1. Welcome and introductions. (Marcus Clarke)
   a. NCAA Division II Committee for Legislative Relief roster. [Supplement No. 1] (Clarke)
   b. Review of Committee for Legislative Relief policies and procedures. [Supplement No. 2] (Clarke)
      • Reminder of conflict of interest policy.
2. Review of the March 2017 Committee for Legislative Relief report to NCAA Division II Management Council. [Supplement No. 3] (Clarke)
3. Review the July/August 2017 Management Council and NCAA Division II Presidents Council summary of actions. [Supplement No. 4] (Karen Wolf)
4. Review of the Division II 2017-18 priorities. [Supplement No. 5] (Wolf)
5. Review Committee for Legislative Relief cases decided from February 1 through July 31, 2017, by the NCAA staff and committee. [Supplement No. 6] (Madison Hahesy)
   • Review of cases approved based on totality of the circumstances. [Supplement No. 7] (Geoff Bentzel)
6. Review of 2018 NCAA Convention proposals potentially impacting the Committee for Legislative Relief. [Supplement No. 8] (Chelsea Crawford)
7. Review of competition in year-of-transfer guideline. [Supplement No. 9] (Bentzel)
8. Discussion regarding Committee for Legislative Relief term limits. [Supplement No. 10] (Wolf)
9. Future meetings or teleconferences.
   a. March 2018; and

10. Other business.

11. Adjournment.
SUPPLEMENT NO. 1

NCAA Division II Committee for Legislative Relief Roster

Marcus Clarke, chair  
Senior Associate Commissioner for Championships & Events  
Central Intercollegiate Athletic Association  
4725 Piedmont Row Drive, Suite 200  
Charlotte, North Carolina 28210  
704-910-2133 (Phone)  
757-298-4503 (Cell)  
mclarke@theciaa.com (Email)  
Central Intercollegiate Athletic Association  
Term Expires: August 31, 2019

Josh Doody  
Director of Athletics  
Notre Dame de Namur University  
1500 Ralston Avenue  
Belmont, California 94002  
650-508-3638 (Phone)  
jdoody@ndnu.edu (Email)  
Pacific West Conference  
Term Expires: January 2021

Laura Clayton Eady  
Director of Athletics Compliance/ Senior Woman Administrator  
University of West Georgia  
Murphy Athletic Building  
1601 Maple Street  
Carrollton, Georgia 30118  
678-839-3964 (Phone)  
lclayton@westga.edu (Email)  
Gulf South Conference  
Term Expires: August 31, 2019

Audra Kedy  
Associate Commissioner  
Great American Conference  
P.O. Box 863  
Russellville, Arkansas 72811  
479-567-5512 (Phone)  
gaccompliance@gmail.com (Email)  
Great American Conference  
Term Expires: August 31, 2020

Hayley Ross-Treadway  
Associate Athletic Director for Compliance and Internal Operations/ SWA  
University of Illinois at Springfield  
One University Plaza, MS REC 2004  
Springfield, Illinois 62703-5407  
217-206-8467 (Phone)  
hross3@uis.edu (Email)  
Great Lakes Valley Conference  
Term Expires: August 31, 2018*  
*Eligible for reappointment

DII AT&T CLR Toll-free Conference Call No.: 877/336-1831  
Access Code: 3272185  
Weekly call (when necessary) is 3 p.m. Eastern time Wednesdays.
Staff Liaisons

Karen Wolf (Primary Liaison)
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Chelsea Crawford (Secondary Liaison)
Assistant Director of Academic and Membership Affairs
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The NCAA Division II Committee for Legislative Relief was created in 1993 as a response to the membership's desire for more rules flexibility. This group was originally established as a subcommittee of the NCAA Division II Management Council to review the application of NCAA legislation in cases where the circumstances are extraordinary in nature (NCAA Division II Bylaw 5.4.1.7). In January 2008, the Management Council and NCAA Division II Presidents Council agreed to establish a free-standing committee to fulfill this role. The equivalent waiver committees in Divisions I and III are the NCAA Division I Committee for Legislative Relief (CLR) and the NCAA Division III Management Council Subcommittee for Legislative Relief (SLR).

The philosophy of the Committee for Legislative Relief is to review requests to waive the normal application of the legislation while considering the following to determine if relief is appropriate:

1. The purpose or intent of the legislation;
2. The involvement and the overall well-being of the student-athlete; and
3. A competitive or recruiting advantage.

NCAA member institutions, conferences and committees/subcommittees may apply for a Committee for Legislative Relief waiver when no other committee/subcommittee has the authority to waive specific NCAA legislation for extenuating/extraordinary circumstances. Waivers must be submitted through the Requests/Self-Reports Online. All information pursuant to the waiver must be uploaded to Requests/Self-Reports Online.

Waiver Submission Procedures.

1. Waiver requests shall be submitted to the NCAA national office via Requests/Self-Reports Online.

2. Requests/Self-Reports Online requires that the waiver submission must be e-signed or have a signature uploaded by two of the following individuals of the involved institution (one of whom must be from outside the athletics department): chancellor, president or faculty athletics representative; and director of athletics or senior woman administrator. A waiver request submitted by a conference office shall be signed by both the commissioner (or executive director) and at least one conference officer (e.g., associate commissioner). A waiver request submitted by an NCAA (sub)committee shall be signed by the chair or a member of that (sub)committee. Stamp signatures will not be accepted.
3. Waiver submissions for individual student-athletes or prospective student-athletes are required to include a signed Buckley Statement.

4. The case will be considered complete when all required information is uploaded into Requests/Self-Reports Online (either by the applicant institution or by AMA staff). Case processing timelines begin once required information is uploaded to Requests/Self-Reports Online. Requests involving transfers will not be processed until the involved student-athlete has signed a written commitment (e.g., written offer of admission and/or financial aid or the institution has received the student-athlete's financial deposit in response to its offer of admission) or has triggered full-time enrollment at the applicant institution.

5. It is the applicant institution's, conference's or NCAA (sub)committee's responsibility to include all relevant documentation and Committee for Legislative Relief case precedent for each waiver request to the committee. All relevant documentation must be included with the original waiver materials (e.g., medical documentation, educational transcripts, game schedules), since a decision will be made by the staff and committee based solely on the submitted documentation from the applicant institution. The committee and staff will review only written documentation. Any documentation provided in a foreign language must be translated to English (or in the case of financial records, converted to U.S. dollars) prior to submission, and both the original language and translated documents must be included. NCAA committee members are prohibited from conducting independent research (e.g., online searches) in an effort to gather more facts/information regarding a pending request. When additional information or documentation is necessary, the committee shall direct the staff to contact the applicant institution to request that the additional information or documentation be submitted.

In cases where the agreed-on set of facts for a prospective student-athlete who has been certified with conditions under the organized competition or training prior to collegiate enrollment legislation change, the following procedures should be followed:

a. When the facts of a waiver involving Bylaw 14.2.4.2 (organized competition or training prior to initial collegiate enrollment) change, and the new information could result in the amateurism certification of a prospective student-athlete changing (e.g., prospective student-athlete no longer subject to the organized competition legislation or prospective student-athlete is subject to fewer or additional seasons of competition under the rule), then the prospective student-athlete must be placed back under review and the amateurism certification staff at the NCAA Eligibility Center is re-engaged in the process. The institution and prospective student-athlete must also submit an explanation as to why the facts changed.
b. When the new information will not change the amateur certification of the prospective student-athlete, but only changes the facts related to relief via the waiver process, the staff will proceed with the waiver by working with applicant institution and the prospective student-athlete to come to a new set of agreed facts. The institution and prospective student-athlete must also submit an explanation as to why the facts changed.

For cases involving subject matter where the committee has authority and an NCAA (sub)committee has expertise but does not have the authority to provide the requested relief, the staff may request a written response or background information from that (sub)committee in order to assist the staff and committee in making a well-informed decision. The staff will share all written materials provided by the NCAA subcommittee or committee to the applicant prior to a decision being rendered. Waiver requests will be prioritized based on the date of the next contest or event, the order in which the case was received and the timing of when the waiver was determined to be necessary.

Once all relevant information is submitted, the staff generally requires a minimum of 48 hours to complete a thorough review of the information presented. Thus, if a waiver submission is not complete until less than 48 hours prior to the competition or event, the staff may not be able to render a decision prior to the contest or the event. All requests should be submitted to the staff in a timely manner once the waiver is determined necessary in order to ensure a complete review can be conducted prior to the next contest or event.

6. For cases involving misinformation, a lack of information or institutional error in which a student-athlete(s) is detrimentally impacted by the actions of institutional personnel, if the applicant institution benefits (request is granted) as a result of the circumstances, then the chancellor or president of the applicant institution will be notified by letter from the staff detailing the chronology of the institution's/individual's actions. In addition, a copy of the written statement provided to the NCAA staff from the institutional staff member(s) responsible for the misadvice must accompany the staff's notification to the chancellor or president. A member of the staff or committee may call an institution's chancellor or president to provide notice regarding the institution's plans to prevent future instances of misinformation/error when an institution has submitted multiple waiver requests involving misinformation, a lack of information or institutional error that has detrimentally impacted a student-athlete.

7. Reconsideration requests may be submitted to the committee if the request contains new information that was not available to either the student-athlete or the applicant. The reconsideration request shall be submitted by the appropriate individuals as designated in the application. An explanation must be included to clarify the reason(s) the new information was not originally available. Any additional or repetitive information that was originally available to the student-athlete, institution, conference or NCAA (sub)committee may not be included for reconsideration. The primary liaisons to the Committee for
Legislative Relief shall determine if the new information standard is met for all reconsideration requests. If the reconsideration standard is met, the NCAA staff will reopen the case and make a decision based on the new set of facts. If the primary staff liaison determines that the new information standard is not met, then the reconsideration request shall be denied.

8. The applicant may appeal the primary staff liaison's decision to deny the reconsideration request to the chair of the committee. If the chair determines that the case should be reconsidered by the committee, then the staff will forward the case to all members. If the chair affirms the primary staff liaison's decision to deny the request for reconsideration, the chair's decision is final. In the event that the chair recuses himself or herself, the senior member of the committee will review the appeal decision.

Review Procedures.

1. The institution, conference or NCAA (sub)committee normally will receive a decision through Requests/Self-Reports Online to its waiver submission within three weeks of receipt of the appropriate materials at the national office. In such cases where a decision is needed sooner, it is important for the submitting institution, conference or NCAA (sub)committee to specify clearly the reason(s) the issue may be time sensitive. Waivers involving transfers or organized competition before initial collegiate enrollment are not considered urgent requests. For urgent requests involving unforeseen circumstances (e.g., death, severe injury or illness, catastrophic events), the Committee for Legislative Relief granted the staff authority to provide relief of the legislation via the telephone. In such circumstances, an institution will be required to submit a formal waiver submission via Requests/Self-Reports Online to the NCAA staff within two business weeks of receiving the telephone waiver decision. Institutions are encouraged to call the staff anytime an unforeseen urgent issue arises in which relief of the legislation is necessary via the waiver process.

2. Once the national office receives a waiver submission, the staff will review the waiver request to ensure it has been submitted properly. If an applicant institution or conference includes statements or assertions regarding another member institution's or conference's conduct or actions as a basis for relief, the applicant institution will be required to submit all application materials and supporting documentation to the member institution(s) or conference cited as part of the allegations. The applicant must give the member institution(s) 10 business days for the chancellor or president, director of athletics, faculty athletics representative and senior woman administrator or in the case of a conference, the commissioner, to respond in writing to the committee and provide a copy of the response to the applicant. The response will be included in the application materials for review. If the application materials involve a specific student-athlete(s), the staff is unable to provide applicant's application materials or supporting documentation to another member institution.
institution without a written release from the student-athlete(s) according to federal law (i.e., Federal Educational Rights and Privacy Act).

a. If a waiver request involves medical documentation that does not clearly demonstrate that the requirements of a given waiver are met (e.g., noncontemporaneous, does not state the student-athlete or family member is debilitated), the information may be shared with a medical expert. The expert will review the documentation and provide an analysis, which will be included as part of the waiver request and considered by the legislative relief waiver staff and the Committee for Legislative Relief when reviewing the request.

b. If a legislative relief request involves issues, arguments or mitigation regarding an education-impacting disability (e.g., impairments such as mental health disorders, eating disorders, learning disability, Attention Deficit Hyperactivity Disorder, medical conditions and deaf/hard of hearing), the information may be shared with an expert in that field. The expert will review the documentation and provide an analysis, which will be included as part of the legislative relief waiver request and considered by the legislative relief staff and the Committee for Legislative Relief when reviewing the request.

3. The staff will make a decision on behalf of the committee (except for requests involving a blanket waiver). Once an institution, conference or NCAA (sub)committee has received written or verbal notice of the staff's decision, it may appeal this decision to the committee. An applicant's appeal shall be submitted to the associate director within 30 calendar days from the date of the staff's decision in Requests/Self-Reports Online. An appeal letter submitted after the 30-day appeal period will not be processed. Exceptions to this policy may be granted by the chair when an institution is able to demonstrate in writing that exceptional circumstances caused the institution's appeal to be submitted beyond the 30-day appeal period. The committee's consideration of an appeal is the committee's first review of the institution's request, and its decision is final, binding and shall not be subject to review by the Management Council or any other authority.

4. The committee consists of five members who are from Division II institutions and conference offices, including one member of the Management Council. The committee shall serve as an appellate body for all staff decisions that the membership wishes to appeal. If a staff decision is appealed, the case will be submitted to the committee members. Committee members review case appeals each week via telephone conference. Any member who is unable to participate in the teleconference may cast a vote by sending an email vote to the national office. A quorum of three is necessary. A simple majority is necessary for a decision. In situations where there is a tie vote, the initial decision of the staff shall be considered to be upheld. Significant and/or controversial appealed cases with little or no precedent can be referred by the committee to the full Management Council for
consideration. To the extent possible, reconsideration requests should involve the original committee members who voted on the case.

5. The committee may request that the applicant institution participate on the appeals telephone conference, if necessary. If such a request is made, the staff should contact the committee member who is requesting the applicant institution's participation to determine his or her rationale for the request and forward this information to the committee chair. If the institution participates on a telephone conference, it shall be represented by its chancellor or president, faculty athletics representative or director of athletics. Other institutional representatives, including an involved student-athlete, may participate on the call. The institution and involved individuals may have legal counsel participate on the call. Also, a representative of an involved committee, if applicable, will be invited to participate on the call.

6. Members of the committee shall not discuss a pending request with the NCAA staff, institutional representatives, the prospective or enrolled student-athlete or his or her legal counsel without all parties having the opportunity to participate. The staff may contact the committee chair to arrange a telephone conference or to discuss procedural matters relevant to processing the institution's request. Further, the committee members may contact the staff to request that additional information about the case be obtained.

7. A staff or committee member shall recuse himself or herself from participation in the review of an institution's request in which he or she is connected personally with an institution or conference. A staff or committee member with a personal relationship, an institutional affiliation or a conference affiliation that reasonably would result in the appearance of bias or prejudice should refrain from participating in any manner in the processing of an institution's or a conference's request. It is the responsibility of the staff or committee member to remove himself or herself if a conflict exists. Institutional objections to a committee member participating in the review of a request should be raised with the committee chair as soon as recognized but will not be considered unless the concern is raised prior to the committee's review of the matter. All ex parte communication between applicant representatives and committee members about a pending case is prohibited (see conflict of interest statement below for additional information).

8. In reaching a decision, the staff and committee shall consider the purpose and intent of any involved NCAA legislation, the well-being of involved student-athletes, possible competitive or recruiting advantages, case precedent and other factors it considers relevant. The staff and committee shall strive for consistency in treating issues involving similar circumstances.

9. The committee may archive cases based on a change in committee philosophy (with appropriate notice given to the membership) or based on the decision date of a case (i.e., cases decided prior to a given date are designated as archived). Cases shall be archived by
the staff every three years. The archived cases serve only as a historical resource to the membership and staff.

10. The staff and committee shall not consider appeals of decisions of an NCAA (sub)committee with the legislative authority to act.

11. After the staff or committee has made its decision to approve or deny the request, the decision shall be communicated to the involved institution, conference or NCAA (sub)committee by the staff through Requests/Self-Reports Online. A summary of the decisions of the committee and staff shall be provided to the Management Council on a regular basis. All actions of the committee are final and are not subject to appeal to the Management Council or any other NCAA body.

12. All inquiries from the media should be forwarded to the national office for response (see speaking agent policy for additional information).

**Conflict of Interest Statement.**

The NCAA is a voluntary Association comprised of colleges, universities, conferences and other organizations 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 himself or 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 NCAA Executive Committee minutes)

**Speaking Agent Policy.**

The president of the Association and the chair of the NCAA Board of Governors 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 Board of Governors 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 Board of Governors 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)
ACTION ITEMS.

1. Legislative Items.
   
   • Noncontroversial Legislation – NCAA Division II Bylaw 15.4.1.1.3 – Financial Aid – Maximum Institutional Grant-In-Aid Limitations By Sport – Counters – Counter Who Becomes Injured or Ill – Waiver – Committee for Legislative Relief Waiver Authority.

      (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 15.4.1.1.3 (waiver) to specify that the Committee for Legislative Relief shall have the authority to waive the change in circumstances legislation for medical noncounters.

      (2) Effective Date. Immediate.

      (3) Rationale. This change clarifies the legislated authority to review waivers of the change in circumstances legislation for medical noncounters. Under current legislation, the Division II Management Council has the authority to waive Bylaw 15.4.1.1.2 (change in circumstances), when a student-athlete, who was determined to be a medical noncounter, subsequently returns to participation. Transferring authority to the Committee for Legislative Relief (CLR) provides consistency in the Division II waiver process.

      (4) Estimated Budget Impact. None.

      (5) Student-Athlete Impact. None.

2. Nonlegislative Items.
   
   • None.
INFORMATIONAL ITEMS.

1. **Review of the October 2016 NCAA Division II Committee for Legislative Relief Report to the NCAA Division II Management Council.** The committee reviewed the October 2016 report and approved it as written.


3. **Review of Committee for Legislative Relief policies and procedures.** The staff referenced the committee’s policies and procedures and noted the conflict of interest policy, reiterating the importance of committee members recusing themselves if a conflict exists.

4. **Review of the Strategic Plan and NCAA.org website.** The committee reviewed a progress report on the implementation of the 2015-21 Division II Strategic Plan and corresponding educational materials on NCAA.org.

5. **Review Committee for Legislative Relief cases decided from August 1, 2016, through January 31, 2017, by the NCAA staff and committee.** The Committee for Legislative Relief reviewed cases decided by the NCAA staff and the committee from August 1, 2016, through January 31, 2017. A total of 128 cases were submitted in Division II, and 112 cases were decided by the staff during this time period. Of the 112 cases decided, staff approved 69 cases, 20 of which were approved with conditions. One of the 112 cases was approved based on the totality of the circumstances. The committee reviewed the case approved based on totality of the circumstances and noted that the case should be archived. Additionally, the staff denied 19 cases, 17 of which were appealed to the committee. The committee affirmed the staff decision in 11 cases.

6. **Review of newly adopted legislation.** The committee reviewed NCAA Division II Proposal Nos. 2017-1 (amateurism – competition-related expenses from an outside sponsor), 2017-2 (amateurism – payment based on performance – from amateur team or event sponsor in individual sports), 2017-5 (recruiting – contacts and evaluations – contactable prospective student-athletes – four-year college prospective student-athletes – removal of requirement to obtain permission from NAIA institution), 2017-12 (financial aid – maximum limits on financial aid – team limits – institutional athletics aid only), 2017-13 (financial aid – terms and conditions of awarding institutional financial aid award – one-year limit – requirement to provide athletically related financial aid for one academic year) and 2017-14 (financial aid – terms and conditions of awarding institutional financial aid – reduction and cancellation during period of award – increase permitted – increase for any reason at any time) and discussed the impact each proposal would have on legislative relief waivers. Specifically, it was noted that Proposal No. 2017-13 may result in an increase in
waiver requests and Proposal Nos. 2017-1, 2017-2, 2017-4, 2017-5, 2017-12 and 2017-14 may result in a reduction in waiver requests in the respective areas.

7. **Discussion Regarding Competition in Year of Transfer Guideline.** The committee reviewed a draft of the competition in year of transfer guideline, and instructed staff to adjust the guideline to reflect the need to review circumstances outside of the student-athlete’s control. The committee will review an updated version of the guideline during the September 2017 teleconference.

8. **Review of organized competition before initial collegiate enrollment guideline.** Stemming from the September 2016 teleconference, the committee approved the updated minimal threshold guidelines for organized competition (see Attachment). The guideline has an immediate effective date for prospective student-athletes requesting final amateurism certification on or after April 1, 2017.

9. **Discussion regarding the change in circumstances waiver for medical noncounter.** The committee discussed the change in circumstances waiver for medical noncounter legislation. Specifically, the committee recommended noncontroversial legislation to transition waiver authority from Management Council to the committee. [See Legislative Action Item No. 1]

10. **Discussion regarding Committee for Legislative Relief term limits.** The committee engaged in a discussion regarding term limits for service on the committee. The committee directed staff to gather information regarding case volume, committee turnover and composition of the NCAA Division I Committee for Legislative Relief to review during the September 2017 teleconference.

11. **Update on discussion regarding one-time transfer exception.** The committee received an update on the Academic Requirements Committee’s review of four-year college transfer legislation and provided feedback to staff.

12. **Professional development session on unconscious bias.** The committee engaged in a professional development session on unconscious bias, which was provided by representatives from the Impact Network, LLC. The training will assist the committee in processing institutional waiver requests.

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**Committee Chair:** Marcus Clarke, Central Intercollegiate Athletic Association  
**Staff Liaison(s):** Chris Brown, Academic and Membership Affairs  
              Chelsea Crawford, Academic and Membership Affairs
### NCAA Division II Committee for Legislative Relief
March 8, 2017, Meeting

<table>
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<th>Attendees:</th>
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<tr>
<td>Marcus Clarke, Central Intercollegiate Athletic Association.</td>
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<tr>
<td>Laura Clayton Eady, University of West Georgia, Gulf South Conference.</td>
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<tr>
<td>Josh Doody, Notre Dame De Namur University, Pacific West Conference.</td>
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<tr>
<td>Brian Martinek, St. Mary's University (Texas), Heartland Conference.</td>
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<td>Hayley Ross-Treadway, University of Illinois-Springfield, Great Lakes Valley Conference.</td>
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<th>Absentees:</th>
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<th>Guests in Attendance:</th>
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<tr>
<td>Amanda Bonilla and Alice Jones, Impact Network, LLC.</td>
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<th>NCAA Staff Support in Attendance:</th>
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<td>Chris Brown and Chelsea Crawford.</td>
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<th>Other NCAA Staff Members in Attendance:</th>
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<tr>
<td>Geoff Bentzel, Susan Britsch, Jada Buckner, Amanda Conklin, Maritza Jones, Stephanie Quigg Smith and Karen Wolf.</td>
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1. **WELCOME AND ANNOUNCEMENTS.**

Management Council. The chair convened the meeting at 8:30 a.m. Monday morning, July 17. He thanked the Council for their attendance at the weekend Management Council/Student-Athlete Advisory Summit and welcomed the newest Council member, Bob Dranoff. He also noted that Curtis Campbell, former director of athletics at Tuskegee University, had resigned his position on the Council, effective immediately. Carrie Bodkins was absent because of being on maternity leave, and Paul Leidig would be joining the meeting Tuesday morning.

Introductions were made for the benefit of the newest member; additionally, the new Division II governance intern introduced himself.

New committee orientation packets, along with gifts, were distributed to the members.

Presidents Council. The Presidents Council convened Tuesday evening, August 8, at 6:11 p.m. The chair introduced the new Council member, Anthony Jenkins, West Virginia State University, and noted that Allison Garrett, Emporia State University, would be in attendance in October. The chair noted that David Watts had retired from University of Texas of the Permian Basin and that the Council would elect a new representative to replace him at this meeting. Mike Fiorentino was also absent from the meeting. Staff members were recognized by the chair.

New committee orientation packets, along with gifts, were distributed to the members.

2. **REVIEW OF PREVIOUS MEETING DOCUMENTATION.**


Management Council. The Management Council approved the summary of actions document from its April 10-11 meeting.
The Presidents Council approved the summary of actions document from its April 25-26 meeting.

b. **Board of Governors meeting—April 25.**

- **Management Council.** The Management Council reviewed the report from the April 25 Board of Governors meeting, noting the decision of the Ad Hoc Committee on Structure and Composition to make no recommendations to the composition of the Board of Governors at this time, as well as the decision to end the international pilot program and establish a formal Association-wide policy related to international membership in the NCAA, as was recommended by the Division II Presidents Council.

- **Presidents Council.** The Presidents Council reviewed the report from the Board of Governors’ April meeting.

- **Board of Governors Ad Hoc Committee to Promote Cultural Diversity and Inclusion Meeting—April 20.**

- **Management Council.** The Management Council was asked to provide some feedback with regard to a once-in-five years diversity and inclusion review, as well as constitutional principles focused on gender equity and culture diversity throughout the governance system and the national office. Although no formal action was taken, the consensus of the Council was that Division II is and should continue to keep gender equity and inclusion at the forefront when discussing potential legislation, policy, best practices or representation on committees.

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

c. **Administrative Committee meeting(s)/action(s).**

- **Management Council.** The Management Council approved the interim actions taken via email by the committee.

- **Presidents Council.** The Presidents Council approved the interim actions taken via email by the committee.

3. **REVIEW OF 2016-17 AND APPROVAL OF 2017-18 DIVISION II PRIORITIES.**

- **Management Council.** The Management Council approved the priorities for 2017-18, as distributed.
Presidents Council. The Presidents Council reviewed the accomplishments of the division in 2016-17 and approved the list of priorities for 2017-18, as distributed.

4. **NCAA CONVENTION AND LEGISLATION.**

   a. **Emergency Legislation.**

      Management Council. The emergency legislation was provided for informational purposes to the Council. Additionally, the Council was provided with a document that illustrated several examples of what a permissible preseason football practice schedule could look like per the legislation, approved blanket waivers and football practice recommendations.

      Presidents Council. No action was necessary.

   b. **Presidents Council-Sponsored Proposals for the 2018 NCAA Convention.**

      (1) **Ethical Conduct—Sports Wagering Activities—Sanctions—Elimination of Legislated Sanctions,** which eliminates the legislated penalty for sports wagering, effective immediately.

      Management Council. The Management Council recommended that the Presidents Council approve the proposal in legislative format.

      Presidents Council. The Presidents Council approved the proposal in legislative format.

      (2) **Playing and Practice Seasons—Women’s Volleyball—First Date of Competition—Championship Segment—Women—Exception—Division II National Championships Fall Festival,** which specifies that in years in which the Division II National Championships Festival occurs in the fall, a member institution shall not engage in its first date of competition in women’s volleyball before the Thursday preceding August 30, effective August 1, 2018.

      Management Council. The Management Council recommended that the Presidents Council approve the proposal in legislative format.

      Presidents Council. The Presidents Council voted to not approve or endorse the proposal in legislative format.

      [Note that since this same proposal was properly sponsored by two conferences by the legislated deadline, it will be a proposal that is voted on
at the 2018 NCAA Convention. The Presidents Council will have an opportunity to review the proposal and the associated committee positions (support; oppose; no position) at its October 2017 meeting to determine its official position on the proposal.]

c. Proposed Legislation for the 2018 Convention Submitted by the Division II Membership.

Management Council. The Management Council recommended that the Presidents Council take the following action with regard to the membership-sponsored proposals for the 2018 NCAA Convention.

(1) Recruiting—Publicity—Comments Prior to Signing—Actions on Social Media Platforms. Refer to the Division II Legislation Committee for review and a position of support, opposition or no position.

(2) Playing and Practice Seasons—Women’s Volleyball—First Date of Competition—Championship Segment—Women—Exception—Division II National Championships Fall Festival. Refer to the Division II Championships Committee, Division II Legislation Committee and the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports for review and a position of support, opposition, or no position.

(3) NCAA Membership—Eligibility for Membership—General—Membership for Foreign Institutions—Institutions Located in Mexico. Refer to the Division II Membership Committee for review and a position of support, opposition, or no position.

Presidents Council. The Presidents Council referred the three proposals to the recommended committees for review and position.

d. Noncontroversial Proposals.

Management Council. The Management Council approved the noncontroversial legislation that had not previously been approved in legislative form (NC 2018-8 through NC 2018-19), as presented.

Presidents Council. No action was necessary.

e. Incorporations of Interpretations.

Presidents Council. No action was necessary.

f. Modification of Wording.

Management Council. The Management Council approved the modification of wording in legislative form (M 2018-7), as presented.

Presidents Council. No action was necessary.

5. REVIEW OF COMMITTEE RECOMMENDATIONS AFFECTING DIVISION II.

a. Division II Committees.

(1) Academic Requirements Committee.

(a) Establishment of an Academic Interpretations Subcommittee.

Management Council. The Management Council approved the establishment of an Academic Interpretations Subcommittee of the committee, effective immediately. This action is necessary due to the amendment of the duties of the committee to provide interpretive authority over academic bylaws.

Presidents Council. No action was necessary.

(b) Degree Completion Program Working Group.

Management Council. The Management Council recommended that the Presidents Council and the Planning and Finance Committee approve the updated requirements and additional criteria for the Degree-Completion Program, as recommended by the Degree-Completion Program Working Group, effective September 1, 2017.

Presidents Council. The Presidents Council reviewed the updated requirements and additional criteria for the Degree-Completion Program, which was approved by the Planning and Finance Committee during its meeting later that afternoon.

(2) Championships Committee.

(a) April 6 Teleconference.
Management Council. The Management Council noted that the committee had provided a list of site selections for 2018-22 and noted, specifically, the dates and locations of the 2018-21 Division II National Championships Festivals, as follows:

Fall 2018—November 25-December 1—hosted by Slippery Rock University of Pennsylvania and SportsPittsburgh in Pittsburgh, Pennsylvania (men’s and women’s cross country, men’s and women’s soccer; field hockey and women’s volleyball).

Spring 2020—May 10-16—hosted by Lindenwood University, St. Charles CVB and the St. Louis Sports Committee, in St. Louis, Missouri (men’s and women’s golf, men’s and women’s tennis, softball and women’s lacrosse).

Winter 2021—March 8-13—hosted by the University of Montevallo and the City of Birmingham in Birmingham, Alabama (men’s and women’s indoor track and field, men’s and women’s swimming and diving, and wrestling).

Presidents Council. No action was necessary.

(b) April 13 Teleconference.

Management Council. The Management Council noted the dates and locations of the football championships from 2018-2021, as follows: December 15, 2018; December 21, 2019; December 19, 2020; and December 8, 2021—all championships hosted by the Mid-America Intercollegiate Athletics Association and held in Kansas City, Kansas.

Presidents Council. No action was necessary.

(c) May 4 Teleconference—Cross Country Selection Procedures.

Management Council. The Management Council approved the updated language in the procedures for selecting at-large teams, as presented.

Presidents Council. No action was necessary.
(d) June 27-28 In-Person Meeting.

i. 2018 Convention Legislation—Bylaw 17.10.2.1—Playing and Practice Seasons—Football—Preseason Practice—First Practice Date-Championship Segment.

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2018 Convention to amend Bylaw 17.10.2.1 (first practice date—championship segment) to specify that a member institution shall not begin official preseason football practice sessions in the championship segment before 24 days prior to the first permissible contest or 10 days before the institution’s first day of classes, whichever is earlier.

The Interassociation Consensus on Year-Round Football Practice Contact for College Student-Athletes Recommendations included a recommendation to discontinue two-a-day practices and to have a day off per week. Accordingly, the Division II Presidents Council adopted emergency legislation (Proposal No. EM-2018-1) to eliminate multiple on-field practices in the same day. To account for that, the Division II Committee for Legislative Relief provided waiver relief for the 2018 football season only to allow institutions additional days for preseason practice. This proposal would amend Bylaw 17.10.2.1 to codify the waiver relief and state that the first practice date in the championship segment is 24 days before the first permissible contest date, or 10 days before the institution’s first day of classes, whichever is earlier. Adoption of this proposal would ensure that institutions are able to adhere to the emergency legislation without compromising their student-athletes’ preparedness for the upcoming season.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2018 Convention.

ii. Noncontroversial Legislation—Bylaw 17.18.5—Playing and Practice Seasons—Skiing—Number of Dates of Competition—Maximum Limitations—32 Dates of Competition.
Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 17.18.5 (number of dates of competition) to specify that an institution shall limit its total playing schedule with outside competition in skiing during the permissible playing season to 32 dates of competition for Alpine events and 32 dates of competition for Nordic vents, effective, August 1, 2018.

Presidents Council. No action was necessary.

iii. Championship Bracket in Field Hockey.

Management Council. The Management Council approved a change to the seeding process for the Division II field hockey championship, according to which the Division II Field Hockey Committee will seed the six teams (three from each region) selected to the championship bracket, effective with the 2017 championship. This change provides an opportunity for the best teams to advance in the championship and helps minimize first-round conference matchups.

Presidents Council. No action was necessary.

iv. Championship Date Formula in Men’s and Women’s Tennis in Non-Festival Years.

Management Council. The Management Council approved a change to the championships date formula for the tennis championships in non-festival years, as follows: Preliminary Rounds: Saturday-Sunday and Monday-Tuesday prior to the finals (alternates by gender); and Finals: Third Tuesday or Wednesday in May (alternates by gender), effective September 1, 2018.

Presidents Council. No action was necessary.

v. Access Ratios in Men’s and Women’s Tennis.

Management Council. The Management Council approved a change to the access ratios in men’s and women’s tennis, which would allow for a minimum of four teams per region.
and a maximum of eight teams per region, effective September 1, 2017.

Presidents Council. No action was necessary.

vi. **Seeding the Championship Bracket in Men’s and Women’s Tennis.**

Management Council. The Management Council approved the Division II Men’s and Women’s Tennis Committee seeding the top four teams (25 percent) and conducting a blind draw for the remaining 12 teams. The committee will seed the teams based on the current selection criteria, effective September 1, 2017.

Presidents Council. No action was necessary.

vii. **Waiver of Sports Sponsorship Requirement for Cross Country and Track and Field.**

Management Council. The Management Council agreed to issue a one-time waiver of Bylaw 18.4.2.1-(e) to permit student-athletes and teams from institutions that did not meet minimum sport sponsorship requirements in cross country, indoor track and field, or outdoor track and field during the 2016-17 academic year, to remain eligible for championship selection in 2017-18, provided all other championship eligibility requirements are satisfied, effective immediately.

Presidents Council. No action was necessary.

viii. **Regional Adjustments in Wrestling.**

Management Council. The Management Council agreed to place Queens University of Charlotte in the Midwest Super Region for championships selection purposes, effective September 1, 2017.

Presidents Council. No action was necessary.
ix. Committee Appointments.

Management Council. The Management Council ratified the following sport and rules committee appointments, effective September 1, 2017, unless otherwise noted.

(i) Men’s and Women’s Cross Country Committee. Jessica Cousins, assistant track and field/cross country coach, Nova Southeastern University, to replace Michelle Edwards, former associate director of athletics, Saint Leo University. [Note that this appointment completes the roster for the newly created Division II Men’s and Women’s Cross Country Committee.]

(ii) Men’s Soccer Committee. Phillip Billeci-Gard, associate director of athletics, Dominican University of California, to replace Robert Cummings, head men’s soccer coach, University of California, East Bay (effective immediately), due to Mr. Cummings having left the institution.

(iii) Men’s and Women’s Swimming and Diving Rules Committee. Rebecca Tidwell, head swimming and diving coach, University of Nebraska at Kearney, to replace Todd Peters, head swimming and diving coach, Minnesota State University Moorhead, due to term expiration.

Presidents Council. No action was necessary.

x. Triennial Budget Requests.

Management Council. The Management Council received an update on the discussions by the Championships Committee regarding budget requests from sports committees and other groups for the 2018-21 triennium.

Presidents Council. No action was necessary.
xi. **Videostreaming at Preliminary Rounds.**

Management Council. The Management Council was updated on a recent change in policy by the Championships Committee, which will require specific sports to include videostreaming in bid specifications, as well as minimum standards host sites will be required to meet.

Presidents Council. No action was necessary.

(3) **Committee on Infractions.**

(a) **Noncontroversial Legislation—Bylaws 32.6.6 and 32.6.7—Enforcement Policies and Procedures—Notice of Allegations—Prehearing Conference and Enforcement Staff Case Summary.**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaws 32.6.6 and 32.6.7 to provide clarification regarding the timing of the infractions hearing prehearing conference and the submission of the enforcement staff’s case summary, effective immediately.

Presidents Council. No action was necessary.

(b) **Noncontroversial Legislation—Bylaw 32.8.8—Enforcement Policies and Procedures—Committee on Infractions Hearings—Posthearing Committee Deliberations.**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 32.8.8 (posthearing committee deliberations) to provide the opportunity for the Committee on Infractions to request interpretations from the academic and membership affairs (AMA) staff as part of the posthearing deliberative process, effective immediately.

Presidents Council. No action was necessary.

(4) **Degree-Completion Awards Committee.**

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

Presidents Council. No action was necessary.
(5) Legislation Committee.

(a) 2018 Convention Legislation—NCAA Bylaw 16.1—Awards and Benefits—Awards—Application of Awards Legislation and Types of Awards, Awarding Agencies, Maximum Value and Numbers of Awards—Awards Received for Participation While Not Representing the Institution Shall Conform to the Rules of the Amateur Organization that Governs Competition and Increase to Maximum Values.

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2018 Convention to amend Bylaw 16.1 (awards) as follows: (1) to specify that the limitations on awards received by a student-athlete are governed by Bylaw 16.1 if the student-athlete is representing the institution, or by the rules of the amateur organization that governs the competition if the student-athlete is not representing the institution; (2) to increase the limitation on the maximum value of the annual participation award for a senior by $100 and to increase the limitation on the maximum value of all other participation awards by $50; and (3) to eliminate the restrictions on the type of award that can be provided for a specialized performance in a single contest or during limited time period (e.g., player of the game, player of the week), effective August 1, 2018.

This proposal simplifies the awards legislation by providing greater flexibility for student-athletes to receive awards for outside competition. This change also reduces the burden on institutional staff by eliminating the need to determine whether an award received while the student-athlete was not representing the institution but was enrolled full time satisfies the Bylaw 16 award limitations. Additionally, the proposed award limits have not been adjusted for inflation since 2006 and due to inflation, particularly in the market rate for gold, it has become more difficult to provide the same or similar awards to student-athletes. While all institutions may not approach the dollar limit, the rate of inflation should not restrict those who wish to provide certain awards that may be traditional marks of recognition (e.g., rings). Finally, there would be inequity among the divisions if Division II does not increase the limits in a similar manner.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2018 Convention.
(b) Noncontroversial Legislation—NCAA Bylaw 13.1.2—Recruiting—Permissible Recruiters—General Exceptions—On-Campus Contact with Former Student-Athletes.

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 13.1.2 (permissible recruiters), to permit on-campus contact between a former student-athlete and a prospective student-athlete and his or her relatives or legal guardians, effective immediately.

Presidents Council. No action was necessary.

(c) Noncontroversial Legislation—NCAA Bylaw 13.10.2—Recruiting—Publicity—Comments Prior to Signing—Actions on Social Media Platforms.

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 13.10.2 (comments prior to signing) to establish an exception to the restrictions on publicity before commitment that permits actions (e.g., "like," "favorite," republish) by an institutional staff member on social media platforms that indicate approval of content on social media platforms that was generated by users of the platforms other than institutional staff members or representatives of an institution's athletics interests, effective immediately.

Presidents Council. No action was necessary.


Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 13.17.4 (dead periods for other sports) to specify that, in rifle, during any year in which the National Letter of Intent signing date dead period occurs during the Junior Olympic Rifle Championships, it shall be permissible for authorized coaching staff members to observe prospective student-athletes participating in that event, effective immediately.

Presidents Council. No action was necessary.
(e) **Noncontroversial Legislation—NCAA Bylaw 18.4—Championship and Postseason Football—Eligibility for Championships—Institutional Eligibility—General Institutional Requirements—Certification of Compliance—Elimination of Requirement.**

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

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

(f) **Extension of Chair Term.**

**Management Council.** The Management Council voted to extend the term of the chair of the Legislation Committee for one year, to end August 31, 2018. This approval was made to ensure continuity between the Legislation Committee and the Culture of Compliance Think Tank Legislative Subgroup, as the chair is member of both groups.

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

(g) **Legislative Referrals.**

**Management Council.** The Management Council referred the following legislative items to the appropriate Division II group:

i. To the Culture of Compliance Think Tank Legislative Subgroup:

- Review of Division I Proposal No. 2016-22 (recruiting—definitions and applications—recruited prospective student-athlete) for consideration of a potential similar legislative change in Division II:

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

- Review of Division I Proposal No. 2016-115 (athletics eligibility—five-year rule—exception—internships/cooperative educational work experience programs) for consideration of a potential legislative change in Division II:

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

ii. To the Division II Men’s and Women’s Swimming and Diving Committee:

- Review of Division I Proposal No. 2016-84 (playing and practice seasons—general playing season regulations—general regulations for computing playing seasons applicable to all sports—non-NCAA postseason championships participation—swimming and diving) for consideration of a potential similar legislative change in Division II:

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

iii. To the Division II Championships Committee:

- Review of Division I Proposal No. 2016-105 (executive regulations—administration of NCAA championships—financial penalties) for consideration of a potential similar legislative change in Division II:
Whether to remove the financial penalties for failure to adhere to policies and procedures governing championships administration from the legislation and to specify that the sports committee may assess financial penalties pursuant to established policies and procedures, subject to review by and appeal to the Championships Committee.

iv. To the Division II Membership Committee:

- Review of Division I Proposal No. 2015-85 (division membership—sports sponsorship—minimum contests and participants requirements for sports sponsorship—minimum participants—women’s rowing) for consideration of a potential similar legislative change in Division II:

  Whether, in rowing, an institution’s team shall include a minimum of 23 participants in each contest that is counted toward meeting the minimum-contests requirements.

Presidents Council. No action was necessary.

(h) Culture of Compliance Think Tank.

Management Council. The Management Council noted that the Culture of Compliance Think Tank will meet in December, and a final report from the legislative review subgroup will be provided to the committee at its November 2017 meeting. An educational session will be conducted at the 2018 NCAA Convention.

Presidents Council. No action was necessary.

(6) Membership Committee.

(a) Noncontroversial Legislation—Bylaws 20.2.2.1.2 and 20.2.2.2—Administrative Requirement Prior to Active Membership—Sponsorship Requirement—Conference Membership—Removal of Sponsorship Requirement—Conference Affiliation During Membership Process.
Management Council. The Management Council adopted noncontroversial legislation to amend Bylaws 20.2.2.1.2 and 20.2.2.2 to eliminate the requirement that an applicant institution must be sponsored by an active member institution or conference; further, to specify that a provisional institution shall maintain conference affiliation during the membership process, effective immediately.

Presidents Council. No action was necessary.

(b) Bylaw 21.8.5.7.1—Committees—Membership Committee—Composition—Chancellor or President Representative.

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 21.8.5.7.1 to increase the size of the Division II Membership Committee from 11 to 12 members; further, to specify that one member of the committee shall be a chancellor or president from an active member institution not represented on the Division II Presidents Council.

Presidents Council. No action was necessary.

(c) Institutions in the Membership Process.

Management Council. The Management Council noted that the Membership Committee had taken the following actions with regard to institutions in the membership process.

i. Moved the following institutions to active member status, effective September 1, 2017:

(i) California State University, San Marcos.

(ii) Concordia University Irvine.

(iii) Concordia University Portland.

(iv) Embry-Riddle Aeronautical University (Florida).

(v) Oklahoma Baptist University.

ii. Moved the following institution to year three of the provisional period, effective September 1, 2017:
Westminster College (Utah).

iii. Moved the following institutions to year two of the provisional period, effective September 1, 2017:

(i) Auburn University at Montgomery.
(ii) Biola University.
(iii) Davenport University.
(iv) Purdue University Northwest.

iv. Removed the following institutions from the membership process, effective September 1, 2017:

• Emmanuel College (Georgia).
• Spring Hill College.

Presidents Council. No action was necessary.

(d) Miscellaneous Actions Taken by Committee.

Management Council. The Management Council noted the following actions taken by the committee with regard to membership status in Division II:

i. Reclassification of Frances Marion University Women's Soccer Program from Division I to Division II. Approval of a request to waive the second year of reclassification process for the women's soccer program from Division I to Division II, effective September 1, 2017. The institution's women's soccer program will be an active Division II sport during the 2017-18 academic year.

ii. Reclassification of New York Institute of Technology Baseball Program from Division I to Division II. Approval of a request to waive the two-year reclassification period for the institution's baseball program from Division I to Division II, effective September 1, 2017. The
institution's baseball program will be an active Division II sport during the 2017-18 academic year.

iii. Waiver Request of NCAA Constitution 6.3.1 (Self-Study Report) by Saint Augustine's University. The partial approval of the institution's request for relief from the requirement to complete the Institutional Self-Study Guide during a five-year period, noting that the institution submitted its self-study past the legislated deadline of 5 p.m. Eastern time June 1, 2017. The institution will be placed on probation for the 2017-18 academic year and is not eligible to receive Division II enhancement funds; however, it will not be required to submit a completed ISSG with action plans by June 1, 2018.

iv. Waiver Request of Constitution 6.3.1 (Self-Study Report) by Angelo State University. The partial approval of the institution's request for relief from the requirement to complete the Institutional Self-Study Guide during a five-year period, noting that the institution submitted its self-study past the legislated deadline of 5 p.m. Eastern time June 1, 2017. The institution will be placed on probation for the 2017-18 academic year and is not eligible to receive Division II enhancement funds; however, it will not be required to submit a completed ISSG with action plans by June 1, 2018.

v. Request of Bylaw 20.10.3 (Sports Sponsorship) by the University of Puerto Rico, Bayamon. The denial of the institution's request for relief for the 2015-2016 academic year, noting a lack of mitigating circumstances and supporting documentation. The institution will be placed on probation for the 2017-18 academic year. In addition, the committee deferred action on the waiver request for the 2016-17 academic year, as sports sponsorship reporting will not occur until August 1. The committee agreed to review the waiver request for the 2016-17 academic year during its September teleconference, pending the submission and review of complete sports sponsorship data for the 2016-17 academic year.

vi. Division II ISSG Class Assignment for Institutions Approved for Active Membership as of September 1,
2017. The assignment of the following institutions to Class 5, noting that for Class 5, the ISSG submission deadline is 5 p.m. Eastern time June 1, 2020:

- Embry-Riddle Aeronautical University (Florida);
- California State University, San Marcos; and
- Oklahoma Baptist University.

The assignment of the following institutions to Class 2, noting that for Class 2, the ISSG submission deadline is 5 p.m. Eastern time June 1, 2022:

- Concordia University Irvine; and
- Concordia University Portland.

vii. For-Profit Institutions Without Conference Affiliation.

The request to amend an educational column dated October 18, 2014, to clarify that financial distributions (except for reimbursement of expenses for participation in NCAA championships) to for-profit institutions that are not a member of an active conference are not permissible.

Presidents Council. No action was necessary.

(7) Planning and Finance Committee.

(a) Budget-to-Actual Report.


(b) April In-Person Meeting.

Management Council. The Management Council reviewed the meeting report from the April 2017 meeting. The Management Council voted to go on record as having supported the budget requests for FY18, as recommended by the committee.
Presidents Council. No action was necessary because the Presidents Council approved the FY18 budget requests at its April 2017 meeting.

(8) Student-Athlete Advisory Committee.

Management Council. The Management Council reviewed the report from the April meeting and was updated on the issues discussed during the committee’s meeting the previous week.

Presidents Council. The Presidents Council was provided a verbal update on the recent meeting of the committee.

(9) Student-Athlete Reinstatement Committee.

- Noncontroversial Legislation—Bylaw 12.5.1.1—Permissible—Institutional, Charitable, Educational or Nonprofit Promotions—Effect of Violations.

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 12.5.1.1 to clarify that when a student-athlete participates in an impermissible institutional promotional activity and does not receive above actual and necessary expenses, it constitutes an institutional violation and does not affect the student-athlete’s eligibility, effective immediately.

Presidents Council. No action was necessary.

b. Division II Subcommittees, Project Teams and Working Groups.

(1) Convention Planning Project Team.

(a) 2018 Division II Convention Schedule.


Presidents Council. The Presidents Council approved the Division II schedule for the 2018 Convention.
(b) Division II Educational Programming.

Management Council. The Management Council approved the Division II programming for the 2018 Convention.

Presidents Council. The Presidents Council approved the Division II programming for the 2018 Convention.

(2) Degree-Completion Awards Program Working Group.

(a) March In-Person Meeting.

Management Council. The Management Council reviewed the working group’s report.

Presidents Council. No action was necessary.

(b) May 18 Teleconference—Program Requirements and Criteria.

Management Council. The Management Council reviewed the working group’s report.

Presidents Council. No action was necessary.

(3) Identity Subcommittee.

Management Council. The Management Council received an update from the Identity Subcommittee, which met Monday evening. Included in the update was a document on the signage credit and promotional items that can be purchased through the Division II purchasing website. Division II member institutions were given a $1,000 credit in January to purchase signage and promotional items; this credit must be used by Thursday, August 31. Also included in the update were discussions regarding Phase Two of the Make It Yours® activation, as well as the football schedule for the 2018 regular season coverage.

The Management Council noted five options discussed by the subcommittee for the future of the Division II regular season media agreement, since the division’s current agreement with distribution partner ESPN and production partner Niles Media Group ends in summer 2018. The subcommittee recommended that Division II look to secure a new distribution model where games would be streamed on the division’s Facebook and Twitter pages. In addition, Division II staff would work with
participating conferences and institutions on securing TV distribution through existing media relationships they have formed. The subcommittee also recommended that the division seek options for a new production partner that offers at least the same quality and level of customer service as Niles Media Group at potentially a lower price. A cost savings in production could give the division an opportunity to broadcast more games, resulting in additional promotion of conferences, institutions and the division.

Presidents Council. The Presidents Council was updated on the status of the purchasing website credits, Phase Two of the Make It Yours® activation, and regular season media coverage.

c. Association-Wide and Common Committees.

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

Management Council. The Management Council received the reports from the committee’s March 28 and April 27 teleconferences. No action was necessary.

Presidents Council. No action was necessary.

(2) Committee on Women’s Athletics.

Management Council. The Management Council received the report from the committee’s April 19-20 meeting. No action was necessary.

Presidents Council. No action was necessary.

(3) Minority Opportunities and Interests Committee.

Management Council. The Management Council received the report from the committee’s April 19-20 meeting. No action was necessary.

Presidents Council. No action was necessary.

(4) Joint Minority Opportunities and Interests Committee/Committee on Women’s Athletics.

Management Council. The Management Council received the report from the committees’ April 20 joint meeting. No action was necessary.

Presidents Council. No action was necessary.
(5) **Postgraduate Scholarship Committee.**

Management Council. The Management Council received the report from the committee’s June 12-13 meeting and was informed that the committee had voted to remove the deferral opportunity in its awards criteria. No action was necessary.

Presidents Council. No action was necessary.

(6) **Walter Byers Scholarship Committee.**

Management Council. The Management Council received the report from the committee’s April 30-May 1, 2017, meeting. No action was necessary.

Presidents Council. No action was necessary.

6. **OPEN FORUM AND REPORTING OUT.**

Management Council. The Management Council participated in breakout sessions Monday afternoon, which gave members the opportunity to discuss any issues or topics deemed important. Although no formal action was taken by the Council, issues discussed ranged from television and media coverage for Division II, to officiating issues, to student-athlete time demands.

Presidents Council. No action was necessary.

7. **DIVISION II MANAGEMENT COUNCIL.**

a. **Division II Management Council—Southern Intercollegiate Athletic Association Representative.**

Management Council. The Management Council elected J. Lin Dawson, director of athletics, Clark Atlanta University, as the representative for the Southern Intercollegiate Athletic Conference. Mr. Dawson will replace Curtis Campbell, who resigned from the Council. He will begin his term immediately for a four-year period of time, ending January 2022.

Presidents Council. The Presidents Council ratified the election, as recommended.
b. **Division II Management Council Vice-Chair Election.**

Management Council. The Management Council elected Pennie Parker, director of athletics, Rollins College, as the new vice chair of the Council, effective September 1, 2017, for a one-year period of time.

Presidents Council. The Presidents Council ratified the election, as recommended.

c. **Division II Management Council Chair Election Notice.**

Management Council. The Management Council was informed that an election for a new chair would take place at the October meeting, with the term beginning at the conclusion of the 2018 NCAA Convention. Interested members should notify staff or the Council chair of their desire to chair the Council.

Presidents Council. No action was necessary.

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

Management Council. The Management Council was provided with a list of committee/project team assignments for informational purposes.

Presidents Council. No action was necessary

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

Management Council. The Management Council received positive feedback from the Summit that was held the previous weekend.

Presidents Council. The Presidents Council received an update on the summit, as well as the summer meeting of the Student-Athlete Advisory Committee. No action was necessary.

8. **DIVISION II PRESIDENTS COUNCIL.**

a. **Social Issues/Consideration by Board of Governors.** The Presidents Council was joined by law, policy and governance staff to discuss and provide feedback on the process that the Association should follow when it is determining whether to act or respond on various social issues. No action was taken.

b. **Feedback from Joint Breakfast.** The Presidents Council discussed the morning breakfast program, which dealt with Title IX issues, diversity and inclusion. No action was taken.
c. **Board of Governors—Alcohol Pilot.** A pilot program was established by the NCAA Board of Governors and began in the spring 2016, with the sale of beer and wine at the final sites of the Division I Baseball Championship and the Division I Softball Championship. The pilot was extended into the 2016-17 academic year, based on approval by the Board of Governors, and included the Division I Baseball Championship; the Division I Softball Championship; the Division I FCS Football Championship; the Divisions I, II and III Men’s Lacrosse Championship; and the Division I Women’s Lacrosse Championship. At its August meeting, the Board of Governors approved extending the pilot for a third year (2017-18) to include the championships listed above as well as the Division I Women’s Volleyball Championship, Division I Wrestling Championship and the Division I Men’s Ice Hockey Championship.

As part of the pilot and per its legislated authority, the Division II Presidents Council approved a waiver to permit the sale of beer and wine at the final site of 2018 Division II Men’s Lacrosse Championship, which will be held at Gillette Stadium in Foxboro, Massachusetts, in conjunction with the Division I and Division III men’s lacrosse championships.

The pilot only includes event sites that allow alcohol sales to the general public for other events. Additionally, the beer and wine sales are permitted at concession stands only where the staff has the necessary training. Finally, the sales will follow existing policies, including limitations on quantity and cut-off times.

The Board of Governors noted that a third year of the pilot will provide an opportunity to gather data and feedback from spectators and participating teams.

Any permanent change to the sale of alcohol at Division II championships would require a legislative change voted on by the entire Division II membership. The Presidents Council will continue this discussion at its October meeting.

d. **Joint Presidents Council/Chairs of Conference Boards/Commissioners Meeting.** The Presidents Council debriefed the joint meeting of the Presidents Council/chairs of conference boards and commissioners that was conducted Tuesday. No formal action was taken.

e. **Presidents Council Elections.**

(1) **Region 4.** With the retirement of President David Watts from University of Texas at the Permian Basin and the expiration of the terms in January 2018 of President Les Wong, San Francisco State University, and President
Ron Ellis, California Baptist University, the Presidents Council elected the following individuals to the Council:

- **Gayle Hutchinson**, president, California State University, Chico, effective immediately until January 2022;
- **Rex Fuller**, president, Western Oregon University, effective at the conclusion of the 2018 Convention until January 2022; and
- **Brian May**, president, Angelo State University, effective at the conclusion of the 2018 Convention until January 2022.

2) **Vice-Chair.** Gary Olson, president, Daemen College, by acclamation, to serve a second term as vice chair of the Council, from September 1, 2017, to August 31, 2018.

3) **Chair.** The Presidents Council was advised that a chair would be elected at the October meeting to serve from January 2018 to January 2019. President Jones has indicated an interest to be re-elected; other President Council members who wish to serve should contact the chair or the vice president of Division II.

9. **NATIONAL OFFICE STAFF UPDATES.**

a. **Legal/Executive.**

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

Presidents Council. The Presidents Council was provided with a legal update from the executive vice president of law, policy and governance, as well as an Association update from the president. No action was necessary.

b. **Update from Sport Science Institute.**

Management Council. The Management Council received an update from Sport Science Institute staff on some initiatives that the office is working on, including the NCAA Interassociation Task Force on Sleep and Wellness and the NATA/NCAA Summit.

Presidents Council. The Presidents Council received an update from the Sport Science Institute staff on some initiatives that the office is working on. No action was necessary.
c. **Division II Community Engagement.**

*Management Council.* The Management Council was updated on the community engagements efforts of the division.

*Presidents Council.* No action was necessary.

d. **Division II Identity Workshop.**

*Management Council.* The Management Council was updated on the identity workshop that was conducted earlier in the summer.

*Presidents Council.* No action was necessary.

e. **Division II ADA Mentor Program.**

*Management Council.* The Management Council was updated on the ADA Mentor Program.

*Presidents Council.* No action was necessary.

f. **Division II Diversity Grants.**

*Management Council.* The Management Council was provided information on the division’s diversity grants, including the Coaches’ Enhancement Grant, the Strategic Alliance Matching Grant, and the Ethic Minority and Women’s Internship Grant.

*Presidents Council.* No action was necessary.

g. **Division II Strategic Plan.**

*Management Council.* The Management Council was updated on the Division II Strategic Plan, the progress that has been made thus far, what’s new for 2017-18 and what to expect as the division moves forward.

*Presidents Council.* The Presidents Council was updated on the Division II Strategic Plan.

h. **Division II Make It Yours.**

*Management Council.* The Management Council was updated on Phase Two of the Make It Yours activation.
Presidents Council. The Presidents Council was updated on the Make It Yours activation.

i. **Overview of Process for Appeals of Membership Committee Decisions.**

Management Council. The Management Council was provided with the policy summarizing the process when a member institution appeals a decision of the Membership Committee regarding applications to enter the Division II membership process or advancement in the process. Those Management Council members who are also designated as members of the Management Council Subcommittee participated in a training session during the lunch hour Monday.

Presidents Council. No action was necessary.

10. **AFFILIATED ASSOCIATION UPDATES.**

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

a. Division II Athletics Directors Association (ADA).

b. Division II Conference Commissioners Association (CCA).

c. Co-SIDA.

d. Faculty Athletics Representative Association (FARA).

e. Minority Opportunity Athletics Administrators Association (MOAA).

f. National Association for Athletics Compliance (NAAC).

g. Women Leaders in College Sports.

Presidents Council. No action was necessary.

11. **OTHER BUSINESS.**

Management Council. The Management Council received a presentation from Council member Robin Arnold on Philadelphia and the surrounding area.

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

Management Council. The Management Council was provided with a list of topics/issues to report to member institutions, via each member’s preferred method of delivery. These topics included the 2017-18 Division II priorities; the update on the Division II strategic plan; 2018 Convention information (schedule/hotel information, etc.); legislation for the 2018 Convention; and information on the Division II purchasing website.

Presidents Council. No action was necessary.

13. **FUTURE MEETINGS.**

Management Council. The Management Council reviewed the upcoming meetings for the remainder of 2017 and 2018.

Presidents Council. The Presidents Council reviewed the upcoming schedule, noting specifically the October meeting in Los Angeles.

14. **ADJOURNMENT.**

Management Council. The Management Council adjourned at 10:23 a.m. Tuesday morning, July 18.

Presidents Council. The Presidents Council adjourned at 11:43 a.m. Wednesday morning, August 9.
<table>
<thead>
<tr>
<th>Division II Management Council</th>
<th>Division II Presidents Council</th>
</tr>
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<tbody>
<tr>
<td>July 17-18, 2017</td>
<td>August 8-9, 2017</td>
</tr>
<tr>
<td>Indianapolis, IN</td>
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Kim Duyst, California State University, Stanislaus
Storm Glautier, Nyack College
Chris Graham, Rocky Mountain Athletic Conference
Gary Gray, University of Alaska Fairbanks
Lynn Griffin, Coker College
Felicia Johnson, Virginia Union University
Paul Leidig, Grand Valley State University (Tuesday Only)
Laura Liesman, Georgian Court University
Bridget Lyons, Barry University
Steve Murray, Pennsylvania State Athletic Conference
Ismael Pagan-Trinidad, University of Puerto Rico, Mayaguez
Pennie Parker, Rollins College
Lindsay Reeves, University of North Georgia
Eric Schoh, Winona State University
Kevin Schriver, Southwest Baptist University
Scott Swain, Notre Dame College
Kim Vinson, Cameron University
Stan Williamson, University of West Alabama
Cherrie Wilmoth, Southeastern Oklahoma State University
Griz Zimmermann, Texas A&M International University
Philip Kerstetter, University of Mount Olive
William LaForge, Delta State University
Gary Olson, Daemen College
Elwood Robinson, Winston-Salem State University
M. Roy Wilson, Wayne State University
Les Wong, San Francisco State University

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<tr>
<td>Carrie Bodkins, Alderson-Broaddus College</td>
<td>Mike Fiorentino Jr., Lock Haven University</td>
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<td>Allison Garrett, Emporia State University</td>
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<td>Scott Bearby, NCAA</td>
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<td>Geoff Bentzel, NCAA</td>
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<tr>
<td>Gary Brown, NCAA</td>
<td>Gary Brown, NCAA</td>
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<td>Jackie Campbell, NCAA</td>
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</table>
OTHER PARTICIPANTS

Amanda Conklin, NCAA
Terri Steeb Gronau, NCAA
Maritza Jones, NCAA
Ryan Jones, NCAA
Roberta Page, NCAA
John Parsons, NCAA
Ruth Reinhardt, NCAA (recording secretary)
Molly Simons, NCAA
Stephanie Smith, NCAA
Rachel Stark, NCAA
Gregg Summers, NCAA
Alison Teopas, NCAA
Matt Ward, NCAA
Jill Willson, Division II Contractor
Karen Wolf, NCAA

Amanda Conklin, NCAA
Mark Emmert, NCAA
Gary Gray, University of Alaska Fairbanks
Terri Steeb Gronau, NCAA
Brian Hainline, NCAA
Maritza Jones, NCAA
Ryan Jones, NCAA
John Parsons, NCAA
Ruth Reinhardt, NCAA (recording secretary)
Donald Remy, NCAA
Stephanie Smith, NCAA
Rachel Stark, NCAA
Gregg Summers, NCAA
Karen Wolf, NCAA
1. **Inclusion Initiatives.** In collaboration with the NCAA Office of Inclusion and the new NCAA Executive Vice President for Inclusion and Human Resources, Division II will work to implement identified diversity and inclusion goals and priorities for the Association and to promote the resources available to schools and conferences. Additionally, the division will work to support the Division II Conference Commissioners Association and the Division II Athletics Directors Association with their goals, discussions and initiatives in the area of inclusion.

2. **Membership Census.** Division II will conduct its second Membership Census in early 2018. Like the initial census in 2013, the new survey will seek feedback from a range of institutional and conference staff on Division II branding, championships, student-athlete advisory committees, governance processes and structure, diversity and inclusion, and conference and presidential involvement, among other topics. Results will be used to conduct a mid-term assessment of the current Division II strategic plan and outline future initiatives for the division.

3. **Coaches Education.** The Division II Online Coaches Education program, funded by the Foundation for the Future initiative, will launch in the spring of 2018 and deliver legislative and health and safety-related content to Division II coaches. The program is expected to replace the current Division II coaches recruiting exam by 2020.

4. **Health and Safety.** Working in collaboration with the Sport Science Institute, the division will continue advancing the nine strategic priorities identified in this area. To help in this regard, a representative working group will recommend ways to increase membership participation via the Injury Surveillance Program so that the division can obtain more accurate data upon which to base future decisions affecting student-athlete health and well-being. In addition, the division will partner for a second time with the Gordie Center for Substance Abuse to host a Division II-specific APPLE Training Institute September 22-24, 2017, in Reston, VA. The Institute will host athletics administrator and student-athlete teams from 39 Division II institutions.

5. **Academics.**
   - The Academic Requirements Committee continues to review the effects of new progress-toward-degree and two-year college transfer requirements that became effective for the 2016-17 academic year.
   - The Eligibility Center continues to educate the membership regarding new initial-eligibility requirements that take effect in the fall of 2018.
   - As part of the Foundation for the Future initiative, the division is reviewing metrics for academic success, improving the accuracy of data collection and strengthening the foundation upon which academic policy decisions are made. The first phase of this project involves data reviews of 25 institutions, and results will be reviewed in the fall of 2017.
   - The division is close to completing a review of the criteria for the Division II Degree-Completion Program to ensure it meets intended outcomes and is funded appropriately. It is expected that the revamped program will launch in the fall of 2017.
6. **Championships.**
   - For the first time, the division will host the men’s and women’s basketball championships over the same weekend in Sioux Falls, SD, March 20-24, 2018.
   - For the second time, Division II will join with Divisions I and III to conduct all three field hockey championships at the University of Louisville on November 19, 2018.
   - Review and approval of the championships priorities (e.g., officiating fees, participation opportunities, championships experience) in the 2018-21 triennial budget will occur in the fall/winter 2017.

7. **Culture of Compliance Initiative.** The division has begun assessing the culture of compliance by forming a think tank of membership leaders to discuss existing challenges and possible enhancements related to campus and conference compliance. During the 2017-18 academic year, the think tank will (1) conduct a comprehensive review of the Division II Manual to identify and address current legislation that does not realistically align with the resources dedicated in Division II; (2) develop tools and resources to help campuses and conferences address challenges and pain points of compliance; (3) encourage development of a shared responsibility compliance model; and (4) host a summit in December 2017 to strategize next steps and forward recommendations to the governance structure for future consideration.

8. **SAAC Initiatives.** The Division II Student-Athlete Advisory Committee in 2017-18 will:
   - Develop an alumni network.
   - Increase CPR/AED certification across the division.
   - Encourage Division II institutions to use Helper Helper to track their community engagement activities.
   - Support the Sport Science Institute regarding mental health awareness and sexual assault prevention.
   - Foster discussions and progress on social justice issues.
   - Further its partnership with Team IMPACT and Make-A-Wish.
   - Host the first SAAC Super Region Convention November 17-19, 2017, in Washington, D.C., to enhance student-athlete participation in the governance structure and enable student-athletes and administrators to better understand issues affecting Division II student-athletes.
   - Further its “Love2Play” initiative that encourages participants to play a sport because they are passionate about it, rather than playing out of necessity.

9. **Make It Yours Activation.** Phase 2 of the Make It Yours® brand enhancement will bring the Division II experience to life in a way that reinforces a sense of pride with stakeholders within the Division II family and resonates with external audiences, as well. We will publicly promote the experience Division II schools create for student-athletes so that audiences fully understand what Division II is versus what it is not.
NCAA Division II Committee for Legislative Relief
Review of Staff and Committee Decisions
February 1 through July 31, 2017

Purpose:

The purpose of this report is to provide an overview of the cases decided by the NCAA academic and membership affairs staff from February 1 through July 31, 2017. Additionally, the report will provide a brief overview of the cases decided during this time period last year. There were 883 cases received in NCAA Divisions I, II and III combined, which is an increase from the 812 cases received during this time period last year. There were a total of 100 cases submitted in Division II, compared to the 181 submitted a year ago, with 88 of those cases being decided by staff and the NCAA Division II Committee for Legislative Relief during this time period. Last year during this timeframe, staff and committee decided 86 cases.

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<thead>
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Organized Competition Waivers:
Bylaw 14.2.4.2

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<tr>
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<td>8</td>
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<tr>
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Four-Year College Transfer Waivers:
Bylaw 14.5

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<td>Appeals Denied</td>
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Staff Granted Decisions Based on the Totality of Circumstances:

The staff approved one decision based on totality of circumstances. The case involved the application of legislation regarding a camp or clinic providing a recruiting or scouting service.

The flexible case is in Supplement No. 7 (review of cases approved based on totality of circumstances). The staff strongly encourages the committee to review the case and discuss any questions during the teleconference. The committee will be asked to take formal action to approve the case granted based on the totality of circumstances.

Staff Decisions Reviewed by the Committee on Appeal:

Four staff decisions were appealed to the committee. Two of the appeals sought relief of NCAA Bylaw 14.5; however, there were no appeals of Bylaw 14.2.4.2. There were two other appeals in this time frame, and they sought relief of Bylaws 17.2.10.1.2.1 (involvement of coaching staff), and 17.10.2.1 (first practice date -- championship segment). The committee upheld staff decision in two cases and overturned staff decision in two cases.

Blanket Waivers:

A blanket waiver alleviates the requirement that an institution, conference or committee must submit an application for a waiver of the normal application of a particular piece of legislation provided the waiver parameters are satisfied. Blanket waivers are for a specified period of time and encourage institutions, conferences and committees who have applied for blanket relief to propose legislation for similar future circumstances. Blanket waiver information is available via the Legislative Services Database for the Internet announcements and the Committee for Legislative Relief website.

There were two blanket waivers issued from February 1 through July 31, 2017.
## Case Summary

### General Case Information

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<td>Legislative Relief Waiver</td>
<td>Request for Any Other Individual, Entity or Event</td>
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<tr>
<td></td>
<td>Pennsylvania State Athletic Conference</td>
<td>II</td>
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### Legislative Cite(s)

- 13.12.2.5.1 - Camp/Clinic Providing Recruiting or Scouting Service.
- 11.4.2.2 - Recruiting Service Consultants.
- Coaching Clinic Sponsored by a Recruiting or Scouting Service (II)
Decision Information

<table>
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<th>Decision</th>
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<tbody>
<tr>
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Conditions

One-time waiver. Future similar requests may be denied.
Other: Staff noted: (1) This waiver only applies to the camps scheduled for June 25-28, 2017, June 30-July 3, 2017, and July 5-8, 2017; (2) Relief is only granted to those coaches who have committed to participate in the camps prior to June 22, 2017; (3) Applicant conferences' member institutions must educate coaches generally on requirements for working non-institutional camps and specifically on camps and clinics providing recruiting or scouting services; and (4) Applicant conferences’ institutions must work with the event operator to ensure future camps are conducted in a permissible manner if NCAA Division II college coaches plan to participate.

Rationale

Prospective student-athlete well-being: Specifically, staff noted the following: (1) PSAs registered for the camp with the understanding that Division II coaches would be working the camps; and (2) PSAs have paid registration fees and secured transportation to attend the camps and would be negatively impacted if the camp would be cancelled at this late date.
Totality of the circumstances.: Specifically, staff noted the following: (1) Applicant conferences discovered that it would be impermissible for soccer coaches to work the camps June 22, at which point it was too late to cancel the camp; and (2) There was widespread confusion in the Division II membership regarding the application of the camp/clinic providing recruiting or scouting service legislation; and (3) Information regarding the recruiting and scouting service’s role in the camp operation was not provided to applicant conference until after soccer coaches committed to work the camp and at which point it was too late to cancel the camp without negatively impacting PSAs.
Case Summary

June 25-28, 2017; June 30 through July 3, 2017; and July 5-8, 2017: Dates of upcoming soccer camps.

June 16, 2017: Date applicant conference determined that this camp did not meet the legislation to permit its member institution's coaches to be employed at the camp.

Applicant conferences wish to permit men's and women's soccer coaches from their member institutions to work three upcoming soccer camps; however, due to the operation of these particular camps, the camp/clinic providing recruiting or scouting service prohibits such employment.

Assertions:

(1) The camps are owned/operated by a soccer business;
(2) The event operator has partnered with a recruiting or scouting service to provide live streaming of the camps as well as offering video highlights for prospective student-athletes (PSAs) to use to send to college coaches;
(3) Approximately 18 Division II soccer coaches are scheduled to work the three camps in June and July;
(4) In addition, there are testimonials from a variety of college coaches (including Division I) on a testimonials page all with quotes and some with videos;
(5) It is not clear whether all those coaches are currently working the camps;
(6) Applicant conference believes that the partnered entity is a recruiting service and by partnering with the camp to provide video and live streaming, it is now impermissible for Division II coaches to work the camp;
(7) However, the first camp is in five days, and if the coaches were to back out of the employment it would cause a hardship to PSAs participating in the camp, as they have already paid a significant fee to participate in the camp and are expecting these coaches to be working the camp;
(8) Applicant conference believes this is a national issue based on the number of schools and conferences involved; and
(9) It would be unfair to the conferences' institutional coaches to have to withdraw from employment at these camps while other institutions' coaches, whose compliance administrators did not do their due diligence, continued to participate in the camp.

NCAA staff has contacted conferences who it appears have member institutions participating in this camp to inquire as to if they would like to be joined to this waiver.

Specific Case Information

Describe the institution's request for relief. Waive the camp/clinic providing recruiting or scouting service legislation to permit men's and women's soccer coaches at the conferences' member institutions to participate in three upcoming camps that are not permissible.

Name of the NCAA Governance Committee submitting the waiver
Division: II
Proposal Number: 2018-
Title: PLAYING AND PRACTICE SEASONS -- FOOTBALL -- PRESEASON PRACTICE -- FIRST PRACTICE DATE -- CHAMPIONSHIP SEGMENT
Convention Year: 2018
Date Submitted: July 17, 2017
Status: SPOPL
Effective Date: Immediate
IPOPL Number:
SPOPL Number: 4
Source: NCAA Division II Presidents Council [Management Council (Championships Committee)].
Category: Presidents Council
Topical Area: Playing and Practice Seasons
Intent: In football, to specify that an institution shall not begin official preseason practice sessions in the championship segment before 24 days prior to the first permissible contest or 10 days before the institution’s first day of classes, whichever is earlier.
Bylaws: Amend 17.10.2.1, as follows:

[Division II, football only]

17.10.2.1 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 24 days before the first permissible contest or 10 days before the institution’s first day of classes, whichever is earlier.

Rationale: The Interassociation Consensus on Year-Round Football Practice Contact for College Student-Athletes Recommendations included a recommendation to discontinue two-a-day practices. Accordingly, the Division II Presidents Council adopted emergency legislation (Proposal No. EM-2018-1) to eliminate multiple on-field practices in the same day. To account for that, the Division II Committee for Legislative Relief provided waiver relief for the 2017 football season only to allow institutions additional days for preseason practice. This proposal would amend Bylaw 17.10.2.1 (first practice date -- championship segment) to codify the waiver relief and specify that the first practice date in the championship segment is 24 days before the first permissible contest date, or 10 days before the institution’s first day of classes, whichever is earlier. Adoption of this proposal would ensure that institutions are able to adhere to the emergency legislation without compromising their student-athletes’ preparedness for the upcoming 2018 season. Additionally, allowing institutions to begin practice three days earlier will provide adequate time for football teams to take the recommended day off per week during the preseason.

Budget Impact:

Co-sponsorship - Conference: None

Co-sponsorship - Institution: None

Position Statements:
Review History:

Jun 28, 2017: Recommends Approval - Championships Committee

Jul 18, 2017: Approved in Concept - Management Council

Aug 9, 2017: Approved in Concept - Presidents Council

Aug 30, 2017: Approved in Legislative Format - Administrative Committee

Additional Information:

Legislative References

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<tr>
<td>1</td>
<td>NCAA MEMBERSHIP -- ELIGIBILITY FOR MEMBERSHIP -- GENERAL -- MEMBERSHIP FOR INTERNATIONAL INSTITUTIONS -- INSTITUTIONS LOCATED IN MEXICO</td>
</tr>
<tr>
<td>2</td>
<td>ETHICAL CONDUCT -- SPORTS WAGERING ACTIVITIES -- SANCTIONS -- ELIMINATION OF LEGISLATED SANCTIONS</td>
</tr>
<tr>
<td>3</td>
<td>AWARDS AND BENEFITS -- AWARDS -- APPLICATION OF AWARDS LEGISLATION AND TYPES OF AWARDS, AWARDING AGENCIES, MAXIMUM VALUE AND NUMBERS OF AWARDS -- AWARDS RECEIVED FOR PARTICIPATION WHILE NOT REPRESENTING THE INSTITUTION AND INCREASE IN MAXIMUM VALUES</td>
</tr>
<tr>
<td>5</td>
<td>PLAYING AND PRACTICE SEASONS -- WOMEN'S VOLLEYBALL -- FIRST DATE OF COMPETITION -- CHAMPIONSHIP SEGMENT -- WOMEN -- EXCEPTION -- DIVISION II NATIONAL CHAMPIONSHIPS FALL FESTIVAL</td>
</tr>
</tbody>
</table>
Competition in Year-of-Transfer Legislation Directive

Directive for Requests Involving Competition in Year of Transfer (NCAA Division II Bylaw 14.5.5.4).

1. In September 2017, the NCAA Division II Committee for Legislative Relief directed the NCAA staff to review waiver requests on a case-by-case basis to determine if there is sufficient mitigation to provide relief. The committee noted the institution must provide documentation demonstrating reasons outside of the student-athlete's control necessitating the transfer as well as extraordinary circumstances warranting relief of the competition in year-of-transfer legislation.

2. The committee directed the staff to deny requests due to athletics reasons (e.g., a coaching change, lack of playing time) or lack of knowledge of the legislation absent any other mitigation.
Issue:

Whether the NCAA Division II Committee for Legislative Relief should recommend sponsorship of noncontroversial legislation to amend the term of office for committee members.

Background and Analysis:

During the March 2017 teleconference, the committee discussed its current legislated term limit, which includes a three-year term with the opportunity to be immediately re-elected to a second three-year term. The committee requested staff provide additional information for review, including the term limits for other Division II committees as well as the Division I and III (Sub)Committee for Legislative Relief, case volume and committee turnover.

Divisional (Sub)Committee for Legislative Relief Comparison:

<table>
<thead>
<tr>
<th></th>
<th>Division I Committee for Legislative Relief</th>
<th>Division II Committee for Legislative Relief</th>
<th>Division III Subcommittee for Legislative Relief</th>
</tr>
</thead>
<tbody>
<tr>
<td>Term of Office</td>
<td>Four years</td>
<td>Three years</td>
<td>Four years</td>
</tr>
<tr>
<td>Immediate Re-Election Permitted?</td>
<td>No</td>
<td>Yes, opportunity for immediate re-election to a second three-year term</td>
<td>No</td>
</tr>
<tr>
<td>Number of Members</td>
<td>Seven</td>
<td>Five</td>
<td>Six (chair only votes if no quorum)</td>
</tr>
<tr>
<td>Cases Processed in 2016-17 Academic Year</td>
<td>1,252</td>
<td>162</td>
<td>73</td>
</tr>
<tr>
<td>Cases Appealed</td>
<td>60</td>
<td>23</td>
<td>Five</td>
</tr>
</tbody>
</table>

Division II Legislative Relief Waiver Volume:

<table>
<thead>
<tr>
<th>Academic Year</th>
<th>Cases Processed</th>
<th>Cases Appealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012-13</td>
<td>260</td>
<td>30</td>
</tr>
<tr>
<td>2013-14</td>
<td>222</td>
<td>32</td>
</tr>
<tr>
<td>2014-15</td>
<td>229</td>
<td>16</td>
</tr>
<tr>
<td>2015-16</td>
<td>169</td>
<td>39</td>
</tr>
<tr>
<td>2016-17</td>
<td>162</td>
<td>23</td>
</tr>
</tbody>
</table>
Division II Committee Terms of Office:

<table>
<thead>
<tr>
<th>Committees</th>
<th>Term of Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Presidents Council</td>
<td>Four years, no immediate re-election.</td>
</tr>
<tr>
<td>Management Council</td>
<td>Four-years, no immediate re-election.</td>
</tr>
<tr>
<td>Academic Requirements Committee</td>
<td>Four-years, no immediate re-election.</td>
</tr>
<tr>
<td>Championships Committee</td>
<td>Four-years, no immediate re-election.</td>
</tr>
<tr>
<td>Committee on Infractions</td>
<td>Three years with opportunity for immediate re-election, for a maximum of nine years.</td>
</tr>
<tr>
<td>Infractions Appeal Committee</td>
<td>Three years with opportunity for immediate re-election, for a maximum of nine years.</td>
</tr>
<tr>
<td>Committee for Legislative Relief</td>
<td>Three years with opportunity for immediate re-election to a second three-year term.</td>
</tr>
<tr>
<td>Committee on Student-Athlete Reinstatement</td>
<td>Three years with opportunity for immediate re-election to a second three-year term.</td>
</tr>
<tr>
<td>Legislation Committee</td>
<td>Four-years, no immediate re-election.</td>
</tr>
<tr>
<td>Membership Committee</td>
<td>Four-years, no immediate re-election.</td>
</tr>
<tr>
<td>Nominating Committee</td>
<td>Four-years, no immediate re-election.</td>
</tr>
<tr>
<td>Sports Committees</td>
<td>Four-years, no immediate re-election.</td>
</tr>
</tbody>
</table>

Division II Committee for Legislative Relief Composition:

<table>
<thead>
<tr>
<th>Name</th>
<th>Institution</th>
<th>Conference</th>
<th>Term Start Date</th>
<th>Term End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joshua Doody*</td>
<td>Notre Dame de Namur University</td>
<td>Pacific West Conference</td>
<td>21-JAN-17</td>
<td>15-JAN-21</td>
</tr>
<tr>
<td>Audra Kedy**</td>
<td>Great American Conference</td>
<td>Great American Conference</td>
<td>30-MAY-17</td>
<td>31-AUG-20</td>
</tr>
<tr>
<td>Laura L. Clayton Eady</td>
<td>University of West Georgia</td>
<td>Gulf South Conference</td>
<td>07-DEC-12</td>
<td>31-AUG-19</td>
</tr>
<tr>
<td>Marcus Clarke</td>
<td>Central Intercollegiate Athletic Association</td>
<td>Central Intercollegiate Athletic Association</td>
<td>09-AUG-13</td>
<td>31-AUG-19</td>
</tr>
<tr>
<td>Hayley Ross-Treadway**</td>
<td>University of Illinois at Springfield</td>
<td>Great Lakes Valley Conference</td>
<td>01-SEP-15</td>
<td>31-AUG-18</td>
</tr>
<tr>
<td>Brian Martinek</td>
<td>St. Mary's University (Texas)</td>
<td>Heartland Conference</td>
<td>01-SEP-16</td>
<td>10-APR-17</td>
</tr>
</tbody>
</table>
### Committees – Division II Committees – Division II General Committees – Committee for Legislative Relief (Formerly Known as Administrative Review Subcommittee) – Composition – Term of Office

<table>
<thead>
<tr>
<th>Name</th>
<th>Institution</th>
<th>Conference</th>
<th>Term Start Date</th>
<th>Term End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eric Schoh*</td>
<td>Winona State University</td>
<td>Northern Sun Intercollegiate Conference</td>
<td>15-JAN-15</td>
<td>21-JAN-17</td>
</tr>
<tr>
<td>Kathryn Flaherty</td>
<td>Coker College</td>
<td>South Atlantic Conference</td>
<td>18-JAN-12</td>
<td>31-AUG-16</td>
</tr>
<tr>
<td>Larry Marfise*</td>
<td>University of Tampa</td>
<td>Sunshine State Conference</td>
<td>01-JAN-12</td>
<td>01-JAN-16</td>
</tr>
<tr>
<td>Wispeny R. Ellis</td>
<td>Lynn University</td>
<td>Sunshine State Conference</td>
<td>30-JUL-10</td>
<td>31-AUG-15</td>
</tr>
<tr>
<td>John Mansuy</td>
<td>Wheeling Jesuit University</td>
<td>West Virginia Intercollegiate Athletic Conference</td>
<td>30-NOV-10</td>
<td>01-SEP-13</td>
</tr>
<tr>
<td>Brian DeAngelis</td>
<td>Texas A&amp;M University-Kingsville</td>
<td>Lone Star Conference</td>
<td>25-APR-08</td>
<td>01-JAN-13</td>
</tr>
<tr>
<td>Brenda Cates*</td>
<td>University of Mount Olive</td>
<td>Conference Carolinas</td>
<td>01-JAN-10</td>
<td>01-JAN-12</td>
</tr>
<tr>
<td>Kathleen Heitzman</td>
<td>Bloomsburg University of Pennsylvania</td>
<td>Pennsylvania State Athletic Conference</td>
<td>25-APR-08</td>
<td>01-JAN-12</td>
</tr>
<tr>
<td>Natasha Oakes</td>
<td>Mid-America Intercollegiate Athletics Association</td>
<td>Mid-America Intercollegiate Athletics Association</td>
<td>25-APR-08</td>
<td>04-OCT-10</td>
</tr>
<tr>
<td>Sherman Ward*</td>
<td>Virginia State University</td>
<td>Central Intercollegiate Athletic Association</td>
<td>01-JAN-09</td>
<td>01-JAN-10</td>
</tr>
<tr>
<td>Eugene Hermitte</td>
<td>Johnson C. Smith University</td>
<td>Central Intercollegiate Athletic Association</td>
<td>24-APR-08</td>
<td>01-JUN-10</td>
</tr>
<tr>
<td>Amanda Conklin</td>
<td>Great Lakes Valley Conference</td>
<td>Great Lakes Valley Conference</td>
<td>25-APR-08</td>
<td>30-OCT-08</td>
</tr>
</tbody>
</table>

* Management Council Representative

** Eligible for immediate re-election to a second three-year term.

### Conclusions:

1. The Committee for Legislative Relief recommends sponsorship of noncontroversial legislation to amend Bylaw 21.8.5.4.1.1 (term of office) to specify that committee members shall be elected to one four-year term with no immediate re-election.
2. The Committee for Legislative Relief does not recommend sponsorship of noncontroversial legislation.

Associated References:

*Division II Legislation*

*21.8.2.1 Four-Year Term.* Unless otherwise specified, the Division II members of committees shall be appointed or elected for one four-year term with no immediate re-election. Unless otherwise specified, a member's term of service shall commence on the first day of September after the member's election or appointment.

*21.8.5.4 Committee for Legislative Relief (Formerly Known as Administrative Review Subcommittee).*

*21.8.5.4.1 Composition.* The Division II Committee for Legislative Relief shall consist of five members, including one member of the Division II Management Council.

*21.8.5.4.1.1 Term of Office.* Members of the Committee for Legislative Relief shall be elected for one three-year term. An individual may be immediately re-elected to a second three-year term.