1. Welcome and announcements. (Brenda Cates)

2. Review of the NCAA Division II Academic Requirements Committee roster. [Supplement No. 1] (Cates)

3. Review the Academic Requirements Committee June 2016 report. [Supplement No. 2] (Cates)

4. Review the NCAA Division II Presidents Council and NCAA Division II Management Council July/August Summary of Actions. [Supplement No. 3] (Cates)

5. Review the 2015-21 NCAA Division II Strategic Plan. [Supplement Nos. 4 and 5] (Gary Brown)

6. Review the 2015-16 NCAA Division II priorities. [Supplement No. 6] (Maritza Jones)

7. Demonstration of Division II pages on NCAA.org. (Brown)

8. Update on "Foundation for the Future" initiative. (Jones)

9. Discussion of NCAA Division II Degree-Completion Award criteria and processes. [Supplement No. 7] (Ellen Summers)

10. Update on impact of redesigned SAT. (Gregg Summers)

11. Update on academic research data. (Summers)
   a. Preview of Federal Graduation Rate and Academic Success Rate (ASR).
   b. Demonstration of Academic Portal.

12. Discussion regarding two-year college transfer legislation and core credits earned during a part-time term. [Supplement No. 8] (Susan Britsch)

13. Discuss enrollment requirements for graduate students. [Supplement No. 9] (Jada Buckner)

14. Discuss issuance of official interpretation regarding timing of major declaration. [Supplement No. 10] (Britsch)
15. Professional development session on unconscious bias. (Alice Hoenigman Jones and Amanda Lecet Bonilla)

16. Discuss four-year transfer requirements.
   a. Background and timeline. (Amanda Conklin)
   b. Overview of current legislation. [Supplement No. 11] (Chelsea Crawford)
   c. Roundtable discussions and reporting out.


18. Discussion of enforcement issues and penalty structure related to academic misconduct. (Kathy Sulentic)


20. Update on NCAA Division I topics. (Britsch)

21. Review of waiver data related to Path to Graduation legislation. (Conklin)

22. Update on Path to Graduation toolkit metrics. (Britsch)

23. Demonstration of NCAA Division II Institutional Performance Program. (Katie Willett)

24. Future meeting dates. (Britsch)
   a. February 2017 - Indianapolis.
   b. September 2017 - Indianapolis.

25. Other business.
   • Discussion of future meeting structure. (Britsch)

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| **Brenda Cates, chair**  
Professor of Mathematics/Faculty Athletics Representative  
University of Mount Olive  
654 Henderson St.  
Mount Olive, North Carolina 28365  
Subcommittee on Initial-Eligibility Waivers  
Subcommittee on Progress-Toward-Degree Waivers | Telephone: 919/658-7853  
Cell Number:  
Email: bcates@umo.edu | 8/2018 |
| **Corbin Greening**  
Henderson State University  
1100 Henderson Street  
Arkadelphia, Arkansas 71999  
Student-Athlete Representative - No Subcommittee Assignment | Telephone: 479/220-8034  
Email: corbin.greening@yahoo.com | 1/2017 |
| **Jennifer Heimstead**  
Assistant Athletics Director for Compliance  
California State Polytechnic University, Pomona  
3801 West Temple Avenue  
Pomona, California 91768  
Student Records Review Committee Representative  
Subcommittee on Initial-Eligibility Waivers | Telephone: 909/869-4913  
Cell Number:  
Email: jeheimstead@cpp.edu | 8/2019 |
| **Joseph C. Kissell**  
University Registrar  
Bloomsburg University of Pennsylvania  
400 East Second St.  
Danville, Pennsylvania 17821  
Subcommittee on Initial-Eligibility Waivers | Telephone: 570/389-4266  
Cell Number:  
Email: jkissell@bloomu.edu  
Assistant: Linda Hock  
Telephone: 570/389-4703  
Email: lhock@bloomu.edu | 8/2018 |
| **Paul Leidig**  
Faculty Athletics Representative  
Grand Valley State University  
One Campus Drive  
Allendale, Michigan 49401  
Management Council Representative - Subcommittee on Progress-Toward-Degree Waivers | Telephone: 616/331-3342  
Cell Number: 616/821-3342  
Email: leidig@gvsu.edu | 1/2019 |
| **Perry A. Massey**  
Senior Associate Vice Chancellor/Faculty Athletics Representative  
Fayetteville State University  
1200 Murchison Road  
Fayetteville, North Carolina 28301  
High School Review Committee Representative  
Subcommittee on Progress-Toward-Degree Waivers | Telephone: 910/672-1475  
Email: pmassey@uncfsu.edu  
Assistant: Tanya Ortiz  
Telephone: 910/672-1469  
Email: tmortiz@uncfsu.edu | 8/2018 |
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</table>
| **Lindsay Reeves**  
Director of Athletics  
University of North Georgia  
82 College Circle  
Dahlonega, Georgia 30957 | Telephone: 706/864-1625  
Email: lreeves@ung.edu | 1/2019 |
| **Dene K. Thomas**  
President  
Fort Lewis College  
1000 Rim Drive  
Durango, Colorado 81301 | Telephone: 970/247-7100  
Email: Thomas_d@fortlewis.edu  
Assistant: Jennifer Cossey  
Telephone: 970/247-7100  
Email: Cossey_m@fortlewis.edu  
Assistant: Esther Ryser  
Email: emryser@fortlewis.edu | 1/2017 |
| **Shawn L. Ward**  
Faculty Athletics Representative  
Le Moyne College  
1419 Salt Springs Road  
Syracuse, New York 13214-1399 | Telephone: 315/445-4137  
Email: ward@lemoyne.edu | 8/2019 |
| **Patrick Wempe**  
Faculty Athletics Representative  
Henderson State University  
1100 Henderson Street, Box 7552  
Arkadelphia, Arkansas 71999 | Telephone: 870/230-5198  
Cell Number: 870/210-9251  
Email: wempep@hsu.edu | 8/2020 |
| **Christina M. Whetsel**  
Senior Woman Administrator/Assistant Director  
of Athletics for Compliance  
Angelo State University  
ASU Station #10899  
San Angelo, Texas 76909 | Telephone: 325/486-6072  
Cell Number: 325/245-9939  
Email: christina.whetsel@angelo.edu | 8/2020 |

**STAFF LIAISONS**

| **Susan Britsch** | Telephone: 317/917-6597  
Email: sbritsch@ncaa.org |
| **Gregg Summers** | Telephone: 317/917-6521  
Email: gsummers@ncaa.org |
ACTION ITEM.

1. Legislative Item.

- 2017 NCAA Convention Legislation – Eligibility – Academic Misconduct [See Attachment].

  (1) **Recommendation.** Sponsor legislation for the 2017 NCAA Convention to amend Bylaw 10.1 (unethical conduct) and various sections of Bylaw 14 (eligibility) to define and clarify post-enrollment academic misconduct activities, the individuals to whom the activities apply and violations of such activities, as specified; further, to move the legislation related to pre-enrollment academic misconduct to NCAA Bylaw 14.

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

  (3) **Rationale.** The current regulatory structure regarding academic misconduct is confusing, unclear and imprecise and appropriate revisions to the academic misconduct legislation will serve to benefit individual institutions and the Association as a whole. Despite changes in the academic landscape, academic misconduct legislation has not been revised since 1983 when the legislation was added to the Manual. Under the current regulatory structure, it can be unclear when academic misconduct involving student-athletes falls within the purview of the NCAA and when academic misconduct should be an institutional matter. Current terms, definitions and gaps in the academic misconduct legislation result in confusion and lack of clarity. The regulatory structure for academic misconduct is currently located in bylaws, interpretations and educational columns and should be consolidated in a single article (Bylaw 14). This proposal will expand the application of academic misconduct legislation to any situation in which an institutional staff member is involved and replace the current academic extra benefit analysis with a specific and limited definition of impermissible academic assistance. In addition, the proposal will require institutional policies and procedures regarding academic misconduct for the general student-body.

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

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

- None.

INFORMATIONAL ITEMS.

1. Update on Revisions to SAT. The committee was provided an update on the revised SAT, which was first administered in March 2016. The differences between the scores on the old and new tests were greater than anticipated; concordance tables released by the College Board indicate that new scores are 70 to 80 points higher than their concordant values on the old test in the middle of the score distribution. Staff indicated that there is significant controversy within the admissions community about the concordance tables – both from new SAT to old SAT, and from new SAT to ACT. The Research staff will convene a technical advisory board in the summer of 2016 to provide short-term guidance on the use of the concordance tables and long-term guidance on the advisability of conducting a separate concordance study. The committee will receive regular updates on this topic at future meetings.

2. NCAA Division II Academic Requirements Committee Subcommittee on Initial-Eligibility Waiver Statistics for 2015-16. The committee was provided an update on initial-eligibility waiver statistics for the 2015-16 academic year.

3. Review of 2016-17 Initial-Eligibility Waivers Policies and Procedures. The committee reviewed and approved an updated initial-eligibility policies and procedures document that contained no substantive changes from 2015-16.

4. Review of 2016-17 Division II Initial-Eligibility Waiver Directive. The committee reviewed and approved an updated initial-eligibility waiver directive that included an automatic waiver for partial qualifiers who present a test-score deficiency but meet the sliding scale that will take effect in 2018.

5. Prospective Student-Athlete Review Statistics for 2015-16. The committee was provided an update on prospective student-athlete review statistics for the 2015-16 academic year. Staff noted an increase in program-related tasks that is likely due to the growth in nontraditional courses.

6. Review of 2016-17 Prospective Student-Athlete Review Trigger List and Directive. The committee reviewed and approved the list of factors that trigger a prospective student-athlete review and the review directive for 2016-17. There were no substantive changes to either document from 2015-16.

7. Review of 2016-17 NCAA Student Records Review Committee Policies and Procedures. The committee reviewed and approved an updated student records review policies and procedures document that contained no substantive changes from 2015-16.
8. Review of April 2016 NCAA International Student Records Committee Report. The committee reviewed the report of the International Student Records Committee’s April 2016 meeting.

9. Review of 2016-17 NCAA International Student Records Committee Policies and Procedures. The committee reviewed and approved the International Student Records Committee’s policies and procedures for 2016-17.

10. Review of April 2016 and May 2016 NCAA High School Review Committee Reports. The committee reviewed the reports of the High School Review Committee’s April 2016 meeting and May 2016 teleconference.

11. Review of 2016-17 NCAA High School Review Committee Policies and Procedures. The committee reviewed and approved the High School Review Committee’s policies and procedures for 2016-17. The document contained significant revisions from 2015-16 intended to establish clear criteria in all areas of the high school review process, clarify review procedures and institute publicly visible account statuses for high schools.

12. Update on Academic Portal. Staff reported on progress in the development of the new Academic Portal, an online tool through which member institutions will submit their Division I Academic Performance Program and Division II Academic Performance Census data. The portal will replace the Division II Academic Tracking System in fall 2016. Programming and testing is expected to be complete by August 1, 2016.

13. Update on Path to Graduation Education Initiative. The committee received an update on efforts to educate the membership, prospective student-athletes and other key constituents about the Path to Graduation legislative changes that will take effect in August 2016 and August 2018. Staff noted that an NCAA.org online toolkit received more than 8,000 page views from February through April 2016.

14. Update on Foundation for the Future Proposals. Staff reported that all three proposals the committee had supported for funding through the Foundation for the Future initiative were recommended for approval by the Foundation for the Future Task Force, and approved by the Division II Planning and Finance Committee and Division II Presidents Council. Those proposals include:

a. Funding for conference offices in the areas of academic support, broadcast support, officiating improvement and branding.

b. Development of a comprehensive online coaches’ education program that will deliver legislative and health and safety related content to Division II coaches.
c. Review and assessment of the utilization and accuracy of academic data currently gathered in Division II, and the development of additional metrics that could guide academic policy in the division.

15. Discussion of Four-Year Transfer Requirements. At its March 2016 meeting, the NCAA Division II Legislation Committee requested that a detailed review of the four-year college transfer legislation be referred to the Academic Requirements Committee. The committee discussed feedback that it had received from the membership and agreed to start a more in-depth, comprehensive review of the issue at its September 2016 meeting.

16. Review of Division II Two-Year College Transfer Waiver Directive. The committee reviewed and approved the document that outlines the standard of review for two-year college transfer waivers for 2016-17.

17. Review of Division II Progress-Toward-Degree Waiver Directive. The committee reviewed and approved the document that outlines the standard of review for progress-toward-degree waivers for 2016-17. Staff will now have the authority to approve waivers under certain conditions for transfers with progress-toward-degree deficiencies from the previous institution when the student-athlete did not participate in intercollegiate competition during the term in which the deficiency occurs and withdrew from the institution within 14 days of initial enrollment.

18. Issuance of an Official Interpretation. The committee issued the following official interpretation:

Student-Athlete Enrolled in Two Majors or Two Separate Degree Programs

The Division II Academic Requirements Committee confirmed that a student-athlete who has designated two majors within the same baccalaureate degree program or who has declared two separate degree programs is permitted to combine credits obtained toward either major or degree program to meet progress-toward-degree requirements (e.g., term-by-term, academic year and annual credit-hour requirements).

[References: Bylaws 14.4.3.2 (term-by-term credit-hour requirement), 14.4.3.3 (credit hours earned during the regular academic year), 14.4.3.4 annual credit hour requirement); staff interpretations (2/3/1995, Item Ref. a) and (4/2/1998, Item Ref. b), which have now been archived.]

19. Update on NCAA Communication Efforts. The committee received an update from staff about a communications initiative directed by the NCAA Board of Governors to educate the public about the Association. The goal of the sustained advertising, publicity and social media campaign is to highlight substantive matters the Association is taking part in to provide
opportunities for student-athletes by promoting academics, fairness and well-being. Committee members were encouraged to provide staff with story ideas for the campaign.

20. **Review of February 2016 Academic Requirements Committee Report.** The committee reviewed and approved the report from the February 2016 meeting.

21. **Review of NCAA Division II Presidents Council and NCAA Division II Management Council April 2016 Summary of Actions.** The committee reviewed the summary of actions from the April 2016 meetings of the Management Council and the Presidents Council.

22. **Future Meeting Schedule.** The committee confirmed that its fall in-person meeting is scheduled for September 8, 2016.

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**Committee Chair:** Brenda Cates, University of Mount Olive, Conference Carolinas  
**Staff Liaisons:** Susan Britsch, Academic and Membership Affairs  
Gregg Summers, Research

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<tr>
<th>NCAA Division II Academic Requirements Committee</th>
<th>June 8, 2016, Teleconference</th>
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<tr>
<td><strong>Attendees:</strong></td>
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<td>William Biddington, California University of Pennsylvania, Pennsylvania State Athletic Conference</td>
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<td>Brenda Cates, University of Mount Olive, Conference Carolinas</td>
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<td>Tonya Charland, Great Lakes Valley Conference</td>
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<td>Jennifer Heimstead, California State Polytechnic University, Pomona, California Collegiate Athletic Association</td>
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<td>Joseph Kissell, Bloomsburg University of Pennsylvania; Pennsylvania State Athletic Conference</td>
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<td>Perry Massey, Fayetteville State University, Central Intercollegiate Athletic Association</td>
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<td>Dene Thomas, Fort Lewis College; Rocky Mountain Athletic Conference</td>
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<td>Shawn Ward, Le Moyne College, Northeast-10 Conference</td>
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<td><strong>Absentees:</strong></td>
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<td>Damon Arnold, Grand Valley State University, Great Lakes Intercollegiate Athletic Conference</td>
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<td>Corbin Greening, Henderson State University, Great American Conference</td>
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<td>Lindsay Reeves, University of North Georgia, Peach Belt Conference</td>
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<td><strong>NCAA Staff Support in Attendance:</strong></td>
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<td>Susan Britsch, Academic and Membership Affairs</td>
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<td>Gregg Summers, Research</td>
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<td><strong>Other NCAA Staff Members in Attendance:</strong></td>
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<td>Elizabeth Coleman, Eligibility Center</td>
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<td>Amanda Conklin, Academic and Membership Affairs</td>
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<td>Greg Dana, Academic and Membership Affairs</td>
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<tr>
<td>Amy Dunham, Strategic Communications</td>
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<td>Terri Steeb Gronau, Division II Governance</td>
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<td>Jane McGill, Eligibility Center</td>
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<td>Tom Paskus, Research</td>
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<td>Anne Rohlman, Academic and Membership Affairs</td>
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<td>Stephanie Smith, Academic and Membership Affairs</td>
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<td>Nick Sproull, Eligibility Center</td>
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<td>Naima Stevenson, Academic and Membership Affairs</td>
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ELIGIBILITY – ACADEMIC MISCONDUCT

Convention Year: 2017

Effective Date: August 1, 2017

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

Category: Presidents Council

Topical Area: Eligibility

Status:

Intent: To define and clarify post-enrollment academic misconduct activities, the individuals to whom the activities apply and violations of such activities, as specified; further, to move the legislation related to pre-enrollment academic misconduct to Bylaw 14.

A. Bylaw: Amend 10.1, as follows:

10.1 Unethical Conduct. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member, which includes any individual who performs work for the institution or the athletics department even if he or she does not receive compensation for such work, may include, but is not limited to, the following:

[10.1-(a) unchanged.]

(b) Knowing involvement in arranging for fraudulent academic credit or false transcripts for a prospective or an enrolled student-athlete;

[10.1-(c) through 10.1-(f) relettered as 10.1-(b) through 10.1-(e), unchanged.]

(g) Failure to provide complete and accurate information to the NCAA, the NCAA Eligibility Center or an institution’s admissions office regarding an individual’s academic record (e.g., schools attended, completion of coursework, grades and test scores);

(h) Fraudulence or misconduct in connection with entrance or placement examinations;

[10.1-(i) through 10.1-(j) relettered as 10.1-(f) through 10.1-(g), unchanged.]

B. Bylaw: Amend 14.02, as follows:

14.02 Definitions and Applications.

14.02.1 Academic Misconduct -- Post-Enrollment. All institutional staff members and student-athletes are expected to act with honesty and integrity in all academic matters. Post-enrollment academic misconduct includes any violation or breach of an institutional policy regarding academic honesty or integrity (e.g., academic offense, academic honor code violation, plagiarism, academic fraud).

[14.02.1 through 14.02.6 renumbered as 14.02.2 through 14.02.7, unchanged.]
14.02.8 Impermissible Academic Assistance -- Institutional Staff Member or Representative of Athletics Interests. Impermissible academic assistance by a current or former institutional staff member or a representative of an institution's athletics interests includes, but is not limited to, the provision of or arrangement of:

(a) Substantial assistance that is not generally available to an institution's students and is not otherwise expressly authorized in Bylaw 16.3, which results in the certification of a student-athlete's eligibility to participate in intercollegiate athletics or receive financial aid; or

(b) An academic exception that results in a grade change, academic credit or fulfillment of a graduation requirement when such an exception is not generally available to the institution's students and the exception results in the certification of a student-athlete's eligibility to participate in intercollegiate athletics or receive financial aid.

14.02.9 Institutional Staff Member. For purposes of Bylaw 14, an institutional staff member is any individual, excluding a student employee, who performs work for the institution or the athletics department, regardless of whether he or she receives compensation for such work.

14.02.9.1 Student Employee. For purposes of Bylaw 14, a student employee is an institutional staff member if:

(a) He or she has institutional responsibilities to provide academic services to student-athletes; or

(b) He or she engages in academic misconduct or provides impermissible academic assistance at the direction of a nonstudent employee, an institutional staff member per Bylaw 14.02.9.1-(a) or a representative of the institution's athletics interests.

[14.02.7 through 14.02.14 renumbered as 14.02.10 through 14.02.17, unchanged.]

C. Bylaw: Amend 14.1.2, as follows:

14.1.2 Validity of Academic Credentials. As a condition and obligation of membership, it is the responsibility of a member institution to determine the validity of the information on which the eligibility of a student-athlete is based. Therefore, it is the responsibility of a member institution to determine whether a transcript is valid for purposes of applying appropriate NCAA legislation to the eligibility of a student-athlete when the institution receives notification, or otherwise has cause to believe, that a student-athlete's high school, college-preparatory school or two-year college transcript is not valid.

14.1.2.1 Pre-Enrollment Academic Misconduct. A prospective student-athlete, student-athlete or a current or former institutional staff member, which includes any individual who performs work for the institution or the athletics department even if
he or she does not receive compensation for such work, shall not engage in the following conduct:

(a) Knowing involvement in arranging for fraudulent academic credit or false transcripts for a prospective student-athlete;

(b) Failure to provide complete and accurate information to the NCAA, the NCAA Eligibility Center or an institution's admissions office regarding an individual's academic record (e.g., schools attended, completion of coursework, grades and test scores); or

(c) Fraudulence or misconduct in connection with entrance or placement examinations.

[14.1.2.1 through 14.1.2.4 renumbered as 14.1.2.2 through 14.1.2.5, unchanged.]

D. Bylaw: Amend 14.9, as follows:

14.9 Post-Enrollment Academic Misconduct.

14.9.1 Policies and Procedures. An institution must:

(a) Have written institutional policies and procedures regarding academic misconduct applicable to the general student body, including student-athletes. The policies and procedures must be approved through the institution's normal process for approving such policies and must be kept on file or be accessible on the institution's website.

(b) Investigate and adjudicate alleged academic misconduct in accordance with established policies regardless of whether the misconduct is reported to the NCAA or whether the student-athlete acted alone or in concert with others.

14.9.1.1 Exception. An institution may establish a policy that permits an expedited investigation and adjudication of academic misconduct by a student-athlete, provided other applicable policies and procedures are observed and the policy for expedited review is approved through the institution's normal process for approving such policies and is approved by the institution's president or chancellor (or his or her designee). Further, the policy that permits an expedited review must be kept on file or must be accessible on the institution's website.

14.9.2 Post-Enrollment Academic Misconduct.

14.9.2.1 Student-Athlete. A student-athlete shall not be involved in:

(a) Academic misconduct involving a current or former institutional staff member or representative of athletics interests;
Eligibility – Academic Misconduct

Page No. 4

(b) Academic misconduct, without the involvement of a current or former institutional staff member or representative of athletics interests, that results in:

(1) An erroneous declaration of eligibility to participate in intercollegiate athletics and the student-athlete subsequently competes for the institution while ineligible;

(2) An erroneous declaration of eligibility to receive financial aid and the student-athlete subsequently receives financial aid while ineligible; or

(c) Academic misconduct involving the alteration or falsification of a student-athlete's transcript or academic record.

14.9.2.2 Institutional Staff Member or Representative of Athletics Interests. A current or former institutional staff member or a representative of an institution's athletics interests shall not be involved (with or without the knowledge of the student-athlete) in:

(a) Academic misconduct related to a student-athlete; or

(b) The alteration or falsification of a student-athlete's transcript or academic record.

14.9.2.3 Impermissible Academic Assistance -- Institutional Staff Member or Representative of Athletics Interests. A current or former institutional staff member or a representative of an institution's athletics interests shall not provide impermissible academic assistance to a student-athlete (see Bylaw 14.02.8).

14.9.2.3.1 Application. If an institution determines, pursuant to its policies and procedures, that academic misconduct has occurred, a violation of Bylaw 14.9.2.3 shall not be cited by the institution or through an enforcement investigation. If an institution determines, pursuant to its policies and procedures, that academic misconduct has not occurred, the conduct in question may still constitute a violation of Bylaw 14.9.2.3.

[14.9 through 14.12 renumbered as 14.10 through 14.13, unchanged.]

Rationale: The current regulatory structure regarding academic misconduct is confusing, unclear and imprecise and appropriate revisions to the academic misconduct legislation will serve to benefit to individual institutions and the Association as a whole. Despite changes in the academic landscape, academic misconduct legislation has not been revised since 1983 when the legislation was added to the Manual. Under the current regulatory structure, it can be unclear when academic misconduct involving student-athletes falls within the purview of the NCAA and when academic misconduct should be an institutional matter. Current terms, definitions and gaps in the academic misconduct legislation result in confusion and lack of clarity. The regulatory structure for academic misconduct is currently located in bylaws, interpretations and educational columns and should be consolidated in a single article (Bylaw 14). This proposal will expand the
application of academic misconduct legislation to any situation in which an institutional staff member is involved and replace the current academic extra benefit analysis with a specific and limited definition of impermissible academic assistance. In addition, the proposal will require institutional policies and procedures regarding academic misconduct for the general student-body.

Review History:
SUMMARY OF SUMMER 2016 QUARTERLY MEETINGS

The National Collegiate Athletic Association

July 18-19, 2016, Division II Management Council and
August 3-4, 2016, Division II Presidents Council Meetings

1. WELCOME AND ANNOUNCEMENTS.

Management Council. The meeting was called to order at 8:30 a.m. by the chair. The chair welcomed those in attendance. New member Laura Liesman, Georgian Court University; Student-Athlete Advisory Committee representative Jasmyn Lindsay; and the new postgraduate intern for Division II governance, Faith Morrison, introduced themselves to the Council. A rundown of the meeting for the two-day period was provided.

Presidents Council. The meeting was called to order at 6:04 p.m. Wednesday evening. The chair welcomed those in attendance, noting the two new members, Fr. John Denning and Chancellor Elwood Robinson. He indicated that more extensive introductions would be made Thursday morning.

After recessing at 9:10 p.m., the Presidents Council reconvened after breakfast Thursday morning at 9:13 a.m. Introductions among the Council and staff members were completed prior to beginning the business of the day.

2. REVIEW OF PREVIOUS MEETING DOCUMENTATION.


Management Council. The Management Council approved the summary of actions document from the April 18-19 meeting.

Presidents Council. The Presidents Council approved the summary of actions document from the April 27-28 meeting.

b. Board of Governors Meeting—April 27.

Management Council. The Management Council reviewed the report from the April 27 Board of Governors meeting. No action was necessary.

Presidents Council. The Presidents Council reviewed the report from the April 27 Board of Governors meeting. No action was necessary.

The Presidents Council also received a verbal update on the meeting held the previous day, which included some items related to the Board of Governors’ efforts
to create an Association-wide Student-Athlete Advisory Committee; the composition/structure of the Board of Governors; a pledge to promote diversity and gender equity in intercollegiate athletics; an effort to require that all hosts and bidders for NCAA events to provide an environment that is safe, healthy and free of discrimination; and discussions on sexual violence prevention. The Council will receive additional information on these topics in the future.

It was also noted that the Board of Governors had elected Bud Peterson, Georgia University of Technology, to replace Kirk Schulz as the chair of the group. No action was necessary.

c. Administrative Committee Meeting(s)/Action(s).

Management Council. The Management Council approved the interim actions taken by the Administrative Committee, as presented.

Presidents Council. The Presidents Council approved the interim actions taken by the Administrative Committee, as presented.

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

Management Council. The Management Council reviewed the draft of the Division II priorities for 2016-17, noting that even though the priorities were not necessarily in rank order, it would like to see ‘diversity and inclusion’ and ‘academics’ initiatives moved to a more prominent position within the document. The Council determined that it would discuss the priorities in more detail during its roundtable sessions that afternoon. The priorities were approved with the request noted above.

Presidents Council. The Presidents Council approved the 2016-17 Division II priorities.

4. NCAA CONVENTION AND LEGISLATION.


(1) Proposal No. 2017-1—Amateurism—Competition-Related Expenses from an Outside Sponsor.

Management Council. The Management Council reviewed the proposal, which had already been approved in legislative form. No action was necessary.
Presidents Council. The Presidents Council reviewed the proposal. No action was necessary.


Management Council. The Management Council recommended that the Presidents Council amend this proposal, which had been previously approved in legislative form, so that an institution would no longer be permitted to use its completed contests or dates of competition when calculating the 30 percent threshold for participation.

Presidents Council. The Presidents Council agreed to amend the proposal as recommended.


Management Council. The Management Council reviewed the proposal, which had already been approved in legislative form. No action was necessary.

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

(4) Proposal No. 2017-4—Amateurism—Payment Based on Performance—From Amateur Team or Event Sponsor in Individual Sports.

Management Council. The Management Council recommended that the Presidents Council sponsor this proposal in legislative form, with an amendment that would change the effective date to immediate so that every individual participating in open events in the summer of 2017 would be treated equally, if the proposal is adopted.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2017 Convention with an immediate effective date.

Management Council. The Management Council recommended that the Presidents Council sponsor this proposal in legislative form, as presented.

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


Management Council. The Management Council recommended that the Presidents Council sponsor this proposal in legislative form, as presented.

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


Management Council. The Management Council recommended that the Presidents Council sponsor this proposal in legislative form, as presented.

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

b. Proposed Legislation for the 2017 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 2017 NCAA Convention.

(1) Constitution 3.3.4 (NCAA Membership—Conditions and Obligations of Membership—Independent Medical Care). Refer to the NCAA Committee on Competitive Safeguards and Medical Aspects of Sport and the Division II Legislation Committee for review and a position of support, opposition or no position. Additionally, the Management Council recommended that the Division II Presidents Council sign on as co-sponsors of this legislation.
(2) **Bylaw 13.17.3 (Recruiting—Recruiting Calendars—Football—Contact Period—Monday After Thanksgiving).** Refer to the Division II Championships Committee, the Legislation Committee and the Division II Football Committee for review and a position of support, opposition or no position.

(3) **Bylaw 17.22 (Playing and Practice Seasons—Tennis).** Refer to the Committee on Competitive Safeguards and Medical Aspects of Sport, the Championships Committee, the Legislation Committee and the Division II Tennis 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. Additionally, the Presidents Council agreed to sign on as a co-sponsor of the first membership-sponsored proposal above, which deals with independent medical care. [See Page No. 34, Item 5-c-(1).]

c. **Noncontroversial Proposals.**

**Management Council.** The Management Council approved the noncontroversial legislation that had not previously been approved in legislative form (NC 2017-10 through NC 2017-17), as presented.

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

d. **Incorporation of Interpretations.**

**Management Council.** The Management Council approved the incorporation of interpretations in legislative form (I 2017-1 through I 2017-11), as presented.

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

e. **Modification of Wording.**

**Management Council.** The Management Council approved the modification of wording in legislative form, 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) 2017 Convention Legislation—Bylaw 10.1 (Eligibility—Academic Misconduct—Unethical Conduct)

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2017 Convention to amend Bylaw 10.1 and various sections of Bylaw 14 to define and clarify post-enrollment academic misconduct activities, the individuals to whom the activities apply and violations of such activities, as specified; further, to move the legislation related to pre-enrollment academic misconduct to Bylaw 14, effective August 1, 2017.

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

(2) SAT Revisions.

Management Council. The Management Council was updated on the revised SAT, which was first administered in March. Concordance tables released by the College Board indicate that new scores are 70-80 points higher than their concordant values on the old test in the middle of score distribution. Significant controversy exists within the admissions community about the concordance tables—both from the new SAT to the old SAT and the new SAT to ACT. Research staff will convene a technical advisory board this summer to provide short-term guidance on the use of the concordance tables and long-term guidance on the advisability of conducting a separate concordance study. No action was necessary.

Presidents Council. No action was necessary.

(3) Academic Portal.

Management Council. The Management Council was updated on the progress made with the new Academic Portal, an online tool through which member institutions will submit their Division II
Academic Performance Census data. The portal will replace the Division II Academic Tracking system in the fall of 2016. Programming and testing is expected to be completed by August 1, 2016. No action was necessary.

Presidents Council. No action was necessary.

(2) Championships Committee.

(a) May 5 Teleconference—Women’s Golf Super Regional Sites.

Management Council. The Management Council approved the following sites and hosts for the Division II Women’s Golf Championships super regionals in 2017 and 2018.

2017
- Central Region—Minnehaha Country Club, hosted by Augustana University (South Dakota).
- East Region—Glenmoor Country Club, hosted by Walsh University.
- South Region—The Members Club at Woodcreek, hosted by Newberry College.
- West Region—Wichita Falls Country Club, hosted by Midwestern State University.

2018
- Central Region—Missouri Bluffs Golf Club, hosted by Lindenwood University.
- East Region—Katke Golf Course, hosted by Ferris State University.
- South Region—Germantown Country Club, hosted by Christian Brothers University.
- West Region—Hillcrest Golf Club, hosted by Fort Lewis College.

Presidents Council. No action was necessary.

(b) June 28-29 meeting.

i. Bylaw 31.3.5.1–Executive Regulations—Selection of Teams and Individuals for Championships
Participation—Earned Access—Requirements—Affiliate Members.

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 31.3.5.1 to specify that institutions that are affiliate members of a Division II football-playing conference may be used to satisfy the sport-sponsorship requirement for earned access in football, effective August 1, 2017.

Presidents Council. No action was necessary.

ii. Bylaw 21.8.6—Sport Committees with Only Division II Championships Administrative Responsibilities—Men’s and Women’s Track and Field and Cross Country Committee—Composition.

Management Council. The Management Council adopted noncontroversial legislation to split the current Division II Men’s and Women’s Track and Field and Cross Country Committee into a separate cross country committee and a separate track and field committee. Each committee would have eight members, with representation from each region and continue to follow the committee composition guidelines as currently stated, effective immediately.

Presidents Council. No action was necessary.

iii. Super Region Champions in Football.

Management Council. The Management Council approved a recommendation to seed the four semifinalists in the Division II Football Championship to provide the opportunity for the top two teams to meet in the championships game, effective with the 2016 Division II Football Championship. The No. 1 seed would play the No. 4 seed; the No. 2 seed would play the No. 3 seed.

Being able to seed the teams at this point in the championship will increase the likelihood that the top two teams would meet in the final. While the No. 1 and No. 2 seeds would receive preferred status on hosting the
semifinals, the host site determinations will be based on the current selection and hosting criteria.

 Presidents Council. No action was necessary.

iv. Regional Champions in Women’s Basketball.

 Management Council. The Management Council approved a recommendation to seed the eight regional champions in the Division II Women’s Basketball Championship after regionals, effective with the 2017 Division II Women’s Basketball Championship.

 This seeding in the Elite Eight will increase the likelihood that the top teams will advance to the championship game. Current selection criteria will be used to evaluate teams and seed them one through eight after the regionals have been completed. It was noted that this process worked well for the Men’s Basketball Committee in 2016.

 Presidents Council. No action was necessary.

v. Referral to the Division II Legislation Committee.

 Management Council. The Management Council approved a recommendation to refer to the Division II Legislation Committee the following issue:

 - whether there should be a review of Bylaw 14.2.4.2 (participation in organized competition before initial collegiate enrollment) in order to ensure competitive balance in men’s soccer (and other sports, if applicable), effective immediately.

 The men’s soccer committee is concerned with the growing trend of student-athletes with significant gaps in collegiate enrollment re-entering intercollegiate competition with a much greater degree of competitive experience and physical maturity than their more conventional student-athlete counterparts. The soccer committee believes more players are enrolling at an institution to avoid triggering the delayed-enrollment legislation, but then withdrawing after one or two
semesters in order to participate in organized competition to gain experience while retaining most of their collegiate eligibility.

Presidents Council. No action was necessary.

vi. Contiguous states in women’s lacrosse.

Management Council. The Management Council approved a recommendation that would allow Concordia University, St. Paul, to count Colorado as a contiguous state for selection purposes in women’s lacrosse for the 2017 season only, effective 1, 2016.

Presidents Council. No action was necessary.

vii. Committee Appointments.

Management Council. The Management Council ratified the following sport committee and playing rules committee appointments, effective September 1, 2016, unless otherwise specified.

(i) Women’s basketball rules. Torry Rollins, associate director of athletics, Slippery Rock University of Pennsylvania, to replace Van Joseph Girard, head women’s basketball coach, Western State Colorado University, due to Mr. Girard having left Western State, effective immediately.

(ii) Men’s lacrosse. Eric Danner, associate commissioner, Rocky Mountain Athletic Conference, to replace Brad Jorgenson, assistant director of athletics and head men’s lacrosse coach, Saint Leo University, due to term expiration.

(iii) Men’s and women’s soccer rules. Aileen Nasypany, head women’s soccer coach, California State University, Dominguez Hills, to replace Peter Campbell, senior associate director of athletics, Lock Haven University of Pennsylvania, due to term expiration.
(iv) **Softball.** Kristy Bayer, associate director of athletics and senior woman administrator, Arkansas Tech University, to replace Terri Holmes, assistant director of athletics, compliance, and senior woman administrator, Northern State University, due to term expiration.

[Note that the appointment of Patrick McGinnis, head women’s soccer coach, Fairmont State University, to replace Todd Diuguid, assistant director of athletics and head women’s soccer coach, University of Charleston (West Virginia), on the women’s soccer committee was not ratified by the Council, due to Mr. McGinnis no longer being employed by the institution. The Nominating Committee will discuss the appointment during a future teleconference and bring forth another recommendation.]

Presidents Council. No action was necessary.

viii. **Regionalization Update.**

Management Council. The Management Council was updated on the committee’s review of the effects of regionalization on the Division II championships program, noting that the committee was looking at ways to adjust regional pairings in a manner that would add flexibility in bracketing and reduce the likelihood that teams from the same conference would meet in the first round of championship competition. The Council noted that the committee would continue to pursue a collaborative approach during its comprehensive review of regionalization and seek input from affiliate groups such as the Division II Conference Commissioners Association and the Division II Athletics Directors Association in the coming months. No action was necessary.

Presidents Council. No action was necessary.
ix. **Automatic Qualifications and Earned Access-Language on AQ Form.**

Management Council. The Management Council noted that the following language would be added to the general information section of the AQ form regarding a written policy for teams subject to postseason restrictions: “The Division II Championships Committee requires all conferences to develop and maintain a written policy regarding teams subject to postseason restrictions (e.g., reclassifying, provisional or ineligible institutions) with respect to automatic qualification for postseason competition.” This addition is comparable to the language used in Division I and will first appear on the 2017-18 form. No action was necessary.

Presidents Council. No action was necessary.

x. **Anti-Discrimination Process for Championships Bids.**

Management Council. The Management Council noted that the committee had reviewed information concerning the requirement for sites hosting or bidding on NCAA events to demonstrate how they will provide an environment that is safe, health and free of discrimination, and the committee had recommended that for nonpredetermined sites, Division II members complete and submit the questionnaire being distributed regarding the new policy so that the information will be on file for selection purposes. No action was necessary.

Presidents Council. No action was necessary.

xi. **Referral Regarding Preseason Practice in Men’s and Women’s Soccer.**

Management Council. The Management Council received an update regarding a referral to the Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS) regarding the start date for practice in men’s and women’s soccer. The Council noted that CSMAS was unable to take a position on the preseason concept because
recommendations coming from groups formed following the 2015 soccer summit to delve into this issue have not taken place. As such, the Championships Committee voted to wait until CSMAS is able to comment before deciding whether to move the preseason concept forward. The committee and Council urged CSMAS to expedite its review, recognizing the amount of time this matter has already been under consideration.

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

3) **Degree-Completion Awards Committee.**

**Management Council.** The Management Council reviewed the committee’s report, which included the selection of award recipients for the 2016-17 academic year. Ninety-five recipients were selected, for a total amount awarded of $425,241. It was noted that the total number of applications was more than last year and that eight institutions submitted for the first time. No action was necessary.

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

4) **Committee on Infractions—Bylaw 32.6.8—Enforcement Policies and Procedures—Notice of Allegations—Deadline for Submission of Written Materials.**

**Management Council.** The Management Council recommended that the Presidents Council adopt an administrative regulation to amend the deadline for receipt of written materials to be considered by the NCAA Committee on Infractions from 10 days to 30 days prior to the date of the hearing, effective immediately.

The Council noted that in some recent Divisions II and III infractions cases, there has been a flood of “last minute” submissions that have been burdensome for the committees. A deadline of 30 days in advance of the hearing for submission of written material allows the infractions committee members a more reasonable amount of time to collect, read and evaluate materials prior to hearings. This regulation was adopted in Division I in 2013 and is also being proposed in Division III.

**Presidents Council.** The Presidents Council adopted the administrative regulation, as recommended.
(5) Legislation Committee.


Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2017 Convention to amend Bylaw 12.2.1.1 (tryout after enrollment) to specify that a student-athlete may try out with a professional athletics team or permit a professional athletics team to conduct medical examinations at any time, provided the student-athlete does not miss class, effective immediately.

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

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

(b) 2017 Convention Legislation—Bylaw 12.5.1.1 (Amateurism—Promotional Activities—Permissible—Institutional, Charitable, Educational or Nonprofit Promotions—Elimination of Requirement that All Money Go Directly to the Member Institution, Member Conference or the Charitable, Educational, Nonprofit or Government Agency).

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2017 Convention to amend Bylaw 12.5.1.1 (institutional, charitable, educational or nonprofit promotions) to eliminate the requirement that all money derived from a permissible promotional activity or project must go directly to the member institution, member conference or the charitable, educational, nonprofit or government agency; further, to eliminate the requirement that an authorized
representative of the charitable, educational, nonprofit, or government agency must sign a release statement and require the institution to provide educational material to the charitable, educational, nonprofit or government agency notifying the entity of its obligation to ensure that a student-athlete’s name, likeness, appearance or image is used in a manner consistent with the legislation, effective immediately.

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

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

(c) 2017 Convention Legislation—Bylaw 13.1.1.2 (Recruiting—Contacts and Evaluations—Contactable Prospective Student-Athletes—Four-Year College Prospective Student-Athletes—Removal of Requirement to Obtain Permission from NAIA Institution).

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2017 Convention to amend Bylaw 13.1.1.2 (four-year college prospective student-athletes) to specify that permission to contact is not required for a student-athlete transferring from a National Association of Intercollegiate Athletics (NAIA) institution; further, to require an
institution’s director of athletics (or an individual designated by the director of athletics) to send a courtesy notification of recruitment to the NAIA institution prior to contact with an NAIA student-athlete, effective immediately, for prospective student-athletes transferring for the 2017-18 academic year and thereafter.

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

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

(d) 2017 Convention Legislation—Bylaw 13.2 (Recruiting—Offers and Inducements—Institutional Pre-Enrollment Fees).

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

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

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

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

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

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

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

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

(f) 2017 Convention Legislation—Bylaw 13.4.3 (Recruiting—Recruiting Materials—Elimination of Conference Restrictions).

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2017 Convention to amend Bylaw 13.4.3 (conference restrictions) to eliminate the conference restrictions on providing recruiting materials to prospective student-athletes (or his or her parents, legal guardians or coaches), effective immediately. The immediate effective date will permit conferences to provide recruiting materials in preparation for the 2017-18 academic year.
The current legislation restricting conference offices from providing recruiting materials to prospective student-athletes (or his or her parents, legal guardians or coaches) is unnecessary and inhibits the ability of conference offices to spread awareness of Division II as a participation opportunity for prospective student-athletes. Allowing the conference office to share recruiting materials, particularly with coaches of prospective student-athletes, will enhance the visibility of Division II without giving any particular institution a recruiting advantage.

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

(g) Bylaw 13.1.7.2 (Recruiting - Contacts and Evaluations—Contact Restrictions at Specified Sites – Practice or Competition Site—Exception for On-Campus Contact.

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

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

Presidents Council. No action was necessary.

(h) Bylaw 13.6.2.1 (Recruiting—Official (Paid) Visit—Requirements for Official Visit—High School or Preparatory School Prospective Student-Athlete—Exception for High School Prospective Student-Athlete with a Final Academic Certification.

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

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

Presidents Council. No action was necessary.

(i) Bylaw 13.17.3 (Recruiting—Recruiting Calendars—Football—First Monday After Thanksgiving).

Management Council. The Management Council did not adopt legislation to amend Bylaw 13.17.3 (football) to amend the football recruiting calendar to begin the contact period in football on the Monday immediately following Thanksgiving.

The Management Council had concerns with regard to time demands on student-athletes, as well as on coaches.
[Note that this proposal was properly sponsored as membership-sponsored legislation for the 2017 Convention. Even though it was defeated by the Management Council during its meeting, the membership will still have an opportunity to vote on the proposal during the Division II Business Session in January 2017.]

[See Item No. 4-b-(2) on Page No. 5.]

Presidents Council. No action was necessary.

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

Management Council. The Management adopted noncontroversial legislation to amend Bylaw 14.2.4.2.2.4 (men’s ice hockey exception) to extend the men’s ice hockey exception to the organized competition before initial collegiate enrollment legislation from one to two years, effective immediately, for prospective student-athletes enrolling in the 2017-18 academic year and thereafter.

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

Presidents Council. No action was necessary.
(k) **Bylaw 16.9 (Awards and Benefits—Permissible Travel Expenses—Receipt of Actual and Necessary Expenses from the Host of Noncompetitive Event).**

**Management Council.** The Management Council adopted noncontroversial legislation to amend Bylaw 16.9 (permissible travel expenses) to specify that an entity hosting a noncompetitive event may provide a student-athlete with actual and necessary expenses to represent the institution at the event, effective immediately.

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

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

(l) **Bylaw 16.10 (Awards and Benefits—Provision of Expenses by Individuals or Organizations Other Than the Institution—Lodging Provided by Relative of Student-Athlete).**

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

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

Presidents Council. No action was necessary.

(m) Bylaw 31.1.4.4 (Executive Regulations—Days of Competition—Noon Start Time—Exception—Men's and Women's Fencing Championships).

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 31.1.4.4 (noon start time) to specify that in fencing, competition conducted on Sunday in the men's and women's fencing championships may begin prior to noon, effective immediately.

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

Presidents Council. No action was necessary.

(n) Incorporation of Interpretation into the NCAA Division II Manual.

Management Council. The Management Council voted to incorporate the following interpretation into the Division II Manual, effective immediately.

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

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

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

**o) Referrals to Committees.**

**Management Council.** The Management Council referred the
following two items to the specified committees:

- **Referral to NCAA Division II Committee for Legislative
  Relief—Review of Minimal Competition Threshold for
  consideration of potential guideline changes:**

  Whether the current minimal competition threshold for
  organization competition waivers (10 percent of the Bylaw
  17 maximum) remains appropriate or whether it should be
  increased to 20 percent of the Bylaw 17 maximum, effective
  immediately.

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

- **Referral to Division II Championships Committee—Review Practice Partners at NCAA championships for consideration of potential legislative change.**

  Whether an eligible student-athlete who is not selected to participate in the championship should be permitted to serve as a practice partner for qualifying participants on site at the NCAA championship event, effective immediately.

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

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

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

  **(p) Commercial Crowdfunding Websites.**

  **Management Council.** The Management Council noted that the committee had issued the following official interpretation:

  **Fee Charged by Commercial Crowdfunding Websites (II).**

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

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

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

**(q)** Participation of Ineligible Student-Athletes in Community Engagement or Promotional Activities Involving Physical Activity.

**Management Council.** The Management Council noted that the committee had confirmed that it is permissible for ineligible student-athletes to participate in community engagement events and promotional activities that involve physical activity, and that Figure 14-2 (initial eligibility) in the Manual would be updated to clarify that the promotional activities legislation applies to community engagement events.

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

**(r)** Complimentary Ticket Limitations.

**Management Council.** The Management Council noted that the committee had issued an official interpretation to permit complimentary admissions to be shared among team members:

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

The Division II Legislation Committee determined that a student-athlete’s unused complimentary admissions may be used by guests of another student-athlete on the team, provided the institution’s team does not exceed the total limitation of four complimentary admissions (or, for the NCAA championships bowl games, six complimentary admissions) per student-athlete on the team (e.g., for a team with 10 student-athletes, 40 total complimentary admissions).
Presidents Council. No action was necessary.

(s) **Official Interpretation.**

Management Council. The Management Council noted that the committee had issued an interpretation regarding social media use by departments other than athletics.

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

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

Presidents Council. No action was necessary.

(6) **Membership Committee.**

(a) **2017 Convention Legislation—Bylaw 20.10.3.3 (Division Membership—Membership Requirements—Sports Sponsorship-Minimum Contests and Participants Requirements for Sports Sponsorship—Women’s Lacrosse and Women’s Volleyball.**

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2017
Convention to amend Bylaw 20.10.3.3 (minimum contests and participants requirements for sports sponsorship), as follows: (a) In women’s lacrosse, to increase the number of contests for sports sponsorship from eight to 10 contests; and (b) In women’s volleyball, to increase the number of contests for sports sponsorship from nine to 15 contests, effective August 1, 2017.

The minimum contests requirements for sports sponsorship in women’s lacrosse and women’s volleyball should be consistent with the number of contests required for championship selections. In addition, increasing the minimum number of contests for sports sponsorship in these sports aligns the Division II sports-sponsorship minimum requirements with those in Divisions I and III, providing consistency across all divisions.

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

(b) 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, 2016:

   (i) Holy Names University;

   (ii) Mississippi College;

   (iii) Rogers State University; and

   (iv) Southern Wesleyan University.

ii. Moved the following institutions to the provisional period (year three) in the membership process, effective September 1, 2016:

   (i) California State University, San Marcos;

   (ii) Concordia University Irvine;
(iii) Concordia University Portland;
(iv) Embry-Riddle Aeronautical University; and
(v) Oklahoma Baptist University.

iii. Moved the following institution to the provisional period (year three) in the membership process with conditions, effective September 1, 2016:

- Spring Hill College.

iv. Removed the following institution from the membership process, effective September 1, 2016:

- Emmanuel College (Georgia).

v. Moved the following institution to year two of the provisional period, effective September 1, 2016:

- Westminster College (Utah).

vi. Required the following institution to repeat year one of the provisional period of the membership process, effective September 1, 2016:

- Auburn University at Montgomery.

vii. Approved the applications of the following institutions to enter year one of the provisional period, effective September 1, 2016:

(i) Biola University; and
(ii) Davenport University.

[NOTE: The institutions in Items (v), (vi), and (vii) above will follow the membership process adopted at the 2014 NCAA Convention, which eliminated language regarding the candidacy period so that each year of the three-year
process is considered the provisional period (see NCAA Proposal No. 2014-10).]

viii Did not accept the application of the following institution:

- Purdue University Northwest (previously Purdue University Calumet).

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

(c) **Miscellaneous.**

**Management Council.** The Management Council noted the following actions related to active Division II institutions:

i. **Lane College.** Lane College was placed on probation for the 2016-17 academic year for failure to sponsor an adequate number of men’s and women’s sports with the minimum number of participants. If the institution fails to meet the sports-sponsorship criteria set forth in Bylaw 20.10.3 at the end of the probationary year, the institution shall be placed in restricted membership for the 2017-18 academic year.

ii. **Francis Marion University.** The Membership Committee agreed that if the institution successfully completes the two-year reclassification process, the institution’s women’s soccer program will be an active Division II sport during the 2018-19 academic year.

iii. **Queens University of Charlotte.** Queens University of Charlotte was placed on probation for the 2016-17 academic year for failure to meet the requirement to complete the Institutional Self-Study Guide (ISSG) during a five-year period. The committee denied the institution’s request for relief, noting that the institution did not present any mitigation supporting relief from the legislation and the circumstances were within the institution’s control. The institution is not eligible to receive Division II enhancement funds. In order to be removed from probationary status, the institution must submit a completed ISSG with action plans not later than 5 p.m. Eastern time June 1, 2017.
iv. **University of Wisconsin, Parkside.** The University of Wisconsin, Parkside, was placed on probation for the 2016-17 academic year for failure to meet the requirement to complete the Institutional Self-Study Guide (ISSG) during a five-year period. The committee denied the institution’s request for relief, noting that the institution did not present any mitigation supporting relief from the legislation and the circumstances were within the institution’s control. The institution is not eligible to receive Division II enhancement funds. In order to be removed from probationary status, the institution must submit a completed ISSG with action plans not later than 5 p.m. Eastern time June 1, 2017.

v. **California State University, San Bernardino.** California State University, San Bernardino, was placed on probation for the 2016-17 academic year for failure to meet the requirement to complete the Institutional Self-Study Guide (ISSG) during a five-year period. The committee denied the institution’s request for relief, noting that the institution did not present any mitigation supporting relief from the legislation and the circumstances were within the institution’s control. The institution is not eligible to receive Division II enhancement funds. In order to be removed from probationary status, the institution must submit a completed ISSG with action plans not later than 5 p.m. Eastern time June 1, 2017.

Presidents Council. No action was necessary.

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

(a) **April meeting.**

i. **Division II Long-Range Budget.**

Management Council. The Management Council approved the revised long-range budget as presented.

Presidents Council. No action was necessary.

ii. **Division II Budget Guidelines and Principles.**
Management Council. The Management Council approved the updated budget guidelines and principles, as presented.

Presidents Council. The Presidents Council approved the updated budget guidelines and principles, as presented.

iii. Division II-Specific APPLE Conference.

Management Council. The Management Council noted that the committee had approved funding to conduct a second Division II-specific APPLE conference in the fall of 2017. No action was necessary.

Presidents Council. No action was necessary.

(b) Budget-to-Actual Report.

Management Council. The Management Council reviewed the budget-to-actual report for the period ending May 31, 2016. No action was necessary.

Presidents Council. The Presidents Council reviewed the budget-to-actual report. No action was necessary.

(c) August 3 Meeting.

Presidents Council. The Presidents Council received a verbal update on the Planning and Finance Committee meeting, held the previous day. The written report will be reviewed by the Council in October. No action was necessary.

(8) Student-Athlete Advisory Committee.

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

Presidents Council. The Presidents Council received an update from its liaison to the committee with regard to items discussed, including the Make It Yours™ Phase One Activation, community engagement and service activities, at the summer meeting. No action was necessary.

Management Council. [See Page No. 3, Item 4-a-(2) for action taken.]

Presidents Council. [See Page No. 3, Item 4-a-(2) for action taken.]

b. Division II Subcommittees, Project Teams and Task Forces.

(1) Convention Planning Project Team.

(a) Division II Convention Schedule.

Management Council. The Management Council approved the proposed schedule for Division II events at the Convention.

Presidents Council. The Presidents Council approved the proposed schedule for Division II events at the Convention.

(b) Division II Educational Programming.

Management Council. The Management Council approved the Division II educational sessions and programming for the 2017 Convention, as presented.

Presidents Council. The Presidents Council approved the Division II educational sessions and programming for the 2017 Convention, as presented.


Much of the current Division II Philosophy Statement aligns with the implementation of the “I Chose” identity campaign in the mid-2000s and has not been reviewed comprehensively since that time. In accordance with the 2013 communications audit that identified the need to better explain Division II to external audiences, and in conjunction with the 2015-21 Division II Strategic Plan and the Make It Yours™ brand enhancement, it
is necessary to update the statement to reflect the refreshed brand. The proposed revision does not omit any of the philosophy’s key elements and core principles; rather, it reorganizes the division’s commitment to a balanced and inclusive approach in academics, athletics, community engagement and post-graduation success in a contemporary manner that better reflects the Make It Yours identity enhancement.

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

c. **Association-Wide and Common Committees.**

(1) **Competitive Safeguards and Medical Aspects of Sport—2017 Convention Legislation—Constitution 3—NCAA Membership—Active Membership—Conditions and Obligations of Membership—Independent Medical Care.**

*Management Council.* The Management Council recommended that the Presidents Council sign on as a co-sponsor of a membership-sponsored proposal for the 2017 Convention that specifies that an active member institution shall establish an administrative structure that provides independent medical care and affirms the unchallengeable autonomous authority of primary athletics health care providers (team physicians and athletic trainers) to determine medical management and return-to-play decisions related to student-athletes; further, the proposal specifies that an active institution shall designate an Athletics Healthcare Administrator to oversee the institution's athletic health care administration and delivery, effective August 1, 2017.

*Presidents Council.* The Presidents Council agreed to sign on as a co-sponsor of the membership-sponsored proposal for the 2017 Convention.

*[See Page No. 4, Item 4-b-(1).]*

(2) **Committee on Women’s Athletics—Minority and Women’s Enhancement Postgraduate Scholarship Increase.**

*Management Council.* The Management Council endorsed an increase in the scholarship amount from $7,500 to $8,500 for each award, effective September 2016 for disbursement in February 2017.

*Presidents Council.* No action was necessary.
[Note that since the funds for this scholarship are paid out of Association-wide funds, this recommendation will not become effective until it is approved by the NCAA Board of Governors.]

(3) Minority Opportunities and Interests Committee.

Management Council. The Management Council reviewed the committee’s report, discussing specifically some issues surrounding diversity and inclusion and the strides that Division II is making with its strategic initiatives. No action was necessary.

Presidents Council. No action was necessary.

(4) Joint CWA/MOIC Meeting.

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

Presidents Council. No action was necessary.

(5) Gender Equity Task Force.

Management Council. The Management Council was updated on the work of the task force, noting that a pledge was being developed that would be a voluntary document that institutions could support to commit to establishing initiatives for achieving ethnic and racial diversity, gender diversity and inclusion, with a focus on hiring practices in intercollegiate athletics to reflect the diversity of our membership, as well as that of our nation. No action was necessary.

Presidents Council. The Presidents Council received a copy of the pledge, as developed.

(6) Postgraduate Scholarship Committee.

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

Presidents Council. No action was necessary.
(7) **Walter Byers Scholarship Committee.**

Management Council. The Management Council reviewed the committee’s report, noting the winner of the Jim McKay Scholarship for 2015-16 (Emalia Seto, University of Tulsa) and the winners of the Walter Byers Scholarship for 2015-16 (Katherine Riojas, University of Tulsa, and Mitchell Black, Tufts University). No action was necessary.

Presidents Council. No action was necessary.

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

Management Council. The Management Council conducted some roundtable type open forum sessions and discussed several topics, including the Make It Yours Phase One Activation; the Division II Championships Festivals; Budget Initiatives; Legislation; Division II Foundation for the Future Initiatives; Regionalization; Coaches Connection; Time Demands on Division II Student-Athletes; and the Playing Rules Oversight Panel. No action was necessary.

Presidents Council. The Presidents Council received an update on the Make It Yours Phase One Activation and the success of the first year of the rollout of the brand identity. The Council was asked various questions concerning their opinion of the Make It Yours moniker and what it means to them as a president of a Division II institution. Additionally, the Council was informed that it would be asked to complete a survey on the Make It Yours activation. The Phase Two Activation will begin shortly and will include communication boxes that contain various brochures highlighting the benefits of Division II that will be targeted to Division II groups. Promotional items will also be a part of the Phase Two Activation. No action was necessary.

7. **DIVISION II MANAGEMENT COUNCIL.**

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

Management Council. The Management Council voted to appoint Tonya Charland, senior woman administrator, Great Lakes Valley Conference, as the vice chair of the Council, effective September 1, 2016, through August 31, 2017.

Presidents Council. The Presidents Council ratified the appointment.
b.  **Division II Management Council Chair Election Notice.**

Management Council. The Management Council reviewed the duties and responsibilities of the chair of the Management Council and was notified that a new chair for 2017 would be elected in October. No action was necessary.

Presidents Council. No action was necessary.

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

Management Council. The Management Council reviewed the committee and project team assignments, noting that assignments would be open as people depart the Council and new members are elected. No action was necessary.

Presidents Council. No action was necessary.

d.  **Management Council/Student Athlete Advisory Committee Summit.**

Management Council. The Management Council discussed the summit that was conducted the previous weekend. Comments by the Council were favorable and included things such as it being the favorite meeting of the year, providing lots of opportunities for open communication, interaction and team bonding. No action was necessary.

Presidents Council. No action was necessary.

8.  **DIVISION II PRESIDENTS COUNCIL.**

a.  **Vice Chair Election.**

Presidents Council. The Presidents Council reelected Glen Jones, Henderson State University, to a second term as vice chair of the Council, effective September 1, 2016.

b.  **Chair Election.**

Presidents Council. The Presidents Council was informed that an election for a chair would take place at the October meeting, effective at the adjournment of the 2017 Convention for a period of one year. Interested persons should let the current chair or the vice president of Division II know of their interest.
8. **AFFILIATED ASSOCIATION UPDATES.**

   a. **Division II Athletics Directors Association (ADA).**

      Management Council. The Management Council was updated on the work of the
      Division II ADA, which included information concerning the Foundation for the
      Future initiative; the new AD orientation, and information on the salary survey. No
      action was necessary.

      Presidents Council. No action was necessary.

   b. **Division II Conference Commissioners Association (CCA).**

      Management Council. The Management Council was updated on the recent
      meeting of the group, held in Sedona. No action was necessary.

      Presidents Council. No action was necessary.

   c. **Co-SIDA.**

      Management Council. The Management Council was updated on the work of Co-
      SIDA, noting that the group is working with Division II sports information directors
      on a style guide. No action was necessary.

      Presidents Council. No action was necessary.

   d. **Faculty Athletics Representative Association (FARA).**

      Management Council. The Management Council noted the upcoming meeting of
      the group in November, where the results of the FAR compensation survey will be
      presented. No action was necessary.

      Presidents Council. No action was necessary.

   e. **Minority Opportunity Athletics Administrators Association (MOAA).**

      Management Council. The Management Council noted that the 9th Division II
      governance academy was conducted at the summer convention. The association is
      focusing its work on the diversity pledge and recognized Division II for its efforts
      in diversity. No action was necessary.

      Presidents Council. No action was necessary.
f. National Association for Collegiate Women Athletics Administrators (NACWAA).

Management Council. The Management Council was updated on the upcoming rally this fall. NACWAA is also working on the diversity pledge with the Board of Governors Ad Hoc Committee. No action was necessary.

Presidents Council. No action was necessary.

g. National Association for Athletics Compliance (NAAC).

Management Council. The Management Council was updated on a successful convention held by the group, which had the highest Division II attendance to date. The NAAC committee is scheduled to meet with academic and membership affairs staff later in the month to discuss the partnership funded by the Foundation for the Future. No action was necessary.

Presidents Council. No action was necessary.

9. NATIONAL OFFICE STAFF UPDATES.

a. Legal Update.

Management Council. The Management Council received a legal update on cases with which the NCAA is involved. No action was necessary.

Presidents Council. The Presidents Council received a legal update on cases with which the NCAA is involved. No action was necessary.

b. Division II Spring Championships Festival.

Management Council. The Management Council received a recap on the recent Division II Spring Championships Festival, which included the highlights video, information on community service and engagement, and an update on social media. No action was necessary.

Presidents Council. The Presidents Council received a recap on the recent Division II Spring Championships Festival, which included the highlights video, information on community service and engagement, and an update on social media. It was noted that total paid attendance for the 2016 Festival in Denver was 4,356, an average of just below 900 paid spectators daily during the five days of competition.
No action was necessary.

c. **Division II Community Engagement.**

Management Council. The Management Council was updated on community engagement efforts within the division and specifically, at the Spring Championships Festival. The division is working on an initiative with Helper Helper, which will provide hard data for conferences and institutions to use when they speak with corporate partners and vendors with regard to community service/engagement numbers. No action was necessary.

Presidents Council. No action was necessary.

d. **Division II Coaches’ Identity Workshop.**

Management Council. The Management Council was updated on the recent Identity Workshop, where Division II coaches were targeted. Again next year, coaches will have the opportunity to attend a second workshop of this kind. Additionally, the division will conduct 10 campus visits during the upcoming year and is looking for institutions that would be willing to be part of the undertaking. No action was necessary.

Presidents Council. No action was necessary.

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

Management Council. The Management Council was updated on the mentor program, which had just been informed that another of its mentees, the 7th overall, was just named a Division II director of athletics.

Additionally, the Council was informed that the Coaches’ Connection Program was being expanded to include additional sports each year. No action was necessary.

Presidents Council. No action was necessary.

f. **Division II Diversity Grants.**

Management Council. The Management Council was updated on the three grants that are funded from Division II funds—the Division II Strategic Alliance Matching Grant Enhancement Program; the Division II Coaches’ Enhancement Grant; and
the Division II Ethnic Minorities and Women’s Internship Grant. No action was necessary.

Presidents Council. No action was necessary.

g. **Division II Strategic Plan.**

Management Council. The Management Council was updated on the updates to the 2015-21 Division II Strategic Plan, noting that the Division II website will track the progress of the committees on each of the strategic positioning outcome areas. This page and the resources will be updated twice a year—once just prior to the start of the academic year and, again, just prior to the Convention. The Division II priorities are built from the strategic plan, and the Foundation for the Future initiatives will also be tracked on this site.

Presidents Council. The Presidents Council received the information on the strategic plan. No action was necessary.

h. **Student-Athlete Insurance Coverage.**

Management Council. The Management Council received information on an insurance survey that was administered to Division I institutions. The survey asked questions about a school’s insurance coverage for student-athletes and helped Division I determine what coverage exists, for how long and what student-athletes and their families are paying out-of-pocket. The Management Council recommended that the Presidents Council approve that a student-athlete insurance coverage survey, similar to the one sent in Division I in Spring of 2016, be sent to Division II member institutions in February 2017.

Presidents Council. The Presidents Council approved the dissemination of a survey, similar to the one sent in Division I, to be sent to Division II member institutions in February 2017.

i. **Overview of process for appeals of Membership Committee decisions.**

Management Council. The Management Council received information on the process for appeals of Membership Committee decisions; however, only those who are members of the Management Council Subcommittee met to discuss the information received. No action was necessary.

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

**Management Council.** The Management Council was provided with a list of topics/issues to provide to its member institutions, via each member’s preferred delivery method. These issues included: a) 2016-17 Division II Priorities; 2) 2017 NCAA Convention schedule; 3) 2017 NCAA Convention legislation; 4) Financial aid information and handouts; 5) Information on the Division II media agreement and the purchasing website; 6) information and links on the Division II Championships Festival; and 7) reminders on NCAA and Division II-specific scholarships and programs. No action was necessary.

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

11. **FUTURE MEETINGS.**

**Management Council.** The Management Council reviewed future meetings for the remainder of 2016 and 2017, noting that registration information for the 2017 Convention would be forthcoming in September. No action was necessary.

**Presidents Council.** The Presidents Council noted future meetings. No action was necessary.

12. **ADJOURNMENT.**

**Management Council.** There being no further business to be conducted, the Management Council adjourned its business meeting for the quarter.

**Presidents Council.** The Presidents Council adjourned at 11:49 a.m. Thursday, August 4.
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<th>Division II Management Council</th>
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<td><strong>July 18-19, 2016</strong></td>
<td><strong>August 3-4, 2016</strong></td>
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<tr>
<td><strong>Indianapolis, IN</strong></td>
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<td>Tonya Charland, Great Lakes Valley Conference</td>
<td>Elwood Robinson, Winston-Salem State University</td>
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<td>Kim Duyst, California State University, Stanislaus</td>
<td>Mike Scales, Nyack College</td>
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<td>Gary Gray, University of Alaska Fairbanks</td>
<td>Steve Scott, Pittsburg State University</td>
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<td>Lynn Griffin, Coker College</td>
<td>Dene Thomas, Fort Lewis College</td>
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<td>Bob Hogue, Pacific West Conference</td>
<td>David Watts, University of Texas of the Permian Basin</td>
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<td>Paul Leidig, Grand Valley State University</td>
<td>M. Roy Wilson, Wayne State University</td>
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<td>Laura Liesman, Georgian Court University</td>
<td>Les Wong, San Francisco State University</td>
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<td>Jasmyn Lindsay, Queens University of Charlotte</td>
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<td>Richard Loosbrock, Adams State University</td>
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<td>Bridget Lyons, Barry University</td>
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<td>Jacqie McWilliams, Central Intercollegiate Athletic Association</td>
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<td>Steve Murray, Pennsylvania State Athletic Conference</td>
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<td>Ismael Pagan-Trinidad, University of Puerto Rico, Mayaguez</td>
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<td>Pennie Parker, Rollins College</td>
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<td>Lindsay Reeves, University of North Georgia</td>
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<td>Eric Schoh, Winona State University</td>
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<td>Kevin Schriver, Southwest Baptist University</td>
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<td>Scott Swain, Notre Dame College</td>
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<td>Deron Washington, Pittsburg State University</td>
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<td>Stan Williamson, University of West Alabama</td>
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<td>Cherrie Wilmoth, Southeastern Oklahoma State University</td>
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<td>Griz Zimmermann, Texas A&amp;M International University</td>
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<td><strong>ABSENTEES</strong></td>
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<td>Kim Vinson, Cameron University</td>
<td>Cynthia Jackson-Hammond, Central State University</td>
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OTHER PARTICIPANTS

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<tr>
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<td>John Baldwin, NCAA</td>
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<td>Scott Bearby, NCAA</td>
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<td>Gary Brown, NCAA Division II Contractor</td>
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<td>Amanda Conklin, NCAA</td>
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<td>Jacqie McWilliams, Management Council</td>
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<td>Faith Morrison, NCAA</td>
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<td>Ruth Reinhardt, NCAA (recording secretary)</td>
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Division II Strategic Plan
2015-21

The Division II Presidents Council in April 2015 formally adopted an ambitious and responsible six-year strategic plan that builds upon Division II’s unique attributes and a position of fiscal strength to guide future decisions.

The plan supports Division II’s balanced and inclusive approach that affords student-athletes the opportunity to explore their varied academic and social interests, to grow as productive citizens and to contribute to their communities.

The plan is designed to:

- Produce student-athletes who graduate, who exhibit leadership, who engage with their communities and who have acquired the skills they need to maintain healthy and productive lifestyles.
- Help Division II schools and conferences create engaged and high-functioning athletics operations and compliance programs.
- Promote diverse and inclusive environments within all levels of intercollegiate athletics.
- Enhance the game day and championships experience for student-athletes.
- Demand fiscal responsibility at the local, conference, regional and national levels.
- Respect the division’s past, celebrate membership as a destination of choice, and enhance the public’s knowledge and appreciation of what the division represents.

The following resources help track the plan’s implementation. They are arranged according to the plan’s five Strategic Positioning Outcome areas. Each SPO provides a comprehensive summary of goals and initiatives to support those goals, as well as a “scorecards” PowerPoint presentation to highlight key areas.

Because the strategic plan is a dynamic document, these resources will be updated biennially (pre-academic year and pre-Convention) to reflect the most recent progress.

Strategic Positioning Outcome Area No. 1: Academics and Life Skills
- Summary report (includes completed and ongoing initiatives that support goals)
- Scorecards (PowerPoint slides)

Strategic Positioning Outcome Area No. 2: Athletics Operations and Compliance
- Summary report (includes completed and ongoing initiatives that support goals)
- Scorecards (PowerPoint slides)

Strategic Positioning Outcome Area No. 3: Diversity and inclusion
- Summary report (includes completed and ongoing initiatives that support goals)
- Scorecards (PowerPoint slides)
2015-21 Division II Strategic Plan

Academic Requirements Committee Oversight Responsibilities

The Division II Presidents Council in April 2015 formally adopted a six-year strategic plan that builds upon Division II’s unique attributes and a position of fiscal strength to guide future decisions. The plan supports Division II’s balanced and inclusive approach that affords student-athletes the opportunity to explore their varied academic and social interests, to grow as productive citizens and to contribute to their communities.

The plan features five Strategic Positioning Outcome areas:

- Academics and Life Skills
- Athletics Operations and Compliance
- Diversity and Inclusion
- Game Day and Conference and National Championships
- Membership and Positioning Initiatives

Each SPO includes goals and identifies groups responsible for overseeing initiatives that support those goals throughout the life of the plan.

The Division II Academic Requirements Committee figures prominently in the first two SPOs. Following are descriptions of those SPOs, as well as related initiatives for which the ARC has oversight responsibilities. The entire plan and summary reports are available at [http://www.ncaa.org/governance/division-ii-strategic-plan](http://www.ncaa.org/governance/division-ii-strategic-plan).

STRATEGIC-POSITIONING OUTCOME AREA NO. 1
ACADEMICS AND LIFE SKILLS

**Vision:** Help Division II student-athletes earn their degrees, obtain and develop leadership skills, maintain healthy and productive lifestyles, and engage with their communities.

**Goals:**

- Develop and maintain metrics to help evaluate and advance academic success.
- Support student-athletes in their efforts not only to complete their undergraduate degrees but also pursue postgraduate work.
- Promote and honor student-athlete academic success.
- Promote and honor institutions whose athletics programs achieve a high level of academic success.
- Provide leadership and development opportunities.
- Ensure student-athlete participation in the governance structure at the local, conference and national levels.
- Protect student-athlete well-being through drug-testing programs and legislation and policy that enhance health and safety.
- Support research and educational efforts that raise awareness and ensure health and safety.
• Provide service and engagement opportunities for current student-athletes.
• Promote and honor student-athletes and former student-athletes who have influenced their communities and institutions.

INITIATIVES WITH ARC OVERSIGHT:

1. Path to Graduation Online Toolkit

Goal(s) to which the initiative pertains: Develop and maintain metrics to help evaluate and advance academic success.

Brief description of the initiative: The digital toolkit designed to help the Division II membership understand and apply new legislation in the “Path to Graduation” initiative includes sections designed specifically for student-athletes, faculty athletics representatives, compliance officers and faculty advisors.

Group(s) primarily responsible for implementation: The Division II Academic Requirements Committee, in conjunction with the NCAA research staff and the NCAA Eligibility Center.

Status/metrics for success: COMPLETE. The toolkit debuted in the fall of 2015, and membership feedback has been positive. The new “Path to Graduation” requirements take effect beginning August 1, 2016, when new standards will be in place regarding progress toward degree, as will eligibility standards for student-athletes who transfer into a Division II school from a two-year institution. Then, in August 2018, changes in initial eligibility for all student-athletes take effect.

2. Academic Metrics Review

Goal(s) to which the initiative pertains: Develop and maintain metrics to help evaluate and advance academic success.

Brief description of the initiative: The program will review the division’s metrics for gauging academic success, improve the accuracy of data collection and strengthen the foundation upon which academic policy decisions are made.

Group(s) primarily responsible for implementation: The Division II Academic Requirements Committee

Status/metrics for success: The initiative was among 10 to receive funding from the Foundation for the Future program. Initial efforts in the 2016-17 academic year will be to conduct data reviews for selected Division II institutions to determine the accuracy of academic data submitted to the NCAA and identify consistent issues across the membership.

3. Monitoring the Effects of the New SAT

Goal(s) to which the initiative pertains: Develop and maintain metrics to help evaluate and advance academic success.
Brief description of the initiative: To prepare for potential ramifications of the new SAT on eligibility standards, the Academic Requirements Committee is working with the NCAA Eligibility Center to ensure that no prospects are negatively affected during the transition.

Group(s) primarily responsible for implementation: The Division II Academic Requirements Committee, in conjunction with the NCAA research staff and the NCAA Eligibility Center.

Status/metrics for success: The new SAT will have no bearing on students scheduled to graduate in 2015 or 2016. However, students planning to graduate in 2017 or after will take the new exam. The Academic Requirements Committee began monitoring the changes in the spring of 2016 to determine if changes in the sliding scale scheduled to take effect in 2018 are warranted.

STRATEGIC-POSITIONING OUTCOME AREA NO. 2
ATHLETICS OPERATIONS AND COMPLIANCE

Vision: Provide an athletics operations blueprint for Division II institutions and conferences that emphasizes balance for student-athletes, professional development for coaches and staff, and a commitment to compliance from all involved.

Goals:

- Encourage presidents and chancellors to actively engage in the oversight and strategic direction of intercollegiate athletics.
- Increase athletics administrators’ participation in the governance process at the local, conference and national levels.
- Enhance conference office involvement in the governance process and in addressing Division II issues.
- Enhance coaches’ engagement and fortify their role as advocates for the value of Division II athletics.
- Provide leadership and development opportunities for athletics administrators, coaches and faculty.
- Develop, enhance and increase educational opportunities and services to support and maintain an effective compliance system.
- Develop, maintain and share compliance tools to help institutions and conferences fortify their day-to-day compliance operations.
- Ensure a legislative process that supports effective Division II governance.
- Deliver health and safety legislation and policies designed to protect student-athlete well-being.

INITIATIVES THAT INCLUDE ARC OVERSIGHT:

1. Legislation to Define Academic Misconduct

Goal(s) to which the initiative pertains: Ensure a legislative process that supports effective Division II governance
**Brief description of the initiative:** The Division II Academic Requirements Committee is discussing whether proposals regarding academic misconduct adopted in Division I would be appropriate for Division II. The discussion could lead to a clear definition of what constitutes academic misconduct and a potential penalty structure in place when an institutional staff member or another adult on campus is involved in a violation.

**Group(s) primarily responsible for implementation:** The Division II Academic Requirements Committee and the Division II Legislation Committee.

**Status/metrics for success:** Division I adopted new policies in April 2016 that represent the first legislative change to the division’s approach to academic integrity issues since 1983. The new rules establish clear and consistent guidelines for academic integrity issues and govern when such issues will be considered an NCAA violation.
The division will begin implementing the 10 initiatives that received funding, each of which ties directly to strategic positioning outcome areas in the 2015-21 Division II Strategic Plan (academics and life skills; athletics operations and compliance; diversity and inclusion; game day, conference and national championships; and membership and positioning initiatives). The governance structure will begin annual assessments in spring 2017.

**FOUNDATION FOR THE FUTURE IMPLEMENTATION**

**MAKE IT YOURS™ ACTIVATION, PHASE 2**

While the initial phase focused on Division II constituents, Phase 2 will look outwardly at ways in which the division can strengthen its position as a high-quality and desirable option for prospective student-athletes and their families to consider when making their college choice.

**2017 NATIONAL CHAMPIONSHIPS FESTIVAL**

The division will conduct its 10th festival (the third for winter sports) March 8-11. Co-hosted by the Gulf South Conference and the city of Birmingham, the festival will crown champions in men's and women's swimming and diving, men's and women's indoor track and field, and wrestling, uniquely celebrating the achievements of more than 1,100 DII student-athletes. The festivals continue to provide the only NCAA stage upon which multiple champions are crowned in a single event.

**BUDGET PRIORITIES: CHAMPIONSHIPS, ACADEMICS, DIVERSITY AND INCLUSION, HEALTH AND SAFETY**

The Division II Planning and Finance Committee approved a new long-range budget that better aligns with the division’s current spending on championships and strategic efforts. The new approach allocates an additional $2.5 million in base budget dollars for enhancements to current or new initiatives. Of that total, $1.5 million will be allocated to championships, with the remaining $1 million targeting academic, inclusion and health and safety initiatives. Committees will work during the coming year to develop proposals that benefit the division collectively.

The new long-range budget allocates an additional $2.5 million for enhancements to current or new initiatives:

- $1.5 million will be allocated to the championships program
- $1 million will target academic, inclusion and health and safety initiatives

**COACHES OUTREACH**

The division will launch year six of the Division II Coaches Connection program, which uses former coaches to strengthen communication between the coaching constituency and the NCAA governance structure in various sports. Among the Foundation for the Future initiatives is a commitment to expand the program during the next five years. The division also approved funding through Foundation for the Future to build a comprehensive online coaches education program that focuses on legislation and health and safety issues.
ENHANCEMENT OF THE COMPLIANCE CULTURE

Division II is committed to helping institutions and conferences maintain engaged and functioning compliance operations and providing meaningful educational opportunities. The division will assess the current culture to identify challenges and develop realistic enhancement efforts, including:

- A collaborative partnership with the National Association for Athletics Compliance (NAAC).
- Engaging campus compliance personnel in honest and meaningful discussions about the culture of compliance in Division II.
- Partnering with the membership to identify and address situations in which current policies, procedures and legislation do not realistically align with the resources available on Division II campuses.
- Encouraging a culture of shared responsibility by providing the opportunity for compliance administrators to build relationships with their peers and the NCAA staff at Regional Compliance Seminars and other NCAA events.

HEALTH AND SAFETY

The Presidents Council has committed to fund initiatives to enhance student-athlete health and safety on campus and in the community. Collaborating with the Sport Science Institute, the division will advance nine strategic priorities that have been identified. In addition, with the success of the first Division II-specific APPLE conference in 2015, the division has approved funding to conduct a second one in the fall of 2017.

REGIONALIZATION

The division is reviewing its regionalization policy, which for the past eight years has been a cornerstone of the Division II championship model. Although the 2013 membership census confirmed that regionalization is still the best model for Division II, more than 90 changes to the division’s landscape because of conference alignment or reclassification have affected the composition of various regions since then. Among items to be examined are the contiguous state model, as well as selection modifications to avoid repeat matchups in preliminary rounds.
NCAA Division II Degree-Completion Award Program Review

Background:
The purpose of the NCAA Division II Degree-Completion Award program is to provide financial assistance for completion of a first baccalaureate degree to deserving Division II student-athletes.

The current program requirements are as follows:

- Applicant shall be a student-athlete who has exhausted athletics eligibility at an active NCAA Division II institution within the past academic year.
- Applicant shall not be participating in another intercollegiate sport during the period of the award.
- Applicant shall be able to complete his or her first undergraduate degree within 10 semesters or 15 quarters of full-time college attendance.
- Applicant shall have received athletics-related financial aid from the NCAA Division II institution where he or she exhausted athletics eligibility.
- Applicant shall be within 32 semester (48 quarter) hours of completion of his or her first undergraduate degree.
- Applicant has a 2.50 minimum cumulative grade-point average.

The selection process for the national award also emphasizes the academic performance of the student-athlete. Other factors considered are financial circumstances, athletic achievement and involvement in campus and community activities.

To date, the program has awarded over $4 million to approximately 1,050 deserving student-athletes. Of those student-athletes who have received the award since its inception, over 90 percent have earned their undergraduate degree using this program.

Currently the selection committee is comprised of two Academic Requirements Committee representatives, one Management Council representative, two individuals appointed from the Faculty Athletics Representatives Association (FARA); and one individual appointed by the Division II Athletics Directors Association (D2ADA).

The current budget for the program is $441,000. In addition, starting in 2016-17 and ending in 2020-21, the Planning and Finance Committee approved the addition of $88,000 per year for the program as part of the Foundation for the Future Initiative, which will bring the total budget to $529,000 each year over the next five years.

Over the past few years, the program has awarded fewer funds than available. Some possible reasons for the unused funds include recipients withdrawing after the award has been granted, as well as current program requirements eliminating some applicants from consideration.

When the Planning and Finance Committee approved the additional funds as part of the Foundation for the Future Initiative, the committee noted that there have been unused funds for this program for the previous three fiscal years. Therefore, the committee asked that a comprehensive review of the program take place over the 2016-17 academic year to ensure that the program is meeting the original intent of providing financial assistance for completion of a degree to deserving Division II student-athletes and that the budget allocated for this purpose is benefiting as many student-athletes as possible.
**Proposed Timeline for Review:**

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
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<tr>
<td>September 2016</td>
<td>Initial discussion with the Academic Requirements Committee regarding review and next steps</td>
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<tr>
<td>Fall 2016</td>
<td>• Initial discussion with Degree Completion Committee regarding review and next steps</td>
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<td>• Survey to previous recipients on current requirements</td>
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<td>• Creation of a working group to review current requirements as well as feedback from survey and to develop recommendations</td>
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<td>June 2017</td>
<td>Final recommendations reviewed by the Academic Requirements Committee</td>
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<td>August 2017</td>
<td>Recommendations reviewed by Planning and Finance Committee</td>
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<td>2017-18</td>
<td>Implementation of any new standards</td>
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Issue.

Whether the NCAA Division II Academic Requirements Committee should recommend sponsorship of noncontroversial legislation to amend the two-year college transfer legislation to permit a student-athlete who has earned transferable English, math or science credits while enrolled part time at a previous two-year or four-year institution to use those credit hours to satisfy the two-year college transfer core credit-hour requirements.

Background.

Current legislation does not permit a two-year college transfer to use credits earned while enrolled part time at a two-year or four-year college to meet the English, math and science core credit-hour requirements at the certifying institution.

At its February 2016 in-person meeting, the Academic Requirements Committee approved a noncontroversial legislative change to permit a student-athlete who has earned credit hours at a previous two-year institution (prior to the student-athlete's most recent attendance at a four-year institution) to use those credit hours to satisfy the two-year college transfer requirements for English, math and science (e.g., 2-4-2-4 transfer). However, the committee did not discuss whether a two-year college transfer should be permitted to satisfy the core credit-hour requirements for English, math and science using credits that were earned during previous enrollment as a part-time student at either a four-year or two-year institution.

Conclusion.

1. The Academic Requirements Committee recommends sponsorship of noncontroversial legislation to amend the two-year college transfer legislation to permit a student-athlete who has earned transferable English, math, or science credits while enrolled part time at a previous two-year or four-year institution to use those credit hours to satisfy the two-year college transfer core credit-hour requirements.

2. The Academic Requirements Committee does not recommend sponsorship of a legislative change.

Associated References.

Division II Bylaw.

NCAA Bylaw 14.5.4.3 Eligibility for Competition, Practice and Athletics Aid -- All Other Qualifiers, Partial Qualifiers and Nonqualifiers. A transfer student from a two-year college is eligible for competition, practice and athletics aid during the first academic year in residence at
the certifying institution, provided: (Adopted: 1/18/14 effective 8/1/16 for student-athletes initially enrolling in a Division II institution on or after 8/1/16)

(a) The student-athlete has completed at least two semesters or three quarters (excluding summer sessions) of enrollment as a full-time student at the two-year college; (Revised: 6/1/16)

(b) The student-athlete has satisfactorily completed an average of at least 12-semester or 12-quarter hours of transferable credit acceptable toward any baccalaureate degree program at the certifying institution for each full-time academic term of attendance at the two-year college;

(c) The student-athlete has satisfactorily completed the following transferable credit-hour requirements:
   
   (1) Six semester or eight quarter hours of English;
   
   (2) Three semester or four quarter hours of math; and

   (3) Three semester or four quarter hours of natural or physical science;

Remedial credit hours may not be used to satisfy these requirements. A transfer student may use transferable English, math and science credits earned while enrolled full time at a previous two-year or four-year institution to satisfy these requirements. (Revised: 7/19/16 effective 8/1/16 for student-athletes enrolling in a Division II institution on or after 8/1/16)

(d) The student-athlete has presented a cumulative minimum grade-point average of 2.200 (see Bylaw 14.5.4.3.2).

ELIGIBILITY - TRANSFER REGULATIONS - TWO-YEAR COLLEGE TRANSFERS - ELIGIBILITY FOR COMPETITION, PRACTICE AND ATHLETICS AID – ALL OTHER QUALIFIERS, PARTIAL QUALIFIERS AND NONQUALIFIERS – ENGLISH, MATH AND SCIENCE

Convention Year: 2017.

Effective Date: August 1, 2016, for student-athletes enrolling in a Division II institution on or after August 1, 2016.

Official Notice Number:

Source: NCAA Division II Management Council (Academic Requirements Committee).

Proposal Category: Noncontroversial.

Topical Area: Eligibility.

Status: Ready for consideration by Management Council.
Intent: To permit a student-athlete who has earned credit hours at a previous two-year institution (prior to the student-athlete's most recent attendance at a four-year institution) to use those credit hours to satisfy the two-year college transfer requirements for English, math and science.

Bylaws: Amend 14.5.4.3, as follows:

14.5.4.3 Eligibility for Competition, Practice and Athletics Aid -- All Other Qualifiers, Partial Qualifiers and Nonqualifiers. A transfer student from a two-year college is eligible for competition, practice and athletics aid during the first academic year in residence at the certifying institution, provided:

[14.5.4.3-(a) through 14.5.4.3-(b) unchanged.]

(c) The student-athlete has satisfactorily completed the following transferable credit-hour requirements:

1. Six semester or eight quarter hours of English;
2. Three semester or four quarter hours of math; and
3. Three semester or four quarter hours of natural or physical science;

Remedial credit hours may not be used to satisfy these requirements. A transfer student from a two-year college who has previously attended a four-year college as a full-time student may use transferable English, math and science credits earned while enrolled full time at the a previous two-year or four-year institution to satisfy these requirements.

[Remainder of 14.5.4.3 unchanged.]

Review History:
February 18, 2016: Recommends Approval – Academic Requirements Committee
April 19, 2016: Approved in Concept – Management Council

Additional Information. Current legislation does not permit a student-athlete to use credits earned at a two-year college prior to their most recent attendance at a four-year institution (e.g., 2-4-2-4 transfer) to meet the English, math and science core credit-hour requirements at the certifying institution. This change would prevent student-athletes from having to retake courses they have already successfully completed at a two-year institution to satisfy two-year college transfer requirements.
NCAA Division II Bylaws 14.1.6 and 14.1.8 – Eligibility – General Eligibility Requirements – Admission and Enrollment – Graduate Student/Postbaccalaureate/Second Baccalaureate Participation – Enrollment Status and Eligibility for Competition

**Issue.**

Whether the NCAA Division II Academic Requirements Committee recommends issuing and incorporating an interpretation to clarify whether a graduate student must be enrolled as a full time degree seeking student in order to be eligible for competition.

**Background and Analysis.**

Staff was recently asked whether a graduate student-athlete would be eligible for competition if the student-athlete was enrolled as a non-degree seeking graduate student. Specifically, staff was asked whether a student-athlete enrolled as a non-degree seeking graduate student at the beginning of the semester would be eligible for competition while awaiting documentation of receipt of a baccalaureate degree and full admission to a degree program. The student-athlete’s enrollment status change was projected to occur after the start of the season. In that case, staff provided a restrictive response, noting that for a graduate student-athlete to be eligible for competition, he or she must be a degree seeking student at the certifying institution. Review of the Division I application of the graduate student participation legislation reveals access to competition has been granted to graduate students enrolled as non-degree seeking, provided they remain enrolled at the same institution from which they received their baccalaureate degree.

In a review of the legislation, it is important to note that Division II Bylaw 14.1.6.1 (admission) requires all student-athletes to be degree seeking in order to gain access to competition. However, Division II Bylaw 14.1.8 (graduate student/postbaccalaureate/second baccalaureate participation), which governs eligibility for graduate students, is silent on the issue. Given the lack of clarity between the two bylaws, the committee is asked to consider the guidance previously provided by staff to determine whether it is appropriate. In addition, the committee is asked to consider issuing an official interpretation and incorporating that interpretation into the legislation to clarify the issue.

**Conclusions.**

1. The Division II Academic Requirements Committee recommends issuing and incorporating an official interpretation to permit nonmatriculating graduate students to remain eligible for competition while enrolled full-time as non-degree seeking.

2. The Division II Academic Requirements Committee recommends issuing and incorporating an official interpretation that prohibits nonmatriculating graduate students from being eligible for competition while enrolled as non-degree seeking.
**Associated Legislation.**

**Division II Bylaw 14.1.6.1 Admission Requirement.** A student-athlete shall not represent an institution in intercollegiate athletics competition, unless the student-athlete has been admitted as regularly enrolled, degree-seeking student in accordance with the regular, published entrance requirement of that institution.

**Bylaw 14.1.8 Graduate Student/Postbaccalaureate/Second Baccalaureate Participation.** A student-athlete who is enrolled in a graduate or professional school of the institution he or she previously attended as an undergraduate (regardless of whether the individual has received a United States baccalaureate degree or its equivalent), a student-athlete who is enrolled and seeking a second baccalaureate or equivalent degree at the same institution, or a student-athlete who has graduated and is continuing as a full-time student at the same institution while taking course work that would lead to the equivalent of another major or degree as defined and documented by the institution, may participate in intercollegiate athletics, provided the student has eligibility remaining and such participation occurs within the applicable 10 semester/15-quarter period set forth in Bylaw 14.2 (see Bylaw 14.1.7.1.7.4).

**Bylaw 14.1.8.1 Transfer Exception.** A student who transfers and enrolls in a graduate program, professional school or second baccalaureate or equivalent degree program at an institution other than the institution he or she previously attended as an undergraduate may participate in intercollegiate athletics, provided the student has eligibility remaining.
NCAA Bylaw 14.4.3.6 - Designation of Degree Program Prior to Competition

**Issue.**

Whether the NCAA Division II Academic Requirements Committee should recommend issuing and incorporating an interpretation to clarify whether a violation is triggered if a student-athlete does not declare a degree program by the beginning of the fifth semester or seventh quarter but does declare prior to the student-athlete’s participation in competition for that academic year.

**Background and Analysis.**

NCAA Bylaw 14.4.3.6 (designation of degree program) requires a student-athlete to designate a degree program of studies leading to a baccalaureate program at the certifying institution no later than the beginning of the third year of enrollment (fifth semester or seventh quarter). Staff is frequently asked whether it would trigger a violation if a student-athlete did not declare a degree program prior to the beginning of the fifth semester or seventh quarter of full-time enrollment but does declare a degree program prior to participating in competition.

Staff has previously provided guidance that if a student-athlete does not declare a degree prior to the third year of enrollment, it would not constitute a violation provided the student-athlete had not yet participated in competition. However, there would be an institutional violation if the student-athlete competes after the beginning of the fifth semester or seventh quarter without properly designating a degree. The committee is asked to consider the guidance previously provided by staff to determine whether a formal interpretation should be issued and whether that interpretation should be incorporated into the NCAA manual.

**Conclusions.**

1. The Academic Requirements Committee **recommends** issuing and incorporating an official interpretation specifying that an institution would not incur a violation if a student-athlete did not designate a degree program prior to the fifth semester or seventh quarter, provided the student-athlete designates a degree prior to competing.

2. The Academic Requirements Committee **recommends** issuing and incorporating an official interpretation confirming that an institution would incur a violation if a student-athlete did not designate a degree program prior to the beginning of the fifth semester or seventh quarter even if the student-athlete had not yet competed.

**Associated Legislation.**

Bylaw 14.4.3.6 Designation of Degree Program. A student-athlete shall designate a program of studies leading toward a specific baccalaureate degree at the certifying institution by the beginning of the third year of enrollment (fifth semester or seventh quarter) and; thereafter, shall make progress toward that specific degree. This provision shall be applicable to the eligibility not only...
of a continuing student, but also of a transfer student from a four-year or two-year collegiate institution who is entering his or her third year of collegiate enrollment, even if the student has not yet completed an academic year in residence or used a season of eligibility in a sport at the certifying institution. Designation of a specific baccalaureate degree program may be accomplished by: [D] (Adopted: 1/18/14 effective 8/1/16 for certifications of progress toward degree for fall 2016 and thereafter)

(a) Formal enrollment by the student-athlete in a specific baccalaureate degree program; or

(b) Approval by an appropriate academic official (who must not be an academic adviser/counselor employed by the athletics department) of the program leading to the specific baccalaureate degree that the student-athlete is pursuing.

Associated Interpretations.

August 8, 2016, Staff Interpretation. The intent of the legislation is that all student-athletes designate their degree by the start of their third year of enrollment. However, there is only a violation if a student-athlete competes without a properly designated degree. For example, if nonrecruited walk-on joins a team in his or her third year of enrollment and does not have a declared degree, it would not be a violation. He or she would simply need to declare a degree prior to the first competition. Best practice would include having continuing students designate their degree prior to the first day of class in their fifth term (i.e., start of their third year of enrollment) and have all other students (e.g., transfers) designate as soon as reasonably possible and no later than by the first date of competition. [Reference: NCAA Bylaw 14.4.3.6 (designation of degree program)]

April 22, 1998, Staff Interpretation. The membership services staff confirmed that a student-athlete who has designated two separate degree programs must satisfy all applicable satisfactory-progress requirements (e.g., credit-hour requirements) in one of the two degree programs. The student-athlete may not combine credits from two separate degree programs to meet the applicable satisfactory-progress requirements. [References: NCAA Bylaw 14.4.3 (eligibility for competition -- Divisions I and II) and staff minute 02/03/95, item a]
NCAA DIVISION II FOUR-YEAR COLLEGE TRANSFERS
GENERAL TRANSFER LEGISLATION
Prior to being eligible for competition, four-year college transfer SA must serve one full academic year in residence at certifying institution.
ELIGIBILITY FOR AID AND PRACTICE

- If SA attended previous institution for at least one academic year, he/she is eligible for financial aid and practice at certifying institution.

- If SA attended previous institution for less than one academic year and is partial qualifier or nonqualifier, receipt of financial aid and practice is governed by Bylaw 14.3.2.1.

- Not eligible to use transfer exception to be immediately eligible to compete.
ELIGIBILITY TO USE TRANSFER EXCEPTIONS

- In order to use transfer exceptions, SA must not:
  - Be under disciplinary suspension at previous institution;
  - Have competed during segment that concludes with NCAA championship at previous institution; and
  - Have unfulfilled residency requirement at previous institution.

- Exception: Return to original institution without participation.
TRANSFER EXCEPTIONS
ONE-TIME TRANSFER EXCEPTION

- SA must meet several conditions to satisfy one-time transfer exception.
  1. SA must not have previously transferred from four-year institution.

  Exception: SA may still use one-time transfer exception if in previous transfer SA used discontinued/nonsponsored sport exception or previous transfer was due to loss of regional accreditation.

Bylaw 14.5.5.3.9-(a)
ONE-TIME TRANSFER EXCEPTION

2. SA must be in good academic standing, meeting progress-toward-degree requirements at previous institution and academically eligible to return to previous institution.

- Good academic standing is defined by academic authorities at previous institution.

Bylaw 14.5.5.3.9-(b)
ONE-TIME TRANSFER EXCEPTION

3. If SA is transferring from NCAA or NAIA member institution, previous institution must certify in writing that it has no objection to SA being granted exception to transfer residence requirement.

Institution must grant or deny SA’s written request for a release within 14 consecutive calendar days of receipt. Failure to do so will result in the request being automatically granted.

Bylaw 14.5.5.3.9-(c)
ONE-TIME TRANSFER EXCEPTION

4. Additional requirement only for those SAs who have one season or two semesters/three quarters or fewer remaining to complete his or her eligibility and has not earned a baccalaureate degree:

- Must have completed an average of 12 credit hours of transferrable degree credit for each full-time term attended and a 2.000 GPA in those credits.
DISCONTINUED SPORT EXCEPTION

- SA is not subject to year in residence provided previous institution discontinued or has publicly announced its plans to discontinue SA’s sport.

Bylaw 14.5.5.3.5-(a)
NONSPONSORED SPORT EXCEPTION

- If SA’s previous institution did not sponsor SA’s sport while SA was in attendance, SA is not subject to year in residence.

- To use this exception, SA must not have previously transferred from institution that sponsored sport.

Bylaw 14.5.5.3.5-(b)
TWO-YEAR NONPARTICIPATION/ MINIMAL PARTICIPATION EXCEPTION

- SA is not subject to year in residence if:

  - For a (consecutive) two-year period prior to SA’s participation in countable athletically related activities at certifying institution:
    - SA has not competed and has not participated in other countable athletically related activities in involved sport beyond a 14 consecutive calendar-day period; or
    - SA has not participated in organized amateur competition while enrolled full time.

Bylaw 14.5.5.3.6
NONRECRUITED STUDENT EXCEPTION

- SA is not subject to year in residence if:
  - SA was not recruited by certifying institution;
  - SA has not received any athletically related financial aid; and
  - SA has not competed or participated in countable athletically related activities beyond a 14 consecutive calendar-day period at any previous institution.

Bylaw 14.5.5.3.8
ADDITIONAL TRANSFER EXCEPTIONS

- Educational exchange exception (Bylaw 14.5.5.3.1).

- Exchange student exception (Bylaw 14.5.5.3.2).

- Discontinued academic program exception (Bylaw 14.5.5.3.3).

- Military service, religious mission exception (Bylaw 14.5.5.3.4).

- Return to original institution without participation/minimal participation exception (Bylaw 14.5.5.3.7).
### 2017 NCAA Convention Legislation

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<thead>
<tr>
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<tbody>
<tr>
<td>1</td>
<td>NCAA MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- INDEPENDENT MEDICAL CARE</td>
<td>To specify that an active member institution shall establish an administrative structure that provides independent medical care and affirms the unchallengeable autonomous authority of the primary athletics health care providers (team physicians and athletic trainers) to determine medical management and return-to-play decisions related to student-athletes; further, an active institution shall designate an athletics health care administrator to oversee the institution’s athletic health care administration and delivery.</td>
<td>NCAA Division II Presidents Council [Management Council (Committee for Competitive Safeguards and Medical Aspects of Sports)]. Pennsylvania State Athletic Conference, Mid-America Intercollegiate Athletics Association and Gulf South Conference.</td>
<td>08/01/2017</td>
<td>The NCAA Principle of Health and Safety makes it the responsibility of institutions to protect the health of, and provide a safe environment for, their student-athletes. As a continuum of Inter-Association Consensus: Independent Medical Care for College Student-Athlete Guidelines, this proposal supports this principle and requires further administrative controls in the delivery of athletics health care services. This proposal addresses the issue of medical providers -primary athletics health care providers-- at institutions having unchallengeable autonomous authority to determine medical management and return-to-play decisions of student-athletes. Current legislation gives unchallengeable authority to the sports medicine staff to cancel or modify workouts for health and safety reasons, but does not address medical management of student-athletes. This issue impacts student-athlete health and well-being. This proposal will help to ensure appropriate medical controls and authority. Further, the administrative structure should ensure that no coach serves as the primary supervisor for any medical provider, nor have hiring, retention, and dismissal authority over that provider. The athletics health care administrator can assure that no coach serves in such capacity, and that the delivery of athletics health care is consistent with health and safety legislation and evolving inter-association statements addressing health and safety issues.</td>
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<td>2</td>
<td>ELIGIBILITY -- ACADEMIC MISCONDUCT</td>
<td>To define and clarify post-enrollment academic misconduct activities, the individuals to whom the activities apply and violations of such activities, as specified; further, to move the legislation related to pre-enrollment academic misconduct to Bylaw 14.</td>
<td>NCAA Division II Presidents Council [Management Council (Academic Requirements Committee)].</td>
<td>08/01/2017</td>
<td>The current regulatory structure regarding academic misconduct is confusing, unclear and imprecise and appropriate revisions to the academic misconduct legislation will serve to benefit to individual institutions and the Association as a whole. Despite changes in the academic landscape, academic misconduct legislation has not been revised since 1983 when the legislation was added to the Manual. Under the current regulatory structure, it can be unclear when academic misconduct involving student-athletes falls within the purview of the NCAA and when academic misconduct should be an institutional matter. Current terms, definitions and gaps in the academic misconduct legislation result in confusion and lack of clarity. The regulatory structure for academic misconduct is currently located in bylaws, interpretations and educational columns and should be consolidated in a single article (Bylaw 14). This proposal will expand the application of academic misconduct legislation to any situation in which an institutional staff member is involved and replace the current...</td>
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<td>3</td>
<td>AMATEURISM -- COMPETITION-RELATED EXPENSES FROM AN OUTSIDE SPONSOR</td>
<td>To permit an individual to receive actual and necessary expenses from an outside sponsor other than an agent, a representative of an institution's athletics interests or a professional sports organization, as specified.</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>Immediate</td>
<td>Current legislation permits student-athletes to receive actual and necessary expenses from an outside amateur sports team or organization for competition and practice held in preparation for such competition. The outside team or organization may include funds donated to the general fund by a sponsor (e.g., neighbor, business), provided the donations are not earmarked for a particular student-athlete(s). The current legislation is overly complicated and bureaucratic. This proposal provides the opportunity for enrolled student-athletes to seek out additional permissible financial resources to support their athletics aspirations without compromising the fundamental purpose of the collegiate model. This change would not impact fundraising for institutional events (e.g., foreign tours), for which earmarking would remain impermissible since any donations to the institution would trigger the individual's status as a representative of athletics interest. The immediate effective date will allow student-athletes to receive actual and necessary expenses from a permissible sponsor to participate in events during summer 2017.</td>
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<td>4</td>
<td>AMATEURISM -- PAYMENT BASED ON PERFORMANCE -- FROM AMATEUR TEAM OR EVENT SPONSOR IN INDIVIDUAL SPORTS</td>
<td>To specify that following initial full-time collegiate enrollment, an individual may accept prize money in individual sports based on his or her place finish or performance in an open athletics event, provided the competition occurs outside the institution's official summer vacation period, the prize money does not exceed the student-athlete's actual and necessary expenses and is provided only by the sponsor of the event, and actual and necessary expenses may not include the expenses or fees of anyone other than the student-athlete.</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>Immediate</td>
<td>Current legislation permits a student-athlete to receive awards for participation in events while not enrolled as a regular student during the academic year, or during the summer while not representing his or her institution. The award must conform to the regulations of the recognized amateur organization that governs the competition. Such awards may include gift certificates, but not cash. Further, although Division II legislation permits student-athletes to compete as an individual not representing the institution, a student-athlete is precluded from receiving prize money during the academic year outside the institution's declared playing season or during the institution's official summer vacation period. The scope of this proposal is limited to receipt of actual and necessary expenses related to competition. A student-athlete would not be able to profit from accepting prize money. Moreover, in order to safeguard against missed class time and to minimize the potential distraction during the academic year, this proposal only applies to participation in open events during the institution's official summer vacation period and outside the playing season. Finally, the calculation of actual and necessary expenses would not include the expenses or fees.</td>
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<td>5</td>
<td>AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- TRYOUTS -- TRYOUTS AFTER ENROLLMENT -- TRYOUT AT ANY TIME</td>
<td>To specify that a student-athlete may try out with a professional athletics team or permit a professional athletics team to conduct medical examinations at any time, provided the student-athlete does not miss class.</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>Immediate</td>
<td>Current legislation permits a student-athlete to participate in a professional tryout at any time outside of the playing season. This proposal expands the professional tryout opportunities for student-athletes without interfering with class time. This change aligns with Division I legislation regarding professional team tryouts and ensures that Division II student-athletes are provided similar legislative access to tryout opportunities as their Division I counterparts. The immediate effective date will permit student-athletes to participate in professional team tryouts during the 2017 spring term.</td>
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<td>6</td>
<td>AMATEURISM -- PROMOTIONAL ACTIVITIES -- PERMISSIBLE -- INSTITUTIONAL, CHARITABLE, EDUCATIONAL OR NONPROFIT PROMOTIONS -- MONETARY AND EDUCATIONAL REQUIREMENTS</td>
<td>To amend the promotional activities legislation, as follows: (1) To eliminate the requirement that all money derived from a permissible promotional activity or project must go directly to the member institution, member conference or the charitable, educational, nonprofit or government agency; (2) To eliminate the requirement that an authorized representative of the charitable, educational, nonprofit, or government agency must sign a release statement; and (3) To require the institution to provide educational material to the charitable, educational, nonprofit or government agency notifying the entity of its obligation to ensure that a student-athlete’s name, likeness, appearance or image is used in a manner consistent with the legislation.</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>Immediate</td>
<td>Current legislation requires all money derived from a promotional activity or project to go directly to the permissible entity (e.g., member institution, member conference or the charitable, educational, nonprofit or government agency). Many Division II institutions partner with commercial businesses that have established fundraising programs that are not set up in a manner that complies with the current legislation, which precludes student-athletes from being involved in the activity. Removing this requirement will increase opportunities for student-athletes to be involved in promotional activities for both the institution and other permissible entities. Eliminating the signature requirement for an authorized representative of the charitable, educational, nonprofit or government agency while still requiring education on the requirements of the promotional activities legislation will maintain the intent of the legislation and reduce administrative burden. The immediate effective date will permit institutions to apply the less stringent standard to promotional activities during the 2017 spring term.</td>
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<td>7</td>
<td>RECRUITING -- CONTACTS AND EVALUATIONS -- CONTACTABLE PROSPECTIVE STUDENT-ATHLETES - FOUR-YEAR COLLEGE PROSPECTIVE STUDENT-ATHLETES - REMOVAL OF REQUIREMENT TO OBTAIN PERMISSION FROM NAIA INSTITUTION</td>
<td>To specify that permission to contact is not required for a student-athlete transferring from a National Association of Intercollegiate Athletics institution; further, to require an institution's director of athletics (or an individual designated by the director of athletics) to send notification of recruitment to the NAIA institution prior to contact with an NAIA student-athlete.</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>Immediate</td>
<td>Institutions that are not members of the NCAA are not bound by NCAA rules, including the timeline to respond to requests for permission to contact. If a NAIA institution denies a student-athlete permission to contact, the NAIA institution is not required to provide the student with a hearing opportunity. Eliminating the requirement of obtaining permission to speak to a student who is enrolled at an NAIA institution interested in transferring to an NCAA Division II institution will ease the burden on compliance administrators. However, requiring notification to the NAIA institution prior to initiating contact with an NAIA prospective student-athlete ensures there is adequate transparency in the recruiting process. The immediate effective date will permit institutions to contact student-athletes at an NAIA institution during the spring 2017 term.</td>
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<td>8</td>
<td>RECRUITING -- OFFERS AND INDUCEMENTS -- INSTITUTIONAL PRE-ENROLLMENT FEES</td>
<td>To specify that an institution may waive, pay in advance or guarantee payment of any institutional pre-enrollment fee for a prospective student-athlete who has signed a National Letter of Intent or the institution's written offer of admission and/or financial aid or for whom the institution has received a financial deposit in response to its offer of admission.</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>Immediate</td>
<td>Current legislation limits the pre-enrollment fees an institution may pay for a prospective student-athlete, unless the institution has similar policies for all prospective student-grantees. By permitting payment for a committed prospective student-athlete, the institution is not gaining a recruiting advantage and the prospective student and family will incur less financial burden. Many prospective student-athletes do not have the financial means to cover basic fees required by the institution for all students and are unaware that these basic institutional fees are not covered by athletically related financial aid. The prohibition on covering these required institutional fees leaves the institution vulnerable to outside parties providing impermissible financial aid to financially disadvantaged prospective student-athletes. Furthermore, the institution is permitted to reimburse or pay for many of these pre-enrollment fees after the individual becomes a student-athlete. The period of time between a prospective student-athlete's commitment and enrollment is a time of significant need for institutional support. The payment of pre-enrollment fees will promote the membership's commitment to implementing rules and policies intended to enhance the support of student-athletes. The immediate effective date will permit institutions to pay pre-enrollment fees for prospective student-athletes enrolling for the 2017-18 academic year.</td>
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<td>9</td>
<td>RECRUITING -- RECRUITING MATERIALS -- ELIMINATION OF CONFERENCE RESTRICTIONS</td>
<td>To eliminate the conference restrictions on providing recruiting materials to prospective student-athletes (or his or her parents, legal guardians or coaches).</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>Immediate</td>
<td>The current legislation restricting conference offices from providing recruiting materials to prospective student-athletes (or his or her parents, legal guardians or coaches) is unnecessary and inhibits the ability of conference offices to spread awareness of Division II as a participation opportunity for prospective student-athletes. Allowing the conference office to share recruiting materials, particularly with coaches of prospective student-athletes, will enhance the visibility of Division II without giving any particular institution a recruiting advantage.</td>
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<td>10</td>
<td>RECRUITING -- RECRUITING CALENDARS -- FOOTBALL -- CONTACT PERIOD -- MONDAY AFTER THANKSGIVING</td>
<td>In football, to revise the recruiting calendar to begin the winter contact period on the Monday after Thanksgiving.</td>
<td>Mid-America Intercollegiate Athletics Association and Northeast-10 Conference.</td>
<td>08/01/2017</td>
<td>Currently, the winter contact period begins on December 1. In most years, December 1 falls in the middle or end of week. The Monday following Thanksgiving is a more appropriate day to begin this contact period as both collegiate institutions and secondary schools have resumed classes following the Thanksgiving break.</td>
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<td>11</td>
<td>ELIGIBILITY -- SEASONS OF COMPETITION: 10-</td>
<td>To increase the maximum number of contests or dates of competition in which a student-athlete may participate and remain</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>August 1, 2017 for any incapacitating</td>
<td>Currently, a student-athlete may be granted an additional season of competition by a conference, the NCAA student-athlete reinstatement staff or NCAA Division II Committee</td>
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<td>SEMESTER/15-QUARTER RULE -- HARDSHIP WAIVER -- SEASON-OF-COMPETITION WAIVER -- COMPETITION WHILE ELIGIBLE</td>
<td>eligible for a hardship waiver or season of competition while eligible waiver to three contests or dates of competition or 30 percent of the maximum number of permissible contests or dates of competition set forth in Bylaw 17 in the sport; further, to specify that the student-athlete's participation must occur prior to the first competition of the second half of the playing season that concludes with the NCAA championship in that sport.</td>
<td>(Committee on Student-Athlete Reinstatement).</td>
<td>08/01/2018</td>
<td>On Student-Athlete Reinstatement when, due to incapacitating injury or illness or extenuating circumstances, the student-athlete participated in fewer than two contests or dates of competition or less than 20 percent of the sport season. It is in the best interest of student-athlete well-being to increase the maximum amount of competition to three contests or dates of competition or 30 percent of the season. If a student-athlete has competed in more than three contests or dates of competition or 30 percent of the season, he or she has had a more meaningful opportunity to compete for a significant part of the season. Further, by adding the first half of the playing season requirement, this brings the legislation in all three divisions much closer to alignment. Finally, the first half of the season requirement will minimize abuse by ensuring that a student-athlete who is able to participate through almost the entire season is not eligible for a medical hardship waiver or season-of-competition waiver -- competition while eligible.</td>
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<td>FINANCIAL AID -- MAXIMUM LIMITS ON FINANCIAL AID -- TEAM LIMITS - INSTITUTIONAL ATHLETICS AID ONLY</td>
<td>To specify that only institutional athletics aid shall count toward individual and team equivalency limits.</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>08/01/2018</td>
<td>Under current legislation, the calculation of individual equivalencies includes all institutional aid received during the term of the award, excluding government grants and exempted institutional aid. This calculation can result in a student-athlete having to decline financial aid for which he or she is eligible due to concerns of exceeding the individual and/or team equivalency limits. According to the 2015 GOALS study, over two-thirds of Division II student-athletes report that college costs were an important consideration in making their college choice. Amending the legislation to count only athletics aid will permit institutions to award athletics aid to deserving student-athletes without concern of the impact on other aid sources and may have a positive impact on enrollment management. Division II financial aid data demonstrates that only four institutions fully fund their athletics programs and only 13 percent of teams are fully funded. Further, a model in which only athletics aid counts toward the individual and team equivalency limits would support the partial scholarship model, assist with enrollment management and ensure consistency in calculations among institutions. Institutions would only be responsible for ensuring that student-athletes do not receive a financial aid package that exceeds a full grant-in-aid or the cost of attendance.</td>
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<td>12</td>
<td>FINANCIAL AID - TERMS AND CONDITIONS OF AWARDING INSTITUTIONAL FINANCIAL AID --</td>
<td>To specify that an offer of athletically related financial aid shall not be awarded for a period of less than one academic year; further, to establish exceptions for providing athletically related financial aid</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>08/01/2018</td>
<td>Current legislation permits an institution to offer athletics aid on a term-by-term basis. According to the 2015 GOALS study, nearly one-half of Division II student-athletes have concerns about how finances will impact their ability to complete their degree. Eliminating term-by-term awards addresses student-athlete well-being concerns by ensuring</td>
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<td>PERIOD OF INSTITUTIONAL FINANCIAL AID AWARD -- ONE-YEAR LIMIT -- REQUIREMENT TO PROVIDE ATHLETICALLY RELATED FINANCIAL AID FOR ONE ACADEMIC YEAR</td>
<td>for less than one academic year, as specified.</td>
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<td>that a student-athlete will know the status of his or her financial aid agreement for the full academic year. In addition, it eliminates situations where the receipt of athletically related financial aid for the spring term may be based on athletics performance in the fall term. However, in certain situations, an aid agreement for less than one academic year is appropriate and does not detrimentally impact the student-athlete. The proposed legislation includes several exceptions that provide flexibility to the institution in specific situations. The financial data indicates that roughly three quarters of financial aid awards are provided for a one-year term. The legislation regarding permissible reduction or cancellation of athletics aid during the period of the award is not impacted by this proposal, so an institution would retain the ability to reduce or cancel the one-year award if a student-athlete engages in one of the specified actions that are detrimental to the team.</td>
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<td>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</td>
<td>To permit increases in athletically related financial aid at any time, for any reason.</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>08/01/2018</td>
<td>Current legislation permits an institution to increase athletics aid for any reason prior to the start of the period of the award. However, once the period of the award begins, athletics aid may only be increased if the institution can demonstrate the increase is unrelated in any manner to an athletics reason. Permitting an increase in athletics aid at any time, for any reason will provide institutions the discretion to distribute athletics aid as deemed appropriate on an individual campus. Institutions would still be limited to providing athletics aid within the team and individual equivalency limits.</td>
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<td>PLAYING AND PRACTICE SEASONS -- BASEBALL, BEACH VOLLEYBALL, CROSS COUNTRY, FIELD HOCKEY, GOLF, LACROSSE, ROWING, SOCCER, SOFTBALL, TENNIS, WOMEN'S VOLLEYBALL -- OUT-OF-SEASON AND NONCHAMPIONSHIP SEGMENT ACTIVITIES -- NONCHAMPIONSHIP SEGMENT ACTIVITIES</td>
<td>To amend the nonchampionship segment legislation, as follows: (1) In all sports that have a nonchampionship segment, to prohibit all countable athletically related activity during two calendar days per week; (2) In all sports that have a nonchampionship segment other than golf, rowing and tennis, to limit a student-athlete's participation in countable athletically related activity to a maximum of four hours per day and 15 hours per week during a 45-consecutive calendar day period, omitting vacation and examination days officially announced or on days that the institution is closed due to inclement weather, as long as no practice or competition occurs on such days; (3) In golf and tennis, to limit a student-athlete's</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>08/01/2017</td>
<td>The current legislation requires institutions to toggle between in-season and out-of-season countable athletically related activity limitations during the nonchampionship segment, which causes considerable confusion. Additionally, according to the 2015 GOALS study, Division II student-athletes report spending as much or more time on their sport during the off-season as during their competitive season. This proposal will make the nonchampionship segment legislation easier to apply and also provide student-athletes with additional time off, both in terms of number of days and hours per week. Competition during the nonchampionship segment in golf and tennis counts toward championship selections, so it is appropriate for these sports to have additional flexibility on both the number of in-season hours and the window in which to use those hours.</td>
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<td>16</td>
<td>PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING-SEASON REGULATIONS -- TIME LIMITS FOR ATHLETICALLY RELATED ACTIVITIES -- ADDITIONAL RESTRICTIONS -- NO CLASS TIME MISSED FOR COMPETITION IN NONCHAMPIONSHIP SEGMENT -- TEAM SPORTS</td>
<td>In team sports, to permit student-athletes to miss class during the nonchampionship segment, once every four years, for competition in Alaska, Hawaii, Puerto Rico or Canada against active member institutions located in those areas; further, to permit student-athletes on team sports from institutions located in Alaska, Hawaii, Puerto Rico or Canada to miss class for competition during the nonchampionship segment once every four years.</td>
<td>NCAA Division II Presidents Council [Management Council (Legislation Committee)].</td>
<td>08/01/2017</td>
<td>Current legislation does not permit student-athletes in team sports to miss class for nonchampionship segment competition, including activities associated with competition, such as travel and other pregame or postgame activities. There are limited opportunities for teams at institutions in Alaska, Hawaii, Puerto Rico and Canada to engage in nonchampionship segment competition in team sports due to their geographic location and the length of travel to opponents. This change would provide institutions with flexibility to pursue competitive opportunities in Alaska, Hawaii, Puerto Rico and Canada during the nonchampionship segment. In addition, it will provide institutions located in those states, territory and country with the flexibility to travel to the mainland United States for competition during the nonchampionship segment. The proposal will also provide flexibility for scheduling valuable cultural and educational opportunities for student-athletes, while institutional budgets will limit abuse.</td>
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<td>17</td>
<td>PLAYING AND PRACTICE SEASONS -- TENNIS</td>
<td>In tennis, to amend the playing and practice season, as specified.</td>
<td>Mountain East Conference and Great Lakes Intercollegiate Athletic Conference.</td>
<td>08/01/2017</td>
<td>Currently, five Division II conferences conduct their women's tennis championship during the fall. While this is necessary due to regional weather issues and unique administrative situations, the current legislation permits those student-athletes approximately 85 in season days, depriving them of 50 plus in season days compared with those conferences whose tennis championship is held during the spring. This proposal attempts to remedy the inequity by adopting the format currently in use by other individual sports, such as wrestling, swimming and diving, and track and field, which permits each institution to utilize up to 144 in-season days as it sees fit. The permissive nature of the</td>
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<tr>
<td>SPOPL Number</td>
<td>Title</td>
<td>Intent</td>
<td>Source</td>
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<td>Rationale</td>
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<td>18</td>
<td>DIVISION MEMBERSHIP -- MEMBERSHIP REQUIREMENTS -- PHILOSOPHY STATEMENT</td>
<td>To amend the Division II philosophy statement, as specified.</td>
<td>NCAA Division II Presidents Council [Management Council (Identity Subcommittee)].</td>
<td>08/01/2017</td>
<td>Much of the current Division II Philosophy Statement aligns with the implementation of the &quot;I Chose&quot; identity campaign in the mid-2000s and has not been reviewed comprehensively since that time. In accordance with the 2013 communications audit that identified the need to better explain Division II to external audiences, and in conjunction with the 2015-21 Division II Strategic Plan and the Make It Yours brand enhancement, it is necessary to update the statement to reflect the refreshed brand. The proposed revision does not omit any of the philosophy's key elements and core principles; rather, it reorganizes the division's commitment to a balanced and inclusive approach in academics, athletics, community engagement and post-graduation success in a contemporary manner that better reflects the Make It Yours identity enhancement.</td>
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<tr>
<td>19</td>
<td>DIVISION MEMBERSHIP -- MEMBERSHIP REQUIREMENTS -- SPORTS SPONSORSHIP -- MINIMUM CONTESTS AND PARTICIPANTS REQUIREMENTS FOR ALL SPORTS SPONSORSHIP -- WOMEN'S LACROSSE AND WOMEN'S VOLLEYBALL</td>
<td>In women's lacrosse, to increase the number of contests for sports sponsorship from eight to 10 contests; further, in women's volleyball, to increase the number of contests for sports sponsorship from nine to 15 contests.</td>
<td>NCAA Division II Presidents Council [Management Council (Membership Committee)].</td>
<td>08/01/2017</td>
<td>The minimum contests requirements for sports sponsorship in women's lacrosse and women's volleyball should be consistent with the number of contests required for championship selections. In addition, increasing the minimum number of contests for sports sponsorship in these sports aligns the Division II sports-sponsorship minimum requirements with those in Divisions I and III, providing consistency across all divisions.</td>
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Title: PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING-SEASON REGULATIONS -- TIME LIMITS FOR ATHLETICALLY RELATED ACTIVITIES -- ADDITIONAL RESTRICTIONS -- NO CLASS TIME MISSED FOR COMPETITION IN NONCHAMPIONSHIP SEGMENT -- TEAM SPORTS

Convention Year: 2017
Effective Date: August 1, 2017
SPOPL Number: 16
Category: Presidents Council
Topical Area: Playing and Practice Seasons
Source: NCAA Division II Presidents Council | Management Council (Legislation Committee).
Status: Management Council Ruling

Intent: In team sports, to permit student-athletes to miss class during the nonchampionship segment, once every four years, for competition in Alaska, Hawaii, Puerto Rico or Canada against active member institutions located in those areas; further, to permit student-athletes on team sports from institutions located in Alaska, Hawaii, Puerto Rico or Canada to miss class for competition during the nonchampionship segment once every four years.

Bylaws: Amend 17.1.6.6.2, as follows:

17.1.6.6.2 No Class Time Missed for Competition in Nonchampionship Segment -- Team Sports. In team sports (per Bylaw 17.02.15.1), no class time shall be missed for competition, including activities associated with such competition (e.g., travel and other pregame or postgame activities), conducted during the nonchampionship segment.

[17.1.6.6.2.1 unchanged.]

17.1.6.6.2.2 Exception -- Nonchampionship Segment Travel to Hawaii, Alaska, Puerto Rico or Canada. Once every four years, a team may miss class time for competition in Alaska, Hawaii, Puerto Rico or Canada against active member institutions located in those areas. In addition, teams from institutions located in Alaska, Hawaii, Puerto Rico or Canada may miss class time for competition during the nonchampionship segment once every four years.

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

Review History:

Apr 28, 2016: Approved in Legislative Format - Presidents Council
Nov 4, 2015: Recommends Approval - Legislation Committee
Jan 13, 2016: Approved in Concept - Management Council
Jan 14, 2016: Approved in Concept - Presidents Council
Apr 19, 2016: Approved in Legislative Format - Management Council
Title: ELIGIBILITY -- ACADEMIC MISCONDUCT

Convention Year: 2017

Effective Date: August 1, 2017

SPOPL Number: 2

Category: Presidents Council

Topical Area: Eligibility

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

Status: Management Council Ruling

Intent: To define and clarify post-enrollment academic misconduct activities, the individuals to whom the activities apply and violations of such activities, as specified; further, to move the legislation related to pre-enrollment academic misconduct to Bylaw 14.

A. Bylaws: Amend 10.1, as follows:

10.1 Unethical Conduct. Unethical conduct by a prospective or enrolled student-athlete or a current or former institutional staff member, which includes any individual who performs work for the institution or the athletics department even if he or she does not receive compensation for such work, may include, but is not limited to, the following:

[10.1-(a) unchanged.]

(b) Knowing involvement in arranging for fraudulent academic credit or false transcripts for a prospective or an enrolled student-athlete;

[10.1-(c) through 10.1-(f) renumbered as 10.1-(b) through 10.1-(e), unchanged.]

(g) Failure to provide complete and accurate information to the ODAA, the ODAA Eligibility Center or institution’s admissions office regarding an individual’s academic record (e.g., schools attended, completion of coursework, grades, test scores);

(h) Fraudulence or misconduct in connection with entrance or placement examinations:

[10.1-(i) and 10.1-(j) renumbered as 10.1-(f) and 10.1-(g), unchanged.]

B. Bylaws: Amend 14.02, as follows:

14.02 Definitions and Applications.

14.02.1 Academic Misconduct -- Post-Enrollment. All institutional staff members and student-athletes are expected to act with honesty and integrity in all academic matters. Post-enrollment academic misconduct includes any violation or breach of an institutional policy regarding academic honesty or integrity (e.g., academic offense, academic honor code violation, plagiarism, academic fraud).

[14.02.1 through 14.02.7 renumbered as 14.02.2 through 14.02.8, unchanged.]

14.02.8 Impermissible Academic Assistance -- Institutional Staff Member or Representative of Athletics Interests. Impermissible academic assistance by a current or former institutional staff member of a representative of an institution’s athletics interests includes, but is not limited to, the provision of or arrangement of:

(a) Substantial assistance that is not generally available to an institution’s students and is not otherwise expressly authorized in Bylaw 16.3, which results in the certification of a student-athlete’s eligibility to participate in intercollegiate athletics or receive financial aid; or

(b) An academic exception that results in a grade change, academic credit or fulfillment of a graduation requirement when such an exception is not generally available to the institution’s students and the exception results in the certification of a student-athlete’s eligibility to participate in intercollegiate athletics or receive financial aid.
14.02.9 Institutional Staff Member. For purposes of Bylaw 14, an institutional staff member is any individual, excluding a student employee, who performs work for the institution or the athletics department, regardless of whether he or she receives compensation for such work.

14.02.9 Participation in Intercollegiate Athletics. Participation in intercollegiate athletics occurs when a student-athlete either practices in a sport (see Bylaw 17.02.1) or competes in a sport, as defined in Bylaw 14.02.7. Eligibility rules for competition may differ from those for practice.

14.02.9.1 Student Employee. For purposes of Bylaw 14, a student employee is an institutional staff member if:

(a) He or she has institutional responsibilities to provide academic services to student-athletes; or

(b) He or she engages in academic misconduct or provides impermissible academic assistance at the direction of a nonstudent employee, an institutional staff member per Bylaw 14.02.9.1-(a) or a representative of the institution’s athletics interests.

C. Bylaws: Amend 14.1.2, as follows:

14.1.2 Validity of Academic Credentials. As a condition and obligation of membership, it is the responsibility of a member institution to determine the validity of the information on which the eligibility of a student-athlete is based. Therefore, it is the responsibility of a member institution to determine whether a transcript is valid for purposes of applying appropriate NCAA legislation to the eligibility of a student-athlete when the institution receives notification, or otherwise has cause to believe, that a student-athlete's high school, college-preparatory school or two-year college transcript is not valid.

14.1.2.1 Pre-Enrollment Academic Misconduct. A prospective student-athlete, student-athlete or a current or former institutional staff member, which includes any individual who performs work for the institution or the athletics department even if he or she does not receive compensation for such work, shall not engage in the following conduct:

(a) Knowing involvement in arranging for fraudulent academic credit or false transcripts for a prospective student-athlete;

(b) Failure to provide complete and accurate information to the NCAA, the NCAA Eligibility Center or an institution’s admissions office regarding an individual’s academic record (e.g., schools attended, completion of coursework, grades and test scores); or

(c) Fraudulence or misconduct in connection with entrance or placement examinations.

D. Bylaws: Amend 14.9, as follows:

14.9 Post-Enrollment Academic Misconduct.

14.9.1 Policies and Procedures. An institution must:

(a) Have written institutional policies and procedures regarding academic misconduct applicable to the general student-body, including student-athletes. The policies and procedures must be approved through the institution’s normal process for approving such policies and must be kept on file or be accessible on the institution’s website.

(b) Investigate and adjudicate alleged academic misconduct in accordance with established policies regardless of whether the misconduct is reported to the NCAA or whether the student-athlete acted alone or in concert with others.

14.9.12 10-Semester/15-Quarter Rule. The Committee on Student-Athlete Reinstatement may approve waivers to the 10-semester/15-quarter rule (see Bylaw 14.2) for student-athletes of the national service academies who have exhausted eligibility in one sport but wish to compete in another sport or sports in which they have eligibility remaining.

14.9.1.1 Exception. An institution may establish a policy that permits an expedited investigation and adjudication of academic misconduct by a student-athlete, provided other applicable policies and procedures are observed and the policy for expedited review is approved through the institution’s normal process for approving such policies and is approved by the institution’s president or chancellor.
Further, the policy that permits an expedited review must be kept on file or must be accessible on the institution’s website.

14.9.2 Post-Enrollment Academic Misconduct.

14.10.24 Transfer Status. A student who has attended as a freshman (plebe) only in the official summer-enrollment program of one of the four national service academies is not considered a transfer in the application of the transfer regulations of Bylaw 14.5.

14.9.2.1 Student-Athlete. A student-athlete shall not be involved in:

(a) Academic misconduct involving a current or former institutional staff member or representative of athletics interests;

(b) Academic misconduct, without the involvement of a current or former institutional staff member or representative of athletics interests, that results in:
   (1) An erroneous declaration of eligibility to participate in intercollegiate athletics and the student-athlete subsequently competes for the institution while ineligible;
   (2) An erroneous declaration of eligibility to receive financial aid and the student-athlete’s subsequently receives financial aid while ineligible;

(c) Academic misconduct involving the alteration or falsification of a student-athlete’s transcript or academic record.

14.9.2.2 Institutional Staff Member or Representative of Athletics Interests. A current or former institutional staff member or a representative of an institution’s athletics interests shall not be involved (with or without knowledge of the student-athlete) in:

(a) Academic misconduct related to a student-athlete; or

(b) The alteration or falsification of a student-athlete’s transcript or academic record.

14.9.2.3 Impermissible Academic Assistance -- Institutional Staff Member or Representative of Athletics Interests. A current or former institutional staff member or a representative of an institution’s athletics interests shall not provide impermissible academic assistance to a student-athlete (see Bylaw 14.02.8).

14.9.2.3.1 Application. If an institution determines, pursuant to its policies and procedures, that academic misconduct has occurred, a violation of Bylaw 14.9.2.3 shall not be cited by the institution or through an enforcement investigation. If an institution determines, pursuant to its policies and procedures, that academic misconduct has not occurred, the conduct in question may still constitute a violation of Bylaw 14.9.2.3.

Rationale: The current regulatory structure regarding academic misconduct is confusing, unclear and imprecise and appropriate revisions to the academic misconduct legislation will serve to benefit to individual institutions and the Association as a whole. Despite changes in the academic landscape, academic misconduct legislation has not been revised since 1983 when the legislation was added to the Manual. Under the current regulatory structure, it can be unclear when academic misconduct involving student-athletes falls within the purview of the NCAA and when academic misconduct should be an institutional matter. Current terms, definitions and gaps in the academic misconduct legislation result in confusion and lack of clarity. The regulatory structure for academic misconduct is currently located in bylaws, interpretations and educational columns and should be consolidated in a single article (Bylaw 14). This proposal will expand the application of academic misconduct legislation to any situation in which an institutional staff member is involved and replace the current academic extra benefit analysis with a specific and limited definition of impermissible academic assistance. In addition, the proposal will require institutional policies and procedures regarding academic misconduct for the general student-body.

Review History:

Jun 8, 2016: Recommends Approval - Academic Requirements Committee

Jul 19, 2016: Approved in Concept - Management Council

Jul 19, 2016: Approved in Legislative Format - Management Council

Aug 4, 2016: Approved in Legislative Format - Presidents Council
NCAA Division II Proposal No. 2017-[xx] Academic Eligibility -- Academic Misconduct

Question No. 1: How does this proposal apply to the current academic misconduct legislation, interpretations and educational columns?

Answer: The adoption of NCAA Division II Proposal No. 2017-[xx] would:

a. Expand the application of academic misconduct legislation to any situation in which an institutional staff member is involved.

b. Replace the academic extra benefit analysis as it relates to academic assistance issues with a specific and limited definition of impermissible academic assistance.

c. Expressly require institutional policies and procedures regarding academic misconduct for the general student-body.

d. Limit the scope of definition of institutional staff member to exclude student employees from definition unless student employees meet certain criteria.

Question No. 2: What are the different types of academic integrity-related offenses that are considered to be NCAA violations?

Answer: There are four types of academic integrity-related offenses that are considered to be a violation of the proposed legislation:

a. Academic misconduct (as defined and limited by the legislation);

b. The provision or arrangement of impermissible academic assistance by a current or former institutional staff member or representative of athletics interests to a student-athlete;

c. A departure from academic misconduct policies and procedures in the investigation and adjudication of alleged academic misconduct involving a student-athlete; and

d. Pre-enrollment academic misconduct (as defined by NCAA legislation previously in NCAA Bylaw 10, moved to Bylaw 14).

Academic Misconduct Violations.

Question No. 3: Who determines whether certain conduct constitutes academic misconduct at a given institution?
Question No. 4: If a student-athlete on my campus is suspected or accused of being involved in academic misconduct, must I immediately report the issue to the NCAA enforcement staff?

Answer: No. Before reporting, an institution has the responsibility and obligation to determine whether academic misconduct has occurred pursuant to institutional policies and procedures. However, it is not unusual for an institution to request assistance from the NCAA for interpretive or investigative issues.

Question No. 5: Once my institution has determined academic misconduct involving a student-athlete occurred, is my institution required to report each and every finding of academic misconduct to the NCAA?

Answer: No. Not every finding of institutional academic misconduct is a violation. An NCAA academic misconduct violation occurs when:

a. A student-athlete commits academic misconduct alone or in concert with another student(s) who is not an institutional staff member, and the academic misconduct results in:

   (1) The alteration or falsification of a student-athlete's transcript or academic record;

   (2) An erroneous declaration of eligibility to participate in intercollegiate athletics and the student-athlete subsequently competes while ineligible: or

   (3) An erroneous declaration of eligibility to receive financial aid and the student-athlete subsequently receives financial aid while ineligible.

b. A current or former institutional staff member or representative of athletics interests is involved in the academic misconduct involving a student-athlete, regardless of whether the misconduct involved alteration or falsification of a student-athlete's transcript or academic record or an erroneous declaration of eligibility.
Question No. 6: What is "alteration or falsification of a student-athlete's transcript or academic record"?

Answer: Alteration or falsification of a student-athlete's transcript or academic record is changing or doctoring transcripts or arranging to receive credit for a course in which a student-athlete did not enroll or complete (i.e., fraudulent academic credit).

Question No. 7: What is an "institutional staff member"?

Answer: An institutional staff member is any individual, excluding a student employee, who performs work for the institution or athletics department, regardless of whether the individual receives compensation for the work.

A student employee, however, is an institutional staff member if:

a. He or she has institutional responsibilities to provide academic services to student-athletes; or

b. He or she engages in academic misconduct or provides impermissible academic assistance at the direction of a nonstudent employee, a student employee who has institutional responsibilities to provide academic services to student-athletes or a representative of the institution's athletics interests.

Question No. 8: An institution's academic support services for student-athletes are provided by a unit that reports directly to the institution's provost, outside the athletics department. Would student tutors employed by this unit be considered "institutional staff members" for purposes of the academic misconduct and impermissible academic assistance legislation?

Answer: Yes. Those student employees whose responsibilities include providing academic services to student-athletes (e.g., tutors) would be considered "institutional staff members" for purposes of the academic misconduct and impermissible academic assistance legislation regardless of whether the academic support services for student-athletes are provided by a unit that reports to a department outside athletics.

Question No. 9: An institution's athletics department directs all of its student-athletes to use the tutoring services made available through its general nonathletics student support services center. Would student tutors employed by this nonathletics student support services center be considered "institutional
staff members" for purposes of the academic misconduct and impermissible academic assistance legislation?

**Answer:** Yes. If the institution directs all of its student-athletes to seek tutoring services from the nonathletics student support services unit, the student tutors would be considered "institutional staff members" for purposes of the academic misconduct and impermissible academic assistance legislation.

**Question No. 10:** Would a student employee who offers general tutoring to all first-year students be considered an "institutional staff member" for purposes of the academic misconduct and impermissible academic assistance legislation?

**Answer:** No. Unless the student employee's responsibilities specifically include the provision of tutoring services for student-athletes, a student employee whose tutoring services are generally available to all students would not be considered an "institutional staff member" for purposes of the academic misconduct and impermissible academic assistance legislation.

**Question No. 11:** What is a "former institutional staff member"?

**Answer:** A former institutional staff member is an institutional staff member who was employed by the institution at the time of the conduct in question but is now no longer employed at the institution.

**Question No. 12:** Is the definition of "representative of athletics interests" the same definition for purposes of this proposal as other NCAA legislation?

**Answer:** The definition of representative of athletics interests used in this proposal is the same as other areas of NCAA legislation.

**Question No. 13:** In determining whether a student is an institutional staff member, does the legislation apply differently to undergraduate and graduate students?

**Answer:** No. Application of the legislation to determine whether a student is an institutional staff member applies the same to both undergraduate and graduate students.

**Question No. 14:** Are student trainers, student managers and/or graduate student assistant coaches considered "institutional staff members"?
Answer: Provided that student trainers, student managers and graduate assistant coaches do not have institutional responsibilities to provide academic services to student-athletes, a student trainer, student manager and student graduate assistant coach would only be an institutional staff member for purposes of the academic misconduct and impermissible academic assistance legislation if the student engages in academic misconduct or provides impermissible academic assistance at the direction of a nonstudent employee, a student employee who has institutional responsibilities to provide academic services to student-athletes, or a representative of the institution's athletics interests.

Question No. 15: Must an individual who performs work for the institution or a student be paid in order to be an institutional staff member under the academic misconduct and impermissible benefits legislation?

Answer: No.

Question No. 16: Can academic misconduct between a student and student-athlete rise to the level of a violation under the academic misconduct legislation?

Answer: Yes, but only if the misconduct between the two students resulted in any of the following:

a. An erroneous declaration of eligibility to participate in intercollegiate athletics and the student-athlete subsequently competes while ineligible;

b. An erroneous declaration of eligibility to receive financial aid and the student-athlete subsequently receives financial aid while ineligible; or

c. The alteration or falsification of the student-athlete's transcript or academic record.

Impermissible Academic Assistance.

Question No. 17: If conduct does not violate or breach an institution's own policies and procedures regarding academic misconduct, may the conduct still constitute an impermissible academic assistance NCAA violation?

Answer: Yes, provided each of the following factors are present:
a. A current or former institutional staff member or representative of athletics interest provides the impermissible academic assistance;

b. The institution determines that academic misconduct has not occurred pursuant to its policies and procedures;

c. The academic assistance or academic exception provided is not generally available to the institution's student-body or students involved in the course;

d. The assistance is substantial;

e. The assistance is not permitted in Bylaw 16.3; and

f. The assistance leads to the certification of a student-athlete's eligibility to practice, compete, or receive financial aid.

Impermissible academic assistance is designed to identify when a student-athlete receives special treatment in the area of academics that would not otherwise be available to the general student. The impermissible academic assistance legislation requires a separate analysis from the academic misconduct legislation and is triggered when the institution determines that conduct did not violate its academic integrity policies and procedures. The impermissible academic assistance analysis focuses on whether student-athletes have been treated consistent with students generally; whereas, the academic misconduct analysis primarily focuses on whether conduct violates an institution's academic integrity policies and procedures.

Question No. 18: What is "substantial assistance"?

Answer: This determination is fact specific. Assistance such as proofreading, assisting a student with a problem on a math assignment or tutoring should not be considered substantial. Substantial assistance generally includes a considerable amount of assistance provided to the student-athlete that is of significant value to the student-athlete.

Question No. 19: What is permissible assistance under Bylaw 16.3?

Answer: Bylaw 16.3 permits an institution to make general academic counseling and tutoring services available to all student-athletes, which may be
provided by the department of athletics or the institution's nonathletics student support services. An institution may also provide other types of academic support, career counseling and personal development services that support the success of student-athletes and a life skills program for student-athletes.

Question No. 20: Why is assistance that leads to the certification of a student-athlete's eligibility to practice, compete, or receive financial aid included in the analysis of impermissible academic assistance?

Answer: Generally, academic integrity issues are handled by an institution without involvement of the NCAA. For the purposes of intercollegiate athletics, the NCAA has established requirements that determine a student-athlete's eligibility for practice, competition and financial aid. One of the commitments for intercollegiate athletics adopted by the NCAA is fair competition. The commitment requires that all member institutions compete within the framework of the NCAA collegiate model of athletics in which athletics competition is an integral part of the student-athlete's effort to acquire a degree in higher education. A student-athlete's eligibility to practice, compete, or receive financial aid provides a common framework for impermissible academic assistance determinations for all member institutions.

Question No. 21: When does an institution assess whether alleged impermissible academic assistance "result[ed] in the certification of a student-athlete's eligibility to practice, compete, or receive financial aid"?

Answer: The assessment of whether impermissible academic assistance leads to the certification of eligibility begins when the alleged impermissible academic assistance occurred and ends after an institutional determination is made regarding the alleged impermissible academic assistance. At that juncture, the institution must determine whether the substantial academic assistance or academic exception enabled the student-athlete to be certified as eligible for purposes of athletics participation, or financial aid during the period of time (e.g., term or terms) between when the conduct occurred and the institutional determination was made.

Question No. 22: May the "results in the certification of a student-athlete's eligibility" analysis require the institution to look to a previous term or terms?

Answer: Yes, depending on the timing of when the conduct occurred.
Question No. 23: During the fall term, an institution determines that, in a spring course, a professor provided a basketball student-athlete with an academic exception that was not generally available to the student body. Pursuant to the institution's own policies and procedures, the academic exception provided by the professor did not constitute academic misconduct. Although the academic exception resulted in the student-athlete earning full credit for the spring course, the course was not necessary for the student-athlete to be certified as eligible for the fall term. Has an impermissible academic assistance violation occurred?

Answer: No, because the academic exception did not impact the student-athlete's eligibility between the times in which the exception was provided (previous spring term) and the institutional determination was made (end of fall term).

Question No. 24: If an academic exception did not impact a student-athlete's eligibility during the period of time between when the conduct occurred and the institutional determination was made, must an institution continue to monitor its future impact on the student-athlete's eligibility? For example, if the course in which a student-athlete received an academic exception that was not generally available to the student body becomes necessary to maintain an eligible grade-point average in subsequent academic certifications, would the conduct then constitute an impermissible academic violation?

Answer: No. An academic exception that had no impact on a student-athlete's eligibility during the period of time between when the conduct occurred and the institutional determination was made, does not need to be reassessed during the student-athletes’ future eligibility certifications.

Question No. 25: What potential scenarios may result in an institution determining, pursuant to its policies and procedures, that academic misconduct has not occurred?

Answer: The following are examples of situations in which an institution is considered to have determined that academic misconduct did not occur:

a. There is no institutional policy addressing the particular conduct that occurred;

b. The institution is unable to make a determination that misconduct occurred;
c. The institution does not conduct or complete its review of the alleged academic integrity issue for any reason (e.g., because the student-athlete departed the institution); or

d. The institution makes a specific determination that the conduct was not academic misconduct.

Only a finding that academic misconduct has occurred pursuant to an institution's policies and procedures would preclude further analysis under the impermissible academic assistance legislation.

**Question No. 26:** Can the same conduct result in both an academic misconduct violation and an impermissible academic assistance violation?

**Answer:** No. An impermissible academic assistance violation may only potentially be found when the institution determines that specific conduct did not violate its own policies and procedures regarding academic misconduct.

**Question No. 27:** How does application of the proposed impermissible academic assistance legislation differ from the current extra benefit legislation?

**Answer:** Currently, the extra benefit legislation applies when "academic benefits" are provided to student-athletes that are not generally available to the institution's students. Under the current legislation, institutions could be subject to both an academic misconduct violation and extra benefit violation. Additionally, an extra benefit violation could involve assistance between only students even when a student is not an institutional staff member, and the current legislation does not specify how much assistance could lead to an extra benefit violation. The impermissible academic assistance legislation replaces the application of the extra benefit analysis, providing necessary parameters and clarity to the treatment of academic benefits provided to student-athletes that are not generally available to an institution's student body.

**Question No. 28:** The writing center coordinator at my institution provided proofreading and edited sentence structure on a student-athlete's paper. This type of assistance does not violate our institution's academic misconduct policies and procedures and similar services are available through the writing center to other students on campus. Would this constitute an "impermissible academic assistance" violation?

**Answer:** No. The assistance is generally available to the institution's students and it
is likely "proofreading" would not be considered "substantial assistance."

Question No. 29: A math professor at my institution helped a student-athlete complete some of the math problems on a recent course assignment. The math professor has provided similar assistance to other students in the past in order to help students learn math. This type of assistance does not violate our institution's academic misconduct policies and procedures. Would this constitute an "impermissible academic assistance" violation?

Answer: No. Although the assistance provided by the professor may or may not have been substantial, similar assistance was available to students in the course generally.

Question No. 30: An English professor on my campus allowed a student-athlete to turn in a term paper two semesters after the course was completed for full credit. The professor did not allow any other student in the course to receive the exception and institutional policy does not address this type of issue. This type of exception does not violate our institution's academic misconduct policies and procedures. The exception resulted in the student-athlete receiving a passing grade in the course and, but for the grade, the student-athlete would not have been eligible to compete. Would this constitute an "impermissible academic assistance" violation?

Answer: Yes. The academic exception was not generally available to the institution's student-body or students in the involved course, the institution did not find academic misconduct pursuant to its policies and procedures, an institutional staff member was involved and the exception resulted in certification of eligibility for competition for the student-athlete.

Question No. 31: A booster arranged for a student employee in the dining hall to complete a term paper for a student-athlete, who was in his fourth year of enrollment. The paper was submitted to the professor and the student-athlete received a passing grade in the course, which subsequently kept the student-athlete eligible for competition. After exhausting eligibility at the institution, the student-athlete withdrew from the institution. The institution investigated the issue but determined that its academic misconduct policies and procedures did not apply to this scenario, citing the student-athlete's withdrawal from the institution. Would this constitute an "impermissible academic assistance" violation?

Answer: Yes. While the institution determined that academic misconduct did not
occur, the academic assistance provided was not generally available to the institution's student-body or students in the involved course. The assistance was substantial and not permitted in Bylaw 16.3. A booster and an institutional staff member were involved (due to the student working at the direction of a booster). Finally, the assistance resulted in certification of eligibility for competition for the student-athlete.


Question No. 32: Is the legislation prescriptive as to what the institutional academic misconduct policies must address?

Answer: No. Institutions are responsible for determining the substance of their institutional academic misconduct policies and procedures. The legislation, however, requires that the policies and procedures be in writing, applicable to the general student-body, including student-athletes, approved through the institution's normal process for approving such policies and kept on file or accessible on the institution's website.

Question No. 33: May an institution have separate policies and procedures for student-athletes?

Answer: No; however, an institution may establish a policy that permits an expedited investigation and adjudication of academic misconduct by a student-athlete, provided other applicable policies and procedures are observed and the policy for expedited review is approved through the institution's normal process for approving such policies, is approved by the institution's chancellor or president (or his or her designee) and kept on file or accessible on the institution's website.

Question No. 34: Is the failure to investigate and adjudicate alleged academic misconduct of a student-athlete in accordance with the institution's policies and procedures a violation?

Answer: Yes.

Pre-enrollment Academic Misconduct.

Question No. 35: Does the proposal change current pre-enrollment academic misconduct legislation?
Answer: No. The substance of pre-enrollment academic misconduct legislation remains the same. However, the proposal moves the pre-enrollment academic misconduct legislation from Bylaw 10 to Bylaw 14.

Enforcement: Institutional Staff Members and Impermissible Academic Assistance.

Question No. 36: How does the enforcement staff view its role in cases of academic misconduct?

Answer: Please see the following letter from vice president of enforcement, Jon Duncan.

MEMORANDUM

TO: NCAA Division II Membership.

FROM: Jonathan F. Duncan
Vice President of Enforcement.


As the membership considers academic integrity rules, it is important to understand how the enforcement staff views its role in cases of academic misconduct. Accordingly, this memorandum will identify decisions that are best made by schools on the local level. It will also address two proposed rules that generate frequent questions and describe how the enforcement staff intends to apply them.

Decisions about teaching curriculum and course content are obviously made by campus officials. Similarly, policies and procedures regarding academic misconduct are prepared and owned by individual schools. The enforcement staff is not involved in those matters. Member schools have also been clear that questions of academic misconduct should be resolved by campus officials through campus procedures. The enforcement staff will not revisit those decisions.

Two provisions in the proposed rules have generated good questions from member schools. The enforcement staff wants its position on these provisions and its role in these cases to be clear.

1. Institutional staff member responsibility. One concept fundamental to the NCAA structure is that institutions are responsible for the conduct of their representatives (e.g., NCAA
Bylaws 2.1.2 and 2.8.1). The same is true for acts of academic misconduct. Under current bylaws and in the proposed revisions, institutions are responsible for violations committed by staff members. However, not all staff members are similarly situated. For example, within an athletics department, some staff members are in leadership roles (like coaches, administrators and compliance officials), while others are further removed (like trainers and equipment managers). Outside of athletics, certain staff members are in closer proximity to sport programs and have greater responsibility than others.

Although a school is accountable for all its representatives, the enforcement staff will certainly consider the differences between and among staff members at a school. Misconduct by coaches, leaders and others nearest a sport program most negatively impacts the collegiate model. Accordingly, cases where those individuals engage in academic impropriety are more likely to be alleged as major (Bylaw 19.02.2.2).

Misconduct by individuals further removed from leadership positions and further removed from a sport program still constitutes a violation but may be alleged by the enforcement staff at a lower level. For example, the enforcement staff will treat differently a case where a student teaching assistant acting on his or her own accord provides a student-athlete answers to a quiz without the knowledge or involvement of any coach or administrator. Misconduct by this individual has a different impact on the collegiate model and might be processed as a secondary violation (Bylaw 19.02.2.1).

As always, the enforcement staff will consider the totality of circumstances, including the type of institutional representative involved, when drafting allegations of academic misconduct. The NCAA Division II Committee on Infractions also considers the full context of every case when determining the level of a violation and fashioning penalties. The committee provides a meaningful check of enforcement staff allegations in individual cases and also shares its analysis through written decisions.

2. Impermissible academic assistance. Some fear that the enforcement staff will overreach and allege violations when schools provide ordinary assistance to college athletes who need academic support. The enforcement staff is sensitive to this concern and has no interest in discouraging appropriate and generous academic support for college athletes.

To be very clear, the enforcement staff will not pursue allegations where appropriate personnel provide a college athlete counseling in course selection, assistance in enrolling or edits to a research paper. These and other similar supports advance the collegiate model and the educational interests of college athletes. The enforcement staff will not bring allegations in these instances.

In contrast, writing a paper for a college athlete or sharing exam answers are not acceptable supports and are not permitted by Bylaw 16.3. These are substantial benefits not generally
available to students and do not serve the interests of the college athlete. They are also unfair to eligible competitors who work hard to comply with applicable educational requirements. Accordingly, after working with the school and considering all relevant facts, the enforcement staff would consider bringing an allegation in this context. The enforcement staff would also look carefully at the individuals involved and the impact of the misconduct when weighing whether the violation might be major or secondary. As always, the Committee on Infractions would conclude whether violations occurred and the appropriate level.

The enforcement staff understands the sensitivity and complexity of academic misconduct rules. It has no interest in overreaching in this area, or any other. Rather, the enforcement staff looks forward to working with member schools, governance committees and colleagues in other regulatory departments in advancing the educational interests of college athletes.

JFD:ajh