AGENDA

National Collegiate Athletic Association
Division II Legislation Committee

NCAA National Office
Indianapolis, Indiana

March 7-8, 2016

1. Welcome and announcements. (Natasha Oakes)

2. Approve the November 2015 and February 2016 NCAA Division II Legislation Committee reports. [Supplement Nos. 1-a and 1-b] (Oakes)

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

4. Review of NCAA Interpretations Subcommittee of the Division II Legislation Committee teleconference reports. (Kimberly Pate)
   a. November 16, 2015, teleconference; [Supplement No. 3-a]
   b. November 30, 2015, teleconference; and [Supplement No. 3-b]
   c. January 11, 2016, electronic communication. [Supplement No. 3-c]

5. Review and approve the 2016-17 NCAA Division II Coaches Certification Test. [Supplement No. 4-a; Supplement Nos. 4-b and 4-c to be distributed at meeting.] (Angela Tressel)

   a. NCAA Proposal No. 2016-3 and use of credit hours earned in a voluntary or optional minor during the summer. [Supplement No. 5-a] (Amanda Conklin)
   b. Proposal No. 2016-5 and clarification of legislation regarding comingling of groups in skill instruction. [Supplement No. 5-b] (Tressel)
   c. Proposal No. 2016-5 and 14-day legislated break following the conclusion of the playing season. [Refer to Supplement No. 5-b] (Tressel)
   d. Proposal No. 2016-6 and requirements associated with conference office involvement in conference challenge events. [Supplement No. 5-c] (Conklin)
e. Discussion regarding motions to reconsider. [Supplement No. 5-d] (Stephanie Quigg Smith)

7. Discussion regarding earmarking of donations from institutional fundraisers. [Supplement No. 6] (Conklin)

8. Issues related to organized-competition legislation.
   a. Review of conditions related to organized-competition legislation. [Supplement Nos. 7-a, 7-b, 7-c and 7-d] (Wolf)
   b. International competition exception to organized-competition legislation and participation in junior national events. [Supplement No. 7-e] (Chelsea Crawford)

9. Continuation of financial aid review.
   a. Review of survey feedback from 2016 Convention. [Supplement No. 8-a to be distributed at meeting.] (Wolf)
   b. Discussion regarding legislative recommendations for 2017 Convention. [Supplement No. 8-b] (Wolf)

10. Review of GOALS survey results. [Supplement No. 9] (Gregg Summers)

11. Continuation of nonchampionship segment review. [Supplement Nos. 10-a and 10-b] (Conklin)

12. Review of legislation regarding post-enrollment receipt of prize money in tennis. [Supplement No. 11] (Tressel)

13. Discussion regarding payment of fees related to I-20 forms for international student-athletes. [Supplement No. 12] (Wolf)

   • Discussion regarding 2-4-4 transfers who attend a four-year institution for less than one academic year. [Supplement No. 13-b] (Wolf)

15. Clarification regarding disciplinary suspension legislation and graduate transfers. [Supplement No. 14] (Crawford)

16. Update regarding Foundation for the Future requests. (Conklin)

18. Update regarding referral of issue regarding two-year college transfer requirements to the NCAA Division II Academic Requirements Committee. (Conklin)

19. Update regarding discussions with the National Association of Intercollegiate Athletics. (Oakes)

20. Update on the NCAA/National Association for Athletics Compliance outreach program.

21. Future meeting dates.
   b. November 7-8, 2016; (Indianapolis, Indiana).
   c. March 2017 date to be determined; (Indianapolis, Indiana).

22. Other business.

23. Adjournment.
ACTION ITEMS.

1. Legislative items.


   (1) **Recommendation.** Sponsor legislation for the 2017 NCAA Convention to amend NCAA Bylaws 12.1.3-(b)-(1) (donations to outside team or organization) and 12.1.4-(m) (expenses from nonpermissible entities) to permit an individual to receive actual and necessary expenses from an outside sponsor other than from an agent, a representative of an institution's athletics interests or a professional sports organization, as specified.

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

   (3) **Rationale.** Current legislation permits student-athletes to receive actual and necessary expenses from an outside amateur sports team or organization for competition and practice held in preparation for such competition. The outside team or organization may include funds donated to the general fund by a sponsor (e.g., neighbor, business), provided the donations are not earmarked for a particular student-athlete(s). The current legislation is overly complicated and bureaucratic. This proposal provides the opportunity for enrolled student-athletes to seek out additional permissible financial resources to support their athletics aspirations without compromising the fundamental purpose of the collegiate model. The immediate effective date will allow student-athletes to receive actual and necessary expenses from a permissible sponsor to participate in events during summer 2017.

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

   (5) **Student-athlete impact.** Student-athletes would be permitted to receive expenses for outside competition from additional sponsors, as specified.

(1) **Recommendation.** Sponsor legislation for the 2017 Convention to amend Bylaw 17.1.6.6.2 (no class time missed for competition in nonchampionship segment – team sports) to permit student-athletes in team sports to miss class during the nonchampionship segment for competition against active member institutions in Alaska, Hawaii, Canada or Puerto Rico once every four years; further, to permit student-athletes from institutions located in Alaska, Hawaii, Canada or Puerto Rico to miss class for competition during the nonchampionship segment once every four years.

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

(3) **Rationale.** Current legislation does not permit student-athletes in team sports to miss class for nonchampionship segment competition, including activities associated with competition such as travel and other pregame or postgame activities. There are limited opportunities for institutions in Alaska, Hawaii, Canada and Puerto Rico to engage in nonchampionship segment competition in team sports due to their geographic location and the length of travel to opponents. This change would provide Division II institutions with flexibility to pursue competitive opportunities in Alaska, Hawaii, Canada and Puerto Rico during the nonchampionship segment. In addition, it will provide institutions located in those states, country and territory with the flexibility to travel to the mainland United States for competition during the nonchampionship segment. The proposal will also provide flexibility for scheduling valuable cultural and educational opportunities for student-athletes while institutional budgets will limit abuse.

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

(5) **Student-athlete impact.** Student-athletes may miss class(es) once every four years for competition occurring in Alaska, Hawaii, Puerto Rico or Canada during the nonchampionship segment.

c. **Noncontroversial Legislation – Bylaw 13.2 – Recruiting – Offers and Inducements – Complimentary Admissions to Institutional Contests – Prospect-Aged Children of Military Families.**

(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 13.2 (offers and inducements) to specify that an institution, conference or the NCAA may provide complimentary admissions to prospect-aged children accompanying a military family for regular-season contests,
conference tournaments, NCAA championships and other postseason contests.

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

(3) **Rationale.** In fall 2014, Division II launched its Military Pilot Program. The broad-based goal of the pilot program is to engage Division II athletics departments and institutions with the United States military to create a positive environment and build connections between these communities. During the February 2015 NCAA Division II Championships Committee meeting, the committee approved a policy change to allow military families to attend any NCAA Division II championship at no cost. However, current legislation does not permit an institution or conference to provide complimentary or reduced-cost admissions to prospective student-athletes for conference tournaments or other postseason events. This change will permit institutions and conferences to provide complimentary admission to prospect-aged children accompanying a military family for any contest. There is no substantial recruiting advantage gained by making this change and it will enable Division II institutions to more easily engage with the military partnership pilot program.

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

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

d. **Noncontroversial Legislation – Bylaw 15.3 – Financial Aid – Maximum Institutional Aid to Individual – Pell Grant and Cost of Attendance.**

(1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 15.3 (maximum limit on financial aid – individual) to specify that a student-athlete may receive institutional financial aid based on athletics ability up to the value of a full grant-in-aid, plus any other financial aid unrelated to athletics ability up to the cost of attendance, or the value of a full athletics grant-in-aid plus a federal Pell Grant, whichever is greater.

(2) **Effective date.** August 1, 2016, for any financial aid award issued for the 2016-17 academic year and thereafter.

(3) **Rationale.** A student-athlete should have the opportunity to receive financial aid to cover his or her cost of attendance through a combination of permissible sources of financial aid, similar to the financial aid limit opportunity available for students generally. This proposal will not impact
athletics budgets because a student-athlete may not receive athletically related financial aid in excess of a full grant-in-aid.

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

(5) **Student-athlete impact.** Qualified student-athletes would be permitted to receive the full value of a federal Pell Grant.

e. **Noncontroversial Legislation – Bylaw 16.9 – Awards and Benefits – Permissible Travel Expenses – Transportation from Bus or Train Station or Airport.**

   (1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 16.9 (permissible travel expenses) to specify that an institution may provide a student-athlete with transportation between the campus and any bus station, train station or airport at any time.

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

   (3) **Rationale.** Current legislation only permits an institution to provide a student-athlete with transportation between campus and a bus or train station or airport if the transportation is considered local. In many cases, the nearest bus or train station or airport is not within the locale of the institution. In those instances, the institution may only provide transportation to and from campus if such transportation is available to all students. This change would permit institutions to transport student-athletes to and from campus at their discretion, which supports student-athlete well-being and provides flexibility for institutions in more isolated locations.

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

   (5) **Student-athlete impact.** Student-athletes will be permitted to receive transportation between campus and any bus or train station or airport at any time.

f. **Noncontroversial Legislation – Bylaw 17.10.7.3 – Playing and Practice Seasons – General Playing-Season Regulations – Annual Exemptions – Postseason Bowl Game – Football – Between a Representative of a Division II Conference (or Independent Institution) and a Canadian Institution.**

   (1) **Recommendation.** Adopt noncontroversial legislation to amend Bylaw 17.10.7.3 (annual exemptions) to exempt from an institution's maximum
number of contests in football each year one postseason bowl game between a representative of a Division II conference (or independent institution) and a Canadian institution that is not a member of the NCAA.

(2) Effective date. Immediate.

(3) Rationale. This proposal will permit all Division II football-playing institutions to participate in a postseason bowl game against a Canadian member that is not currently a member of the NCAA. The legislative change will not provide a competitive advantage and will provide football student-athletes with an additional opportunity for a meaningful postseason experience.

(4) Estimated budget impact. None.

(5) Student-athlete impact. Will provide an additional postseason competition opportunity for football student-athletes.

2. Nonlegislative items.

- Use of Credits Earned at a Previous Two-Year College Credits to Satisfy Two-Year College Transfer Requirements for English, Math and Science.

(1) Recommendation. That the NCAA Division II Management Council refer the following issue to the NCAA Division II Academic Requirements Committee for consideration of potential legislative change:

Whether credit hours earned at a previous two-year institution (prior to the student-athlete's most recent attendance at a four-year institution) may be used to satisfy the two-year college transfer requirements for English, math and science.

(2) Effective date. Immediate.

(3) Rationale. The Legislation Committee reviewed an institution's appeal of a staff interpretation indicating that credit hours earned at a student-athlete's previous two-year institution (prior to the student-athlete's most recent attendance at a four-year institution) could not be used to satisfy the core English and math requirements currently applicable to partial and nonqualifiers transferring from a two-year institution. The committee upheld the staff's interpretation, but requested that the issue be referred to the Academic Requirements Committee for further review and discussion. The committee noted that the new Path to Graduation requirements will
expand the scope of the core credit-hour requirements. In addition, the committee expressed concern that student-athletes may repeat unnecessary courses simply to satisfy the transfer requirements.

(4) Estimated budget impact. None.

(5) Student-athlete impact. Student-athletes would have additional flexibility in satisfying the core English, math and science requirements applicable to two-year college transfers who attend the two-year college for more than one term and do not graduate.

INFORMATIONAL ITEMS.

1. **Review of 2016 Convention Division II Legislation and the Legislative Proposal Question and Answer Guide.** The committee reviewed the 2016 Convention proposals and the Legislative Proposal Question and Answer Guide in an attempt to resolve all possible questions and procedural issues prior to the 2016 Convention Division II business session January 16, 2016. Staff provided the committee with an update on the release of the Question and Answer Guide. The final version of the guide for the 2016 Convention will be available not later than December 7, 2015, and will only be produced electronically.

2. **Review of 2016 Convention Membership-Sponsored Proposals Not Properly Co-Sponsored.** The committee reviewed a membership-sponsored proposal that did not receive proper co-sponsorship for the 2016 Convention. The proposal would have eliminated the limit on total financial aid awards in men's sports. The committee noted that the concept will receive ongoing consideration as a part of the overall financial aid review.

3. **Issuance of Official Interpretation.** The committee issued the following official interpretation regarding NCAA Proposal No. 2016-6 (playing and practice seasons – baseball, softball and women's volleyball – number of contests – conference challenge event):

   **Restrictions Regarding Exemption of Contests under Conference Challenge Event Legislation (II)**

   The Division II Legislation Committee determined that it is not permissible to exempt a contest between teams from the same conference as a part of a conference challenge event. In addition, the committee determined that if an out-of-region institution participates in an event, the event is no longer a conference challenge event. An institution may not exempt any contests played as a part of that event under the conference challenge exemption.
[References: Bylaw 17.3.6.3 (annual exemptions); and Proposal No. 2016-6]

Note: This interpretation will remain applicable to conference challenge events in basketball if Proposal No. 2016-6 is defeated.

4. Financial Aid Review. The committee continued its review of the current financial aid legislation, including:

a. Update Regarding 2016 Convention Educational Session. The committee reviewed drafts of the PowerPoint presentation and handouts for the 2016 Convention educational session regarding the financial aid review. The committee directed staff to develop a hard-copy feedback form to be completed by attendees at the Convention session. In addition, the committee requested that staff conduct a post-Convention survey seeking membership feedback prior to the March 2016 in-person committee meeting.

b. Discussion Regarding Pell Grant and Cost of Attendance. The committee recommended the adoption of a noncontroversial proposal to specify that a student-athlete may receive institutional financial aid based on athletics ability up to the value of a full grant-in-aid, plus any other financial aid unrelated to athletics ability up to the cost of attendance, or the value of a full grant-in-aid plus a federal Pell Grant, whichever is greater. [See Legislative Action Item No. 1-d.]

c. Update on International Student-Athletes and Foreign Alien Tax Requirement. The committee received an update on the Division I approach to addressing the foreign alien tax requirement for international student-athletes and took no further action.

d. Review of Legislation Regarding Financial Aid from an Established and Continuing Program. The committee issued the following official interpretation regarding the receipt of outside aid from an established and continuing program:

Receipt of Outside Aid from an Established and Continuing Program that Does Not Satisfy the Legislated Criteria (II)

The Division II Legislation Committee determined it is not permissible for a student-athlete to receive an outside financial aid award that considered athletics participation if the recipient's choice of institution is restricted by the donor of the aid or if there is a direct connection between the donor of the aid and the recipient's institution.

[References: Bylaws 15.2 (permissible sources of financial aid) and 15.2.2.3 (financial aid from an established and continuing program)]
The committee directed staff to add further discussion regarding the criteria for outside awards to the agenda for its March 2016 in-person meeting.

e. **Review of Updated Timeline and Discussion of Next Steps.** The committee received an update on the timeline for the financial aid review leading up to the 2017 Convention.

f. **Review of a Division I Proposal Regarding Calculation of Equivalencies.** The committee reviewed a Division I proposal that would require only athletics aid to count towards individual and team financial aid limits and noted its similarity to one of the concepts being considered in the Division II financial aid review.

g. **Update on the Southern New Hampshire University Nontraditional Academic Calendar.** The committee reviewed future academic calendars for Southern New Hampshire's nontraditional graduate program and took no further action.

5. **Referral from the NCAA Division II 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 Institutions.** Following receipt of correspondence from the NAIA, the Presidents Council and Management Council withdrew a previously sponsored 2016 Convention proposal that would have eliminated the requirement that Division II institutions seek permission to contact or permission to use the one-time transfer exception from NAIA institutions. The Councils referred the issue back to the Legislation Committee for further consideration. The committee received an update on conversations between the Legislation Committee chair, NCAA staff and the NAIA leadership. The NAIA leadership indicated that it would engage its membership in a discussion about potential changes to NAIA policies and legislation. The Legislation Committee will continue to monitor the progress of NAIA discussions.

6. **Simplification of the Nonchampionship Segment Legislation.** The committee engaged in a discussion about the complexities of the current nonchampionship segment legislation, and agreed to develop legislative concepts designed to simplify the application of the legislation. The committee directed staff to seek feedback from the membership regarding two preliminary legislative concepts and to gather suggestions for additional concepts. The two preliminary concepts developed by the committee include the following:

a. **Permit 24 Days of Countable Athletically Related Activity During a 45-Day Window and Require Two Days Off Per Week.** The current legislation requires institutions to toggle between in-season and out-of-season countable athletically related activity limitations, which causes considerable confusion.
This concept would only permit countable athletically related activities to occur on 24 days within the 45-day window and would no longer permit conditioning activities or skill instruction to occur on days that do not count towards the limit of 24. In addition, the concept would require institutions to provide student-athletes two days off each week, instead of the one day off currently required.

b. **Permit Countable Athletically Related Activity to Occur for a Period of Six Weeks and Require Two Days Off Per Week.** This concept would permit institutions to declare a six-week nonchampionship segment during which countable athletically related activities may occur. The concept would require institutions to provide student-athletes with two days off per week, but would permit countable athletically related activities to occur on all other days during the six-week period.

7. **Review of Awards Legislation.** The committee engaged in preliminary discussions about amending the awards legislation in Bylaw 16. The committee articulated a desire to consider a legislative framework similar to the framework recently adopted in Division III (Division III Proposal No. NC-2015-18). The proposal adopted in Division III distinguishes between awards received by the student-athlete while representing the institution in competition and awards received while participating in outside competition. The committee directed staff to add a continued review of the awards legislation to its March in-person meeting agenda. Specifically, the committee will engage in a discussion about whether current awards limits remain appropriate or should be modified.

8. **Update Regarding Donations From Outside Sponsors.** The committee continued its discussion regarding a legislative recommendation permitting donations from outside sponsors. The committee recommended sponsorship of a legislative recommendation to permit an individual to receive actual and necessary expenses from an outside sponsor other than from an agent, a representative of an institution's athletics interests or a professional sports organization [see Legislative Action Item No. 1-a]. The committee requested that its March in-person agenda include a discussion about legislation regarding earmarking of institutional donations.

9. **Issuance of Official Interpretation.** The committee reviewed a December 18, 2009, staff interpretation regarding a coaching staff member's involvement with a local sports club. The committee issued the following interpretation regarding the application of the local sports club legislation to an institution's strength and conditioning coach:

**Institutional Strength and Conditioning Coaches' Involvement with Local Sports Club (II)**

The Division II Legislation Committee determined that an institution's strength and conditioning coach who owns or is employed by a local sports club that focuses on strength and conditioning and/or sports performance may provide individual instruction
to prospective student-athletes or serve as a coach for the club's sports performance team that involves prospective student-athletes, provided the club is an established, ongoing club and all prospective student-athletes participating in said activities are legal residents of the area (within a 100-mile radius of the institution).

[References: Bylaws 13.11 (tryouts), 13.11.1 (prohibited activities), 13.11.2.4 (local sports club), 17.02.13 (strength and conditioning personnel); and a staff interpretation (12/18/2009, Item No. e)]

10. **Issuance of Official Interpretation.** The committee reviewed an August 31, 1988, archived interpretation regarding coaches employed through contracts for a period of less than a full year and agreed to issue the following official interpretation:

   **Coaches Employed Through Contracts for a Period Less Than a Full Year (II)**

   The Division II Legislation Committee confirmed that all NCAA legislation applies to a coach who is employed by a member institution on a regular and continuing basis, even if the individual's contract is for a period of less than a full year or the individual is absent from the institution for a temporary period.

   [Reference: Bylaw 11.1 (conduct of athletics personnel)]

11. **Shared Responsibility.** The committee reviewed a September 17, 2015, memorandum sent to the Division II membership by the NCAA staff about sharing information regarding the eligibility of student-athletes. The committee affirmed that the memorandum accurately reflects the intent of the legislation and recommended no changes to future iterations of the document.

12. **Updated Educational Column.** The committee directed staff to update a January 15, 2014, educational column regarding the penalty for a failed drug test administered by the NCAA. The staff discovered an inadvertent error in the educational column that indicated that a student-athlete who transferred prior to serving the 50-percent withholding penalty for a failed street drug test must serve a year in residence upon transfer to the new institution. The committee determined that a student-athlete who transfers prior to serving the withholding penalty would have access to a transfer exception if the individual is not disciplinarily suspended from the previous institution and satisfies all the requirements of a particular exception. An individual who qualifies for a transfer exception would be required to serve the withholding penalty prior to competing for his or her new institution.

13. **Interpretation Appeal.** The committee considered an appeal of an interpretation related to the core requirements for a two-year college transfer. The committee upheld the staff’s
interpretation, but referred the issue to the Academic Requirements Committee for further review [see Nonlegislative Action Item].

14. **Update Regarding the 2015-16 Division II Priorities.** The committee received an overview of the 2015-16 Division II Priorities as approved by the Presidents Council in August 2015.

15. **Discussion of "Foundation for the Future" Initiative.** The committee discussed an allocation of funds that have been made available to the membership to help support initiatives that will successfully implement the vision articulated in the NCAA Division II Strategic Plan. The committee directed staff to engage in discussions with the NCAA Division II Membership Committee and the Sport Science Institute regarding a request for funding to support a comprehensive educational initiative for coaches. The educational initiative would potentially include information related to NCAA legislation and to health and safety related topics. Additional initiatives that the committee discussed included supplemental funding for Regional Compliance Seminars, enhancements to the Compliance Assistant database and funding to assist in securing certification of strength and conditioning coaches. The committee identified two members that would assist staff in developing the committee's final request prior to the March 1, 2016, deadline.

16. **Review of the Division II Strategic Plan.** The committee reviewed and discussed the continued implementation of the Strategic Plan for Division II and the role the committee will play in tracking the progress of initiatives. Staff noted the current plan will be in place until 2021, with a mid-period review in 2018.

17. **Review of Division II Online Education Resource Center.** Staff provided an update on the Division II Online Education Resource Center housed on NCAA.org. The resource center is devoted to providing educational resources and tools to the membership in all areas of compliance, academics and legislative oversight.

18. **Review of "Make It Yours" Activation Plan.** The committee reviewed the activation plan of the new branding materials for Division II. The staff noted the opportunity for each institution and conference to personalize the new moniker with their own logos and colors.

19. **Institutional Characteristics of NCAA Member Schools.** The committee reviewed a document outlining the current characteristics of NCAA member schools.

20. **Review of Interpretations Subcommittee Teleconference Reports.** The committee reviewed and approved the Interpretations Subcommittee teleconference reports from July 13, August 10, August 24, September 21 and October 5.
21. **Approval of the September 2015 Legislation Committee Teleconference Report.** The committee reviewed and approved the September 2015 teleconference report.

22. **Review of the July/August 2015 Presidents Council and Management Council Summary of Actions.** The committee received an update on the actions taken at the July/August 2015 Presidents Council and Management Council quarterly meetings.

23. **Subcommittee Appointments.** The committee appointed Peggy Davis, Virginia State University, to the Interpretations Subcommittee effective immediately.

24. **Future Meeting Dates.**
   a. March 7-8, 2016; (Indianapolis, Indiana).
   b. June 29-30, 2016; (Indianapolis, Indiana).
   c. November 2016 date to be determined; (Indianapolis, Indiana).

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

*Staff Liaison(s):* Karen Wolf, Academic and Membership Affairs
Amanda Conklin, Academic and Membership Affairs
Stephanie Quigg Smith, Academic and Membership Affairs
Angela Tressel, Academic and Membership Affairs
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<th>Attendees:</th>
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<tr>
<td>Molly Belden, Northeast-10 Conference.</td>
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<td>Curtis Campbell, Tuskegee University, Southern Intercollegiate Athletic Conference</td>
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<td>Marty Gilbert, Mars Hill University, South Atlantic Conference</td>
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<td>Chris Gregor, St. Martin's University, Great Northwest Athletic Conference.</td>
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<td>Timothy Ladd, Palm Beach Atlantic University.</td>
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<td>Jacob Long, Regis University, Rocky Mountain Athletic Conference.</td>
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<td>Barbara Hannum, Hawaii Pacific University, Pacific West Conference.</td>
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<td>Kelly McLaughlin, Regis University, Rocky Mountain Athletic Conference.</td>
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<td>Natasha Oakes, Missouri Western State University, Mid-America Intercolligiate Athletics Association.</td>
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<td>Pennie Parker, Rollins College, Sunshine State Conference.</td>
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<td>Kimberly Pate, University of Illinois at Springfield, Great Lakes Valley Conference.</td>
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<tr>
<td>Christopher Pike, Gannon University, Pennsylvania State Athletic Conference.</td>
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<td>Linda Van Dri-Andrzewski, Wilmington University (Delaware), Central Atlantic Collegiate Conference.</td>
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<th>Guests in Attendance:</th>
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<td>None.</td>
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<th>NCAA Staff Liaisons in Attendance:</th>
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<tr>
<td>Amanda Conklin, Stephanie Quigg Smith, Angela Tressel and Karen Wolf.</td>
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<th>Other NCAA Staff Members in Attendance:</th>
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<tr>
<td>Chris Brown, Gary Brown, Emily Capehart, Chelsea Crawford, Miranda Giddens, Maritza Jones,</td>
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<td>Josh Looney, Julie Rainey, Dave Schnase, Rachel Stark, Terri Steeb Gronau, Kelley Sullivan, Gregg</td>
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<td>Summers and Jill Waddell.</td>
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ACTION ITEMS.

1. Legislative Items.
   - None.

2. Nonlegislative Action Items.
   - None.

INFORMATIONAL ITEMS.

1. Discussion Regarding Foundation for the Future Proposals. The NCAA Division II Legislation Committee reviewed and expressed support for three Foundation for the Future proposals. The committee noted the following preference order should the Foundation for the Future Task Force not be able to fund all three proposals:

   a. **Coaches education program.** The committee noted its strong support for this proposal, which was a concept originally generated at the committee's November 2015 meeting. The committee agreed with the comprehensive educational approach to reach Division II coaches, a group with a self-reported lack of awareness of the Division II governance structure and available Division II resources.

   b. **General education budget for Academic and Membership Affairs.** The committee expressed its support for this proposal, noting the current initiatives (e.g., Path to Graduation toolkit and the Institutional Performance Program online database) that have been created with funds from a similar previous one-time budget distribution.

   c. **National Association for Athletics Compliance (NAAC) Division II education program.** The committee was supportive of this proposal, but expressed the following concerns: (1) the increase in amount requested from the original proposal of $50,000 in June 2014; (2) the program's focus on one-time education as opposed to continuing education; and (3) the uncertainty regarding the number of compliance administrators who will use the program.

2. **Subcommittee Appointment.** The committee appointed Cherrie Wilmoth, Southeastern Oklahoma State University, to the Interpretations Subcommittee of the Division II Legislation Committee effective immediately.
3. **Future Meetings Dates.**
   
   a. March 7-8, 2016, Indianapolis, Indiana;
   
   b. June 29-30, 2016, Indianapolis, Indiana; and
   
   c. November 7-8, 2016, Indianapolis, Indiana.

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

**Staff Liaisons:** Amanda Conklin, Academic and Membership Affairs  
Stephanie Smith, Academic and Membership Affairs  
Angela Tressel, Academic and Membership Affairs  
Karen Wolf, Academic and Membership Affairs

| NCAA Division II Legislation Committee  
| February 5, 2016, Teleconference |
| Attendees: |  
| Molly Belden, Northeast-10 Conference. |
| Peggy Davis, Virginia State University. |
| Marty Gilbert, Mars Hill University. |
| Chris Gregor, St. Martin's University. |
| Barb Hannum, Hawaii Pacific University. |
| Jacob Long, Regis University. |
| Kelly McLaughlin, Regis University. |
| Natasha Oakes, Missouri Western State University. |
| Pennie Parker, Rollins College. |
| Kim Pate, University of Illinois at Springfield. |
| Cherrie Wilmoth, Southeastern Oklahoma State University. |

| Absentees: |  
| Linda Van Drie-Andrzewski, Wilmington University (Delaware). |

| Guests in Attendance: |  
| None. |

| NCAA Staff Support in Attendance: |  
| Amanda Conklin. |
| Stephanie Smith. |
| Karen Wolf. |

| Other NCAA Staff Members in Attendance: |  
| None. |
SUMMARY OF WINTER QUARTERLY MEETINGS

The National Collegiate Athletic Association

January 13, 2016, and January 20, 2016, Division II Management Council and
January 14, 2016, Presidents Council Meetings

1. WELCOME AND ANNOUNCEMENTS.

Management Council. The January 13 meeting was called to order at 8:01 a.m. by the
outgoing chair, Tim Ladd. The chair noted that with the participation of Larry Marfise via
teleconference, the Council had 100 percent attendance at the meeting.

The chair recognized staff in attendance. In addition, the chair reviewed the
announcements for the meeting and provided an overview of the day’s schedule.

The January 20 teleconference was called to order at 3:02 p.m. by the incoming chair,
Jacquie McWilliams. Roll call was taken to determine members in attendance; staff
introduced themselves to those on the call.

Presidents Council. The meeting convened at 12:05 p.m. The outgoing chair, Judy Bense,
welcomed members in attendance, noting that she would have to depart the meeting at
approximately 12:45 p.m. to attend an Association-wide educational session. She further
noted that President Steve Scott would preside over the meeting in her absence.

It was also noted that Les Wong and Steven DiSalvo were absent from the meeting and that
Stacey Franklin Jones had resigned her position with Elizabeth City State University,
effective at the end of 2015.

2. REVIEW OF PREVIOUS MINUTES.

a. Management Council meeting October 19-20 and Presidents Council meeting
October 28-29.

Management Council. The Management Council approved the summary of actions
from its October 19-20, 2015, meeting.

Presidents Council. The Presidents Council approved the summary of actions from
its October 28-29, 2015, meeting.

b. Board of Governors meeting October 29.

Management Council. The Management Council reviewed the report from the Board
of Governors October 29 meeting. No action was necessary.

Presidents Council. The Presidents Council reviewed the Board of Governors report.
No action was necessary.
c. Administrative Committee—interim actions and December teleconference.

Management Council. The Management Council approved the minutes of the December 2015 teleconference, as well as interim actions taken via email.

Presidents Council. The Presidents Council approved the minutes of the December 2015 teleconference, as well as interim actions taken.

3. 2015-16 DIVISION II PRIORITIES.

Management Council. The Management Council was updated on the 2015-16 Division II priorities. No action was necessary.

Presidents Council. The Presidents Council was updated on the 2015-16 Division II priorities. No action was necessary.

4. 2015-21 STRATEGIC PLAN UPDATE.

Management Council. The Management Council received an update on the 2015-21 strategic plan, which included a report on all of the initiatives that relate to the six strategic positioning outcome areas. No action was necessary.

Presidents Council. The Presidents Council was updated on the 2015-21 strategic plan. No action was necessary.

5. NCAA CONVENTION AND LEGISLATION.


Management Council. The Management Council reviewed the Convention schedule for the next few days, highlighting those events most important to the Management Council and Division II. No action was necessary.

Presidents Council. The Presidents Council reviewed the upcoming schedule. No action was necessary.


Management Council. The Management Council was updated on the proposed legislation for the 2016 business session and the feedback on Convention proposals from the membership, committees and affiliated organizations. The Council received an additional document with talking points on Proposal No. 2016-1 (Athletics Personnel and Playing and Practice Seasons—Conduct of
Athletics Personnel—Strength and Conditioning Personnel—National Recognized Certification). No action was necessary.

**Presidents Council.** The Presidents Council discussed various proposals for the 2016 business session and received the additional document on Proposal No. 2016-1. No action was necessary.

c. **Council Assignments for Division II Legislative Proposals.**

**Management Council.** The Management Council reviewed its assignments relative to position papers and speaking roles during the 2016 Division II business session. No action was necessary.

**Presidents Council.** The Presidents Council reviewed its assignments for the business session. No action was necessary.

d. **Position Papers for 2016 Convention Proposals.**

**Management Council.** The Management Council reviewed the position papers for each of the eight pieces of legislation that would be voted on at the business session. Staff noted that individuals identified to speak on behalf of the Council had received the papers in advance. No action was necessary.

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

e. **Procedural Issues Document.**

**Management Council.** The Management Council reviewed and approved the procedural issues document as presented. It was noted by staff that this document will be provided to all delegates at the 2016 Division II Business Session.

**Presidents Council.** The Presidents Council approved the procedural issues document.

f. **Question and Answer Guide Related to 2016 Convention Proposals.**

**Management Council.** The Management Council reviewed the question and answer guide related to the 2016 Convention proposals, noting that it was a good reference when reviewing proposed legislation. No action was necessary.

**Presidents Council.** No action was necessary.
g. Noncontroversial Legislation.

Management Council. The Management Council approved the noncontroversial proposals (NC 2017-1 through NC 2017-3) in legislative form, as submitted.

Presidents Council. No action was necessary.

6. REVIEW OF COMMITTEE RECOMMENDATIONS AFFECTING DIVISION II.

a. Division II Committees and Task Forces.

(1) Championships Committee.

(a) October 15 Teleconference—Regional Advisory Committee (RAC) policies.

Management Council. The Management Council noted that the Championships Committee had agreed that RAC members should represent different institutions. The committee also agreed to allow an individual to serve on two different RACs, regardless of whether those sports are in the same season. The committee also agreed to approve a current situation in which a member of a national sport committee is serving as a non-voting member of that sport’s RAC. Given the number of nuances occurring in RAC selection, though, the Council noted that the committee had urged a broader discussion among conferences regarding conferences’ written policies about RAC selection and whether a best practices document should be developed. The committee also urged staff to expand the description of who is eligible to serve on a RAC in order to increase the pool of qualified members. No action was necessary.

Presidents Council. No action was necessary.

(b) November 5 Teleconference.


Management Council. The Management Council agreed to adopt noncontroversial legislation to amend NCAA Bylaw
21.4.5 (skiing committee, men’s and women’s) to specify that one member of the men's and women's skiing committee shall be selected from the Central skiing region and two members shall be selected at large, effective August 1, 2016. The current legislation requires representation only from the East and West regions, and any representative from the Central region is currently an at-large member.

[Note that this proposal does not increase the overall number of members on the committee. Also note that since it is an Association-wide committee, the proposal requires action from all three divisions.]

Presidents Council. No action was necessary.

(ii) Charter Flight Travel—Seat Cost Policy.

Management Council. The Management Council noted that the Administrative Committee had approved a change to the NCAA championships travel policy that would allow Division II institutions traveling to and from NCAA championships competition via charter flight to charge a flat fee ($350 each way per person) for anyone beyond the official traveling party, effective immediately.

Prior to approval by the Administrative Committee November 23, an institution that was traveling for NCAA championships competition via charter flight was able to arrange for individuals beyond the official travel party (e.g., other institutional personnel, relatives of participating student-athletes, fans) to fly in the charter plane if there were additional seats available. However, the fee for the additional seats could vary greatly, as it was calculated based on the total cost of the charter and the number of seats on the plane. This change allows for institutions to offer a consistent rate, regardless of the size of the aircraft, for any open seats beyond the official travel party. Additionally, Division I and Division III had previously adopted this policy for the cost of the additional seats on the charter flights, effective this year.

Presidents Council. No action was necessary.
(c) November 13 Electronic Communication.

Management Council. The November 13 report was informational in nature. No action was necessary.

Presidents Council. No action was necessary.

(2) Legislation Committee.

(a) NCAA Bylaw 12—Amateurism—Donations from Outside Sponsors.

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2017 NCAA Convention to amend NCAA Bylaws 12.1.3-(b)-(1) (donations to outside team or organization) and 12.1.4-(m) (expenses from nonpermissible entities) to permit an individual to receive actual and necessary expenses from an outside sponsor other than from an agent, a representative of an institution's athletics interests or a professional sports organization, as specified, effective immediately.

Current legislation permits student-athletes to receive actual and necessary expenses from an outside amateur sports team or organization for competition and practice held in preparation for such competition. The outside team or organization may include funds donated to the general fund by a sponsor (e.g., neighbor, business), provided the donations are not earmarked for a particular student-athlete(s). The current legislation is overly complicated and bureaucratic. This proposal provides the opportunity for enrolled student-athletes to seek out additional permissible financial resources to support their athletics aspirations without compromising the fundamental purpose of the collegiate model. The immediate effective date will allow student-athletes to receive actual and necessary expenses from a permissible sponsor to participate in events during summer 2017.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2017 Convention.

(b) Bylaw 17.1.6.6.2—Playing and Practice Seasons—General Playing-Season Regulations—Time Limits for Athletically Related Activities—Additional Restrictions—No Class Time
Missed for Competition in Nonchampionship Segment—Team Sports.

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2017 Convention to amend Bylaw 17.1.6.6.2 (no class time missed for competition in nonchampionship segment—team sports) to permit student-athletes in team sports to miss class during the nonchampionship segment for competition against active member institutions in Alaska, Hawaii, Canada or Puerto Rico once every four years; further, to permit student-athletes from institutions located in Alaska, Hawaii, Canada or Puerto Rico to miss class for competition during the nonchampionship segment once every four years, effective August 1, 2017.

Current legislation does not permit student-athletes in team sports to miss class for nonchampionship segment competition, including activities associated with competition, such as travel and other pregame or postgame activities. There are limited opportunities for institutions in Alaska, Hawaii, Canada and Puerto Rico to engage in nonchampionship segment competition in team sports, due to their geographic location and the length of travel to opponents. This change would provide Division II institutions with flexibility to pursue competitive opportunities in Alaska, Hawaii, Canada and Puerto Rico during the nonchampionship segment. In addition, it will provide institutions located in those states, country and territory with the flexibility to travel to the mainland United States for competition during the nonchampionship segment. The proposal will also provide flexibility for scheduling valuable cultural and educational opportunities for student-athletes, while institutional budgets will limit abuse.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2017 Convention.

(c) Bylaw 13.2—Recruiting—Offers and Inducement—Complimentary Admissions to Institutional Contests—Prospect-Aged Children of Military Families.

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 13.2 (offers and inducements) to specify that an institution, conference or the
NCAA may provide complimentary admissions to prospect-aged children accompanying a military family for regular-season contests, conference tournaments, NCAA championships and other postseason contests, effective immediately.

In fall 2014, Division II launched its Military Pilot Program. The broad-based goal of the pilot program is to engage Division II athletics departments and institutions with the United States military to create a positive environment and build connections between these communities. During the February 2015 Championships Committee meeting, the committee approved a policy change to allow military families to attend any NCAA Division II championship at no cost. However, current legislation does not permit an institution or conference to provide complimentary or reduced-cost admissions to prospective student-athletes for conference tournaments or other postseason events. This change will permit institutions and conferences to provide complimentary admission to prospect-aged children accompanying a military family for any contest. There is no substantial recruiting advantage gained by making this change, and it will enable Division II institutions to more easily engage with the military partnership pilot program.

Presidents Council. No action was necessary.

(d) **Bylaw 15.3—Financial Aid—Maximum Institutional Aid to Individual—Pell Grant and Cost of Attendance.**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 15.3 (maximum limit on financial aid—individual) to specify that a student-athlete may receive institutional financial aid based on athletics ability up to the value of a full grant-in-aid, plus any other financial aid unrelated to athletics ability up to the cost of attendance, or the value of a full athletics grant-in-aid plus a federal Pell Grant, whichever is greater, effective August 1, 2016, for any financial aid award issued for the 2016-17 academic year and thereafter.

This legislation will allow a student-athlete the opportunity to receive financial aid to cover his or her cost of attendance through a combination of permissible sources of financial aid, similar to the financial aid limit opportunity available for students generally. This proposal will not impact athletics budgets because a student-
athlete may not receive athletically related financial aid in excess of a full grant-in-aid.

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

**(e) Bylaw 16.9—Awards and Benefits—Permissible Travel Expenses—Transportation from Bus or Train Station or Airport.**

**Management Council.** The Management Council adopted noncontroversial legislation to amend Bylaw 16.9 (permissible travel expenses) to specify that an institution may provide a student-athlete with transportation between the campus and any bus station, train station or airport at any time, effective immediately.

Current legislation only permits an institution to provide a student-athlete with transportation between campus and a bus or train station or airport if the transportation is considered local. In many cases, the nearest bus or train station or airport is not within the locale of the institution. In those instances, the institution may only provide transportation to and from campus if such transportation is available to all students. This change would permit institutions to transport student-athletes to and from campus at their discretion, which supports student-athlete well-being and provides flexibility for institutions in more isolated locations.

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

**(f) Bylaw 17.10.7.3—Playing and Practice Seasons—General Playing-Season Regulations—Annual Exemptions—Postseason Bowl Game—Football—Between a Representative of a Division II Conference (or Independent Institution) and a Canadian Institution.**

**Management Council.** The Management Council adopted noncontroversial legislation to amend Bylaw 17.10.7.3 (annual exemptions) to exempt from an institution's maximum number of contests in football each year one postseason bowl game between a representative of a Division II conference (or independent institution) and a Canadian institution that is not a member of the NCAA, effective immediately.
This proposal will permit all Division II football-playing institutions to participate in a postseason bowl game against a Canadian member that is not currently a member of the NCAA. The legislative change will not provide a competitive advantage and will provide football student-athletes with an additional opportunity for a meaningful postseason experience.

Presidents Council. No action was necessary.

(g) Use of Credits Earned at a Previous Two-Year College to Satisfy Two-Year College Transfer Requirements for English, Math and Science.

Management Council. The Management Council referred the following issue to the NCAA Division II Academic Requirements Committee for consideration of potential legislative change:

Whether credit hours earned at a previous two-year institution (prior to the student-athlete's most recent attendance at a four-year institution) may be used to satisfy the two-year college transfer requirements for English, math and science.

The Legislation Committee reviewed an institution's appeal of a staff interpretation indicating that credit hours earned at a student-athlete's previous two-year institution (prior to the student-athlete's most recent attendance at a four-year institution) could not be used to satisfy the core English and math requirements currently applicable to partial and nonqualifiers transferring from a two-year institution. The committee upheld the staff's interpretation, but requested that the issue be referred to the Academic Requirements Committee for further review and discussion. The committee noted that the new Path to Graduation requirements will expand the scope of the core credit-hour requirements. In addition, the committee expressed concern that student-athletes may repeat unnecessary courses simply to satisfy the transfer requirements.

Presidents Council. No action was necessary.

(h) Issuance of Official Interpretation.

Management Council. The Management Council noted that the committee issued the following official interpretation regarding NCAA Proposal No. 2016-6 (playing and practice seasons—
baseball, softball and women's volleyball—number of contests—conference challenge event):

**Restrictions Regarding Exemption of Contests under Conference Challenge Event Legislation (II)**

The Division II Legislation Committee determined that it is not permissible to exempt a contest between teams from the same conference as a part of a conference challenge event. In addition, the committee determined that if an out-of-region institution participates in an event, the event is no longer a conference challenge event. An institution may not exempt any contests played as a part of that event under the conference challenge exemption.

[References: Bylaw 17.3.6.3 (annual exemptions)]

Note: This interpretation remains applicable to conference challenge events in basketball even though Proposal No. 2016-6 was defeated.

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

(i) **Financial Aid Review—Review of Legislation Regarding Financial Aid from an Established and Continuing Program.**

**Management Council.** The Management Council noted that the committee issued the following official interpretation regarding the receipt of outside aid from an established and continuing program:

**Receipt of Outside Aid from an Established and Continuing Program that Does Not Satisfy the Legislated Criteria (II)**

The Division II Legislation Committee determined it is not permissible for a student-athlete to receive an outside financial aid award that considered athletics participation if the recipient's choice of institution is restricted by the donor of the aid or if there is a direct connection between the donor of the aid and the recipient's institution.

[References: Bylaws 15.2 (permissible sources of financial aid) and 15.2.2.3 (financial aid from an established and continuing program)]
[Note that the Legislation Committee directed staff to include further discussion regarding the criteria for outside awards to the agenda for its March 2016 in-person meeting.]

Presidents Council. No action was necessary.

(j) Issuance of Official Interpretation.

Management Council. The Management Council noted that the committee issued the following interpretation regarding the application of the local sports club legislation to an institution's strength and conditioning coach:

Institutional Strength and Conditioning Coaches' Involvement with Local Sports Club (II)

The Division II Legislation Committee determined that an institution's strength and conditioning coach who owns or is employed by a local sports club that focuses on strength and conditioning and/or sports performance may provide individual instruction to prospective student-athletes or serve as a coach for the club's sports performance team that involves prospective student-athletes, provided the club is an established, ongoing club and all prospective student-athletes participating in said activities are legal residents of the area (within a 100-mile radius of the institution).

[References: Bylaws 13.11 (tryouts), 13.11.1 (prohibited activities), 13.11.2.4 (local sports club), 17.02.13 (strength and conditioning personnel); and a staff interpretation (12/18/2009, Item No. e)]

Presidents Council. No action was necessary.

(k) Issuance of Official Interpretation.

Management Council. The Management Council noted that the committee had reviewed an August 31, 1988, archived interpretation regarding coaches employed through contracts for a period of less than a full year and had agreed to issue the following official interpretation:
Coaches Employed Through Contracts for a Period Less Than a Full Year (II)

The Division II Legislation Committee confirmed that all NCAA legislation applies to a coach who is employed by a member institution on a regular and continuing basis, even if the individual's contract is for a period of less than a full year or the individual is absent from the institution for a temporary period.

[Reference: Bylaw 11.1 (conduct of athletics personnel)]

Presidents Council. No action was necessary.

(l) Referral from the NCAA Division II 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 Institutions.

Management Council. Following receipt of correspondence from the NAIA, the Presidents Council and Management Council withdrew a previously sponsored 2016 Convention proposal that would have eliminated the requirement that Division II institutions seek permission to contact or permission to use the one-time transfer exception from NAIA institutions. The Councils referred the issue back to the Legislation Committee for further consideration. The committee received an update on conversations between the Legislation Committee chair, NCAA staff and the NAIA leadership. The NAIA leadership indicated that it would engage its membership in a discussion about potential changes to NAIA policies and legislation. The Legislation Committee will continue to monitor the progress of NAIA discussions. No action was necessary.

Presidents Council. No action was necessary.

(3) Membership Committee.

(a) Institutional Accreditation Status and Establishment of Minimum Requirements.

Management Council. The Management Council learned that the committee had discussed the current legislation related to
accreditation requirements for active Division II institutions and had requested that the Presidents Council engage in a conversation about a legislative change that would require active Division II institutions to be in good standing with their regional accrediting agencies. No action was necessary.

**Presidents Council.** See Item 8-b on Page No. 22 for additional information.

(b) **Institutions in the Membership Process.**

**Management Council.** The Management Council was informed that Auburn University at Montgomery’s invitation for conference membership to the Peach Belt Conference had been revoked, following a vote of the conference’s Board of Directors. The Management Council noted that the committee had requested that a discussion occur at the February 2016 in-person meeting related to the requirements for a conference to sponsor an institution and commit to providing full conference membership prior to the institution becoming active. No action was necessary.

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

(4) **Planning and Finance Committee.**

(a) **December 2 Teleconference Report.**

(i) **Division II Long-Range Revenue Projections.**

**Management Council.** The Management Council recommended that the Presidents Council approve a change in the method by which Division II calculates its projected revenue for purposes of the long-range budget to take the prior year’s actual revenue and add its divisional portion of revenue increases from CBS/ Turner and ESPN (minus NIT) media agreements, as follows: Division II Prior Year Actual Revenue + Division II Allocation of Change From Media Agreements = Division II Estimated Revenue, effective immediately.

When calculating the 4.37 percent to project the revenue for the long-range budget, the division has traditionally taken a conservative approach and used the projected
revenue of the Association, which does not include ticket sales or investment earnings that are realized each year. With this approach, Division II traditionally realizes a surplus at year end; and the surplus has been used to fund various one-time initiatives or programs (e.g., APPLE conference, supplemental distributions, signage credits to schools and conferences). Further, the surplus is traditionally a smaller amount prior to the audit and a larger amount post-audit because Division II will receive its portion of other revenue earned throughout the fiscal year, plus its 4.37 percent of the investment earnings. For example, the estimated surplus for Division II from fiscal year 2014-15 was roughly 2.3 million prior to the audit and 3.3 million post-audit. This change will allow the Planning and Finance Committee to more accurately predict the revenue it will receive each year and allocate those dollars appropriately in the annual base budget, rather than realizing the dollars via surplus at the end of the year. In addition, this method is consistent with the method used by Division III. If this recommendation is approved, the Planning and Finance Committee will establish a new long-range budget for the division and, in the coming year, work with various committees and Councils in the structure to strategically plan for the use of the additional dollars in the division’s base budget.

**Presidents Council.** The Presidents Council voted to approve the change, as recommended by the Management Council and the Planning and Finance Committee.

(ii) **Additional 2014-15 Surplus.**

**Management Council.** The Management Council recommended that the Presidents Council approve allocating $525,000 of the additional surplus post-audit from the 2014-15 fiscal year to reimburse institutions for the costs associated with local ground transportation for those teams that made it to the championships and flew to the site of competition. Additionally, to approve allocating $500,000 to initiatives approved for funding by the Division II Foundation for the Future Task Force, effective immediately.
During its August meeting, the Planning and Finance Committee approved a process for reimbursement of local ground transportation expenses for team championships for years during which the championships surplus was in excess of $1.2 million. According to this new process, teams would receive one share for each round of competition in which they compete and fly to the competition site. Although the championships surplus this year was not in excess of the $1.2 million required, the overall surplus for the 2014-15 fiscal year would allow for this reimbursement. The amount recommended for this use ($525,000) would equate to approximately $3,000 per each round of the championship a team participated in. The allocation of this money will assist Division II institutions that made it to the championships in Division II team sports (baseball, men’s and women’s basketball, field hockey, football, men’s and women’s lacrosse, men’s and women’s soccer, softball, women’s volleyball and rowing) with the expenses associated with ground transportation that are currently not reimbursed by the NCAA and are an institutional cost. Finally, allocating additional funds for initiatives approved by the Foundation for the Future Task Force will enable more programs to be implemented by the division. Initially, $5.2 million was allocated for the Foundation for the Future initiative. With the new allocation, the division will have $5,700,000 for the Foundation for the Future initiative.

Presidents Council. The Presidents Council voted to approve the recommendation by the Management Council and the Planning and Finance Committee.

(iii) Division II Championships Committee Priorities.

Management Council. The Management Council noted that the committee had approved the listing of championships budget priorities (most important priority listed first), should an unexpected event occur that would prevent the division from receiving its annual revenue, as presented by the Championships Committee, as follows:

a. Bracket reduction;
b. Experience monies;
(1)  Game experience:
   (a)  Official’s assignments and fees.
   (b)  Practice days and/or days off between competition days.
   (c)  Web stream.
   (d)  Marketing and promotion.
   (e)  Signage.

(2)  Student-athlete experience:
   (a)  Trophies
   (b)  Awards (participant medallions).
   (c)  Banquets.
   (d)  Mementos (jackets, for example).
   (e)  Watches.
   
   c.  Adjustment of regional sites; and
   d.  Reduction of per diem.

   Presidents Council.  No action was necessary.

(b)  2015-16 Year-to-Date Budget to Actual.

   Management Council.  The Management Council reviewed the 2015-16 year-to-date budget-to-actual report. No action was necessary.

   Presidents Council.  The Presidents Council reviewed the document. No action was necessary.

(c)  October 23 Foundation for the Future Task Force teleconference.

   Management Council.  The Management Council reviewed the report from the task force. No action was necessary.

   Presidents Council.  The Presidents Council reviewed the report. No action was necessary.

(5)  Student-Athlete Advisory Committee.

(a)  Appointments.

   Management Council.  The Management Council appointed the following new members to the Student-Athlete Advisory Committee, effective at the conclusion of the 2016 Convention:

   (1)  Conference Carolinas—Jeffrey Yasalonis, Men’s Volleyball, University of Mount Olive.
(2) Great Midwest Athletic Conference—**Jessica Hicks**, Women’s Cross Country, Indoor and Outdoor Track and Field, Ursuline College.

(3) Northern Sun Intercollegiate Conference—**Bailey Marguerite Koch**, Women’s Volleyball, Augustana University (South Dakota).

(4) Pacific West Conference—**Gabrielle Cabanero**, Women’s Basketball, Dixie State University.

(5) Peach Belt Conference—**Hannah Peevy**, Rifle, University of North Georgia.


Presidents Council. The Presidents Council ratified the appointments.

(b) **Make-A-Wish.**

Management Council. The Management Council noted the update regarding Division II’s partnership with Make-A-Wish®. Division II raised over $600,000 for the 2014-2015 academic year, surpassing last year’s record-breaking amount by more than $37,000. The committee has signed a one-year contract extension to continue the partnership in 2015-16. The committee was also updated on potential turnkey events and strategies to encourage institutions to raise more money and to enable them to do more Wish Reveals for the next academic year. This year’s Week of Wishes will occur October 1-16. No action was necessary.

Presidents Council. No action was necessary.

(6) **Student-Athlete Reinstatement Committee.**

(a) Bylaws 14.2.5 and 14.2.7—Eligibility—Seasons of Competition: 10-Semester/15-Quarter Rule—Hardship Waiver and Season-of-Competition Waiver—Competition While Eligible.
Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2017 Convention to amend NCAA Division II Bylaws 14.2.5 (hardship waiver) and 14.2.7 (season-of-competition waiver—competition while eligible) to increase the maximum number of contests or dates of competition in which a student-athlete may participate and remain eligible for a hardship waiver or season of competition while eligible to three contests or dates of competition, 30 percent of the institution’s completed contests or dates of competition or 30 percent of the maximum number of permissible contests or dates of competition set forth in Bylaw 17 in the sport; further, to specify that the injury or illness (for hardship waivers) or extenuating circumstances (for season-of-competition while eligible waivers) must occur prior to the first competition of the second half of the playing season that concludes with the NCAA championship in that sport, effective August 1, 2017, for any incapacitating injury or illness, or other extenuating circumstance occurring on or after August 1, 2017.

Currently, a student-athlete may be granted an additional season of competition by the NCAA student-athlete reinstatement staff or NCAA Division II Committee on Student-Athlete Reinstatement when, due to incapacitating injury or illness or extenuating circumstances, the student-athlete participated in fewer than two contests or dates of competition or less than 20 percent of the sport season. It is in the best interest of student-athlete well-being to increase the maximum amount of competition to three contests or dates of competition or 30 percent of the season. If a student-athlete has competed in more than three contests or dates of competition or 30 percent of the season, he or she has had a much more meaningful opportunity to compete for a significant part of the season. Further, by adding the first half of the playing season requirement, this brings the legislation in all three divisions much closer to alignment. Finally, the first half of the season requirement will minimize abuse by ensuring that a student-athlete who is able to participate through almost the entire season is not eligible for a hardship waiver or season-of-competition while eligible waiver.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2017 Convention.
(b) Term Extension for Chair.


Presidents Council. No action was necessary.

b. Association-wide committees.

(1) Committee on Sportsmanship and Ethical Conduct—RESPECT Campaign.

Management Council. The Management Council noted that the communication plan and activation timeline for the RESPECT campaign to re-launch in June 2016 had been approved. No action was necessary.

Presidents Council. No action was necessary.

(2) Honors Committee—Awards.

Management Council. The Management Council noted the following award recipients:

(a) Theodore Roosevelt Award Selection. Peter Ueberroth, San Jose State University, as the 2016 Theodore Roosevelt Award recipient.

(b) Today’s Top 10 Selections.
   (i) Anastasia Bogdanovski, women’s swimming and diving, Johns Hopkins University, Division III.
   (ii) Matt Brown, wrestling, Pennsylvania State University, Division I.
   (iii) Lucy Cheadle, women’s track and field/cross country, Washington University in St. Louis, Division III.
   (iv) John Coleman, men’s basketball/baseball, Clarkson University, Division III.
   (v) Georgia Dabritz, women’s gymnastics, University of Utah, Division I.
   (vi) Kristin Day, women’s swimming and diving, Clarion University of Pennsylvania, Division II.
   (vii) Ruben Gimenez, men’s swimming and diving, University of Bridgeport, Division II.
   (viii) Kendra Harrison, women’s track and field, University of Kentucky, Division I.
(ix) **Colleen Quigley**, women’s track and field/cross country, Florida State University, Division I.

(x) **Zach Zenner**, football, South Dakota State University, Division I.

(c) **Silver Anniversary Award Selections.**
(i) **Abby Cheng**, Arkansas State University.
(ii) **Christopher Howard**, U.S. Air Force Academy.
(iii) **Joe Juneau**, Rensselaer Polytechnic Institute.
(iv) **Russell Maryland**, University of Miami (Florida).
(v) **Dikembe Mutombo**, Georgetown University.
(vi) **Steven (Steve) Smith**, Michigan State University.

(d) **Award of Valor Selection.** The committee did not select an Award of Valor recipient for 2016. [Note: Award is not presented annually and only awarded if merited.]

(e) **Inspiration Award Selections.**
(i) **O.J. Brigance**, Rice University.
(ii) **Lauren Hill**, College of Mount St. Joseph (posthumously).

Presidents Council. The Presidents received the awards information. No action was necessary.

(3) **Research Committee.**

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

Presidents Council. No action was necessary.

7. **DIVISION II MANAGEMENT COUNCIL ISSUES AND UPDATES.**

- **2016 Committee and Project Team Assignments.**

Management Council. The Management Council reviewed the committee and project team assignments. No action was necessary.

Presidents Council. No action was necessary.
8. **DIVISION II PRESIDENTS COUNCIL ISSUES AND UPDATES.**

a. **Vice Chair Report.** The vice chair of the Presidents Council provided an update on several items related to the Planning and Finance Committee; action as noted in other portions of this summary.

b. **Institutional Accreditation Status and Minimum Requirements.** The Presidents Council received a document and discussed the issue of exploring a legislative change that would establish additional membership requirements related to institutional accreditation for active Division II institutions. It was the consensus of the Council that it would not support a concept that would amend the legislation to require all active institutions to be in good standing (e.g., not on warning, not on probation and do not have a show cause order) with their regional accrediting agencies. The Council did reaffirm its support that schools in the membership process or schools wanting to start the process must be in good standing with their regional accrediting agency.

c. **Division II Chancellors/Presidents Summit.** The Presidents Council received the information that was to be distributed at the Chancellors/Presidents Summit the following day, along with a set of instructions concerning seating assignments and duties. No action was necessary.

d. **Vice Chair Election.** The Presidents Council elected Glen Jones Jr., Henderson State University, as the vice chair of the Presidents Council, to replace Steve Scott, Pittsburg State University, who was elected chair at the October 2015 meeting.

e. **“Window of Reconsideration.”** The Presidents Council discussed the issue of whether it should sponsor legislation for the NCAA Convention to eliminate NCAA Constitution 5.3.13.2 (vote on division dominant provisions) and 5.3.13.3 (vote on federated provisions), which permit any delegate that voted on the prevailing side in the original consideration of either a division dominant or federated proposal, to make a motion to reconsider an affirmative or negative vote of such an amendment before adjournment of any Convention; further, to establish a special rule of order for the Division II business session specifying as an exception to Robert's Rules of Order, Newly Revised, that reconsideration of a vote on a division dominant or federated proposal will not occur during a divisional business session.

The Presidents Council recommended that staff seek feedback from the NCAA Division II Management Council and other Division II committees regarding a potential change to Constitution 5.3.13.2 and 5.3.13.3, and provide feedback at its April 2016 in-person meetings.
f. **Division II Communication Tools.** The Presidents Council received several Division II communication tools, to include a toolkit on the Benefits of Division II for chancellors and presidents and the Division II Chancellors and Presidents Oversight Summary. No action was necessary.

g. **Foundation for the Future Update.** The Presidents Council received an update on the October 23 teleconference of the task force. No action was necessary.

h. **Other Business.** The Presidents Council did not re-elect Steven DiSalvo, Saint Anselm College, to a second term on the Presidents Council. A new Region 1 representative, to replace President DiSalvo, and a new Region 2 representative, to replace Stacey Franklin Jones, will be elected by the Presidents Council at its April 2016 meeting.

9. **NATIONAL OFFICE STAFF UPDATES.**

   a. **Graduation Rates by Conference.**

      Management Council. The Management Council received a presentation on Division II Conference Graduation/Academic Success Rates for the 2005-08 freshman cohort, based on 2015-16 conference alignment. No action was necessary.

      Presidents Council. The Presidents Council received the presentation. No action was necessary.

   b. **Division II Brand Enhancement.**

      Management Council. The Management Council received an update on the Division II brand enhancement. No action was necessary.

      Presidents Council. No action was necessary.

   c. **Military Matters Brochure.**

      Management Council. The Management Council received a promotional piece on community engagement with the military. No action was necessary.

      Presidents Council. The Presidents Council received the promotional piece. No action was necessary.
d. Update on NCAA.org.

Management Council. The Management Council received an update on enhancements made to ncaa.org. No action was necessary.

Presidents Council. No action was necessary.

e. “Path to Graduation” Toolkit Launch.

Management Council. The Management Council received an update on the launch of the Path to Graduation education modules. No action was necessary.

Presidents Council. The Presidents Council received the update. No action was necessary.

f. Division II National Media Presence.

Management Council. The Management Council received an update on the 2015-16 media agreement, along with a game of the week basketball schedule for 2015-16. No action was necessary.

Presidents Council. No action was necessary.

g. Division I Sports Organization Structure Working Group Meeting.

Management Council. The Management Council received an informational presentation from the vice president of Division II on this working group, which had met the previous night. The working group was formed to determine the requirements of Division I membership and the components of the Division I experience, with an emphasis on broad-based sports sponsorship and student-athlete experience and participation opportunities. Once defined, the working group will determine if there are areas in which flexibility is appropriate and under what circumstances and conditions should flexibility exist without compromising the identified essential components, elements and brand of Division I. This working group will meet again via teleconference in February. No action was necessary.

Presidents Council. The Presidents Council received the update on the working group’s meeting. No action was necessary.

h. Division II Health and Safety Summit.

Management Council. The Management Council received the report from the Division II Health and Safety Summit, which was conducted October 20, 2015. No action was necessary.
Presidents Council. The Presidents Council received the report. No action was necessary.

i. Communications Update.

Management Council. The Management Council was updated on the work of staff and an outside vendor to look at the Association-wide communication efforts. No action was necessary.

Presidents Council. No action was necessary.

j. Update from NCAA President Mark Emmert.

Management Council. The Management Council received an update on the state of the Association. No action was necessary.

Presidents Council. The Presidents Council received an update on the state of the Association. No action was necessary.

k. Legal Update.

Management Council. The Management Council received a legal update from the executive vice president of law, policy and governance. No action was necessary.

Presidents Council. The Presidents Council received a legal update. No action was necessary.

10. AFFILIATED ASSOCIATION UPDATES.

a. Division II Athletics Directors Association (ADA); Marfise.

Management Council. The Management Council received an update from the Division II ADA representative. No action was necessary.

Presidents Council. No action was necessary.

b. Division II Conference Commissioners Association (CCA).

Management Council. No report was given.

Presidents Council. No action was necessary.
c. CoSIDA.

Management Council. The Management Council received an update from the Division II CoSIDA representative. No action was necessary.

Presidents Council. No action was necessary.

d. Faculty Athletics Representative Association (FARA).

Management Council. The Management Council received an update from the Division II FARA representative. No action was necessary.

Presidents Council. No action was necessary.

e. Minority Opportunity Athletics Administrators Association (MOAA).

Management Council. No report was given.

Presidents Council. No action was necessary.

f. National Association for Collegiate Women Athletics Administrators (NACWAA).

Management Council. The Management Council received an update from the Division II NACWAA representative. No action was necessary.

Presidents Council. No action was necessary.

g. National Association for Athletics Compliance (NAAC).

Management Council. No report was given.

Presidents Council. No action was necessary.

11. OTHER BUSINESS.

• Bylaw 17.17 (Playing and Practice Seasons and division Membership—Division II Membership Requirements—Minimum Dates of Competition—Women’s Rugby).

Management Council. The Management Council approved noncontroversial legislation to specify that, in women’s rugby, an institution shall limit its total playing schedule with outside competition during the institution's playing season to 16 dates of competition (15-a-side and/or seven-a-side); further, to specify that an institution may count two contests per year against collegiate club teams
toward meeting minimum-contest requirements and that 15-a-side and seven-a-side competition may count toward meeting minimum-contest requirements.

Presidents Council. No action was necessary.

12. MEETING RECAP/ITEMS TO REPORT BACK TO CONFERENCES.

Management Council. The Management Council was instructed to report the following items from the meeting to their conferences and institutions: (1) Division II conference graduation rates and academic success rates; (2) Military Matters Brochure; (3) Path to Graduation toolkit; and (4) Travel reimbursement information for local ground transportation for those teams that made it to the championships.

Presidents Council. No action was necessary.

13. RECOGNIZE OUTGOING MANAGEMENT COUNCIL REPRESENTATIVES.

Management Council. The Management Council recognized those members whose terms were ending at the conclusion of the Division II business session—Anita Barker, California State University, Chico; Kathy Heitzman, Bloomsburg University of Pennsylvania; Tim Ladd, Palm Beach Atlantic University; Larry Marfise, University of Tampa; Katie Mnichowicz, Upper Iowa University; Will Prewitt, Great American Conference; and Karen Stromme, University of Minnesota Duluth;

Presidents Council. The Presidents Council recognized the contributions of those members whose terms were ending at the conclusion of the Division II business session—Judy Bense, University of West Florida; Linda Bleicken, Armstrong State University; and Robert Wyatt, Coker College.

14. FUTURE MEETINGS.

Management Council. The Management Council reviewed meetings for the remainder of 2016 and 2017. No action was necessary.

Presidents Council. The Presidents Council reviewed future meeting dates. No action was necessary.

15. POST-CONVENTION MANAGEMENT COUNCIL.

a. Convention Evaluation. Via teleconference Wednesday, January 20, the Management Council discussed and evaluated the governance meetings that were held jointly with the Student-Athlete Advisory Committee and the Presidents Council. Additionally, several members of the Convention management staff joined the meeting to obtain relevant feedback on the overall Convention and its
programming and logistics. Suggestions were offered by the Council, but no formal action was taken.

b. **Convention Legislation.** The Management Council noted the following results from the Division II Business Session, held during the Division II business session:

<table>
<thead>
<tr>
<th>Proposal No.</th>
<th>RESULT</th>
<th>COUNT (actual count or paddle)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016-2 Eligibility—Recognized Foreign Exchange or Study Abroad Program—Transfer and Outside Competition Exception</td>
<td>Adopted</td>
<td>299-7-1</td>
</tr>
<tr>
<td>2016-3 Eligibility—Progress-Toward-Degree Requirements—Eligibility for Competition—Fulfillment of Credit-Hour Requirements after Designation of Degree—Credits Earned in a Voluntary or Optional Minor</td>
<td>Adopted</td>
<td>301-11-1</td>
</tr>
<tr>
<td>2016-4 Eligibility—Outside Competition—Competition as Individual/Not Representing Institution—Participation of Ineligible Student-Athletes</td>
<td>Adopted</td>
<td>191-120-1</td>
</tr>
<tr>
<td>*2016-5 Playing and Practice Seasons—General Playing Season Regulations—Weekly Hour</td>
<td>Adopted</td>
<td>147-28-1</td>
</tr>
</tbody>
</table>
### Proposal No. | RESULT | COUNT  
|----------------|--------|----------
| Limitations—Outside the Playing Season—Skill Instruction—Football | | |
| Motion to Divide 2016-6 | Approved | 161-147-3 |
| 2016-6 Playing and Practice Seasons—Baseball, Softball and women’s Volleyball—Number of Contests—Conference Challenge Event | Sections A and B: Defeated, Section C: Defeated | 61-240-9, 83-222-5 |
| 2016-7 Playing and Practice Seasons—Basketball—Preseason Practice—On-Court Practice—30 Days of Countable Activities Between October 1 and Institution’s First Contest | Not Moved | |
| 2016-8 Executive Regulations—Selection of Teams and Individuals for Championships Participation—Automatic Qualification | Adopted | 281-22-0 |
| ^NC-2016-2 Division Membership—Emerging Sports for Women—Removal of Equestrian | Defeated | 97-196-18 |

* Effective Immediately.

^ Proposal pulled from the blue pages of the Official Notice.

c. **NC 2016-2 (Division Membership—Emerging Sports for Women—Removal of Equestrian).** With NC-2016-2 being pulled from the blue pages of the Official Notice and, subsequently, being defeated during the 2016 Division II business session, the Management Council voted to refer the proposal back to the NCAA Committee on Women’s Athletics (CWA) to determine the action that should be
taken with regard to the status of equestrian in Division II. The Management Council requested that CWA put forth a recommendation in time for the Council’s review and possible action during its spring 2016 meeting.

16. ADJOURNMENT.

Management Council. The January 13 Management Council meeting adjourned at 2:45 p.m. Central time.

The January 20 Management Council teleconference adjourned at 2:05 p.m.

Presidents Council. The Presidents Council adjourned at 3:39 p.m.

<table>
<thead>
<tr>
<th>Division II Management Council</th>
<th>Division II Presidents Council</th>
<th>Division II Post-Convention Management Council</th>
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<tbody>
<tr>
<td><strong>January 13, 2016</strong></td>
<td><strong>January 14, 2016</strong></td>
<td><strong>January 20, 2016</strong></td>
</tr>
<tr>
<td>San Antonio, Texas</td>
<td>San Antonio, Texas</td>
<td>Via Teleconference</td>
</tr>
<tr>
<td><strong>ATTENDEES</strong></td>
<td><strong>ATTENDEES</strong></td>
<td><strong>ATTENDEES</strong></td>
</tr>
<tr>
<td>Robin Arnold, Holy Family University</td>
<td>Judith Bense, University of West Florida</td>
<td>Robin Arnold, Holy Family University</td>
</tr>
<tr>
<td>Anita Barker, California State University, Chico</td>
<td>Linda Bleicken, Armstrong State University</td>
<td>Julia Beeman, Belmont Abbey College</td>
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<tr>
<td>Julia Beeman, Belmont Abbey College</td>
<td>Ronald Ellis, California Baptist University</td>
<td>Doug Blais, Southern New Hampshire University</td>
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<tr>
<td>Doug Blais, Southern New Hampshire University</td>
<td>Michael Fiorentino, Lock Haven University</td>
<td>Carrie Bodkins, Alderson-Broaddus College</td>
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<tr>
<td>Carrie Bodkins, Alderson-Broaddus College</td>
<td>Debbie Ford, University of Wisconsin-Parkside</td>
<td>Tom Bullock, University of District of Columbia</td>
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<tr>
<td>Tom Bullock, University of District of Columbia</td>
<td>Cynthia Jackson-Hammond, Central State University</td>
<td>Curtis Campbell, Tuskegee University</td>
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<tr>
<td>Curtis Campbell, Tuskegee University</td>
<td>Glendell Jones, Henderson State University</td>
<td>Tonya Charland, Great Lakes Valley Conference</td>
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<tr>
<td>Tonya Charland, Great Lakes Valley Conference</td>
<td>Gary Olson, Daemen College</td>
<td>Jim Crawley, Dominican College</td>
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<tr>
<td>Jim Crawley, Dominican College</td>
<td>Michael Scales, Nyack College</td>
<td>Kim Duyst, California State University, Stanislaus</td>
</tr>
<tr>
<td>Gary Gray, University of Alaska Fairbanks (vice chair)</td>
<td>Steve Scott, Pittsburg State University</td>
<td>Gary Gray, University of Alaska Fairbanks (vice chair)</td>
</tr>
<tr>
<td>Lynn Griffin, Coker College</td>
<td>Dene Thomas, Fort Lewis College</td>
<td>Lynn Griffin, Coker College</td>
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<tr>
<td>Kathy Heitzman, Bloomsburg University of Pennsylvania</td>
<td>David Watts, University of Texas of the Permian Basin</td>
<td>Bob Hogue, Pacific West Conference</td>
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<tr>
<td>Bob Hogue, Pacific West</td>
<td>Robert Wyatt, Coker College</td>
<td>Paul Leidig, Grand Valley State University</td>
</tr>
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<td>Division II Presidents Council</td>
<td>Division II Post-Convention Management Council</td>
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<tr>
<td>Conference</td>
<td>Jacqie McWilliams, Central Intercolllegiate Athletic Association</td>
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<tr>
<td>Timothy Ladd, Palm Beach Atlantic University <em>(chair)</em></td>
<td>Steve Murray, Pennsylvania State Athletic Conference</td>
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<td>Paul Leidig, Grand Valley State University</td>
<td>Ismael Pagan-Trinidad, University of Puerto Rico at Mayaguez</td>
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<tr>
<td>Richard Loosbrock, Adams State University</td>
<td>Pennie Parker, Rollins College</td>
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<tr>
<td>Larry Marfise, University of Tampa <em>(via teleconference)</em></td>
<td>Lindsay Reeves, University of North Georgia</td>
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<tr>
<td>Jacqie McWilliams, Central Intercolllegiate Athletic Association</td>
<td>Eric Schoh, Winona State University</td>
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<tr>
<td>Katie Mnichowicz, Upper Iowa University</td>
<td>Kevin Schriver, Southwest Baptist University</td>
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<tr>
<td>Pennie Parker, Rollins College</td>
<td>Kim Vinson, Cameron University</td>
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<td>Will Prewitt, Great American Conference</td>
<td>Stan Williamson, University of West Alabama</td>
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<tr>
<td>Lindsay Reeves, University of North Georgia</td>
<td>Cherrie Wilmoth, Southeastern Oklahoma State University</td>
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<tr>
<td>Kevin Schriver, Southwest Baptist University</td>
<td>Griz Zimmermann, Texas A&amp;M International University</td>
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<tr>
<td>Karen Stromme, University of Minnesota Duluth</td>
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<tr>
<td>Scott Swain, Notre Dame College</td>
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</tbody>
</table>

**ABSENTEES**

None

None

Jasmyn Lindsay, Queens University of Charlotte
Rich Loosbrock, Adams State University
Bridget Lyons, Barry University
Scott Swain, Notre Dame College
Deron Washington, Pittsburg State University

**OTHER PARTICIPANTS**

Gary Brown, Division II Contractor
Amanda Conklin, NCAA
Mark Emmert, NCAA
Terri Steeb Gronau, NCAA
Maritza Jones, NCAA
Robert Page, NCAA
Ruth Reinhardt, NCAA *(recording secretary)*
Donald Remy, NCAA
Molly Simons, NCAA
Rachel Stark, NCAA
Stephanie Smith, NCAA
Gregg Summers, NCAA
Katie Willett, NCAA
Karen Wolf, NCAA
Andrea Worlock, NCAA

Amanda Conklin, NCAA
Mark Emmert, NCAA
Terri Steeb Gronau, NCAA
Maritza Jones, NCAA
Tim Ladd, MC Chair, Palm Beach Atlantic University
Julie Rainey, NCAA Intern
Ruth Reinhardt, NCAA *(recording secretary)*
Donald Remy, NCAA
Rachel Stark, NCAA
Stephanie Smith, NCAA
Gregg Summers, NCAA
Cari Van Senus, NCAA
Karen Wolf, NCAA

Jessica Arnold, Short’s Travel
Terri Steeb Gronau, NCAA
Maritza Jones, NCAA
Melissa Kleinschmidt, NCAA
Julie Rainey, NCAA
Crystal Reimer, Short’s Travel
Ruth Reinhardt, NCAA *(recording secretary)*
Lisa Rogers, NCAA
Juanita Sheely, NCAA
Stephanie Quigg Smith, NCAA
Karen Wolf, NCAA
Karen Wolf, NCAA
Karen Wolf, NCAA
REPORT OF THE
NCAA INTERPRETATIONS SUBCOMMITTEE OF THE
DIVISION II LEGISLATION COMMITTEE
NOVEMBER 16, 2015, TELECONFERENCE

ACTION ITEMS.

1. Legislative items.
   • None.

2. Nonlegislative items. At its November 2013 in-person meeting, the NCAA Division II Legislation Committee began a comprehensive review of the financial aid legislation. One of the recommendations presented was to conduct a review of all financial aid interpretations on the Legislative Services Database for the Internet (LSDBi) to ensure all interpretations are up-to-date and accurate. In April 2015, the NCAA Interpretations Subcommittee of the Division II Legislation Committee began a comprehensive review of all financial aid interpretations currently posted on LSDBi. The subcommittee reviewed 20 interpretations and recommended that seven financial aid interpretations be archived [Attachment].

INFORMATIONAL ITEMS.

• The subcommittee directed staff to re-write and combine two official interpretations [References: 04/27/1989, Item No. 6 and 08/02/1989, Item No. 10-a-(1)] for clarity and ease of reference for the Division II membership. The subcommittee will review a draft of the new interpretation on a future teleconference.

Committee Chair: Kimberly Pate, University of Illinois at Springfield
Staff Liaisons: Karen Wolf, Academic and Membership Affairs
             Amanda Conklin, Academic and Membership Affairs
### NCAA Interpretations Subcommittee of the Division II Legislation Committee
### November 16, 2015, Teleconference

<table>
<thead>
<tr>
<th>Attendees:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kelly McLaughlin, Regis University (Colorado).</td>
</tr>
<tr>
<td>Natasha Oakes, Missouri Western State University.</td>
</tr>
<tr>
<td>Pennie Parker, Rollins College.</td>
</tr>
<tr>
<td>Kim Pate, University of Illinois at Springfield.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Absentees:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curtis Campbell, Tuskegee University.</td>
</tr>
</tbody>
</table>

**Guests in Attendance:**

None.

**NCAA Staff Support in Attendance:**

Karen Wolf.

**Other NCAA Staff Members in Attendance:**

Chris Brown, Chelsea Crawford and Angela Tressel.
<table>
<thead>
<tr>
<th>Bylaws</th>
<th>Date</th>
<th>Type</th>
<th>Title</th>
<th>Recommended Action</th>
<th>Rationale</th>
<th>Date of Review</th>
<th>Posted to LSDBi</th>
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<tbody>
<tr>
<td>15.5.1.1</td>
<td>1/29/1992</td>
<td>Staff</td>
<td>Expenses or Awards Provided to a Counter who Becomes Injured or Ill</td>
<td>None</td>
<td>Bylaw 15.4.1.1.1 clarified application</td>
<td>11/16/2015</td>
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<tr>
<td>15.5.1.1</td>
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<td>Complimentary Tickets For a Student-Athlete Who Has Suffered an Incapacitating Injury</td>
<td>None</td>
<td>Bylaw 15.4.1.1.1 clarified application</td>
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<td>Counter Who Participates in Practice in Sessions Prior to Determination of Incapacitating Injury or Illness</td>
<td>Archive</td>
<td>Bylaw 15.4.1.1.1 clarified application</td>
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<td>11/30/2015</td>
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<td>15.5.1.1</td>
<td>5/22/1998</td>
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<td>Student-Athlete Suffers a permanently Disabling Injury in One Sport but Subsequently Participates in Another Sport</td>
<td>None</td>
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<td>15.5.1.1</td>
<td>4/27/1989</td>
<td>Official</td>
<td>Anorexia/Bulimia as a Disabling Illness</td>
<td>Re-write</td>
<td>Combine with 8/2/89 OI</td>
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<td>15.5.1.1</td>
<td>8/2/1989</td>
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<td>Drug and Alcohol Dependency as a Medical Exemption</td>
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<tr>
<td>15.5.1.1</td>
<td>6/16/1982</td>
<td>Official</td>
<td>Financial Aid is Countable All Year</td>
<td>None</td>
<td>Re-write</td>
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<tr>
<td>14.5.3.4</td>
<td>10/13/1987</td>
<td>Staff</td>
<td>Student-Athlete Enrolled in Cooperative Educational Exchange Program Receiving Institutional Financial Aid</td>
<td>Archive</td>
<td>Not clear and a very specific scenario</td>
<td>11/16/2015</td>
<td>11/30/2015</td>
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<tr>
<td>15.5.1.3</td>
<td>6/4/1987</td>
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<td>Student-Athlete Renounces Athletics Eligibility</td>
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<td>4/27/1989</td>
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<td>Graduate Student-Athlete Renouncing Eligibility and Receiving Exempted Athletically Related Financial Assistance</td>
<td>None</td>
<td>Re-write</td>
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<td>14.2.3.5</td>
<td>10/13/1995</td>
<td>Staff</td>
<td>Eligibility for Practice -- Former Student-Athlete</td>
<td>None</td>
<td>Re-write</td>
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<td>15.5.1.3</td>
<td>4/4/1991</td>
<td>Official</td>
<td>Counting a Multisport Participant Who has Exhausted Eligibility in One Sport During the Previous Academic Year</td>
<td>None</td>
<td>Re-write</td>
<td>11/16/2015</td>
<td>N/A</td>
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<td>15.5.2.1.1</td>
<td>1/7/1983</td>
<td>Official</td>
<td>Midyear Tuition Increase Affecting Equivalency Limit</td>
<td>Archive</td>
<td>Should be handled through legislative relief waiver</td>
<td>11/16/2015</td>
<td>11/30/2015</td>
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<td>15.5.2.1.1</td>
<td>7/23/1987</td>
<td>Official</td>
<td>Financial Aid Awards Prior to Initiation of New Intercollegiate Athletics Sport</td>
<td>Archive</td>
<td>Only legislation applicable to new varsity sports is recruiting legislation.</td>
<td>11/16/2015</td>
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<td>15.5.2.1.1</td>
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<td>Staff</td>
<td>Institution Exceeding Maximum Award Limitations</td>
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<td>Equivalency limits must be met by the last day of class for the academic year.</td>
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<td>Mixed Teams Financial Aid Limitations and Championships Eligibility</td>
<td>None</td>
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<td>18.2.8.3</td>
<td>20.10.3.3</td>
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<td>15.5.2.2</td>
<td>6/1/1979</td>
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<td>Equivalency Award Computation</td>
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<td>Reference to DI conference</td>
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<td>15.5.2.2</td>
<td>3/5/1987</td>
<td>Official</td>
<td>Increase in Tuition or Room and Board Costs Subsequent to July 1</td>
<td>Archive</td>
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<td>15.5.2.2</td>
<td>12/1/1993</td>
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<td>Minimum Financial Aid Requirements -- Gradation or Cancellation of Student-Athlete's Financial Aid</td>
<td>None</td>
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<td>15.5.2.2</td>
<td>9/6/1989</td>
<td>Staff</td>
<td>Calculation of Equivalencies Based on a Team or Individual Student-Athlete Basis</td>
<td>None</td>
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ACTION ITEMS.

1. Legislative items.
   - None.

2. Nonlegislative items.

   a. Review of an Interpretation Appeal. The NCAA Interpretations Subcommittee of the Division II Legislation Committee reviewed a fact scenario regarding the calculation of the playing and practice season for men's volleyball. The subcommittee agreed that the conference tournament must be included in the institution's 132-day playing season.

      Facts:

      In November 2015, the academic and membership affairs staff was presented with a question from a Division II institution regarding whether a conference tournament must be included in the calculation of the men's volleyball playing season. Participation in the conference tournament is not guaranteed and is based on the institution's record at the end of the regular season.

   b. Review of Financial Aid Interpretations. At its November 2013 in-person meeting, the NCAA Division II Legislation Committee began a comprehensive review of the financial aid legislation. One of the recommendations presented was to conduct a review of all financial aid interpretations on the Legislative Services Database for the Internet (LSDBi) to ensure all interpretations are up-to-date and accurate. In April 2015, the NCAA Interpretations Subcommittee of the Division II Legislation Committee began a comprehensive review of all financial aid interpretations currently posted on LSDBi. The subcommittee reviewed 17 interpretations and the following recommendations emerged from that review, which is now complete:

      i. The subcommittee recommended that nine financial aid interpretations be archived [Attachment].

      ii. Staff interpretation re-write.
Recommendation. The subcommittee recommended that the following staff interpretation [Reference: 08/25/1995, Item No. a] be rewritten:

Title: Calculation of Team Equivalencies

Date Issued: August 25, 1995
Date Published: August 25, 1995
Type: Staff Interpretation
Item Ref: a

a. Calculation of Team Equivalencies: The legislative services staff confirmed that when calculating a student-athlete's individual equivalency value, the institution should calculate the equivalency value to at least the nearest hundredth. In doing so, an institution may round the fraction to the nearest decimal place. For example, a student whose equivalency value is .453 may be rounded to .45, while a student whose equivalency value if .456 may be rounded to .46.

The staff noted, however, that when calculating team equivalencies, the sum of all fractional and maximum awards received by counters may not exceed the total limit for the sport in question for the entire academic year. An institution may not "round down" the total equivalency value for the purpose of staying within the maximum equivalency limitation for the sport in question. For example, in the sport of Division I men's soccer, the limit on the value (equivalency) of financial aid awards is 9.9. If the sum of all fractional and maximum awards received by counters in the sport of men's soccer at the end of the academic year is 9.91, the institution would have exceeded its equivalency limit in the sport of soccer. [References: NCAA Bylaws 15.5.3 (equivalency sports) and 15.5.3.3 (equivalency computations)]

The subcommittee recommended approval of the rewritten interpretation as follows:

Title: Calculation of Team Equivalencies

Date Issued: November 30, 2015
Date Published:
Type: Staff Interpretation

The academic and membership affairs staff confirmed that when calculating a student-athlete's individual equivalency value, the institution should calculate the equivalency value to at least the nearest hundredth. In doing so, an institution may round the fraction to the nearest decimal place. For example, a student whose equivalency value is .453 may be rounded to .45, while a student whose equivalency value if .456 may be rounded to .46.

The staff noted, however, that when calculating team equivalencies, the sum of all fractional and maximum awards received by counters may not exceed the total limit for the sport in question for the entire academic year. An institution may not "round down" the total equivalency value for the purpose of staying within the maximum equivalency limitation for the sport in question. For example, in the sport of men's soccer, the limit on the value (equivalency) of financial aid awards is 9.0. If the sum of all fractional and maximum awards received by counters in the sport of men's soccer at the end of the academic year is 9.01, the institution would have exceeded its equivalency limit in the sport.

[References: NCAA Bylaws 15.4.2 (equivalency sports) and 15.4.2.2 (equivalency computations); and a staff interpretation (08/25/1995, Item No. a) which has been archived.]

(2) Effective Date. Immediate.

(3) Rationale. Re-writing the August 25, 1995, staff interpretation will provide clarity regarding the calculation of equivalencies for Division II institution by using a Division II-specific example.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

INFORMATIONAL ITEMS.

- None.
Committee Chair: Kimberly Pate, University of Illinois at Springfield
Staff Liaisons: Karen Wolf, Academic and Membership Affairs
Amanda Conklin, Academic and Membership Affairs

<table>
<thead>
<tr>
<th>NCAA Interpretations Subcommittee of the Division II Legislation Committee</th>
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<tbody>
<tr>
<td>NCAA Interpretations Subcommittee of the Division II Legislation Committee</td>
</tr>
<tr>
<td>November 30, 2015, Teleconference</td>
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<tr>
<td><strong>Attendees:</strong></td>
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<tr>
<td>Peggy Davis, Virginia State University.</td>
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<td>Kelly McLaughlin, Regis University (Colorado).</td>
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<tr>
<td>Natasha Oakes, Missouri Western State University.</td>
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<tr>
<td>Pennie Parker, Rollins College.</td>
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<tr>
<td>Kim Pate, University of Illinois at Springfield.</td>
</tr>
<tr>
<td><strong>Absentees:</strong></td>
</tr>
<tr>
<td>Curtis Campbell, Tuskegee University.</td>
</tr>
<tr>
<td><strong>Guests in Attendance:</strong></td>
</tr>
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<tr>
<td><strong>NCAA Staff Support in Attendance:</strong></td>
</tr>
<tr>
<td>Karen Wolf.</td>
</tr>
<tr>
<td><strong>Other NCAA Staff Members in Attendance:</strong></td>
</tr>
<tr>
<td>Chris Brown, Chelsea Crawford, Stephanie Quigg Smith, Angela Tressel and Payton Williams.</td>
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ACTION ITEMS.

1. Legislative items.
   - None.

2. Nonlegislative items.
   - Review of an Official Interpretation Re-Write. The NCAA Interpretations Subcommittee of the Division II Legislation Committee reviewed an official interpretation requested by the subcommittee on a previous teleconference based off two previously issued official interpretations [References: 04/27/1989, Item No. 6 and 08/02/1989, Item No. 10-a-(1)]. The subcommittee approved the re-written interpretation as follows:

   Incapacitating Injury or Illness for Purposes of Financial Aid Medical Exemptions

   Date Issued: January 11, 2016
   Date Published:

   Interpretation:

   The Interpretations Subcommittee of the Division II Legislation Committee confirmed that any injury or illness, including, those related to mental health impairments (e.g., depression, anxiety, post-traumatic stress disorder) or eating disorders (e.g., anorexia, bulimia), could qualify as a condition that justifies a medical exemption, provided documentation from the treating professional demonstrates the injury or illness is incapacitating and the student-athlete will apparently never again be able to participate in intercollegiate athletics.

   [References: NCAA Division II Bylaw 15.4.1.1 (counter who becomes injured or ill); and two official interpretations (4/27/89, Item No. 6) and (8/2/89, Item No. 10-a-1), which have been archived]

INFORMATIONAL ITEMS.

- None.
Committee Chair: Kimberly Pate, University of Illinois at Springfield
Staff Liaisons: Karen Wolf, Academic and Membership Affairs
            Amanda Conklin, Academic and Membership Affairs

| NCAA Interpretations Subcommittee of the Division II Legislation Committee |
| January 11, 2016, Electronic Communication |
| Attendees: |
| Kelly McLaughlin, Regis University (Colorado). |
| Natasha Oakes, Missouri Western State University. |
| Pennie Parker, Rollins College. |
| Kim Pate, University of Illinois at Springfield. |
| Absentees: |
| Peggy Davis, Virginia State University. |
| Guests in Attendance: |
| None. |
| NCAA Staff Support in Attendance: |
| Karen Wolf. |
| Other NCAA Staff Members in Attendance: |
| None. |
1. **Administration.**

   a. The test shall be administered as a timed (80 minutes), open-book test. Test participants shall be permitted to use copies of the 2015-16 NCAA Division II Manual, the 2016 NCAA Convention Division II Official Notice, the 2016 Legislative Summary and the Legislative Services Database for the Internet (LSDBi) (bylaw and proposal section only). The use of any other materials during the test shall be prohibited.

   b. The test may be administered at any time after receipt of all testing materials.

   c. The annual certification period shall be effective August 1 through July 31. Coaches who passed the 2015-16 test are certified through July 31, 2016. However, once a new test has been distributed to conference offices, individuals who have yet to be certified and who wish to recruit off campus prior to August 1, 2016, must pass the new (2016-17) test during the interim period in order to be certified. Once the individual receives a passing score, he or she would be certified from the date the passing score is received through July 31, 2017. (For example, an individual who takes the 2016-17 coaches certification test and receives a passing score May 20, 2016, is certified from May 20, 2016, through July 31, 2017.)

   d. Testing opportunities shall be limited only by the stipulation that 14-calendar days shall elapse between a participant's test dates. **Please note this 14-day period may not be waived except by the conference office.**

   e. Division II coaches are required to take and pass the test in order to recruit off campus. Testing opportunities for other individuals shall be determined by the conference office.

   f. The conference administration of the certification program shall involve the following:

      (1) Providing the coaches certification test outline and other appropriate testing materials to the institution.

      (2) Confirming the integrity of the test administration and grading procedures.

   g. The conference office that is responsible for administering the National Letter of Intent program for a Division II independent institution also shall administer the coaches certification procedures for that institution.
h. Divisions I, II and III conference offices may administer the coaches certification procedures to Division II coaches.

i. Division II independent institutions that do not subscribe to the National Letter of Intent program are required to retain a conference to administer the coaches certification test.

j. Coaches who have medically or professionally diagnosed learning disabilities may apply to the conference office for the following test administration options:

(1) Taking the test during the regular test administration with additional testing time.

(2) Having the test administered orally.

k. All results must be entered into the "Results" section in the online program.

2. Test.

a. The Division II certification procedures shall involve the administration of one test for all Division II coaches.

b. The test will include legislation contained in NCAA Bylaws 10 through 17.

c. The test will include multiple-choice and true or false questions.

d. The minimum passing-score requirement for the test is 80 percent. Those individuals who answer at least 32 of 40 questions correctly will obtain the minimum passing score.

e. The reproduction of any portion of the test (other than for the purpose of administering the test) shall be prohibited. The conference office or the institution is permitted to provide test participants with specific NCAA bylaw references of incorrect test-item responses and may review missed questions and answers; however, printouts of this document may not be provided to the testing participants.

f. Questions related to newly adopted legislation will be identified in red font.

Please refer to the Questions and Answer Document if you have questions as most inquiries may be resolved through review of this document.
Title: ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION --
FULFILLMENT OF CREDIT-HOUR REQUIREMENTS AFTER DESIGNATION OF DEGREE -- CREDITS EARNED IN
A VOLUNTARY OR OPTIONAL MINOR

Convention Year: 2016
Effective Date: August 1, 2016
IPOPL Number: 1
SPOPL Number: 3
Official Notice Number: 2016-3
Source: Rocky Mountain Athletic Conference and Peach Belt Conference.
Category: Membership Proposal
Topical Area: Eligibility
Status: Adopted

Intent: To specify that a student-athlete who has designated a specific degree program may use a maximum of six credit
hours per term earned in a voluntary or optional minor to fulfill the credit-hour requirements for meeting progress
toward degree.

Bylaws: Amend 14.4.3.1.6, as follows:

[Roll Call]
14.4.3.1.6 Hours Earned or Accepted for Degree Credit. The provision that the calculation of credit hours under the
progress-toward-degree regulation shall be based on hours earned or accepted for degree credit at the certifying
institution in a student-athlete's specific baccalaureate degree program (see Bylaw 14.4.3.1.5) shall be met as
follows:

[14.4.3.1.6-(a) through 14.4.3.1.6-(d) unchanged.]

(e) A student-athlete who has designated a specific degree program may only use credits earned in a minor to fulfill
the credit-hour requirements for meeting progress toward degree if the minor is a required element for all students to
obtain the original baccalaureate degree. Credit hours earned toward a student-athlete who has designated a
voluntary or optional minor (i.e., a minor that is not a required element of the original baccalaureate degree program
for all students) may not be used to satisfy credit-hour requirements after the first two years of enrollment, even if the
student-athlete must complete the requirements for the voluntary or optional minor in order to graduate. may use a
maximum of six credit hours per term earned in the minor to fulfill the credit-hour requirements for meeting
progress toward degree.

Rationale: Many student-athletes choose to pursue a minor in a field that they feel will help with their career. For
instance, an education major may want to minor in coaching or a business major may want to minor in communications
to gain additional expertise that will distinguish them in a job search. Current NCAA legislation does not permit credit hours earned toward a minor to be used to meet progress-toward-degree requirements after a student-athlete is required to designate a degree program of studies if the minor is not required by the student-athlete's designated degree program. Many institutions do not require students to complete a minor in conjunction with their baccalaureate degrees. As a result, student-athletes must take credits for a minor in addition to a full time load in courses for their designated degree program or extend their time in school to complete the minor after exhausting their eligibility. Student-athletes should not be unduly burdened by having to choose between maintaining athletics eligibility
and pursuing desired coursework. With the changing job market, student-athletes should have the opportunity to earn meaningful degrees that will best position them to be successful after college.

**Position Statement(s)**

*Presidents Council, Management Council and Academic Requirements Committee:* The Presidents Council, Management Council and Academic Requirements Committee agreed to support this proposal. The Councils and committee noted that optional minors provide valuable opportunities for student-athletes to prepare for future educational and career endeavors. The Councils and committee further noted that limiting the number of optional minor credit hours that may be used to meet progress-towards-degree requirements reduces the opportunity for abuse of the legislation.

*Legislation Committee:* The Legislation Committee agreed to oppose this proposal. The committee noted that permitting student-athletes to count credits toward a voluntary or optional minor does not ensure a student-athlete is making progress toward a degree and is contrary to the intent of the Path to Graduation legislation, which focused on enhancing academic standards. Further, the committee noted the potential for abuse since the proposal allows a voluntary or optional minor to be declared and changed at any time, which may result in student-athletes declaring a voluntary or optional minor just to maintain eligibility. In addition, the committee noted that institutions still have the opportunity to file a progress-toward-degree waiver for a student-athlete who is unable to meet progress-toward-degree requirements as a result of earning credits in a voluntary or optional minor.
Title: PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING SEASON REGULATIONS -- WEEKLY HOUR LIMITATIONS -- OUTSIDE THE PLAYING SEASON -- SKILL INSTRUCTION -- FOOTBALL

Convention Year: 2016
Effective Date: Immediate
IPOPL Number: 3
SPOPL Number: 5
Official Notice Number: 2016-5

Source: South Atlantic Conference, University of West Alabama, Wingate University, Mars Hill University, Carson-Newman University, University of Central Missouri, Brevard College, Limestone College, Tusculum College, Pittsburg State University, North Greenville University, Newberry College, Northwest Missouri State University, West Texas A&M University, Missouri Western State University, Stillman College, Texas A&M University-Kingsville, Lane College, Kentucky State University, Angelo State University.

Category: Membership Proposal
Topical Area: Playing and Practice Seasons
Status: Adopted

Intent: In football, to specify that outside the playing season during the academic year, a student-athlete may participate in individual skill instruction, as specified.

A. Bylaws: Amend 17.1.6.2.2, as follows:

[Roll Call, football only]

17.1.6.2.2 Skill Instruction. In sports other than football, participation by student-athletes in individual skill-related instruction is permitted outside the institution's declared playing season. More than one group of student-athletes from the same team may participate in skill instruction with their same coach(es) in the same facility or in different facilities at the same time, provided there is no co-mingling between the groups. Each group of student-athletes must have a separate coach.

17.1.6.2.2.1 Groups of Student-Athletes. In sports other than football, the following number of student-athletes is permitted in each group for skill instruction.

[d] Football. Not more than eight student-athletes from the team shall be part of a group of student-athletes working with a coach at one time.

B. Bylaws: Amend 17.1.6.2.3, as follows:

[Roll Call, football only]

17.1.6.2.3 Football. In football, outside of the playing season during the academic year, only a student-athlete's participation in weight training, conditioning, individual skill instruction and review of game film shall be permitted. A student-athlete's participation in such activities shall be limited to a maximum of eight hours per week, of which not more than two hours per week may be spent on review of game film and individual skill instruction. During individual skill instruction, the use of footballs and field equipment (e.g., shields, bags) is permissible; however, the use of protective equipment (e.g., helmets, shoulder pads) is not permissible. See Bylaw 17.9.5
for the first permissible date of nonchampionship segment practice sessions.

**Rationale:** Currently, football is the only sport that is not permitted to engage in individual skill instruction. Therefore, outside of the playing season during the academic year, except during the spring practice period, football student-athletes may not engage in skill instruction with sport-specific equipment (e.g., footballs, shields, bags) used in regular practices. Further, other fall team sports (e.g., soccer, volleyball) are permitted to participate in 24 practice or competition opportunities that occur within 45 consecutive calendar days during the nonchampionship segment in addition to conditioning, weight training, team activities and/or skill instruction outside the playing season during the academic year. Football would still be limited to 15 designated days of spring practice within 29 consecutive days, with only 12 of those 15 being contact sessions. The immediate effective date would permit football student-athletes to engage in individual skill instruction sessions during the spring of 2016.

**Position Statement(s)**
- **Presidents Council, Management Council, Championships Committee and Legislation Committee:** The Presidents Council, Management Council, Championships Committee and the Legislation Committee agreed to support this proposal. The Councils and committees noted that the proposal will not increase the number of hours of athletic activity a football student-athlete may engage in outside the playing season. Further, the Councils and committees noted that person-to-person contact would not be permitted during skill instruction. In addition, the Councils and committees noted that this change will align the legislation in football with the out-of-season activity legislation in other sports.

- **Committee on Competitive Safeguards and Medical Aspects of Sports:** The Committee on Competitive Safeguards and Medical Aspects of Sport agreed to oppose this proposal. The committee noted that it jeopardizes student-athlete health and safety by straining sports medicine resources, particularly in their ability to provide adequate medical coverage for these additional sessions.
Title: PLAYING AND PRACTICE SEASONS -- BASEBALL, SOFTBALL AND WOMEN’S VOLLEYBALL -- NUMBER OF CONTESTS -- CONFERENCE CHALLENGE EVENT

Convention Year: 2016
Effective Date: August 1, 2016
IPOPL Number: 5
SPOPL Number: 6
Official Notice Number: 2016-6
Source: Peach Belt Conference and Great Midwest Athletic Conference.
Category: Membership Proposal
Topical Area: Playing and Practice Seasons
Status: Defeated

Intent: In baseball, softball, and women’s volleyball, to permit a maximum of two contests played as part of a conference challenge event to be exempted annually from the maximum number of contest limitations, as specified.

A. Bylaws: Amend 17.2.7, as follows:

[Roll Call]

17.2.7 Number of Contests.

[17.2.7.1 through 17.2.7.2 unchanged.]

17.2.7.3 Annual Exemptions. The maximum number of contests in baseball shall exclude the following:

[17.2.7.3-(a) through 17.2.7.3-(f) unchanged.]

(g) Celebrity Sports Activity. Competition involving a maximum of two student-athletes from a member institution’s team who participate in local celebrity activities in baseball conducted for the purpose of raising funds for charitable organizations, provided:

(1) The student-athletes do not miss class as a result of the participation; and
(2) The involvement of the student-athletes has the approval of the institution’s athletics director; and

(h) U.S. National Team. One date of competition against a U.S. national team as selected by the appropriate national governing body in that sport; and

(i) Conference Challenge Event. A maximum of two contests played as a part of a conference challenge event in which:

(1) Two or more conferences from the same region (or institutions from two or more conferences in the same region) organize contests at one or more site(s); and

(2) Contests must be played during the first full weekend (Friday, Saturday or Sunday) following the first permissible contest date.

[Remainder of 17.2.7 unchanged.]
B. **Bylaws:** Amend 17.20.7, as follows:

17.20.7 Number of Contests.

17.20.7.1 through 17.20.7.2 unchanged.

17.20.7.3 Annual Exemptions. The maximum number of contests in softball shall exclude the following:

17.20.7.3-(a) through 17.20.7.3-(e) unchanged.

(f) Fundraising Activity. Any activities in which student-athletes from more than one of the institution's athletics teams participate (or in individual sports per Bylaw 17.02.15.2, in which team members of that sport participate) with and against alumni and friends of the institution, the purpose of which is to raise funds to benefit the institution's athletics or other programs, provided the student-athletes do not miss class as a result of their participation (see Bylaw 12.5.1.1); and

(g) Celebrity Sports Activity. Competition involving a maximum of two student-athletes from a member institution's team who participate in local celebrity activities in softball conducted for the purpose of raising funds for charitable organizations, provided:

1. The student-athletes do not miss class as a result of the participation; and
2. The involvement of the student-athletes has the approval of the institution's athletics director; and

(h) Conference Challenge Event. A maximum of two contests played as a part of a conference challenge event in which:

1. Two or more conferences from the same region (or institutions from two or more conferences in the same region) organize contests at one or more site(s); and
2. Contests must be played during the first full weekend (Friday, Saturday or Sunday) following the first permissible contest date.

[Remainder of 17.20.7 unchanged.]

C. **Bylaws:** Amend 17.25.2.7, as follows:

17.25.2.7 Number of Dates of Competition -- Women.

17.25.2.7.1 through 17.25.2.7.2 unchanged.

17.25.2.7.3 Annual Exemptions -- Women. The maximum number of dates of competition in women's volleyball shall exclude the following:

17.25.2.7.3-(a) through 17.25.2.7.3-(f) unchanged.

(g) Celebrity Sports Activity. Competition involving a maximum of two student-athletes from a member institution's team who participate in local celebrity activities in women's volleyball conducted for the purpose of raising funds for charitable organizations, provided:

1. The student-athletes do not miss class as a result of the participation; and
2. The involvement of the student-athletes has the approval of the institution's athletics director; and
(h) U.S. National Team. One date of competition against a U.S. national team as selected by the appropriate national governing body in that sport.; and

(i) Conference Challenge Event. A maximum of two contests played as a part of a conference challenge event in which:

(1) Two or more conferences from the same region (or institutions from two or more conferences in the same region) organize contests at one or more site(s); and

(2) Contests must be played during the first full weekend (Friday, Saturday or Sunday) following the first permissible contest date.

[Remainder of 17.25.2.7 unchanged.]

Rationale: Currently, institutions may exempt up to two games per year in conference challenge events in basketball. This legislation was adopted in response to increased conference sizes and the necessity to balance conference schedules with nonconference, in-region play. Baseball, softball and women's volleyball experience similar challenges in providing a balance of opportunities. In addition, offering conference challenge opportunities in these sports would be an incentive for institutions to schedule more in-region, nonconference contests which would greatly assist the regional advisory committees in completing their rankings by giving them more head-to-head and in-region comparisons.

Position Statement(s)

Championships Committee: The Championships Committee agreed to support this proposal. The committee noted that the proposal would help promote more in-region, nonconference contests each year. The committee further noted that contests played as part of a conference challenge event are used for championship selection and providing institutions an annual opportunity to exempt such contests assists regional advisory committees. Lastly, the committee noted the need for consistency based on its support of similar proposals in 2014 and 2015.

Committee on Competitive Safeguards and Medical Aspects of Sports: The Committee on Competitive Safeguards and Medical Aspects of Sport agreed to take no position on this proposal.

Presidents Council, Management Council and Legislation Committee: The Presidents Council, Management Council and Legislation Committee agreed to oppose this proposal. The Councils and committee noted that the proposal is contrary to the intent of the Life in the Balance legislation, which focused on reducing missed class time, missed study time and time away from campus for student-athletes. All three sports included in the proposal experienced a reduction in the maximum number of contests as a result of the Life in the Balance legislative package. The adoption of this proposal would negatively impact the progress made through the Life in the Balance legislation. In addition, the proposal will have a negative impact on student-athlete well-being by encouraging institutions to add additional contests, which could lead to an increase in mid-week contests and additional missed class time for student-athletes.
Issue:

Whether the NCAA Division II Presidents Council should sponsor legislation for the 2017 NCAA Convention to eliminate NCAA Constitution 5.3.13.2 (vote on division dominant provisions) and 5.3.13.3 (vote on federated provisions), which permit any delegate that voted on the prevailing side in the original consideration of either a division dominant or federated proposal, to make a motion to reconsider an affirmative or negative vote of such an amendment before adjournment of any Convention; further, to establish a special rule of order for the Division II business session specifying as an exception to Robert's Rules of Order, Newly Revised, that reconsideration of a vote on a division dominant or federated proposal will not occur during a divisional business session.

Background:

Each year before the adjournment of the Division II business session at the NCAA Convention, a period of time is set aside to allow delegates an opportunity to reconsider the outcome of a particular vote on a proposal. This period of time is referred to as the "window of reconsideration." The chair of the business session facilitates this process and requests that all motions to reconsider a proposal should only be made during this period.

Over the past couple of years, a few Presidents Council members and individuals in the Division II membership have inquired as to the legislative history regarding the reconsideration of votes on proposals during the Division II business session. Concerns have been raised that the reconsideration process is used by some in the membership to circumvent the true vote on a particular proposal. As such, the Council directed staff to research the legislative history of Constitution 5.3.13.2 (vote on division dominant provisions) and 5.3.13.3 (vote on federated provisions).

Analysis:

Reconsideration of proposals has been a part of the NCAA legislative process for many years. Prior to federation of the Association, the NCAA Manual outlined the process for reconsideration in Constitution 5.3.11 (reconsideration). The legislation specified that:

Prior to the adjournment of any Convention, an affirmative or negative vote on an amendment to a provision of the constitution or bylaws may be subjected to one motion for reconsideration of that action by any member that voted on the prevailing side in the original consideration. Reconsideration of a vote taken in a division or subdivision business session must occur in that division's or subdivision's business session, except that such reconsideration also may occur during a designated period at the beginning of the general business session.
In January 1996, the membership adopted legislation that provided the basic framework for a restructured Association (NCAA Proposal No. 1996-7). Thereafter, several editorial revisions were made to Article 5 of the Constitution to reflect the adoption of the legislation. Constitution 5.3.13.2 (vote on division dominant provisions) and 5.3.13.3 (vote on federated provisions) were included in the Division II Manual as part of those revisions. [Note: A division dominant provision applies to all members of a division and is of sufficient importance to the division that it requires a two-thirds majority vote of all delegates present and voting at a division's annual or special Convention. Division dominant provisions are identified by the diamond symbol (◆). (See Constitution 5.02.1.1.1.) Whereas, a federated provision applies only to the division(s) or subdivision(s) that adopts it and is a regulation adopted by a majority vote of the delegates present and voting of one or more of the divisions or subdivisions of the Association, acting separately. (See Constitution 5.02.1.3.)] The legislation regarding reconsideration has not been amended since the 1996 Convention.

Over the past 15 years, there have been approximately five Division II proposals reconsidered during a business session. [Attachment] The outcome of all five proposals was changed from the original vote after reconsideration in that they were adopted in the original vote and defeated during reconsideration.

- The Presidents Council sponsored three of the five proposals.
  - **Proposal No. 2013-7** (recruiting – campus visits – official and unofficial visits). Original vote: Adopted (141-139-1); Reconsideration vote: Defeated (102-160-2).
  - **Proposal No. 2015-7** (NCAA membership – conditions and obligations of membership and institutional governance – athletics department personnel – full-time director of athletics with no coaching duties). Original vote: Adopted (164-144-3); Reconsideration vote: Defeated (137-157-1).

- The membership sponsored two of the five proposals.
  - **Proposal No. 2003-36** (playing and practice seasons – first date of practice – fall sports). Original vote: Adopted (149-82-2); Reconsideration vote: Defeated (86-144-3).
Questions to Consider:

1. What are the benefits of reconsidering a vote on a division dominant or federated proposal before adjournment of the Division II business session?

2. Are there any disadvantages to reconsidering a vote on a division dominant or federated proposal before adjournment of the Division II business session?

3. Should the process of reconsidering of a vote on a division dominant or federated proposal be retained in the Division II Manual?

4. What impact would the removal of reconsideration have on institutions and conferences?

5. Are there any unintended consequences that will result if reconsideration is removed from the Manual?

6. Should a special rule of order for the Division II business session be created as an exception to Robert's Rules of Order, Newly Revised, specifying that reconsideration of a vote on a division dominant or federated proposal will not occur during a divisional business session?

7. Should staff reach out to the Division II governance structure and/or membership for feedback on a potential change to the rules?

Conclusions:

1. The Presidents Council recommends staff seek feedback from the NCAA Division II Management Council, NCAA Division II Academic Requirements Committee, NCAA Division II Championships Committee and the NCAA Division II Legislation Committee regarding a potential change to Constitution 5.3.13.2 and 5.3.13.3, and provide feedback at its April 2016 in-person meetings.

2. The Presidents Council agrees to sponsor legislation at the 2017 Convention to eliminate Constitution 5.3.13.2 and 5.3.13.3; further, to establish a special rule of order for the Division II business session specifying as an exception to Robert's Rules of Order, Newly Revised, that reconsideration of a vote on a division dominant or federated proposal will not occur during a divisional business session, effective August 1, 2017. If adopted, there would not be a "window of reconsideration" during the Division II business session at the 2018 Convention.

3. The Presidents Council does not support the sponsorship of legislation to eliminate Constitution 5.3.13.2 and/or 5.3.13.3.
Applicable Constitution/Bylaw(s):

5.02.1.1.1 Division Dominant. A division dominant provision is a regulation that applies to all members of a division and is of sufficient importance to the division that it requires a two-thirds majority vote of all delegates present and voting at a division's annual or special Convention. Division dominant provisions are identified by the diamond symbol (◆).

5.02.1.3 Federated. A federated provision is a regulation adopted by a majority vote of the delegates present and voting of one or more of the divisions or subdivisions of the Association, acting separately pursuant to the divisional legislative process described in Constitution 5.3. Such a provision applies only to the division(s) or subdivision(s) that adopts it.

5.1.4.2 Parliamentary Rules. The rules contained in the current edition of Robert’s Rules of Order, Newly Revised, shall be the parliamentary authority for the conduct of all meetings of the Association. Additionally, they shall be the deciding reference used in case of parliamentary challenge in all instances to which they apply and in which they are not superseded by this constitution, the bylaws or any special rules of order adopted by the Association in accordance with Constitution 5.4.3.

5.1.4.4 Voting Methods. The methods of voting at an NCAA Convention shall be by voice, paddle, roll call and/or secret ballot, in accordance with the following procedures:

(a) Voice Vote. The presiding officer shall determine whether to use voice voting. In the taking of a voice vote, if the presiding officer is in doubt, or on request for a division of the assembly by any member eligible to vote on the particular issue, the presiding officer shall retake the vote by a show of paddles.

(b) Paddle Vote. The presiding officer shall determine whether to use paddle voting, which may be accomplished through electronic collection. In the taking of a vote by show of paddles, if the presiding officer is in doubt, or on the request of any member eligible to vote on the particular issue, the presiding officer shall order the vote to be counted. (Revised: 1/3/07)

(c) Secret Ballot. Voting by secret ballot shall be conducted only when so ordered by a majority of the eligible delegates present and voting, after the making of an undebatable motion to vote in that manner.

(d) Roll Call. Voting by roll call, on issues other than those so designated by the Divisions II and III presidential administrative groups in accordance with Constitution 4.3.2-(g) and 4.4.2-(f) or Division I override votes in accordance with Division I Constitution 5.3.9.3, shall be conducted only when so ordered by a majority of the eligible delegates present and voting, after the making of an undebatable motion to vote in that manner. If both a roll-call vote and a secret ballot are moved on a particular issue, the vote shall be taken first on whether to vote by roll call. Any
interim or following vote to amend, postpone, reconsider, refer or table a proposal that has been designated by the presidential administrative groups for a roll-call vote during the Convention also must be conducted by roll-call vote.

5.3.13.1 Vote on Dominant Provisions. Before the adjournment of any Convention, an affirmative or negative vote on an amendment to a provision of Constitution 1 and 2 and elsewhere may be subjected to one motion for reconsideration of that action by any member that voted on the prevailing side in the original consideration.

5.3.13.2 Vote on Division Dominant Provisions. Before adjournment of any Convention, an affirmative or negative vote on an amendment to a division dominant provision may be subjected to one motion for reconsideration of that action by any member that voted on the prevailing side in the original consideration. Reconsideration of the vote must occur in the appropriate division business session.

5.3.13.3 Vote on Federated Provisions. Before adjournment of any Convention, an affirmative or negative vote on an amendment to a federated provision may be subjected to one motion for reconsideration of that action by any member that voted on the prevailing side in the original consideration. Reconsideration of the vote must occur in the appropriate division business session.

Excerpts from A SUMMARY OF SOME PARLIAMENTARY PROCEDURES UNIQUE TO THE NCAA (as Prepared by Alan J. Chapman)

The following is a brief summary of some parliamentary procedures that are unique to the conduct of business at an NCAA Convention. In some instances, the difference between NCAA practice and that specified in Robert's is significant; while in others, such differences are relatively minor. This is offered as a quick reference guide, but it is certainly not an exhaustive list. All unique procedures are carefully spelled out in the NCAA Constitution (as Special Rules of Order, as permitted by Robert's, and require amendment by the usual procedure for amending the Constitution in order to be altered). The details are contained in Articles 4 and 5 of the NCAA Constitution. All numerical references in the following are to these articles, and any reference to "Robert's" means Robert's Rules of Order, Newly Revised, 1990 Edition. A summary of some general, rather than NCAA-unique, parliamentary procedures appears in a separate document.

RECONSIDERATION: The handling on motions to reconsider is described in the document concerning General Parliamentary Procedures, and that document should be consulted in this regard. The matter is further treated in 5.3.13 for the NCAA, but the results are the same as Robert's:
• A vote on a dominant provision may be reconsidered once and must occur before the end of the final General Session (none in 1998).

• A vote on a division dominant provision may be reconsidered once before the end of the final divisional business sessions. In 1998, there are none of these.

• A vote on a federated provision in Divisions II and III may be reconsidered once before the end of the final divisional business sessions. In these divisions, a vote to reconsider a provision designated by the Presidents Councils for a roll call vote must also be conducted by roll call [5.1.4.4-(d)].

[NOTE: In recent Conventions, it has been the practice to use a "Presidential Agenda Day" to ensure that matters of primary concern to chief executives be finally disposed of before the end of the first full day following the Opening Session – requiring some limits on motions to reconsider. Because of the modest number of proposals in 1998 for Divisions II and III, this does not appear to be a problem. However, in Division II there is a grouping of proposals listed as "Presidents Council Grouping" and every effort should be made to take care of reconsideration motions of provisions in this group before chief executives depart.]

RECONSIDER (pp. 309-329): This motion allows an assembly to re-examine an issue already decided (either adopted or defeated). The motion to reconsider must be made on the same or next day that the original action was taken. However, there are some additional time limits unique to the NCAA – see the document on unique NCAA procedures. The maker of a motion to reconsider must have been on the prevailing side of the original question, but the seconder need not (Note – the "prevailing side" may actually not be the majority if a motion requiring a 2/3 vote failed). Debate on the motion to reconsider may go into the merits of the question proposed for reconsideration. The adoption of a motion to reconsider requires only a majority – even if the motion to be reconsidered requires 2/3. The motion to reconsider cannot be reconsidered itself. If the motion to reconsider is lost, it may not be made again. By the same principle, no motion that has been reconsidered may be reconsidered a second time. [In some instances, the fact that a motion may be reconsidered only once is used to "ensure" the permanency of an action. Proponents of an adopted proposal may move for its reconsideration and then defeat the motion to reconsider, thereby insuring that the matter will not be reconsidered at a later time when voting strengths have changed.] If it is desired to reconsider an amendment to a proposition that has been acted on, then the motion to reconsider should be to reconsider the main motion and the amendment, with reconsideration to take place on the amendment first. In this instance, the mover must have been on the prevailing side of the amendment only. Reconsideration of a motion designated by the Presidents Commission for a roll call vote must also be taken by roll call.

Excerpt from 2016 NCAA Convention Procedural Issues and Clarifications Regarding NCAA Division II Proposals
13. **Reconsideration of Proposal(s).** A "window of reconsideration" is available to delegates at the end of the business session to reconsider the outcome of a particular vote on a proposal(s). A motion to "reconsider" a proposal(s) should only be made during this period.

   a. A voting delegate on the prevailing side of the vote on a proposal may make a motion to reconsider a proposal(s).

   b. The chair of the business session will facilitate the reconsideration of a proposal(s).

   c. Delegates with speaking rights may only speak to the merits of a particular proposal twice. For example, if a delegate spoke once on the merits during the original consideration of the proposal, the delegate may only speak once on the merits of the proposal during reconsideration of the proposal.

   d. If a voting delegate leaves, without an intent to return, prior to adjournment of the business session, he or she shall give the institution's electronic voting unit and smart card to NCAA staff standing near the exits and not provide it to a delegate from another institution or conference.

   e. If a voting delegate has any questions regarding the reconsideration of a proposal(s) or needs assistance with returning the institution's electronic voting unit and smart card, representatives from the NCAA Division II Membership Committee will be available during the "window of reconsideration."

**Excerpt from 2016 NCAA Convention Procedural Issues Reminders**

4. **Motion to reconsider proposal** ("motioner" must be on prevailing side to make this motion; "seconder" is not required to be on the prevailing side).

   - We have set aside a "window of reconsideration" at the end of the business session, and such motions should be delayed until that point.

   - The first vote will be on the motion to reconsider.

     - A motion to reconsider is a debatable motion.

     - Requires a simple majority.

     - If the motion is successful, a vote must first be taken on the immediate/alternate effective date (if the effective date is different than August 1 of the current year), followed by a vote on the merits of the proposal.
If the proposal was originally voted on by roll-call vote, all subsequent votes must be done by roll call (e.g., motion to reconsider, second vote on the merits), except the vote on the immediate or alternate effective date, which can be done by paddle vote.

The delegates can only reconsider a proposal one time during the window of reconsideration.

Delegates with speaking rights may only speak to the merits of a particular proposal twice. For example, if a delegate spoke once on the merits during the original consideration of the proposal, the delegate may only speak once on the merits of the proposal during reconsideration of the proposal. The opportunity to speak twice on the merits of a proposal is separate and distinct from a delegate's opportunity to speak to whether a proposal should be reconsidered. A delegate may speak twice to the merits of a particular proposal and twice as to whether a proposal should be reconsidered.

The process used for reconsideration of an amendment-to-amendment. *Not applicable in the business session at the 2016 Convention.*

If the proposal and the amendment-to-amendment both pass, reconsideration is on both with the amendment-to-amendment considered first.

If the amendment-to-amendment passed, anyone wishing to reconsider the amendment must move reconsideration of the main proposal as amended (see above).

If the amendment-to-amendment failed and the main proposal passed, the amendment-to-amendment can be reconsidered during the window of reconsideration.

If the amendment-to-amendment then passes, the main proposal, as now amended, should be brought back before the delegates for action.

If the main proposal failed (whether amended or not) it can be reconsidered. If the motion to reconsider the main proposal passes and it is back before the delegates, it would be in order for a member to move reconsideration of the amendment-to-amendment. The amendment-to-amendment is considered first and then the main proposal is finally dealt with.
Proposals Reconsidered During Convention Business Session

Title: PLAYING AND PRACTICE SEASONS -- MISSED CLASS TIME

Convention Year: 2002

Effective Date: August 1, 2002

SPOPL Number: 26

Official Notice Number: 2002-24

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

Category: Deregulation

Topical Area: Playing and Practice Seasons

Status: Adopted

Intent: To prohibit student-athletes from missing class time for competition conducted in the nonchampionship segment in team sports.

Bylaws: Amend 17.1.5.5 by adding new 17.1.5.5.2, as follows:

[Division II, Roll Call]

"17.1.5.5.2 No Class Time Missed for Competition in Nonchampionship Segment - Team Sports. In team sports (per 17.02.13.1) no class time shall be missed for competition conducted during the nonchampionship segment."

Rationale: The Legislation Committee believes that the philosophy of avoiding missed class time should be adopted for contests in team sports (e.g., baseball, volleyball, softball, etc.) conducted in the nonchampionship segment. If adopted, the proposed amendment addresses increasing concerns about extensive out-of-season practice and competition by limiting such participation to time when student-athletes are not in class. This concept would not be practical in individual sports (e.g., golf, tennis, etc.) due to availability of facilities during times in which classes are not in session (e.g., golf courses or tennis clubs on weekends). Significant consideration should be given by the membership to the amount of class time student-athletes miss during the championship segment (e.g., baseball) and prohibit similar situations from occurring in the nonchampionship segment.

Convention Vote:

Date of Vote: January 14, 2002

Vote Type: Electronic Machine

For: 162  Against: 83  Abstain: 2
Title: PLAYING AND PRACTICE SEASONS -- FIRST DATE OF PRACTICE -- FALL SPORTS

Convention Year: 2003

Effective Date: August 1, 2003

IPOPL Number: 7

SPOPL Number: 32

Official Notice Number: 2003-36

Source: Great Lakes Intercollegiate Athletic Conference and North Central Intercollegiate Athletic Conference.

Category: Membership Proposal

Topical Area: Playing and Practice Seasons

Status: Defeated

Intent: In the sports of cross country, field hockey, football, soccer and women's volleyball, to specify that an institution shall not begin practice until 21 days prior to the institution's first date of competition.

A. Bylaws: Amend 17.10.2, as follows:

[Division II]

"17.10.2 First Date of Practice -- Championship Segment. A member institution shall not commence practice sessions in field hockey in the championship segment before August 10 or the first day of class, whichever occurs earlier 21 days prior to the institution's first date of competition."

B. Bylaws: Amend 17.11.2.1, as follows:

[Division II, football only]

"17.11.2.1 First Practice Date - Championship Segment. A member institution shall not commence official preseason football practice sessions in the championship segment, for the varsity, junior varsity or freshman team before August 10 or the first day of class, whichever occurs earlier 21 days prior to the institution's first date of competition."

C. Bylaws: Amend 17.19.2, as follows:

[Division II]

"17.19.2 First Date of Practice -- Championship Segment. A member institution shall not commence practice sessions in soccer in the championship segment before August 10 or the first day of class, whichever occurs earlier 21 days prior to the institution's first date of competition."

D. Bylaws: Amend 17.27.2.2, as follows:

[Division II]
"17.27.2.2 First Date of Practice -- Championship Segment -- Women. A member institution shall not commence practice sessions in women's volleyball in the championship before August 10 or the first day of class, whichever occurs earlier 21 days prior to the institution's first date of competition."

E. Bylaws: Amend 17.7.2, as follows:

[Division II]

"17.7.2 First Date of Practice -- Championship Segment. A member institution shall not commence practice sessions in cross country in the championship segment before August 10 or the first day of class, whichever occurs earlier 21 days prior to the institution's first date of competition."

Rationale: If the proposed changes to competition start dates are adopted, then these changes to preseason practice start dates also should be adopted to ensure a consistent length of preseason practice. Designating a day of the week as the first date of preseason practice rather than a specific date allows for a constant length of 21 days for preseason practice each year. This proposal also enhances the Division II effort to simplify Bylaw 17.

Position Statement(s)
Presidents Council, Management Council and Legislation Committee: The Councils and committee opposed this proposal. This proposal is in direct conflict with previous deregulation efforts. In addition, the Councils and Legislation Committee are in opposition to the sport-specific alterations.

Convention Vote:

Date of Vote: January 13, 2003
Vote Type: Electronic Machine
For: 86 Against: 144 Abstain: 3
Title: PLAYING AND PRACTICE SEASONS -- BASKETBALL -- FIRST CONTEST

Convention Year: 2010

Effective Date: August 1, 2010

IPOPL Number: 3

SPOPL Number: 14

Official Notice Number: 2010-14

Source: Peach Belt Conference, Mid-America Intercollegiate Athletics Association and West Virginia Intercollegiate Athletic Conference.

Category: Membership Proposal

Topical Area: Playing and Practice Seasons

Status: Adopted

Intent: In basketball, to specify that a member institution shall not play its first contest (game or scrimmage) with outside competition prior to the second Friday of November.

Bylaws: Amend 17.3.3, as follows:

17.3.3 First Contest. A member institution shall not play its first contest (game or scrimmage) with outside competition in basketball before prior to the second Friday of November 15, except as provided under Bylaw 17.3.3.1.

Rationale: Currently, an institution shall not play its first contest against outside competition prior to November 15, aside from exceptions outlined in Bylaw 17.3.3.1. This proposal does not change that date substantially, it simply allows institutions to schedule that first contest on a weekend night. This proposal will not allow an institution to compete earlier than what is allowed under current legislation as most Division II basketball teams compete in exempted contests on or soon after November 1. The proposal will only change the date for the first permissible "countable" contest. This change will also provide a benefit to student-athletes as no season-opening games or events will take place during the week and teams can also schedule "countable" games earlier in the season to provide flexibility for conference playing dates that occur during final examination periods. Further, this change is easy to administer as all schools can easily determine when the second Friday is and coaches can better schedule knowing the season starts on a weekend every year. Adoption of this proposal will likely result in all Division II basketball teams officially starting their season on the same day.

Position Statement(s)

Presidents Council, Management Council and Legislation Committee: The Councils and the committee agreed to oppose this proposal. The Councils and the committee noted that the proposed amendment increases the length of the regular playing season, while shortening the length of the preseason practice period. The Councils and the committee also
noted that the proposal could lead to season/sport overlap during the championship segments. The Councils and the committee further noted that some institutions prefer to have more campus engagements on weekdays rather than weekends because there are more campus personnel and students available to attend contests during the week. Finally, the Councils and the committee noted that the proposed amendment is contrary to the Life in the Balance initiative.

**Convention Vote:**

*Date of Vote:* January 16, 2010  
*Vote Type:* Electronic Machine  
For: 136  Against: 131  Abstain: 0

**Additional Information:** Original Vote: Defeated 136-141-2
Title: RECRUITING -- CAMPUS VISITS -- OFFICIAL AND UNOFFICIAL VISITS

Convention Year: 2013

Effective Date: June 15, 2013; for any prospective student-athlete entering his or her junior year in high school June 15, 2013, and thereafter.

SPOPL Number: 5

Official Notice Number: 2013-7

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

Category: Presidents Council

Topical Area: Recruiting

Status: Defeated

Intent: To modify the official and unofficial visit legislation, including transportation, as follows: (1) Reorganize the transportation, official visit and unofficial visit legislation; (2) Rename unofficial visits as campus visits; (3) Specify that complimentary admission to a prospective student-athlete for a conference tournament constitutes excessive entertainment and is prohibited during a campus visit; (4) Permit an institution to arrange special on-campus parking for a prospective student-athlete during a campus visit; (5) Permit an institution to provide the cost of actual meals on a campus visit; (6) Specify that a prospective student-athlete may not be provided an expense-paid visit earlier than June 15 immediately preceding the prospective student-athlete's junior year in high school; (7) Require a prospective student-athlete to present the institution with a current transcript (official or unofficial) prior to an official visit; (8) Amend the length of an official visit from a 48-hour period to the discretion of the institution; and (9) Specify that an institution may not pay any leg of a prospective student-athlete's actual round-trip transportation costs if he or she participates in an institutional camp or clinic immediately prior to or after an official visit.

A. Bylaws: Amend 13.5, as follows:

[Roll Call]

13.5 Transportation.

13.5.1 General Restrictions. An institution may provide transportation to a prospective student-athlete on an official paid visit as specified in Bylaw 13.5.2 or an unofficial visit as specified in Bylaw 13.5.3 a campus visit as specified in Bylaw 13.6.

13.5.1.1 Nonpermissible Transportation. If nonpermissible transportation is provided, the institution may not avoid a violation of this rule by receiving reimbursement for mileage from the prospect.

13.5.2 Transportation on Official (Paid) Visit.
13.5.2.1 General Restrictions. A member institution may pay the prospective student-athlete's actual round-trip transportation costs for his or her official visit to its campus, provided—a direct route between the prospective student-athlete's home and the institution's campus is used. Use of a limousine or helicopter for such transportation is prohibited. [R]

13.5.2.2 Automobile Transportation. When a prospective student-athlete travels by automobile on an official paid visit, the institution may pay round-trip expenses to the individual incurring the expense (except the prospective student-athlete's coach as provided in Bylaw 13.8.1.1) at the same mileage rate it allows its own personnel. Any automobile may be used by the prospective student-athlete, provided the automobile is not owned or operated or its use is arranged by the institution or any representative of its athletics interests. [R]

13.5.2.2.1 Prospective Student Athlete's Friends and Relatives. A prospective student-athlete's friends, relatives or legal guardian(s) may receive cost-free transportation to visit a member institution's campus only by accompanying the prospective student-athlete at the time the prospective student-athlete travels in an automobile to visit the campus.

13.5.2.2.2 Use of Automobile. The institution or representatives of its athletics interests shall not provide an automobile for use during the official visit by the prospective student-athlete or by a student host. [R]

13.5.2.3 Air Transportation. The air fare for commercial transportation for the official visit may not exceed coach (or comparable) class. [R]

13.5.2.3.1 Institution's Airplane. An institution may use its own airplane to transport a prospective student-athlete to the campus for an official visit, provided relatives, other friends or legal guardian(s) do not accompany the prospective student-athlete.

13.5.2.3.2 Noncommercial Airplane. Whenever an aircraft (other than a commercial airplane) is used to transport a prospective student-athlete, payment for its use shall be at the established charter rates at the airport where the craft is based. The institution shall be prepared to demonstrate satisfactorily that such payment has been made. [R]

13.5.2.4 From Airport. During the official visit, any member of an institution's athletics department staff may provide ground transportation for a prospective student-athlete between the campus and any bus or train station or airport. The 48-hour period begins at the time the prospective student-athlete arrives on the institution's campus. The transportation must be without delay for personal reasons or entertainment purposes. [R]

13.5.2.5 To/From Site of Competition. A prospective student-athlete may be transported to campus for an official visit from the site of his or her athletics competition or the reverse arrangement, provided only actual transportation expenses are paid and the cost of the transportation does not exceed the cost of transportation between the prospective student-athlete's home or educational institution and the institution's campus. [R]
13.5.2.5.1 Coach Transporting Prospective Student-Athlete and Prospective Student-Athlete's Relatives or Legal Guardian(s) To/From Site of Competition to Campus. A coach, who is certified through the annual certification requirement to recruit and evaluate prospective student-athletes off campus, may transport a prospective student-athlete and his or her relatives or legal guardians in any vehicle to and from the site of competition to campus on an official visit, provided the conditions regarding contact restrictions at specified sites are satisfied (see Bylaw 13.1.7) and the transportation provided does not exceed the distance between the locale of the prospective student-athlete's home to the institution's campus. The 48-hour time limitation of the official visit shall begin if entertainment (e.g., meal) is provided to the prospective student-athlete or the prospective student-athlete's relatives or legal guardians while providing such transportation. [R]

13.5.2.6.1 Coach Transporting Prospective Student-Athlete and Prospective Student-Athlete's Relatives or Legal Guardian(s) From Educational Institution to Campus. A coach, who is certified through the annual certification requirement to recruit and evaluate prospective student-athletes off campus, may transport a prospective student-athlete and his or her relatives or legal guardians in any vehicle to and from the prospective student-athlete's educational institution to campus on an official visit, provided the conditions regarding contact restrictions at specified sites are satisfied (see Bylaw 13.1.7) and the transportation provided does not exceed the distance between the locale of the prospective student-athlete's home to the institution's campus. The 48-hour time limitation of the official visit shall begin if entertainment (e.g., meal) is provided to the prospective student-athlete or the prospective student-athlete's relatives or legal guardians while providing such transportation. [R]

13.5.2.7 Visiting Two or More Institutions. Two or more institutions to which a prospective student-athlete is making official visits on the same trip may provide travel expenses, provided there is no duplication of expenses, only actual and necessary expenses are provided, and the 48-hour visit limitation is observed at each institution. [R]

13.5.2.8 Transportation of Prospective Student-Athlete's Relatives, Friends or Legal Guardian(s). An institution shall not permit its athletics department staff members or representatives of its athletics interests to pay, provide or arrange for the payment of transportation costs incurred by relatives, friends or legal guardian(s) of a prospective student-athlete to visit the campus or elsewhere, except as provided in Bylaw 13.5.2.8.1. [R]
13.5.2 Coach Transporting Prospective Student-Athlete and Prospective Student-Athlete's Relatives or Legal Guardian(s) To and From an Official Visit. A coach, who is certified through the annual certification requirement to recruit and evaluate prospective student-athletes off campus, may transport a prospective student-athlete and his or her relatives or legal guardians to and from the prospective student-athlete's home to campus on an official visit, in any vehicle, regardless of whether a visit occurs during or outside a permissible contact period. [R]

13.5.3 Transportation on Unofficial Visit. During any unofficial recruiting visit, the institution may provide the prospective student-athlete with transportation to view practice and competition sites in the prospective student-athlete's sport, other institutional facilities and to attend an institution's home athletics contest (on or off campus). An institutional staff member must accompany the prospective student-athlete during such a trip. Payment of any other transportation expenses is not permissible. However, the institution may provide transportation for a prospective student-athlete to attend home athletics contests if transportation is available to prospective students generally. [R]

[13.5.4 renumbered as 13.5.2, unchanged.]

B. Bylaws: Amend 13.6, as follows:

13.6 Official (Paid) Visit.

13.6.1 Limitations on Official Visit.

13.6.1.1 One Visit Limitation. A member institution may finance only one visit to its campus for a prospective student-athlete.

13.6.1.2 First Opportunity to Visit. A prospective student-athlete may not be provided an expense-paid visit earlier than the opening day of classes of the prospective student-athlete's senior year in high school. [D]

13.6.1.3 Post High School Visits. The one-visit limitation applies separately to the period in which the prospective student-athlete is in high school and to the period beginning September 1 after the prospective student-athlete's completion of high school. [D]

13.6.1.3.1 Transfer Student. If a student-athlete attending a four-year institution desires to transfer and that institution provides the permission required (per Bylaw 13.1.1.1.2), it is permissible for a second institution to provide the student-athlete one official visit to that institution's campus.

13.6.2 Requirements for Official Visit. An institution shall not provide an official visit to a high school or preparatory school prospective student-athlete until he or she:

(a) Presents a score from a PSAT, an SAT, a PLAN or an ACT test taken on a national testing date under national testing conditions or an ACT test taken on a state testing date under state testing conditions. The score must be presented in writing through a testing-
agency document or on a high school (or college) academic transcript (official or unofficial) or through the use of the applicable testing agency's automated voice system. An international or learning disabled prospective student athlete who requires a special administration of the PSAT, SAT, PLAN or ACT may present such a score on the approval of the appropriate academic requirements committee;

(b) Registers with the NCAA Eligibility Center; and

e) Is placed on the institution's institutional request list (IRL) with the NCAA Eligibility Center.

13.6.2.1 NCAA Eligibility Center. A prospective student athlete's fulfillment of these academic requirements for an official visit may be certified through use of information on file at the NCAA Eligibility Center, as approved by the Executive Committee.

13.6.2.2 Visit to Off-Campus Contest. The official visit shall be made to the campus and not, for example, to an off campus site where the institution may be appearing in an athletics contest. However, if an institution is required to play all of its home games in a given sport at a site located in a community other than its own because of conditions beyond its own control (e.g., fire, windstorm, earthquake or other disaster), the institution may consider games played at the substitute site as on campus competition, provided the institution documents the conditions causing it to visit an off-campus site on an official visit. [D]

13.6.3 Length of Official Visit. An official visit to an institution shall not exceed 48 hours. A prospective student athlete may remain in the locale in which the institution is located after the permissible 48-hour period for reasons unrelated to the official visit, provided that at the completion of the 48-hour visit, the individual departs the institution's campus, and the institution does not pay any expenses thereafter, including the cost of return transportation to the prospective student athlete's home. Additionally, if the prospective student athlete does not return home before attending the institution, the one-way transportation to the campus would be considered a violation of Bylaw 13.5.4, which prohibits transportation to enroll. [D]

13.6.3.1 48 Hour Period Defined. The 48-hour period of the official visit begins at the time the prospective student athlete arrives on the institution's campus, rather than with the initiation of the prospective student athlete's transportation by a coach or the time of the prospective student athlete's arrival at the airport or elsewhere in the community. The prospective student athlete's transportation to and from the campus must be without delay for personal reasons or entertainment purposes. The institution may not pay any expenses for entertainment (other than the actual and reasonable cost of meals) in conjunction with the prospective student athlete's transportation. At the completion of the 48-hour visit, the prospective student athlete must depart the institution's campus immediately; otherwise, the institution may not pay any expenses incurred by the prospective student athlete upon departure from the institution's campus, including the cost of the prospective student athlete's transportation home.
13.6.3.2 Exception to 48-Hour Period for Extenuating Circumstances. An official visit may extend beyond 48 hours for reasons beyond the control of the prospective student-athlete and the institution. In such instances, the institution shall submit a report to the conference office noting the details of the circumstances.

13.6.4 Transportation on Official Visit. For regulations relating to transportation on the official visit, see Bylaw 13.5.2.

13.6.5 Accommodations on Official Visit. A prospective student-athlete on an official visit shall be provided lodging and take meals as regular students normally do. Local commercial facilities may be used but at a scale comparable to that of normal student life and only within a 30-mile radius of the institution's campus.

13.6.6 Entertainment/Tickets on Official Visit.

13.6.6.1 General Restrictions. An institution may provide entertainment, which may not be excessive, on the official visit only for a prospective student-athlete and the prospective student-athlete's relatives [or legal guardian(s)]. Entertainment and contact by representatives of the institution's athletics interests during the official visit are confined to campus. It is not permissible to entertain other relatives or friends (including dates) of a prospective student-athlete at any time at any site. [R]

13.6.6.1.1 Meals and Lodging While in Transit. It is permissible for an institution to pay a prospective student-athlete's actual costs for reasonable expenses (e.g., meals, lodging) incurred while traveling to and from campus on the official visit.

13.6.6.2 Complimentary Admissions. During the official visit, a maximum of three complimentary admissions to a campus athletics event in which the institution's intercollegiate team practices or competes may be provided to a prospective student-athlete. Such complimentary admissions are for the exclusive use of the prospective student-athlete and those persons accompanying the prospective student-athlete on the visit and must be issued on an individual-game basis. Providing special seating arrangements during the conduct of the event (including intermission) for the prospective student-athlete or those persons accompanying the prospective student-athlete in the facility's press box, special seating box(es) or bench area is specifically prohibited. [R]

13.6.6.2.1 Off-Campus Home Competition. Complimentary admissions may be provided to a prospective student-athlete and those persons accompanying the prospective student-athlete on the visit to attend an institution's off-campus home competition, provided the site of the competition is located within a 30-mile radius of the institution's campus.

13.6.6.2.2 Conference Tournaments. An institution may provide complimentary admissions to a prospective student-athlete for a postseason conference tournament only if the institution participates in the tournament and it is held on the institution's campus.
13.6.6.2.3 NCAA Championships or Other Postseason Contests. The provision of complimentary or reduced-cost admissions to prospective student-athletes for an NCAA championship (all rounds) or other postseason contests (e.g., bowl game, NAIA or NIT championship) constitutes excessive entertainment and is prohibited. The prospective student athlete may purchase these tickets only in the same manner as any other member of the general public.

13.6.6.2.4 Purchase of Game Tickets in Same Locale. An institution may reserve tickets, only for the use of immediate family members accompanying a prospective student-athlete during an official visit and for seat locations adjacent to the complimentary seats being provided to the prospective student-athlete. These tickets must be purchased at face value.

13.6.6.3 Parking. An institution may arrange special on-campus parking for prospective student-athletes during an official visit.

13.6.6.4 Cash to Prospective Student-Athlete. The institution or representatives of its athletics interests shall not provide cash to a prospective student-athlete for entertainment purposes.

13.6.6.5 Student Host. The institution may provide the following to a student host entertaining a prospective student-athlete: [R]

(a) A maximum of $30 for each day of the visit to cover all actual costs of entertaining the prospective student athlete (and the prospective student athlete's relatives or legal guardians), excluding the cost of meals and admission to campus athletics events. These funds may not be used for the purchase of souvenirs such as T-shirts or other institutional mementos. It is permissible to provide the student host with an additional $15 per day for each additional prospective student-athlete the host entertains;

(b) Complimentary meals, provided the student host is accompanying the prospective student-athlete during the prospective student-athlete's official visit; and

(c) Complimentary admissions to campus athletics events, provided the admissions are used to accompany a prospective student-athlete to the events during the prospective student-athlete's official visit.

13.6.6.5.1 Multiple Hosts. If several students host a prospective student-athlete, the $30 per day entertainment money may be used to cover the actual and necessary expenses incurred by the prospective student athlete and all hosts. Only one student host per prospective student-athlete may be provided a free meal if restaurant facilities are used. [D]

13.6.6.5.2 Nonqualifier Prohibition. The student host must be enrolled in the member institution being visited by a prospective student-athlete. A nonqualifier (see Bylaw 14.02.10.3) may not serve as a student host during his or her first academic year in residence. [D]
13.6.6.5.3 Use of Automobile. The institution or representatives of its athletics interests shall not provide an automobile for use by the prospective student-athlete or the student-host. [D]

13.6.6.6 Student Support Group Assisting in Recruiting. An institution may not provide a free meal or entertainment to a member of an institutional student support group that assists in the recruitment of a prospective student athlete during an official visit, unless the student is designated as the one student host for that prospective student athlete. Any additional arrangement between the institution and members of such a support group (e.g., compensation, providing a uniform) is left to the discretion of the institution.

13.6.6.7 Meals on Official Visit.

13.6.6.7.1 Meals on Official Visit. The cost of actual meals, not to exceed three per day, on the official visit for a prospective student-athlete and the prospective student-athlete's relatives or legal guardian(s) need not be included in the $30-per-day entertainment expense. A dessert or after-meal snack also may be excluded. [R]

13.6.6.7.1.1 Entertainment at Staff Member's Home. A luncheon, dinner or brunch at the home of an institutional staff member (e.g., the athletics director, a coach, a faculty member or the institution's president) may be held for a prospective student-athlete on an official visit, provided the entertainment is on a scale comparable to that of normal student life, is not excessive in nature and occurs on only one occasion.

13.6.6.8 Normal Retail Cost. If a boat, snowmobile, recreational vehicle or similar recreational equipment (including those provided by an institutional staff member or a representative of the institution's athletics interests) is used to entertain a prospective student-athlete or the prospective student-athlete's relatives or legal guardian(s), the normal retail cost of the use of such equipment shall be assessed against the $30-per-day entertainment figure; further, if such normal retail cost exceeds the $30 per day entertainment allowance, such entertainment may not be provided. [R]

13.6.7 Entertainment on Official Visit for Relatives or Legal Guardian(s) of Prospective Student-Athlete. A member institution shall limit entertainment, meals and lodging on the prospective student-athlete's official visit to a prospective student-athlete, and the prospective student-athlete's relatives or legal guardian(s). [R]

13.6.8 Lodging for Additional Persons. Additional persons (e.g., prospective student-athlete's brother, sister, friend) may stay in the same room as the prospective student-athlete or relatives or legal guardian(s) of the prospective student-athlete, but the institution shall not pay the costs resulting from the additional occupants. The additional occupants shall not be prospective student athletes being recruited by the institution. [R]

13.6 Campus Visits.

13.6.1 Number Permitted. There is no limit to the number of times a prospective student-athlete may visit a member institution's campus at his or her own expense. A
prospective student-athlete may make a campus visit before his or her junior year in high school.

13.6.2 Entertainment on Campus Visit. An institution may provide entertainment to a prospective student-athlete, which may not be excessive, on a campus visit. Entertainment and contact by representatives of the institution's athletics interests (boosters) during a campus visit are confined to campus, unless otherwise specified. [R]

13.6.2.1 Complimentary Admissions. During a campus visit, an institution may provide a prospective student-athlete complimentary admissions to a campus athletics event in which the institution's intercollegiate team practices or competes. Such complimentary admissions are for the exclusive use of the prospective student-athlete and those persons accompanying the prospective student-athlete on the visit and must be issued on an individual-game basis. [R]

13.6.2.1.1 Home Games Outside the Community. If an institution schedules any regular-season home games at a site located in a community other than its own, the host institution may provide complimentary admissions to only one such game annually for the exclusive use of a prospective student-athlete and those persons accompanying the prospective student-athlete. Tournament and postseason contests and dates of competition are excluded. The institution shall not arrange or permit any other entertainment or payment of expenses, including transportation. [R]

13.6.2.1.2 Conference Tournaments, NCAA Championships and Other Postseason Contests. The provision of complimentary admissions to prospective student-athletes for a conference tournament, an NCAA championship (all rounds) or other postseason contests (e.g., bowl game, NAIA or NIT championship) constitutes excessive entertainment and is prohibited. The prospective student-athlete may purchase these tickets only in the same manner as any other member of the general public.

13.6.2.1.3 General Seating. A prospective student-athlete and those persons accompanying the prospective student-athlete on a campus visit are limited to general seating when given complimentary admissions to a campus athletics event. Providing special seating arrangements during the conduct of the event (including intermission) in the facility’s press box, special seating box(es) or bench area is considered excessive, and is specifically prohibited. [R]

13.6.2.2 Parking. An institution may arrange special on-campus parking for a prospective student-athlete during a campus visit.

13.6.2.3 Cash to Prospective Student-Athlete. An institution or representatives of its athletics interest (e.g., boosters) shall not provide cash to a prospective student-athlete for entertainment purposes.
13.6.3 Meals on Campus Visit. An institution may provide the cost of actual meals on a campus visit for a prospective student-athlete and those persons accompanying the prospective student-athlete. Such cost need not be included in the $30-per-day entertainment expense. A dessert or after-meal snack also may be excluded. [R]

13.6.3.1 Meal/Entertainment at Staff Member's Home. A meal at the home of an institutional staff member (e.g., the athletics director, a coach, a faculty member or the institution's president) may be held for a prospective student-athlete on a campus visit, provided the entertainment is on a scale comparable to that of normal student life and is not excessive in nature. For regulations relating to occasional meals for student-athletes who participate in a campus visit, see Bylaw 16.11.1.4.

13.6.4 Transportation on Campus Visit. During a campus visit, the institution may provide a prospective student-athlete with transportation to view practice and competition sites in the prospective student-athlete's sport, other institutional facilities and to attend an institution's home athletics contest (on or off campus). An institutional staff member must accompany the prospective student-athlete during such a trip. Payment of any other transportation expenses is not permissible. However, the institution may provide transportation for a prospective student-athlete to attend home athletics contests if transportation is available to prospective students generally. [R]

13.6.5 Accommodations/Lodging on Campus Visit. A prospective student-athlete on a campus visit may stay in an enrolled student-athlete's dormitory room only if the prospective student-athlete pays the regular institutional rate for such lodging. [R]

13.6.6 Official Visit.

13.6.6.1 Limitations on Official Visit.

13.6.6.1.1 One-Visit Limitation. A member institution may finance only one visit to its campus for a prospective student-athlete.

13.6.6.1.2 First Opportunity to Visit. A prospective student-athlete may not be provided an expense-paid visit earlier than June 15 immediately preceding the prospective student-athlete's junior year in high school. [D]

13.6.6.1.3 Post-High School Visits. The one-visit limitation applies separately to the period in which the prospective student-athlete is in high school and to the period beginning September 1 after the prospective student-athlete's completion of high school. [D]

13.6.6.1.3.1 Transfer Student. If a student-athlete attending a four-year institution desires to transfer and that institution provides written permission to contact required per Bylaw 13.1.1.2, it is permissible for a second institution to provide the student-athlete one official visit to that institution's campus.

13.6.6.1.4 Visit to Off-Campus Site. An official visit shall be made to the campus and not, for example, to an off-campus site where the institution may be
appearing in an athletics contest. However, if an institution is required to play all of its home games in a given sport at a site located in a community other than its own because of conditions beyond its own control (e.g., fire, windstorm, earthquake or other disaster), the institution may consider games played at the substitute site as on-campus competition, provided the institution documents the conditions causing it to visit an off-campus site on an official visit. [D]

13.6.6.2 Academic Requirements for Official Visit. An institution shall not provide an official visit to a high school or preparatory school prospective student-athlete until he or she satisfies the following academic requirements: [D]

(a) Presents the institution with a current high school or college-preparatory school transcript (official or unofficial);

(b) Registers with the NCAA Eligibility Center; and

(c) Is placed on the institution's institutional request list (IRL) with the NCAA Eligibility Center.

13.6.6.2.1 NCAA Eligibility Center. A prospective student-athlete's fulfillment of these academic requirements for an official visit may be certified through use of information on file at the NCAA Eligibility Center, as approved by the Executive Committee.

13.6.6.3 Length of Official Visit. There is no limit on the length of an official visit. For additional regulations relating to transportation on an official visit, see Bylaw 13.6.6.4.

13.6.6.3.1 Failure to Return Home Following Official Visit. If a prospective student-athlete does not return home following an official visit before attending the institution, the one-way transportation to the campus would be considered a violation of Bylaw 13.5.2, which prohibits transportation to enroll. [D]

13.6.6.4 Transportation on Official Visit.

13.6.6.4.1 General Restrictions. A member institution may pay a prospective student-athlete's actual round-trip transportation costs for his or her official visit to its campus, provided a direct route between the prospective student-athlete's home, to/from the site of competition or from the prospective student-athlete's educational institution and the institution's campus is used. It is not permissible for an institution to pay the prospective student-athlete's actual round-trip transportation costs for his or her participation in an institutional camp or clinic immediately prior to or after an official visit. [R]

13.6.6.4.1.1 Transportation To/From Site of Competition or From Educational Institution. A prospective student-athlete may be transported to campus for an official visit from the site of athletics competition or from the prospective student-athlete's educational institution (or the reverse arrangement), provided only actual transportation expenses are paid and the cost of the transportation
Proposals Reconsidered During Convention Business Session
Page No. 17

does not exceed the cost of transportation between the prospective student-athlete's home or educational institution and the institution's campus. [R]

13.6.6.4.1.2 Transportation of Prospective Student-Athlete's Friends, Relatives or Legal Guardian(s). An institution shall not permit its athletics department staff members or representatives of its athletics interests (boosters) to pay, provide or arrange for the payment of transportation costs incurred by relatives, friends or legal guardian(s) of a prospective student-athlete to visit the campus or elsewhere, except as provided in Bylaw 13.6.6.4.2. [R]

13.6.6.4.1.3 Prohibited Modes of Transportation. An institution is prohibited from providing a prospective student-athlete with the following modes of transportation during an official visit:

(a) Use of an automobile:

(1) Owned or operated by an institution or any representative of its athletics interests; or

(2) Arranged by an institution or any representative of its athletics interests;

(b) Use of a limousine; or

(c) Use of a helicopter. [R]

13.6.6.4.2 Automobile Transportation. When a prospective student-athlete travels by automobile on an official visit, the institution may pay round-trip expenses to the individual incurring the expense (except the prospective student-athlete's coach as provided in Bylaw 13.8.1.1) at the same mileage rate it allows its own personnel. Any automobile may be used by the prospective student-athlete (see Bylaw 13.6.6.4.1.3 relating to prohibited modes of transportation). [R]

13.6.6.4.2.1 Individuals Accompanying Prospective Student-Athlete. A prospective student-athlete's friends, relatives or legal guardian(s) may receive cost-free transportation to visit a member institution's campus only by accompanying the prospective student-athlete at the time the prospective student-athlete travels in an automobile to visit the campus.

13.6.6.4.2.2 Coach Providing Automobile Transportation. A coach, who is certified through the annual certification requirement to recruit and evaluate prospective student-athletes off campus, may transport a prospective student-athlete and his or her relatives or legal guardians in any vehicle to and from an official visit, provided the conditions regarding contact restrictions at specified sites are satisfied (see Bylaw 13.1.7) and the transportation provided does not exceed the distance between the locale of the prospective student-athlete's home to the institution's campus. [R]

13.6.6.4.3 Air Transportation. The air fare for commercial transportation for the official visit may not exceed coach (or comparable) class. [R]
13.6.6.4.3.1 Institution's Airplane. An institution may use its own airplane to transport a prospective student-athlete to the campus for an official visit, provided relatives, other friends or legal guardian(s) do not accompany the prospective student-athlete.

13.6.6.4.3.2 Noncommercial Airplane. Whenever an aircraft (other than a commercial airplane) is used to transport a prospective student-athlete, payment for its use shall be at the established charter rates at the airport where the craft is based. The institution shall be prepared to demonstrate satisfactorily that such payment has been made. [R]

13.6.6.4.4 Visiting Two or More Institutions. Two or more institutions to which a prospective student-athlete is making official visits on the same trip may provide travel expenses, provided there is no duplication of expenses and only actual and necessary expenses are provided. [R]

13.6.6.5 Accommodations on Official Visit. An institution may provide expenses for lodging to a prospective student-athlete on an official visit. Local commercial facilities may be used but at a scale comparable to that of normal student life and only within a 30-mile radius of the institution's campus.

13.6.6.5.1 Lodging for Additional Persons. Additional persons (e.g., prospective student-athlete's friend) may stay in the same room as the prospective student-athlete or relatives or legal guardian(s) of the prospective student-athlete, but the institution shall not pay the costs resulting from the additional occupants. The additional occupants shall not be prospective student-athletes being recruited by the institution. [R]

13.6.6.6 Meals on Official Visit. For regulations relating to meals, see Bylaw 13.6.3.

13.6.6.7 Entertainment on Official Visit for Relatives or Legal Guardian(s) of Prospective Student-Athlete. A member institution shall limit entertainment, meals and lodging on the prospective student-athlete's official visit to a prospective student-athlete, and the prospective student-athlete's relatives [or legal guardian(s)]. [R]

13.6.6.8 Student Host(s) on Official Visit. A student host must be enrolled in the institution being visited by a prospective student-athlete. A nonqualifier (see Bylaw 14.02.10.3) may not serve as a student host during his or her first academic year in residence. [D]

13.6.6.8.1 General Restrictions. The institution may provide the following to a student host entertaining a prospective student-athlete on an official visit:

(a) A maximum of $30 for each day of the visit to cover all actual costs of entertaining the prospective student-athlete (and the prospective student-athlete's relatives or legal guardians), excluding the cost of admission to campus athletics
events. It is permissible to provide the student host with an additional $15 per day for each additional prospective student-athlete the host entertains; and

(b) Complimentary admissions to campus athletics events, provided the admissions are used to accompany a prospective student-athlete to the events during the prospective student-athlete's official visit.

13.6.6.8.2 Prohibited Use of Student Host Funds. The funds provided to a student host may not be used for or by the prospective student-athlete to purchase souvenirs (e.g., T-shirts, other institutional mementos).

13.6.6.8.3 Multiple Hosts. If several students host a prospective student-athlete, the $30-per-day entertainment money may be used to cover the actual and necessary expenses incurred by the prospective student-athlete and all hosts. [D]

13.6.6.8.4 Use of Automobile. The institution or representatives of its athletics interests shall not provide an automobile for use by the prospective student-athlete or the student host. [D]

13.6.6.9 Student Support Group Assisting in Recruiting. An institution may not provide a free meal or entertainment to a member of an institutional student support group that assists in the recruitment of a prospective student-athlete during an official visit, unless the student is designated as the one student host for that prospective student-athlete. Any additional arrangement between the institution and members of such a support group (e.g., compensation, providing a uniform) is left to the discretion of the institution.

13.6.6.10 Normal Retail Cost. If a boat, snowmobile, recreational vehicle or similar recreational equipment [including those provided by an institutional staff member or a representative of the institution's athletics interests (booster)] is used to entertain a prospective student-athlete or the prospective student-athlete's relatives or legal guardian(s), the normal retail cost of the use of such equipment shall be assessed against the $30-per-day entertainment allowance to a student host (see Bylaw 13.6.7.7); further, if such normal retail cost exceeds the $30-per-day entertainment allowance, such entertainment may not be provided. [R]

C. Bylaws: Amend 13.7, as follows:

[Roll Call]

13.7 Unofficial (Nonpaid) Visit.

13.7.1 Number Permitted. A prospective student athlete may visit a member institution's campus at his or her own expense an unlimited number of times. A prospective student-athlete may make unofficial visits before his or her senior year in high school.

13.7.2 Entertainment/Tickets.

13.7.2.1 General Restrictions. During an unofficial visit, the institution may not pay any expenses or provide any entertainment except a maximum of three complimentary
admissions to a campus athletics event in which the institution's intercollegiate team practices or competes. Such complimentary admissions are for the exclusive use of the prospective student-athlete and those persons accompanying the prospective student-athlete on the visit and must be issued on an individual game basis. Providing seating during the conduct of the event (including intermission) for the prospective student-athlete or those persons accompanying the prospective student-athlete in the facility's press box, special seating box(es) or bench area is specifically prohibited. [R]

13.7.2.1.1 Meals. An institution may provide a prospective student-athlete (and the prospective student-athlete's relatives or legal guardians) with one meal in the institution's on-campus dining facility during an unofficial visit. When all on-campus dining facilities are closed, an institution may provide a meal in an off-campus dining facility. [R]

13.7.2.1.2 Housing — Lodging in Dormitories. A prospective student-athlete on an unofficial visit may stay in an enrolled student-athlete's dormitory room only if the prospective student-athlete pays the regular institutional rate for such lodging. [R]

13.7.2.1.3 Transportation during Unofficial Visit. For regulations relating to transportation on an unofficial visit, see Bylaw 13.5.3.

13.7.2.1.4 Reserving Game Tickets. An institution may not reserve tickets (in addition to the permissible complimentary admissions) to be purchased by a prospective student-athlete (or individuals accompanying the prospective student-athlete) on an unofficial visit. Tickets may be purchased only in the same manner as any other member of the general public. [R]

13.7.2.1.5 Parking. An institution may not arrange special parking for prospective student-athletes to use while attending a member institution's campus athletics event during an unofficial visit. [R]

13.7.2.1.6 Academic Interviews. An athletics department staff member may arrange academic interviews for a prospective student-athlete on an unofficial visit.

13.7.2.2 Home Games Outside the Community. If an institution schedules any regular-season home games at a site located in a community other than its own, the host institution may provide a maximum of three complimentary admissions to only one such game for the exclusive use of a prospective student-athlete and those persons accompanying the prospective student-athlete. Tournament and postseason games are excluded. The institution shall not arrange or permit any other entertainment or payment of expenses, including transportation. [R]

13.7.2.3 Conference Tournaments. An institution may provide complimentary admissions to a prospective student-athlete for a postseason conference tournament only if the institution participates in the tournament and it is held on the institution's campus.

13.7.2.4 NCAA Championships or Other Postseason Contests. The provision of complimentary or reduced-cost admissions to prospective student athletes for an NCAA
championship (all rounds) or other postseason contests (e.g., bowl game, NAIA or NIT championship) constitutes excessive entertainment and is prohibited. The prospective student-athlete may purchase tickets to such events only in the same manner as any other member of the general public. [R]

13.7.2.5 Visit Unrelated to Recruitment. The limitations on providing entertainment to a prospective student-athlete shall not extend to a visit to the institution's campus for a purpose having nothing whatsoever to do with the prospective student-athlete's athletics recruitment by the institution (e.g., band trip, fraternity weekend, athletics team's attendance at a sporting event with the high school coach). The institution's athletics department or representatives of its athletics interests may not be involved in any way with the arrangements for the visit, other than providing (in accordance with established policy) free admissions to an athletics event on a group basis, rather than personally to the prospective student-athlete. [R]

13.7.2.6 Visit Related to National Student-Athlete Day or National Girls and Women in Sports Day. The limitations on providing entertainment to a prospective student-athlete shall not extend to a visit to the institution's campus for activities related to National Student-Athlete Day and/or National Girls and Women in Sports Day. [R]

Rationale: One of the themes that emerged from the Chancellors and Presidents Summit was the need to ease the compliance and financial burdens that current regulations place on Division II intercollegiate athletics. Amending the legislation to permit official visits beginning June 15 immediately preceding a prospective student-athlete's junior year aligns with the permissible date for other recruiting functions and is consistent with the general recruitment of students. In addition, combining the official and unofficial visit legislation will eliminate redundancy and assist with ease of references to many areas contained within the legislation (e.g., transportation, meals). This recommendation provides flexibility for an institution to determine how it prefers to conduct campus visits instead of relying on prescribed limitations. Further, consistent with other recent changes, this recommendation allows institutional budgets to dictate the length of visits and the benefits that institutions choose to provide to prospective student-athletes visiting the institution's campus.

Review History:

June 20, 2012: Recommends Approval - Legislation Committee
July 23, 2012: Approved in Concept - Management Council
August 9, 2012: Approved in Concept - Management Council
August 29, 2012: Approved in Legislative Format - Administrative Committee

Convention Vote:

Date of Vote: January 19, 2013
Vote Type: Electronic Machine
For: 102   Against: 160   Abstain: 2

Additional Information: Original Vote: Adopted 141-139-1
Title: NCAA MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP
AND INSTITUTIONAL GOVERNANCE -- ATHLETICS DEPARTMENT PERSONNEL -
- FULL-TIME DIRECTOR OF ATHLETICS WITH NO COACHING DUTIES

Convention Year: 2015
Effective Date: August 1, 2015
SPOPL Number: 1
Official Notice Number: 2015-7
Source: NCAA Division II Presidents Council [Management Council (Membership
Committee)].
Category: Presidents Council
Topical Area: Membership
Status: Defeated

Intent: To specify that a member institution shall certify annually that it employs an individual
who serves as a full-time director of athletics with no coaching responsibilities; further, to
specify that an individual who is employed by a member institution as a full-time director of
athletics and a coach may continue to serve the institution in those positions provided the
individual held both positions at the institution on July 31, 2015.

A. Constitution: Amend 3.3.4, as follows:

[Roll Call]
3.3.4 Conditions and Obligations of Membership.
[3.3.4.1 through 3.3.4.18 unchanged.]

3.3.4.19 Responsibility of Director of Athletics. A member institution shall certify
annually that it employs an individual who serves as a full-time director of athletics
with no coaching responsibilities.

3.3.4.19.1 Exception. An individual who is employed by a member institution as a
full-time director of athletics and a coach may continue to serve the institution in
those positions provided the individual held both positions at the institution on July
31, 2015.

3.3.4.19.2 Failure to Meet Responsibility of Director of Athletics.

3.3.4.19.2.1 One-Year Probationary Period. An institution that fails to meet the
requirement regarding the responsibility of the director of athletics shall be
placed on probation for one year for its entire athletics program (both men's and
women's sports) in the next academic year after noncompliance is discovered. An
institution shall be afforded the one-year probationary period for failure to meet
the requirement only once in a five-year period. The five-year period shall begin
September 1 after completion of the academic year in which the membership criterion is not met (see Bylaw 20.02.4).

3.3.4.19.2.2 Application of Restricted Membership Status. If an institution fails to meet the requirement regarding the responsibility of the director of athletics at the end of the probationary year or is ineligible for the once-in-five-year probationary period, it shall be placed in restricted membership (see Bylaw 20.02.6). If the institution still cannot certify compliance with the division criteria at the end of that year, it shall forfeit immediately its membership in the Association.

3.3.4.19.3 Waiver. The Membership Committee, by a majority of its members present and voting, shall hear and act on an institution's waiver of division criteria. The Management Council, or a subcommittee designated by the Management Council, shall hear and act on an institution's appeal of a decision made by the Membership Committee in regard to an institution's waiver of the division's criteria.

B. Constitution: Amend 6.1, as follows:

[Roll Call]

6.1 Institutional Governance.

[6.1.1 through 6.1.2 unchanged.]

6.1.3 Director of Athletics. A member institution shall employ an individual who serves as a full-time director of athletics with no coaching responsibilities (see Constitution 3.3.4.19).

[6.1.3 through 6.1.4 renumbered as 6.1.4 through 6.1.5, unchanged.]

C. Bylaws: Amend 11, as follows:

[Roll Call]

11 Conduct and Employment of Athletics Personnel

[11.02 through 11.2 unchanged.]

11.3 Responsibility of Institutional Athletics Department Personnel.

11.3.1 Director of Athletics. A member institution shall employ an individual who serves as a full-time director of athletics with no coaching responsibilities (see Constitution 3.3.4.19).

[11.3 through 11.5 renumbered as 11.4 through 11.6, unchanged.]

Rationale: Institutions in the membership process are required to demonstrate that they employ an individual who serves as a full-time director of athletics with no coaching responsibilities. This requirement does not currently apply to active member institutions; however, data provided in the 2013 Division II Membership Census indicate that an overwhelming majority of active Division II institutions currently employ a full-time director of athletics with no...
coaching responsibilities. This legislative change would codify current best practices. In addition, it is expected that this change will raise the overall level of Division II, reduce conflicts of interest, create consistency among the membership and enhance institutional control. Permitting individuals who serve an active member institution as a director of athletics and as a coach on July 31, 2015, to continue serving in both positions at their current institution, will provide flexibility for institutions that currently employ such individuals.

**Review History:**

*November 6, 2013:* Recommends Approval - Membership Committee

*January 15, 2014:* Approved in Concept - Management Council

*January 16, 2014:* Approved in Concept - Presidents Council

*April 15, 2014:* Approved in Legislative Format - Management Council

*April 24, 2014:* Approved in Legislative Format - Presidents Council

*July 8, 2014:* Recommends Approval - Membership Committee  [The Membership Committee amended its original recommendation.]

*July 22, 2014:* Approved in Concept - Management Council

*August 7, 2014:* Approved in Concept - Presidents Council

*August 27, 2014:* Approved in Legislative Format - Administrative Committee

**Convention Vote:**

*Date of Vote:* January 17, 2015

*Vote Type:* Electronic Machine

For: 137  Against: 157  Abstain: 1

**Additional Information:** Original Vote: 164-144-3; Reconsideration: 137-157-1
Title: AMATEURISM -- PREFERENTIAL TREATMENT -- EXCEPTION -- DESIGNATION OF FUNDRAISING MONEY

Convention Year: 2011
Effective Date: August 1, 2011
IPOPL Number: 1
SPOPL Number: 4
Official Notice Number: 2011-4
Source: Colonial States Athletic Conference, Little East Conference, New Jersey Athletic Conference and Presidents' Athletic Conference.
Category: Membership Proposal
Topical Area: Amateurism
Status: Adopted

Intent: To specify that it would be permissible for an institution to designate money earned via fundraising by a student-athlete specifically for that student-athlete up to the actual and necessary expenses for the specific item (e.g., transportation, uniforms). Any unearned money would go to the institution, athletic department or team. Further, to establish a definition of earned and unearned money.

A. Bylaws: Amend 12.1.1, as follows:

[Roll Call]

12.1.1 Preferential Treatment, Benefits or Services. It is impermissible to receive preferential treatment, benefits or services because of the individuals athletics reputation or skill, or pay-back potential as a professional athlete, unless such treatment, benefits or services are specifically permitted under NCAA legislation. For violations of this bylaw in which the value of the benefit is $100 or less, the eligibility of the individual shall not be affected, conditioned on the individual repaying the value of the benefit to a charity of his or her choice. The individual, however, shall remain ineligible from the time the institution has knowledge of the receipt of the benefit until the individual repays the benefit. If the violation involves institutional responsibility, it remains an institutional violation per Constitution 2.8.1, and documentation of the individuals repayment shall be forwarded to the enforcement staff.

12.1.1.1 Exception - Designation of Earned Fundraising Money. An institution may designate specific funds earned by a student-athlete through institutional fundraising activities provided all of the following conditions are satisfied:

(a) Designated funds do not exceed the student-athletes actual and necessary expenses (e.g., transportation, uniforms);

(b) Any funds that exceed a student-athletes actual and necessary expenses (e.g., transportation, uniforms) must be applied to the general team or institutional fund and cannot be designated for any specific student-athlete;

(c) All designated funds must be deposited with the institution to administer; and

(d) Any unearned funds must be deposited into the general team or institutional fund and cannot be designated for any student athlete.
12.1.1.1 Application of Earned and Unearned. For the purpose of this bylaw, funds are considered unearned when a student athlete participates in a fundraising involving an athletically related activity (e.g., swim-a-thon) or in direct appeal (e.g., letter writing) requests. Earned funds are any funds not considered unearned.

B. Bylaws: Amend 12.1.5.1, as follows:

[Roll Call]

12.1.5.1 Permissible Activities -- After Initial, Full-Time Collegiate Enrollment. After initial, full-time collegiate enrollment, an individual may engage in the following activities without jeopardizing his or her amateur status:

[12.1.5.1-(a) through 12.1.5.1-(c) unchanged.]

(d) Participation in Institutional, Charitable or Educational Promotions or Fundraising Activities Involving the Athletics Ability of Student-Athletes. Institutional, charitable or educational promotions or fundraising activities that involve the use of athletics ability by student-athletes to obtain funds (e.g., “swim-a-thons”) are permitted only if: all money derived from the activity or project goes directly to the member institution, member conference or the charitable, educational or nonprofit agency; the student-athletes receive no compensation or prizes for their participation; and the provisions of Bylaw 12.5.1 are satisfied; Institutional, charitable or educational promotions or fundraising activities that involve the use of athletics ability by student-athletes to obtain funds (e.g., swim-a-thons) are permitted only if the provisions of Bylaw 12.5.1.1 and Bylaw 17 are satisfied.

[12.1.5.1-(e) through 12.1.5.1-(f) unchanged.]

C. Bylaws: Amend 12.5.1.1, as follows:

[Roll Call]

12.5.1.1 Institutional, Charitable, Educational or Nonprofit Promotions. A member institution or recognized entity thereof (e.g., fraternity, sorority or student government organization), a member conference or a noninstitutional charitable, educational or nonprofit agency may use a student-athlete's name, picture or appearance to support its charitable or educational activities or to support activities considered incidental to the student-athlete's participation in intercollegiate athletics, provided the following conditions are met:

[12.5.1.1-(a) through 12.5.1.1-(d) unchanged.]

(e) All money derived from the activity or project go directly to the member institution, member conference or the charitable, educational or nonprofit agency; Further, an institution may designate money earned through participation in institutional fundraisers for a student-athlete in accordance with Bylaw 12.1.1.1; [12.5.1.1-(f) through 12.5.1.1-(i) unchanged.]

Rationale: Currently, a student-athlete cannot fundraise and have that money contributed to the student-athlete for the item (e.g., transportation, uniforms). Rather, any money that a student-athlete fundraises must go into a general account. This unfairly treats student-athletes that actively participate in fundraising compared to those that do not. The proposed change would permit the institution to designate funds for a specific athlete up to the necessary and actual expenses if the funds are earned. Any unearned monies from athletically related fundraisers or direct appeals must go to the institution, athletics department or team, given the strong connection to potential preferential treatment issues based solely on reputation or skill. A distinction should be made between earned and unearned funds when objective factors can be accounted for if the money is earned working, volunteering or selling. This protects against individual preferential treatment. Establishing a distinction between “earned” and “unearned” activity will permit institutions to designate funds in a limited manner with appropriate institutional oversight. The safeguard against legitimate
preferential treatment is maintained in order to prevent a student-athlete from using his or her athletics reputation or skill as the sole basis for receipt of funds.

**Position Statement(s)**

*Presidents Council:* The Presidents Council opposes this proposal. The council noted that while this provides increased flexibility and autonomy for institutions to manage fundraising activities within reasonable parameters, it detracts from the team aspect of intercollegiate athletics and may have other unintended consequences. Further, it was noted the current rules do not appear to restrict the ability of teams to fundraise and participate in athletics activities.
NCAA Division I Temporary Review Process and Legislative Relief Waivers

**Issue:**

In some areas, the strict application of NCAA Division I legislation, (sub)committee directives or guidelines and case precedent results in outcomes the membership increasingly views as too harsh and inconsistent with recent reform efforts to focus on rules that are meaningful, enforceable or that contribute to student-athlete success.

**Approval of the Temporary Review Process:**

The NCAA Division I Leadership Council granted staff authority to consider extenuating circumstances and exercise reasonable discretion in evaluating cases where the prescribed analysis, as set forth in the legislation, (sub)committee directives or guidelines and case precedent, result in an inappropriate negative impact to a prospective or enrolled student-athlete. Specifically, after determining the impact of a prescribed penalty, the staff now has the authority to give additional consideration of mitigating factors that may justify departure from the established penalty or outcome in the following categories of cases:

1. Cases involving the health and safety of a student-athlete, or instances in which the prescribed penalty or outcome would likely have a significant negative impact on a student-athlete's well-being.

2. Cases involving prospective or enrolled student-athletes who have served active duty in the military or who have delayed collegiate enrollment due to serving official religious missions.

3. Cases that involve the potential for significant withholding conditions (e.g., a year in residence and one or more seasons of intercollegiate competition, loss of all or part of final year of eligibility), despite the existence of circumstances indicating that the application of prescribed penalties is disproportionate or otherwise inconsistent with the intent of the legislation.

4. Cases involving nominal or inconsequential benefits to student-athletes.

**Temporary Review Process and Legislative Relief Waivers:**

The following legislative relief waiver cases will be considered under the temporary review process:

1. Cases involving the health and safety of a student-athlete or his or her immediate family member. Cases involving the assertion of significant personal hardship (e.g., death or serious illness of immediate family member, extreme financial hardship).
2. Cases in which the application of the legislation would likely have an inappropriate negative impact on a student-athlete's well-being.

3. Consideration of additional benefits for nonqualifiers (e.g., attending team banquets, traveling with the team) who receive a partial approval when warranted by the circumstances.

4. Cases involving use of a student-athlete's likeness for nonathletic reasons (e.g., student-athlete writing a book or selling artwork).

5. Cases involving 4-4 transfers are not subject to this temporary review process.

**Temporary Review Process and Withholding Condition Analysis:**

To apply a withholding condition in place of either: (1) applying the legislation; or (2) using standard processing policies and procedures, the mitigation and/or assertions provided in the waiver should meet at least one of the following thresholds:

1. The reason for delay is compelling; or

2. The level of competition and/or type of competition (i.e., fun run, informal pickup, shirts/skins) warrants relief from the legislation.

**Original Withholding Options:**

If the number of contests is less than or equal to 20 percent of the maximum limitations, the starting point is a one-for-one withholding. Compelling mitigation may result in full relief. Compelling mitigation could include, but is not limited to:

1. Facts and assertions that fall outside the scope of legislation;

2. Low level and/or noncompetitive type of competition;

3. Chronology of student-athlete's participation in organized competition;

4. Whether student-athlete enrolled at first opportunity after delay period ceases;

5. Whether student-athlete received misadvisement/lack of advisement from an appropriate source; and
6. "Time Served" – the student-athlete already served a significant penalty.

If the number of contests is greater than 20 percent of the maximum limitations, the starting point is a two-for-one withholding not to exceed 50 percent of maximum limitations.

1. The type of competition or reason for delay could serve as mitigation for the number of competitions.

2. If none of the withholding thresholds are met and the case is otherwise not compelling, no relief should be provided.

**Current Withholding Options:**

The starting point for all cases is a one-for-one withholding. With additional compelling mitigation (i.e., number of contests or dates of competition is less than or equal to 20 percent of the maximum limitations) the withholding could be reduced to a one-for-two withholding. If concern is raised regarding the number and/or caliber of competition the withholding could be increased to a two-for-one withholding.
Withholding Condition Analysis
To apply a withholding condition in place of either: (1) applying the legislation; or (2) using standard processing policies and procedures, the mitigation and/or assertions provided in the waiver should meet at least one of the following thresholds:

• The reason for delay is compelling;
• The level of competition and/or type of competition (i.e. fun run, informal pickup, shirts/skins) warrants relief from the legislation; and/or
• The number of competitions is less than 20% of maximum limitations.

Current Withholding Options
If the number of contests is less than or equal to 20% of the maximum limitations, the starting point is a one-for-one withholding. Compelling mitigation may result in full relief. Compelling mitigation could include, but is not limited to:

• Facts and assertions that fall outside the scope of legislation
• Low level and/or noncompetitive type of competition
• Chronology of SA’s triggering participation in organized competition
• Whether SA enrolled at first opportunity after delay period ceases
• Whether SA received misadvisement/lack of advisement from a reliable source
• “Time Served” - The SA has already served a significant penalty

If the number of contests is greater than 20% of the maximum limitations, the starting point is a two-for-one withholding not to exceed 50% of maximum limitations.

• The type of competition or reason for delay could serve as mitigation for the number of competitions.
• If none of the withholding thresholds are met and the case is otherwise not compelling, no relief should be provided.

Proposed Withholding Options
If the number of contests or dates of competition is less than or equal to 20% of the maximum limitations, the starting point is a one-for-one withholding. With additional compelling mitigation the withholding could be reduced to a one-for-two withholding.

If the number of contests is greater than 20% but less than 50% of the maximum limitations, the starting point is a one-for-one withholding. If concern is raised regarding the number and/or caliber of competition the withholding could be increased to a two-for-one withholding.

Questions to Consider
1. Do we have enough tools in our toolkit to adequately address the most common fact patterns?
2. Should a one-for-one withholding be used as the starting point across the board?
3. If approved, should we immediately begin using the new withholding options?
**Eligibility Center Amateurism Certification Information**

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Issue:

Whether the NCAA Division II Legislation Committee should elevate a staff interpretation [Reference: 5/13/2011, Item No. a] to an official interpretation and recommend that the NCAA Division II Management Council incorporate the official interpretation into the NCAA Division II Manual to clarify the application of the exception to participate in organized competition to student-athletes who participate in junior-level competition.

Background and Analysis:

Current legislation specifies that an individual who does not enroll in a collegiate institution as a full-time student after a one-year grace period following his or her high school graduation date uses one season of intercollegiate competition for each consecutive 12-month period after the one-year grace period and before initial full-time collegiate enrollment as well as fulfill an academic year in residence before being eligible to represent the certifying institution in intercollegiate competition.

NCAA Bylaw 14.2.4.2.2.2 (national/international competition exception) provides an exception to the delayed enrollment legislation. Under the current legislation, student-athletes may have one additional grace year if they participate in national or international competition as specified in the legislation; however, the exception to the delayed enrollment legislation does not extend to junior-level competition that may be associated with the specified events pursuant to a previously issued staff interpretation [Reference: 5/13/2011, Item No. a]. Staff has recently received questions about the application of the legislation to junior-level competition based on lack of knowledge of the staff interpretation.

Conclusion:

1. The Legislation Committee recommends that the staff interpretation be elevated to an official interpretation and that Management Council incorporate the official interpretation clarifying the application of the exception to participate in organized competition to student-athletes who participate in junior-level competition.

2. The Legislation Committee does not recommend that the staff interpretation be elevated to an official interpretation.
Associated References:

**Division II Bylaw**

14.2.4.2.2 National/International Competition Exception. For a maximum of one year, participation in organized competition per Bylaw 14.2.4.2.1.2 shall be excepted if the competition is national or international competition that includes participation in: (Adopted: 1/8/01 effective 8/1/01, for those individuals first entering a collegiate institution on or after 8/1/01)

(a) Official Pan American, World Championships, World Cup, World University Games, World University Championships and Olympic training, tryouts and competition; (Revised: 10/18/11)

(b) Officially recognized training and competition directly qualifying participants for final Olympic tryouts; or

(c) Official tryouts and competition involving national teams sponsored by the appropriate national governing bodies of the U.S. Olympic Committee (or, for student-athletes representing another nation, the equivalent organization of that nation, or, for student-athletes competing in a non-Olympic sport, the equivalent organization of that sport)

**Division II Interpretation**

**Title:** Delayed Enrollment for Junior National/International Competition (II)

**Date Issued:** May 11, 2011

**Date Published:** May 19, 2011

**Type:** Staff Interpretation

**Item Ref:** a

The academic and membership affairs staff confirmed that the exception to the delayed enrollment legislation for participation in national/international competition (e.g., Olympic Games, World Championships, National Team) applies only to the events specified in the legislation and does not extend to junior level competition (e.g., Youth Olympic Games, U20 World Cup, Junior National Team) that may be associated with the specified events.

[Reference: NCAA Division II Bylaw 14.2.4.2.2.2 (exception -- national/international competition)]
**Division II Proposal**

**Title:** ELIGIBILITY -- CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY -- PARTICIPATION IN ORGANIZED COMPETITION PRIOR TO INITIAL COLLEGIATE ENROLLMENT

**Convention Year:** 2010  
**Effective Date:** August 1, 2010, for individuals initially enrolling full time in a collegiate institution on or after August 1, 2010.  
**SPOPL Number:** 6  
**Official Notice Number:** 2010-11  
**Source:** NCAA Division II Presidents Council [Management Council (Legislation Committee)].  
**Category:** Presidents Council  
**Topical Area:** Eligibility  
**Status:** Adopted

**Intent:** To specify that an individual who does not enroll in a collegiate institution as a full-time student in the regular academic term that begins immediately after a one-year time period following his or her high school graduation date shall use one season of intercollegiate competition for each consecutive 12-month period after the one-year time period and before initial full-time collegiate enrollment in which the individual participates in organized competition; further, to amend the administration of the organized-competition regulations, as specified.

**Bylaws:** Amend 14.2.4.2, as follows:

[Roll Call]

14.2.4.2 Participation in Organized Competition or Training Prior to Initial Collegiate Enrollment. An individual who does not enroll in a collegiate institution as a full-time student during the regular academic term that is immediately following the date that the individual’s high school class normally graduates from high school (or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility) in the regular academic term that begins immediately after a one-year time period (the next opportunity to enroll after the one calendar-year period has elapsed) following his or her high school graduation date shall use a one season of intercollegiate competition for each calendar year or sports season (following that date) consecutive 12-month period after the one-year time period and before initial full-time collegiate enrollment in which the individual has participated in activities that meet the criteria set forth in organized competition per Bylaw 14.2.4.2.3.1.2.
14.2.4.2.1 Discontinued High School Enrollment. An individual who discontinues high school enrollment and subsequently participates in activities that meet the criteria set forth in Bylaw 14.2.4.2.3 shall use a season of intercollegiate competition for each calendar year or sports season of participation regardless of the date the individual's high school class normally graduates.

14.2.4.2.2 Academic Year in Residence. An individual who uses a season(s) of competition in a specific sport per Bylaw 14.2.4.2, shall fulfill an academic year in residence at any member institution prior to being eligible to represent the certifying institution in that specific sport in intercollegiate competition.

14.2.4.2.3 Activities Constituting Use of Season. An individual shall use a season of competition per Bylaw 14.2.4.2 if the individual participates in activities that meet any of the following criteria:

(a) Any competition or training with a team that declares itself to be professional;

(b) Any competition or training with a team in which compensation is provided to any of the participants (including actual and necessary expenses);

(c) Any individual competition or training in which any of the participants receive compensation (including actual and necessary expenses);

(d) Any competition pursuant to the signing of a contract for athletics participation;

(e) Any competition pursuant to involvement in a professional draft;

(f) Any competition funded by a professional sports organization, excluding not-for-profit organizations affiliated with professional sports organizations;

(g) Any competition funded by a representative of an institution's athletics interest that is not an open event; or

(h) Any practice with a professional athletics team (excluding a 48-hour tryout).

14.2.4.2.3.1 Actual and Necessary Expenses. For purposes of determining the use of a season of competition per Bylaw 14.2.4.2, actual and necessary expenses are limited to the following:

(a) Meals;

(b) Transportation;
(c) Lodging;
(d) Medical insurance;
(e) Stipend (e.g., money for gas or food); or
(f) Medical expenses (excluding on-site treatment of an injury).

14.2.4.2.3.1.1 Exceptions — Reasonable Expenses and Fees. Reasonable expenses other than those listed above (e.g., the value of coaching, instruction and facility usage) are not considered compensation. If an individual pays a fee to participate on a team, the individual uses a season of competition only if the amount of actual and necessary expenses or other compensation received exceeds the amount of the fee.

14.2.4.2.3.1.1 Definition of Fee. A fee to participate on a team or club must:
(a) Be required of all individuals on the team or club;
(b) Be the same amount for all individuals on the team or club;
(c) Be directly used for the expenses of the team or club; and
(d) Not be earmarked for a specific individual or individuals.

14.2.4.2.1 Administration of Participation in Organized Competition.

14.2.4.2.1.1 High School Graduation. An individual's high school graduation date (or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility) shall be considered to be the graduation date of the final high school class (e.g., junior, senior) of which he or she was a member.

14.2.4.2.1.1.1 Early High School Graduation. If an individual graduates early from high school, he or she becomes a member of that class and the date of graduation for the individual is the expected date of that class.

14.2.4.2.1.1.2 Late High School Graduation — Required Repeat Year. If an individual is required to repeat an entire year of high school attendance, he or she becomes a member of that class and the date of graduation for the individual is the expected date of that class.

14.2.4.2.1.1.3 Discontinued High School Enrollment. An individual who discontinues high school enrollment and then participates in organized competition per Bylaw 14.2.4.2.1.2 shall use one season of intercollegiate competition for each consecutive 12-month period after a one-year time period (the next opportunity to enroll after one calendar year has
elapsed) following the discontinued enrollment and before initial full-time collegiate enrollment.

14.2.4.2.1.2 Organized Competition. Athletics competition shall be considered organized if any one of the following conditions exists:

(a) Competition is scheduled in advance;

(b) Official score is kept;

(c) Individual or team standings or statistics are maintained;

(d) Official timer or game officials are used;

(e) Admission is charged;

(f) Teams are regularly formed or team rosters are predetermined;

(g) Team uniforms are used;

(h) An individual or team is privately or commercially sponsored; or

(i) The competition is either directly or indirectly sponsored, promoted or administered by an individual, an organization or any other agency.

14.2.4.2.1.3 Academic Year in Residence. An individual who uses a season of competition in a specific sport per Bylaw 14.2.4.2 shall fulfill an academic year in residence at any member institution before being eligible to represent the certifying institution in that specific sport in intercollegiate competition.

14.2.4.2.1.3.1 Exception. A student who has attended a two-year or a four-year collegiate institution for at least two full-time semesters or three full-time quarters and who has satisfactorily completed an average of at least 12 semester or 12 quarter hours of transferable degree credit for each full-time academic term of attendance at the two-year or four-year collegiate institution is not required to fulfill an academic year in residence prior to being eligible to represent the certifying institution in that specific sport in intercollegiate competition. (See Bylaws 14.4 and 14.5 for progress-toward-degree and transfer requirements.)

14.2.4.2.2 Exceptions to Participation in Organized Competition. An individual shall not be charged with a season of intercollegiate competition, provided the individual satisfies any of the following exceptions for each consecutive 12-month period in which the individual
participates in organized competition per Bylaw 14.2.4.2.1.2 following the one-year time period after the individual's high school graduation and before initial full-time collegiate enrollment.

14.2.4.2.3.1 U.S. Armed Services Exception. Participation in activities that meet the criteria set forth in organized competition per Bylaw 14.2.4.2.3.1.2 during time spent in the U.S. Armed Services shall be excepted as long as the competition is organized and administered by the military.

14.2.4.2.3.2.2 National/International Competition Exception. For a maximum of one year, participation in activities that meet the criteria set forth in organized competition per Bylaw 14.2.4.2.3.1.2 shall be excepted if the competition is national or international competition that includes participation in:

(a) Official Pan American, World Championships, World Cup, World University and Olympic training, tryouts and competition;

(b) Officially recognized training and competition directly qualifying participants for final Olympic tryouts; or

(c) Official tryouts and competition involving national teams sponsored by the appropriate national governing bodies of the U.S. Olympic Committee (or, for student-athletes representing another nation, the equivalent organization of that nation, or, for student-athletes competing in a non-Olympic sport, the equivalent organization of that sport).

14.2.4.2.3.4 Postgraduate College Preparatory School Exception. Participation in activities that meet the criteria set forth in Bylaw 14.2.4.2.3 while enrolled in a postgraduate college preparatory school shall be excepted. This exception may only be used during the initial year of enrollment in the preparatory school.

14.2.4.2.3.52.3 Skiing Exception. For a maximum of two years, participation in activities that meet the criteria set forth in organized competition per Bylaw 14.2.4.2.3.1.2 shall be excepted in the sport of skiing when such participation is part of competition sanctioned by the U.S. Skiing Association and its international counterparts.

14.2.4.2.3 Notification of Organized-Competition Legislation. Institutions shall provide to high school, preparatory school, two-year and four-year college prospective student-athletes and their parents or legal guardians information regarding the organized-competition legislation contained in Bylaw 14.2.4.2. The information shall be provided at the earliest practical opportunity after the institution begins recruiting the prospective student-athlete, but not later than the day prior to the prospective student-athlete's signed acceptance of the National Letter of Intent or institution's written offer of admission and/or
financial aid. An institution may provide the information in hard-copy or electronic form (e.g., electronic mail, link to Web site). Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.

14.2.4.2.4 Waiver. The Committee for Legislative Relief shall have the authority to review and grant waivers of the organized competition legislation.

Rationale: Since January 2008, the governance structure has been examining issues related to the organized-competition legislation. There has been significant analysis of whether the frequency and level of competition, rather than compensation, should determine organized competition. Per the proposal, it will no longer be of importance if the individual, his or her teammate(s) or other individuals participating in an event received compensation, including prize money, actual and necessary expenses, etc. An expanded "grace period" would allow individuals ample time to participate in organized competition and make a decision regarding enrollment in college without compromising their opportunity to participate in Division II athletics. Further, a transfer student will not be required to serve an academic year in residence at the certifying institution if he or she transfers after meeting certain academic requirements. By presenting the certifying institution with this academic information, the transfer student would demonstrate the requisite commitment to academics. Requiring institutions to provide individuals with information regarding the organized-competition legislation ensures that individuals are provided with this information early in the recruiting process. A waiver provision specifies the committee authorized to waive the application of the organized-competition legislation. Finally, the Legislation Committee will continue to review cases processed under the organized-competition rule and report any issues to the Presidents Council.

Review History:
June 25, 2009: Recommends Approval - Legislation Committee
July 21, 2009: Approved in Concept - Management Council
August 6, 2009: Approved in Concept - Presidents Council
August 26, 2009: Approved in Legislative Format - Administrative Committee

Convention Vote:
Date of Vote: January 16, 2010
Vote Type: Electronic Machine
For: 218 Against: 59 Abstain: 3
Division II Legislation Committee Financial Aid Review
Legislative Concepts

1. **Count Only Athletics Aid Toward Individual and Current Team Equivalency Limits.** A model in which only athletics aid counts toward the individual and team equivalency limits would significantly reduce administrative burden. Institutions would only be responsible for tracking the aid awarded by the athletics department and ensuring that student-athletes do not receive a financial aid package that exceeds a full grant-in-aid or the cost of attendance where applicable.

2. **Eliminate Term-by-Term Financial Aid Awards.** Eliminating term-by-term awards addresses student-athlete well-being concerns. Exceptions could be included to provide flexibility in those instances in which an award of less than one academic year is warranted (e.g., midyear enrollee, final semester/quarter, one-time exception). The financial aid data indicates that at least three quarters of financial aid awards are provided for a one-year term.

3. **Permit Increases in Athletically Related Financial Aid at Any Time, For Any Reason.** Allowing athletics aid to be increased at any time, for any reason will provide institutions the discretion to distribute athletics aid as deemed appropriate on an individual campus. Currently, once the period of the award begins, an increase must be for a reason other than athletics.

4. **Exempt All Academic Aid and Eliminate National Criteria for Exemption.** During the 2014 NCAA Convention, NCAA Division II Proposal No. 2014-22 (financial aid -- definitions and applications -- exempted institutional financial aid -- academic awards -- criteria for exemption) was referred on the Convention floor to committee for further review and discussion. The proposal would have eliminated the national criteria for exempting academic awards and allowed institutions to exempt academic aid provided the student-athlete met the institutional criteria for the award. Such a change would reduce the administrative burden of having to monitor both national and institutional criteria.

5. **Exempt All Need-Based Aid.** Allowing institutions to exempt all need-based aid received by a student-athlete would ensure that student-athletes receive all aid to which they are entitled without concern that it would negatively impact individual and team equivalency limits. Need-based aid could be defined by institutional policy or national criteria could be established.

6. **Exempt Any Aid Received by All Students at the Institution (e.g., tuition discounts).** As institutions continue to develop ways to recruit and retain students, tuition discount programs are becoming increasingly popular. Exempting aid that is offered to all students at an institution would ensure that student-athletes are treated similarly to their nonstudent-athlete peers.
7. Eliminate the Restriction on the Total Awards in Men's Sports. NCAA Bylaw 15.5.2.1.1.1 (overall limit) specifies that an institution shall not award more than 60 total number of awards in men's sports, excluding football and men's basketball. Eliminating this restriction would provide additional opportunities for male student-athletes to receive athletics aid. Institutions are ultimately responsible for managing Title IX and gender-equity requirements.
What is GOALS?
GOALS (Growth, Opportunities, Aspirations and Learning of Students in College) is an NCAA study of the experiences and well-being of current student-athletes. The GOALS study was designed to provide data to NCAA committees, policymakers and member institutions on a range of issues important to today’s student-athletes. Similar studies were previously conducted in 2006 and 2010.

Survey
The current GOALS survey covered the following general topics:

- College athletics experience
- College academic experience
- College social experience
- Recruitment
- Health and well-being
- Time commitments
- On-campus support
- Finances
- Opportunity to provide open-ended comments

A number of items have been repeated across the three administrations of the survey, allowing for trends to be examined. New items in the current study include questions on youth sports participation, parental aspirations, burnout, involvement/interest in study abroad and internships, and athletics department programming desired. Survey responses were received from over 21,000 student-athletes at nearly 600 schools across Divisions I, II and III.

Initial Findings
College Choice
- Athletics continues to play a prominent role in college choice across division. This includes quality of athletics facilities and presence of a particular coach.
- M/W basketball stands out as a sport where the decision to enroll or to transfer (especially among Division I men) often depends on the coach at that college.
- Although most domestic prospective student-athletes (PSAs) visit campus prior to enrolling, many international PSAs (especially in Division II) do not. This is noteworthy given the large increases in international student-athletes participating in many NCAA sports and the role that fit within a school/team plays in student-athlete retention.
- Most student-athletes across NCAA division expressed satisfaction with their college choice and the athletics experience within their NCAA division. Lowest satisfaction levels were generally seen in high-profile Division I and II sports where unrealistic pro expectations may be highest.
- NCAA student-athletes generally reported that their expectations about college academics and time demands were accurate. Expectations about the athletics and social experience were more often reported as being less accurate.
Student-Athlete Time Commitments

- Current college student-athletes are reporting more time devoted to athletics pursuits than was reported in 2010. This in-season increase occurred across division and for both men and women.
- Change in median time spent on athletics:
  - Division I: 32 hours/week in-season in 2010, 34 hours/week in 2015.
  - Division II: 30 hours/week in 2010, 32 hours/week in 2015.
  - Division III: 27 hours/week in 2010, 28.5 hours/week in 2015.
- FBS football players continue to report the highest weekly in-season time commitments (median=42 hours/week, up from 39 hours/week in 2010). FCS football and Division I baseball also reported 40 hours/week or more. Among women’s sports, Division I softball reported the highest figures (39 hours/week).
- Across sports and NCAA division, the typical college student-athlete is also reporting more time spent on academics.
- Change in median time devoted to academics:
  - Division I: 35.5 hours/week in-season in 2010, 38.5 hours/week in 2015.
  - Division II: 35.5 hours/week in 2010, 38.5 hours/week in 2015.
  - Division III: 38.5 hours/week in 2010, 40.5 hours/week in 2015.
- Two-thirds of Division I and II student-athletes (half in Division III) said they spend as much or more time on athletics during the off-season as during their competitive season. 75% or more of student-athletes in baseball, football and M/W track in Divisions I and II reported spending as much time on their sport in the off-season as they do in-season.
- Although time spent on athletics has increased, 2015 reports of missed class were generally low and very similar to those seen in 2010.
- Most student-athletes across division expressed satisfaction with the number of contests in their sport, with approximately one-quarter wanting even more of them (including high percentages in ice hockey, DII/DIII men’s golf and DI men’s soccer).
- Sports where student-athletes were most likely to express a desire for fewer competitions included tennis, softball and women’s volleyball.
- Division I women were most likely to state a preference for spending less time on athletics.
- Nearly two-thirds of men and three-quarters of women (highest in Division I) expressed a preference for more opportunities to visit home and family.
- High percentages of study participants expressed a desire to have more time for socialization and relaxation. This was especially true among those student-athletes with a high combination of academic and athletics time commitments (e.g., women, Division I student-athletes).
- The median self-reported weekly time spent socializing/relaxing during the athletics season was 17.1 hours in 2015, down from 19.5 hours in 2010 (difference of about 2 hours and 22 minutes).
- Student-athletes in the 2015 GOALS study reported sleeping an average of 6 hours and 16 minutes on a typical in-season weeknight. That is down 13 minutes from what student-athletes reported in 2010 (6 hours and 29 minutes). However, student-athlete assessments of their sleep quality are very close to those reported by college students generally.

Academic Experiences

- More than three-quarters of NCAA men and women (slightly higher among women and in Division III) reported that their overall academic experience has been positive.
A majority of student-athletes reported feeling positive about their ability to keep up with their classes while in-season (approximately 60% in DI, 65% in DII, 70% in DIII).

While over a third of student-athletes said that athletics participation has prevented them from taking desired classes, these numbers are down more than 10 percentage points in many Division I sports. Such improvements may be related to enhanced online options for course-taking (59% of DI, 54% of DII and 27% of DIII participants reported taking online courses through their college). Most student-athletes who say athletics has impacted course choices report not having regrets about those choices.

Slightly higher numbers of Division I student-athletes are indicating in 2015 that their athletics participation has prevented them from enrolling in their desired major, but few say they regret their choice.

Over two-thirds of student-athletes report having developed a close personal relationship with at least one faculty member, while more than 80% within each division believes their coach cares whether they graduate.

10% of Division I and II student-athletes have/will participate in a study abroad program. 33% of Division I student-athletes and 22% of Division II student-athletes say they would like to participate, but cannot because of their athletics commitments.

Finances

More than two-thirds of Division II and III student-athletes said college costs were an important consideration in making their college choice. These numbers were lower in Division I, particularly among football and M/W basketball participants.

About one-third of Division I student-athletes and nearly one-half of Division II student-athletes have concerns about how finances will impact their ability to complete their degree. More than two-thirds of the student-athletes on athletics aid in Divisions I and II say that quitting their sport would make staying at their current college a problem financially.

78% of student-athletes (60% in Division I men’s basketball and football) indicated that they usually have enough money to buy the things they need.

Campus and Team Environment

Most student-athletes have a strong sense of belonging at their college, feel that their coaches and teammates have created an inclusive team environment, and feel that their coaches and teammates are accepting of people from diverse racial or ethnic backgrounds. However, student-athletes of color (especially women) are slightly less likely to find the campus and team environments inclusive and accepting.

When asked how comfortable they would feel approaching others about a team issue or problem, student-athletes across division reported feeling most comfortable speaking with their team captains and coaches as opposed to faculty or administrators.

Student-athletes view other members of the student body as being less supportive of athletics than are faculty and school administrators.

Although most student-athletes said they frequently socialize with non-athletes at their college, increased numbers within each division reported that all of their closest friends are college teammates.

Student-athletes, like many college students, are highly connected to their parents. 48% of NCAA men and 62% of women communicate with their parents at least once per day.
Volunteerism

- Nearly 90% of current student-athletes reported engaging in community service, which is a slight increase from 2010. 49% of men and women engage in service a few hours per month or more (up from 44% in 2010).
- Coaches are requiring service at higher rates. In 2010, 50% of student-athletes reported being required to participate in service hours by their coach or team. That number rose to 58% in the 2015 survey.

Youth Sports Experiences

- Many NCAA student-athletes, especially in sports like ice hockey, tennis (DI and DII only) and soccer, began specializing in their sports at what experts consider a very early age (e.g., before age 12).
- Student-athletes in many sports played that sport year-round growing up and participated in the sport on both club and high school teams. Many NCAA athletes think youth in their sport play in too many contests and a number of them (especially men) wish they had spent more time sampling other sports when they were young.
- Many current NCAA student-athletes had high parental/family expectations of playing college and/or professional/Olympic sports that started at a young age. This is especially true among participants in certain DI/DII sports. These family expectations may fuel unrealistic pro expectations expressed by the student-athletes themselves in the GOALS survey.

Ethical Leadership of Coaches

- Scales were included in the GOALS survey to assess student-athlete opinion on the ethical leadership and abusive supervision of their coaches.
- Although most student-athletes rate their coaches at similarly high levels as expressed in 2010, we see that women and Division I student-athletes are more likely to be critical of their coaches in these domains. Men’s and women’s basketball players were the most likely to express concerns about being treated disrespectfully by coaches.

Mental Health

- College campuses have generally seen an increase in the number of students experiencing mental health issues such as anxiety and depression. The 2015 GOALS data highlights similar concerns among student-athletes, with about 30% self-reporting that they have been intractably overwhelmed during the past month (increases noted across each division versus the 2010 GOALS study).
- Approximately one-third of student-athletes (higher in Division I and in certain sports like football; lower in Division III) noted struggling to find energy for other tasks because of the physical demands of their sport. Nearly one-quarter (same divisional and sport pattern as noted above) reported being exhausted from the mental demands of their sport.
- 73% of student-athletes believe that their coach cares about their mental well-being. This figure is slightly higher in Division III and lower in some sports (e.g., 55% in Division I women’s basketball). Although many student-athletes say they would feel comfortable talking to coaches about mental health issues, such comfort is much lower among women.
- About 40% of student-athletes who sought help for a mental health issue reported high levels of satisfaction with the care they received from team or college personnel.

Post-College Careers

- Across sport, student-athletes generally expect to earn their degree and the vast majority indicate that their families also expect graduation. High numbers of student-athletes anticipate attending graduate school at some point in the future.
Many student-athletes have completed or expect to undertake an internship of some type during college. These figures are highest in Division III (two-thirds) and lowest in Division I baseball, basketball and FBS football (one-third). Relatively high percentages of student-athletes in some Division I sports (e.g., 30% in FBS football) said they would like to do an internship but cannot because of their athletics commitments.

43% of all student-athletes believe it is likely that their job after college will involve sports. The numbers are particularly high for Division I men’s (75%) and women’s (59%) basketball players.

**Impact of College Athletics**

- 90% of student-athletes credit their college athletics experience with having a positive impact on increasing their personal responsibility, honing their teamwork skills, and enhancing their work ethic. High percentages also reported that college sports has had a positive effect on their leadership skills, their values and ethics, self-confidence, time management, understanding of diverse cultures, study skills and commitment to volunteerism.
- About 90% of student-athletes across division said that team success is important to them, but also that they have the opportunity to compete frequently and at a high level. Nearly 80% noted that being viewed as a team leader is important to them.

**Additional Programming Desired**

- Student-athletes in the study were presented with a list of topics and asked which ones they wished their coaches and athletics administrators would talk about more frequently. Across division and gender, the most requested topics were those related to (a) academic success and especially preparing to get a job after college; (b) maximizing athletic performance (e.g., proper nutrition and how to get good/more sleep); and (c) balancing academics/athletics while keeping sports in perspective.

**Study Background**

- Student-athletes were surveyed during spring 2015 by faculty athletics representatives (FARs) at NCAA member colleges. A few schools provided supplementary data collection during fall 2015.
- FARs at each NCAA member institution were asked to survey all members of one, two or three pre-specified teams. The sampling plan was developed by NCAA researchers to ensure a representative national set of student-athlete responses. FARs had the opportunity to administer either online or paper versions of the survey. Both required in-person administration using standardized procedures. More than half of NCAA schools participated.
- Study protocols were designed to ensure the anonymity of participants within the administration setting and the confidentiality of their responses among NCAA researchers.
- Once 2014-15 Division I and Division II academic census data become available (spring 2016), we will be able to tie survey responses for many participants to academic outcomes and examine how various noncognitive factors relate to student-athlete academic success and retention.
- Principal study investigators are Dr. Thomas Paskus and Dr. Lydia Bell of the NCAA research staff.
- NCAA research staff will present initial findings at the 2016 NCAA Convention. Additional materials and reports will be released throughout the winter/spring via our website ([www.ncaa.org/research](http://www.ncaa.org/research)) and the @NCAAResearch Twitter feed.
Issue:

Whether the NCAA Division II Legislation Committee should recommend sponsorship of 2017 or 2018 NCAA Convention legislation to simplify the application of the nonchampionship segment legislation.

Background and Analysis:

NCAA Proposal No. 2015-17 (playing and practice seasons -- weekly hour limitations -- outside of the playing season -- team activities -- sports other than football) was adopted at the 2015 Convention and permits a student-athlete in sports other than football to participate in a maximum of two hours of team activities per week as part of the permissible eight hours of countable athletically related activities that may occur outside the playing season during the academic year.

Following the adoption of Proposal No. 2015-17, staff received numerous questions regarding the application of the nonchampionship segment legislation now that team activities are permissible throughout the year. Specifically, the adoption of the proposal once again highlighted concerns about the difficulty in applying the current nonchampionship legislation. Under the current legislation, a team toggles between the in-season and out-of-season playing and practice season limitations during its 45-day window. The application of the legislation leads to confusion about which requirements apply on any given day and how the limitations interact during the nonchampionship segment.

Both institutional compliance representatives and members of the Division II Conference Commissioners Association Compliance Administrators requested that the Legislation Committee review the nonchampionship segment legislation to determine whether adjustments could be made to simplify the legislation. At the November 2015 in-person meeting, the Legislation Committee engaged in a discussion about the complexities of the current nonchampionship segment legislation, and agreed to develop legislative concepts designed to simplify the application of the legislation. The committee directed staff to seek feedback and suggestions from the membership in advance of the March 2016 in-person meeting.

Legislative History:

At the 2002 Convention, the adoption of Proposal No. 2002-26 (playing and practice seasons -- permissible dates and out-of-season activities) redefined playing and practice seasons in most fall and spring sports. The proposal was the result of the Legislation Committee’s thorough review of Bylaw 17 and was designed to significantly simplify Bylaw 17. That proposal resulted in the development of the nonchampionship segment in its current form.
The format was designed to provide institutions more flexibility in determining nonchampionship segment activities while not increasing out-of-season practice opportunities. It also aimed to alleviate concerns regarding time student-athletes spend in activities out-of-season and to avoid possible future proposals to completely eliminate nonchampionship segment practice and competition. A noncontroversial proposal adopted in 2003 (Proposal No. NC-2003-15) further clarified how the 45-day window applied by permitting institutions to omit institutional vacation days or days where the institution was closed due to inclement weather from its 45-day calculation.

The nonchampionship segment legislation was debated at length during the Life in the Balance review that occurred from 2009 through 2011. That review was focused mainly on student-athlete time demands and the financial impact of the nonchampionship segment. Following considerable conversation, only minor changes were made to the nonchampionship segment as a result of that review (e.g., nonchampionship segment start dates).

Although the format of the nonchampionship segment itself has not changed considerably since 2003, the legislation regarding out-of-season activities has been amended on a regular basis. With the adoption of Proposal No. 2015-17, it is now permissible for full team practice to occur for up to two hours per week (in sports other than football) outside the playing season during the academic year. Such activity was not permissible at the time that the nonchampionship segment was established and has influenced the concerns about the current nonchampionship model.

Concepts:

Below is a preliminary list of concepts that includes all recommendations received between the committee’s November 2015 and March 2016 meetings:

a. **Permit 24 Days of Countable Athletically Related Activity During a 45-Day Period and Require Two Days Off Per Week.** The current legislation requires institutions to toggle between in-season and out-of-season countable athletically related activity limitations, which causes considerable confusion. This concept would only permit countable athletically related activities to occur on 24 days within the 45-day window and would no longer permit conditioning activities or skill instruction to occur on days that do not count towards the limit of 24. In addition, the concept would require institutions to provide student-athletes two days off each week, instead of the one day off currently required.

b. **Permit Countable Athletically Related Activity to Occur for a Period of Six Weeks and Require Two Days Off Per Week.** This concept would permit institutions to declare a six-week nonchampionship segment during which countable athletically related activities may occur. The concept would require institutions to provide student-athletes with two days off per week, but would permit countable athletically related activities to occur on all other days during the six-week period.
c. **Permit Countable Athletically Related Activity to Occur for a 45-Day Period and Require Two Days Off Per Week.** This concept would permit institutions to declare a 45-day nonchampionship segment during which countable athletically related activities may occur. The concept would require institutions to provide student-athletes with two days off per week, but would permit countable athletically related activities to occur on all other days during the 45-day period.

d. **Permit 24 Days of Countable Athletically Related Activity During a 60-Day Period.** This concept was presented by tennis coaches through the Division II Coaches Connection program. The rationale for their recommendation is that the concept would benefit student-athletes by spreading out the nonchampionship segment and allowing them to avoid missing class time for several weeks in a row. The change would not increase missed class time because the 24 days of practice and competition in the nonchampionship segment would not increase. The concept would allow institutions additional flexibility in scheduling, which is vital as many institutions do not own their tennis facilities and are subject to the availability of the venues in which they compete. Competition in the nonchampionship segment has equal weight to competition in the championship segment for determination of postseason participation in tennis. Additionally, many coaches coach both the men's and women's programs, and this change will allow them adequate practice time with both programs.

e. **Establish a Specific Number of Days for the Nonchampionship Segment and Eliminate the Limit on the Number of Days in Which Activity May Occur.** This recommendation was provided by a conference office. Their membership would like to stop counting a specific number of days in a certain period of time (e.g., the 24 practice days within a 45 consecutive day period) and would prefer to establish a specific number of days for the nonchampionship segment (e.g., there are 30 days for the nonchampionship segment once it begins). In regards to the sports that have the two segments totaling a specific number of days, such as track and field, they think it would be easier if there was a set beginning and end date for the nonchampionship and championship segments.

f. **Develop Specific Start and End Dates for the Nonchampionship Segment that Apply to All Institutions.** This concept was provided by a conference office. The concept would establish a set start date and end date that applies to all institutions. Teams would be permitted 14 hours of countable athletically related activity per week with two days off per week. This is a middle ground between off-season limitations and championship segment limitations.
Conclusions:

1. The Legislation Committee **recommends** that staff collect formal feedback on identified concepts for amending the nonchampionship segment legislation.

2. The Legislation Committee **does not recommend** that staff collect formal feedback on identified concepts for amending the nonchampionship segment legislation.
Hi Amanda,

A few of the CCAA institution forwarded some suggestions for the non championship segment and a couple items that covered CARA and the out of season period. Some were in support of the ideas and some were not but we know these are just ideas to get some of the conversation started. If you need explanation or clarification on anything, please let me know. The administrators seemed concerned for monitoring and the confusion with the current non championship segment legislation that allows flipping back and forth between the out of season and non championship segment within the 45 consecutive days. I think coaches were not as supportive of eliminating the flipping back and forth because they saw it as potentially taking away some activities. Thanks for your help and allowing the opportunity to forward some ideas. I think administrators especially are open to changing the non championship segment to something that is less confusing to apply and easier to monitor. Have a great weekend!

CR

Concept 1a: Adjusting Non-Traditional Segment

Change 24-days within the 45-day window to 30-days within 45-day window. Other 15-days are days-off. Change 24-day within 60-day window to 30-days within 60-day window. Other 30-days are days-off. Definition for skill-instruction can then be removed. These changes remove the confusion between “regular” out-of-season activities and those that occur within non-traditional season windows and are more limited (think skill-instruction only with no team-activities). By removing the “modified” out-of-season within the non-traditional season, programs will lose potential days of CARA. This is why the proposal expands the non-traditional from 24-days to 30-days, a preemptive compromise. These changes will ease the burden of coaches, student-athletes, and administrators to track/report different in-season vs. out-season requirements within the non-traditional segment. These changes also address the superfluous tryouts during out-of-season within the non-traditional, i.e., team-activities are not allowed unless a PSA is participating in a tryout. Programs may return to out-of-season CARA once their 45/60 day window ends OR their 30 days have been reached. This way, if programs choose to front load their 30 days within the 45/60 day window, they are not penalized by needing to wait for the widow to end before they can return to out-of-season CARA. This should address the concern regarding injuries because of large gaps. The institution noted that Concept 1 could be considered on its own.

Concept 1b (to be paired with Concept 1): Broadening Out-of-Season CARA

Keep weekly max at 20 hrs in-season and 8 hrs out-of-season. Keep min days off at 1 day/wk in-season and 2 days/wk out-of-season. Keep 20 hrs in-season flexible, i.e., programs have discretion between conditioning, skill-instruction, weight-training, team-activities/practice, competition, etc. Conditioning and weight-training activities are oversee by Strength and
Conditioning personnel per new legislation. Change 8 hrs out-of-season to become flexible. Rather than only conditioning, weight-training, or team-activities/practice, allow programs the discretion between all activities other than competition. Again, conditioning and weight-training activities are oversee by Strength and Conditioning personnel per new legislation. The institution noted that Concept 2 only be considered if Concept 1 was adopted. Here is the institution's rationale for putting them together: Increasing flexibility of out-of-season CARA only works if we drop out-of-season CARA within the non-traditional segment. Otherwise, there'd be no differentiating a practice day and an out-of-season day, compounding the issue we already have with the current model. The idea is to no longer blend in-season with out-of-season within the same segment.

Concept 2: Non-Traditional Segment and Out of Season Period
Change the 24-days within the 45-day window to 32 days within a 60-day window. All other days are days-off. No modified schedules. Reduce out-of-season activities from eight to six hours with 2 hours of skill instruction.

Concept 3: Non-Traditional Segment
Same idea as Concept 1 but increase to 33 days within the 45-day window and 43 days within the 60 window, with the days not designated as one of the 33 or 43 days as days off. The rationale was a to simplify the concept rather than cut back on hours during the nonchampionship segment. The institution believed 30 days may cut out too many opportunities to practice and provided the following analysis as to how they arrived at the numbers:
- Under the current legislation, 45 days is approximately 6.5 weeks. Since 20 hours is the most we can do in a week, 6.5 x 20 = 130 hours. If we assume all CARA is maxed out at 4 hours per day (which our teams rarely do), we get 32.5 days.
- Under the current legislation, 60 days is approximately 8.5 weeks. Since 20 hours is the most we can do in a week, 8.5 x 20 = 170 hours. If we assume all CARA is maxed out at 4 hours per day (which our teams rarely do), we get 42.5 days.
- Therefore, we would propose that the practice days be increased to 33 and 43.

Concept 4: Keep the 24 days within the 45-consecutive days but for the 8-hours out of season period, allow only strength and conditioning activities. This would eliminate the tryout loophole for the out of season period. It would simplify the current legislation.

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NCAA Bylaw 12 – Amateurism – Payment Based on Performance – From Amateur Team or Event Sponsor in Tennis

Issue:

Whether the NCAA Division II Legislation Committee should recommend sponsorship of 2017 NCAA Convention legislation to amend NCAA Bylaw 12 (amateurism) to specify that following initial full-time collegiate enrollment, an individual may accept prize money in tennis based on his or her place finish or performance in an athletics event.

Background and Analysis:

In response to questions and concerns about limiting opportunities for student-athletes, Divisions I and III adopted legislation to permit a student-athlete to accept prize money under certain circumstances after initial full-time collegiate enrollment. Division I legislation permits an individual in tennis to accept prize money based on his or her place finish or performance in an athletics event.

The NCAA Division III Interpretations and Legislation Committee expressed support for legislation in their division because they did not want to put Division III student-athletes at a disadvantage compared with Division I student-athletes. As a result of the adoption of NCAA Division III Proposal No. 2011-14 (amateurism -- exception for prize money for enrolled student-athletes -- outside the playing season during the institution’s official summer vacation period -- individual sports), following initial full-time enrollment, a student-athlete is permitted to accept prize money based on place finish or performance in an open athletics event without jeopardizing his or her amateur status, provided the competition occurs outside the institution’s declared playing season during the institution’s official summer vacation period. In both Divisions I and III, prize money may not exceed actual and necessary expenses and may only be provided by the sponsor of the event. The calculation of actual and necessary expenses may not include the expenses or fees of anyone other than the student-athlete. A main distinction between the legislation in Divisions I and III is that Division III legislation is not specific to tennis and does not permit student-athletes to receive prize money for events during the academic year.

Currently, Division II legislation permits a student-athlete to receive awards for participation in events while not enrolled as a regular student during the academic year, or during the summer while not representing his or her institution. The award must conform to the regulations of the recognized amateur organization that governs the competition. Such awards may include gift certificates, but not cash. Further, although Division II legislation permits student-athletes to compete as an individual not representing the institution, a student-athlete is precluded from receiving prize money during the academic year outside the institution’s declared playing season or during the institution’s official summer vacation period.

The committee is asked to consider whether a legislative change for tennis is appropriate for Division II.
Questions to Consider:

1. After initial full-time collegiate enrollment, should tennis student-athletes be permitted to accept prize money based on place finish or performance in an athletics event?

2. Should tennis student-athletes be permitted to receive prize money outside the declared playing season and/or during the summer vacation period?

3. Should this change be considered in other sports?

Conclusions:

1. The Legislation Committee recommends sponsorship of 2017 Convention legislation to amend Bylaw 12 (amateurism) to specify that following initial full-time collegiate enrollment, an individual may accept prize money in tennis based on his or her place finish or performance in an athletics event; further, to specify that such prize money may not exceed actual and necessary expenses and may be provided only by the sponsor of the event. Actual and necessary expenses may not include the expenses or fees of anyone other than the student-athlete.

2. The Legislation Committee recommends sponsorship of 2017 Convention legislation to amend Bylaw 12 (amateurism) to specify that following initial full-time collegiate enrollment, an individual may accept prize money in tennis based on his or her place finish or performance in an open athletics event. The competition must occur outside the institution’s declared playing season during the institution’s official summer vacation period; further, to specify that such prize money shall not exceed actual and necessary expenses and may be provided only by the sponsor of the event. Actual and necessary expenses may not include the expenses or fees of anyone other than the student-athlete.

3. The Legislation Committee does not recommend sponsorship of 2017 Convention legislation to amend Bylaw 12 (amateurism).

Associated References:

Division II Bylaws

12.1.3 Permissible — Following Initial Full-Time Collegiate Enrollment. Following initial full-time collegiate enrollment, participation in the following activities and receipt of the following benefits will not jeopardize the amateur status of an individual: (Adopted: 4/16/13)
(a) Educational Expenses. Receipt of educational expenses awarded by the following sources:
(1) The U.S. Olympic Committee or the U.S. national governing body (or, for international individuals, expenses awarded by the equivalent organization of a foreign country), in accordance with the applicable conditions set forth in Bylaw 15.2.2.4; or

(2) A professional team or league, in accordance with the applicable conditions set forth in Bylaw 15.2.2.5.

(b) Actual and Necessary Expenses From an Outside Amateur Sports Team or Organization. Receipt of actual and necessary expenses from an outside amateur sports team or organization for competition and practice held in preparation for such competition. Practice must be conducted in a continuous time period preceding the competition except for practice sessions conducted by a national team, which occasionally may be interrupted for specific periods of time before the competition;

(1) Donations to Outside Team or Organization. Actual and necessary expenses received from an outside team or organization may include funds donated to the general fund of the team or organization from a sponsor (e.g., neighbors, businesses) other than the individual's relatives or legal guardians, provided such donations are not credited to or earmarked for the student-athlete. (Adopted: 10/16/12)

(c) Awards Based on Performance in Outside Competition. Receipt of an award (e.g., trophy, medal, saddle) based on place finish or performance in outside competition, subject to the applicable post-enrollment awards limits (see Bylaw 16.1); (Adopted: 10/16/12)

(d) Permissible Insurance Against Disabling Injury or Illness. An individual may borrow against his or her future earnings potential from an established, accredited commercial lending institution exclusively for the purpose of purchasing insurance (with no cash surrender value) against a disabling injury or illness that would prevent the individual from pursuing a chosen career, provided a third party (including a member institution's athletics department staff members, its professional sports counseling panel or representatives of its athletics interests) is not involved in arrangements for securing the loan. The student-athlete shall report all such transactions and shall file copies of any loan documents associated with disability insurance with the member institution, regardless of the source of the collateral for the loan. The student-athlete also shall file copies of the insurance policy with the member institution, regardless of whether a loan is secured to purchase the insurance policy;

(e) Participation in Institutional, Charitable or Educational Promotions or Fundraising Activities. Participation in institutional, charitable or educational promotions or fundraising activities that involve the use of athletics ability by an individual to obtain funds (e.g., "swim-a-thons") are permitted only if:
(1) The money is contributed directly to the institution, conference, or the charitable, educational or nonprofit agency;

(2) The individual receives no compensation or prizes for his or her participation; and

(3) The provisions of Bylaw 12.5.1 are satisfied.

(f) **Elite-Level Participation.** Receipt of the following benefits at any time without jeopardizing an individual's amateur status:

(1) Funds that are administered by the U.S. Olympic Committee pursuant to its Operation Gold Program;

(2) Incentive Programs for International Athletes. An international prospective student-athlete or international student-athlete may accept funds from his or her country's national Olympic governing body (equivalent to the U.S. Olympic Committee) based on place finish in one event per year that is designated as the highest level of international competition for the year by the governing body; *(Adopted: 7/22/14)*

(3) Comprehensive benefits of the USOC Elite Athlete Health Insurance Program;

(4) Actual and necessary expenses [including grants but not prize money, whereby the recipient has qualified for the grant based on his or her performance in a specific event(s)] to cover developmental training, coaching, facility usage, equipment, apparel, supplies, comprehensive health insurance, travel, room and board without jeopardizing the individual's eligibility for intercollegiate athletics, provided such expenses are approved and provided directly by the U.S. Olympic Committee (USOC) or the appropriate national governing body in the sport (or, for international individuals, the equivalent organization of that nation);

(5) Actual and necessary expenses from a commercial company (other than a professional sports organization) or members of the local community for an individual's relatives or legal guardians to attend the Olympic Games in which the individual will participate;

(6) Actual and necessary expenses to participate in Olympic tours or exhibitions from a sponsor other than the U.S. Olympic Committee (USOC), national governing body or nonprofessional organizations sponsoring the event, provided that the student-athlete does not miss class time and the exhibition does not conflict with dates of institutional competition; or

(7) Receipt of commemorative items incidental to participation in the Olympic Games, World University Games, World University Championships, Pan American Games,
World Championships and World Cup events through the applicable national governing body. These benefits may include any and all apparel, leisure wear, footwear and other items that are provided to all athletes participating in the applicable event.

16.1.1.3 Student-Athlete Not Regularly Enrolled. Awards received by a student-athlete participating in an event while not enrolled as a regular student during the academic year, or received during the summer while not representing his or her institution, shall conform to the regulations of the recognized amateur organization that governs the competition. Such awards may include gift certificates, but not cash.

**Division I Bylaw**

12.1.2.4.2.2 After Initial Full-Time Collegiate Enrollment. In tennis, after initial full-time collegiate enrollment, an individual may accept prize money based on his or her place finish or performance in an athletics event. Such prize money may not exceed actual and necessary expenses and may be provided only by the sponsor of the event. The calculation of actual and necessary expenses shall not include the expenses or fees of anyone other than the individual (e.g., coach's fees or expenses, parent's expenses).

**Division III Bylaw**

12.1.5.1 Permissible Activities -- After Initial, Full-Time Collegiate Enrollment. After initial, full-time collegiate enrollment, an individual may engage in the following activities without jeopardizing his or her amateur status: *(Revised: 2/4/10)*

(a) **Actual and Necessary Expenses from Outside Amateur Team or Organization.** May receive actual and necessary travel, room and board, and apparel and equipment expenses from an outside amateur sports team or organization (for individual and team use only from teams or organizations not affiliated with member institutions, including local club teams as set forth in Bylaw 13.11.3.4) for competition and practice held in preparation for such competition. Practice must be conducted in a continuous time period before the competition except for practice sessions conducted by a national team, which occasionally may be interrupted for specific periods of time before the competition. Expenses cannot be conditioned on the individual's or team's place finish or performance or given on an incentive basis [see Bylaw 12.1.5.2-(l)]; *(Revised: 1/10/90, 1/10/92, 1/14/02 effective 8/1/02, 2/4/10)*

(b) **Prize Money -- Individual Sports -- Outside the Playing Season During the Institution's Official Summer Vacation Period.** May accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's declared playing season during the institution's official summer vacation period. Such prize money shall not exceed actual and necessary expenses and may be provided only by the sponsor of the open event. The calculation of actual
and necessary expenses shall not include the expenses or fees of anyone other than the student-athlete (e.g., coach's fees or expenses, parent's expenses). *(Adopted: 1/15/11)*

(c) **Expenses from Nonprofessional Sponsor of Event.** May receive actual and necessary expenses to participate in athletics competition from the nonprofessional organization that is sponsoring the competition. *(Adopted: 9/16/11)*

(d) **Actual and Necessary Expenses for Parents or Legal Guardians.** May receive actual and necessary expenses for parents or legal guardians of the individual participating in the athletics competition from a nonprofessional organization sponsoring the competition, provided such expenses are made available to the parents or legal guardians of all participants in the competition. Actual and necessary expenses may include expenses for travel, room and board, or any entertainment expenses. Expenses cannot be conditioned on the individual's or team's place finish or performance or given on an incentive basis [see Bylaw 12.1.5.2-(l)]; *(Adopted: 1/16/93, Revised: 1/11/97, 1/14/02 effective 8/1/02, 2/4/10)*

(e) **Prize for Institutional Promotion.** May receive a prize for participation (involving the use of athletics ability) in a member institution's promotional activity that is consistent with the provisions of Bylaw 12.5 or official interpretations approved by the Management Council; *(Revised: 4/14/06, 2/4/10)*

(f) **Participation in Institutional, Charitable or Educational Promotions or Fundraising Activities Involving the Athletics Ability of Student-Athletes.** Institutional, charitable or educational promotions or fundraising activities that involve the use of athletics ability by student-athletes to obtain funds (e.g., swim-a-thons) are permitted only if the provisions of Bylaw 12.5.1.1 and Bylaw 17 are satisfied. *(Revised: 4/14/06, 2/4/10, 1/15/11 effective 8/1/11)*

(g) **Benefits for Elite-Level Participation.** May receive any of the benefits described under Bylaw 12.1.6 related to elite-level participation;

(h) **Permissible Insurance against Disabling Injury or Illness.** An individual may borrow against his or her future earnings potential from an established, accredited commercial lending institution exclusively for the purpose of purchasing insurance (with no cash surrender value) against a disabling injury or illness that would prevent the individual from pursuing a chosen career, provided a third party (including a member institution's athletics department staff members, its professional sports counseling panel or representatives of its athletics interests) is not involved in arrangements for securing the loan. A student-athlete shall report all such transactions and shall file copies of any loan documents associated with disability insurance with the member institution, regardless of the source of the collateral for the loan. The student-athlete also shall file copies of the insurance policy with the member institution, regardless of whether a loan is secured to purchase the insurance policy; *(Revised: 1/16/93, 1/14/97 effective 8/1/97, 2/4/10)*
(i) **Camp Employment.** May receive compensation for working at an institutional or noninstitutional sports camp and/or clinic in accordance with Bylaw 13.12.2.2; and *(Adopted: 4/12/12)*

(j) **Fee-for-Lessons.** May receive compensation for teaching or coaching sport skills or techniques in his or her sport on a fee-for-lesson basis, provided all compensation received by the student-athlete is for work actually performed and at a rate commensurate with the going rate in that locality for similar services. *(Adopted: 4/12/12)*

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**Division III Proposal**

**Title:** AMATEURISM -- EXCEPTION FOR PRIZE MONEY FOR ENROLLED STUDENT-ATHLETES -- OUTSIDE THE PLAYING SEASON DURING THE INSTITUTION'S OFFICIAL SUMMER VACATION PERIOD -- INDIVIDUAL SPORTS

**Convention Year:** 2011  
**Effective Date:** Immediate  
**SPOPL Number:** 5  
**Official Notice Number:** 2011-14  
**Source:** NCAA Division III Presidents Council [Management Council (Interpretations and Legislation Committee)].  
**Category:** Presidents Council  
**Topical Area:** Amateurism  
**Status:** Adopted

**Intent:** To permit a student-athlete in an individual sport to accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's playing season during the institution's official summer vacation period, the prize money does not exceed actual and necessary expenses and is provided only by the sponsor of the open event.

**A. Bylaws:** Amend 12.1.5.1, as follows:

[Roll Call]

14.1 General Eligibility Requirements.

[14.1.1 through 14.1.11 unchanged.]

**14.1.12 Recognized Foreign Exchange/Study Abroad Program. A student-athlete who participates in a formal and established educational foreign exchange or study abroad**
program recognized by the certifying institution’s academic authorities shall not be
considered a transfer student-athlete upon return to the certifying institution. A student-
athlete who also participates (practices or competes) in athletics while participating in the
recognized study abroad program does not use a season of participation nor is considered
to have engaged in impermissible outside competition. All amateurism regulations still
apply.

B. Bylaws: Amend 14.2.4.1, as follows:

[Roll Call]

12.1.5.1 Permissible Activities -- After Initial, Full-Time Collegiate Enrollment. After initial,
full-time collegiate enrollment, an individual may engage in the following activities without
jeopardizing his or her amateur status:

(a) Actual and Necessary Expenses from Outside Amateur Team or Organization. May receive
actual and necessary travel, room and board, and apparel and equipment expenses from an
outside amateur sports team or organization (for individual and team use only from teams or
organizations not affiliated with member institutions, including local sports clubs as set forth in
Bylaw 13.11.3.4) for competition and practice held in preparation for such competition. Practice
must be conducted in a continuous time period before the competition except for practice
sessions conducted by a national team, which occasionally may be interrupted for specific
periods of time before the competition. Expenses cannot be conditioned on the individual's or
team's place finish or performance or given on an incentive basis (see Bylaw 12.1.5.2-(l);

(b) Prize Money -- Individual Sports -- Outside the Playing Season During the Institution's
Official Summer Vacation Period. May accept prize money based on his or her place finish
or performance in an open athletics event (an event that is not invitation only), provided
the competition occurs outside the institution's declared playing season during the
institution's official summer vacation period. Such prize money shall not exceed actual and
necessary expenses and may be provided only by the sponsor of the open event. The
calculation of actual and necessary expenses shall not include the expenses or fees of
anyone other than the student-athlete (e.g., coach's fees or expenses, parent's expenses).

[12.1.5.1-(b) through 12.1.5.1-(f) renumbered as 12.1.5.1-(c) through 12.1.5.1-(g), unchanged.]

B. Bylaws: Amend 12.1.5.2, as follows:

[Roll Call]

12.1.5.2 Nonpermissible Activities -- After Initial, Full-Time Collegiate Enrollment. After
initial, full-time collegiate enrollment, an individual loses amateur status and thus shall not be
eligible for intercollegiate competition in a particular sport if the individual engages in any of the following activities:

[12.1.5.2-(a) through 12.1.5.2-(k) unchanged.]

(l) Payment Based on Place Finish - Team Sports. Receives any payment, including actual and necessary expenses, conditioned on the individual's or team's place finish or performance or given on an incentive basis, or receipt of expenses in excess of the same reasonable amount for permissible expenses given to all individuals or team members involved in the competition; and

(m) Payment Based on Place Finish -- Individual Sports -- During the Playing Season or During the Academic Year. Receives any payment, including actual and necessary expenses, conditioned on the individual's or team's place finish or performance or given on an incentive basis, or receipt of expenses in excess of the same reasonable amount for permissible expenses given to all individuals or team members involved in the competition;

(n) Payment Based on Place Finish -- Individual Sports -- Outside the Playing Season During the Institution's Official Summer Vacation Period. Receives any payment other than actual and necessary expenses from the sponsor of an open athletics event (an event that is not invitation only). The calculation of actual and necessary expenses shall not include the expenses or fees of anyone other than the student-athlete (e.g., coach's fees or expenses, parent's expenses); and

[12.1.5.2-(m) renumbered as 12.1.5.2-(o), unchanged.]

C. Bylaws: Amend 16.1.1, as follows:

[Roll Call]

16.1.1 Application of Awards Legislation.

[16.1.1.1 unchanged.]

16.1.1.2 Student-Athlete Not Enrolled. Awards received by a student-athlete participating in an event while not enrolled as a regular student during the academic year, or received during the summer while not representing his or her institution, shall conform to the regulations of the recognized amateur organization that governs the competition and may not include cash. Such awards may include gift certificates or gift cards that are not redeemable for cash and items that are not personalized, provided the awards are permitted by the rules of the amateur sports organization.

16.1.1.2.1 Exception -- Individual Sports -- Prize Money Outside the Playing Season During the Institution's Official Summer Vacation Period. In individual sports, a student-athlete
may accept prize money that does not exceed his or her actual and necessary expenses, pursuant to Bylaw 12.1.5.1-(b).

[16.1.1.2.1 renumbered as 16.1.1.2.2, unchanged.]

14.2.4.1 Minimum Amount of Participation. A season of intercollegiate participation shall be counted in the student-athlete's sport when a student-athlete participates (practices or competes) during or after the first contest in the traditional segment following the student-athlete's initial participation of that academic year at that institution or when the student-athlete engages in intercollegiate competition during the nontraditional segment in that sport. This provision is applicable to intercollegiate athletics participation (practice or competition) conducted by a Division III collegiate institution at the varsity, junior varsity or freshman team level. (See Bylaw 14.1.12, for student-athletes participating in a recognized foreign exchange/study abroad program).

[14.2.4.1.1 through 14.2.4.1.3 unchanged.]

C. Bylaws: Amend 14.5.5.1, as follows:

[Roll Call]

14.5.5.1 General Rule. A transfer student from a four-year institution shall not be eligible for intercollegiate competition until the student has fulfilled an academic year of residence (see Bylaw 14.02.10) at the certifying institution unless the student qualifies for one of the transfer exceptions set forth in Bylaws 14.5.5.1.1, 14.5.5.1.2 or 14.5.5.1.3. A transfer student (other than one under disciplinary suspension per Bylaw 14.5.1.2) may qualify for an exception to the academic year of residence requirement provided he or she does not have an unfulfilled residence requirement at the institution from which he or she is transferring. (See Bylaw 14.1.12 for student-athletes participating in a recognized foreign exchange/study abroad program).

D. Bylaws: Amend 14.7.1, as follows:

[Roll Call]

Rationale: Currently, a prospective student-athlete may accept prize money based on place finish, up to actual and necessary expenses, in order to offset costs incurred while participating in an open event. In the interest of student-athlete well-being and consistency in the rules, the same opportunity should be available to enrolled student-athletes. The current post-enrollment amateurism rule adversely affects student-athletes in individual sports. Student-athletes in team sports who compete on outside teams during summer vacation periods are able to travel and have
their expenses paid in full or subsidized by their teams, team sponsors and/or event organizers. Student-athletes in individual sports should have the same opportunity to compete during the summer while having some or all of their expenses covered. The scope of this proposal is limited to receipt of actual, incurred, out-of-pocket expenses. A student-athlete would not be able to profit from competing in events and accepting prize money. Moreover, in order to safeguard against missed class time and to minimize the potential intrusion and distraction during the academic year, this would apply only to open events taking place during the institution's official summer vacation period and outside the playing season. Finally, the calculation of actual and necessary expenses would not include the expenses or fees of anyone other than the student-athlete (e.g., coach's fees or expenses, parent's expenses).

**Review History:**
*April 12, 2010:* Approved in Concept - Management Council Supplement Action Item No. 1-(a).
*April 29, 2010:* Approved in Concept - Presidents Council
*July 20, 2010:* Amended and Approved in Concept and Final Legislative Format - Management Council

**Convention Vote:**
*Date of Vote:* January 15, 2011
*Vote Type:* Electronic Machine
For: 359 Against: 105 Abstain: 2
SUPPLEMENT NO. 12

NCAA Bylaws 13.15.2.1 and 15.3.2.1.4 -- Recruiting and Financial Aid -- ACT and SAT Scores -- Fees and Related Expenses for Prospective Student-Athletes -- I-20 Related Expenses

Issue:

Whether Division II institutions should be permitted to pay the actual and necessary expenses associated with an I-20 (e.g., mailing costs to obtain the necessary documents to prepare the I-20 and provide the final I-20 to the prospective student-athlete).

Background and Analysis:

Current legislation permits institutions to pay a fee required by ACT or SAT to obtain a prospective student-athlete's test scores. Institutions may also pay for charges associated with obtaining a prospective student-athlete's transcript, including express mail fees and translation costs, since transcripts are necessary to certify the academic standing of the individual. Staff interpretations [References: 03/12/1999, Item No. a and 12/09/1994, Item No. a]. For prospective student-athletes who have signed a written commitment to attend the institution, it is permissible for the institution to pay for costs associated with sending test scores and transcripts to the NCAA Eligibility Center [References: 8/24/1994 staff interpretation, Item No. a and 4/6/1994 official interpretation, Item No. 4].

Staff received a number of questions during the 2015 fall term regarding the permissibility of paying costs associated with preparation of an I-20 by the institution's admissions office, including the fees to obtain the necessary documentation and mailing the I-20 to the student-athlete. Staff provided a permissive response, based on the flexibility presented in previously issued staff interpretations.

Additionally, the NCAA Division II Committee for Legislative Relief has approved an incidental expense waiver to permit an institution to pay for a student-athlete to return home to renew his or her visa. An I-20 is a similar required document for international student-athletes to initially enter and remain in the United States.

Conclusions:

1. The NCAA Division II Legislation Committee recommends an official interpretation be issued to clarify that it is permissible for an institution to pay for actual and necessary expenses associated with the issuance of an I-20 to international student-athletes.

2. The Legislation Committee recommends an official interpretation be issued to clarify that it is not permissible for an institution to pay for actual and necessary expenses associated with the issuance of an I-20 to international student-athletes.
3. The Legislation Committee does not recommend that an official interpretation be issued.

Associated References:

**Division II Bylaws**

13.15.2.1 - ACT and SAT Scores. An institution may pay a fee required by the appropriate testing agency to obtain a prospective student-athlete's official ACT or SAT scores.

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

(a) The institution's processing fee required before the admissions office's evaluation of the prospective student-athlete's application;

(b) The orientation-counseling tests fee required of all incoming freshmen;

(c) The pre-admission academic testing fee;

(d) Advance tuition payment or room deposit;

(e) Damage deposits for dormitory rooms;

(f) ROTC deposits for military equipment; or

(g) Any other pre-enrollment fees required of prospective student-grantees.

**Division II Interpretations**

Expenses to Obtain Translation of a Transcript (I/II/III)

Date Issued: March 12, 1999
Date Published: March 12, 1999
Item Ref: a
Interpretation:

a. Expenses to Obtain Translation of a Transcript: (I/II/III) The membership services staff confirmed that it is permissible for an institution to pay the expenses to obtain a translation of an international student-athlete's transcript. The staff noted that such an arrangement is not precluded because receipt of such materials is necessary to certify or evaluate the academic standing of a prospective student-athlete. [Reference: NCAA Bylaw 13.16.1 (precollege expenses - prohibited expenses)]

Expenses to Receive Prospect's Transcripts and Express Mail Charges

Date Issued: December 9, 1994
Date Published: December 9, 1994
Item Ref: a

Interpretation:

a. Expenses to Receive Prospect's Transcripts and Express Mail Charges: The legislative services staff confirmed that it is permissible for an institution to pay the expenses to receive a prospective student-athlete's transcript, including any fee charged by the high school. An institution also may pay for express mail charges to have the transcript sent to the institution by the prospective student-athlete's educational institution. The staff noted that such an arrangement is not precluded because receipt of such materials is necessary to certify or evaluate the academic standing of a prospective student-athlete. [Note: This minute clarifies the 09/27/89 staff minutes, item 1-(d), which has now been archived.] [References: NCAA Bylaw 13.2.1 (general regulation) and 13.16.1 (precollege expenses -- prohibited expenses)]

Institution Providing Expenses for a High School to Send Transcripts to the NCAA Initial-Eligibility Clearinghouse

Date Issued: August 24, 1994
Date Published: August 24, 1994
Item Ref: a

Interpretation:

a. Institution Providing Expenses for a High School to Send Transcripts to the NCAA Initial-Eligibility Clearinghouse: The legislative services staff determined that it is permissible for an institution to provide expenses (e.g., Federal Express charges) for a high school to send a prospect's academic transcript to the clearinghouse, provided the prospect has signed a National
Letter of Intent (NLI) with the institution or, for those institutions not subscribing to the NLI, has signed a written offer of admission and/or financial aid with that institution. [References: NCAA Bylaw 13.16.2.1 (ACT and SAT scores) and IC 04/06/94, Item No. 4]

**Payment for Prospect's Test Score to be Sent to Clearinghouse**

**Date Issued:** April 6, 1994  
**Date Published:** April 6, 1994  
**Item Ref:** 4

**Interpretation:**

4. Payment for Prospect's Test Score to be Sent to Clearinghouse. An institution may pay the fee for a prospect's ACT or SAT score to be sent from the testing agency to the Initial-Eligibility Clearinghouse, provided the prospect has signed a National Letter of Intent or, for institutions not subscribing to the National Letter of Intent, has signed a written offer of admission and/or financial aid with that institution. [References: 13.2.1 (offers and inducements -- general regulation), 13.16.1 (pre-college expense -- prohibited expenses) and 13.16.2.1 (ACT and SAT scores)]
14.5.4.6.1 **Discontinued/Nonsponsored Sport Exception.** The student changed institutions in order to continue participation in a sport because the student's original two-year college dropped the sport from its intercollegiate program (even though it may re-establish that sport on a club basis) or never sponsored the sport on the intercollegiate level while the student was in attendance at that institution, provided the student never attended any other collegiate institution that offered intercollegiate competition in that sport and the student earned at least a minimum 2.200 grade-point average (see Bylaw 14.5.4.5.3.2) at the two-year college.  
(Revised: 1/11/89, 1/10/90, 1/14/15 effective 8/11/16, for student-athletes initially enrolling in a Division II institution on or after 8/1/16)

14.5.4.6.1.1 **Original Collegiate Institution.** In applying this provision for an exception to the residence requirement, the original collegiate institution shall be the two-year college in which the student was enrolled immediately before the transfer to the certifying institution, provided that, if the student is transferring from a two-year college that never sponsored the sport on the intercollegiate level, the student never shall have attended any other collegiate institution that offered intercollegiate competition in that sport.

14.5.4.6.2 **Nonrecruited Student Exception.** The student transfers to the certifying institution and the following conditions are met:  
(Revised: 1/11/89)

(a) The student was not recruited per Bylaw 13.02.10.1 by the certifying institution;
(b) No athletically related financial assistance has been received by the student-athlete;
(c) The student-athlete has not competed for any previous institution and has not participated in countable athletically related activities (see Bylaw 17.02.1) in intercollegiate athletics beyond a 14-consecutive-calendar-day period at any previous institution. The 14-consecutive-calendar-day-period begins with the date on which the student-athlete first engages in any countable athletically related activity; and  
(Revised: 1/12/04, 7/24/07)
(d) The student-athlete was eligible for admission to the certifying institution before initial enrollment in the two-year college.

14.5.4.6.3 **Two-Year Nonparticipation or Minimal Participation Exception.** The student transfers to the certifying institution from a two-year college and, for a consecutive two-year period immediately before the date on which the student begins participation (countable athletically related activities), the student has not competed and has not participated in other countable athletically related activities (see Bylaw 17.02.1) in intercollegiate athletics beyond a 14-consecutive-calendar-day period in the involved sport while enrolled as a full-time student in a collegiate institution. The 14-consecutive-calendar-day-period begins with the date on which the student-athlete first engages in any countable athletically related activity. The two-year period does not include any period of time before the student's initial collegiate enrollment.  
(Revised: 10/20/03, 1/10/05, 1/8/07 for any progress-toward-degree certification or transfer on or after 8/1/06)

14.5.4.6.4 **Return to Original Institution Exception.** The student returns to the four-year college from which he or she transferred to the two-year college, provided the student did not have an unfulfilled residence requirement at the time of the transfer from the four-year college. The amount of time originally spent in residence at the first four-year college may be used by the student in completing the unfulfilled residence requirement at that institution.  
(Adopted: 1/13/03 effective 8/1/03)

14.5.4.7 **Waivers.** The Academic Requirements Committee shall have the authority to waive all two-year college transfer requirements based on objective evidence that demonstrates circumstances that warrant the waiver of the normal application of those regulations.  
(Adopted: 6/14/14 effective 7/1/14)

14.5.5 **Four-Year College Transfers.** See Bylaw 13.1.1.2 for prohibition against contacting student-athletes of another four-year collegiate institution without permission of that institution's athletics director.  
(See Bylaw 14.4 for progress-toward-degree requirements for transfer student-athletes.)  
(Revised: 4/4/07)

14.5.5.1 **General Rule.** A transfer student from a four-year institution shall not be eligible for intercollegiate competition at a member institution until the student has fulfilled a residence requirement of one full academic year (two full semesters or three full quarters) at the certifying institution (see Bylaw 14.02.11).  
(Revised: 1/10/91 effective 8/1/91, 4/30/10)

14.5.5.1.1 **Attendance for One Academic Year.** A transfer student from a four-year institution who attended a four-year institution at least one academic year shall be eligible for financial aid and practice at a Division II institution under the rules of the institution and the conference of which the institution is a member, regardless of the student’s qualification status (per Bylaw 14.3.1) at the time of initial enrollment.

14.5.5.1.2 **Attendance for Less Than One Academic Year.** A transfer student from a four-year institution who was a partial qualifier (as defined in Bylaw 14.02.10.2) or a nonqualifier (as defined in Bylaw 14.02.10.3) and who attended the four-year institution less than one full academic year shall not be eligible for competition during the first academic year of attendance at the certifying institution. Participation in practice sessions and the receipt of financial aid during the first academic year of attendance at the certifying.
institution by such students is governed by the provisions of Bylaws 14.3.2.1 (partial qualifiers) and 14.3.2.2 (nonqualifiers).

14.5.5.2 Subvarsity Competition. A transfer student from a four-year institution who was a qualifier shall be eligible to compete immediately at the subvarsity level only at the certifying institution before meeting the transfer eligibility requirements. Such subvarsity competition shall count as a season of competition in the sport involved. A transfer student from a four-year institution who was not a qualifier shall not be eligible to compete at the subvarsity level during the first academic year in residence at the certifying institution. However, such a student who is a nonqualifier may participate in subvarsity practice sessions, provided they are conducted separate from varsity practice sessions. (Revised: 1/10/90, 1/10/91 effective 8/1/91, 1/10/05)

14.5.5.3 Exceptions for Transfers From Four-Year Colleges. A transfer student (other than one under disciplinary suspension per Bylaw 14.5.1.1) from a four-year collegiate institution is not subject to the residence requirement for intercollegiate competition, provided the student does not have an unfulfilled residence requirement at the institution from which he or she is transferring (except for the return to the original institution without participation exception) and any of the following exceptions are satisfied. However, during the student-athlete’s first academic year of full-time collegiate enrollment, such conditions may serve as a basis for an exception to the residence requirement for transfer students to a Division II institution who, at the time of initial collegiate enrollment, met the requirements for “qualifiers” (set forth in Bylaw 14.3.1.1) in Division II. (Revised: 1/10/90, 1/10/91 effective 8/1/91, 1/10/05)

14.5.5.3.1 Educational Exchange Exception. The student returns to his or her original institution under any of the following conditions:

(a) After participation in a cooperative educational exchange program or work experience program (e.g., co-op, internship, practicum, student-teaching), provided the student is to receive a baccalaureate degree from the institution from which the student transferred to participate in the exchange program; (Revised: 1/11/12)

(b) After one semester or quarter of attendance at another institution for purposes of taking academic courses not available at the original institution, regardless of whether they are required in the degree program the student-athlete is pursuing at the first institution. In such an instance, the student also may take additional courses that were available at the first institution; or

(c) After one academic year of attendance at another collegiate institution, in accordance with the program recommended by the appropriate academic officer at the original institution, provided the student was in good academic standing at the time the student left the original institution.

14.5.5.3.2 Exchange Student Exception. The student is enrolled in the certifying institution for a specified period of time as an exchange student participating in a formal and established educational exchange program (e.g., sponsored by the U.S. Department of State, Rotary International, the Ford Foundation, the Institute of International Education) recognized by the institution’s academic authorities. (See Bylaw 14.4.1.1.) (Revised: 1/11/89, 1/10/92, 7/20/10)

14.5.5.3.3 Discontinued Academic Program Exception. The certifying institution concludes that the student changed institutions in order to continue a major course of study because the original institution discontinued the academic program in the student’s major. (Revised: 1/11/00 effective 8/1/00)

14.5.5.3.4 Military Service, Religious Mission Exception. The student returns from at least 12 months of active service in the armed forces of the United States, or from at least 12 months of active service on an official religious mission. (Revised: 1/19/06, 4/20/10)

14.5.5.3.4.1 Collegiate Enrollment Concurrent With Military Service or Religious Mission. The amount of time that an individual is enrolled as a regular student in a collegiate institution while concurrently on active military duty or engaged in active service on an official religious mission may not be counted as a part of the 12-month active-duty period that qualifies a student for an exception to the transfer residence requirement. (Revised: 4/20/10, 6/16/10)

14.5.5.3.5 Discontinued/Nonsponsored Sport Exception. In a particular sport when the student transfers at any time to the certifying institution and participates in the sport on the intercollegiate level after any of the following conditions has occurred:

(a) The student’s original four-year collegiate institution dropped the sport [in which the student has participated in countable athletically related activities (see Bylaw 17.02.1) at that institution in intercollegiate competition] from its intercollegiate program. This exception becomes applicable at the time the student-athlete’s institution indicates through public announcement that his or her sport will be discontinued; or (Revised: 1/12/04, 1/10/05)

(b) The student’s original four-year collegiate institution never sponsored the sport on the intercollegiate level while the student was in attendance at the institution, provided the student had never transferred from any other collegiate institution that offered intercollegiate competition in that particular sport.

2015-16 Division II – July 151
14.5.5.3.5.1 Original Institution. In applying this provision for an exception to the residence requirement, the original collegiate institution shall be the one in which the student was enrolled immediately before transfer to the certifying institution, it being understood that, if the student is transferring from an institution that never sponsored the sport on the intercollegiate level, the student never shall have attended any other collegiate institution that offered intercollegiate competition in that sport.

14.5.5.3.6 Two-Year Nonparticipation or Minimal Participation Exception. The student transfers to the certifying institution from another four-year college and, for a consecutive two-year period immediately before the date on which the student begins participation (countable athletically related activities), the student has not competed and has not participated in other countable athletically related activities (see Bylaw 17.02.1) in the involved sport beyond a 14-consecutive-calendar-day period, or has not participated in organized noncollegiate amateur competition while enrolled as a full-time student in a collegiate institution. The 14-consecutive-calendar-day period begins with the date on which the student-athlete first engages in any countable athletically related activity. The two-year period does not include any period of time before the student’s initial collegiate enrollment. (Revised: 1/10/95, 1/12/04, 11/05, 11/07 for any progress-toward-degree certification or transfer on or after 8/1/06)

14.5.5.3.7 Return to Original Institution Without Participation or With Minimal Participation Exception. The student enrolls at a second four-year collegiate institution, does not compete and does not participate in other countable athletically related activities (see Bylaw 17.02.1) in the involved sport at the second institution beyond a 14-consecutive-calendar-day period and returns to the original institution. The 14-consecutive-calendar-day period begins with the date on which the student-athlete first engages in any countable athletically related activity. A student may use this exception even if he or she has an unfulfilled residence requirement at the institution from which he or she is transferring. (Revised: 1/12/04, 4/29/04, 4/11/06)

14.5.5.3.8 Nonrecruited Student Exception. The student transfers to the certifying institution, and the following conditions are met:

(a) The student-athlete was not recruited by the certifying institution (per Bylaw 13.02.10.1);
(b) No athletically related financial assistance has been received by the student-athlete; and
(c) The student-athlete has not competed for any previous institution and has not participated in countable athletically related activities (see Bylaw 17.02.1) in intercollegiate athletics beyond a 14-consecutive-calendar-day period at any previous institution. The 14-consecutive-calendar-day period begins with the date on which the student-athlete first engages in any countable athletically related activity. (Revised: 1/12/04, 1/8/07 for any transfer occurring on or after 8/1/06)

14.5.5.3.9 One-Time Transfer Exception. The student transfers to the certifying institution from another four-year collegiate institution, and all of the following conditions are met (for graduate students, see Bylaw 14.1.8.1): (Revised: 4/28/05 effective 8/1/05, for those student-athletes who transfer to a Division II institution for the 2005-06 academic year, 5/3/07)

(a) The student has not transferred previously from one four-year institution, unless, in the previous transfer, the student-athlete received an exception per Bylaw 14.5.5.3.5 (discontinued/nonsponsored sport exception) or 14.8.2.1-(d) (residence requirement). A student-athlete who, prior to the transfer to the certifying institution, attended two four-year institutions (“4-2-4-4” transfer), does not meet this condition regardless of whether the student was enrolled at a two-year institution between attendance at the two previous four-year institutions; (Revised: 1/11/94, 1/11/97, 11/02/02 effective 8/1/02, 5/3/07, 10/21/08)

(b) The student is in good academic standing and meets the progress-toward-degree requirements at the previous four-year institution at the time of transfer to the certifying institution, except that, for a student transferring from a Division I institution, he or she is not required to have fulfilled the necessary percentage-of-degree requirements at the previous institution. The transferring student must be one who would have been academically eligible had he or she remained at the institution from which the student transferred, and he or she also must be eligible at the certifying institution as a regularly enrolled, full-time, degree-seeking student who was admitted in accordance with the regular, published entrance requirements of the institution; and (Revised: 1/10/95, 1/9/96, 8/8/05, 5/3/07, 4/14/15)

(c) If the student is transferring from an NCAA or NAIA member institution, the student’s previous institution shall certify in writing that it has no objection to the student being granted an exception to the transfer residence requirement. If an institution receives a written request for a release from a student-athlete, the institution shall grant or deny the request within 14 consecutive calendar days of receipt of the request. If the institution fails to respond to the student-athlete’s written request within 14 consecutive calendar days, the release shall be granted by default and the institution shall provide a written release to the student-athlete. (Revised: 1/11/94, 1/8/07 effective 8/1/07, 5/3/07, 1/14/08 effective 8/1/08, 10/22/13, 1/17/15 effective 8/1/15)
(d) A student who has one season of competition remaining in his or her sport or two full-time semesters or three full-time quarters or fewer remaining in which to complete his or her eligibility and who has not earned a baccalaureate degree, shall have satisfactorily completed an average of 12-semester or 12-quarter hours of transferable degree credit acceptable toward any baccalaureate degree program at the certifying institution for each term of full-time attendance, at any collegiate institution, with a cumulative minimum grade-point average of 2.000 in the transferable degree credits. (Adopted: 1/9/06 effective 8/1/06, Revised: 5/3/07, 4/28/09, 2/5/13)

14.5.5.3.9.1 Hearing Opportunity. If the student’s previous institution denies his or her written request for the release, the athletics director (or his or her designee) shall inform the student-athlete in writing, within 14 consecutive calendar days from receipt of a student-athlete’s written request, that he or she, on request, shall be provided a hearing conducted by an institutional entity or committee outside of the athletics department (e.g., the office of student affairs; office of the dean of students; or a committee composed of the faculty athletics representative, student-athletes and nonathletics faculty/staff members). The notification of the hearing opportunity shall include a copy of the institution’s policies and procedures for conducting the required hearing, including the deadline by which a student-athlete must request such a hearing. The institution shall conduct the hearing and provide written results of the hearing within 30 consecutive calendar days of receiving a student-athlete’s written request for the hearing. The student-athlete shall be provided the opportunity to actively participate (e.g., in person, via telephone) in the hearing. If the institution fails to conduct the hearing and provide written results of the hearing within 30 consecutive calendar days, the release shall be granted by default and the institution shall provide a written release to the student-athlete. (Adopted: 1/17/15 effective 8/1/15)

14.5.5.3.9.2 Waivers. The Academic Requirements Committee shall have the authority to waive academic components of the one-time transfer exception. Those components include good academic standing, progress-toward-degree requirements, and the 12-semester or 12-quarter hour requirement for a transfer student who has one season of competition remaining in his or her sport or two full-time semesters or three full-time quarters or fewer remaining to complete eligibility and who has not earned a baccalaureate degree. The Committee for Legislative Relief shall have the authority to waive all remaining components of the one-time transfer exception. (Adopted: 6/3/15)

14.5.5.4 Competition in Year of Transfer. A transfer student from a four-year institution, who has received a waiver of or exception to the transfer residence requirement (per Bylaw 14.1.8.1 or 14.5.5.3), is not eligible to compete at the certifying institution during the segment that concludes with the NCAA championship if the student-athlete has competed during that segment of the same academic year in that sport at the previous four-year institution. Therefore, if the institution from which a student-athlete transfers declares separate segments of its playing and practice season, a student-athlete may compete during the segment that does not conclude with the NCAA championship for such an institution and during the segment that does conclude with the NCAA championship for the certifying institution during the same academic year in the same sport, provided the student-athlete is otherwise eligible for competition. (Adopted: 1/10/95 effective 8/1/95, Revised: 1/13/03 effective 8/1/03, 10/17/06, 1/25/10, 7/24/12)

14.7 Outside Competition, Effects on Eligibility.

The eligibility of a student-athlete who engages in outside competition (see Bylaws 14.3.2.4 and 17.02.10) is affected as set forth in the following regulations. (Revised: 3/17/06)

14.7.1 Outside Competition, Sports Other Than Basketball. A student-athlete becomes ineligible for intercollegiate competition in his or her sport (other than basketball) if, after enrollment in college and during any year in which the student-athlete is a member of an intercollegiate squad or team, he or she competes or has competed as a member of any outside team in any noncollegiate, amateur competition (e.g., tournament play, exhibition games or other activity) during the institution’s intercollegiate season in the sport (see Bylaw 14.7.5 for exceptions) until eligibility is restored by the Committee on Student-Athlete Reinstatement. (Revised: 1/16/93, 1/11/94, 4/11/06)

14.7.1.1 Additional Restriction—Wrestling. In wrestling, a student-athlete may compete outside of the institution’s intercollegiate season as a member of an outside team in any noncollegiate, amateur competition, except during the period between the beginning of the institution’s academic year and November 1. The number of student-athletes from any one institution shall not exceed the applicable limits set forth in Bylaw 17.29.2. (Adopted: 1/15/11 effective 8/1/11)

14.7.1.2 Volleyball and Beach Volleyball. Volleyball and beach volleyball are considered the same sport for purposes of Bylaw 14.7. (Adopted: 10/16/12, Revised: 5/1/15)

14.7.2 Outside Competition, Basketball. A student-athlete who participates in any organized basketball competition except while representing the institution in intercollegiate competition in accordance with the permissible playing season specified in Bylaw 17.3 becomes ineligible for any further intercollegiate competition in basketball (see Bylaw 14.7.5 for exceptions).
Issue:

Whether the NCAA Division II Legislation Committee should elevate a staff interpretation [Reference: 1/8/03, Item No. 1-(a)] to an official interpretation and recommend that the NCAA Division II Management Council incorporate the official interpretation to clarify the application of the use of four-year college transfer exceptions by a 2-4-4 transfer who attended the first four-year institution for less than a full academic year.

Background and Analysis:

Current legislation requires a four-year college transfer student-athlete to serve a transfer year in residence unless a transfer exception is met. Eligibility for practice and athletics aid is based on the student-athlete's initial eligibility status for those who attended the previous four-year institution for less than a full academic year and only qualifiers have access to four-year transfer exceptions during the first academic year of collegiate enrollment. In those instances where a student-athlete is a 2-4-4 transfer who attended the previous four-year institution for less than a full academic year, eligibility for use of a four-year transfer exception is dependent on whether the student-athlete would have been eligible had he or she transferred to the certifying institution directly from the two-year institution. If the student-athlete would not have met Division II two-year college transfer requirements at the time of transfer to the certifying institution, he or she would not be eligible to use a transfer exception on transfer to the certifying institution after less than a full academic year.

Staff has received a number of questions regarding the application of the legislation to 2-4-4 transfers who attend the first four-year institution for less than a full academic year. While the official interpretation [Reference: 12/17/99, Item No. 2] and a staff interpretation [Reference: 1/8/03, Item No. 1-(a)] directly address the questions posed by the membership, staff is presenting the issue for the committee's discussion for a potential incorporation to further clarify the application of the legislation.

Conclusions:

1. The Legislation Committee recommends the January 8, 2003, staff interpretation be elevated to an official interpretation; further, the committee recommends that the official interpretation be incorporated in the NCAA Division II Manual to clarify the permissible use of transfer exceptions by a 2-4-4 transfer who attended the previous four-year institution for less than a full academic year.
2. The Legislation Committee does not recommend the January 8, 2003, staff interpretation be elevated to an official interpretation and be incorporated.

Associated References:

Division II Bylaws

14.5.5.1 - General Rule. A transfer student from a four-year institution shall not be eligible for intercollegiate competition at a member institution until the student has fulfilled a residence requirement of one full academic year (two full semesters or three full quarters) at the certifying institution (see Bylaw 14.02.11). (Revised: 1/10/91 effective 8/1/91, 4/30/10)

14.5.5.1.1 - Attendance for One Academic Year. A transfer student from a four-year institution who attended a four-year institution at least one academic year shall be eligible for financial aid and practice at a Division II institution under the rules of the institution and the conference of which the institution is a member, regardless of the student's qualification status (per Bylaw 14.3.1) at the time of initial enrollment.

14.5.5.1.2 - Attendance for Less Than One Academic Year. A transfer student from a four-year institution who was a partial qualifier (as defined in Bylaw 14.02.10.2) or a nonqualifier (as defined in Bylaw 14.02.10.3) and who attended the four-year institution less than one full academic year shall not be eligible for competition during the first academic year of attendance at the certifying institution. Participation in practice sessions and the receipt of financial aid during the first academic year of attendance at the certifying institution by such students is governed by the provisions of Bylaws 14.3.2.1 (partial qualifiers) and 14.3.2.2 (nonqualifiers).

14.5.5.3 - Exceptions for Transfers From Four-Year Colleges. A transfer student (other than one under disciplinary suspension per Bylaw 14.5.1.1) from a four-year collegiate institution is not subject to the residence requirement for intercollegiate competition, provided the student does not have an unfulfilled residence requirement at the institution from which he or she is transferring (except for the return to the original institution without participation exception) and any of the following exceptions are satisfied. However, during the student-athlete’s first academic year of full-time collegiate enrollment, such conditions may serve as a basis for an exception to the residence requirement for transfer students to a Division II institution who, at the time of initial collegiate enrollment, met the requirements for "qualifiers" (set forth in Bylaw 14.3.1.1) in Division II. (Revised: 1/10/90, 1/10/91 effective 8/1/91, 1/10/05)
Division II Interpretations

Use of Four-Year College Transfer Exceptions by a "2-4-4" Transfer (I/II)

Date Issued: January 8, 2003
Date Published: January 8, 2003
Item Ref: 1-(a)

Interpretation:

The membership services staff confirmed that if a nonqualifier or partial qualifier initially enrolls at a two-year college, transfers to an NCAA Division III or four-year nonmember institution where the student-athlete is eligible for competition, attends the Division III or four-year nonmember institution for less than one academic year and subsequently transfers to an NCAA Division I or II institution, the student-athlete may not use any of the four-year college transfer exceptions to be immediately eligible for competition at the Division I or II institution, unless the student-athlete would have been immediately eligible for competition had the student-athlete transferred directly from the two-year college to the certifying Division I or II institution. If the student-athlete would not have been eligible using the two-year college transfer legislation, he or she would not be eligible for financial aid, practice and competition during the initial year in residence at the Division I institution and would not be eligible for competition (and for nonqualifiers, for athletics aid and practice) during the initial year in residence at the Division II institution, inasmuch as the two-year college transfer provisions may not be circumvented by attendance for less than one academic year at a four-year institution. [Note: This staff minute replaces the staff interpretation (reference: 10/14/94, item a), which has been archived].

Use of One-Time Transfer Exception by a '2-4-4' Transfer (II)

Date Issued: December 17, 1999
Date Published: December 17, 1999
Item Ref: 2

Interpretation:

2. Use of One-Time Transfer Exception by a "2-4-4" Transfer. (II) If a qualifier initially enrolls at a two-year college, transfers to a Division III or four-year nonmember institution where the student-athlete is eligible for competition, attends the Division III or four-year nonmember institution for less than a full academic year and subsequently transfers to a Division II institution, the student-athlete may not use the one-time transfer exception set forth in NCAA Bylaw 14.5.5.3.11 to be immediately eligible for competition at the Division II institution, unless
the student-athlete would have been immediately eligible for competition under the Division II transfer regulations had the student-athlete transferred directly from the two-year college to the Division II institution. For example, a student-athlete who is a qualifier initially enrolls at a two-year college, attends the two-year college for two full-time semesters and completes 22 hours of transferable degree credit with a 2.75 cumulative grade-point average, transfers to an NAIA institution and is eligible for competition under NAIA rules, officially withdraws from the NAIA institution after only one week of attendance and subsequently transfers to a Division II institution. In that case, the student-athlete is not eligible to use the one-time transfer exception upon transferring to the Division II institution even if the student-athlete would have been eligible had he or she remained at the NAIA institution, inasmuch as the student-athlete failed to complete 24 hours of transferable degree credit at the two-year college as required by the Division II two-year college transfer regulations. [References: Bylaws 14.5.4 (two-year college transfers), 14.5.4.2.1 (qualifier), 14.5.5.3 (exceptions or waivers for transfers from four-year colleges) and 14.5.5.3.11 (one-time transfer exception)]
NCAA Bylaw 14.5.5.1 – Eligibility – Transfer Regulations – Residence Requirement – General Principle – Disciplinary Suspension

Issue:

Whether the NCAA Division II Legislation Committee should elevate a staff interpretation [Reference 10/25/2013, Item No. b] to an official interpretation and recommend that the NCAA Division II Management Council incorporate the official interpretation into the NCAA Division II Manual to clarify the application of the disciplinary suspension legislation to graduate transfer students.

Background and Analysis:

Under current legislation, a graduate student-athlete who leaves his or her previous institution under disciplinary suspension and then enrolls at another institution must serve a calendar year in residence. Recently staff received questions from the membership pertaining to NCAA Bylaw 14.5.1.1 (disciplinary suspension) and its application to graduate student-athletes. Since the intent of the disciplinary suspension legislation is to ensure that student-athletes cannot transfer to avoid disciplinary suspension and be immediately eligible for competition, staff has applied the same rationale to graduate student-athletes through the staff interpretation [Reference: 10/25/2013, Item No. b].

Conclusion:

1. The Legislation Committee recommends elevating the staff interpretation and having the Management Council incorporate the official interpretation into the Manual to clarify the application of the disciplinary suspension legislation to graduate transfer students.

2. The Legislation Committee does not recommend elevating the staff interpretation and having the Management Council incorporate the official interpretation.

Associated References:

Division II Bylaws

14.5.1.1 - Disciplinary Suspension. A student who transfers to any NCAA institution from a collegiate institution while the student is disqualified or suspended from the previous institution for disciplinary reasons (as opposed to academic reasons) must complete one calendar year of residence at the certifying institution. (Revised: 1/14/97 effective 8/1/97)

14.1.8 Graduate Student/Postbaccalaureate/Second Baccalaureate Participation. A student-athlete who is enrolled in a graduate or professional school of the institution he or she previously
attended as an undergraduate (regardless of whether the individual has received a United States baccalaureate degree or its equivalent), a student-athlete who is enrolled and seeking a second baccalaureate or equivalent degree at the same institution, or a student-athlete who has graduated and is continuing as a full-time student at the same institution while taking course work that would lead to the equivalent of another major or degree as defined and documented by the institution, may participate in intercollegiate athletics, provided the student has eligibility remaining and such participation occurs within the applicable 10-semester/15-quarter period set forth in Bylaw 14.2 (see Bylaw 14.1.7.1.7.4). (Revised: 1/10/90, 1/16/93 effective 8/1/93, 1/8/07 effective 8/1/07)

Division II Interpretation

Application of Disciplinary Suspension to Graduate Transfer Student-Athletes (I/II/III)

Date Issued: October 23, 2013
Date Published: October 25, 2013
Type: Staff Interpretation
Item Ref: b
The academic and membership affairs staff confirmed that a graduate student who transfers to an NCAA member institution while the student is disqualified or suspended from his or her previous institution for disciplinary reasons (as opposed to academic reasons) must complete one calendar year in residence at the certifying institution.

[References: Division II Bylaws 14.1.8.1 (one-time transfer exception), 14.5.1.1 (disciplinary suspension), 14.5.5.1 (general rule) and official interpretation (11/15/90, Item No. 7)]

Division II Proposal

ELIGIBILITY -- GENERAL REQUIREMENTS -- GRADUATE STUDENT/POSTBACCALAUREATE/SECOND BACCALAUREATE PARTICIPATION -- TRANSFER ELIGIBILITY

Convention Year: 2007
Date Submitted: April 25, 2006
Status: Adopted
Effective Date: August 1, 2007
SPOPL Number: 14
Official Notice Number: 2007-13
Source: NCAA Division II Presidents Council [Management Council (Legislation Committee)].
Proposal Category: Presidents Council
Topical Area: Eligibility
Intent:

To permit a student-athlete who is enrolled in a graduate or professional school or is enrolled and seeking a second baccalaureate or equivalent degree, at an institution other than the institution from which he or she previously received a baccalaureate degree, to participate in intercollegiate athletics regardless of any previous transfer, provided the student has eligibility remaining.

Bylaws: Amend 14.1.9, pages 111-112, as follows:

[Roll Call]

"14.1.9 Graduate Student/Postbaccalaureate/Second Baccalaureate Participation. A student-athlete who is enrolled in a graduate or professional school of the institution he or she previously attended as an undergraduate (regardless of whether the individual has received a United States baccalaureate degree or its equivalent), a student-athlete who is enrolled and seeking a second baccalaureate or equivalent degree at the same institution, or a student-athlete who has graduated and is continuing as a full-time student at the same institution while taking course work that would lead to the equivalent of another major or degree as defined and documented by the institution, may participate in intercollegiate athletics, provided the student has eligibility remaining and such participation occurs within the applicable 10-semester/15-quarter period set forth in Bylaw 14.2 (see also Bylaw 14.1.8.1.7.4).

"14.1.9.1 One-Time Transfer Exception. A graduate student who is enrolled and transfers and enrolls in a graduate program, or professional school or second baccalaureate or equivalent degree program of at an institution other than the institution he or she previously attended as an undergraduate may participate in intercollegiate athletics, if the student fulfills the conditions of the one-time transfer exception set forth in Bylaw 14.5.5.3.10 and has eligibility remaining per Bylaw 14.2 provided the student has eligibility remaining."

[14.1.9.2 through 14.1.9.3 unchanged.]

Rationale:

This proposal permits a student-athlete to participate in intercollegiate athletics while pursuing a graduate, postbaccalaureate or a second undergraduate or equivalent degree at another institution from which he or she previously received a baccalaureate degree, provided the student-athlete has eligibility remaining. Further, a student-athlete under these circumstances would not be required to satisfy the one-time transfer exception in order to use this exception. This is in the best interest of the student-athlete as it promotes opportunities for seeking advanced degrees and allows the student-athlete to reap the full benefit of using all of his or her seasons of competition. This proposal was recommended by the NCAA Student-Athlete Well-Being Task Force. The proposal satisfies the goals of the task force by increasing the well-being of student-athletes.
Review History:
March 28, 2006: Recommends Approval - Legislation Committee
April 11, 2006: Approved in Concept - Management Council 1st Review
April 27, 2006: Approved in Concept - Presidents Council 1st Review
July 18, 2006: Approved in Legislative Format - Management Council 2nd Review
August 3, 2006: Approved in Legislative Format - Presidents Council 2nd Review
August 30, 2006: Approved in Legislative Format - Administrative Subcommittee Review

Convention Vote:
Date of Vote: January 8, 2007
Vote Type: Electronic Machine
For: 233 Against: 24 Abstain: 0
# Table of Contents

Composition of Committee................................................................................................................1
Length of Term ..................................................................................................................................1
Appointment or Election....................................................................................................................1
Election of Chair ................................................................................................................................1
Appointments to Fill Vacancies.........................................................................................................1
Committee Duties ..............................................................................................................................2
Meeting Procedures ...........................................................................................................................2
Meeting Information ..........................................................................................................................3
Attendance Policy ..............................................................................................................................4
Conflict of Interest Policy ..................................................................................................................4
Policy Regarding Speaking Agents of the Association .................................................................5
Operating Policy ................................................................................................................................5
Review of Interpretive Requests ........................................................................................................6
Review of Staff Interpretations .........................................................................................................6
Request for an Interpretation of NCAA Legislation at Issue in a Request for a Waiver of NCAA Legislation or Self-Report of a Violation of NCAA Legislation ....................................................7
Incorporation of Interpretations .......................................................................................................8
Screening of Division I and III Legislation and Official Interpretations.........................................8
Legislative Recommendations ...........................................................................................................8
Review of Editorial Revisions ..........................................................................................................9
Role in Legislative Process .................................................................................................................9
Rules Education and Compliance Resources ....................................................................................10

## Appendices

NCAA Division II Interpretation Screening Process
NCAA Interpretations Subcommittee of the Division II Legislation Committee Policies and Procedures

NCAA Legislative Review Subcommittee of the Division II Legislation Committee Policies and Procedures
Composition of Committee

The NCAA Division II Legislation Committee shall consist of 12 members. Two shall be members of the NCAA Division II Management Council, one shall be a member of the NCAA Division II Student-Athlete Advisory Committee.

Length of Term

Unless otherwise specified, a member of the committee shall be appointed or elected for one four-year term. Terms of service shall commence on the first day of September after the member’s election or appointment.

Appointment or Election

Committee members shall be appointed or elected by the Management Council, subject to ratification by the NCAA Division II Presidents Council. A former committee member may be appointed or elected to an additional term on that committee after three years have elapsed. An individual who has served two terms on the committee may not serve further on that committee. A member serving more than one-half of a four-year term is ineligible to seek immediate re-election.

Election of Chair

The chair of the committee shall be elected by the committee members for a term not to exceed two years. A chair is not eligible for immediate re-election to the position of chair.

Appointments to Fill Vacancies

Whenever a vacancy occurs among the committee members, the Management Council, subject to ratification by the Presidents Council, may fill the vacancy for the remainder of the term by a majority vote of its members present and voting.

Members appointed to fill vacancies shall be appointed only for the unexpired portion of that term. Members who serve more than one-half of a term in such instances shall be considered to have served a full term.
Committee Duties

The following are the general duties of the committee:

- Determine interpretations of all Division II-specific legislation.
- Incorporate new legislation and interpretations in the NCAA Manual.
- Review deregulation issues in consultation with other Division II committees.
- Approve the publication of supplementary compilations of interpretations.
- Review and consider issues of those portions of the Association's constitution and bylaws that relate to the principles governing financial aid and amateurism, professional sports relations, recruiting, personnel limitations, and playing and practice seasons.
- Review and consider issues regarding rules education and compliance resources.
- Review and determine the 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.

Meeting Procedures

The following procedures will apply to all committee meetings:

- In-person meetings are conducted in March, June/July and November of each year.
- Teleconferences may supplement the in-person meetings when needed.
- Supplements to the in-person agendas are posted on the NCAA Web site approximately one week in advance of the meeting. Committee members will be notified when materials are posted and will then have the opportunity to peruse all materials prior to arrival at the meeting site. Teleconference materials are also posted approximately one week prior to the teleconference.
- Committee members will be expected to bring all relevant material with them regarding the in-person meetings.
- All committee decisions will be reported in summary fashion to the Management Council for ratification.
- Decisions will also be forwarded to individual institutions, conferences or committees, as appropriate, by the staff.
- For purposes of parliamentary procedure, the committee shall apply the provisions of Robert's Rules of Order.

Quorum. In order for the committee to take action, at least six committee members shall be available to vote on the action item.
Voting. In order for the committee to take action, a majority vote of those members who have agreed to hear the issue is required. The chair only votes in case of a tie. Vote tallies of decisions are private and will not be provided to the media or the involved institution.

Appeals. An institution may appeal a committee recommendation to the Management Council, and may appeal a Management Council's recommendation to the Presidents Council.

Meeting Information

The committee, as is the case with all entities in the NCAA, is bound by various Association meeting policies, including:

- The committee will conduct its meetings in Indianapolis.
- The committee will meet three times a year, March, June/July and November. Meetings are scheduled for two days in length. Members are expected to fly to the meeting site the night before so that the meeting can begin the next morning.
- Meetings are considered closed and not open to the membership or public at large. The committee and chair retain the authority to invite special guests or observers to attend meetings.
- All members are expected to use Short's Travel Management, the Association's travel agency, for their transportation arrangements to committee meetings. An NCAA Travel Handbook is given to each new member of the committee.

The Association's policies regarding meeting expenses are set forth in NCAA Bylaw 31.7.2 in the NCAA Division II Manual. The NCAA pays for transportation to and from meetings, hotel room and tax charges at the meetings, and a $75 per diem for each day or part thereof involved in traveling to and from and attendance at the meeting. The member may claim mileage at the NCAA-approved rate for the round trip based on the most direct route between the two points if travel is by automobile.

Air transportation and the hotel room and tax charges are billed directly to the NCAA; the member needs only to pay incidental charges to his or her room when leaving the meeting site. Following the meeting, each member will receive an e-mail providing directions on how to claim per diem and any other expenses permitted under NCAA policies. The member will receive reimbursement for those expenses from the NCAA national office within a reasonable time after each meeting. Also, early in each calendar year, each member will receive a Form 1099 reporting the amounts thus paid during the preceding year, if that amount exceeds $600. In such instances, the member then will declare that amount in filing his or her income tax return for that year, so members will want to record their committee-related expenses in order to deduct the appropriate amount.
**Attendance Policy**

Committee members are required to attend all committee meetings and teleconferences. The chair is authorized to recommend to the Management Council that a member be replaced if such member is not discharging the member's duties properly. In addition, a member who is absent from two consecutive meetings without reason approved by the Management Council shall be removed from the committee. The Management Council shall have authority to appoint a replacement for the unexpired portion of the term.

**Conflict of Interest Policy**

The NCAA is a voluntary Association comprised of colleges, universities, conferences and other organizations, and governed through a membership-led committee structure. Within the governance structure, committee members must carefully balance their responsibilities to their respective institutions and/or conferences with the obligation to advance the interests of the Association, the division, or the sport, and ultimately enhance the student-athlete experience. While the fiduciary obligations of committee members to their own institution, their conference, and to the Association ordinarily are not in conflict, it is recognized that as a representative membership organization, committee members’ fiduciary obligations are first to their institution, second to their conference, and third to the Association. NCAA committee service involves important ethical and moral obligations. Committee integrity is critical to the decision-making process and includes trust, confidentiality and honesty in all issues and aspects of service and representation. NCAA committee members shall disclose any conflict or potential conflict between their respective personal, professional, institutional, conference, or business interests and the interests of the Association that may affect or otherwise threaten such integrity, in any and all actions taken by them on behalf of the Association, for committee evaluation under this Statement.

In addition to any fiduciary obligation to their institution and conference, committee members also have a fiduciary duty to the Association not to use knowledge or information obtained solely due to service on that committee to the disadvantage of the Association during the term of committee service. Further, a Committee member shall not participate in the committee’s discussion or vote on any action that might bring direct or indirect personal financial benefit to the member or any organization (other than the member’s institution or conference) in which the member is financially interested. A committee member should also not participate in a discussion or vote for which the member’s institution or conference is to be accorded a special benefit beyond benefits shared with other institutions or conferences or is to receive a penalty or disqualification. A violation of either of the above rules by a member of the committee shall not invalidate the action taken by the committee if, following disclosure of the conflict of interest, the committee authorizes, ratifies or approves the action by a vote sufficient for the purpose,
without counting the vote of the committee member with the conflict of interest, and the 
appropriate oversight body approves the action.

A committee member is responsible for advising the chair of any actual or potential conflicts of 
interest or obligations which he/she may have hereunder, and should recuse him/herself from 
participating in proceedings, as may be warranted by this policy. Abuse of one’s position as a 
member of a committee may result in dismissal from that position. Where such abuse appears 
evident, a committee member will be notified by the committee chair and will have the 
opportunity to present a rebuttal or details of the situation. (August 2008 Executive Committee 
minutes)

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**Policy Regarding Speaking Agents of the Association**

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. (April 2001 Executive Committee 
minutes)

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**Operating Policy**

**Guiding Principle - Student-Athlete Well-Being**

In support of the "students-first" philosophy, consistent with NCAA Constitution Principles for 
Conduct of Intercollegiate Athletics including Student-Athlete Well-Being, Rules Compliance 
and Competitive Equity and meeting Objective 2.1 in the Association’s Strategic Plan (to 
increase the application of fair and more flexible regulations that favor student-athletes), the 
following principle will serve to ensure consistency in the application of NCAA regulations and 
messaging.

The well-being of student-athletes is at the center of all we do:

1. Any process must be flexible and timely and include effective communication.
2. Decisions must be fair, reasonable and consider the potential impact on the student-athlete.

### Review of Interpretable Requests

The committee shall review interpretive requests from the membership, governance structure and academic and membership affairs staff. In its review, the committee shall first determine if an issue is interpretive. An issue is not interpretive if the plain meaning of the legislation is clear on its face, the legislative history of the rule (including intent and rationale) clearly addresses the situation, or a published official interpretation clearly addresses the situation. In situations involving eligibility issues or infractions issues, an institution shall have 14 calendar days after notification of a staff decision to provide notice that it intends to appeal the decision and, once notice is provided, 14 calendar days to submit its appeal materials. The Legislation Committee (or its designee) shall convene within 14 calendar days of receipt of the institution's appeal materials to decide the appeal.

If the committee deems the issue is interpretive, it shall next consider if the issue is one of national significance. Nationally significant issues are those that are likely to impact many institutions/student-athletes nationally. They may have an immediate impact on other institutions, may create a significant recruiting or competitive advantage and relate to a fundamental principle that impacts the Association generally or Division II specifically. If the issue is not of national significance, the committee shall not issue an interpretation but may answer the question for the inquiring party.

In the case of nationally significant interpretive issues, the committee may issue an official interpretation that is either a confirmation or a determination. Confirmations are issued when the legislation is clear. Actions to the contrary of official confirmations are considered rules violations regardless of when they occur. Determinations are issued when the legislation does not clearly address the situation, but the issue is one of national significance. Prior actions contrary to official determinations are not considered rules violations. Interpretations issued by the committee shall be binding on notification to affected institutions and on all member institutions after publication and circulation to the membership. All official interpretations are posted on the Legislative Services Database for the Internet (LSDBi) after the committee has officially approved language for the interpretation in its review of committee minutes. As such, there is a one-meeting lag time between discussion of the interpretation and its becoming effective and posting on LSDBi.

### Review of Staff Interpretations

At each in-person meeting, the committee shall review all staff interpretations issued since the previous in-person meeting. The committee can make the staff interpretation official, make the
staff interpretation official and incorporate it into the Manual, overturn the staff interpretation or take no action. Similar to official interpretations, staff interpretations are issued as confirmations or determinations, and have different culpability standards for institutions.

A staff confirmation is not actually an interpretation. It is issued when the legislation or an official interpretation is responsive to the inquiry, but the issue is of national significance, and the staff has concluded the membership would benefit from the action being recorded on LSDB/. A staff confirmation is binding on all member institutions and prior and subsequent actions contrary to staff confirmations are considered rules violations.

A staff determination is an interpretation provided when an issue or fact situation is not addressed clearly by the legislation or an official interpretation and the issue is one of national significance. A staff determination shall be binding on notification to affected institutions and on all member institutions after publication and circulation to the membership.

In addition to the regular screening of staff interpretations, a member institution may request a review by the committee of any interpretation provided by the academic and membership affairs staff at any time. Such a request must be submitted in writing by the institution's conference or by one of the five individuals who are authorized to request such interpretations on behalf of the institution [i.e., chancellor or president, faculty athletics representative, athletics director, senior woman administrator, compliance coordinator, or designated substitute(s) for the chancellor or president and/or athletics director, as specified in writing to the national office]. See below for a diagram of the interpretations process when it involves both academic and membership affairs and the committee.

<table>
<thead>
<tr>
<th>Request for an Interpretation of NCAA Legislation at Issue in a Request for a Waiver of NCAA Legislation or Self-Report of a Violation of NCAA Legislation</th>
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</thead>
<tbody>
<tr>
<td>An institution must exhaust all interpretive processes prior to filing a waiver of NCAA legislation, Student-Athlete Reinstatement request or self-reporting a violation of NCAA legislation.</td>
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</tbody>
</table>

If an institution submits a request for a waiver of NCAA legislation (e.g., Committee for Legislative Relief waiver), the institution acknowledges that the applicable NCAA legislation and/or official or staff interpretations address the subject matter of the waiver. Therefore, if an institution submits a request for a waiver of NCAA legislation, it is precluded from requesting an interpretation of NCAA legislation at issue in the waiver submission unless new information is discovered that could not reasonably have been ascertained prior to submitting the waiver request.

If an institution submits a request for reinstatement of a student-athlete's eligibility, the institution acknowledges that a violation of the applicable NCAA legislation has occurred. Therefore, if an institution submits such a request, it is precluded from requesting an interpretation of NCAA legislation at issue unless new information is discovered that could not reasonably have been ascertained prior to submitting the request for reinstatement.
If an institution submits a self report of a violation of NCAA legislation, the institution acknowledges that a violation of the applicable NCAA legislation has occurred. Therefore, if an institution submits a self report of a violation of NCAA legislation, it is precluded from requesting an interpretation of NCAA legislation at issue in the self report unless new information is discovered that could not reasonably have been ascertained prior to submitting the self report.

**Incorporation of Interpretations**

The committee is authorized to recommend interpretations be incorporated in the next printing of the Manual. Such interpretations are approved by the Management Council and are ratified at the annual NCAA Convention.

**Screening of Division I and III Legislation and Official Interpretations**

As a normal course of committee business, the committee reviews all adopted proposals and official interpretations of NCAA Divisions I and III for possible sponsorship or adoption in Division II.

**Legislative Recommendations**

The committee may consider interpretive issues related to any Division II bylaw, but its primary legislative emphasis within the Division II governance structure includes the following bylaws: 11 (personnel), 12 (amateurism), 13 (recruiting), 15 (financial aid), 16 (awards and benefits) and 17 (playing and practice seasons). The committee also has the responsibility to consider deregulation opportunities for Division II. The committee may recommend the sponsorship of any of the following types of proposals:

- **Convention Legislation** - These proposals represent significant changes to current legislation and require approval by the Management Council and ultimate sponsorship by the Presidents Council. They are put before the membership for a vote at the annual Convention business session.

- **Noncontroversial Proposals** - These proposals are considered noncontroversial and necessary in the normal and orderly administration of the Association's legislation. Proposals that are ratified by the Management Council shall be effective as of the date the proposal is posted on LSDBi. Once ratified, the proposals will be submitted by the Management Council as legislation at the annual Convention business session.

- **Modifications of Wording** - These proposals are consistent with the intent of the membership in adopting the original legislation and sufficient documentation and testimony exists to establish
clearly that the original wording of the legislation was inconsistent with that intent. Proposals that are ratified by the Management Council shall be effective as of the date the proposal is posted on LSDBi. Once ratified, the proposals will be submitted by the Management Council as legislation at the annual Convention business session.

It should be noted that the committee may also sponsor incorporations of interpretations. These proposals are described in the incorporation of interpretations section above, require Management Council approval, become effective when sponsored by the committee and are ratified at the annual Convention business session.

Additionally, the committee may be asked by the Management Council to take a position on a membership-sponsored proposal. Any Legislation Committee member whose conference or institution has sponsored a proposal should recuse himself/herself from the proceedings and the vote on the committee’s official position on the membership-sponsored proposal (see conflict of interest statement in this policies and procedures document).

**Review of Editorial Revisions**

In February 2004, the committee granted NCAA staff the authority to make editorial revisions to the Manual and report such revisions to the committee on a regular basis. As such, each in-person meeting includes a review of all editorial revisions issued since the last in-person meeting. An editorial revision is designed to clarify the legislation, is nonsubstantive in nature and does not affect the application of the legislation.

**Role in Legislative Process**

The committee shall respond to any membership request to interpret Convention proposals. A form for this purpose appears as an appendix of the NCAA Division II Official Notice and all such requests are due to the national office not later than December 7 of each year. All such decisions will be reviewed by the Management Council in its pre-Convention meeting. The resulting interpretations will be duplicated and distributed to the conferences for their pre-Convention meetings before the beginning of the annual division business session. The committee also issues a pre-Convention question and answer document to inform the voting membership about the impact of legislative proposals.

Important legislative dates include:

- July 15: Deadline for submission of amendments.
- August 15: Internet posting of NCAA Division II Initial Publication of Proposed Legislation.
- September 1: Deadline for submission of amendments by the Presidents Council.
September 15: Deadline for submission by all sponsors (with submission by the primary contact person) of any modification to their original amendments.  
September 23: Posting of NCAA Division II Second Publication of Proposed Legislation. 
November 1: Deadline for all amendments-to-amendments to be received in the national office. 
November 15: Mailing of theOfficial Notice of the Convention. 

Rules Education and Compliance Resources

The committee shall have the authority to develop or obtain rules education and compliance resources in accordance with its strategic plan. These resources shall be made available to member institutions and conferences via the Division II Homepage on the NCAA Web Site and other appropriate means as determined by the committee.
DIVISION II SCREENING PROCESS

Question posed to Academic and Membership Affairs staff

Is legislation or clear intent of legislation responsive to issue?

NO

Is an official interpretation responsive to the issue?

NO

Does the issue affect student-athlete welfare?

YES

Is the issue of national significance?

NO

Staff issues binding interpretation

Interp. Subcom. reviews staff interpretations

Disagrees with Staff

Interp. Subcom Approves staff interpretation

Remains staff interpretation may be appealed to Interpretations Subcom.*

YES*

Staff refers to Interpretations Subcommittee

Interp. Subcom reviews the issue and renders official interpretation

*If legislation or interpretation is not responsive to student-athlete welfare, the staff will forward to the appropriate (sub)committee for review.

Staff provides advice that is not binding, institution acting contrary to advice must have reasonable basis. Staff will consider impact the appropriate emphasis on student-athlete welfare.

NO

Stop -- Issue resolved

Stop -- Issue resolved