The committee discussed student-athlete participation in professional team tryouts, as follows:

a. **Timing of Tryouts with Professional Teams.** The committee discussed the permissible timing of a professional team tryout. Currently, in Division II, such tryouts may only take place outside of the student-athlete’s season. Division I is less restrictive and permits professional team tryouts to occur at any time, as long as the student-athlete does not miss class. The committee agreed to recommend a similar legislative change, noting the additional flexibility may help provide exposure to Division II student-athletes who wish to play professionally. [See Legislative Action Item No. 1-a]

b. **Scout Days.** The committee discussed a possible legislative change to permit a student-athlete to participate in professional scout days during the playing season that are organized by a member institution or conference and include current student-athletes from multiple institutions. The committee directed staff to seek feedback from the Division II Conference Commissioners Association to inform its discussion at a future meeting.
6. **Review of Official Visit Requirements for Prospective Student-Athletes Who Have Received a Final Academic Certification.** The committee reviewed the official visit requirements and agreed to recommend a noncontroversial legislative change for prospective student-athletes who have already received a final academic certification from the Eligibility Center, noting that a similar exception is included to the requirement to provide a transcript prior to National Letter of Intent or written offer of athletically related financial aid legislation. [See Legislative Action Item No. 1-h]

7. **Discussion Regarding Permissible Expense Providers for Participation in Noncompetitive Events.** The committee reviewed the legislation pertaining to participation in noncompetitive events. Currently, only an institution, conference or the NCAA may provide actual and necessary expenses to a student-athlete to represent the institution in noncompetitive events. The committee agreed that the host entity should also be permitted to provide such expenses and recommended a noncontroversial legislative change. [See Legislative Action Item No. 1-k]

8. **Review of Complimentary Ticket Limitations.** The committee discussed the current limitation of four complimentary admissions for student-athletes and agreed that no change was necessary. However, the committee issued the following official interpretation to permit complimentary admissions to be shared amongst team members:

**Use of Complimentary Admissions by Another Student-Athlete (II)**

The Division II Legislation Committee determined that a student-athlete’s unused complimentary admissions may be used by guests of another student-athlete on the team, provided the institution’s team does not exceed the total limitation of four complimentary admissions (or, for NCAA championships and bowl games, six complimentary admissions) per student-athlete on the team (e.g., for a team with 10 student-athletes, 40 total complimentary admissions).

[References: Division II Bylaws 16.2.1.1 (institutional contests in the student-athlete’s sport); 16.2.1.2 (exception – NCAA championships and bowl games); and 16.2.1.2 (general regulations)]

9. **Discussion Regarding Student-Athlete Participation in Prospective Student-Athlete Tryouts.** The committee reviewed a request from the National Association of Basketball Coaches to limit the period outside the men’s basketball playing season between the end of the 14 consecutive calendar-day period following an institution’s final contest in the championship segment and one week prior to the beginning of an institution’s final examination to six hours per week. As part of the six-hour period, the NABC proposed that a maximum of two hours per week may be spent on skill instruction and not more than two hours per week may be spent participating in prospective student-athlete and/or
enrolled student tryouts. The committee was not supportive of such a change and confirmed that student-athlete participation in tryouts must be counted toward the two permissible hours of team activities and/or skill instruction outside of the playing season. The committee agreed to add a review of the out-of-season legislation in all sports to the March 2017 agenda.

10. **Review of Legislation Pertaining to Conference Restrictions on Recruiting Materials.** At the request of a Division II conference, the committee reviewed the current restrictions on conferences providing recruiting materials to prospective student-athletes (or parents, legal guardians or coaches). The committee agreed that the current restrictions are unnecessary and limit the conference office’s ability to promote Division II. [See Legislative Action Item No. 1-g]

11. **Discussion Regarding the Football Recruiting Calendar.** The committee reviewed a membership-sponsored proposal submitted for the 2017 NCAA Convention to modify the football recruiting calendar. The committee agreed to recommend noncontroversial legislation, noting the support of the Division II Championships Committee for such a change. [See Legislative Action Item No. 1-i]

12. **Discussion Regarding Participation of Ineligible Student-Athletes in Alumni Contests, Fundraising Activities and Celebrity Sports Activities.** The committee discussed whether ineligible student-athletes should be permitted to participate in exempt contests such as alumni contests, fundraising activities and celebrity sports activities and agreed that participation in these events should be limited to eligible student-athletes only and agreed to issue the following official interpretation. The committee also agreed that ineligible student-athletes should be permitted to participate in events such as Midnight Madness scrimmages only when teams from the institution are involved.

**Ineligible Student-Athlete Participation in Exempt Contests (II)**

The Division II Legislation Committee confirmed that an ineligible student-athlete may not participate in an exempt contest (e.g., alumni contest, fundraising activity, celebrity sports activity) inasmuch as the contest involves an outside team and triggers the definition of intercollegiate competition.

[References: NCAA Division II Bylaws 17.02.8 (intercollegiate competition); 17.02.10 (outside competition); 17.2.7.3 (annual exemptions); 17.3.6 (annual exemptions); 17.4.7.3 (annual exemptions); 17.5.5.3 (annual exemptions); 17.6.7.3 (annual exemptions); 17.7.5.3 (annual exemptions); 17.8.5.3 (annual exemptions); 17.9.7.3 (annual exemptions); 17.10.7.3 (annual exemptions); 17.11.7.3 (annual exemptions); 17.12.5.3 (annual exemptions); 17.13.5.3 (annual exemptions – men’s ice hockey); 17.13.5.4 (annual exemptions – women’s ice hockey); 17.14.7.3 (annual exemptions);]
13. **Issuance of Official Interpretation.** The committee reviewed a recently issued Division I staff interpretation regarding social media use by departments other than athletics and agreed to issue the interpretation in Division II, as follows:

**Electronic Correspondence and Social Media -- Department Other Than Athletics (II)**

The Division II Legislation Committee determined that an institutional department other than athletics (e.g., admissions, alumni office, business school) may send electronic correspondence that is not private (e.g., post, tweet, repost, like/favorite) at any time, provided the institution’s athletics department is not involved in any way, the correspondence is not created for an athletics recruiting purpose and the department outside athletics is operating in a manner consistent with established policies and procedures regarding social media interaction with all prospective students.

[References: NCAA Division II Bylaws 13.1.2.2 (general exceptions); 13.4.1 (printed recruiting materials); 13.4.5 (electronic transmissions); 13.10.2 (comments prior to signing); and 13.10.7 (media release regarding signing)]

14. **Review of Awards Legislation.** The committee referred the review of the awards legislation in Bylaw 16 to the Legislative Review Subcommittee to discuss whether any legislative changes are necessary.

15. **Referral from the Presidents Council and Management Council Regarding a Legislative Recommendation for Permission to Contact and Consent to Use the One-Time Transfer Exception from National Association of Intercollegiate Athletics (NAIA) Institutions.** The committee received an update on conversations between the chair of the committee, NCAA staff and the NAIA leadership. The NAIA leadership indicated that its membership would be supportive of a change to the Division II permission to contact legislation, but was still engaging its membership regarding the one-time transfer exception. The NAIA formed a subcommittee of directors of athletics to further discuss the issue. The committee agreed to continue to monitor the progress of NAIA discussions on the one-time transfer exception but agreed to move forward with a legislative recommendation regarding permission to contact. [See Legislative Action Item No. 1-c]
16. **Referral from the Presidents Council Regarding Removal of the Window of Reconsideration.** At the request of the Presidents Council, the committee engaged in a conversation about potential modifications to the window of reconsideration at the conclusion of the Division II business session during the NCAA Convention. The committee noted the importance of having a period of time to reflect on voting outcomes before requesting reconsideration as well as the need for voting delegates to remain until the conclusion of the business session. The committee discussed a possible modification to the process to specify that a motion to reconsider a membership-sponsored proposal may only be made by a delegate representing an institution or conference that was not a sponsor of a proposal. The committee was also advised that the commissioners have been asked to solicit feedback from their membership in advance of the committee’s March 2017 meeting.

17. **Discussion on the Strength and Conditioning Coach Certification Legislation.** At the request of a member institution, the committee reviewed the language of the strength and conditioning certification legislation in Bylaws 11.1.7 (strength and conditioning coach certification) and 17.02.13.1 (strength and conditioning coach certification), and noted that “personnel” and “coach” are used in the legislation. The committee requested staff consult with the Sports Science Institute and the office of legal affairs regarding possible editorial changes to the wording of the legislation for consistency.

18. **Update on the Referral to the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS) Regarding the Soccer Preseason Start Date.** The committee received an update on the Management Council’s referral to CSMAS, which was requested by the committee at the March 2016 meeting. CSMAS noted that the preliminary report of the soccer summit indicated that a working group had been established to review and make recommendations for preseason acclimatization. Until the working group has completed its review, CSMAS did not feel it was in a position to make a recommendation regarding the proposal. The committee will continue to be updated on this issue.

19. **Discussion Regarding the NCAA and National Association of Athletics Compliance (NAAC) Outreach Program.** The committee received an update from staff regarding ongoing partnership initiatives with NAAC.

20. **Discussion of "Foundation for the Future" Initiative.** The committee was provided an update on the Foundation for the Future requests submitted by various Division II committees. Two of its requests were approved. The third proposal submitted by the committee, an enhancement to the educational budget, was operationalized in the Division II budget rather than approved through the Foundation for the Future initiative. The committee will continue to be involved in the development of the online coaches’ education program.
21. **Discussion Regarding Speaking Privileges of Affiliate Members at NCAA Convention.** The committee reviewed the legislation pertaining to speaking privileges of affiliate members (e.g., coaches associations) during a business session at an NCAA Convention and determined that no change is currently necessary.

22. **Discussion Regarding the January e-Pub Manual.** The committee was provided with an update regarding the number of downloads of the January 2016 e-Pub manual. Based on this information, the committee noted that the January e-Pub should continue to be published.

23. **Update on Regional Compliance Seminars.** The committee was provided with a recap of the 2015-16 education cycle, which included three Regional Compliance Seminars and two Regional Rules Seminars. The 2016-17 education cycle will include six Regional Compliance Seminars and two Regional Rules Seminars, which will cover all eight Division II championship regions. The committee, as well as the Division II Membership Committee, will continue to review the Regional Compliance Seminar model for potential modifications, including whether using the championships regions is the most effective manner to deliver rules education.

24. **Subcommittee Appointment.** The committee appointed Keith Vitense, faculty athletics representative at Cameron University, to the Legislative Review Subcommittee effective September 1, 2016.

25. **Approval of the March 2016 Legislation Committee Meeting Report.** The committee reviewed and approved the March 2016 in-person meeting report.

26. **Review of June 2016 Legislative Review Subcommittee Teleconference Report.** The committee reviewed and approved the Legislative Review Subcommittee teleconference report from June 1. The committee agreed to support the subcommittee's recommendation for sponsorship of one 2017 NCAA Convention proposal [see Legislative Action Item No. 1-d], three noncontroversial proposals [see Legislative Action Item Nos. 1-f, 1-l and 1-m] and one incorporation of interpretation [see Legislative Action Item No. 1-n].


28. **Future Meeting Dates.**
   
a. September 2016 teleconference, to be determined;
b. November 7-8, 2016 (Indianapolis, Indiana); and

c. March 6-7, 2017 (Indianapolis, Indiana).

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

**Staff Liaison(s):**
- Karen Wolf, Academic and Membership Affairs
- Amanda Conklin, Academic and Membership Affairs
- Stephanie Quigg Smith, Academic and Membership Affairs
- Angela Tressel, Academic and Membership Affairs
### Attendees:
- Molly Belden, Northeast-10 Conference.
- Peggy Davis, Virginia State University, Central Intercollegiate Athletic Association.
- Marty Gilbert, Mars Hill University, South Atlantic Conference.
- Chris Gregor, St. Martin's University, Great Northwest Athletic Conference.
- Jacob Long, Regis University, Rocky Mountain Athletic Conference.
- Barbara Hannum, Hawaii Pacific University, Pacific West Conference.
- Kelly McLaughlin, Regis University, Rocky Mountain Athletic Conference.
- Jacqie McWilliams, Central Intercollegiate Athletic Association.
- Natasha Oakes, Missouri Western State University, Mid-America Intercollegiate Athletics Association.
- Pennie Parker, Rollins College, Sunshine State Conference.
- Kimberly Pate, University of Illinois at Springfield, Great Lakes Valley Conference.
- Linda Van Drie-Andrzewski, Wilmington University (Delaware), Central Atlantic Collegiate Conference.
- Cherrie Wilmoth, Southeastern Oklahoma State University, Great American Conference.

### Absentees:
None.

### Guests in Attendance:
None.

### NCAA Staff Liaisons in Attendance:
- Amanda Conklin, Stephanie Quigg Smith, Angela Tressel and Karen Wolf.

### Other NCAA Staff Members in Attendance:
- Chris Brown, Jada Buckner, Chelsea Crawford, Mike DeCesare, Maritza Jones, Ryan Jones, Faith Morrison, Terri Steeb Gronau, Kelley Sullivan, Christopher Termini, Ashley Thornburg, and Jill Waddell.