

2015 NCAA Convention

# DIVISION II NOTICE

## Division II Official Notice

109th Annual Convention  
January 15-18, 2015  
Washington, D.C.





THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION  
P.O. Box 6222  
Indianapolis, Indiana 46206-6222  
317/917-6222  
[www.ncaa.org](http://www.ncaa.org)  
November 2014

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Distributed to presidents or chancellors, directors of athletics, faculty athletics representatives, senior woman administrators, senior compliance administrators and conference commissioners.

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# Official Notice

## 109th Annual Convention

On behalf of the NCAA Board of Governors, the Division I Board of Directors, the Divisions II and III Presidents Councils, the Division I Leadership Council and the Divisions II and III Management Councils, we extend a cordial invitation to each NCAA member to be represented at the Association's 109th annual Convention scheduled January 15 through 18, 2015, in Washington, D.C.

It is our pleasure to issue this Official Notice of the 2015 Convention. This publication is sent to the president or chancellor, director of athletics, faculty athletics representative, senior woman administrator and senior compliance administrator at each active NCAA Division II member institution, as well as to the officers of member conferences and provisional member institutions.

This Official Notice contains legislation for consideration at the Division II business session of the 2015 Convention, including amendments-to-amendments. It also contains the necessary information concerning the accreditation of delegates, voting procedures and other Convention policies. We encourage each member to review the information related to the activities in which you will be involved before attending the Convention. It is particularly important that each Division II delegate bring a copy of the Official Notice to the Convention. The Official Notice will be the only publication containing all Division II Convention legislation.

In addition to the consideration of legislation, Division II delegates also will participate in educational and discussion sessions about topics of concern within the division.

We hope you will arrive in time to join delegates from all divisions at the opening business session Thursday evening. The NCAA Delegates Reception will be held Thursday evening immediately after the opening business session, and the NCAA Honors Celebration will be held Friday evening.

We hope that each member of the Association will be in attendance at the 2015 Convention. We look forward to seeing you in Washington, D.C.

*Lou Anna Simon*

*President, Michigan State University  
Chair, NCAA Board of Governors*

*Nathan Hatch*

*President, Wake Forest University  
Chair, Division I Board of Directors*

*Thomas Haas*

*President, Grand Valley State University  
Chair, Division II Presidents Council*

*Sharon Herzberger*

*President, Whittier College  
Chair, Division III Presidents Council*

November 15, 2014

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## Accrediting of Delegates

Association policy provides that the appointment of accredited and visiting delegates is the responsibility of the president or chancellor of each member institution or organization. **In November 2014, a link to the appointment of delegate website was emailed to the president or chancellor of all member institutions and organizations. The link was also made available on the NCAA website at [www.ncaaconvention.com](http://www.ncaaconvention.com) under the Appointment of Delegate section.**

*It is important that the voting delegate be properly accredited, and this is to urge appointing officers to submit the required information to the NCAA national office at their earliest convenience.*

An institution's or organization's president or chancellor shall appoint the voting and alternate delegates by completing the online delegate appointment form. The transfer of voting rights among the delegates is a matter of institutional discretion.

Please note also that the governance structure of each division urges member institutions to include women in their NCAA Convention delegations.

If an institution's or organization's president or chancellor fails to submit the online delegate appointment form, that institution's representatives will be registered as visitors until the president or chancellor certifies in writing the voting and alternate delegates. No other institutional representatives are permitted to complete a delegate appointment form.

Once the online delegate appointment form has been verified by the president or chancellor, no one may be added as a voting or alternate delegate without written instructions from that president or chancellor. Thus, no individual appointed as a visitor may become a voter or alternate without written authorization from the president or chancellor.

Visiting delegates, except in certain situations, do not have speaking privileges at the Convention.

At the Convention, each individual representing a member institution or conference who registers will receive a magenta Convention badge designating the individual as a delegate, except each president and chancellor will receive a badge with a purple color designation signifying his or her professional title. Speakers and presenters for menu sessions will receive badges with a gold color designation. Convention vendors will receive badges with an orange color designation. Media will receive badges with a brown color designation. Individuals attending the Convention as a visitor will receive a badge with a green color designation. [See Appendix J].

Voting delegates receive red lanyards and alternate delegates receive blue lanyards. Members of the Division I autonomy conferences will receive black lanyards. Other delegates with speaking rights receive green lanyards. Delegates without speaking rights and other observers receive white lanyards.

The Convention registration fee for NCAA members was \$200 for all delegates who registered on or before Wednesday, October 15, and \$325 for all delegates who register by Wednesday, December 6. Member regis-

tration fees after December 6 are \$450.

The registration fee includes one ticket to the Delegates Reception and Delegates Breakfast. In addition, attendees will have the opportunity to receive one complimentary ticket to the Keynote Luncheon on a first-come, first-served basis and to purchase one ticket to the Honors Celebration for \$20 on a first-come, first-served basis. Available tickets can be reserved during the Convention registration process.

## Meetings and Reservations

A listing of Convention meetings of the NCAA and its affiliated organizations was distributed to the membership in mid-September. An online registration process was also made available for event registration and hotel reservations. If there is anything further the NCAA can do to facilitate your attendance at the Association's 2015 Convention, please call upon us.

Please note that the Convention schedule of events is available on the NCAA website ([www.ncaa.org/convention](http://www.ncaa.org/convention)). In addition, the Convention Program (available through the Convention app and in print in limited quantities) contains the most up-to-date schedule of meetings held in conjunction with the Convention. Please note that the Convention officially begins when the opening business session convenes at 4:30 p.m. Thursday, January 15. Adjournment of the Convention has been scheduled for January 18.

## Proposed Amendments

The proposed amendments to be considered at the 109th annual Convention begin on Page 1. All amendments, if adopted, become effective as indicated in each proposal.

**It is important that each Division II delegate bring a copy of the Official Notice to the Convention, inasmuch as the Official Notice will be the only publication containing all Convention legislation for the 2015 Convention.**

In accordance with the provisions of Constitution 5.3, an amendment to the Association's legislation may be proposed by the Division II Presidents Council, by any 15 or more active Division II member institutions or by two active conferences on behalf of 15 or more active member institutions eligible to vote on the matter. The source is indicated in each proposal. When the Presidents Council proposes an amendment originally recommended by a committee, the committee is indicated as well.

All proposals designated by the Division II Presidents Council for roll-call votes are indicated with an asterisk preceding the proposals in this publication, as well as in the voting designation accompanying each such proposal.

Please note that the Presidents Council is authorized to distribute during division or general business sessions information detailing positions on key legislative proposals.



## **Amendments-to-Amendments**

All amendments submitted by the membership in accordance with the July 15 deadline were printed in the Initial Publication of Proposed Legislation, which was provided to the membership via the NCAA website August 15. Sponsors of those proposals were permitted to revise them in any manner until September 15. In the interim, the Division II Presidents Council had until September 1 to submit its legislative proposals. All proposals were provided to the membership September 23 in the Second Publication of Proposed Legislation.

The Division II Presidents Council, any eight or more active Division II member institutions or one active conference on behalf of eight or more active member institutions eligible to vote on a given issue had until November 1 to submit amendments to the original proposals, provided the amendment to the amendment did not increase the modification proposed by the original amendment. As a result of that deadline, all amendments-to-amendments, if any, are included in this Official Notice with the proposals they are intended to amend. Resolutions also were handled in accordance with those same deadlines and are included in this publication, if any. No additional amendments-to-amendments or resolutions are permitted for the 2015 Convention unless they are sponsored by the Presidents Council and distributed before or during the business session.

## **Withdrawal of Proposal**

Sponsors who intend to withdraw a proposal are urged to notify the academic and membership affairs staff as soon as possible before the business session of the Convention at which the proposal is scheduled to be considered.

## **Review of Interpretations**

The Legislation Committee issues interpretations as to the scope, meaning or effect of the constitution and bylaws applicable to Division II. These rulings are subject to review by the Division II membership upon the request of any member in accordance with NCAA Constitution 5.4.1.4. Any Division II member to which an interpretation applies may request a review of the interpretation by making such a request in writing to the academic and membership affairs staff via electronic mail to the primary contact persons — [aconklin@ncaa.org](mailto:aconklin@ncaa.org) or [kwolf@ncaa.org](mailto:kwolf@ncaa.org) — not later than December 5, 2014.

## **Emergency Legislation Adopted by the Presidents Council**

The Presidents Council may adopt “emergency” legislation that shall be effective immediately in situations when the NCAA must respond to, or comply with a court, alternative dispute resolution (ADR) or government order or when the Presidents Council deems it appropriate to limit

or avoid NCAA liability as a result of litigation, ADR or governmental proceedings, per Constitution 5.3.1.1.2. Such “emergency” legislation shall be adopted by at least a three-fourths majority of the members of the Presidents Council present and voting. The Presidents Council then submits to the next annual Division II business session the amendments that it has adopted under this authorization. The “emergency” legislation adopted by the Presidents Council in 2014 appears in Appendix B. Acceptance of the report of the Presidents Council during the Division II business session ratifies the Presidents Council’s actions in this regard.

## **Interpretations to be Included in the NCAA Division II Manual**

The Legislation Committee is authorized to recommend interpretations to be incorporated in the next printing of the NCAA Division II Manual. Such incorporations are approved by the Division II Management Council and then are printed in the Official Notice of the Convention. The interpretations approved for inclusion in the 2015-16 NCAA Division II Manual appear in Appendix C. Any additional interpretations approved by the Management Council are distributed to the delegates at the Division II business session. Acceptance of the report of the Management Council during the Division II business session will approve incorporation of the interpretations as distributed. A delegate may object to the incorporation of a particular interpretation at the time of the Management Council report, and the Division II membership will decide by majority vote of the eligible voters whether to incorporate that specific interpretation.

## **Modifications of Wording Adopted by the Management Council**

The Management Council is authorized to adopt, in the interim between annual Conventions, proposals that are consistent with the intent of the membership in adopting the original legislation when sufficient documentation and testimony exist to establish clearly that the original wording of the legislation was inconsistent with that intent, per Constitution 5.4.1.1.1. That authorization requires a two-thirds majority vote of the Management Council. The Management Council then submits to the next annual Division II business session the amendments that it has adopted under this authorization. The modifications adopted by the Management Council in 2014 appear in Appendix D. Acceptance of the report of the Management Council during the Division II business session approves the Management Council’s actions in this regard.

## **Noncontroversial Legislation Adopted by the Management Council**

The Presidents Council, or an entity designated by the Presidents Council (i.e., the Management Council), is authorized to adopt, in the interim

between annual Conventions, noncontroversial legislative amendments that are necessary to promote the normal and orderly administration of the Association's legislation, per Constitution 4.3.2-(e) and 5.3.1.1.1. That authorization requires a three-fourths majority vote of the Presidents Council, or the entity designated by the Presidents Council (i.e., the Management Council). The Management Council then submits to the next annual Division II business session the amendments that it has adopted under this authorization. The noncontroversial amendments adopted by the Management Council in 2014 appear in Appendix E. Acceptance of the report of the Management Council during the Division II business session approves the Management Council's actions in this regard.

## **Order of Business**

The opening business session of the 109th annual Convention will begin at 4:30 p.m. Thursday, January 15. The "State of the Association" address by the NCAA president will be presented orally during that general session.

The various proposals will be taken up in their numerical order, unless that order is changed at the Convention. The schedule for consideration of the proposals is identified in Appendix A. Those proposals that are designated for a roll-call vote are also noted in Appendix A.

Amendments for the annual Convention are grouped topically by area and will be presented as indicated on page xiii. For convenience of reference, an index (Appendix F) lists the proposals in the order in which they would appear in the constitution and bylaws in the NCAA Division II Manual.

In each grouping of related items (either amendments or amendments-to-amendments), the Association's established procedure will be followed (i.e., consider first the proposal that contemplates the greatest modification of the present circumstance, followed by other proposals in the order of decreasing modification). In some instances, when a proposal in such a grouping is adopted, those that follow in that grouping may become moot.

## **Voting Procedures**

Methods of voting shall be in accordance with Constitution 5.1.4.4. Each voting delegate, when registering, receives a "voting paddle" for use in indicating the institution's vote when the chair calls for a "paddle" vote (Appendix I). Voting delegates receive orange paddles (Appendix J).

For roll-call votes, the Association utilizes an electronic voting system. Upon registering for the Convention, each voting delegate moves to the general registration area to receive the voting unit that has been coded for that member institution or conference. The voting delegate must turn in the voting unit identification card contained in the registration envelope to obtain the electronic unit.

Amendments to federated provisions are voted on by divisions, with a majority vote required for approval. In such instances (federated provi-

sions), each division is committed to the result of its counted vote. Any member that voted on the prevailing side can request reconsideration of the recorded vote of its division on an issue at any time before the conclusion of voting during that session. Each proposal includes a designation of the division(s) that votes on that item and the type of vote involved (federated or common).

*Delegates are urged to register and receive their voting materials before the opening business session begins at 4:30 p.m. Thursday, January 15. In addition, all voting in the division business sessions shall be by show of paddles (or by electronic roll-call votes), rather than by voice or hand.*

## **Memorial Resolutions**

At the time of the annual Convention, members of the Association honor by memorial resolution those persons closely associated with intercollegiate athletics who passed away during the year. It is requested that the names of persons to be honored in this manner be submitted to the NCAA, P.O. Box 6222, Indianapolis, Indiana 46206-6222.

## **Administrative Structure**

Rosters of the NCAA Board of Governors, and Division II Presidents Council and Management Council, are listed in Appendix K.

## **Request for Interpretations**

Division II member institutions and conferences are encouraged to request interpretations of the proposed legislation in this Official Notice in advance of the Convention. Information about requesting an interpretation appears in Appendix L.

All such requests must be received in the national office not later than December 5, 2014. Requests will be considered by the appropriate interpretative entities, and the decisions will be reviewed by the Division II Management Council in its pre-Convention meeting January 14. The resulting interpretations will be duplicated and distributed to the conferences for their pre-Convention meetings before the beginning of the business session January 17.

# TOPICAL GROUPINGS OF PROPOSED AMENDMENTS 108th ANNUAL CONVENTION

| <i>Proposal Number</i> | <i>General Topic</i>                            |
|------------------------|---|
| <b>1 through 19</b>    | <b>Division II Legislative Proposals</b>        |
| 1 through 6            | Consent Package                                 |
| 7 through 8            | NCAA Membership                                 |
| 9                      | Organization and Committees                     |
| 10                     | Legislative Process                             |
| 11 through 12          | Recruiting                                      |
| 13                     | Financial Aid and Awards, Benefits and Expenses |
| 14 through 15          | Awards, Benefits and Expenses                   |
| 16 through 19          | Playing and Practice Seasons                    |



## Division II



# 109th Annual Convention

## LEGISLATIVE PROPOSALS SUBMITTED BY THE MEMBERSHIP

[Note: In the following proposals:

- Those letters and words that appear in *italics* and ~~strikethrough~~ are to be deleted;
- Those letters and words that appear in **boldface** and underlined are to be added; and
- Those letters and words that appear in normal text are unchanged from the current Division II legislation.]

### 2015 NCAA CONVENTION OFFICIAL NOTICE ADDITIONAL INFORMATION

The additional information section following each proposal in the white pages is designed to provide further clarification regarding the application of the proposal and/or the rationale for the legislative change. The information includes frequently asked questions, figures and other information. Further information regarding the application of the proposals is available in the 2015 Convention Division II Legislative Proposals Question and Answer Guide at [www.ncaa.org](http://www.ncaa.org). (Note: The sponsors of the four membership proposals approved the information included in the additional information section for those proposals.)

### DIVISION II LEGISLATIVE PROPOSALS

*The NCAA Division II Presidents Council has determined that it will deal primarily with those national issues in Division II athletics that prompt widespread concern among Division II presidents or chancellors.*

*Legislative proposals developed by the Division II Management Council or by Division II committees reporting to it must be submitted to the Division II Presidents Council for review. They cannot be placed on the agenda for consideration at the Convention unless the Presidents Council agrees to sponsor them. This procedure was established to affirm presidential control of intercollegiate athletics in Division II.*

*Those proposals with an asterisk before the proposal number have been identified by the Presidents Council as roll-call votes. Delegates should refer to each proposal's source line for information regarding the sponsor of each proposal.*

*[Note: Pursuant to Constitution 5.3.12, all amendments shall become effective not earlier than the first day of August following adoption at the NCAA Convention; however, if a voting delegate wishes to propose an immediate effective date, or to propose any other effective date prior to the first day of August, a two-thirds majority of all delegates present and eligible to vote on the amendment is required to approve the immediate or alternative effective date. Those proposals that receive the required vote to carry*

*an immediate effective date and that are adopted, become effective upon adjournment of the Convention.]*



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## CONSENT PACKAGE

### NO. 2015-1 (NO. 2-5) AMATEURISM – PARTICIPATION OF SIGNED PROSPECTIVE STUDENT-ATHLETES IN INSTITUTIONAL FUNDRAISERS OR PROMOTIONAL ACTIVITIES

**Intent:** To specify that a prospective student-athlete may participate in institutional fundraisers or promotional activities prior to his or her initial collegiate enrollment, provided the prospective student-athlete has graduated from high school and has signed a National Letter of Intent or a written offer of admission and/or financial aid.

**A. Bylaws:** Amend 12.5.1.1, as follows:

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

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

**12.5.1.1.1 Signed Prospective Student-Athlete's Participation in Institutional Fundraisers or Promotional Activities. A prospective student-athlete may participate in institutional fundraisers or promotional activities prior to his or her initial collegiate enrollment, provided the prospective student-athlete has graduated from high school and has signed a National Letter of Intent or a written offer of admission and/or financial aid.**

[12.5.1.1.1 through 12.5.1.1.6 renumbered as 12.5.1.1.2 through 12.5.1.1.7, unchanged.]

**B. Bylaws:** Amend 13.2.2, as follows:

13.2.2 Specific Prohibitions. Specifically prohibited financial aid, benefits and arrangements include, but are not limited to, the following: [R]

[13.2.2-(a) through 13.2.2-(j) unchanged.]

(k) Involvement of a prospective student-athlete, *including a prospective student-athlete* who has **not** signed a National Letter of Intent *or for institutions not using the National Letter of Intent a signed acceptance of the* **or the** institution's written offer of admission and/or financial aid, in an institutional fundraiser or promotional activity. *The activity is also prohibited in the summer prior to initial full-time collegiate enrollment,* or

[13.2.2-(l) unchanged.]

**Source:** NCAA Division II Presidents Council [Management Council]

(Legislation Committee)].

**Effective Date:** Immediate

**Rationale:** Current legislation precludes a prospective student-athlete from participating in institutional fundraisers prior to his or her initial full-time enrollment or prior to reporting for a regular squad practice. This prohibition precludes those prospective student-athletes who have made a determination about which institution they will attend from participating in fundraisers that may be intended to offset expenses for activities or athletics gear from which the prospective student-athlete will benefit. Current legislation already permits prospective student-athletes who have signed a written commitment to work institutional camps and use institutional facilities for voluntary athletically related activities in the summer prior to enrollment. This recommendation will permit a signed prospective student-athlete to participate in institutional fundraisers following high school graduation and is consistent with other benefits permitted in the current legislation. The immediate effective date will permit prospective student-athletes to begin participating in fundraising and promotional activities in the spring and summer of 2015.

**Additional Information:**

**1. Question:** Does the proposal require a prospective student-athlete to graduate from high school prior to participating in an institutional fundraiser or promotional activity?

**Answer:** Yes.

**2. Question:** Is it permissible for an institution to provide actual and necessary expenses to a prospective student-athlete to participate in an institutional fundraiser or promotional activity?

**Answer:** Yes. However, it is not permissible for institutions to provide transportation for a prospective student-athlete to enroll per NCAA Bylaw 13.5.4 (transportation to enroll). For example, if the institution is having a fundraiser three days prior to the start of an academic term and the prospective student-athlete is from out of state, the institution would not be permitted to pay for the flight if the prospective student-athlete will stay in the locale of the institution after the fundraiser is completed.

**3. Question:** Is it permissible for a partial qualifier, nonqualifier or transfer student to participate in an institutional fundraiser or promotional activity?

**Answer:** The chart below details the eligibility of a prospective student-athlete to participate in an institutional fundraiser or promotional activity.

| <b>Prospective Student-Athlete's Classification</b>   | <b>Requirements for Participation in an Institutional Fundraiser or Promotional Activity</b>  |
|---|---|
| Incoming first-year student, qualifier  | <ul style="list-style-type: none"> <li>• Sign National Letter of Intent (NLI) or a written offer of admission and/or financial aid; and</li> <li>• Graduate from high school.</li> </ul>  |
| Incoming first-year student, partial qualifier  | <ul style="list-style-type: none"> <li>• Not eligible to participate. [Partial qualifiers are not permitted to participate in institutional fundraisers or promotional activities (See 2014-15 NCAA Division II Manual, Figure 14-2).]</li> </ul> |
| Incoming first-year student, nonqualifier   | <ul style="list-style-type: none"> <li>• Not eligible to participate. [Nonqualifiers are not permitted to participate in institutional fundraisers or promotional activities (See 2014-15 Manual, Figure 14-2).]</li> </ul>                       |
| Incoming first-year student, has not yet received final academic certification from the NCAA Eligibility Center | <ul style="list-style-type: none"> <li>• Sign NLI or a written offer of admission and/or financial aid; and</li> <li>• Graduate from high school.</li> </ul>  |
| Two-year college transfer student   | <ul style="list-style-type: none"> <li>• Sign NLI or a written offer of admission and/or financial aid; and</li> <li>• Meet applicable two-year college transfer requirements (Bylaw 14.5.4).</li> </ul>  |
| Four-year college transfer student  | <ul style="list-style-type: none"> <li>• Receipt of permission to contact; and</li> <li>• Sign written offer of admission and/or financial aid.</li> </ul>  |

**NO. 2015-2 (NO. 2-6) RECRUITING – CONTACTS AND EVALUATIONS – DE MINIMIS VIOLATIONS – IMPACT OF VIOLATIONS ON PROSPECTIVE STUDENT-ATHLETE ELIGIBILITY**

**Intent:** To specify that violations of the recruiting contact and evaluation legislation shall be considered de minimis, institutional violations and will not affect a prospective student-athlete's eligibility.

**A. Bylaws:** Amend 13.01.5, as follows:

13.01.5 Eligibility Effects of Recruiting Violation. The recruitment of a student-athlete by a member institution or any representative of its athletics interests in violation of the Association's legislation, as acknowledged by the institution or established through the Association's enforcement procedures, shall result in the student-athlete becoming ineligible to represent that institution in intercollegiate athletics, un-

**less otherwise specified.** The Committee on Student-Athlete Reinstatement may restore the eligibility of a student involved in such a violation only when circumstances clearly warrant restoration. A student is responsible for his or her involvement in a violation of NCAA regulations during the student's recruitment and involvement in a major violation (see Bylaw 19.02.2.2) may cause the student to become permanently ineligible for intercollegiate athletics competition at that institution.

**B. Bylaws:** Amend 13.1, as follows:

13.1 Contacts and Evaluations. Recruiting contacts (per Bylaw 13.02.3) and telephone calls with a prospective student-athlete (or the prospective student-athlete's relatives or legal guardians) by institutional staff members and/or representatives of the institution's athletics interests are subject to the provisions set forth in this bylaw. **[D]**

13.1.1 Contactable Prospective Student-Athletes.

13.1.1.1 High School Prospective Student-Athletes. In-person, off-campus recruiting contacts and telephone calls shall not be made with a prospective student-athlete or a prospective student-athlete's relatives or legal guardians before June 15 immediately preceding the prospective student-athlete's junior year in high school. **[D]**

13.1.1.2 Four-Year College Prospective Student-Athletes. An athletics staff member or other representative of the institution's athletics interests shall not make contact with the student-athlete of an NCAA or NAIA four-year collegiate institution, directly or indirectly, without first obtaining the written permission of the first institution's athletics director (or an athletics administrator designated by the athletics director) to do so, regardless of who makes the initial contact. If permission is not granted, the second institution shall not encourage the transfer and shall not provide athletically related financial assistance to the student-athlete until the student-athlete has attended the second institution for one academic year. If permission is granted to contact the student-athlete, all applicable NCAA recruiting rules apply. (See Bylaw 13.1.6 for legislation regarding contacts and Bylaw 13.1.3.1 for legislation regarding telephone calls.) **[D]**

[13.1.1.2.1 through 13.1.1.2.4 unchanged.]

13.1.2 Permissible Recruiters.

[13.1.2.1 through 13.1.2.2 unchanged.]

13.1.2.3 Other Restrictions, Representatives of the Institution's Athletics Interests. The following are additional restrictions that apply to representatives of the institution's athletics interests: **[D]**

(a) Observing Prospective Student-Athlete's Contest. A representative of the institution's athletics interests may view a prospective student-athlete's athletics contest on his or her own initiative, subject to the understanding that the representative of the institution's athletics interests may not contact the prospective

student-athlete on such occasions;

(b) Evaluation of Prospective Student-Athlete. A representative of the institution's athletics interests may not contact a prospective student-athlete's coach, principal or counselor in an attempt to evaluate the prospective student-athlete; and

(c) Visiting Prospective Student-Athlete's Institution. A representative of the institution's athletics interests may not visit a prospective student-athlete's educational institution to pick up film/videotape or transcripts pertaining to the evaluation of the prospective student-athlete's academic eligibility or athletics ability.

[13.1.2.4 through 13.1.2.5 unchanged.]

### 13.1.3 Telephone Calls to Prospective Student-Athletes.

13.1.3.1 Time Period for Telephone Calls – General Rule. Telephone calls to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s)] shall not be made before June 15 immediately preceding the prospective student-athlete's junior year in high school; thereafter, there shall be no limit on the number of telephone calls made by institutional staff members to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s)]. **[D]**

#### 13.1.3.2 Additional Regulations.

13.1.3.2.1 During Conduct of Athletics Contest. Telephone calls to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s)] may not be made during the conduct of any of the institution's intercollegiate athletics contests in that sport from the time the institution's team reports on call at the competition site at the direction of the coach until the competition has concluded and the team has been dismissed by the coach. **[D]**

[13.1.3.2.2 unchanged.]

#### 13.1.3.3 Permissible Callers.

13.1.3.3.1 Institutional Staff Members. In all sports, institutional staff members may make telephone calls to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s)] in accordance with the provisions of this bylaw. **[D]**

#### 13.1.3.4 Nonpermissible Callers.

13.1.3.4.1 Enrolled Students and Student-Athletes. Enrolled student-athletes or other enrolled students shall not make or participate in telephone calls to prospective student-athletes at the direction of a coaching staff member or financed by the institution or a representative of its athletics interests; however, they may receive telephone calls at the expense of the prospective student-athlete after July 1 after the completion of the prospective student-athlete's junior year in high school. **[D]**

[13.1.3.4.1.1 unchanged.]

13.1.3.4.1.2 Representatives of Athletics Interests. It is not permissible for a representative of the institution's athletics interests (as defined in Bylaw 13.02.12) to make telephone calls to a prospective student-athlete. **[D]**

[13.1.3.5 through 13.1.4.1 unchanged.]

13.1.5 Visit to Prospective Student-Athlete's Educational Institution. Visits to a prospective student-athlete's educational institution that will occur during that portion of the day when classes are being conducted for all students must receive the approval of the executive officer (or the executive officer's designated representative) of the prospective student-athlete's educational institution. **[D]**

13.1.6 Contacts. There is no limitation on the number of in-person, off-campus recruiting contacts per prospective student-athlete. (See Bylaw 13.1.7 for contact restrictions at specified sites.)

13.1.6.1 Letter-of-Intent Signing. Any in-person, off-campus contact made with a prospective student-athlete for the purpose of signing a letter of intent or other commitment to attend the institution or attendance at activities related to the signing of a letter of intent or other commitment to attend the institution shall be prohibited. **[D]**

13.1.6.1.1 Delivery of Letter of Intent. In-person, off-campus delivery of a letter of intent by an institutional staff member shall be prohibited. The letter may be delivered by express mail, courier service, regular mail, electronic mail or facsimile machine. **[D]**

[13.1.6.2 unchanged.]

13.1.7 Contact Restrictions at Specified Sites.

[13.1.7.1 through 13.1.7.2.1 unchanged.]

13.1.7.2.2 High School All-Star Games. In-person contact with a prospective student-athlete shall not be made on or off the member institution's campus at a high school all-star game practice or competition site outside the permissible contact periods in football and basketball. **[D]**

13.1.7.2.3 Bowl Games. During a dead period, attendance by a prospective student-athlete at the site of an institution's bowl game practice session may occur only if the practice is open to the general public and the prospective student-athlete observes the practice only from an area reserved for that purpose for the general public. No contact between the prospective student-athlete and institutional staff members or representatives of the institution's athletics interests may occur. **[D]**

[13.1.7.2.4 unchanged.]

~~13.1.7.2.5 Effect of Violation. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1;~~

~~however, such violations shall not affect the prospective student-athlete's eligibility.~~

[13.1.8 unchanged.]

13.1.9 Banquets, Meetings and NCAA Promotional Activities. A coach may speak at a meeting or banquet without triggering a permissible contact or evaluation, provided: **[D]**

- (a) The coach does not make a recruiting presentation in conjunction with the appearance;
- (b) The coach does not have direct contact with any prospective student-athlete (or the prospective student-athlete's relatives or legal guardians) in attendance;
- (c) The coach does not engage in any evaluation activities; and
- (d) The meeting or banquet does not take place during a dead period.

13.1.9.1 Banquets and Meetings in Conjunction with Community Engagement Activities. A coach may speak at a meeting or banquet in conjunction with a community engagement activity and have contact with a prospective student-athlete(s) (or the prospective student-athlete's relatives or legal guardians), provided: **[D]**

- (a) The coach does not make a recruiting presentation in conjunction with the appearance;
- (b) The contact is not for the purpose of securing the enrollment or ultimate participation of the prospective student-athlete(s) in the institution's intercollegiate athletics program; and
- (c) The meeting or banquet does not take place during a dead period.

[13.1.9.2 unchanged.]

**Source:** NCAA Division II Presidents Council [Management Council (Student-Athlete Reinstatement Committee)].

**Effective Date:** August 1, 2015

**Rationale:** This proposal would eliminate any impact on a prospective student-athlete's eligibility when an institutional staff member and/or representative of the institution's athletics interests is involved in impermissible recruiting contacts and telephone calls with the prospective student-athlete (or the prospective student-athlete's relatives or legal guardians). The prospective student-athletes lack involvement and culpability in these cases. Further, institutions submit a significant number of these cases annually. As a result, the NCAA student-athlete reinstatement staff spends a significant amount of time processing cases where a prospective student-athlete's culpability is extremely limited and, traditionally, the prospective student-athlete's eligibility is reinstated without conditions. Violations would remain institutional violations and would have to be reported to the enforcement staff.

**Additional Information:**

- 1. Question:** What is the current impact of a violation of the contact and evaluation legislation?

**Answer:** The institution must report a secondary violation to the NCAA enforcement staff and file a student-athlete reinstatement request for the involved prospective student-athlete(s).
- 2. Question:** What is a de minimis violation?

**Answer:** A violation that is considered to be an institutional violation that does not affect a prospective student-athlete or student-athlete's eligibility.
- 3. Question:** How many student-athlete reinstatement requests are submitted for violations of the contact and evaluation legislation?

**Answer:** During the 2013-14 academic year, the Division II membership filed 26 student-athlete reinstatement requests associated with violations of the contact and evaluation legislation. All prospective student-athletes involved in the 26 requests were fully reinstated without conditions.
- 4. Question:** If this proposal is adopted, what action must be taken if an institutional staff member commits a violation of the contact and evaluation legislation?

**Answer:** The institution would be required to report a secondary violation to the enforcement staff.

**NO. 2015-3 (NO. 2-7) RECRUITING AND ELIGIBILITY – PERMISSION TO CONTACT AND ONE-TIME TRANSFER EXCEPTION – HEARING REQUIREMENT**

**Intent:** To specify that if a member institution denies a student-athlete's written request to permit another institution to contact the student-athlete about transferring or denies a written request for a release in conjunction with the application of the one-time transfer exception, the institution shall provide the student-athlete the opportunity to actively participate (e.g., appear in person or via telephone) in the hearing; further, to specify that if the institution fails to respond to the student-athlete's written request or fails to conduct the hearing or provide written results within the specified time period, permission to contact or the transfer release shall be granted by default and the institution shall provide the written permission or release to the student-athlete.

**A. Bylaws:** Amend 13.1.1.2, as follows:

13.1.1.2 Four-Year College Prospective Student-Athletes. An athlete-



ics staff member or other representative of the institution's athletics interests shall not make contact with the student-athlete of an NCAA or NAIA four-year collegiate institution, directly or indirectly, without first obtaining the written permission of the first institution's athletics director (or an athletics administrator designated by the athletics director) to do so, regardless of who makes the initial contact. If permission is not granted, the second institution shall not encourage the transfer and shall not provide athletically related financial assistance to the student-athlete until the student-athlete has attended the second institution for one academic year. If permission is granted to contact the student-athlete, all applicable NCAA recruiting rules apply. (See Bylaw 13.1.6 for legislation regarding contacts and Bylaw 13.1.3.1 for legislation regarding telephone calls.) **If an institution receives a written request from a student-athlete to permit another institution to contact the student-athlete about transferring, the institution shall grant or deny the request within 14 consecutive calendar days of receipt of the request. If the institution fails to respond to the student-athlete's written request within 14 consecutive calendar days, permission shall be granted by default and the institution shall provide written permission to the student-athlete.**

13.1.1.2.1 Hearing Opportunity. If the institution decides to deny a student-athlete's request to permit any other institution to contact the student-athlete about transferring, the athletics director (or his or her designee) shall inform the student-athlete in writing, within 14 consecutive calendar days from receipt of a student-athlete's written request, that he or she, on request, shall be provided a hearing conducted by an institutional entity or committee outside of the athletics department (e.g., the office of student affairs; office of the dean of students; or a committee composed of the faculty athletics representative, student-athletes and nonathletics faculty/staff members). The notification of the hearing opportunity shall include a copy of the institution's policies and procedures for conducting the required hearing, including the deadline by which a student-athlete must request such a hearing. The institution shall conduct the hearing **and provide written results of the hearing to the student-athlete** within 30 consecutive calendar days of receiving a student-athlete's **written** request for the hearing. **The student-athlete shall be provided the opportunity to actively participate (e.g., in person, via telephone) in the hearing. If the institution fails to conduct the hearing or provide the written results to the student-athlete within 30 consecutive calendar days, permission to contact the student-athlete shall be granted by default and the institution shall provide written permission to the student-athlete.**

**B. Bylaws:** Amend 14.5.5.3.9, as follows:

14.5.5.3.9 One-Time Transfer Exception. The student transfers to the certifying institution from another four-year collegiate institution, and all of the following conditions are met (for graduate students, see By-

law 14.1.8.1):

[14.5.5.3.9-(a) through 14.5.5.3.9-(b) unchanged.]

(c) If the student is transferring from an NCAA or NAIA member institution, the student's previous institution shall certify in writing that it has no objection to the student being granted an exception to the transfer residence requirement. *If the student's previous institution denies his or her request for the release, the athletics director (or his or her designee) shall inform the student-athlete in writing, within 14 consecutive calendar days from receipt of a student-athlete's written request, that he or she, on request, shall be provided a hearing conducted by an institutional entity or committee outside of the athletics department (e.g., the office of student affairs; office of the dean of students; or a committee composed of the faculty athletics representative, student-athletes and nonathletics faculty/staff members). The notification of the hearing opportunity shall include a copy of the institution's policies and procedures for conducting the required hearing, including the deadline by which a student-athlete must request such a hearing. The institution shall conduct the hearing within 30 consecutive calendar days of receiving a student-athlete's request for the hearing.* **If an institution receives a written request for a release from a student-athlete, the institution shall grant or deny the request within 14 consecutive calendar days of receipt of the request. If the institution fails to respond to the student-athlete's written request within 14 consecutive calendar days, the release shall be granted by default and the institution shall provide a written release to the student-athlete.**

[14.5.5.3.9-(d) unchanged.]

**14.5.5.3.9.1 Hearing Opportunity.** **If the student's previous institution denies his or her written request for the release, the athletics director (or his or her designee) shall inform the student-athlete in writing, within 14 consecutive calendar days from receipt of a student-athlete's written request, that he or she, on request, shall be provided a hearing conducted by an institutional entity or committee outside of the athletics department (e.g., the office of student affairs; office of the dean of students; or a committee composed of the faculty athletics representative, student-athletes and nonathletics faculty/staff members). The notification of the hearing opportunity shall include a copy of the institution's policies and procedures for conducting the required hearing, including the deadline by which a student-athlete must request such a hearing. The institution shall conduct the hearing and provide written results of the hearing within 30 consecutive calendar days of receiving a student-athlete's written request for the hearing. The student-athlete shall be provided the opportunity to actively participate (e.g., in person, via telephone) in the hearing. If the institution fails to conduct the hearing and provide written results of the hearing within 30 consecutive calendar days, the release shall be granted by default and the institution shall provide a written**

**release to the student-athlete.**

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

**Effective Date:** August 1, 2015

**Rationale:** The legislation governing the appeals processes for denial of permission to contact requests or transfer releases is designed to allow the student-athlete the opportunity to appeal to an institutional body outside the athletics department if he or she feels that further review of the request is warranted. In some instances institutions may not place the best interests of the student-athlete at the forefront of the process. Specifically, institutions may purposefully delay the appeal processes (as much as possible within their established procedures) for an extended period of time. In these circumstances, the opportunity to enroll at another institution is reduced as time passes due to admissions and enrollment deadlines. In addition, the possibility of receiving a scholarship offer from another institution may be reduced with the delay in the hearing processes. Establishing consistent standards related to notifying student-athletes of their opportunity for an appeal, as well as establishing standards related to how institutions conduct the appeal will reduce potential for abuse of the process and promote student-athlete well-being.

**Additional Information:**

- 1. Question:** What impact would this proposal have on the current timelines that an institution must follow for responding to a student-athlete's written request for permission to contact or use of the one-time transfer exception?

**Answer:** Current legislation does not require an institution to respond to a student-athlete's written request for permission to contact or use of the one-time transfer exception within 14 calendar days if the institution approves the request. If an institution denies a student-athlete's written request, the institution must respond within 14 calendar days. This proposal would require an institution to respond to all written requests within 14 calendar days, regardless of whether the request is approved or denied.

Currently, if an institution denies the request and the student-athlete requests a hearing, the hearing must be conducted within 30 consecutive calendar days of the student-athlete's written request for a hearing. This proposal would require an institution to conduct the hearing and provide written results to the student-athlete within 30 consecutive calendar days of the student-athlete's written request for a hearing.

**2. Question:** What is the definition of “active participation” for purposes of this proposal?

**Answer:** Active participation may be defined by institutional policy, but must provide the student-athlete with the opportunity to interact with the hearing entity or committee in real time.

| Mode of Student-Athlete Participation                                       | Active Participation?  |
|---|--|
| In-person   | Yes  |
| Videoconference   | Yes  |
| Telephone   | Yes  |
| Written statement (e.g., letter, email)                                     | Maybe. Permissible only if student-athlete declines the opportunity to actively participate and institutional policy permits a written statement.  |
| Recorded statement  | Maybe. Permissible only if student-athlete declines the opportunity to actively participate and institutional policy permits a recorded statement. |
| Third-party (e.g., parent, attorney) appearing on student-athlete’s behalf. | Maybe. Permissible only if institutional policy permits a third party to appear on behalf of the student-athlete.                                  |

**3. Question:** If a student-athlete’s request to utilize the one-time transfer exception is automatically granted due to the previous institution’s failure to respond within 14 calendar days, is the student-athlete immediately eligible for competition?

**Answer:** No. The student-athlete must also meet all other requirements of the one-time transfer exception (e.g., good academic standing and meeting progress-toward-degree requirements at the previous institution) prior to being certified as eligible for competition.

**NO. 2015-4 (NO. 2-9) RECRUITING – PERMISSIBLE ACTIVITIES – TRYOUTS – POST-HIGH SCHOOL TRYOUTS**

**Intent:** To specify that the one-tryout limitation applies separately to the

period in which the prospective student-athlete is in high school and to the period beginning September 1 after the prospective student-athlete's completion of high school.

**Bylaws:** Amend 13.11.2.1, as follows:

13.11.2.1 Tryouts. A member institution may conduct a tryout of a prospective student-athlete only on its campus or at a site at which it normally conducts practice or competition beginning June 15 immediately preceding the prospective student-athlete's junior year in high school and only under the following conditions (see Bylaw 17.02.14 for tryouts of currently enrolled students):

(a) Not more than one tryout per prospective student-athlete per institution per sport shall be permitted. **This limitation applies separately to the period in which the prospective student-athlete is in high school and to the period beginning September 1 after the prospective student-athlete's completion of high school;**

[13.11.2.1-(b) through 13.11.2.1-(g) unchanged.]

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

**Effective Date:** Immediate

**Rationale:** Prospective student-athletes are currently limited to one tryout per institution per sport. This change is consistent with the application of post-high school official visits legislation and would permit a prospective student-athlete who participated in a tryout while in high school to participate in a post-high school tryout. This flexibility will allow a second opportunity to try out when a prospective student-athlete is interested in a potential transfer or there has been a coaching change. Additionally, this proposal reduces the monitoring burden for administrators and would only require administrators to track whether or not the prospective student-athlete has participated in a post-high school tryout. The immediate effective date will provide the opportunity for prospective student-athletes to engage in post-high school tryouts during spring 2015.

**Additional Information:**

- 1. Question:** What is the current legislation regarding the permissible number of tryouts?

**Answer:** Per the recruiting legislation, a prospective student-athlete may only participate in one tryout per institution per sport.
- 2. Question:** How is "completion of high school" defined for purposes of this proposal?

**Answer:** Completion of high school is defined as graduation or receipt of a state high school equivalency diploma (e.g., GED).

**3. Question:** How would this proposal impact tryouts for currently enrolled students as outlined in Bylaw 17.02.14 (tryouts – enrolled student)?

**Answer:** A currently enrolled student may only participate in one tryout per sport during any academic year. If an individual participates in a post high school tryout, he or she would not be permitted to participate in a tryout as an enrolled student during the same academic year.

**NO. 2015-5 (NO. 2-18) PLAYING AND PRACTICE SEASONS – FOREIGN TOURS – ELIGIBILITY OF RETURNING AND INCOMING STUDENT-ATHLETES**

**Intent:** To modify the foreign tour legislation, as follows: (1) to specify that a student-athlete shall not participate in more than one foreign tour per sport for a particular institution; (2) to specify that in order to be eligible for a foreign tour that takes place between terms (e.g., winter vacation period, summer), a student-athlete must be certified as academically and athletically eligible for the ensuing academic term; (3) to specify that a student-athlete who has exhausted eligibility in a term immediately preceding the foreign tour may participate, provided the student-athlete would have been otherwise eligible for competition (e.g., would have met progress-toward-degree requirements) or has graduated; and (4) to specify that an incoming student-athlete may represent the institution on a foreign tour in the summer prior to initial full-time enrollment provided the prospective student-athlete has signed a National Letter of Intent or written offer of admission and/or financial aid, and has received a final academic (if applicable) and amateurism certification from the NCAA Eligibility Center. An incoming transfer student-athlete must be otherwise eligible per Bylaw 17.29.1.5.

**Bylaws:** Amend 17.29, as follows:

17.29 Foreign Tours.

17.29.1 Institutionally Certified Tours.

[17.29.1.1 through 17.29.1.3 unchanged.]

17.29.1.4 Time Lapse Between Tours. An institution shall not engage in a foreign tour in each sport more than once every four years. Participation during the summer is counted in the previous academic year. **A student-athlete shall not participate in more than one foreign tour per sport for a particular institution.**

[17.29.1.4.1 unchanged.]

17.29.1.5 Eligibility of Student-Athletes. The eligibility of student-athletes on the tour shall be governed by the following (see Bylaw 14.2.4.8):

(a) If the tour takes place *during the summer* **between academic terms (e.g., winter vacation period, summer)**, *the student-athletes* **the institution** shall *have been eligible for intercollegiate competition during the previous academic year or shall have been enrolled at the institution as a full-time student during the previous academic year and* have established by the beginning of the tour that *he or she is* **a student-athlete participating on the foreign tour is academically and athletically eligible for competition the academic year for the term** immediately following the tour. **A student-athlete who exhausted his or her eligibility in a term immediately preceding the foreign tour may participate provided the student-athlete would have been otherwise eligible for competition (see Bylaw 14.4) or has graduated.**

(b) If the tour takes place after the academic year has started, the student-athlete shall be regularly enrolled in the institution and eligible for intercollegiate competition.

17.29.1.5.1 Incoming-Student Participation. It is permissible for an eligible incoming student-athlete to represent the institution *only* on a foreign tour *that begins after the permissible starting practice date in the sport involved or after the first day of classes of his or her first regular term at the institution* **in the summer prior to initial full-time enrollment provided the prospective student-athlete has signed a National Letter of Intent or written offer of admission and/or financial aid. An incoming student-athlete in his or her first year of collegiate enrollment must have received a final academic and amateurism certification from the NCAA Eligibility Center. An incoming transfer student-athlete must have received an amateurism certification and be otherwise eligible per Bylaw 17.29.1.5.**

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

**Effective Date:** Immediate

**Rationale:** Current legislation does not specify eligibility requirements for student-athletes who have exhausted eligibility or graduated in the term prior to a foreign tour taking place between terms. This change will require all student-athletes to be certified as academically and athletically eligible in order to participate in a foreign tour. Since institutions are limited to participating in a foreign tour once in every four years, allowing incoming student-athletes to participate in a foreign tour provides equitable opportunity for all eligible student-athletes to participate in a unique educational and athletic opportunity while limiting student-athletes to participating in one foreign tour for a particular institution. The immediate effective date will permit incoming student-athletes to participate in foreign tours occurring in summer 2015.

**Additional Information:**

- 1. Question:** What is a foreign tour for purposes of NCAA legislation?
- Answer:** Foreign tours are trips abroad organized and administered by the institution's athletics department for an institution's athletics team to engage in competition against foreign teams and provide an educational and cultural experience for the student.
- 2. Question:** If the proposal is adopted, what are the eligibility requirements for an incoming student-athlete to participate in a foreign tour?
- Answer:** Incoming first-year student-athletes must sign a National Letter of Intent or written offer of admission and/or financial aid. In addition, they must receive a final academic and amateurism certification from the NCAA Eligibility Center. Incoming transfer student-athletes must have received an amateurism certification and meet transfer eligibility requirements.
- 3. Question:** May an incoming student-athlete participate in the 10 permissible days of practice prior to a foreign tour?
- Answer:** Yes, provided the prospective student-athlete is eligible to participate in the foreign tour.
- 4. Question:** Does participation in a foreign tour during the summer trigger the use of a season of competition?
- Answer:** No.

**NO. 2015-6 (NO. 2-19) NATIONAL COLLEGIATE CHAMPIONSHIPS – WOMEN'S SAND VOLLEYBALL**

**Intent:** In sand volleyball, to establish a National Collegiate Championship and to establish a six person sand volleyball committee.

**A. Bylaws:** Amend 18.3, as follows:

18.3 Current Championships. The Association currently administers ~~89~~ **90** national championships. There are ~~10~~ **11** National Collegiate Championships. Additionally, there are 26 Division I championships, 25 Division II championships and 28 Division III championships. (See Bylaw 31.02.2 for information about the classification and terminology of championships and see Constitutions 5.3.10.1 and 5.3.10.2 for the voting requirements for the establishment of a new championship.) The current championships are as follows:

18.3.1 National Collegiate Championships (~~10~~ **11**).



|                                 |                   |                               |
|---------------------------------|-------------------|-------------------------------|
| Men (3)                         | Men and Women (3) | Women ( <u>45</u> )           |
| Gymnastics                      | Fencing           | Bowling                       |
| Volleyball (Divisions I and II) | Rifle             | Gymnastics                    |
| Water Polo                      | Skiing            | Ice Hockey                    |
|                                 |                   | <b><u>Sand Volleyball</u></b> |
|                                 |                   | Water Polo                    |

[18.3.2 unchanged.]

**B. Bylaws:** Amend 20.03, as follows:

20.03 Emerging Sports for Women.

20.03.1 Definition of Emerging Sports for Women. The following shall be considered emerging sports for women (see Bylaw 20.10.3.2):

- (a) Team Sports: rugby *and sand volleyball*; and
- (b) Individual Sports: equestrian and triathlon.

[20.03.1.1 unchanged.]

**C. Bylaws:** Amend 20.7.1, as follows:

20.7.1 Eligibility for National Collegiate Championships. An active member institution in good standing, regardless of division, is eligible for the National Collegiate Championships, if a division championship in the respective sport is not offered in its division. Such an institution is required to meet only the institutional and individual eligibility requirements of its division that govern the sport in question. Separate championships in each division are not sponsored in the following sports:

|                           |                                       |
|---------------------------|---------------------------------------|
| Women's bowling           | Men's and women's rifle               |
| Men's and women's fencing | <b><u>Women's sand volleyball</u></b> |
| Men's gymnastics          | Men's and women's skiing              |
| Women's gymnastics        | Men's volleyball                      |
| Women's ice hockey        | Men's and women's water polo          |

**D. Bylaws:** Amend 21.4, as follows:

[Common provision, all divisions, divided vote]

21.4 Common Committees – Committees With Playing Rules and Championships Administration Responsibilities.

[21.4.1 through 21.4.3 unchanged.]

**21.4.4 Sand Volleyball, Women's. The Women's Sand Volleyball**

**Committee shall consist of six members.**

[21.4.4 through 21.4.6 renumbered as 21.4.5 through 21.4.7, unchanged.]

**Source:** NCAA Division II Presidents Council [Management Council (Committee on Women's Athletics)].

**Effective Date:** For Sections A, B and C: August 1, 2015. For Section D: Immediate.

**Rationale:** Sand volleyball is the fastest growing NCAA sport and has passed the minimum 40 sponsoring institutions to request an NCAA championship. Data shows that by the third year of sponsorship 60 percent of participants are single-sport student-athletes. At the 2014 AVCA national championship, 73 percent of participants were single-sport athletes. The sport has thus met both goals of the emerging sport for women program - growth of new women's participation opportunities and growth in sponsorship to championship level. A championships committee, established immediately, allows for the organization of the sport in preparation for the 2016 target date of its first championship. A first championship in the spring of 2016 allows for the appropriate development, site selection and criteria for the event. A championship format of teams and pairs promotes continued growth in sponsorship of the sport and championship experience for more female student-athletes. A National Collegiate Championship allows any divisional program to access a championship experience.

**Additional Information:**

**1. Question:** What are the requirements to establish a National Collegiate Championship?

**Answer:** In accordance with NCAA Constitution 5.3.10.1 (National Collegiate Championship), all three divisions must adopt legislation to establish a National Collegiate Championship. The NCAA Division I Legislative Council adopted legislation to establish a National Collegiate Championship in women's sand volleyball at its October 2014 meeting. Division III will vote on the proposal at the Division III business session at the 2015 Convention.

**2. Question:** If the proposal is adopted, when would the first women's sand volleyball championship be conducted?

**Answer:** Spring 2016.

**3. Question:** If sand volleyball is adopted as a National Collegiate Championship, would Division II be precluded from sponsoring a Division II championship in the future?

**Answer:** No. A division championship may be established if 40 Division II institutions sponsor the sport at the varsity level.

**4. Question:** How are National Collegiate Championships funded?

**Answer:** National Collegiate Championships are included in the Division I championship budget and do not impact the Division II championship budget.

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## NCAA MEMBERSHIP

**\*NO. 2015-7 (NO. 2-1) NCAA MEMBERSHIP – CONDITIONS AND OBLIGATIONS OF MEMBERSHIP AND INSTITUTIONAL GOVERNANCE – ATHLETICS DEPARTMENT PERSONNEL – FULL-TIME DIRECTOR OF ATHLETICS WITH NO COACHING DUTIES**

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

**A. Constitution:** Amend 3.3.4, as follows:  
[Roll Call]

3.3.4 Conditions and Obligations of Membership.

[3.3.4.1 through 3.3.4.18 unchanged.]

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

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

**3.3.4.19.2 Failure to Meet Responsibility of Director of Athletics.**

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

**3.3.4.19.2.2 Application of Restricted Membership Status. If an institution fails to meet the requirement regarding the responsibility of the director of athletics at the end**

of the probationary year or is ineligible for the once-in-five-year probationary period, it shall be placed in restricted membership (see Bylaw 20.02.6). If the institution still cannot certify compliance with the division criteria at the end of that year, it shall forfeit immediately its membership in the Association.

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

**B. Constitution:** Amend 6.1, as follows:  
[Roll Call]

6.1 Institutional Governance.

[6.1.1 through 6.1.2 unchanged.]

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

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

**C. Bylaws:** Amend 11, as follows:

[Roll Call]

11 Conduct and Employment of Athletics Personnel

[11.02 through 11.2 unchanged.]

**11.3 Responsibility of Institutional Athletics Department Personnel.**

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

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

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

**Effective Date:** August 1, 2015

**Rationale:** Institutions in the membership process are required to demonstrate that they employ an individual who serves as a full-time director of athletics with no coaching responsibilities. This requirement does not currently apply to active member institutions; however, data provided in the 2013 Division II Membership Census indicate that an overwhelming majority of active Division II institutions currently employ a full-time director of athletics with no coaching responsibilities. This legislative change would codify current best

practices. In addition, it is expected that this change will raise the overall level of Division II, reduce conflicts of interest, create consistency among the membership and enhance institutional control. Permitting individuals who serve an active member institution as a director of athletics and as a coach on July 31, 2015, to continue serving in both positions at their current institution, will provide flexibility for institutions that currently employ such individuals.

**Additional Information:**

- 1. Question:** How is “full time” defined for purposes of this proposal?

**Answer:** The individual must be considered a full-time employee in accordance with institutional policy.
- 2. Question:** Is it permissible for a director of athletics to have other noncoaching responsibilities on campus (e.g., faculty, vice president)?

**Answer:** Yes.
- 3. Question:** If an individual serves as both the director of athletics and a coach on July 31, 2015, can that individual hold both roles at the institution indefinitely?

**Answer:** Yes.
- 4. Question:** Is it permissible for an institution to hire an individual on or before July 31, 2015, to serve as both the director of athletics and a coach if the individual does not begin his or her job responsibilities until August 1, 2015, or thereafter?

**Answer:** Yes. The application of the legislation would be based on the individual’s hire date.
- 5. Question:** Is it permissible for an individual with coaching responsibilities to be appointed as the interim director of athletics or vice versa if the director of athletics or a coach leaves the institution on or after August 1, 2015?

**Answer:** No. However, the institution may file a waiver through the NCAA Division II Membership Committee.

**\*NO. 2015-8 (NO. 2-2) NCAA MEMBERSHIP – CONDITIONS AND OBLIGATIONS OF MEMBERSHIP AND INSTITUTIONAL GOVERNANCE – ATHLETICS DEPARTMENT PERSONNEL – FULL-TIME COMPLIANCE ADMINISTRATOR WITH NO COACHING DUTIES**

**Intent:** To specify that a member institution shall certify annually that it employs at least one individual who serves as a full-time compliance administrator with no coaching responsibilities.

**A. Constitution:** Amend 3.3.4, as follows:

[Roll Call]

3.3.4 Conditions and Obligations of Membership.

[3.3.4.1 through 3.3.4.18 unchanged.]

**3.3.4.19 Responsibility of Compliance Administrator. A member institution shall certify annually that it employs at least one individual who serves as a full-time compliance administrator with no coaching responsibilities.**

**3.3.4.19.1 Failure to Meet Responsibility of Compliance Administrator.**

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

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

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

**institution's waiver of the division's criteria.**

**B. Constitution:** Amend 6.1, as follows:

[Roll Call]

6.1 Institutional Governance.

[6.1.1 through 6.1.2.2 unchanged.]

**6.1.3 Compliance Administrator. A member institution shall employ at least one individual who serves as a full-time compliance administrator with no coach responsibilities (see Constitution 3.3.4.19).**

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

**C. Bylaws:** Amend 11, as follows:

[Roll Call]

11 Conduct and Employment of Athletics Personnel

[11.02 through 11.2 unchanged.]

**11.3 Responsibility of Institutional Athletics Department Personnel.**

**11.3.1 Compliance Administrator. A member institution shall employ at least one individual who serves as a full-time compliance administrator with no coaching responsibilities (see Constitution 3.3.4.19).**

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

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

**Effective Date:** August 1, 2018

**Rationale:** Institutions in the membership process are required to demonstrate that they employ an individual who serves as a full-time compliance administrator with no coaching responsibilities. This requirement does not currently apply to active member institutions; however, data provided in the 2013 Division II Membership Census indicate that an overwhelming majority of active Division II institutions currently employ a full-time compliance administrator with no coaching responsibilities. This legislative change would codify current best practices. In addition, it is expected that this change will raise the overall level of Division II, reduce conflicts of interest, create consistency among the membership and enhance institutional control. The delayed effective date provides a three-year period for institutions to meet the requirements of the legislation.

**Additional Information:**

**1. Question:** How is "full time" defined for purposes of this proposal?

**Answer:** The individual must be considered a full-time employee in accordance with institutional policy.



- 2. Question:** Is it permissible for the full-time compliance administrator with no coaching responsibilities to have other noncoaching responsibilities in the athletics department and/or on campus (e.g., game management, sport oversight, faculty, Title IX officer)?
- Answer:** Yes.
- 3. Question:** If this proposal is adopted, would it be permissible for an individual with coaching responsibilities to have compliance responsibilities provided the institution has at least another full-time compliance individual with no coaching responsibilities?
- Answer:** Yes. The legislation requires an institution to employ at least one full-time compliance administrator with no coaching responsibilities. If the institution assigns compliance responsibilities to more than one individual, only one must be full time with no coaching responsibilities.
- 4. Question:** If an institution has more than one individual with compliance responsibilities, including one who also has coaching responsibilities, does the individual with no coaching responsibilities have to be the senior ranking compliance officer?
- Answer:** Yes.
- 5. Question:** Can an individual with coaching responsibilities be appointed as the interim compliance administrator or vice versa if the full-time compliance administrator or a coach leaves the institution?
- Answer:** No. However, the institution may file a waiver through the Membership Committee.

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## ORGANIZATION AND COMMITTEES

### \*NO. 2015-9 (NO. 2-3) ORGANIZATION AND COMMITTEES – MANAGEMENT COUNCIL – STUDENT-ATHLETE ADVISORY COMMITTEE REPRESENTATION

**Intent:** To specify that the composition of the Management Council shall include two members of the Student-Athlete Advisory Committee; further, to specify that the two members from the Student-Athlete Advisory Committee shall have one combined vote on the Council.

**A. Constitution:** Amend 4.7.1, as follows:  
[Roll Call]

4.7.1 Composition. The Management Council shall be comprised of one administrator or representative from each of the Division II multi-sport voting conferences; one administrator or representative of Division II independent institutions provided there are at least six Division II independent institutions; ~~and~~ two “at-large” positions to enhance efforts to achieve diversity of representation; **and two members of the Student-Athlete Advisory Committee per Bylaw 21.8.5.9.4.** The members shall be representatives of Division II active member institutions. The members of the Council shall include:

[4.7.1-(a) through 4.7.1-(d) unchanged.]

[4.7.1.1 through 4.7.1.2 unchanged.]

**4.7.1.3 Student-Athlete Advisory Committee Members. The two members of the Student-Athlete Advisory Committee shall have one combined vote on the Management Council.**

**B. Bylaws:** Amend 21.8.5.9, as follows:  
[Roll Call]

21.8.5.9 Student-Athlete Advisory Committee.

[21.8.5.9.1 through 21.8.5.9.3 unchanged.]

**21.8.5.9.4 Management Council Service. The committee shall elect two members to serve on the Management Council.**

[21.8.5.9.4 renumbered as 21.8.5.9.5, unchanged.]

**Source:** NCAA Division II Presidents Council [Management Council (Student-Athlete Advisory Committee)].

**Effective Date:** Immediate

**Rationale:** Obtaining two seats and one combined vote on the Division II Management Council supports and enhances the NCAA’s commitment to the importance and inclusion of the student-athlete voice. Student-athlete representation on the Division II Management Council will provide student-athlete input on all key division-wide issues; further, enhancing an already strong partnership between student-athletes and administrators will improve communication

flow to student-athletes from the national office and align with the Division II philosophy. The student-athlete voice is an essential part of the NCAA governance process. Currently, two student-athletes are represented as full-voting members of the NCAA Division III Management Council, and the restructuring of the NCAA Division I Board of Directors also includes student-athlete representation. This change will allow Division II student-athletes to have a similar experience and enhance an already strong relationship. The immediate effective date will permit the Student-Athlete Advisory Committee representatives to begin serving on the Management Council immediately following adjournment of the 2015 NCAA Division II business session.

**Additional Information:**

- 1. Question:** How will the two Student-Athlete Advisory Committee representatives be selected to serve on the Management Council?

**Answer:** The selection of the two representatives will be determined by Division II Student-Athlete Advisory Committee policies and procedures.
- 2. Question:** How will the two Student-Athlete Advisory Committee representatives cast one vote if they disagree on an issue(s)?

**Answer:** Division II Student-Athlete Advisory Committee policies and procedures will address how the two representatives will vote in case of disagreement.

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## LEGISLATIVE PROCESS

### \*NO. 2015-10 (NO. 2-4) LEGISLATIVE PROCESS – ANNUAL OR SPECIAL CONVENTION DELEGATES – STUDENT-ATHLETE ADVISORY COMMITTEE VOTING PRIVILEGES

**Intent:** To specify that the Student-Athlete Advisory Committee shall have one vote at the NCAA Division II Convention business session.

**Constitution:** Amend 5.1.3, as follows:

[Roll Call]

5.1.3 Annual or Special Convention Delegates.

[5.1.3.1 unchanged.]

**5.1.3.2 Student-Athlete Advisory Committee. The Division II Student-Athlete Advisory Committee shall have one vote.**

[5.1.3.2 through 5.1.3.5 renumbered as 5.1.3.3 through 5.1.3.6, unchanged.]

**Source:** NCAA Division II Presidents Council (Student-Athlete Advisory Committee).

**Effective Date:** August 1, 2015

**Rationale:** This proposal supports and enhances Division II's commitment to the inclusion of the student-athlete voice. The Student-Athlete Advisory Committee undertakes an extensive legislative review process, collecting feedback from campus and conference Student-Athlete Advisory Committee representatives, in order to establish a national position on all pieces of proposed Convention legislation. This position is taken on behalf of the division's more than 100,000 student-athletes. Committee members actively communicate a national student-athlete position on legislative matters as nonvoting delegates at the NCAA Convention. In addition to providing valuable insights on legislation, obtaining one vote at the Convention business session will ensure that student-athletes are empowered and able to act on decisions that directly impact student-athletes. Further, this vote demonstrates the division's commitment to engaging student-athletes in its governance process and supports the Division II philosophy and innovative spirit.

#### **Additional Information:**

**1. Question:** How does the Student-Athlete Advisory Committee seek feedback on the legislative proposals?

**Answer:** Legislative grids are distributed to campus Student-Athlete Advisory Committees in order to gain feedback from a large number of Division II student-athletes in advance of establishing formal positions on legislative proposals.

- 2. Question:** How will the Division II Student-Athlete Advisory Committee determine its vote on each proposal?
- Answer:** Currently, the Student-Athlete Advisory Committee meets annually prior to Convention to discuss legislative proposals and establish an official position based on feedback from Division II student-athletes. The committee's vote on the Convention floor will be determined by Division II Student-Athlete Advisory Committee policies and procedures.
- 3. Question:** What privileges does the Student-Athlete Advisory Committee currently have on the Convention floor?
- Answer:** Student-Athlete Advisory Committee representatives are permitted to speak on the Convention floor as nonvoting delegates.

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## RECRUITING

### NO. 2015-11 (NO. 2-8) RECRUITING – PUBLICITY – PUBLICITY AFTER COMMITMENT

**Intent:** To eliminate the limitations on publicity related to a prospective student-athlete after he or she has signed a National Letter of Intent or the institution's written offer of admission and/or financial aid.

**Bylaws:** Amend 13.10, as follows:

#### 13.10 Publicity.

[13.10.1 through 13.10.6 unchanged.]

13.10.7 Media Release Regarding Signing. Publicity released by an institution concerning a prospective student-athlete's commitment to attend the institution shall occur only after the prospective student-athlete has signed a National Letter of Intent or after the prospective student-athlete's signed acceptance of the institution's written offer of admission and/or financial aid. Such communications, which are not limited in number or content, may be released to media outlets at the institution's discretion *except as limited by Bylaw 13.10.7.1. However, an institution is prohibited from purchasing or receiving commercial advertising (e.g., print, media, billboard) to be used to identify a prospective student-athlete by name or picture. Violations of this bylaw do not affect a prospective student-athlete's eligibility; however, such violations shall be considered institutional violations per Constitution 2.8.1.* [D]

13.10.7.1 Press Conferences **and Celebratory Events.** *Institutional* **It is permissible for an institution to hold** press conferences, receptions, dinners and similar meetings *held* for the purpose of making such an announcement *are expressly prohibited.* **A prospective student-athlete who has signed a National Letter of Intent or the institution's written offer of admission and/or financial aid may attend institutional press conferences and celebratory events provided the event does not occur during a dead period (see Bylaw 13.02.4.4). Any benefits provided to a prospective student-athlete in conjunction with press conferences or celebratory events are subject to Bylaw 13 restrictions.** [D]

*13.10.7.1.1 One-Time Exception—Announcement of All Signings. An institution may make an announcement on the institution's campus for the sole purpose of presenting at one time to the media the names of all prospective student-athletes who have accepted offers of admission and/or athletically-related aid in a particular sport from that institution, with the understanding that no prospective student-athletes (or their friends or relatives) may be in attendance. [D]*

*13.10.7.2 Signings On Campus. An institution is responsible*

*for signings on its campus (whether involving an individual or a group of prospective student-athletes). Any contact by the media with prospective student-athletes on campus during the time the prospective student-athletes sign a National Letter of Intent or tender of financial aid shall be considered to be prima facie evidence of institutional involvement in arranging media involvement and shall be prohibited. [D]*

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

**Effective Date:** Immediate

**Rationale:** Current legislation permits an institution to hold one press conference, on campus, for the purpose of announcing the names of prospective student-athletes who have signed a National Letter of Intent, written offer of admission and/or athletically related financial aid, however, receptions or dinners to announce signings are expressly prohibited. Division II institutions often face challenges in securing press coverage and the signing of prospective student-athletes provides a valuable opportunity to shine a spotlight on Division II institutions. Any regulations on publicity after a prospective student-athlete has committed to an institution are unnecessary and inconsequential, and decisions regarding publicity in such situations should be left to the discretion of the institution and/or conference. The immediate effective date will permit institutions to conduct press conferences or host other celebratory events in conjunction with the National Letter of Intent spring signing periods.

**Additional Information:**

**1. Question:** Is it permissible for an institution to provide a signed prospective student-athlete with a meal at and/or transportation to a celebratory function?

**Answer:** Provided the celebratory function takes place in the locale of the institution, a prospective student-athlete's attendance at a celebratory event could be treated as an unofficial visit and the institution would be permitted to provide a meal in conjunction with the celebratory function and reasonable local transportation to the event. All other recruiting legislation (e.g., offers and inducements) would continue to apply.

**2. Question:** Is it permissible for a coach to attend an off-campus press conference to announce a prospective student-athlete's commitment or signing?

**Answer:** No. Attendance at such a press conference would be considered a recruiting contact for purposes of By-law 13.10.1. Under current legislation, it is impermissible for media to be present during a recruiting

contact.

**3. Question:** Is it permissible for a prospective student-athlete who is on an official visit to sign a National Letter of Intent in the presence of media?

**Answer:** No. It would remain impermissible for an institution to publicize (or arrange for publicity of) a prospective student-athlete's visit to the institution's campus if the prospective student-athlete has not signed a National Letter of Intent or an institution's written offer of admission and/or financial aid.

**4. Question:** Is it permissible for a prospective student-athlete to be present at a celebratory event if boosters will be in attendance?

**Answer:** Yes. However, all interactions with boosters are subject to Bylaw 13 regulations, even after a prospective student-athlete has signed a National Letter of Intent or written offer of admission and/or financial aid.

**\*NO. 2015-12 (NO. 2-10) RECRUITING – INSTITUTIONAL SPONSORSHIP OF LOCAL SPORTS CLUB – SLUSH FUNDS – EXCEPTIONS TO RECEIVE EXPENSES**

**Intent:** To specify that a coaching staff member may receive expenses from an institution to engage in recruiting activities on behalf of the institution while serving in his or her capacity as a local sports club coach; further, to specify that a member of an institution's coaching staff may recruit on behalf of the institution while receiving expenses from a local sports club.

**A. Bylaws:** Amend 13.11.2.4, as follows:

[Roll Call]

13.11.2.4 Local Sports Clubs. In sports other than basketball, an institution's coach may be involved as a participant or in instructional or coaching activities in the same sport for a local sports club or organization located in the institution's home community, provided all prospective student-athletes participating in said activities are legal residents of the area (within a 100-mile radius of the institution). Further, in club teams involving multiple teams or multiple sports, the 100-mile radius is applicable only to the team with which the institution's coach is involved; however, it is not permissible for the coach to assign a prospective student-athlete who lives outside the 100-mile area to another coach of the club. A coach may be involved with a local sports club located in the institution's home community that includes prospective student-athletes participating in a sport other than the coach's sport, regardless of where such prospective student-athletes reside. A



coach also may be involved in activities with individuals who are not of prospective student-athlete age (i.e., before the ninth grade), regardless of where such individuals reside.

13.11.2.4.1 Institutional Sponsorship of Local Sports Club. Neither an institution's athletics department nor an institution's athletics booster group may sponsor a local sports club that includes prospective student-athletes. It is permissible for a department of the institution that operates independent of the athletics department (e.g., physical education department, recreation department) to sponsor a local sports club that includes prospective student-athletes, provided no athletics department staff member is involved with the club team.

**13.11.2.4.1.1 Exception – Recruiting on Behalf of Institution. A coaching staff member may receive expenses from an institution to engage in recruiting activities on behalf of the institution while serving in his or her capacity as a local sports club coach.**

**B. Bylaws:** Amend 13.14, as follows:

[Roll Call]

13.14 Use of Recruiting Funds.

[13.14.1 through 13.14.3 unchanged.]

13.14.4 Slush Funds. An institution shall not permit any outside organization, agency or group of individuals to use, administer or expend funds for recruiting prospective student-athletes, including the transportation and entertainment of, and the giving of gifts or services to, prospective student-athletes or their relatives, legal guardian(s) or friends.

**13.14.4.1 Exception – Local Sports Clubs. A member of an institution's coaching staff may recruit on behalf of the institution while serving in his or her capacity as a local sports club coach while receiving expenses from the local sports club.**

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

**Effective Date:** Immediate

**Rationale:** This proposal will permit a coaching staff member to engage in recruiting activities while performing duties (e.g., operations, instruction, coaching) incidental to employment with a local sports club while receiving expenses from the institution and/or a local sports club. Many Division II coaches seek employment with a local sports club in order to supplement income. In addition, many Division II institutions have limited recruiting budgets and can benefit from offsetting recruiting costs by coaches receiving travel expenses from a local sports club. Amending the legislation will permit coaching staff members to fulfill the necessary obligations of both employ-

ment arrangements while reducing the monitoring burden on institutions. The immediate effective date will provide greater flexibility for coaching staff members who work with a local sports club during spring and summer 2015.

**Additional Information:**

**1. Question:** What are slush funds for the purposes of NCAA legislation?

**Answer:** Slush funds are monies from an outside organization, agency or group for the use of recruiting prospective student-athletes.

**2. Question:** How does current legislation regarding institutional sponsorship of local sports clubs and slush funds impact a coach's work with a local sports club?

**Answer:** Under current legislation, a member institution may not pay a coach's actual and necessary expenses to attend a contest in which the coach's local sports club is participating. Providing such expenses constitutes institutional sponsorship of the local sports club, which is not permitted.

In addition, an institution's coach who is receiving expenses from a local sports club for activities related to his or her duties with the local sports club may not engage in any recruiting activities on behalf of the member institution. The slush fund legislation does not permit any outside organization, agency or group of individuals to expend funds for the institution's recruitment of prospective student-athletes, regardless of the amount. The institution is exclusively and entirely responsible for institutional and person funds expended for recruitment of prospective student-athletes [Bylaw 13.14.1 (institutional control)].

**3. Question:** Would this proposal permit a member institution and local sports club to share a coach's actual and necessary expenses?

**Answer:** Yes.

**4. Question:** If a local sports club pays a coach's actual and necessary expenses, does the local sports club have to make a donation directly to the institution?

**Answer:** No. The coaching staff member may receive the funds directly from the local sports club. However, the institution must be aware of the recruiting activity and the coaching staff member must follow all institutional procedures for approval of recruiting activity.

**5. Question:** Is it permissible for an institution to make a donation directly to a local sports club to cover a coach's actual and necessary expenses?

**Answer:** No. The institution would only be permitted to provide actual and necessary expenses directly to the coaching staff member.

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## FINANCIAL AID AND AWARDS, BENEFITS AND EXPENSES

### \*NO. 2015-13 (NO. 2-11) FINANCIAL AID AND AWARDS, BENEFITS AND EXPENSES – MEALS AND SNACKS INCIDENTAL TO PARTICIPATION

**Intent:** To specify that an institution may provide meals and snacks to student-athletes as a benefit incidental to participation in intercollegiate athletics.

**A. Bylaws:** Amend 15.2.2.1, as follows:

[Roll Call]

15.2.2.1 Off-Campus Room and Board Stipend. If a student-athlete lives and eats in noninstitutional facilities, the institution may pay the student-athlete an amount equal to the institution's official on-campus room allowance as listed in its catalog, the average of the room costs of all of its students living on campus or the cost of a room as calculated based on its policies and procedures for calculating the cost of attendance for all students. The institution also may pay the student-athlete an amount that is equivalent to an on-campus 7-day or 21-meal board plan or the cost of meals as calculated based on its policies and procedures for calculating the cost of attendance for all students, excluding those meals provided as part of the training table. Meals provided on the training table shall be deducted at the regular-cost figure from such a student-athlete's board allowance.

[15.2.2.1.1 through 15.2.2.1.6 unchanged.]

15.2.2.1.7 *Game-Related Meals and Snacks Incidental to Participation.* The cost of meals **and snacks** provided ~~for away-from-home practices and contests and pregame or postgame meals at home contests~~ **as benefits incidental to participation in intercollegiate athletics** need not be deducted from a student-athlete's board allowance. Such meals **and snacks** also may be received by a student-athlete who is not receiving athletically related financial aid *inasmuch as they constitute* **as** a benefit incidental to athletics participation [**see Bylaw 16.5.1-(c)**].

**B. Bylaws:** Amend 16.5, as follows:

[Roll Call]

16.5 Housing and Meals.

16.5.1 Permissible. Identified housing and meal benefits incidental to a student's participation in intercollegiate athletics that may be financed by the institution are: [R]

[16.5.1-(a) unchanged.]

(b) Preseason Practice Expenses. The institution may provide the cost of room and board to student-athletes who report for preseason

practice before the start of the academic year, it being understood that the student-athletes have been accepted for admission to the institution at the time such benefits are received. *Further, an institution, at its discretion, may provide an additional meal (or cash in an amount equal to the cost of an additional meal) to student-athletes to meet their nutritional needs as a benefit incidental to participation during the preseason practice period before the start of the academic year.*

**(c) Meals and Snacks Incidental to Participation.** — *Student Athletes Who Are Not Receiving Athletically Related Financial Aid.* *Student-athletes who are not receiving athletically related financial aid (e.g., walk-ons) may receive the benefit of a training-table meal during the permissible playing and practice season in those instances in which the student-athlete's schedule is affected by involvement in practice activities, provided the student-athlete previously has paid for the same meal (e.g., dinner) at an institutional dining facility.* **An institution may provide meals and snacks to student-athletes as a benefit incidental to participation in intercollegiate athletics. An institution shall not provide student-athletes with a meal or snack and cash for the same meal or snack.**

**(1) Cash for Missed Meal Due to Practice Activities.** **An institution may provide to a student-athlete the cash equivalent of a meal missed due to practice activities only if he or she has previously paid for the meal (either individually or through the board element of a scholarship).**

**(2) Meals or Snacks in Conjunction With Competition.** **For both home and away-from-home competitions, all student-athletes are permitted to receive a pregame meal as a benefit incidental to participation and all student-athletes are permitted to receive a meal(s) or snack(s) [or cash in the amount equal to the cost of a meal(s) or snack(s)] at the institution's discretion from the time the student-athlete reports on call (at the direction of the student-athlete's coach or comparable authority) and becomes involved in competition-related activities to the end of competition and the release by the appropriate institutional authority, as a benefit incidental to participation.**

*(d) Meals Incidental to Participation — Meals or Snacks.* *For both home and away-from-home competition, all student-athletes are permitted to receive a pregame meal as a benefit incidental to participation and all student-athletes are permitted to receive a meal(s) or snack(s) [or cash in the amount equal to the cost of a meal(s) or snack(s)] at the institution's discretion from the time the student-athlete reports on call (at the direction of the student-athlete's coach or comparable authority) and becomes involved in competition-related activities to the end of competition and the release by the appropriate institutional authority, as a benefit incidental to participation.*

*(e) Meals Incidental to Participation — Summer Vacation Period.* *An institution, at its discretion, may provide an additional meal (or cash in*

*an amount equal to the cost of an additional meal) to student athletes to meet their nutritional needs as a benefit incidental to participation during the regular or postseason period after the end of the academic year.*

~~(f)~~ **(d)** Vacation-Period Expenses. The institution may provide the cost of room and board to student-athletes during official institutional vacation periods in the following circumstances:

[16.5.1-(f)-(1) through 16.5.1-(f)-(3) relettered as 16.5.1-(d)-(1) through 16.5.1-(d)-(3), unchanged.]

*In addition, an institution, at its discretion, also may provide an additional meal (or cash in an amount equal to the cost of an additional meal) to student athletes to meet nutritional needs as a benefit incidental to participation during each day of any vacation period, provided the student-athlete is required to remain on campus to be involved in practice or competition.*

~~(g)~~ *Meals Related to Institutional Committee Service. A student-athlete who serves on an institutional committee may receive expenses to cover the cost of a meal missed as a result of a committee meeting that occurs when regular institutional dining facilities are open.*

~~(h)~~ **(e)** Nutritional Supplements. An institution may provide permissible nutritional supplements to a student-athlete for the purpose of providing additional calories and electrolytes. Permissible nutritional supplements do not contain any NCAA banned substances and are identified according to the following classes: carbohydrate/electrolytes drinks, energy bars, carbohydrate boosters and vitamins and minerals.

**(f) Occasional Meals.**

**(1) Institutional Staff Member. A student-athlete or the entire team in a sport may receive an occasional meal in the locale of the institution on infrequent and special occasions from an institutional staff member. An institutional staff member may provide reasonable local transportation to student-athletes to attend such meals.**

**(2) Representative of Athletics Interests. A student-athlete or the entire team in a sport may receive an occasional family home meal from a representative of the institution's athletics interests provided the meal is in the individual's home, on campus or at a facility that is regularly used for home competition and may be catered. The representative of the institution's athletics interests or an institutional staff member may provide reasonable local transportation to student-athletes to attend such meals.**

**(3) Occasional Meals to Team Members Provided by Relatives or Legal Guardians. Occasional meals to team members provided by the relatives or legal guardians of a student-athlete are permissible and may be provided at any location (e.g., tailgating).**

**C. Bylaws:** Amend 16.11.1, as follows:  
[Roll Call]

16.11.1 Permissible.

[16.11.1.1 through 16.11.1.3 unchanged.]

~~16.11.1.4 Occasional Meals.~~

~~(a) Institutional Staff Member. A student athlete or the entire team in a sport may receive an occasional meal in the locale of the institution on infrequent and special occasions from an institutional staff member. An institutional staff member may provide reasonable local transportation to student athletes to attend such meals. [R]~~

~~(b) Representative of Athletics Interests. A student athlete or the entire team in a sport may receive an occasional family home meal from a representative of the institution's athletics interests provided the meal is in the individual's home, on campus or at a facility that is regularly used for home competition and may be catered. The representative of the institution's athletics interests or an institutional staff member may provide reasonable local transportation to student athletes to attend such meals. [R]~~

[16.11.1.5 through 16.11.1.7 renumbered as 16.11.1.4 through 16.11.1.6, unchanged.]

~~16.11.1.8 Reasonable Refreshments. An institution may provide student athletes with reasonable refreshments (e.g., soft drinks, snacks) in conjunction with student athlete educational and business meetings or in situations in which the institution provides reasonable refreshments on an occasional basis to relatives and/or legal guardians of the student athlete per Bylaw 16.6.1.6. [R]~~

[16.11.1.9 through 16.11.1.11 renumbered as 16.11.1.7 through 16.11.1.9, unchanged.]

16.11.1.~~7~~**10** Miscellaneous Benefits. An institution may provide or arrange for the following benefits for a student-athlete: [R]

[16.11.1.12-(a) through 16.11.1.12-(b) renumbered as 16.11.1.10-(a) through 16.11.1.10-(b), unchanged.]

~~(c) Occasional meals to team members provided by the relatives or legal guardians of a student athlete at any location (e.g., tailgating);~~

[16.11.1.12-(d) through 16.11.1.12-(h) renumbered and relettered as 16.11.1.10-(c) through 16.11.1.10-(g), unchanged.]

[16.11.1.13 renumbered as 16.11.1.11, unchanged.]

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

**Effective Date:** August 1, 2015

**Rationale:** This proposal will permit an institution to provide meals and snacks to all student-athletes (scholarship and nonscholarship) at its discretion as a benefit incidental to participation in intercollegiate athletics. Such measures will help ensure that all student-athletes' nutritional needs are met incidental to practice and other activities.

It is not permissible to provide cash in lieu of the incidental meals and discretionary snacks. Meals and snacks provided as benefits incidental to participation in intercollegiate athletics are not intended to replace meals that would normally be provided through a dining plan or an off-campus board stipend. These additional meals and snacks are intended to provide flexibility to meet the student-athletes' nutritional needs and to alleviate administrative burdens related to accounting for such benefits.

**Additional Information:**

**1. Question:** May meals and snacks incidental to participation be provided at the institution's discretion?

**Answer:** An institution may determine how best to meet the additional nutritional needs of its student-athletes (e.g., additional late night meal); however, the proposal was not designed to provide an avenue for institutions to circumvent institutional financial aid limitations. Meals incidental to participation are not intended to replace meals that would normally be provided through a dining plan or an off-campus board allowance (i.e., breakfast, lunch and dinner), which continue to be an element of a full grant-in-aid.

**2. Question:** Is it permissible for an institution to provide a meal or snack incidental to participation outside the playing season during the academic year?

**Answer:** Yes. Outside the playing season during the academic year, an institution may provide a meal or snack incidental to participation.

**3. Question:** If the proposal is adopted, will it remain permissible for institutional staff members, boosters and/or relatives or legal guardians of student-athletes to provide an occasional meal to student-athletes?

**Answer:** Yes. The proposal does not change the application of the current occasional meal legislation.

| <b>Individual Providing Occasional Meal</b> | <b>Permissible Location and Transportation</b>   |
|---|--|
| Institutional staff member                  | <ul style="list-style-type: none"> <li>• Locale of institution.</li> <li>• May provide reasonable local transportation to meal.</li> </ul> |



| <b>Individual Providing Occasional Meal</b>                      | <b>Permissible Location and Transportation</b>  |
|--|---|
| Booster  | <ul style="list-style-type: none"> <li>• In the individual's home;</li> <li>• On campus; or</li> <li>• Facility regularly used for home competition.</li> <li>• May provide reasonable local transportation to meal.</li> </ul> |
| Relative or legal guardian of a student-athlete (e.g., tailgate) | <ul style="list-style-type: none"> <li>• Any location.</li> </ul>   |

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## AWARDS, BENEFITS AND EXPENSES

### \*NO. 2015-14 (NO. 2-12) AWARDS, BENEFITS AND EXPENSES – TEAM ENTERTAINMENT – IN CONJUNCTION WITH PRACTICE OR COMPETITION

**Intent:** To specify that an institution, conference or the NCAA may provide reasonable entertainment (but may not provide cash for such entertainment) to student-athletes in conjunction with practice or competition.

**Bylaws:** Amend 16.7, as follows:

[Roll Call]

#### 16.7 *Team* Entertainment **in Conjunction with Practice or Competition.**

*16.7.1 Away from Home Contests. The institution may pay the actual costs (but may not provide cash) for reasonable entertainment that takes place within a 100-mile radius of where a team plays or practices in connection with an away from home contest or en route to or from such a contest. **An institution, conference or the NCAA may provide reasonable entertainment (but may not provide cash for such entertainment) to student-athletes in conjunction with practice or competition.*** [R]

*16.7.1.1 Professional Sports Tickets. Complimentary tickets to professional sports contests shall not be provided to student-athletes, unless the tickets are provided by the institution (or by a representative of athletics interests through the institution) for entertainment purposes to student-athletes involved in an away from home contest. Under the latter circumstances, the institution may pay actual costs for reasonable entertainment that takes place during a team trip.* [R]

*16.7.2 Vacation Periods. An institution may pay the actual costs (but may not provide cash) for reasonable local entertainment during vacation periods when the team is required to remain on or return to campus (or a practice site normally used by the institution) and classes are not in session.* [R]

*16.7.3 Films/Movies/Videotapes. The institution may rent a film or movie, provide pay per view movies in the student-athletes' hotel rooms or take its intercollegiate team to the movies in conjunction with the student-athletes' home or away from home contest (immediately before or during the road trip), the night before a contest without the film or movie being considered an extra benefit.*

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

**Effective Date:** August 1, 2015

**Rationale:** Current legislation only permits an institution to provide expenses for team entertainment during an institutional vacation period or in conjunction with an away-from-home contest. As a result, institutions are limited in the expenses they can provide to student-athletes for entertainment activities designed to enhance team building. This recommendation permits institutions and conferences to exercise their discretion with regard to entertainment that may be provided to student-athletes in conjunction with practice or competition. Further, this proposal will enhance the student-athlete experience. Bylaw 17 playing and practice seasons regulations (e.g., weekly and daily countable athletically related activities limitations) will continue to apply to team building activities.

**Additional Information:**

- 1. Question:** What is the current legislation regarding team entertainment?

**Answer:** Currently it is only permissible to provide team entertainment in conjunction with an institutional vacation period or an away-from-home competition. Additionally, it is permissible to provide student-athletes with a movie (e.g., rental, pay-per-view or theater) in conjunction with a home or away-from-home contest.
- 2. Question:** How is “reasonable team entertainment” defined for purposes of this proposal?

**Answer:** Each institution, at its discretion, is responsible for determining what constitutes reasonable entertainment.
- 3. Question:** If the entertainment activity has an athletics nexus (e.g., ropes course), does student-athlete participation in the activity have to count in the Bylaw 17 daily and weekly hour limitations?

**Answer:** Yes.
- 4. Question:** May student-athletes miss class in order to attend an entertainment activity in conjunction with a practice?

**Answer:** No.
- 5. Question:** May student-athletes miss class in order to attend an entertainment activity in conjunction with a home competition?

**Answer:** A student-athlete may miss class if he or she is required to report on call for competition-related activities on the day of competition (e.g., shoot-around). Entertainment may be provided in con-

junction with such competition-related activities. Pursuant to Constitution 3.3.4.7 (missed class-time policies), institutions are obligated to establish policies in all sports concerning student-athletes' missed class time due to participation in intercollegiate athletics.

**6. Question:** What are some examples of entertainment activities this proposal would permit?

**Answer:** Participating in a ropes course, going to a movie, bowling or participating in an art class (e.g., painting or pottery) are examples of permissible forms of entertainment. Each institution, at its discretion, is responsible for determining which entertainment activities are appropriate for its student-athletes and whether such participation counts against the daily and weekly hour limitations.

**\*NO. 2015-15 (NO. 2-13) AWARDS, BENEFITS AND EXPENSES – EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE, COMPETITION AND NONCOMPETITIVE EVENTS**

**Intent:** To specify that an institution, conference or the NCAA may provide actual and necessary expenses to a student-athlete to represent the institution in practice and competition (including expenses for activities/travel that are incidental to practice or competition) and for a student-athlete to represent the institution in noncompetitive events (e.g., goodwill tours, media appearances, student-athlete advisory committee meetings).

**A. Bylaws:** Amend 16.8, as follows:

[Roll Call]

16.8 Expenses Provided by the Institution for Practice and Competition.

16.8.1 Permissible. *The permissible expenses for practice and competition that an institution may provide a student-athlete are defined in the following subsections. (See Bylaw 16.11.)* **An institution, conference or the NCAA may provide actual and necessary expenses to a student-athlete to represent the institution in practice and competition (including expenses for activities/travel that are incidental to practice or competition). In order to receive competition-related expenses, the student-athlete must be eligible for competition. [D]**

*16.8.1.1 Practice. Expenses may be paid for practice sessions only if they are associated with an away-from-home contest or conducted at a site located within the member institution's state or, if outside that state, not more than 100 miles from the institution's*

*campus. [D]*

*16.8.1.1.1 Practice Sites on Road Trips. Any practice on an extended road trip shall take place either at the competition site or on a direct route between two consecutive competition sites. It is not permissible for an institution to schedule practice sessions at other locations in order to provide entertainment opportunities for team members. [D]*

*16.8.1.1.2 Skiing—Weather Exception. In the sports of men's and women's skiing, a member institution may transport a team to a practice site beyond the mileage limitations of Bylaw 16.8.1.1 if necessitated by weather conditions. [D]*

*16.8.1.1.3 Women's Rowing—Weather Exception. In women's rowing, a member institution may transport a team to a practice site beyond the mileage limitations of Bylaw 16.8.1.1 if necessitated by weather conditions. Such practice shall occur only during an institution's official vacation period and must be within the institution's declared playing and practice season in women's rowing. [D]*

*16.8.1.1.4 On- or Off-Campus Practice Sites. An institution may transport student athletes from a central on-campus site (e.g., the locker room) to an on- or off-campus practice site. [D]*

*16.8.1.2 Competition While Representing Institution. An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution) and is eligible for intercollegiate competition. Such competition includes: [D]*

- (a) Regularly scheduled intercollegiate athletics events;*
- (b) NCAA championship events and national governing body championship events in an emerging sport;*
- (c) A postseason football game;*
- (d) Nonintercollegiate open, amateur competition; and*
- (e) Other institutional competition permissible under NCAA legislation, including postseason events.*

*16.8.1.2.1 Departure/Return Expense Restrictions. An eligible student-athlete may receive actual and necessary travel expenses to represent the institution in athletics competition, provided the student-athlete departs for the competition not earlier than 48 hours before the start of the actual competition and remains not more than 36 hours after the conclusion of the actual competition even if the student-athlete does not return with the team. (See Bylaws 16.8.2.4, 17.1.6.6.3.2, 17.3.4, 17.21.4, 17.23.4 and 17.27.4 regarding travel expense restrictions December 20 through December 26.) [D]*

*16.8.1.2.1.1 Exceptions. These travel expense restrictions do not apply in the following circumstances:*

*(a) When weather or safety concerns arise. The conditions must be out of the institution's control and must be the result of weather or safety concerns, which result in the student-athlete's inability to travel in accordance with the institution's original travel plans;*

*(b) When a student-athlete becomes injured or ill. The injury or illness must result in the student-athlete's inability to travel in accordance with the institution's original travel plans;*

*(c) Travel before and after contests in Hawaii, Alaska or Canada;*

*(d) Travel before and after contests in the 48 contiguous states for member institutions located in Hawaii, Alaska or Canada;*

*(e) Travel before and after regular-season competition that takes place during the institution's official vacation period during the academic year;*

*(f) Travel before contests in NCAA championship events, national governing body championships in emerging sports or certified postseason football games;*

*(g) Return transportation after contests in NCAA championship events, national governing body championships in emerging sports or certified postseason football games that take place during the institution's official vacation period during the academic year or between regular academic terms;*

*(h) Travel before the National Football Foundation Hall of Fame benefit game or the American Football Coaches Retirement Trust benefit game;*

*(i) Travel before and after regular-season competition that takes place during the institution's summer vacation period;*

*(j) When the institution is able to document that all of its eligible student-athletes traveling with the team will not be missing additional class time beyond the permissible 48-hour departure limitation or 36-hour return limitation;*

*(k) Travel before and after regular-season competition that takes place in one or more foreign countries on one trip during the prescribed playing season and limited to not more than once every four years; or*

*(l) Travel before the U.S. Gymnastics Federation (USGF) collegiate championships.*

*16.8.1.2.2 Transportation for Competition Occurring Between Terms. It is permissible for any athletics department staff member to furnish transportation to eligible student-athletes to the campus from the nearest bus or train station or major airport in conjunction with practice and/or team*

*travel relating to competition that occurs between the end of a final examination period of the fall semester (or fall or winter quarter) and the beginning of the next regular term.*

*16.8.1.2.3 Meal-Allowance Limitation. All student-athletes on the same team must receive identical meal allowances on intercollegiate trips and during vacation periods when student-athletes are required to remain on the institution's campus for organized practice sessions or competition. Such allowances may not exceed the amount provided by the institution to institutional staff members on away-from-campus trips and may not be provided for a particular meal, if the student-athlete receives that meal (or its equivalent) from another source. [D]*

*16.8.1.2.4 Passports and Visas. An institution may purchase passports and visas for its student-athletes who are required to travel in connection with intercollegiate competition (e.g., scrimmages, exhibition contests). Student-athletes may retain ownership of such passports and visas.*

[16.8.1.3 renumbered as 16.8.1.1, unchanged.]

*16.8.1.4 Travel to Regular-Season Contests During Vacation Period.*

*16.8.1.4.1 General Rule. An institution may provide team transportation for a student-athlete to travel from campus to the site of a regular-season contest and back to campus. [R]*

*16.8.1.4.1.1 Exception. If a student-athlete travels to a site other than the event site during the vacation period, the institution may provide the cost of round-trip transportation for the student-athlete to travel from campus to the event site and back to campus even if the student-athlete does not travel with the team. The student-athlete shall pay only the additional cost associated with traveling to a site other than the event site. [R]*

*16.8.1.5 Travel to NCAA Championships, National Governing Body Championships in Emerging Sports and Postseason Bowl Games During Vacation Period.*

*16.8.1.5.1 General Rule. The institution may provide team transportation for a student-athlete to travel from campus to the site of an NCAA championship, national governing body championship in an emerging sport or a postseason bowl game and back to campus. [R]*

*16.8.1.5.1.1 Exceptions. [R]*

*(a) Student-Athlete Does Not Use Team Transportation. If the student-athlete goes home during the vacation period, the institution may provide (in lieu of team transportation) the greater of the transportation costs for the student-athlete to travel from:*

*(1) Campus to the event site and back to campus;*

*(2) Campus to the student-athlete's home and back to campus; or*

*(3) The student-athlete's home to the event site and back home.*

*(b) Student Athlete Uses "Leg" of Team Transportation. An institution that provides one "leg" of actual team transportation (i.e., campus to the event site or from the event site back to campus) must deduct the value of the actual transportation cost of that "leg" from the allowance provided the student athlete in Bylaw 16.8.1.5.1.1 (a) above.*

*(c) Second Trip Home. If a student-athlete either uses team transportation to travel from campus to the event site and back to campus, or participates in an event that takes place in the institution's home community, and also has personally paid for a round-trip ticket home during that same vacation period, that student-athlete may be provided actual transportation expenses to travel between campus and home on a second occasion during that same period.*

[16.8.1.6 renumbered as 16.8.1.2 unchanged.]

*16.8.1.7 Sports Organization Membership Fee. An institution may provide a student-athlete membership in a sports organization (e.g., U.S. Volleyball Association, U.S. Gymnastics Federation), if the membership is a component of an entry fee required for competition in which the student-athlete is representing the member institution. Further, the student-athlete would be permitted to retain resultant membership benefits under such circumstances.*

*16.8.1.8 Foreign Tour Expenses. An institution may provide a student-athlete with expenses for participation in an institution's foreign tour in his or her sport as provided in Bylaw 17.29.*

*16.8.1.9 Travel Apparel. An institution may provide student-athletes with team travel outfits, blazers or other items of clothing to travel to and from competition.*

## 16.8.2 Nonpermissible.

*16.8.2.1 Transportation To/From Student Athlete's Residence. An institution may not provide transportation (e.g., shuttle, van) to on-campus practice sites for student-athletes traveling to and from their on- or off-campus residences, except in unusual situations involving danger, inclement weather or other similar extenuating circumstances. [R]*

*16.8.2.2 Reimbursement for Travel to Practice. An institution may not reimburse a student-athlete, if the individual provides his or her own transportation to attend practice at an on- or off-campus site. [R]*

*16.8.2.3 Reimbursement for Travel to Competition. An institution may not reimburse a student-athlete for expenses incurred while driving to an institution's off-campus competition site, if the parents (or*



*other relatives, legal guardians, or friends) accompany the student athlete to the competition site. [R]*

[16.8.2.4 renumbered as 16.8.2.1, unchanged.]

**B. Bylaws:** Amend 16.9, as follows:

[Roll Call]

16.9 Permissible Travel Expenses *Not Related to Practice or Competition*. *It is permissible for an institution to provide the following travel expenses not related to practice or competition: [R] **An institution, conference or the NCAA may provide actual and necessary expenses to a student-athlete to represent the institution in noncompetitive events [e.g., goodwill tours, media appearances (see Bylaw 12.5.3), student-athlete advisory committee meetings]. Further, an institution may provide reasonable local transportation to student-athletes on an occasional basis. [R]***

*(a) Goodwill Tours. Actual and necessary expenses for a student-athlete to participate in a preseason goodwill tour to promote its intercollegiate athletics program, provided the tour does not involve more than two student-athletes in the same sport who have eligibility remaining and is confined to the state in which the institution is located, or within 100 miles of the institution's main campus, if out of state.*

*(b) Media Appearances. Actual and necessary transportation expenses may be provided to a student-athlete for media appearances (e.g., radio, television, print media) if the student-athlete's appearance is related to athletics ability or prestige. It is not permissible to pay such expenses for a student-athlete to attend special or single-team promotional media events that are not regularly established local media functions. The institution may pay actual and necessary expenses for its student-athletes to attend local or regional conference-sponsored media days.*

*(c) National Girls and Women in Sports Day/National Student-Athlete Day. Actual and necessary expenses for a student-athlete to participate in activities and events associated with National Girls and Women in Sports Day and National Student-Athlete Day, provided such activities and events are conducted either in the state in which the institution is located or in Washington, D.C., as part of a national celebration.*

*(d) Student-Athlete Advisory Committee Meetings. An institution or conference may pay actual and necessary expenses for a student-athlete to attend conference, regional or national student-athlete advisory committee meetings.*

*(e) Local Transportation. Reasonable local transportation to student-athletes on an occasional basis.*

*(f) Community Engagement Activities. Actual and necessary expenses may be provided to a student-athlete for participation in community engagement activities (see Bylaw 13.02.1).*

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

**Effective Date:** August 1, 2015

**Rationale:** The current legislation may be simplified by deregulating many prescriptive bylaws. Specifically, a general rule that permits an institution to provide actual and necessary expenses for a student-athlete to represent the institution in practice, competition and non-competitive events provides enough framework for an institution to determine how to apply the legislation. Simplifying the legislation surrounding the provision of expenses for travel will allow an institution to use discretion to provide expenses, including incidental expenses, in accordance with institutional policies, whether for competition or for noncompetitive events.

**Additional Information:**

- 1. Question:** May a student-athlete miss class for practice?

**Answer:** No.
- 2. Question:** Who will be responsible for determining when a team may depart and return from a contest or date of competition?

**Answer:** Each institution, at its discretion and in accordance with institutional policies regarding missed class time, will be responsible for determining when it is reasonable to depart and return from a contest or date of competition.
- 3. Question:** Who will be responsible for determining actual and necessary expenses for a student-athlete to represent the institution at a competitive or noncompetitive event?

**Answer:** Each institution, at its discretion, will be responsible for determining what actual and necessary expenses will be provided for a student-athlete's participation at a competitive or noncompetitive event.
- 4. Question:** May an institution provide cash to student-athletes to cover incidental expenses in conjunction with travel for practice or competition?

**Answer:** An institution may only provide incidental expenses to student-athletes if institutional policy allows employees or other student groups that represent the institution to receive cash for such expenses.
- 5. Question:** May an institution provide expenses to student-athletes during the seven-day winter break?

**Answer:** No. However, an institution may provide travel expenses on the first day of the winter break after an away-from-home competition, provided that is the earliest practical opportunity to return to campus [Bylaw 16.8.2.4.1 (exception - travel on the first day of winter break)].

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## PLAYING AND PRACTICE SEASONS

**\*NO. 2015-16 (NO. 2-14) PLAYING AND PRACTICE SEASONS –  
GENERAL PLAYING SEASON  
REGULATIONS – TIME LIMITS  
FOR ATHLETICALLY RELATED  
ACTIVITIES – INSTITUTIONAL  
VACATION PERIOD – STRENGTH  
AND CONDITIONING PERSONNEL  
DESIGNING AND CONDUCTING  
WORKOUT PROGRAMS  
DURING SUMMER VACATION  
PERIOD – FALL SPORTS**

**Intent:** In fall championship sports (including golf and tennis, for those institutions that conduct the championship segment during the fall term), to specify that June 1 through the conclusion of an institution's summer vacation period, strength and conditioning personnel may design and conduct workout programs for student-athletes, as specified.

**A. Bylaws:** Amend 17.02.1, as follows:

[Roll Call]

17.02.1 Countable Athletically Related Activities. Countable athletically related activities include any required activity with an athletics purpose, involving student-athletes and at the direction of, or supervised by, any member or members of an institution's coaching staff (including strength and conditioning coaches) and must be counted within the weekly and daily limitations under Bylaws 17.1.6.1 and 17.1.6.2. Administrative activities (e.g., academic meetings, compliance meetings) shall not be considered as countable athletically related activities. {See Bylaw 17.1.6.2.6.1 for further information regarding the exception for summer workouts in *football* **fall championship sports (including golf and tennis, for those institutions that conduct the championship segment during the fall).**}

**B. Bylaws:** Amend 17.02.13, as follows:

[Roll Call]

17.02.13 Strength and Conditioning Personnel. Strength and conditioning personnel may monitor voluntary individual workouts (e.g., summer workouts) for safety purposes without considering such supervision as a countable athletically related activity per Bylaw 17.02.1. Although an institution may designate more than one strength and conditioning coach, it is not permissible for an institution to designate a specific strength and conditioning coach for each of the institution's intercollegiate teams. If the strength and conditioning coach is also a coaching staff member for one of the institution's intercollegiate teams, such assistance may be provided only if that staff member performs such duties for all intercollegiate teams. This exception shall apply dur-

ing and outside the declared playing and practice season (see Bylaw 17.1.6.2). ¶[See Bylaw 17.1.6.2.6.1 for further information regarding the exception for summer workouts in *football fall championship sports (including golf and tennis, for those institutions that conduct the championship segment during the fall term)*.]

**C. Bylaws:** Amend 17.1.6.2.6.1, as follows:

[Roll Call]

17.1.6.2.6.1 Exception – *Football Fall Championships Sports*. In *football fall championship sports (including golf and tennis, for those institutions that conduct the championship segment during the fall term)*, beginning June 1 through the conclusion of an institution's summer vacation period, a student-athlete may participate in workouts designed and conducted by the institution's strength and conditioning personnel, provided such workouts are voluntary and conducted at the request of the student-athlete. Strength and conditioning personnel who conduct such workouts must perform strength and conditioning duties for *at least more than* one of the institution's *other* intercollegiate teams during the academic year, must be certified through a national strength and conditioning program and must maintain current certification in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use.

**Source:** Great Lakes Valley Conference and Northern Sun Intercollegiate Conference.

**Effective Date:** June 1, 2015

**Rationale:** At the 2014 NCAA Convention, the Division II membership adopted Proposal No. 2014-13 which permits strength and conditioning personnel to design and conduct voluntary workout programs for football student-athletes in the summer provided certain requirements are satisfied. This proposal will provide the same opportunity for student-athletes in fall championship sports, including golf and tennis when an institution conducts the championship segment during the fall term. Additionally, the proposal will promote student-athlete well-being by allowing strength and conditioning workouts to occur in a safe and controlled environment. Permitting strength and conditioning personnel to design and conduct workouts at the request of the student-athlete provides the opportunity for student-athletes in fall championship sports to properly prepare for the physical demands of their seasons. The June 1, 2015, effective date will allow strength and conditioning personnel to design and conduct specific workout programs for student-athletes during the summer of 2015.

#### **Position Statement(s)**

*Presidents Council:* The Presidents Council agreed to support this proposal. The Council agreed that this change would provide equity for fall sport student-athletes as such activity is already permissible in football. The Council recognizes and appreciates the concern raised by the

Committee on Competitive Safeguards and Medical Aspects of Sports that the proposal does not require the national strength and conditioning certification for individuals conducting such activities to be from a nationally accredited certification program. The Council has directed the Management Council to continue to work with the Committee on Competitive Safeguards and Medical Aspects of Sports to determine an overall legislative solution specific to the certification of strength and conditioning coaches for a future Convention agenda.

*Management Council:* The Management Council agreed to support this proposal. The Council noted that the proposal would permit strength and conditioning personnel to design and conduct workouts at the request of the student-athlete. The Council noted that this is currently permissible only in the sport of football. This change would provide the opportunity for student-athletes in all other fall championship sports to properly prepare for the physical demands of their seasons and, thus, provide equity for that group of student-athletes.

*Committee on Competitive Safeguards and Medical Aspects of Sports:* The Committee on Competitive Safeguards and Medical Aspects of Sports agreed to oppose this proposal. The committee noted that the proposal does not require the voluntary summer strength and conditioning workouts for fall sports be conducted by a strength and conditioning coach who has received certification from an accredited strength and conditioning certification program. The two certification programs that are currently accredited and applicable to collegiate strength and conditioning are the National Strength and Conditioning Association's certified strength and conditioning specialist (CSCS) and the Collegiate Strength and Conditioning Coaches Association's strength and conditioning coach certified (SCCC).

Accreditation provides that the certifying body has demonstrated proficiency in certifying strength coach competency in understanding and addressing athlete response to physical/physiological stress, which is critical to preventing and managing catastrophic injury. The committee also notes that student-athlete preventable deaths have occurred during practice and conditioning, defining these as high risk events that demand expert monitoring. Division II has established a working group to address the larger question about the strength coach presence on Division II campuses and the challenges and issues in addressing Division II student-athletes' need for certified professionals; the committee members are engaged in the working group and dedicated to working together to find common ground and compromise that may best serve Division II student-athletes.

*Legislation Committee:* The Legislation Committee agreed to take no position on this proposal.

### **Additional Information:**

- 1. Question:** What is the current legislation regarding student-athlete workouts during the summer vacation period?

- Answer:** In football, student-athletes may participate in voluntary individual workouts (e.g., summer workouts) designed and conducted by an institution's strength and conditioning coach, provided the strength and conditioning coach:
- Performs those duties for at least one of the institution's other teams;
  - Is certified through a nationally certified strength and conditioning program; and
  - Maintains a current certification in first aid, CPR and AED use.
- In all other sports, strength and conditioning personnel are limited to monitoring voluntary individual workouts (e.g., summer workouts) for safety purposes. They may not design or conduct voluntary summer workouts.
- 2. Question:** What does it mean to "design and conduct" a workout for purposes of this proposal?
- Answer:** Designing and conducting a workout implies that a strength and conditioning coach is actively involved, in person, in the workout activity. For example, a strength and conditioning coach would be permitted to do the following: specify exercises that a student-athlete should perform (e.g., number of sets or repetitions, weight, duration); instruct, encourage or motivate a student-athlete during a workout; and direct student-athletes as to the order and flow of the workout activity.
- 3. Question:** Per the proposal, may coaching staff members who are not strength and conditioning coaches be present during a fall sport student-athlete's workout in the summer?
- Answer:** No. The proposal will not change the current legislation regarding voluntary workouts during the summer. See Bylaw 17.02.16 (voluntary athletically related activities) for a definition of voluntary athletically related activities.
- 4. Question:** Would the proposal permit institutions to require fall sport student-athletes to participate in strength and conditioning workouts during the summer?
- Answer:** No.
- 5. Question:** What sports are included in this proposal?
- Answer:** Fall championship sports, which include cross country, field hockey, soccer, and volleyball. Golf and tennis are also included for those institutions

that declare the fall season as the championship segment.

**\*NO. 2015-17 (NO. 2-15) PLAYING AND PRACTICE SEASONS – WEEKLY HOUR LIMITATIONS – OUTSIDE OF THE PLAYING SEASON – TEAM ACTIVITIES – SPORTS OTHER THAN FOOTBALL**

**Intent:** In sports other than football, to permit a student-athlete to participate in a maximum of two hours of team activities per week as part of the permissible eight hours of countable athletically related activities that may occur outside the playing season during the academic year.

**A. Bylaws:** Amend 17.1.6.2.1, as follows:

[Roll Call]

17.1.6.2.1 Sports Other Than Football. In sports other than football, outside of the playing season during the academic year, only a student-athlete's participation in weight training, conditioning, team activities and/or skill instruction shall be permitted, as follows:

[17.1.6.2.1-(a) through 17.1.6.2.1-(b) unchanged.]

(c) In fall championship sports, from the beginning of the institution's second term of the academic year (e.g., winter quarter, spring semester) through the day before ~~February 15~~ **the institution's declared start date of the nonchampionship segment**, a student-athlete's participation in weight training, conditioning, team activities and/or skill instruction shall be limited to a maximum of eight hours per week, of which not more than two hours per week may be spent on team activities and/or skill instruction;

[17.1.6.2.1-(d) unchanged.]

(e) Following the institution's final contest or date of competition in the segment that concludes with the NCAA championship, a student-athlete is prohibited from engaging in countable athletically related activities for a 14-consecutive calendar-day period. Between the end of the 14-consecutive calendar-day break period or the end of the non-championship segment, and one week prior to the beginning of the institution's final examination period, a student-athlete's participation in weight training, conditioning, **team activities** and/or skill instruction shall be limited to a maximum of eight hours per week, of which not more than two hours per week may be spent on **team activities and/or** skill instruction set forth in Bylaw 17.1.6.2.2. *During this period, team activities shall not be permitted.*

For the first permissible date of activities outside of the playing season, refer to the sport-specific legislation.

**B. Bylaws:** Amend 17.1.6.2.2, as follows:

[Roll Call]

17.1.6.2.2 Skill Instruction. In sports other than football, participation by student-athletes in individual skill-related instruction is permitted outside the institution's declared playing season **in accordance with Bylaw 17.1.6.2.1**. *More than one group of student-athletes from the same team may participate in skill instruction with their same coach(es) in the same facility or in different facilities at the same time, provided there is no co-mingling between the groups. Each group of student-athletes must have a separate coach.*

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

*(a) Individual Sports. Not more than four student-athletes from the same individual sport shall be a part of a group of student-athletes working with a coach at one time.*

*(b) Team Sports with Starting Squad Size of Six or Fewer. Not more than four student-athletes from the same team shall be a part of a group of student-athletes working with a coach at one time.*

*(c) Team Sports with Starting Squad Size of Seven or More. Not more than six student-athletes from the same team shall be a part of a group of student-athletes working with a coach at one time.*

**Source:** Great Lakes Valley Conference and Lone Star Conference.

**Effective Date:** August 1, 2015

**Rationale:** Current legislation regarding team activities does not apply consistently to all sports. For example, the legislation permits spring championship sport student-athletes to participate in up to two hours of team activities per week through the day before the declared start date of the nonchampionship segment, while fall championship sport student-athletes may only do so through February 15, no matter when the institution declares the start of its nonchampionship segment. Additionally, the prohibition against team activities following the completion of the championship segment places an unnecessary burden on coaches by requiring them to conduct multiple skill instruction sessions throughout the day due to group size limits and student-athlete class schedules. Expanding the use of team activities will allow coaches to better utilize that period of time outside of the playing season during the academic year. Finally, this change is designed to provide flexibility and would continue to permit coaches to conduct individual skill instruction in lieu of team activities at their discretion. This change in legislation would not place any additional burden on the student-athlete, as time for team activities and/or skill instruction would still be limited to two hours per week outside the playing season during the academic year.

**Position Statement(s)**

*Presidents Council:* The Presidents Council agreed to oppose this proposal. The Council agreed that the impact of this proposal on student-athletes is in direct contradiction to the Division II philosophy of Life



in the Balance. The Council noted that the proposal would permit full team practice following the conclusion of the championship and non-championship segments. As a result, institutions may require student-athletes to participate in formal team activities during most of the academic year. Student-athletes will also be less likely to have the opportunity for individual skill instruction and development.

*Management Council:* The Management Council agreed to take no position on this proposal.

*Legislation Committee:* The Legislation Committee agreed to support this proposal. The committee noted that the proposal would continue to limit student-athletes to not more than two hours of team activities each week outside the playing season. In addition, the proposal aligns with the division's Life in the Balance philosophy by providing flexibility for coaches to conduct one practice session rather than spending extended periods of time scheduling and accommodating individual skill instruction. In addition, the proposal will ease the burden on compliance administrators by simplifying recordkeeping and monitoring of out-of-season activities. Lastly, the committee noted that the legislation is permissive in nature and institutions would have the discretion to determine whether to conduct team activities or skill instruction.

#### **Additional Information:**

- 1. Question:** What are team activities?

**Answer:** Team activities may include practice sessions for the entire team, as well as instruction provided by a coach to a number of student-athletes that exceeds the group-size limitations currently set forth in the skill instruction legislation.
- 2. Question:** When are team activities currently permissible and when will they be permissible if the proposal is adopted?

**Answer:** The chart below outlines the current legislation regarding timing of team activities and the proposed changes.

|   | <b>Current Rule</b>   | <b>Proposed Change</b>  |
|---|---|---|
| Fall<br>Campionship<br>sports                 | <ul style="list-style-type: none"> <li>From the beginning of institution's second term through February 14.</li> </ul>  | <ul style="list-style-type: none"> <li>Following the championship segment between the end of the 14-consecutive calendar day break period and one week prior to the institution's final exam period;</li> <li>From the beginning of the institution's second term through the day before the start of the institution's non-championship segment; and</li> <li>Between the end of the institution's nonchampionship segment and one week prior to the institution's final exam period.</li> </ul> |
| Basketball                                    | <ul style="list-style-type: none"> <li>September 7 or institution's fourth day of classes for the fall term, whichever is earlier, through October 14.</li> </ul>                 | <ul style="list-style-type: none"> <li>Current rule; and</li> <li>Between the end of the 14-consecutive calendar-day break period and one week prior to the institution's final exam period.</li> </ul>   |
| Swimming<br>and diving and<br>track and field | <ul style="list-style-type: none"> <li>September 7 or institution's fourth day of classes for the fall term, whichever is earlier, through the start date of practice.</li> </ul> | <ul style="list-style-type: none"> <li>Current rule; and</li> <li>Between the end of the 14-consecutive calendar-break period and one week prior to the institution's final exam period.</li> </ul>   |
| Wrestling                                     | <ul style="list-style-type: none"> <li>September 7 or institution's fourth day of classes for the fall term, whichever is earlier, through October 9.</li> </ul>                  | <ul style="list-style-type: none"> <li>Current rule; and</li> <li>Between the end of the 14-consecutive calendar-break period and one week prior to the institution's final exam period.</li> </ul>   |

|   | <b>Current Rule</b>  | <b>Proposed Change</b>  |
|---|--|---|
| Spring championship sports              | <ul style="list-style-type: none"> <li>September 7 or institution's fourth day of classes for the fall term, whichever is earlier, through the day before the start of the institution's nonchampionship segment.</li> </ul> | <ul style="list-style-type: none"> <li>Current rule;</li> <li>Between the end of the non-championship segment and one week prior to the institution's final exam period; and</li> <li>Between the end of the 14-consecutive calendar-break period and one week prior to the institution's final exam period.</li> </ul> |
| National Collegiate Championship sports | <ul style="list-style-type: none"> <li>Beginning of institution's academic year through the day before the start date of practice.</li> </ul>  | <ul style="list-style-type: none"> <li>Current rule; and</li> <li>Between the end of the 14-consecutive calendar-break period and one week prior to the institution's final exam period.</li> </ul>   |

**3. Question:** If the proposal is adopted, will skill instruction be permissible?

**Answer:** Yes.

**4. Question:** Would this proposal change the amount of time a student-athlete may permissibly participate in out-of-season activities?

**Answer:** No. Out-of-season activities would still be limited to eight hours per week, with no more than two hours of team activities.

**\*NO. 2015-18 (NO. 2-16) PLAYING AND PRACTICE SEASONS – FIRST CONTEST OR DATE OF COMPETITION - CHAMPIONSHIP SEGMENT – EXCEPTION – FEBRUARY 1 ON A SATURDAY, SUNDAY OR MONDAY – SPRING SPORTS**

**Intent:** In baseball, golf, lacrosse, rowing, sand volleyball, softball and tennis, to specify that in years when February 1 falls on a Saturday, Sunday or Monday, a member institution shall not engage in its first contest or date of competition with outside competition in the championship segment before the Friday preceding February 1.

**A. Bylaws:** Amend 17.2.3, as follows:

[Roll Call]

17.2.3 First Contest – Championship Segment. A member institution shall not engage in its first contest with outside competition in the championship segment before February 1.

**17.2.3.1 Exception – February 1 on a Saturday, Sunday or Mon-**

**day. When February 1 falls on a Saturday, Sunday or Monday, a member institution shall not engage in its first contest with outside competition in the championship segment before the Friday preceding February 1.**

[17.2.3.1 renumbered as 17.2.3.2, unchanged.]

**B. Bylaws:** Amend 17.10.3, as follows:

[Roll Call]

17.10.3 First Date of Competition – Championship Segment. A member institution shall not engage in its first date of competition with outside competition in the championship segment before February 1.

**17.10.3.1 Exception – February 1 on a Saturday, Sunday or Monday. When February 1 falls on a Saturday, Sunday or Monday, a member institution shall not engage in its first date of competition with outside competition in the championship segment before the Friday preceding February 1.**

[17.10.3.1 renumbered as 17.10.3.2, unchanged.]

**C. Bylaws:** Amend 17.13.3, as follows:

[Roll Call]

17.13.3 First Date of Competition – Championship Segment. A member institution shall not engage in its first date of competition with outside competition in the championship segment before February 1.

**17.13.3.1 Exception – February 1 on a Saturday, Sunday or Monday. When February 1 falls on a Saturday, Sunday or Monday, a member institution shall not engage in its first date of competition with outside competition in the championship segment before the Friday preceding February 1.**

[17.13.3.1 renumbered as 17.13.3.2, unchanged.]

**D. Bylaws:** Amend 17.15.3, as follows:

[Roll Call]

17.15.3 First Date of Competition – Championship Segment. A member institution shall not engage in its first date of competition with outside competition in the championship segment before February 1.

**17.15.3.1 Exception – February 1 on a Saturday, Sunday or Monday. When February 1 falls on a Saturday, Sunday or Monday, a member institution shall not engage in its first date of competition with outside competition in the championship segment before the Friday preceding February 1.**

[17.15.3.1 renumbered as 17.15.3.2, unchanged.]

**E. Bylaws:** Amend 17.17.3, as follows:

[Roll Call]

17.17.3 First Date of Competition – Championship Segment. A member institution shall not engage in its first date of competition with outside competition in the championship segment before February 1.

**17.17.3.1 Exception – February 1 on a Saturday, Sunday or**

**Monday. When February 1 falls on a Saturday, Sunday or Monday, a member institution shall not engage in its first date of competition with outside competition in the championship segment before the Friday preceding February 1.**

[17.17.3.1 renumbered as 17.17.3.2, unchanged.]

**F. Bylaws:** Amend 17.20.3, as follows:

[Roll Call]

17.20.3 First Contest – Championship Segment. A member institution shall not play its first contest with outside competition in the championship segment before February 1.

**17.20.3.1 Exception – February 1 on a Saturday, Sunday or Monday. When February 1 falls on a Saturday, Sunday or Monday, a member institution shall not engage in its first contest with outside competition in the championship segment before the Friday preceding February 1.**

[17.20.3.1 renumbered as 17.20.3.2, unchanged.]

**G. Bylaws:** Amend 17.22.3, as follows:

[Roll Call]

17.22.3 First Date of Competition – Championship Segment. A member institution shall not engage in its first date of competition with outside competition in the championship segment before February 1.

**17.22.3.1 Exception – February 1 on a Saturday, Sunday or Monday. When February 1 falls on a Saturday, Sunday or Monday, a member institution shall not engage in its first date of competition with outside competition in the championship segment before the Friday preceding February 1.**

[17.22.3.1 renumbered as 17.22.3.2, unchanged.]

**Source:** Peach Belt Conference and South Atlantic Conference.

**Effective Date:** Immediate

**Rationale:** Currently, in spring sports, an institution may not play its first contest or date of competition against outside competition prior to February 1. This proposal would allow institutions to schedule contests or dates of competition on the Friday preceding February 1 in years when February 1 falls on a Saturday, Sunday or Monday. This change will provide a benefit to student-athletes to permit season-opening games or dates of competition to occur on the Friday closest to February 1. Further, this change will provide institutions additional flexibility to schedule in-region, nonconference contests prior to starting their conference schedules. Since February 1, 2015, falls on a Sunday, the immediate effective date will enable institutions to engage in their first contest or date of competition in spring sports Friday, January 30, 2015.

**Position Statement(s)**

*Presidents Council, Management Council:* The Presidents Council and Management Council agreed to support this proposal for the same rea-

sons outlined in the Legislation Committee and the Championships Committee position statements.

*Championships Committee:* The Championships Committee agreed to support this proposal. The committee noted that the proposal would help promote the opportunity for in-region, nonconference competition. The committee further noted that the adjustment would provide data for championship selections review purposes.

*Legislation Committee:* The Legislation Committee agreed to support this proposal. The committee noted that having a full weekend available for competition during the first weekend of the spring championship playing season will reduce missed class time for student-athletes. In addition, the proposal will provide scheduling flexibility for institutions. Finally, the exception provides the opportunity for institutions located in colder climates to travel to a warmer climate for competition during the first weekend of the playing season without missing excessive class time.

### **Additional Information:**

- 1. Question:** What sports are included in this proposal?  
**Answer:** Spring championship sports, which include baseball, golf, lacrosse, rowing, sand volleyball, softball and tennis.
- 2. Question:** Will this proposal affect the start date for practice in spring sports?  
**Answer:** No.
- 3. Question:** If the proposal is adopted, when will the first contest or date of competition in spring sports occur in future years?  
**Answer:** The chart below outlines the first contest or date of competition in spring sports for the next six years should the proposal be adopted.

| <b>Academic Year</b> | <b>First Permissible Contest/<br/>Date of Competition</b> |
|----------------------|---|
| 2014-15              | Friday, January 30, 2015                                  |
| 2015-16              | Friday, January 29, 2016                                  |
| 2016-17              | Wednesday, February 1, 2017                               |
| 2017-18              | Thursday, February 1, 2018                                |
| 2018-19              | Friday, February 1, 2019                                  |
| 2019-20              | Friday, January 31, 2020                                  |

**\*NO. 2015-19 (NO. 2-17) PLAYING AND PRACTICE SEASONS –  
BASEBALL, SOCCER, SOFTBALL  
AND WOMEN’S VOLLEYBALL –  
NUMBER OF CONTESTS –  
CONFERENCE CHALLENGE EVENT**

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

[Roll Call]

**A. Bylaws:** Amend 17.2.7, as follows:

17.2.7 Number of Contests.

[17.2.7.1 through 17.2.7.2 unchanged.]

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

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

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

[17.2.7.3-(g)-(1) unchanged.]

(2) The involvement of the student-athletes has the approval of the institution’s athletics director; *and*

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

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

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

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

[Remainder of 17.2.7 unchanged.]

**B. Bylaws:** Amend 17.19.7, as follows:

[Roll Call]

17.19.7 Number of Contests and Dates of Competition.

[17.19.7.1 through 17.19.7.2 unchanged.]

17.19.7.3 Annual Exemptions. The maximum number of contests and dates of competition in soccer shall exclude the following:

[17.19.7.3-(a) through 17.19.7.3-(f) unchanged.]

(g) Celebrity Sports Activity. Competition involving a maximum of

two student-athletes from a member institution's team who participate in local celebrity activities in soccer conducted for the purpose of raising funds for charitable organizations, provided:

[17.19.7.3-(g)-(1) unchanged.]

(2) The involvement of the student-athletes has the approval of the institution's athletics director; *and*

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

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

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

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

[Remainder of 17.9.7 unchanged.]

C. Bylaws: Amend 17.20.7, as follows:

[Roll Call]

17.20.7 Number of Contests.

[17.20.7.1 through 17.20.7.2 unchanged.]

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

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

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

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

[17.20.7.3-(g)-(1) unchanged.]

(2) The involvement of the student-athletes has the approval of the institution's athletics director; **and**

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

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



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

[Remainder of 17.20.7 unchanged.]

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

[Roll Call]

17.25.2.7 Number of Dates of Competition – Women.

[17.25.2.7.1 through 17.25.2.7.2 unchanged.]

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

[17.25.2.7.3-(a) through 17.25.2.7.3-(g) unchanged.]

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

[17.25.2.7.3-(g)-(1) unchanged.]

(2) The involvement of the student-athletes has the approval of the institution’s athletics director; ~~and~~

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

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

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

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

[Remainder of 17.25.2.7 unchanged.]

**Source:** Peach Belt Conference and Great Midwest Athletic Conference.

**Effective Date:** August 1, 2015

**Rationale:** Current legislation only permits institutions to annually exempt up to two contests played as a part of a conference challenge event in basketball. The conference challenge event legislation in basketball was adopted in response to increased conference sizes and the need to encourage in-region, nonconference competition for the purposes of championship selection. Baseball, soccer, softball and women’s volleyball experience the same challenges in providing a balance of opportunities between conference competition and in-region, nonconference contests. Permitting conference challenge events in these sports would be an incentive for institutions to schedule more in-region, nonconference contests, which would greatly as-

sist the regional advisory committees in completing their rankings by providing more head-to-head and in-region comparisons.

### **Position Statement(s)**

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

*Management Council:* The Management Council agreed to take no position on this proposal.

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

### **Additional Information:**

- 1. Question:** What is the current legislation regarding conference challenge events?

**Answer:** Current legislation permits two contests to be exempted as part of a conference challenge event in the sport of basketball. The contests must be played during the weekend of the first permissible contest date against in-region, out-of-conference opponents.
- 2. Question:** Do contests exempted under this proposal count in the selection criteria and toward consideration for the NCAA championship?

**Answer:** Yes.
- 3. Question:** What entity is responsible for monitoring the use of the exempted contests in a conference challenge event?

**Answer:** Each institution and/or conference is responsible for verifying compliance with NCAA legislation,

including the maximum contest limitations and exempted contests.

**4. Question:** Will volleyball be permitted to exempt two dates of competition?

**Answer:** No. The proposal would only allow volleyball to exempt two contests.

# Appendix A

## Voting in Division Business Sessions

The provisions of NCAA Constitution 5.1.4.3.2 specify that dominant legislation per Constitution 1 and 2 and elsewhere, and federated legislation determined by the NCAA Executive Committee to be contrary to the Association’s basic purposes, fundamental policies and general principles shall be acted upon by the divisions meeting in joint session. The provisions of Constitution 5.1.4.3.3 specify that federated legislation pertaining to a single division or more than a single division of the Association may be acted upon by the appropriate divisions during the separate division business sessions.

### Division II Business Session

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| *2015-9  | ORGANIZATION AND COMMITTEES –<br>MANAGEMENT COUNCIL – STUDENT-<br>ATHLETE ADVISORY COMMITTEE<br>REPRESENTATION .....  | <a href="#">page 28</a> |
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| *2015-16 | PLAYING AND PRACTICE SEASONS – GENERAL<br>PLAYING SEASON REGULATIONS – TIME<br>LIMITS FOR ATHLETICALLY RELATED<br>ACTIVITIES – INSTITUTIONAL VACATION<br>PERIOD – STRENGTH AND CONDITIONING<br>PERSONNEL DESIGNING AND CONDUCTING<br>WORKOUT PROGRAMS DURING SUMMER<br>VACATION PERIOD – FALL SPORTS..... | <a href="#">page 53</a> |
| *2015-17 | PLAYING AND PRACTICE SEASONS – WEEKLY<br>HOUR LIMITATIONS – OUTSIDE OF THE<br>PLAYING SEASON – TEAM ACTIVITIES –<br>SPORTS OTHER THAN FOOTBALL.....   | <a href="#">page 57</a> |
| *2015-18 | PLAYING AND PRACTICE SEASONS – FIRST<br>CONTEST OR DATE OF COMPETITION -<br>CHAMPIONSHIP SEGMENT – EXCEPTION –<br>FEBRUARY 1 ON A SATURDAY, SUNDAY OR<br>MONDAY – SPRING SPORTS.....  | <a href="#">page 61</a> |
| *2015-19 | PLAYING AND PRACTICE SEASONS –<br>BASEBALL, SOCCER, SOFTBALL AND WOMEN’S<br>VOLLEYBALL – NUMBER OF CONTESTS –<br>CONFERENCE CHALLENGE EVENT .....   | <a href="#">page 65</a> |

\* Designated by NCAA Division II Presidents Council for roll-call vote.

## Appendix B

### Emergency Legislation Adopted by the NCAA Division II Presidents Council

Pursuant to NCAA Constitution 4.3.2 and 5.3.1.1.2, the NCAA Division II Presidents Council has adopted the following emergency legislative amendments during the past year. The Presidents Council is permitted to adopt such legislation if it must respond to, or comply with, a court, alternative dispute resolution (ADR) or government order or when the Presidents Council deems it appropriate to limit or avoid NCAA liability as a result of litigation, ADR or governmental proceedings. This action will be referenced in the oral report of the Presidents Council at the 2015 Division II business session, and acceptance of the report will constitute approval of this action and incorporation in the 2015-16 NCAA Division II Manual. If a delegate objects to incorporation of the amendment, that objection should be raised at the time of the Presidents Council report. The Division II membership then will decide by majority vote of the eligible voters whether to incorporate that amendment.

|               |  |
|---------------|--|
| NO. EM-2015-1 | MEMBERSHIP – ACTIVE<br>MEMBERSHIP – PRIVILEGES –<br>EXCEPTION – FOR-PROFIT<br>INSTITUTIONS |
|---------------|--|

**Intent:** To specify that privileges of active membership for for-profit institutions shall be restricted, as follows: (1) A for-profit institution shall not have voting privileges at the annual NCAA Convention or any special Convention; (2) Representatives of a for-profit institution shall not be permitted to serve as a voting institution representative on an NCAA committee; and (3) A for-profit institution shall not receive NCAA grants or financial distributions directly from the NCAA.

**A. Constitution:** Amend 3.02.3.1, as follows:

3.02.3.1 Active Member. An active member is a four-year college or university or a two-year upper-level collegiate institution accredited by the appropriate regional accrediting agency (see Constitution 3.2.1.1.1 for the accreditation standard for an institution in the NCAA Canadian pilot program) and duly elected to active membership under the provisions of this article (see Constitution 3.3.3). Active members have the right to compete in NCAA championships, to vote on legislation and other issues before the Association, and to enjoy other privileges of membership designated in the constitution and bylaws of the Association. **(See Constitution 3.3.2.1.1 regarding restrictions on the privileges of for-profit institutions.)**

**B. Constitution:** Amend 3.3.2, as follows:

### 3.3.2 Privileges.

3.3.2.1 Active Members. Active members shall be entitled to all of the privileges of membership under the constitution and bylaws of the Association and all privileges incidental thereto. A copy of NCAA Champion magazine shall be sent to each member of the NCAA.

**3.3.2.1.1 Exception – For-Profit Institutions. For-profit institutions shall be restricted, as follows:**

**(a) A for-profit institution shall not have voting privileges at the annual NCAA Convention or any special Convention. The institution shall be entitled to three accredited delegates without voting privileges. Any of the accredited delegates shall be entitled to privileges of the floor and the right to active participation in the business proceedings;**

**(b) Representatives of a for-profit institution shall not be permitted to serve as a voting institution representative on an NCAA committee; and**

**(c) A for-profit institution shall not receive NCAA grants or financial distributions directly from the NCAA.**

[Remainder of 3.3.2 unchanged.]

**C. Bylaws:** Amend 20.02, as follows:

20.02 Definitions and Applications.

20.02.1 Active Member Institution. An active member institution is a four-year college or university or a two-year upper-level collegiate institution accredited by the appropriate regional accrediting agency and duly elected to active membership under the provisions of Constitution 3. Active member institutions have the right to compete in NCAA championships, to vote on legislation and other issues before the Association, and to enjoy other privileges of membership designated in the constitution and bylaws of the Association. **(See Constitution 3.3.2.1.1 regarding restrictions on the privileges of for-profit institutions.)**

**Source:** NCAA Division II Presidents Council (Management Council).

**Effective Date:** Immediate

**Rationale:** The NCAA Executive Committee directed the three divisions to consider the adoption of legislation that addresses the recommendations developed by the Executive Committee Subcommittee on For-Profit Institutions. The proposed changes in governance and finance will help reinforce the NCAA's nonprofit, supporting organization tax status by differentiating current, for-profit institutions from NCAA nonprofit institutions.

## Appendix C

### Interpretations to be Included in the 2015-16 NCAA Division II Manual

In accordance with its authority to recommend incorporation of interpretations in the next printing of the NCAA Manual, the NCAA Division II Legislation Committee has recommended and the NCAA Division II Management Council has approved inclusion of the following interpretations in the 2015-16 Division II Manual. This will be referenced in the oral report of the Management Council to the 2015 Division II business session and acceptance of that report will constitute approval of the incorporation of these interpretations. If a delegate objects to incorporation of a particular interpretation, that objection should be raised at the time of the Management Council report. The Division II membership then will decide by majority vote of the eligible voters whether to incorporate the interpretations.

It should be noted that these interpretations already have been accepted by the membership, and the only issue concerning these interpretations that is before the Division II membership is whether they should be set forth in the 2015-16 Division II Manual and subsequent Division II Manuals. If the membership votes not to incorporate a particular interpretation into the Manual, the interpretation still will be binding on the membership; it simply will not be included in the Manual.

For each of these interpretations approved by the Management Council, the provisions of Constitution 5.4.1.4 also would apply (i.e., any Division II member to which the interpretation applies may request a review of that interpretation at the 2015 Division II business session by making such a request in writing to the Association's Convention office prior to 1 p.m. Friday, January 16, the day preceding the Division II business session of the Convention). If an interpretation is not challenged per Constitution 5.4.1.4 and the incorporation of the interpretation into the 2015-16 Manual also is not challenged, it will appear in the 2015-16 Manual as noted.

NO. I-2015-1

AMATEURISM – EMPLOYMENT –  
FEE FOR LESSON

**Bylaws:** Amend 12.4, as follows:

12.4 Employment.

[12.4.1 unchanged.]

12.4.2 Specific Athletically Related Employment Activities.

[12.4.2.1 unchanged.]

**12.4.2.2 Fee-for-Lesson Instruction. A student-athlete may receive compensation for teaching or coaching sport skills or techniques in his or her sport on a fee-for-lesson basis, provided all compensation received by the student-athlete is**



**consistent with the criteria governing compensation to student-athletes (see Bylaw 12.4.1).**

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Incorporating the October 2, 2013, official interpretation into the Manual will clarify the application of the legislation and eliminate confusion regarding student-athletes' receipt of compensation for fee-for-lesson instruction.

NO. I-2015-2

**RECRUITING – DEFINITION OF  
RECRUITING OR SCOUTING SERVICE**

**Bylaws:** Amend 13.02, as follows:

13.02 Definitions and Applications.

[13.02.1 through 13.02.10 unchanged.]

**13.02.11 Recruiting or Scouting Service. A recruiting or scouting service includes any individual, organization, entity or segment of an entity that is primarily involved in providing information about prospective student-athletes. A recruiting or scouting service may include:**

**(a) Any service that provides information only to paid subscribers;**

**(b) Any service that is only available to a select group of individuals (e.g., coaches), regardless of whether there is a charge associated with the service; or**

**(c) Any service that provides information to the public free of charge.**

**Any individual, organization, entity or segment of an entity that provides information about prospective student-athletes incidental to its primary purpose and is generally available to the public (e.g., news media), is not considered a recruiting or scouting service.**

[13.02.11 through 13.02.13 renumbered as 13.02.12 through 13.02.14, unchanged.]

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Incorporating the October 2, 2013, official interpretation into the Manual will clarify the application of the legislation and eliminate confusion surrounding the definition of a recruiting/scouting service.

NO. I-2015-3

RECRUITING – RECRUITING  
SERVICES – PUBLISHED RECRUITING  
SERVICES – NO LIVE OR  
INDIVIDUALIZED ORAL REPORTS

**Bylaws:** Amend 13.14.3, as follows:

13.14.3 Recruiting Services.

13.14.3.1 Published Recruiting Services. An institution may subscribe to a regularly published scouting service involving prospective student-athletes, provided this service is made available to all institutions desiring to subscribe and at the same fee rate for all subscribers. **The service must also provide information regarding each prospective student-athlete in a standardized format that ensures consistent distribution to all subscribers. Live or individualized oral reports do not satisfy this requirement.** [D]

[13.14.3.2 unchanged.]

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Incorporating the December 16, 1987, official interpretation into the Manual will clarify the application of the legislation and eliminate confusion surrounding the permissibility of oral communication from recruiting and scouting services.

NO. I-2015-4

FINANCIAL AID – TERMS OF  
INSTITUTIONAL FINANCIAL AID  
AWARD – WRITTEN STATEMENT  
NOT REQUIRED FOR SUMMER

**A. Bylaws:** Amend 15.3.2.3, as follows:

15.3.2.3 Written Statement Requirement. ~~In all cases, the~~ **The** institutional agency making ~~the~~ **a** financial aid award **for a regular academic term or academic year** shall give the recipient a written statement of the amount, duration, conditions and terms of the award. The chair of the regular committee or other agency for the awarding of financial aid to students generally, or the chair's official designee, shall sign or electronically authorize (e.g., electronic signature) the written statement. The signature of the athletics director, attesting to the committee's award, does not satisfy this requirement.

[15.3.2.4 unchanged.]

**B. Bylaws:** Amend 15.3.3.2, as follows:

15.3.3.2 Regular Term Versus Summer Term. An institution may award financial aid to a student-athlete for an academic year or part thereof. An institution also may award financial aid for a summer term or summer-orientation period, provided the conditions of Bylaw

15.2.7 have been met.

15.3.3.2.1 Summer Term as Additional Award. It is necessary to make an additional award for a summer term, inasmuch as a member institution is limited to the award of financial aid for a period not in excess of one academic year; **however, an institution is not required to provide the recipient with a written statement of the amount, duration, conditions or terms of the award.**

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Incorporating the October 14, 1992, official interpretation into the Manual will clarify the application of the legislation and eliminate confusion surrounding the requirements for written notification associated with summer financial aid awards.

NO. I-2015-5

**RECRUITING – TRYOUTS – TIMING  
OF MANDATORY MEDICAL  
EXAMINATION FOR TRANSFER  
STUDENT-ATHLETES**

**Bylaws:** Amend 13.11.2.1, as follows:

13.11.2.1 Tryouts. A member institution may conduct a tryout of a prospective student-athlete only on its campus or at a site at which it normally conducts practice or competition beginning June 15 immediately preceding the prospective student-athlete's junior year in high school and only under the following conditions (see Bylaw 17.02.14 for tryouts of currently enrolled students):

[13.11.2.1-(a) through 13.11.2.1-(b) unchanged.]

(c) Prior to participation in a tryout, a prospective student-athlete is required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). The examination or evaluation shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution or the prospective student-athlete declines the test and signs a written release. The examination or evaluation must be administered within six months prior to participation in the tryout. *A medical examination conducted by a physician within six months prior to practice, competition or out-of-season conditioning activities during a prospective student-athlete's junior or senior year in high school that was accepted by the prospective student-athlete's high school for his or her participation in athletics during the academic year in which the tryout is conducted may be used to satisfy the requirement.* The medical examination or evaluation may be conducted by an institution's regular team physician or other designated physician as a part of the tryout;

**(1) Exception. A medical examination conducted or supervised by a physician within six months of the prospective student-**

athlete's participation in practice, competition or out-of-season conditioning activities at his or her high school, prep school or collegiate institution may be used to satisfy the medical examination requirement provided it was accepted by the prospective student-athlete's high school, prep school or collegiate institution for his or her participation in athletics during the academic year in which the tryout is conducted.

[Remainder of 13.11.2.1 unchanged.]

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Incorporating the April 15, 2014, official interpretation into the Manual will clarify the application of the legislation and eliminate confusion surrounding the permissible timing of medical exams for two-year and four-year college transfer student-athletes.

NO. I-2015-6

POSTSEASON EVENTS – ELIGIBILITY FOR CHAMPIONSHIPS – INELIGIBILITY FOR USE OF BANNED DRUGS – BANNED DRUGS – DURATION OF INELIGIBILITY

**Bylaws:** Amend 18.4.1.5.1, as follows:

18.4.1.5.1 Duration of Ineligibility. A student-athlete who, as a result of a drug test administered by the NCAA, is found to have used a substance on the list of banned drug classes (in accordance with the testing methods authorized by the Executive Committee), shall be charged with the loss of a minimum of one season of competition in all sports, *if the season of competition has not yet begun for that student-athlete or a minimum of the equivalent of one full season of competition in all sports, if the student-athlete tests positive during his or her season of competition (i.e., the remainder of contests in the current season and contests in the following season up to the period of time in which the student-athlete was declared ineligible during the previous year).* **in addition to any seasons of competition already triggered due to participation (Bylaw 14.2.2.1).** The student-athlete shall remain ineligible for all regular-season and postseason competition during the time period ending one calendar year (i.e., 365 days) after the collection of the student-athlete's positive drug test and until the student-athlete tests negative (in accordance with the testing methods authorized by the Executive Committee) and the student-athlete's eligibility is restored by the Committee on Student-Athlete Reinstatement. If the student-athlete participates in any contests from the time of collection until the confirmation of the positive result, he or she must be withheld from an equal number of contests after the 365-day period of ineligibility.

**Source:** NCAA Division II Management Council (Committee on Com-

petitive Safeguards and Medical Aspects of Sports).

**Effective Date:** Immediate

**Additional Information:** Incorporating the December 2, 2010, official interpretation into the Manual will clarify the application of the legislation and eliminate confusion surrounding the duration of ineligibility and the use of a season as a result of a positive drug test.

NO. I-2015-7

**RECRUITING – OFFICIAL (PAID)  
VISIT – REQUIREMENTS FOR  
OFFICIAL VISIT – TRANSFERS**

**Bylaws:** Amend 13.6.2, as follows:

13.6.2 Requirements for Official Visit.

**13.6.2.1 High School or Preparatory School Prospective Student-Athlete.** An institution shall not provide an official visit to a high school or preparatory school prospective student-athlete until he or she: [D]

- (a) Presents the institution with a current high school or college-preparatory school transcript (official or unofficial);
- (b) Registers with the NCAA Eligibility Center; and
- (c) Is placed on the institution's institutional request list (IRL) with the NCAA Eligibility Center.

**13.6.2.2 Two-Year or Four-Year College Prospective Student-Athlete.** **An institution shall not provide an official visit to a two-year or four-year college prospective student-athlete until he or she has presented an academic transcript. A qualifier in his or her first semester or quarter at a two-year or four-year institution would be required to present a high-school transcript. [D]**

[13.6.2.1 through 13.6.2.2 renumbered as 13.6.2.1.1 through 13.6.2.1.2, unchanged.]

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Incorporating the July 10, 2014, official interpretation into the Manual will clarify the application of the legislation and eliminate confusion surrounding the academic requirements for official visits for two-year and four-year college transfer student-athletes.

## Appendix D

### Modifications of Wording Adopted by the NCAA Division II Management Council

Pursuant to NCAA Constitution 5.4.1.1.1, the NCAA Division II Management Council, by a two-thirds majority of its members present and voting, has determined that the following proposals are consistent with the intent of the membership in adopting the original legislation and that sufficient documentation and testimony exists to establish clearly that the original wording of the legislation was inconsistent with that intent. These actions will be referenced in the oral report of the Management Council at the 2015 Division II business session, and acceptance of that report will constitute approval of these actions for incorporation in the 2015-16 NCAA Division II Manual. If a delegate objects to incorporation of a particular amendment, that objection should be raised at the time of the Management Council report. The Division II membership then will decide by majority vote of the eligible voters whether to incorporate that amendment.

|              |   |
|--------------|---|
| NO. M-2015-1 | ELIGIBILITY – TRANSFER REGULATIONS – TWO-YEAR COLLEGE TRANSFERS – EXCEPTIONS OR WAIVERS FOR TRANSFER FROM TWO-YEAR COLLEGES – TRANSITION OF WAIVER AUTHORITY FROM THE COMMITTEE FOR LEGISLATIVE RELIEF TO THE ACADEMIC REQUIREMENTS COMMITTEE |
|--------------|---|

**Intent:** To specify that the Academic Requirements Committee shall have the authority to waive the two-year college transfer requirements, as specified.

**Bylaws:** Amend 14.5.4, as follows:

14.5.4 Two-Year College Transfers. A student who transfers to a member institution from a two-year college or from a branch school that conducts an intercollegiate athletics program must complete an academic year of residence (see Bylaw 14.02.11), unless the student meets the following eligibility requirements applicable to the division of which the certifying institution is a member.

[14.5.4.1 through 14.5.4.3.3 unchanged.]

**14.5.4.6 Waivers. The Academic Requirements Committee shall have the authority to waive all two-year college transfer requirements based on objective evidence that demonstrates circumstances that warrant the waiver of the normal application of those regulations.**

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

**Effective Date:** July 1, 2014

**Additional Information:** Currently, requests for waivers of the two-year college transfer legislation are considered by the Committee for Legislative Relief. When considering such requests, the academic and membership affairs staff often consults with members of the academic team. Transitioning oversight of these waivers to the Academic Requirements Committee is consistent with the oversight structure in which decisions of academic staff are subject to review by the Academic Requirements Committee. A similar change has already been made in Division I. In addition, this change is consistent with the 2014 NCAA Convention Division II Legislative Proposals Question and Answers Guide for Proposal No. 2014-19, which specified that the authority to review two-year college transfer waivers would transition from the Committee for Legislative Relief to the Academic Requirements Committee.

**NO. M-2015-2**

**RECRUITING – OFFICIAL (PAID)  
VISIT – ENTERTAINMENT/  
TICKETS ON OFFICIAL VISIT –  
GENERAL RESTRICTIONS – ALL  
ENTERTAINMENT INCLUDED IN  
ENTERTAINMENT ALLOWANCE**

**Intent:** To clarify that an institution is limited to \$30 per day for the purpose of covering all costs of entertaining a prospective student-athlete and the prospective student-athlete's relatives or legal guardians during an official visit.

**Bylaws:** Amend 13.6.6.1, as follows:

13.6.6.1 General Restrictions. An institution may provide entertainment, *which may not be excessive* **pursuant to Bylaw 13.6.6.5**, on the official visit only for a prospective student-athlete and the prospective student-athlete's relatives [or legal guardian(s)]. Entertainment and contact by representatives of the institution's athletics interests during the official visit are confined to campus. It is not permissible to entertain other relatives or friends (including dates) of a prospective student-athlete at any time at any site. [R]

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** This modification clarifies that an institution is limited to a maximum of \$30 for each day of an official visit for purposes of covering all costs associated with entertaining a prospective student-athlete (and the prospective student-athlete's parents or legal guardians) on an official visit, regardless of whether a student host is involved. This is consistent with the original intent of the legislation.

## Appendix E

### Noncontroversial Legislation Adopted by the NCAA Division II Management Council

Pursuant to NCAA Constitution 4.3.2-(e) and 5.3.1.1.1, the NCAA Division II Management Council has adopted the following noncontroversial legislative amendments during the past year. The Presidents Council, or an entity designated by the Presidents Council (i.e., the Management Council), is permitted to adopt such legislation if it is noncontroversial and necessary in the normal and orderly administration of the Association's legislation. These actions will be referenced in the oral report of the Management Council at the 2015 Division II business session, and acceptance of the report will constitute approval of these actions and incorporation in the 2015-16 NCAA Division II Manual. If a delegate objects to incorporation of a particular amendment, that objection should be raised at the time of the Management Council report. The Division II membership then will decide by majority vote of the eligible voters whether to incorporate that amendment.

NO. NC-2015-1

AMATEURISM – GENERAL  
REGULATIONS – LOSS OF  
AMATEURISM – PRACTICE  
PROHIBITION

**Intent:** To clarify that if a student-athlete loses his or her amateur status in a particular sport, he or she is prohibited from participating in practice in that sport.

**A. Bylaws:** Amend 12.1.2, as follows:

12.1.2 Activities Prior to Initial Full-Time Collegiate Enrollment. An individual loses amateur status and thus shall not be eligible for intercollegiate ~~competition~~ **participation** in a particular sport if the individual enters into an agreement with or receives benefits from an agent (See Bylaws 12.02.1 and 12.3 for additional information regarding agents.)

**B. Bylaws:** Amend 12.1.4, as follows:

12.1.4 Impermissible – Following Initial Full-Time Collegiate Enrollment. Following initial full-time collegiate enrollment, an individual's participation in the following activities or receipt of the following benefits will jeopardize the individual's amateur status **and eligibility for intercollegiate participation in a particular sport:** [R]

[Remainder of 12.1.4 unchanged.]

**Source:** NCAA Division II Management Council (Legislation Committee).



**Effective Date:** Immediate

**Additional Information:** The general principle sections of both NCAA Bylaws 12 and 14 state that a student-athlete shall not be eligible for participation (practice or competition) in an intercollegiate sport if the individual has violated any of the amateurism regulations. By-laws 12.1.2 and 12.1.4 identify activities that are impermissible and will result in the loss of amateurism. Those bylaws, however, specifically state that the loss of amateurism precludes intercollegiate competition but do not specifically reference all participation. This proposal makes the bylaws consistent with the general principles and clarifies that the loss of amateurism results in the prohibition of all participation (practice and competition) in that sport.

NO. NC-2015-2

**ELIGIBILITY – PROGRESS-TOWARD-DEGREE REQUIREMENTS – ELIGIBILITY FOR COMPETITION – EXCEPTIONS TO PROGRESS-TOWARD-DEGREE RULE – MISSED-TERM EXCEPTION**

**Intent:** To permit an institution to apply the missed-term exception when using the averaging or actual method to determine whether a student-athlete satisfies progress-toward-degree requirements.

**Bylaws:** Amend 14.4.3.4, as follows:

14.4.3.4 Exceptions to Progress-Toward-Degree Rule.

(a) Missed term. One time during a student-athlete's entire period of collegiate enrollment, the provisions of Bylaw 14.4.3.1-(b)-(1) may be prorated at 12 hours per term of actual attendance, if the student-athlete misses a complete term or consecutive terms during an academic year, subject to the following conditions:

[Remainder of 14.4.3.4 unchanged.]

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

**Effective Date:** Immediate

**Additional Information:** Under current legislation, the missed-term exception applies only when using the averaging method to determine whether a student-athlete satisfies progress-toward-degree requirements. Because the averaging method can only be used in the fall, permitting institutions to use the missed-term exception with the actual method provides greater consistency in the legislation and will provide additional flexibility for student-athletes who satisfy the missed-term exception.

**Intent:** To permit Division II men's and women's golf programs and individual student-athletes to participate in the PGA Minority Collegiate Golf Championship.

**A. Bylaws:** Amend 17.1.7, as follows:

17.1.7 General Regulations for Computing Playing Seasons Applicable to All Sports.

[17.1.7-(a) unchanged.]

(b) NCAA Championships Participation in Individual Sports. Only appropriate squad members considered necessary for effective practice by the individual(s) preparing for the NCAA championships may continue to practice without counting such practice against the institution's declared playing-season limitation. An individual or a member institution's team in an individual sport may engage in regular-season competition between its conference championship and NCAA championship selection, provided the institution has time remaining in its declared playing season and the institution has not participated in the maximum number of contests or dates of competition. An individual who is not selected to participate in the championship or an individual who is eliminated from the championship, and the squad member(s) considered necessary for effective practice by the individual(s) preparing for the NCAA championships, may not continue to practice or compete (see Bylaw 17.1.6.2.7 for application to alternate playing seasons in golf and tennis);

**(1) Exception – PGA Minority Collegiate Golf Championship. An individual golf student-athlete or a member institution's golf team may participate in the PGA Minority Collegiate Golf Championship after NCAA championship selection has occurred provided the student-athlete and/or the institution has not yet participated in the maximum number of contests or dates of competition permissible per Bylaw 17.**

[Remainder of 17.1.7 unchanged.]

**B. Bylaws:** Amend 17.10.4, as follows:

17.10.4 End Date of Practice and Competition – Championship Segment. A member institution shall conclude all practice and competition in golf in the championship segment by the conclusion of the NCAA Division II Golf Championships (see Bylaw 17.1.7 for additional regulations regarding the end date of practice and competition **and for an exception for the PGA Minority Golf Championship.**)

**Source:** NCAA Division II Management Council (Championships Committee).

**Effective Date:** Immediate

**Additional Information:** Annually, institutions and student-athletes are invited to participate in the PGA Minority Collegiate Golf Championship. Due to the timing of selections for the NCAA Division II Men's and Women's Golf Championships, current legislation regarding general playing season regulations typically does not permit institutions and student-athletes to participate in this tournament. The dates of the PGA Minority Collegiate Golf Championship are traditionally during the second week of May and selections for the NCAA Division II Men's and Women's Golf Championships are traditionally held during the last week of April. Currently, outside competition is not permissible once championship selections have occurred, thus making participation in the PGA Minority Collegiate Golf Championship impermissible. This is a unique opportunity for institutions and student-athletes to assist the PGA with growing the sport among ethnic minority communities. The tournament is open to historically black colleges and universities, Hispanic serving institutions, and student-athletes who are ethnic minorities.

NO. NC-2015-4

**RECRUITING – ELECTRONIC  
TRANSMISSIONS – AUDIO/VIDEO  
ATTACHMENTS AND HYPERLINKS  
IN ELECTRONIC CORRESPONDENCE**

**Intent:** To specify that an institution may include attachments and hyperlinks containing animation, audio or video clips in electronically transmitted correspondence sent to prospective student-athletes.

**Bylaws:** Amend 13.4.5, as follows:

13.4.5 Electronic Transmissions. Electronically transmitted correspondence (e.g., instant messaging, text messaging) shall not be sent to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s) and coaches] before June 15 immediately preceding the prospective student-athlete's junior year in high school. All electronically transmitted correspondence shall be sent directly to the prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s) and coaches] and shall be private between only the sender and recipient (e.g., no use of chat rooms, message boards, posts to "walls"). There shall be no limit on the number of electronic transmissions sent by institutional staff members to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s)]. Color attachments **and hyperlinks** may be included with electronically transmitted correspondence sent to a prospective student-athlete, provided ~~the attachment does not include any animation, audio or video clips and~~ there is no cost (e.g., subscription fee) associated with sending the item attached **or linked** to the electronically

transmitted correspondence. [D]  
[13.4.5.1 through 13.4.5.2 unchanged.]

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Current legislation permits institutions to send electronically transmitted correspondence (e.g., instant messaging, text messages) to prospective student-athletes following June 15 immediately preceding a prospective student-athlete's junior year in high school. While color attachments may be included in the electronically transmitted correspondence, an attachment may not include any animation or audio or video clips. However, current legislation regarding electronic media permits institutions to provide athletically related electronic media to a prospective student-athlete after June 15 immediately preceding the prospective student-athlete's junior year in high school. This proposed change will create greater consistency within the legislation and will ease the burden of monitoring the content of such communication. In addition, due to changes in technology it is no longer cost prohibitive for institutions to produce audio/video materials.

**NO. NC-2015-5 RECRUITING – RECRUITING  
CALENDARS – WOMEN’S  
BASKETBALL – EVALUATIONS  
AT NONSCHOLASTIC EVENTS –  
MAY 18 THROUGH JUNE 14**

**Intent:** In women's basketball, to specify that evaluations may occur during four nonscholastic events occurring between May 18 and June 14 selected at the discretion of the institution and designated in writing in the office of the director of athletics.

**Bylaws:** Amend 13.17.2, as follows:

13.17.2 Women's Basketball. The following contact and evaluation periods shall apply to women's basketball:

- |   |                   |
|---|-------------------|
| (a) June 1 through June 14:   | Quiet Period      |
| (b) June 15 through August 1:   | Evaluation Period |
| (c) August 2 through September 6:   | Quiet Period      |
| (d) September 7 through October 14:   | Contact Period    |
| (e) October 15 to the date of the prospective student-athlete's initial high school or two-year college contest:        | Quiet Period      |
| (f) During the period 48 hours before 7 a.m. on the initial date for the fall signing of the National Letter of Intent: | Dead Period       |
| (g) The period between the prospective stu-   |                   |

dent-athlete's initial and final high school or two-year college contests:

Evaluation Period

(h) March 1 through 30 days after the Saturday after the initial date for the spring signing of the National Letter of Intent [except for (1) below]:

Contact Period

(1) During the period 48 hours before 7 a.m. on the initial date for the spring signing of the National Letter of Intent: Dead Period

(i) During any high school all-star game that occurs within the state in which the member institution is located:

Evaluation Period

(j) During the Saturday before the NCAA Division I Women's Basketball Championship game through Wednesday noon after the championship game:

Dead Period

(k) During four ~~sanctioned Amateur Athletic Union~~ **nonscholastic** women's events occurring between May 18 and June 14 selected at the discretion of the institution and designated in writing in the office of the director of athletics:

Evaluation Period

(l) All other dates:

Quiet Period

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Current recruiting legislation allows women's basketball coaches to evaluate prospective student-athletes at four Amateur Athletic Union (AAU) events occurring between May 18 and June 14 selected at the discretion of the institution and designated in writing in the office of the director of athletics. AAU events are conducted in limited areas of the country. If there are no AAU events in the vicinity of the institution, then the women's basketball coach often will not attend any events during this period. Permitting coaches to evaluate at four nonscholastic events during this period ensures that all coaches have more equitable opportunities to recruit regardless of the geographical location of their institution.

NO. NC-2015-6

ELIGIBILITY – SEASONS OF  
COMPETITION – PARTICIPATION IN  
ORGANIZED COMPETITION BEFORE  
INITIAL COLLEGIATE ENROLLMENT –  
ACADEMIC YEAR IN RESIDENCE –  
GRADUATE STUDENT EXCEPTION

**Intent:** To specify that a student-athlete who initially enrolls at a Division II institution as a graduate student and is charged with the use of a season of competition per the organized-competition legislation, is not required to fulfill an academic year in residence before being eligible for competition in that sport.

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

14.2.4.2 Participation in Organized Competition Before Initial Collegiate Enrollment. An individual who does not enroll in a collegiate institution as a full-time student in the regular academic term that begins immediately after a one-year time period (the next opportunity to enroll after the one calendar-year period has elapsed) following his or her high school graduation date shall use one season of intercollegiate competition for each consecutive 12-month period after the one-year time period and before initial full-time collegiate enrollment in which the individual participates in organized competition per Bylaw 14.2.4.2.1.2.

14.2.4.2.1 Administration of Participation in Organized Competition.

[14.2.4.2.1.1 through 14.2.4.2.1.2 unchanged.]

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

14.2.4.2.1.3.1 Exception – **Transfer Student.** A student who has attended a two-year or a four-year collegiate institution for at least two full-time semesters or three full-time quarters and who has satisfactorily completed an average of at least 12-semester or 12-quarter hours of transferable degree credit for each full-time academic term of attendance at the two-year or four-year collegiate institution is not required to fulfill an academic year in residence before being eligible to represent the certifying institution in that specific sport in intercollegiate competition. This exception shall not apply to the use of a season(s) of intercollegiate competition for each 12-month period after the one-year time period and before initial full-time collegiate enrollment in which an individual participates in organized competition per Bylaw 14.2.4.2.1.2. (See Bylaws **14.1.8** and 14.4 ~~and 14.5~~ for progress-toward-degree and transfer requirements.)

**14.2.4.2.1.3.2 Exception – Graduate Student. A student who transfers and enrolls in a graduate program, professional school or equivalent degree program is not required to fulfill an academic year in residence before being eligible to represent the certifying institution in that specific sport in intercollegiate competition. (See Bylaws 14.4 and 14.5 for progress-toward-degree and transfer require-**

**ments.)**

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Current legislation requires individuals who delay initial collegiate enrollment, and trigger the organized-competition legislation, to serve an academic year in residence. A student who has attended a collegiate institution for at least two full-time semesters and who completes an average of at least 12-semester or 12-quarter hours of transferable degree credit per term of attendance is not required to serve the academic year in residence. An individual who has never attended a Division II institution as an undergraduate and is subject to the use of a season of competition at the time of transfer to a Division II institution as a graduate student, does not have the opportunity to use the exception to the academic year in residence. Specifically, most institutions do not accept undergraduate transfer credits when an individual is enrolling as a graduate student. When the organized-competition legislation was amended and the exception to the academic year in residence was established, the rationale for the exception centered on student-athletes demonstrating a commitment to academics. A student-athlete who has already received a bachelor's degree has already demonstrated such a commitment.

NO. NC-2015-7

**ELIGIBILITY – CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY – PARTICIPATION IN ORGANIZED COMPETITION PRIOR TO ENROLLMENT – EXCEPTIONS TO PARTICIPATION IN ORGANIZED COMPETITION – U.S. ARMED SERVICES EXCEPTION**

**Intent:** To specify that an individual who participates in any organized competition while serving on active duty in the U.S. armed services shall be excepted from the organized competition legislation.

**Bylaws:** Amend 14.2.4.2.2.1, as follows:

14.2.4.2.2.1 U.S. Armed Services Exception. Participation in organized competition per Bylaw 14.2.4.2.1.2 **shall be excepted** during time spent **on active duty** in the U.S. Armed Services *shall be excepted as long as the competition is organized and administered by the military.*

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Under current legislation, an individual who

does not enroll in a collegiate institution as a full-time student after a one-year grace period following his or her high school graduation date, uses one season of competition for each consecutive 12-month period after the one-year grace period in which he or she participates in organized competition before initial full-time collegiate enrollment. There are multiple exceptions to this legislation, including the U.S. armed services exception, which currently permits participation in organized competition while serving in the U.S. armed services to be excepted, provided the competition was organized and administered by the military. Staff has recently received waiver requests in which student-athletes on active U.S. military duty were charged a season of competition because the competition he or she participated in was not organized or administered by the military. The competition in such cases was generally recreational or philanthropic in nature. Permitting individuals on active U.S. military duty to participate in organized competition that is not organized or administered by the military without penalty during a delay in enrollment acknowledges the commitment those individuals have made to service in the U.S. armed services without leading to a significant competitive advantage.

**NO. NC-2015-8**

**PLAYING AND PRACTICE SEASONS –  
DEFINITIONS AND APPLICATIONS –  
TRYOUTS – ENROLLED STUDENT –  
ELIMINATION OF GOOD ACADEMIC  
STANDING REQUIREMENT**

**Intent:** To eliminate the requirement that a full-time student currently enrolled at an institution must be in good academic standing to participate in a tryout.

**Bylaws:** Amend 17.02.14, as follows:

17.02.14 Tryouts – Enrolled Student. A member institution may conduct a tryout of a full-time student currently enrolled at the institution only on its campus or at a site at which the institution normally conducts practice or competition during the regular academic year. (See Bylaw 13.11.2.1 for tryout regulations of a prospective student-athlete.) The following conditions shall apply to a tryout of an enrolled student:

[17.02.14-(a) unchanged.]

*(b) Academic Requirement. The student must be in good academic standing;*

[17.02.14-(c) through 17.02.14-(g) relettered as 17.02.14-(b) through 17.02.14-(f), unchanged.]

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate



**Additional Information:** Current legislation does not require a student-athlete to be in good academic standing to participate in practice activities. Eliminating the requirement that a currently enrolled student must be in good academic standing to participate in a tryout creates further consistency in the legislation and ensures that currently enrolled students are not subject to a stricter standard than current student-athletes.

NO. NC-2015-9

**PLAYING AND PRACTICE  
SEASONS – DISCRETIONARY  
EXEMPTIONS – OFFICIAL SCORING**

**Intent:** To eliminate the condition that indicates official scoring of a scrimmage occurs if the score of the scrimmage is released to the media or other appropriate entities by either participating institution.

**A. Bylaws:** Amend 17.2.7.4.1, as follows:

17.2.7.4.1 Official Scoring. For purposes of Bylaw 17.2.7.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies *any* **either** of the following conditions:

- (a) The signing of a scorebook by an official;
- ~~(b) The score is released to the media or other appropriate entities;~~ or
- ~~(c)~~ **(b)** The score is used for individual or seasonal statistics.

**B. Bylaws:** Amend 17.3.6.4.1, as follows:

17.3.6.4.1 Official Scoring. For purposes of Bylaw 17.3.6.4-(d), official scoring has occurred when either institution participating in the scrimmage satisfies *any* **either** of the following conditions:

- (a) The signing of a scorebook by an official;
- ~~(b) The score is released to the media or other appropriate entities;~~ or
- ~~(c)~~ **(b)** The score is used for individual or seasonal statistics.

**C. Bylaws:** Amend 17.5.7.4.1, as follows:

17.5.7.4.1 Official Scoring. For purposes of Bylaw 17.5.7.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies *any* **either** of the following conditions:

- (a) The signing of a scorebook by an official;
- ~~(b) The score is released to the media or other appropriate entities;~~ or
- ~~(c)~~ **(b)** The score is used for individual or seasonal statistics.

**D. Bylaws:** Amend 17.8.7.4.1, as follows:

17.8.7.4.1 Official Scoring. For purposes of Bylaw 17.8.7.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies *any* **either** of the following conditions:

- (a) The signing of a scorebook by an official;
- ~~(b) The score is released to the media or other appropriate entities;~~ or

~~(c)~~ **(b)** The score is used for individual or seasonal statistics.

**E. Bylaws:** Amend 17.10.7.4.1, as follows:

17.10.7.4.1 Official Scoring. For purposes of Bylaw 17.10.7.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies ~~any~~ **either** of the following conditions:

(a) The signing of a scorebook by an official;

~~(b) The score is released to the media or other appropriate entities; or~~

~~(c)~~ **(b)** The score is used for individual or seasonal statistics.

**F. Bylaws:** Amend 17.12.5.3.1.1, as follows:

17.12.5.3.1.1 Official Scoring. For purposes of Bylaw 17.12.5.3.1-(c), official scoring has occurred when either institution participating in the scrimmage satisfies ~~any~~ **either** of the following conditions:

(a) The signing of a scorebook by an official;

~~(b) The score is released to the media or other appropriate entities; or~~

~~(c)~~ **(b)** The score is used for individual or seasonal statistics.

**G. Bylaws:** Amend 17.13.7.4.1, as follows:

17.13.7.4.1 Official Scoring. For purposes of Bylaw 17.13.7.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies ~~any~~ **either** of the following conditions:

(a) The signing of a scorebook by an official;

~~(b) The score is released to the media or other appropriate entities; or~~

~~(c)~~ **(b)** The score is used for individual or seasonal statistics.

**H. Bylaws:** Amend 17.15.7.4.1, as follows:

17.15.7.4.1 Official Scoring. For purposes of Bylaw 17.15.7.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies ~~any~~ **either** of the following conditions:

(a) The signing of a scorebook by an official;

~~(b) The score is released to the media or other appropriate entities; or~~

~~(c)~~ **(b)** The score is used for individual or seasonal statistics.

**I. Bylaws:** Amend 17.19.7.4.1, as follows:

17.19.7.4.1 Official Scoring. For purposes of Bylaw 17.19.7.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies ~~any~~ **either** of the following conditions:

(a) The signing of a scorebook by an official;

~~(b) The score is released to the media or other appropriate entities; or~~

~~(c)~~ **(b)** The score is used for individual or seasonal statistics.

**J. Bylaws:** Amend 17.20.7.4.1, as follows:

17.20.7.4.1 Official Scoring. For purposes of Bylaw 17.20.7.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies ~~any~~ **either** of the following conditions:

(a) The signing of a scorebook by an official;

- (b) The score is released to the media or other appropriate entities;* or  
⊖ **(b)** The score is used for individual or seasonal statistics.

**K. Bylaws:** Amend 17.21.6.4.1, as follows:

17.21.6.4.1 Official Scoring. For purposes of Bylaw 17.21.6.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies *any* **either** of the following conditions:

- (a) The signing of a scorebook by an official;  
*(b) The score is released to the media or other appropriate entities;* or  
⊖ **(b)** The score is used for individual or seasonal statistics.

**L. Bylaws:** Amend 17.22.7.4.1, as follows:

17.22.7.4.1 Official Scoring. For purposes of Bylaw 17.22.7.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies *any* **either** of the following conditions:

- (a) The signing of a scorebook by an official;  
*(b) The score is released to the media or other appropriate entities;* or  
⊖ **(b)** The score is used for individual or seasonal statistics.

**M. Bylaws:** Amend 17.23.6.4.1, as follows:

17.23.6.4.1 Official Scoring. For purposes of Bylaw 17.23.6.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies *any* **either** of the following conditions:

- (a) The signing of a scorebook by an official;  
*(b) The score is released to the media or other appropriate entities;* or  
⊖ **(b)** The score is used for individual or seasonal statistics.

**N. Bylaws:** Amend 17.24.2.7.4.1, as follows:

17.24.2.7.4.1 Official Scoring. For purposes of Bylaw 17.24.2.7.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies *any* **either** of the following conditions:

- (a) The signing of a scorebook by an official;  
*(b) The score is released to the media or other appropriate entities;* or  
⊖ **(b)** The score is used for individual or seasonal statistics.

**O. Bylaws:** Amend 17.26.6.4.1, as follows:

17.26.6.4.1 Official Scoring. For purposes of Bylaw 17.26.6.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies *any* **either** of the following conditions:

- (a) The signing of a scorebook by an official;  
*(b) The score is released to the media or other appropriate entities;* or  
⊖ **(b)** The score is used for individual or seasonal statistics.

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Current legislation permits institutions to exempt a scrimmage provided the scrimmage is conducted without official scoring. Among other requirements, official scoring is considered to have occurred when either institution participating in the scrimmage releases the score to the media or other appropriate entities. Institutions are ultimately responsible for ensuring that neither institution releases the score of the scrimmage to exempt the scrimmage. Given the proliferation of Internet-based media and social media platforms, tracking this requirement is burdensome for institutions to monitor. For example, if a participating coach posts the score to a social media site and a media outlet or other entity is able to access that information, neither institution would be able to exempt the scrimmage. Additionally, institutions become responsible for the actions of a scrimmage opponent, which may not be an NCAA institution, and subject to the same legislation. As such, institutions could potentially lose the opportunity to exempt a scrimmage based on circumstances outside of an institution's control. This recommended change reduces the compliance burden on institutions while maintaining the intent of the legislation by preserving other restrictions on official scoring.

NO. NC-2015-10

**AWARDS, BENEFITS AND EXPENSES –  
NATIONAL TEAM TRYOUTS,  
PRACTICE AND COMPETITION**

**Intent:** To specify that a student-athlete may receive actual and necessary expenses and reasonable benefits associated with national team practice and competition; further, to specify that an institution may provide actual and necessary expenses for an unlimited number of national team tryout competition events.

**A. Bylaws:** Amend 12.4.2.1, as follows:

*12.4.2.1 Broken-Time Payments. An individual may not receive “broken-time” payments except as authorized and administered by the U.S. Olympic Committee during the period immediately before and including actual Olympic competition. A permitted broken-time payment may cover financial loss as a result of absence from employment to prepare for or participate in the Olympic Games. Such compensation during any other period and payments administered independently of the USOC by other sports governing bodies (e.g., the U.S. Ski Association) are prohibited.* **National Team Practice and Competition. A student-athlete may receive actual and necessary expenses and reasonable benefits associated with national team practice and competition (e.g., health insurance, broken-time payments).** [R]

*12.4.2.1.1 Exception — When Individual Not Enrolled in Regular Term. An individual may receive broken-time payments administered by the U.S. Olympic Committee or the national governing body in the sport during a period when the individual is not enrolled (full or part time) in a regular term to cover financial loss as a result of absence from*

*employment as a direct result of practicing and competing on a national team (defined in Bylaw 14.02.8), provided the amounts are consistent with the principles set forth in Bylaw 12.4.1 and do not exceed \$300 per week, and the payment period covers not more than the period from the date the individual begins practice with the national team after selection to that team to one week after the conclusion of the competition. [R]*

**B. Bylaws:** Amend 16.8.1.3, as follows:

16.8.1.3 Other Competition. During an academic year in which a student-athlete is eligible to represent an institution in athletics competition (or in the next summer), an institution may provide actual and necessary expenses related to participation in the following activities: [R]

[16.8.1.3-(a) through 16.8.1.3-(b) unchanged.]

(c) *Not more than two national* **National** team tryout competition events, including events from which participants are selected for another tier of tryout competition or events from which final selections are made for the national team that will participate in the Olympic Games, Pan American Games, World Championships, World Cup, World University Games and World University Championships; and [16.8.1.3-(d) unchanged.]

**C. Bylaws:** Amend 16.10.1, as follows:

16.10.1 Permissible.

*16.10.1.1 Exception for USOC Elite Athlete Health Insurance Program. An individual may receive the comprehensive benefits of the USOC Elite Athlete Health Insurance Program.*

[16.10.1.2 renumbered as 16.10.1.1, unchanged.]

16.10.1.~~3~~2 Outside Sports Teams. An amateur outside sports team or organization may provide actual and necessary expenses to team members only if the expenses are: [R]

[16.10.1.3-(a) through 16.10.1.3-(d) renumbered as 16.10.1.2-(a) through 16.10.1.2-(d), unchanged.]

16.10.1.~~3~~2.1 Practice in Conjunction with Competition. Practice expenses may be accepted only when such practice is directly related to a competition and is conducted during a continuous time period before the competition. [R]

*16.10.1.3.1.1 National Team Practice Exception. If a student-athlete is involved in practice sessions conducted by a national team, the student-athlete may receive such practice expenses even if the practice is not continuous and occasionally is interrupted for specified periods of time before the competition.*

[16.10.1.4 through 16.10.1.5 renumbered as 16.10.1.3 through 16.10.1.4, unchanged.]

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

**Effective Date:** Immediate

**Additional Information:** This proposal will simplify the current legislation by establishing a general rule that allows actual and necessary expenses and reasonable benefits associated with national team practice and competition. Further, an institution may use discretion to provide expenses for a student-athlete's participation in an unlimited number of national team tryouts. Such permissive regulations will enhance student-athlete success and well-being.

**NO. NC-2015-11**      **AMATEURISM – EXPENSES, AWARDS AND BENEFITS – PAYMENT BASED ON PERFORMANCE – INCENTIVE PROGRAMS FOR INTERNATIONAL ATHLETES**

**Intent:** To specify that an international prospective student-athlete or international student-athlete may accept funds from his or her country's national Olympic governing body (equivalent to the U.S. Olympic Committee) based on place finish in one event per year that is designated as the highest level of international competition for the year by the governing body.

**Bylaws:** Amend 12.1.3, as follows:

12.1.3 Permissible – Following Initial Full-Time Collegiate Enrollment. Following initial full-time collegiate enrollment, participation in the following activities and receipt of the following benefits will not jeopardize the amateur status of an individual:

[12.1.3-(a) through 12.1.3-(e) unchanged.]

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

[12.1.3-(f)-(1) unchanged.]

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

[12.1.3-(f)-(2) through 12.1.3-(f)-(6) renumbered as 12.1.3-(f)-(3) through 12.1.3-(f)-(7), unchanged.]

**Source:** NCAA Division II Management Council (Olympic Sports Liaison Committee).

**Effective Date:** Immediate

**Additional Information:** Current legislation allows prospective student-athletes and student-athletes to receive prize money based on place finish, provided the prize money does not exceed actual and nec-

essary expenses. In addition, individuals may receive grants from the United States Olympic Committee (USOC) or the appropriate national governing body in the sport (or, for international student-athletes, the equivalent organizations in their countries) to cover training expenses based on performance in specific events. Current legislation also includes an exception for prospective student-athletes or student-athletes to receive funds administered under the USOC's Operation Gold program, which allows domestic athletes who earn a medal to receive a predetermined monetary award from the USOC, which may be augmented by the national governing body for the particular sport. Unlike other legislation related to benefits from the USOC or a national governing body, the exception for the Operation Gold program does not apply to international student-athletes. Establishing a similar exception for benefits provided by international equivalents of the USOC, while limiting the number of designated events to one international competition per year per country, promotes student-athlete well-being and fairness among elite level student-athletes and reduces compliance monitoring concerns.

**NO. NC-2015-12**

**ELIGIBILITY – CRITERIA FOR  
DETERMINING SEASON OF  
ELIGIBILITY – PARTICIPATION IN  
ORGANIZED COMPETITION PRIOR  
TO ENROLLMENT – EXCEPTIONS  
TO PARTICIPATION IN ORGANIZED  
COMPETITION – CANADIAN  
ARMED SERVICES EXCEPTION**

**Intent:** To specify that an individual who participates in any organized competition while serving on active duty in the Canadian armed services shall be excepted from the organized competition legislation.

**Bylaws:** Amend 14.2.4.2.2.1, as follows:

14.2.4.2.2.1 U.S. **or Canadian** Armed Services Exception. Participation in organized competition per Bylaw 14.2.4.2.1.2 shall be excepted during time spent on active duty in the U.S. **or Canadian** Armed Services.

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** In November 2013, the NCAA Division II Legislation Committee recommended noncontroversial legislation amending Bylaw 14.2.4.2.2.1 to establish an exception to the organized-competition legislation that permits a prospective student-athlete to participate in any organized competition while serving

on active duty in the U.S. armed services regardless of whether the competition is organized and administered by the military. Since an exception does not exist for international student-athletes, and given the active status of a Canadian institution in the Division II membership, permitting individuals who serve in active Canadian military duty to participate in organized competition during a delay in enrollment acknowledges the commitment those individuals have made without creating a significant competitive advantage.

**NO. NC-2015-13      AWARDS AND BENEFITS – EXPENSES  
PROVIDED FOR PRACTICE  
AND COMPETITION – OTHER  
COMPETITION – INVOLVEMENT  
OF COACHING STAFF**

**Intent:** To permit an institutional coaching staff member to engage in coaching activities during a collegiate all-star contest with a student-athlete who has exhausted eligibility.

**Bylaws:** Amend 16.8.1.3.1, as follows:

16.8.1.3.1 Involvement of Coaching Staff. Institutional coaching staff members may engage in coaching activities with a student-athlete during the particular event in which the student-athlete competes, *with the exception of collegiate all-star contests*, regardless of whether the event occurs during or outside of the institution's declared playing season. (See Bylaw 17.1.1.)

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** August 1, 2014

**Additional Information:** NCAA Division II Proposal No. 2014-7 amended the expenses for practice and competition legislation and established that institutions may provide actual and necessary expenses for a student-athlete to participate in one collegiate all-star contest, provided the student-athlete has exhausted eligibility in the sport. Allowing an institutional coaching staff member to engage in coaching activities at a collegiate all-star contest with a student-athlete who has exhausted eligibility does not create a competitive or recruiting advantage. Additionally, it would afford the coaching staff member the opportunity to celebrate the student-athlete's success while representing his or her institution.



NO. NC-2015-14

**AWARDS AND BENEFITS –  
BENEFITS, GIFTS AND  
SERVICES – MISCELLANEOUS  
BENEFITS – FUNDRAISERS  
FOR STUDENT-ATHLETES  
OR FAMILY MEMBERS**

**Intent:** To specify that proceeds from fundraisers for student-athletes (or their immediate families) due to extreme circumstances beyond the student-athlete's control (e.g., life-threatening illness, natural disaster) may be given directly to the beneficiaries, with receipt kept on file by the institution, which must include the amount of expenses incurred and the total amount received.

**Bylaws:** Amend 16.11.1.12, as follows:

16.11.1.12 Miscellaneous Benefits. An institution may provide or arrange for the following benefits for a student-athlete: [R]

[16.11.1.12-(a) through 16.11.1.12-(e) unchanged.]

(f) Fundraisers for student-athletes (or their family members) under the following conditions:

~~(i)~~**(1)** Extreme circumstances should be extraordinary in the result of events beyond the control of the student-athlete;

~~(ii)~~**(2)** The proceeds must be designated for a specific purpose;

~~(iii)~~**(3)** The proceeds may ~~not~~ be given directly to the beneficiaries, ~~but must be dispersed through or paid directly to another entity,~~ with receipt kept on file by the institution, **which must include the amount of expenses incurred and the total amount received;** and

~~(iv)~~**(4)** The excess proceeds must be given to a not-for-profit organization with the receipt kept on file by the institution.

[16.11.1.12-(g) through 16.11.1.12-(h) unchanged.]

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Allowing the proceeds of fundraisers for extreme circumstances to be provided directly to the beneficiaries to cover specific expenses reduces the administrative burden placed on institutions, student-athletes and families of student-athletes. Requiring the institution to maintain receipts for the expenses and proceeds provided, as well as the other legislative requirements, will address concerns about potential abuse.

NO. NC-2015-15

**PLAYING AND PRACTICE  
SEASONS – ANNUAL EXEMPTIONS –  
NATIONAL INVITATION  
TOURNAMENT SEASON TIPOFF**

**Intent:** In basketball, to specify that an institution may exempt contests played in the National Invitation Tournament (NIT) Season Tipoff from the institution's maximum contest limitations.

**Bylaws:** Amend 17.3.6.3, as follows:

17.3.6.3 Annual Exemptions. The following basketball contests each year may be exempted from an institution's maximum number of contests:

[17.3.6.3-(a) through 17.3.6.3-(g) unchanged.]

**(h) National Invitation Tournament (NIT) Season Tipoff. Games in the NIT Season Tipoff;**

[17.3.6.3-(h) through 17.3.6.3-(i) relettered as 17.3.6.3-(i) through 17.3.6.3-(j), unchanged.]

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Current legislation permits Division II institutions to exempt games in the Division II Tip-Off Classic from an institution's maximum number of contests. Staff has recently received waiver requests for Division II institutions to exceed the maximum contest limit in order to participate in the NIT Season Tipoff. Given invitations are generally extended after the Division II institution has already scheduled the maximum number of games for the season, the Division II institution usually cannot permissibly accept the invitation. The invitation to participate has only been extended to either the Division II national champions or the runner-up. This is a trend that the NCAA men's basketball championship staff has predicted to continue and provides the selected team the opportunity to represent the Division II membership on a national stage.

**NO. NC-2015-16**

**ENFORCEMENT - ACCURACY AND  
CONSISTENCY OF PROVISIONS**

**Intent:** To increase accuracy and consistency in provisions applicable to the NCAA enforcement program.

**A. Bylaws:** Amend 19, as follows:

19 Enforcement

[19.01 unchanged.]

19.01.1 Mission of NCAA Enforcement Program. It shall be the mission of the NCAA enforcement program to eliminate violations of NCAA rules and ~~impose~~ **prescribe** appropriate penalties should violations occur. The program is committed to fairness of procedures and the timely and equitable resolution of infractions cases. The achievement of these objectives is essential to the conduct of a viable and effective enforcement program. Further,

an important consideration in *imposing* **prescribing** penalties is to provide fairness to uninvolved student-athletes, coaches, administrators, competitors and other institutions.

[19.01.2 through 19.01.3 unchanged.]

19.01.4 Violations by Institutional Staff Members. Institutional staff members found in violation of NCAA *regulations* **constitution and bylaws** shall be subject to disciplinary or corrective action as set forth in the provisions of the NCAA enforcement procedures, whether such violations occurred at the certifying institution or during the individual's previous employment at another member institution.

19.01.5 Nature of Penalty Structure. As a guiding principle, a penalty *imposed* **prescribed** under NCAA enforcement policies and procedures should be broad and severe if the violation or violations reflect a general disregard for the governing rules; in those instances in which the violation or violations are isolated and of relative insignificance, then the NCAA penalty shall be specific and limited. Previous violations of NCAA legislation shall be a contributing factor in determining the degree of penalty.

[19.02 unchanged.]

19.02.1 Show-Cause Order. A show-cause order is one that requires a member institution to demonstrate to the satisfaction of the Committee on Infractions (or the Infractions Appeals Committee per Bylaw 19.2) why it should not be subject to a penalty (or additional penalty) for not taking appropriate disciplinary or corrective action against an institutional staff member or representative of the institution's athletics interests identified by the committee as having been involved in a violation of NCAA *regulations* **constitution and bylaw** that has been found by the committee.

[19.02.2 through 19.02.3 unchanged.]

19.1 Committee on Infractions.

[19.1.1 unchanged.]

19.1.1.1 Term of Office. A member shall serve a three-year term, which shall commence on the first day of September following the member's election **and shall be eligible for immediate re-election**. A member may *be reappointed but shall* not serve more than nine years on the committee.

19.1.1.2 Quorum. *Three* **Four** members present and voting shall constitute a quorum for conduct of committee business, it being understood that the chair will make a special effort to have full committee attendance when major infractions cases are to be considered.

[19.1.2 unchanged.]

19.1.2.1 Authority of Vice President *for* **of** Enforcement *Ser-*  
*vices*. On review of information developed by the enforcement staff or self-reported by the member institution, the

vice president *for of* enforcement *services* shall identify the charges as involving alleged major or secondary violations, or multiple secondary violations that should be viewed as a major violation. Disciplinary or corrective actions in the case of secondary violations may be *effected* **prescribed** by the vice president *for of* enforcement services. Said actions shall be taken in accordance with the provisions of the enforcement policies and procedures and shall be subject to review by the *committee on appeal* **Committee on Infractions**.

*19.1.2.1.1 Authority of Conference Commissioners. Selected secondary violations that have been identified by the Division II Committee on Infractions, and for which specific disciplinary or corrective actions have been prescribed by the Division II Committee on Infractions, may be processed by the commissioner of the member institution's conference when such violations occur for the first time in a particular sport. Those violations that temporarily affect the individual eligibility of a prospective or enrolled student athlete (as indicated on the prescribed penalty schedule) must continue to be handled through the normal eligibility restoration process. The conference commissioner, at his or her discretion, may elect not to process any such violation and, instead forward it to the Division II Committee on Infractions. Any violations processed and penalties imposed by the conference commissioner shall be reported to the Division II Committee on Infractions on a monthly basis. If an institution believes that a case warrants action that is less than the prescribed penalty, it may request further review by the group executive director for enforcement and student athlete reinstatement.*

19.1.2.2 Authority of Committee Chair. In the interim between meetings of the committee, the chair shall be empowered to act on behalf of the committee, subject to committee approval at its next meeting. If at any time, at a meeting or between meetings, the chair is unavailable to act as such, the vice chair is empowered to exercise the functions of the chair. **For each hearing, the committee chair or chair's designee shall serve as the committee's appeals advocate for any appeal of a decision of the committee. If scheduling or availability issues prevent the appeal advocate from serving, the chair may designate another committee member to serve as a substitute.**

[19.1.2.3 unchanged.]

19.1.3 Duties. The committee shall:

[19.1.3-(a) through 19.1.3-(b) unchanged.]

(c) *Determine* **Find** facts related to alleged violations and *find* **conclude whether the facts constitute one or more violations of the NCAA rules and requirements constitution and bylaws;**

(d) *Impose* **Upon concluding that one or more violations oc-**

**curred, prescribe** an appropriate penalty or “show-cause” requirement on a Division II member found to be involved in a major violation (or on appeal on a Division II member found to be involved in a secondary violation) or recommend to the Division II Presidents Council suspension or termination of membership; and

(e) Carry out any other duties directly related to the administration of the *Division II Association's* enforcement program.

## 19.2 Appeals Committee.

[19.2.1 through 19.2.1.2 unchanged.]

*19.2.1.3 Authority and Duties. The Infractions Appeals Committee shall hear and act on appeals from the findings of major violations by the Committee on Infractions involving member institutions (see Bylaws 32.10 and 32.11). The committee may establish or amend enforcement policies and procedures set forth in Bylaws 32.10 and 32.11 that relate directly to the infractions appeals process, subject to review and approval by the Presidents Council.*

## 19.3 Establishment and Revision of Enforcement Policies and Procedures.

19.3.1 Amendment by Committee and Approval by Management Council. The Committee on Infractions may establish or amend the policies and procedures in regard to issues other than those concerning institutional penalties, restitution, and committee duties and structure. A member institution shall be provided notice of alleged NCAA rules violations for which it is charged before any penalty is *imposed* **prescribed**, as well as the opportunity to appear before the committee and the opportunity to appeal the committee's *findings* **conclusions** of major violations or penalties (see Bylaws 19.4 and 19.5). The policies and procedures governing the administration of the Association's enforcement program, as set forth in Bylaw 32, are subject to review and approval by the Management Council *at its next regularly scheduled meeting*.

[19.3.1.1 through 19.3.1.2 unchanged.]

19.3.2 Amendment to Enforcement Procedures. The enforcement policies and procedures set forth in Bylaw 32 may be amended *at any annual or special Convention in accordance with the procedures set forth in Constitution 5.3* **in accordance with the legislative process**.

## 19.4 Notice of Charges and Opportunity to Appear.

[19.4.1 unchanged.]

19.4.2 For Secondary Violations. A member under investigation for secondary violations shall be given the following:

[19.4.2-(a) unchanged.]

(b) An opportunity to provide a written response to the vice president *for* **of** enforcement *services* (or to appear before the

Committee on Infractions on appeal) to answer such charges by the production of evidence (see Bylaw 19.6).

19.4.3 New Findings. When an institution and involved individual appear before the committee to discuss a response to the notice of allegations, the hearing shall be directed toward the general scope of the notice of allegations but shall not preclude the committee from ~~finding any~~ **concluding a violation(s) occurred** resulting from information developed or discussed during the hearing.

19.5 Penalties, Disciplinary Measures and Corrective Actions. Penalties, disciplinary measures and corrective actions shall be specific and limited if the violation(s) are of relative insignificance and isolated or inadvertent. Penalties, disciplinary measures and corrective actions shall be broad and severe if the violation(s) are numerous, significant or intentional, or reflect a general disregard for the division's bylaws, institutional responsibilities as an active member of the Association or an institutional staff member's obligation to be in compliance with the legislation. Penalties, disciplinary measures and corrective actions for a major violation(s) shall be significantly more severe than those for a secondary violation(s). A previous violation(s) shall be a contributing factor in determining the number, type, scope and degree of penalties, disciplinary measures and corrective actions that may be ~~imposed~~ **prescribed**.

19.5.1 Penalties, Disciplinary Measures and Corrective Actions for Secondary Violations. Pursuant to the authority provided by the Committee on Infractions, the vice president ~~for of~~ enforcement ~~services~~ and the enforcement staff are responsible for administering secondary violations and ~~imposing~~ **prescribing** penalties. Determination of applicable penalties includes the authority to impose, to accept an institutional- or conference-determined penalty as satisfactory or, if appropriate, ~~impose~~ **prescribe** a penalty. Penalties, disciplinary measures and corrective actions for secondary violations may include any and all of the following:

[19.5.1-(a) through 19.5.1-(g) unchanged.]

(h) Public reprimand (to be invoked only in situations where the Committee on Infractions or the vice president ~~for of~~ enforcement ~~services~~, on approval by the committee, determines that a penalty, in addition to any institutional- or conference-determined penalty, is warranted);

(i) Requirement that a member institution that has been found in violation, or that has an athletics department staff member who has been found in violation of the provisions of NCAA legislation while representing another institution, show cause why a penalty or an additional penalty should not be ~~imposed~~ **prescribed** if it does not take appropriate disciplinary or corrective action against the athletics department personnel involved, any other institutional employee, if the circumstances warrant,

or representatives of the institution's athletics interests;

[19.5.1-(j) unchanged.]

19.5.2 Penalties, Disciplinary Measures and Corrective Actions for Major Violations. The Committee on Infractions has the authority to determine the penalties, disciplinary measures and corrective actions that are *imposed on* **prescribed for** an institution for major violations. The Infractions Appeals Committee shall hear and act on an institution's appeal per Bylaw 19.2. The committee(s) may consider institutional- or conference-determined penalties and, where appropriate, include those in the penalties. Institutional- or conference-determined penalties shall not displace or substitute for the committee's judgment regarding *sanctions* **penalties**. Penalties, disciplinary measures and corrective actions for major violations shall include those penalties, disciplinary measures and corrective actions prescribed for secondary violations (see Bylaw 19.5.1), and may include any and all of the following:

[19.5.2-(a) unchanged.]

(b) Probation for up to five years. Conditions of probation shall be determined on a case-by-case basis. A failure to satisfy the conditions of probation may result in additional *findings* **conclusions** of violation(s), including the failure to cooperate, lack of institutional control and/or violations of conditions for membership, and shall result in a reconsideration of the initial penalties *imposed* **prescribed**, including an extension of the probationary period and *imposition* **prescription** of additional penalties. Conditions of probation shall include, but are not limited to, the following:

[19.5.2-(b)-(1) through 19.5.2-(f) unchanged.]

(g) Vacation of records when a student-athlete(s) has competed while ineligible, particularly when a case involved academic fraud, serious intentional violations, a large number of violations, direct or knowing involvement of a coach or high-ranking administrator, competition while academically ineligible, ineligible competition when there is a finding or failure to monitor or lack of institutional control or when vacation or a similar penalty would be *imposed* **prescribed** if the underlying violation(s) were secondary. The penalties may include one or more of the following, as applicable:

[19.5.2-(g)-(1) through 19.5.2-(m) unchanged.]

(n) A requirement that the institution must provide a copy of the Infractions *Report* **Decision** to the institution's regional accrediting agency when the violation(s) involves academic misconduct or reflects questionable academic conduct or procedures;

(o) Ineligibility of institutional staff members to serve on *NCAA the Division II Presidents Council, Management Council or other* standing or special committees, councils or task forces **of**

**the Association**, including as representatives of their institution or conference;

[19.5.2-(p) through 19.5.2-(s) unchanged.]

19.5.2.1 Opportunity to Appear. In the event the committee considers additional penalties to be *imposed* **prescribed** on an institution in accordance with Bylaw 19.5.2-(p) above, the involved institution shall be provided the opportunity to appear before the committee; further, the institution shall be provided the opportunity to appeal (per Bylaw 19.6.2) any additional penalty *imposed* **prescribed** by the committee.

19.5.2.2 Show-Cause Order. *Penalties*, **If a determination is made by the committee that an institution has not taken appropriate disciplinary or** *corrective actions and disciplinary measures may be directed at a particular institutional staff member if that staff member has been* **regarding an individual found to have committed a in violation(s) of the NCAA constitution and bylaws, the committee may issue an order that the institution take additional disciplinary or corrective action, including but not limited to restriction of some or all athletically related duties unless the institution appears before the committee to show cause why the additional penalties should not be applied.** *A show-cause order specifies the period of time over which the sanction(s) are in effect regarding the individual, whether the individual remains at the institution where the violation(s) occurred or the individual is employed by another institution.* **Decisions regarding disciplinary or corrective actions involving personnel shall be made by the institution, but the determination of whether the action satisfies the institution's obligation of NCAA membership shall rest solely with the Committee on Infractions.**

19.5.2.2.1 Obligation to Comply. If an institutional staff member who is subject to a show-cause order is employed by an institution other than the institution at which the violation(s) occurred, that institution must comply with the *sanctions imposed* **penalties prescribed** unless and until it can show cause to the satisfaction of the Committee on Infractions (or the Infractions Appeals Committee per Bylaw 19.2) why it need not comply. Failure to comply with the *sanctions* **penalties** may subject the institution to *findings* **conclusions** of violations, including failure to cooperate and lack of institutional control, as well as other penalties, corrective actions and disciplinary measures, as appropriate.

[19.5.2.2.1.1 unchanged.]

19.5.2.3 Repeat Violator Penalties. Previous violations of NCAA legislation are a contributing factor in determining the degree of penalties. Repeat violator status demonstrates



a significant failure of an institution to comply with NCAA legislation. A repeat violator is subject to substantial enhancement of the penalties set forth in Bylaw 19.5.2 that would be *imposed* **prescribed** for similar violations in a case not involving a repeat violator. In addition, a repeat violator may be subject to any or all of the following penalties:

[19.5.2.3-(a) through 19.5.2.3-(d) unchanged.]

19.5.2.3.1 Time Period. An institution shall be considered a “repeat” violator, if the Committee on Infractions *finds* **concludes** that a major violation has occurred within five years of the starting date of a major penalty. For this provision to apply, at least one major violation must have occurred within five years after the starting date of the penalties in the previous case. It shall not be necessary that the Committee on Infractions’ hearing be conducted or its report issued within the five-year period.

[19.5.2.4 unchanged.]

19.5.2.4.1 Conditions of Probation. The committee (or the Infractions Appeals Committee per Bylaw 19.2) may identify possible conditions that an institution must satisfy during a probationary period. Such conditions shall be designed on a case-by-case basis to focus on the institution’s administrative weaknesses detected in the case and shall include, but not be limited to, written reports from the institution pertaining to areas of concern to the committee (or the Infractions Appeals Committee per Bylaw 19.2), in-person reviews of the institution’s athletics policies and practices by the NCAA administrator for the Committee on Infractions, implementation of educational or deterrent programs, and audits for specific programs or teams. If the institution fails to satisfy such conditions, the committee (or the Infractions Appeals Committee per Bylaw 19.2) may reconsider the penalties in the case and may extend the probationary period and/or *impose* **prescribe** additional *sanctions* **penalties**.

19.5.2.4.2 Review Prior to Restoration of Membership Rights and Privileges. In the event the committee *imposes* **prescribes** a penalty involving a probationary period, at the end of the probationary period, the institution’s president or chancellor shall affirm in writing to the NCAA ~~administrator~~ **office of the Committee on Infractions** that the institution’s athletics policies and practices are in full compliance with NCAA rules. The administrator office of the Committee on Infractions shall review the written affirmation before action by the committee to restore the institution to full rights and privileges of membership in the Association.

[19.5.2.5 unchanged.]

19.5.2.5.1 Newly Discovered Evidence or Prejudicial Error. When a penalty has been *imposed* **prescribed** and publicly announced and the appeal opportunity has been exhausted, there shall be no review of the penalty except on a showing of newly discovered evidence (per Bylaw 19.02.3) that is directly related to the findings **or conclusions** in the case or that there was a prejudicial error in the procedure that was followed in the processing of the case by the committee.

[19.5.2.5.1.1 unchanged.]

19.5.2.5.1.2 Institution or Conference Discipline as New Evidence. Disciplinary measures *imposed* **prescribed** by the institution or its conference, after the NCAA action, may be considered to be “newly discovered evidence” for the purposes of this section.

19.5.2.5.1.3 No *Imposition* **Calculation** of New Penalty. If a hearing of the appeal is granted, the committee may reduce or eliminate any penalty but may not *impose* **prescribe** any new penalty. The committee’s decision with respect to the penalty shall be final and conclusive for all purposes.

[19.5.2.5.2 through 19.5.3.1 unchanged.]

## 19.6 Rights of Member to Appeal.

19.6.1 Appeal of Secondary Violations. A member shall have the right to appeal *actions taken* **to the Committee on Infractions penalties prescribed** by the vice president *for of* enforcement *services* in reference to secondary violations. To appeal, the member must submit a written notice of appeal to the *Committee on Infractions* **enforcement staff**. The *Committee on Infractions* **staff** must receive the written notice of appeal and any supporting information within 30 days of the date the institution receives the enforcement staff’s decision.

19.6.2 Appeal of Major Violations. A member shall have the right to give written notice of appeal of the committee’s *findings* **conclusions** of major violations (subject to Bylaw 32.10.1), the penalty, or both to the Infractions Appeals Committee per Bylaw 19.2.

19.6.3 Appeal by an Institutional Staff Member. If any current or former institutional staff member participates in a hearing before the Committee on Infractions and is involved in a *finding* **conclusion** of a violation against that individual, the individual shall be given the opportunity to appeal any of the findings **of fact, conclusions** in question (subject to the conditions of Bylaw ~~32.10.3~~) or the committee’s decision to *issue* **prescribe** a show-cause order **(subject to the conditions of Bylaw 32)** to the Infractions Appeals Committee. Under such circumstances, the individual and personal legal counsel may appear before the

appeals committee at the time it considers the pertinent findings **of fact, conclusions or prescribed penalties.**

[19.6.4 unchanged.]

19.6.4.1 Obligation of Institution to Take Appropriate Action. When the committee (or the Infractions Appeals Committee per Bylaw 19.2) *finds* **concludes** that there has been a violation of the constitution or bylaws affecting the eligibility of an individual student-athlete or student-athletes, the institution involved and its conference(s), if any, shall be notified of the violation and the name(s) of the student-athlete(s) involved, it being understood that if the institution fails to take appropriate action, the involved institution shall be cited to show cause under the Association's regular enforcement procedures why it should not be disciplined for a failure to abide by the conditions and obligations of membership (declaration of ineligibility) if it permits the student-athletes to compete.

[19.7 unchanged.]

## **B. Bylaws:** Amend 21, as follows:

### 21 Committees

[21.02 through 21.8.5.2.2.1 unchanged.]

#### 21.8.5.3 Committee on Infractions **and Infractions Appeals Committee.**

*21.8.5.3.1 Composition. The Division II Committee on Infractions shall consist of seven members, including one member of the Division II Management Council and one individual from the general public who is not associated with a collegiate institution, conference, professional or similar sports organization, or who represents coaches or athletes in any capacity.*

*21.8.5.3.2 Term of Office. A member shall serve a three-year term and shall be eligible for immediate re-election. A member may not serve more than nine years on the committee.*

*21.8.5.3.3 Duties. The committee shall:*

*(a) Consider complaints that may be filed with the Association charging the failure of any Division II member to maintain the academic or athletics standards required for membership or the failure of any Division II member to meet the conditions and obligations of membership in the Association;*

*(b) Formulate and revise in accordance with the requirements of Bylaw 19.3, a statement of its established operating policies and procedures, including investigative guidelines (see Bylaw 3.2);*

*(c) Determine facts related to alleged violations and find violations of NCAA rules and requirements;*

*(d) Impose an appropriate penalty or "show cause" requirement on a Division II member found to be involved in a*

major violation (or on appeal on a Division II member found to be involved in a secondary violation) or recommend to the Division II Presidents Council suspension or termination of membership; and

(e) Carry out any other duties directly related to the administration of the Division II enforcement program.

*21.8.5.3.4 Authority of Committee on Infractions. Disciplinary or corrective actions other than suspension or termination of membership may be effected during the period between the Division II business session of the annual Convention by members of the Committee on Infractions present and voting at any duly called meeting, provided the call of such a meeting shall have contained notice of the situation presenting the disciplinary problem. Actions of the committee in cases involving major violations, however, shall be subject to review by the Division II Management Council per Bylaw 19.2, on appeal.*

*21.8.5.3.5 Authority of Vice President for Enforcement Services. On review of information developed by the enforcement staff or self-reported by the member institution, the vice president for enforcement services shall identify the charges as involving alleged major or secondary violations, or repeated secondary violations that should be viewed as a major violation, subject to approval by the committee chair or another member of the committee designated by the chair. Disciplinary or corrective actions in the case of secondary violations may be effected by the vice president for enforcement services, subject to approval by the committee chair or another member of the committee designated by the chair. Said actions shall be taken in accordance with the provisions of the enforcement policies and procedures and shall be subject to review by the committee on appeal.*

*21.8.5.3.6 Authority of Committee Chair. In the interim between meetings of the committee, the chair shall be empowered to act on behalf of the committee, subject to committee approval at its next meeting. If at any time, at a meeting or between meetings, the chair is unavailable to act as such, the member of the committee longest in service who is available is empowered to exercise the functions of the chair.*

**21.8.5.3.1 Committee on Infractions. The Committee on Infractions shall be appointed and its duties assigned as provided in Bylaw 19.**

**21.8.5.3.72 Infractions Appeals Committee. The Division II Infractions Appeals Committee, per Bylaw 19.2, shall hear and act on an institution's appeal of the findings of major violations by the committee shall be appointed and its duties assigned as provided in Bylaw 19.**

[Remainder of 21 unchanged.]

**C. Administrative:** Amend 31.2, as follows:

31.2 Eligibility for Championships.

[31.2.1 through 31.2.2.3 unchanged.]

31.2.2.4 Participation While Ineligible. When a student-athlete competing as an individual or representing the institution in a team championship is declared ineligible after the competition, or a penalty has been ~~imposed~~ **prescribed** or action taken as set forth in Bylaw 19.5.2-(g) or 19.7 of the NCAA enforcement program, the Committee on Infractions may require the following:

[31.2.2.4-(a) through 31.2.2.4-(b) unchanged.]

31.2.2.5 Institutional Penalty for Ineligible Participation. When an ineligible student-athlete participates in an NCAA championship and the student-athlete or the institution knew or had reason to know of the ineligibility, the Committee on Infractions may ~~assess~~ **prescribe** a financial penalty.

[Remainder of 31.2 unchanged.]

**D. Administrative:** Amend 32, as follows:

32 Enforcement Policies and Procedures

32.1 Committee on Infractions – Special Operating Rules.

[32.1.1 unchanged.]

32.1.2 Public Announcements. The enforcement staff shall not confirm or deny the existence of an infractions case before complete resolution of the case through normal NCAA enforcement and hearing procedures **or appeal oral argument**. However, if the involved institution or any person involved in the case (e.g., involved individual, representative of the institution's athletics interests, interviewee) makes information concerning a case public, the involved institution, enforcement staff and the involved person may confirm, correct or deny the information made public.

[32.1.3 through 32.1.4 unchanged.]

32.1.5 Definition of Involved Individual. Involved individuals are former or current student-athletes and former or current institutional staff members who have received notice of significant involvement in alleged violations *through the notice of allegations or summary disposition process*.

32.2 Preliminary Reivew of Information.

32.2.1 Enforcement Staff to Receive *Complaints* **Information** and Conduct Investigations. It is the responsibility of the enforcement staff to conduct investigations relative to an institution's failure to comply with NCAA legislation or to meet the conditions and obligations of membership. Information that an institution failed to meet these obligations shall be provided to the enforcement staff and, if received by the Committee on Infractions or NCAA president, will be channeled to the enforce-

ment staff.

[32.2.1.1 unchanged.]

32.2.1.2 Self-Disclosure by an Institution. Self-disclosure shall be considered in *establishing* **prescribing** penalties, and, if an institution uncovers a violation before its being reported to the NCAA and/or its conference, such disclosure shall be considered as a mitigating factor in *determining* **prescribing** the penalty.

[32.2.2 through 32.2.2.1.3 unchanged.]

### 32.3 Investigative Procedures.

[32.3.1 through 32.3.5 unchanged.]

32.3.6 Representation by Legal Counsel. When an enforcement staff member conducts an interview that may develop information detrimental to the interests of the individual being questioned, that individual may be represented by personal legal counsel *throughout the interview*.

[32.3.7 through 32.3.9.1.2.1 unchanged.]

32.3.9.1.3 Use of Court Reporters. Institutional representatives or individuals being interviewed may use a court reporter to transcribe an interview subject to the following conditions. The institution or individual shall:

[32.3.9.1.3-(a) through 32.3.9.1.3-(b) unchanged.]

(c) Agree that confidentiality standards of Bylaw 32.3.9.1.4 apply. An institutional representative or individual who chooses to use a court reporter shall submit a written notice of agreement with the required conditions to the enforcement staff prior to the interview.

**(d)** If the enforcement staff chooses to use a court reporter, the NCAA will pay all costs of the reporter. A copy of the transcript prepared by the court reporter for the enforcement staff shall be made available to the institution and the involved individuals.

[32.3.9.1.4 through 32.3.10 unchanged.]

32.3.10.1 Case File. The enforcement staff is responsible for maintaining evidentiary materials involved with an infractions case, including copies of recorded interviews, interview summaries and/or interview transcripts and other evidentiary information. Such materials shall be retained *on file* at the national office.

32.3.10.2 *Custodial File* **Access to Information**. The enforcement staff shall make available copies of recorded interviews, interview summaries and/or interview transcripts and other evidentiary information pertinent to an infractions case. The institution and involved individuals may review such information in the national office or through a ~~Secure~~ **Website** in accordance with the provisions of Bylaw 32.6.4.

32.3.11 Failure to Cooperate. In the event that a representative of an institution refuses to submit relevant information to the Committee on Infractions or the enforcement staff on request, a notice of *inquiry* **allegations** may be *filed with the institution issued* alleging a violation of the cooperative principles of the NCAA bylaws and enforcement procedures. Institutional representatives and the involved individual may be requested to appear before the Committee on Infractions at the time the allegation is considered.

[32.3.12 unchanged.]

#### 32.4 Processing Information for Secondary Violations.

*32.4.1 Authority of Conference Commissioners. Selected secondary violations that have been identified by the Committee on Infractions, and for which specific disciplinary or corrective actions have been prescribed by the committee, may be processed by the commissioner of the institution's conference when such violations occur for the first time in a particular sport. Those violations that temporarily affect the eligibility of a prospective enrolled student-athlete (as indicated on the prescribed penalty schedule) must continue to be handled through the normal eligibility restoration process. The conference commissioner, at his or her discretion, may elect not to process any such violation and instead, forward it to the Committee on Infractions. Any violations processed and penalties imposed by the conference commissioner shall be reported to the Committee on Infractions on a monthly basis. If an institution believes that a case warrants action that is less than the prescribed penalty, it may request further review by the group executive director for enforcement and student-athlete reinstatement.*

32.4.21 Review of Institutional or Conference Actions or Penalties In Secondary Cases. If the Committee on Infractions or the enforcement staff, after review of institutional or conference action taken *in connection with a rules infraction* in secondary cases, concludes that the corrective or punitive measures taken by the institution or conference are sufficient, the committee or the enforcement staff, may accept the self-imposed measures and take no further action. Failure to fully implement the self-imposed measures may subject the institution to further disciplinary action by the NCAA.

[32.4.2.1 renumbered as 32.4.1.1, unchanged.]

32.4.32 Action Taken by Enforcement Staff (Not Institution or Conference). If the enforcement staff, after reviewing the information that has been developed and after consulting with the institution involved, determines that a secondary violation has occurred, the enforcement staff may *determine* **conclude** that no penalty is warranted or *impose* **prescribe** an appropriate penalty (see Bylaw 19.5.1).

32.4.43 Appeal of Secondary Cases. An institution may appeal **to the Committee on Infractions** penalties *imposed* **prescribed**

by the enforcement staff for secondary violations by submitting a written notice of appeal to the ~~Committee on Infractions~~ **enforcement staff**. The ~~Committee on Infractions~~ **staff** must receive written notice of the appeal and any supporting documentation within 30 days of the date the institution receives the enforcement staff's decision. An institution may request the opportunity to appear in person or through participation in a telephone conference call. If no such request is made, or if the request is denied, the Committee on Infractions will review the institution's appeal on the basis of the written record.

[32.5 through 32.5.2 unchanged.]

### 32.6 Notice of Allegations.

32.6.1 Notice to President or Chancellor. ~~When~~ **If** the enforcement staff determines that there is sufficient information to warrant, it shall issue a cover letter and notice of allegations to the president or chancellor of the institution involved (with copies to the faculty athletics representative and the athletics director and to the executive officer of the conference of which the institution is a member).

32.6.1.1 Contents of the Notice of Allegations Cover Letter. The cover letter accompanying each notice of allegations shall:

[32.6.1.1-(a) through 32.6.1.1-(c) unchanged.]

(d) Inform the president or chancellor that if the institution fails to appear after having been requested to do so, it may not appeal the Committee on Infractions' findings of fact and **conclusions of** violations, or the ~~resultant~~ **prescribed** penalty.

[32.6.1.1-(e) through 32.6.1.1-(f) unchanged.]

32.6.1.1.1 Enforcement Staff Basis for Allegation. The enforcement staff shall allege a violation when it believes there is sufficient information to conclude that the Committee on Infractions could make a *finding* **conclusion of a violation**.

[32.6.1.2 unchanged.]

32.6.2 Notice to Involved Individuals. The enforcement staff shall notify involved individuals (as defined in Bylaw 32.1.5) of the allegations in a notice of allegations in which they are named. A copy of the notification shall also be forwarded to the president or chancellor of the current institution of the involved individual. All involved individuals shall submit responses to the Committee on Infractions, and the institution under inquiry shall provide a copy of pertinent portions of its response to each involved individual in the case. Involved individuals who have submitted a response must also share their response with the involved institutions or other involved individuals. Failure to submit a response may be viewed by the Committee on Infractions as an admission that the alleged violations occurred. The



enforcement staff shall notify those involved individuals named in the notice of allegations who may be subject to the show-cause requirements as outlined in Bylaw 19.5.2.2 *if violations are found in which they are named.*

[32.6.3 through 32.6.4.1 unchanged.]

32.6.5 Deadline for Responses. Any response to the notice of allegations shall be *on file with* **submitted electronically** to the Committee on Infractions, the institution, all involved individuals and the enforcement staff not later than 90 days from the date of the notice of allegations, unless the committee grants an extension. The enforcement staff may establish a deadline for the submission of responses to any reasonable time within the 90-day period, provided the institution and all involved individuals consent to the expedited deadline. An institution or involved individual may not submit additional documentary evidence (in addition to its initial response) without prior authorization from the Committee on Infractions (see Bylaw 32.6.8 for additional instructions regarding information submitted to the Committee on Infractions).

[32.6.6 through 32.6.9 unchanged.]

### 32.7 Summary Disposition and Expedited Hearing.

32.7.1 Summary Disposition Election. In major infractions cases, institutions, involved individuals and the enforcement staff may elect to process the case through the summary disposition procedures specified below. The enforcement staff, involved individuals, if participating, and the institution must agree to use the summary disposition process. The institution, ~~an~~ involved individuals or the enforcement staff may require, as a condition of agreement, that the parties jointly submit the proposed findings to the chair of the Committee on Infractions or his or her designee for a preliminary assessment of the appropriateness of the use of the summary disposition process.

[32.7.1.1 unchanged.]

32.7.1.2 Written Report. The institution, involved individuals and the NCAA enforcement staff shall submit a written report setting forth:

[32.7.1.2-(a) through 32.7.1.2-(b) unchanged.]

(c) A stipulation that the proposed findings are substantially correct **and complete**;

[32.7.1.2-(d) through 32.7.1.2-(e) unchanged.]

[32.7.1.3 unchanged.]

32.7.1.4 Committee on Infractions Review. The Committee on Infractions shall consider the case *during its next scheduled* **at a subsequent** meeting.

32.7.1.4.1 *Approval* **Acceptance of Proposed** Findings and Penalties. If the *agreed-on* **proposed** findings **of fact**

and proposed penalties are ~~approved~~ **accepted**, the Committee on Infractions shall prepare a ~~written~~ report **of its decision**, forward it to the institution and involved individuals, and publicly announce the resolution of the case under the provisions of Bylaw 32.9.

32.7.1.4.2 **Proposed** Findings Not ~~Approved~~ **Accepted**. If the Committee on Infractions does not ~~approve~~ **accept** the **proposed** findings, the hearing process set forth in Bylaws 32.8 and 32.9 shall be followed.

32.7.1.4.3 **Proposed** Penalties Not ~~Approved~~ **Accepted**. If the Committee on Infractions accepts the ~~agreed-on~~ **proposed** findings but proposes penalties in addition to those set forth in the summary disposition report, the institution and/or involved individuals may request an expedited hearing on penalties before the Committee on Infractions. The institution and/or involved individuals have the option to appear before the committee in person, by videoconference or other mode of distance communication as the Committee on Infractions may deem appropriate. The institution and/or involved individuals also have the option to provide a written submission in lieu of a hearing. The committee shall only consider information relevant to the ~~imposition~~ **prescription** of penalties during the expedited hearing or written review. At the conclusion of the expedited hearing or written review, the committee shall prepare a written report **of its decision** and provide notification of the committee's actions consistent with Bylaw 32.9. The institution and/or any involved individuals may appeal the additional penalties to the Infractions Appeals Committee in accordance with Bylaws 32.10 and 32.11.

[32.1.7.4.4 through 32.1.7.4.5 unchanged.]

## 32.8 Committee on Infractions Hearings.

32.8.1 Committee Authority. The Committee on Infractions shall hold a hearing to determine the existence of the alleged violation of NCAA regulations and to ~~impose~~ **prescribe** any appropriate penalties.

32.8.2 Determination of ~~Meeting~~ **Hearing** Date. The Committee on Infractions shall set the dates and times for all hearings before the committee. The Committee on Infractions shall notify all relevant parties of the hearing date and site.

[32.8.3 through 32.8.7.4 unchanged.]

32.8.7.4.1 Information from Confidential Sources. In presenting information and evidence for consideration by the Committee on Infractions during an infractions hearing, the enforcement staff shall present only information that can be attributed to individuals who are willing to be identified. Information obtained from individuals not wishing

to be identified shall not be relied on by the Committee on Infractions in making *findings* **conclusions** of violations. Such confidential sources shall not be identified to either the Committee on Infractions or the institution.

[32.8.7.4.2 unchanged.]

32.8.7.5 Scope of Inquiry. If an institution appears before the Committee on Infractions to discuss its response to the notice of allegations, the hearing shall be directed toward the allegations set forth in the notice of allegations but shall not preclude the committee from *finding* **concluding that** any violation **occurred** resulting from information developed or discussed during the hearing.

32.8.7.6 Committee Questioning. The Committee on Infractions, at the discretion of any of its members, shall question representatives of the institution or the enforcement staff, as well as any involved individuals or other persons appearing before it, in order to determine the facts of the case. *Further, under the direction of the Committee on Infractions, questions and information may be exchanged between and among all parties participating in the hearing.*

[32.8.7.7 unchanged.]

32.8.8 Posthearing Committee Deliberations. After all presentations have been made and the hearing has been concluded, the Committee on Infractions shall excuse all others from the hearing, and *the committee shall make its determinations of fact and violation* **deliberate** in private.

32.8.8.1 Request for New Information. In arriving at its *determinations* **decision**, the Committee on Infractions may request additional information from any source, including the institution, the enforcement staff, or an involved individual. In the event that new information is requested from the institution, the enforcement staff, or an involved individual to assist the Committee on Infractions, all parties shall be afforded an opportunity to respond at the time such information is provided to the committee.

32.8.8.2 Basis of *Findings* **Decision**. The Committee on Infractions shall base its *findings* **decision** on information presented to it that it determines to be credible, persuasive and of a kind on which reasonably prudent persons rely in the conduct of serious affairs.

32.8.8.3 *Imposition* **Calculation** of Penalty. If the Committee on Infractions *determines* **concludes** that there has been a violation **occurred**, it shall *impose* **prescribe** an appropriate penalty (see Bylaw 19.5); or it may recommend to the Management Council suspension or termination of membership in an appropriate case. Failure to fully implement the adopted and/or *imposed* **prescribed** penalty may subject the

institution, and/or involved individual under a show-cause **restriction order**, to further disciplinary action by the Committee on Infractions.

32.8.8.4 Voting Requirements. The *finding* **conclusion** of a violation or the *imposition* **prescription** of a penalty or recommended action shall be by majority vote of the members of the committee present and voting. If fewer than five members are present, any committee action requires a favorable vote of at least three committee members.

### 32.9 Notification of Committee Action.

32.9.1 Infractions *Report* **Decision**. The Committee on Infractions, without prior public announcement, shall be obligated to submit promptly an infractions *report* **decision** to the president or chancellor of the institution (with copies to those individuals receiving copies of the notice of allegations) and to all involved individuals as defined in Bylaw 32.1.5. The following procedures shall apply to the infractions *report* **decision**:

(a) After an institutional hearing, the Committee on Infractions shall prepare and approve the final infractions **report decision**;

(b) The infractions *report* **decision**(s) of the Committee on Infractions and the Infractions Appeals Committee shall contain a consolidated statement of all findings and penalties, corrective actions, requirements, and other conditions and obligations of membership imposed on a member institution found in violation of NCAA legislation. The statement of such actions shall include, but not be limited to, the penalties *imposed* **prescribed** upon the institution, eligibility rules to be applied, applicable executive regulations, the adjustment of individual and team standings in NCAA championship events, and the request for the return of any awards and net receipts received for participation in an NCAA championship; and

(c) The Committee on Infractions' *report* **decision** shall be sent **electronically** to the president or chancellor of the involved institution and any involved individuals under the chair's signature or under the signature of a committee member selected to act for the chair. In addition, the committee will notify all involved individuals directly of the appeal opportunities outlined in Bylaws 32.10 and 32.11. *The report shall be sent by overnight mail service, and the committee's administrator shall confirm receipt by the institution and involved individuals in order that the 15-day appeal period applicable to this report may be established.*

32.9.2 Release to Media. Once the infractions *report* **decision** has been received by the institution and involved individuals, the *report* **decision**, with names of individuals deleted, shall be made available to the national wire services and other media outlets.

[32.9.2.1 unchanged.]

32.9.2.2 Public Announcement and Comment at Release.

The chair or a member of the Committee on Infractions shall make the committee's public announcement related to major infractions when the committee determines that an announcement is warranted in addition to distribution of the ~~written report~~ **infractions decision**.

32.9.3 ~~Report~~ **Infractions Decision** to Infractions Appeals Committee. The Committee on Infractions shall forward a copy of the ~~report~~ **infractions decision**, with names of individuals deleted, to the Infractions Appeals Committee at the time of the public announcement.

## 32.10 Appeal Procedure.

32.10.1 Notice of Intent to Appeal. A notice of intent to appeal must be presented in writing to the Infractions Appeals Committee not later than 15 calendar days from the date of the public release of the Committee on Infractions' public infractions ~~report~~ **decision**. The notice of intent to appeal shall contain a statement identifying the date of the public release of the Committee on Infractions' ~~report~~ **decision** and a statement indicating whether the appealing party desires to submit its appeal in writing only or requests an in-person oral argument before the Infractions Appeals Committee.

32.10.1.1 Appeal by Institution. The institution may appeal the Committee on Infractions' findings and penalties, corrective actions, requirements and/or other conditions and obligations of membership ~~imposed~~ **prescribed** for violations of NCAA legislation. An institution may not request an in-person oral argument before the Infractions Appeals Committee unless the institution has made an in-person appearance before the Committee on Infractions.

32.10.1.2 Appeal by Involved Individual. An involved individual may appeal the Committee on Infractions' findings and/or show-cause order ~~imposed~~ **prescribed** for violations of NCAA legislation in which he or she is named. An involved individual may not request an in-person oral argument before the Infractions Appeals Committee unless the involved individual has made an in-person appearance before the Committee on Infractions. The notice of appeal must state whether the individual is employed at an NCAA institution (regardless of division). Further, if the individual's employment changes during the course of the appellate process (from the time of the submission of the notice of appeal through the release of final Infractions Appeals Committee report), the individual must notify the Infractions Appeals Committee of the change, including the identity of the employer.

32.10.2 Committee on Infractions' Response to an Appeal. The Committee on Infractions shall submit a response to the Infraction Appeals Committee on each case that has been appealed. This response shall include:

[32.10.2-(a) through 32.10.-(c) unchanged.]

(d) A statement of the Committee on Infractions' penalties, corrective actions, requirements and other conditions and obligations of membership *imposed* **prescribed** for violations of NCAA legislation;

[32.10.2-(e) through 32.10.-(g) unchanged.]

[32.10.3 through 32.10.4 unchanged.]

32.10.4.1 Penalties. A penalty *determined* **prescribed** by the Committee on Infractions shall not be set aside on appeal except on a showing by the appealing party that the penalty is excessive such that it constitutes an abuse of discretion.

32.10.4.2 *Findings* **Conclusions**. *Findings* **Conclusions** of violations made by the Committee on Infractions shall not be set aside on appeal, except on a showing by the appealing party that:

(a) A *finding* **conclusion** is clearly contrary to the evidence presented to the Committee on Infractions;

[32.10.4.2-(b) unchanged.]

(c) There was a procedural error and but for the error, the Committee on Infractions would not have made the *finding* **conclusion** of a violation.

[32.10.5 through 32.10.6 unchanged.]

### 32.11 **Appeal** Oral Arguments.

32.11.1 **Appeal** Oral Argument Procedures. An institution or involved individual may appeal the Committee on Infractions' findings of *violations* **fact, conclusions** and penalties, corrective actions, requirements and other conditions and obligations of membership *imposed* **prescribed** by the Committee on Infractions for violations of NCAA legislation. Should one or more of the parties request an **appeal** oral argument, the **appeal** oral argument will be conducted according to the following procedures:

[32.11.1-(a) unchanged.]

(b) The enforcement staff may elect to be represented in person, by a maximum of three persons, and may participate during the **appeal** oral argument. Any participation by the enforcement staff shall be limited to the opportunity to provide information regarding perceived new information, errors, misstatements and omissions;

(c) If an institution or involved individual appeared before the Committee on Infractions but waived the right to appeal, the institution or involved individual may elect to be present in person and/or by counsel, by a maximum of three persons, as a silent observer during the **appeal** oral argument before the Infractions Appeals Committee;

[32.11.1-(d) unchanged.]

(e) Consistent with Bylaw 32.10.2, the Infractions Appeals Committee then shall act on the institution's and/or involved individual's appeal, by majority vote of the members of the Infractions Appeals Committee present and voting, and may affirm, reverse or vacate and remand the Committee on Infractions' *findings* **conclusions** of violations and/or **prescribed** penalties, corrective actions, requirements and/or other conditions and obligations of membership *imposed* **prescribed** by the Committee on Infractions for violations of NCAA legislation.

32.11.2 Consideration by Infractions Appeals Committee. The Infractions Appeals Committee shall consider the statements and evidence presented and, at the discretion of any of its members, may question representatives of the institution, the Committee on Infractions or enforcement staff, as well as any other persons appearing before it, in order to determine the issues related to the appeal. Further, under the direction of the Infractions Appeals Committee, questions and information may be exchanged between and among those individuals present and participating in the **appeal** oral argument.

32.11.3 Infractions Appeals Committee – Determination of **Appeal** Oral Argument Procedures. The procedure to be followed in the conduct of the **appeal** oral argument will be determined by the Infractions Appeals Committee, but shall be consistent with the operating policies and procedures that apply to hearings conducted by the Committee on Infractions.

[32.11.4 unchanged.]

32.11.5 No Further Review. *Determinations* **Findings** of fact and **conclusions of** violations arrived at in the foregoing manner by the Committee on Infractions or by the Infractions Appeals Committee, on appeal, shall be final, binding and conclusive and shall not be subject to further review by the Management Council or any other authority.

**Source:** NCAA Division II Management Council (Committee on Infractions and Infractions Appeals Committee).

**Effective Date:** Immediate

**Additional Information:** As a result of the October 2012 Division I adoption of new enforcement reforms, an initial review of the Divisions II and III enforcement program legislation was conducted to assure accuracy in enforcement practices and consistency in terminology throughout all three divisions, when appropriate. This proposal captures the changes recommended as a result of the review.

NO. NC-2015-17

COMMITTEES – COMPETITIVE  
SAFEGUARDS AND MEDICAL  
ASPECTS OF SPORTS – DUTIES –  
NCAA SPORT SCIENCE INSTITUTE

**Intent:** To specify that the NCAA Committee on Competitive Safeguards and Medical Aspects of Sport will work in conjunction with the NCAA Sport Science Institute to fulfill its duties.

**Bylaws:** Amend 21.2.2.2, as follows:

[Common provision, all divisions, divided vote]

21.2.2 Committee on Competitive Safeguards and Medical Aspects of Sports.

[21.2.2.1 unchanged.]

21.2.2.2 Duties. The committee, subject to the direction of the Executive Committee, **and in conjunction with the NCAA Sport Science Institute**, shall:

- (a) Promote and sponsor research to address relevant health and safety issues;
- (b) Promote education to enhance the health and safety of student-athletes;
- (c) Operate a national injury surveillance program to monitor injury trends and enhance safety in intercollegiate athletics;
- (d) Deter the use of NCAA banned substances in order to promote fair competition and safety;
- (e) Facilitate outreach activities to enhance student-athlete health and safety; and
- (f) Provide a health and safety perspective on relevant legislation and policy.

**Source:** NCAA Division II Management Council (Committee on Competitive Safeguards and Medical Aspects of Sports).

**Effective Date:** Immediate

**Additional Information:** This amendment reflects the enhanced relationship between the Committee on Competitive Safeguards and Medical Aspects of Sports and the Sport Science Institute.

NO. NC-2015-18

**ENFORCEMENT POLICIES AND PROCEDURES – APPEALS OF SECONDARY VIOLATIONS – ACCURACY AND CONSISTENCY OF PROVISIONS**

**Intent:** To increase consistency, accuracy and transparency in regard to the enforcement process related to the appeal of secondary violations.

**A. Bylaws:** Amend 19.6.1, as follows:

19.6.1 Appeal of Secondary Violations. A member **institution or involved individual subject to a show cause order** shall have the right to appeal to the Committee on Infractions penalties prescribed by the vice president of enforcement in reference to secondary violations. To appeal, the member **institution or involved party** must submit a ~~writ~~



*ten notice of appeal to the enforcement staff. The staff must receive the written notice of appeal and any supporting information within 30 days of the date the institution receives the enforcement staff's decision. **through the online reporting system for secondary violations within 15 days after receipt of the enforcement staff's decision. An institution that self-reports a violation may appeal a penalty prescribed by the enforcement staff, but not the violation. An institution or involved individual subject to a show-cause order may request the opportunity to appear in person or by video or telephone conference. If no such request is made, or if the request is denied, the Committee on Infractions will review the institution's appeal on the basis of the written record. The committee shall not deny an involved individual's request to appear in person if a show-cause order was prescribed.***

**19.6.1.1 Stay of Penalties. If a notice of appeal is filed within the deadline, unless ordered otherwise by the Committee on Infractions, any penalties prescribed by the enforcement staff that have been appealed shall be stayed during the pendency of the appeal.**

**B. Administrative:** Amend 32.4.3, as follows:

32.4.3 Appeal of Secondary ~~Cases~~ **Violations.** *An **member** institution or involved individual may appeal to the Committee on Infractions penalties prescribed by the enforcement staff for secondary violations by submitting a *written notice of appeal to the enforcement staff* **through the online reporting system for secondary violations within 15 days after receipt of the enforcement staff's decision. An institution that self-reports a violation may appeal a penalty prescribed by the enforcement staff, but not the violation.** *The staff must receive written notice of the appeal and any supporting documentation within 30 days of the date the institution receives the enforcement staff's decision.* An institution **or involved individual subject to a show-cause order** may request the opportunity to appear in person or *through participation in a* **by video or by** telephone conference *call*. If no such request is made, or if the request is denied, the Committee on Infractions will review the institution's appeal on the basis of the written record. **The committee shall not deny an involved individual's request to appear in person if a show-cause order was prescribed.***

**32.4.3.1 Stay of Penalties. If a notice of appeal is filed within the deadline, unless ordered otherwise by the Committee on Infractions, any penalties prescribed by the enforcement staff that have been appealed shall be stayed during the pendency of the appeal.**

**Source:** NCAA Division II Management Council (Committee on Infractions).

**Effective Date:** August 1, 2014

**Additional Information:** As a result of the adoption of new enforcement

reforms in Division I (Division I Proposal No. 2012-16), the Division I legislation regarding appeals for Level III (formerly secondary) violations was amended to appropriately reflect the parameters of the appeal process for penalties prescribed by the enforcement staff for Level III violations. The changes provided consistency by establishing an appeal deadline of 15 days following the enforcement staff's decision for Level III violations and for Division I Committee on Infractions decisions for Level I or II (formerly major) violations. Lastly, the amendments clarified: (1) the availability of appeal process to involved individuals; (2) the current use of the online reporting system; and (3) the parameters for requests to appeal the enforcement staff's prescribed penalties for secondary violations. These changes are appropriate for Division II and will increase consistency in the appeal of secondary violations.

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|----------------|---|
| NO. NC-2015-19 | NCAA AND DIVISION MEMBERSHIP –<br>DIVISION II MEMBERSHIP<br>PROCESS – ADMINISTRATIVE<br>REQUIREMENTS FOR APPLICATION –<br>APPLICATION FEE |
|----------------|---|

**Intent:** To specify that an applicant institution that is not selected to enter the membership process shall receive a refund of the application fee on a prorated basis, as determined by the Membership Committee.

**A. Constitution:** Amend 3.3.3.3, as follows:

3.3.3.3 Administrative Requirements for Application. An institution applying for Division II membership shall complete the following requirements (see Bylaw 20.2.2.1):

[3.3.3.3-(a) through 3.3.3.3-(b) unchanged.]

(c) An *nonrefundable* application fee shall accompany the application form. The amount of the fee will be determined annually by the Membership Committee based on a continual analysis of expenses associated with the membership process. **An applicant institution that is not selected to enter the membership process shall receive a refund of the application fee on a prorated basis as determined by the Membership Committee.**

**B. Constitution:** Amend 3.6.3.2, as follows:

3.6.3.2 Administrative Requirements for Application. An institution applying for Division II membership shall complete the following requirements (see Bylaw 20.2.2.1):

[3.6.3.2-(a) through 3.6.3.2-(b) unchanged.]

(c) An *nonrefundable* application fee shall accompany the application form. The amount of the fee will be determined annually by the Membership Committee based on a continual analysis of expenses associated with the membership process. In addition, a check in the appropriate amount for annual dues (see Constitution 3.7.3) shall also accompany

the application. Should the applicant institution fail to be accepted into the membership process, the dues paid shall be refunded **and the application fee will be refunded on a prorated basis, as determined by the Membership Committee.**

**C. Bylaws:** Amend 20.2.2.1.3, as follows:

20.2.2.1.3 Application Fee. An nonrefundable application fee shall accompany the application form. The amount of the fee will be determined annually by the Membership Committee based on a continual analysis of expenses associated with the membership process. **An applicant institution that is not selected to enter the membership process shall receive a refund of the application fee on a prorated basis as determined by the Membership Committee.**

**Source:** NCAA Division II Management Council (Membership Committee).

**Effective Date:** Immediate for any institution applying to enter the Division II membership process on or after February 1, 2015.

**Additional Information:** The legislation currently specifies that the application fee is not refundable; however, the application for Division II membership and current practice provides that the fee is refundable should the institution not be selected to enter the membership process. This legislative recommendation corrects this inconsistency between the legislation and the application and accounts for the costs associated with the vendor visit to the applicant institution.

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| <b>NO. NC-2015-20</b> | <b>RECRUITING – OFFERS AND<br/>INDUCEMENTS – FUNDRAISERS FOR<br/>PROSPECTIVE STUDENT-ATHLETES</b> |
|-----------------------|---|

**Intent:** To permit an institution to donate up to \$500 in cash and/or goods to a prospective student-athlete who is impacted by extreme circumstances beyond the control of the prospective student-athlete (e.g., natural disaster, life threatening emergency), provided the prospective student-athlete has signed a National Letter of Intent or written offer of admission and/or financial aid, as specified.

**Bylaws:** Amend 13.2, as follows:

13.2 Offers and Inducements.

[13.2.1 through 13.2.7 unchanged.]

13.2.8 *Life-Threatening Injury or Illness.* ~~An institution may present a prospective student-athlete with a donation to a charity on behalf of the prospective student-athlete or provide other reasonable tokens of support (e.g., flowers) in the event of the prospective student-athlete's relative's or legal guardian's death or life-threatening injury or illness, provided the prospective student-athlete has signed a National Letter of Intent (NLI) with the institution, or for those institutions that do not subscribe to the NLI program, a written offer of admission and/or financial~~

*add.* Fundraisers for a Prospective Student-Athlete. An institution may arrange a fundraiser for a prospective student-athlete (or the prospective student-athlete's relatives) who is impacted by extreme circumstances beyond the control of the prospective student-athlete (e.g., natural disaster, life threatening emergency) under the following conditions:

(a) The prospective student-athlete has signed a National Letter of Intent or written offer of admission and/or financial aid;

(b) The total value of the cash and/or goods from the fundraiser provided to the prospective student-athlete does not exceed \$500;

(c) The proceeds must be designated for a specific purpose;

(d) The proceeds may be given directly to the beneficiaries, with receipt kept on file by the institution, which must include the amount of expenses incurred and the total amount received;

(e) The excess proceeds must be given to a not-for-profit organization with receipt kept on file by the institution; and

(f) If the institution provides a donation to an external fundraiser for a prospective student-athlete (or the prospective student-athlete's relatives) in which the proceeds exceed \$500, the value of the cash and/or goods provided by the institution may not exceed \$500 and the institution may not be involved in arranging the fundraiser.

[Remainder of 13.2 unchanged.]

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Current legislation permits institutions to fundraise for student-athletes who are impacted by extreme circumstances beyond the control of the student-athlete (e.g., fire, hurricane, tornado). This change will permit institutions to provide a similar benefit to a committed prospective student-athlete without the need for a legislative relief waiver while maintaining safeguards to limit potential abuse (i.e., proceeds must be designated for a specific purpose and proceeds may be given directly to the beneficiary with receipt kept on file by the institution).

NO. NC-2015-21

RECRUITING – OFFERS AND  
INDUCEMENTS – USE OF  
TRAINING-ROOM FACILITIES

**Intent:** To specify that a prospective student-athlete may use training-room facilities in the summer before initial, full-time collegiate enrollment at the certifying institution, regardless of whether the prospective student-athlete is enrolled in the institution's summer term, provided the prospective student-athlete has signed a National

Letter of Intent or a written offer of admission and/or financial aid.

**Bylaws:** Amend 13.2.7, as follows:

13.2.7 Academic Support Services/Use of Training-Room Facilities. A prospective student-athlete who is enrolled in the institution's summer term before the student's initial, full-time enrollment at the certifying institution may be provided academic support services by the institution *and*. **A prospective student-athlete who is enrolled in the institution's summer term and/or has signed a National Letter of Intent or a written offer of admission and/or financial aid** also may use the institution's training-room facilities **in the summer before initial, full-time enrollment at the certifying institution**. For receipt of summer financial aid before initial full-time enrollment at the certifying institution, see Bylaw 15.2.7.1.

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** Current legislation permits prospective student-athletes to use an institution's academic support services and training room in the summer prior to initial full-time enrollment provided the individual is enrolled in summer school. Prospective student-athletes who are not enrolled in summer school are often in the locale of the institution during the summer prior to initial enrollment participating in voluntary athletically related activities and/or working at institutional camps and clinics. This change will allow a committed prospective student-athlete to have access to the training room regardless of whether the individual is enrolled in summer school.

NO. NC-2015-22

RECRUITING – ENTERTAINMENT,  
REIMBURSEMENT AND  
EMPLOYMENT OF HIGH SCHOOL/  
COLLEGE-PREPARATORY SCHOOL/  
TWO-YEAR COLLEGE COACHES –  
ENTERTAINMENT RESTRICTIONS  
AND MATERIAL BENEFITS – DE  
MINIMIS VIOLATIONS

**Intent:** To specify that violations of the entertainment restrictions and material benefits legislation shall be considered de minimis and will not impact a prospective student-athlete's eligibility.

**Bylaws:** Amend 13.8, as follows:

13.8 Entertainment, Reimbursement and Employment of High School/College-Preparatory School/Two-Year College Coaches.

13.8.1 Entertainment Restrictions. Entertainment of a high school, college-preparatory school or two-year college coach or any other individual responsible for teaching or directing an activity in which

a prospective student-athlete is involved shall be limited to providing a maximum of two complimentary admissions, which must be issued on an individual-game basis, to home athletics contests at any facility in which the institution's intercollegiate team regularly practices or competes. Such entertainment shall not include food and refreshments, room expenses, or the cost of transportation to and from the campus. An institutional coaching staff member is expressly prohibited from spending funds to entertain the prospective student-athlete's coach on or off the member institution's campus. ~~R/~~**[D]**

13.8.1.1 Transportation Reimbursement. An institution shall not reimburse a high school, college-preparatory school or two-year college coach for transportation expenses of any kind. ~~R/~~**[D]**

13.8.1.2 Purchase of Game Tickets. Tickets (beyond the permissible complimentary admission) may be reserved or purchased only in the same manner as any other member of the general public. ~~R/~~**[D]**

13.8.1.3 Noncoaching-Related Organization. If a high school, college-preparatory school or two-year college coach is a member of a noncoaching-related organization (e.g., state high school principals association, college fraternity alumni organization, institution's alumni association), an institution may entertain the group, provided there is no direct involvement by the institution's athletics department. ~~R/~~**[D]**

13.8.2 Material Benefits. Arrangements by an institution that involve a material benefit for a high school, college-preparatory school or two-year college coach, or for any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved (e.g., the provision of a gift such as a tangible item bearing the institution's insignia, the offer to pay a portion of the coach's or other individual's personal expenses, compensation based on the number of campers sent to an institution's camp, or an arrangement to provide transportation for the coach or other individual), are prohibited. ~~R/~~**[D]**

[13.8.2.1 unchanged]

13.8.2.2 Gifts at Coaches' Clinic. An institution may not provide gifts to high school, college-preparatory school or two-year college coaches in conjunction with its coaches' clinic or other events. This specifically prohibits the provision of a door prize to the coach, even if the cost of the prize is included in the cumulative admission fee (i.e., the admission fee charged to each person, when combined, would cover the cost of the prize). Materials (e.g., clipboards, file folders) may be provided to each person attending the clinic, provided the items are included in the registration or admission fee. ~~R/~~**[D]**

**Source:** NCAA Division II Management Council (Committee on Stu-

dent-Athlete Reinstatement).

**Effective Date:** Immediate

**Additional Information:** Violations of Bylaws 13.8.1 and 13.8.2 are currently designated as restitution violations in the NCAA Manual. As a result, if a prospective student-athlete's high school, college-preparatory school or two-year college coach is provided an impermissible benefit by an institutional coaching staff member, the prospective student-athlete's coach must donate the value of the benefit to a charity of his or her choice. In many cases, the prospective student-athlete's coach is not willing to donate the value of the impermissible benefit received and, thus, the institution must seek reinstatement for the involved prospective student-athlete. In addition, if the value of the benefit is greater than \$100, the involved prospective student-athlete's eligibility is impacted and the institution must seek reinstatement. This proposal would eliminate any impact on a prospective student-athlete's eligibility when an institutional coaching staff member provides impermissible benefits to a prospective student-athlete's coach on or off campus since prospective student-athletes lack involvement in and culpability for these cases. Violations would remain institutional violations and would have to be reported to the enforcement staff.

|                |  |
|----------------|--|
| NO. NC-2015-23 | <b>RECRUITING – TRYOUTS – TRYOUT<br/>EXCEPTIONS – ACTIVITIES NOT<br/>INVOLVING INSTITUTION'S<br/>STAFF AND ADDITIONAL<br/>PERMISSIBLE FACILITY USAGE</b> |
|----------------|--|

**Intent:** To eliminate the tryout exception for activities not involving institution's staff.

**Bylaws:** Amend 13.11.3, as follows:

13.11.3 Tryout Exceptions.

[13.11.3.1 through 13.11.3.2 unchanged.]

*~~13.11.3.3 Activities Not Involving Institution's Staff. The use of a member institution's facilities for a high school all-star game or other physical activities by a group that includes prospective student athletes shall not be considered a tryout, provided the institution's athletics department staff members or representatives of its athletics interests are not involved in the conduct, promotion or administration of the activity (other than activities incidental to supervising the use of the facilities) and are subject to all applicable NCAA recruiting legislation.~~*

[13.11.3.4 through 13.11.3.8 renumbered as 13.11.3.3 through 13.11.3.7, unchanged.]

~~13.11.3.9~~ **13.11.3.8** *Additional* Permissible Facility Usage. The use of institutional facilities for physical activities by a group that includes prospective student-athletes, not otherwise permitted in

these bylaws, may still be permissible and not considered a tryout provided:

(a) The institution's athletics department staff or representatives of the institution's athletics interests are not involved in the promotion of the activity;

(b) The institution's athletics department staff or representatives of the institution's athletics interests are not involved in the solicitation of any individual prospective student-athlete's participation in the activity;

(c) The institution's athletics department staff or representatives of the institution's athletics interests are not involved in the solicitation for any particular group's participation in the activity, unless the group is affiliated with an outside organization and the solicitation is consistent with institutional policies of hosting outside organizations;

~~(d) The activity is not considered a tryout camp, as defined in Bylaw 13-11.1.5;~~

~~(d)~~ **(d)** Involvement by the institution's athletics department staff and representatives of its athletics interests is consistent with institutional policies for hosting outside organizations; and

~~(e)~~ **(e)** Athletics department staff members and representatives of its athletics interests remain subject to all applicable NCAA recruiting legislation during the event.

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** This change will reduce confusion regarding the application of the tryout legislation. All permissible events involving prospective student-athletes covered by the activities not involving institution's staff legislation can be permissibly hosted using the additional permissible facility usage legislation. Eliminating "additional" in the title of the bylaw will assist institutions in effectively determining which events involving prospective student-athletes may be held at an institutional facility, while maintaining the existing restrictions to prevent potential abuse.

NO. NC-2015-24

ELIGIBILITY – GENERAL  
ELIGIBILITY REQUIREMENTS –  
STUDENT-ATHLETE STATEMENT  
AND DRUG-TESTING CONSENT  
FORM – CONTENT AND PURPOSE

**Intent:** To specify that failure to complete and sign the Student-Athlete Statement and Drug-Testing Consent Form shall not impact a student-athlete's eligibility for intercollegiate competition.



**A. Bylaws:** Amend 14.1.3, as follows:

14.1.3 Student-Athlete Statement.

14.1.3.1 Content and Purpose. Before participation in intercollegiate competition each academic year, a student-athlete shall sign a statement in a form prescribed by the Management Council in which the student-athlete submits information related to eligibility, recruitment, financial aid, amateur status, previous positive drug tests administered by any other athletics organization and involvement in organized gambling activities related to intercollegiate or professional athletics competition under the Association's governing legislation. ~~Failure to complete and sign the statement shall result in the student-athlete's ineligibility for participation in all intercollegiate competition.~~ Details about the content, administration and disposition of the statement are set forth in Bylaw 14.1.3. [D]

[14.1.3.2 through 14.1.3.3 unchanged.]

**B. Bylaws:** Amend 14.1.4, as follows:

14.1.4 Drug-Testing Consent Form.

14.1.4.1 Content and Purpose. Each academic year, a student-athlete shall sign a form prescribed by the Management Council in which the student-athlete consents to be tested for the use of drugs prohibited by NCAA legislation. ~~Failure to~~ **A student-athlete shall** complete and sign the consent form before practice or competition, or before the Monday of the fourth week of classes, whichever is earlier, ~~shall result in the student-athlete's ineligibility for participation (i.e., practice and competition) in all intercollegiate athletics (see Constitution 3.3.4.10.3).~~ [D]

[14.1.4.2 through 14.1.4.3 unchanged.]

**Source:** NCAA Division II Management Council (Committee on Student-Athlete Reinstatement).

**Effective Date:** Immediate

**Additional Information:** Current legislation indicates that failure to complete and sign the Student-Athlete Statement and Drug-Testing Consent Form is a de minimis violation. However, the legislation indicates that failure to complete and sign the statement and consent form shall result in the student-athlete's ineligibility for participation in all intercollegiate competition. Amending the legislation as recommended is consistent with the original intent of the legislation and the de minimis designation.

**ELIGIBILITY – SEASONS OF  
COMPETITION: TEN-SEMESTER/15-  
QUARTER RULE – TEN-SEMESTER/15-  
QUARTER RULE WAIVERS – WAIVER  
CRITERIA – WAIVER - STUDENT-  
ATHLETE WHO DOES NOT USE  
A SEASON OF COMPETITION  
DURING INITIAL YEAR OF  
COLLEGIATE ENROLLMENT**

**Intent:** To eliminate the requirement that in order to receive a waiver of the 10-semester/15-quarter rule in situations where a student-athlete does not use a season of competition during his or her initial year of collegiate enrollment, the institution must file the waiver prior to the beginning of the student-athlete's 11th semester or 16th quarter of full-time enrollment.

**Bylaws:** Amend 14.2.2.3.1.4, as follows:

14.2.2.3.1.4 Waiver – Student-Athlete Who Does Not Use Season of Competition During Initial Year of Collegiate Enrollment. For a student-athlete who does not use a season of competition during his or her initial year of full-time collegiate enrollment at any institution, a waiver may be granted if all of the following conditions are met:

(a) The student-athlete was academically and athletically eligible and was on the institution's eligibility list (formerly squad list) during his or her initial year of collegiate enrollment; **and**

(b) The student-athlete was denied one participation opportunity per Bylaw 14.2.2.3.1 following his or her initial year of collegiate enrollment.; *and*

*(c) The institution has filed the waiver prior to the beginning of student-athlete's 11th semester or 16th quarter of full-time enrollment.*

**Source:** NCAA Division II Management Council (Committee on Student-Athlete Reinstatement).

**Effective Date:** Immediate

**Additional Information:** Current legislation specifies that a student-athlete who does not use a season of competition during his or her initial year of full-time collegiate enrollment at any institution may be granted a waiver if certain conditions are met. One of those conditions requires an institution to file the waiver request prior to the beginning of the student-athlete's 11th semester or 16th quarter of full-time enrollment. When a student-athlete who did not participate in intercollegiate athletics during his or her initial year of collegiate enrollment otherwise qualifies for a ten-semester/15-quarter waiver, the timing of an institution's waiver submission should not preclude the student-athlete from qualifying for the waiver.

**Intent:** To eliminate the requirement that in order for a student-athlete to receive a season-of-competition waiver for competition while ineligible, the competition must occur within 60 days of the date the student-athlete first reported for athletics participation.

**Bylaws:** Amend 14.2.6, as follows:

14.2.6 Season-of-Competition Waiver – Competition While Ineligible. In conjunction with a request for restoration of eligibility and any conditions imposed thereon per Bylaw 14.12, a student-athlete may be granted an additional season of competition by the Committee on Student-Athlete Reinstatement when he or she participated in a limited amount of competition. The competition must have occurred under all of the following conditions:

(a) As a result of a good-faith, erroneous formal declaration of eligibility by the institution's appropriate certifying authority; or

(b) As a result of a student-athlete's good-faith, erroneous reliance upon a coaching staff member's decision to place the student-athlete into competition before the coaching staff member receiving a formal declaration of eligibility for the student-athlete from the institution's appropriate certifying authority.

(1) The competition occurred while the student-athlete was representing an NCAA member institution;

~~(2) The competition occurred within 60 days of the date the student-athlete first reported for athletics participation;~~

~~(3)~~ **(2)** The student-athlete did not participate in more than two events or 10 percent (whichever number is greater) of the institution's scheduled or completed events in his or her sport. All competition (including a scrimmage) against outside participants shall be countable under this limitation in calculating both the number of events in which the student-athlete participated and the number of completed events during that season (both segments) in the sport;

~~(4)~~ **(3)** The student-athlete was involved innocently and inadvertently in the erroneous declaration of eligibility, which permitted the student-athlete to compete while ineligible; and

~~(5)~~ **(4)** The student-athlete, in the case of a coaching staff member's erroneous decision, had reason to believe he or she was eligible to participate, and the student-athlete did not contribute to the coaching staff member's erroneous decision to allow the student-athlete to participate.

**Source:** NCAA Division II Management Council (Committee on Student-Athlete Reinstatement).

**Effective Date:** Immediate

**Additional Information:** Currently, in order for a student-athlete to be granted an additional year of competition during a year when he or she participated in limited competition while ineligible, several conditions must be satisfied. The committee reviewed all elements of the waiver and determined that the requirement that competition must have occurred within 60 days of the date the student-athlete first reported for athletics participation is no longer appropriate because an institution has some culpability for permitting an ineligible student-athlete to compete. If an institution does not discover the impermissible competition within the 60-day window, that institutional delay should not preclude a student-athlete from qualifying for the waiver, as long as all other conditions of the legislation are satisfied.

**NO. NC-2015-27**      **FINANCIAL AID – DEFINITIONS  
AND APPLICATIONS – EXEMPTED  
INSTITUTIONAL AID – OUT-OF-STATE  
TUITION WAIVERS AND GRANTS**

**Intent:** To specify that an out-of-state tuition grant awarded solely on the basis of having no relationship to athletics ability may be exempted institutional financial aid.

**Bylaws:** Amend 15.02.4.3, as follows:

15.02.4.3 Exempted Institutional Financial Aid. The following institutional financial aid is exempt and is not counted in determining a student-athlete’s full grant-in-aid or cost of attendance, or in the institution’s financial aid limitations:

[15.02.4.3-(a) through 15.02.4.3-(b) unchanged.]

(c) Out-of-state tuition waivers **and grants** awarded solely on bases having no relationship to athletics ability;

[Remainder of 15.02.4.3 unchanged.]

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** This change will ensure consistency in application of the legislation as institutions use the terms “waiver” and “grant” interchangeably when awarding institutional financial aid to all students. Allowing an out-of-state tuition grant to be exempted, provided the grant was awarded solely on the basis of having no relationship to athletics ability, will permit student-athletes to receive this type of financial aid without an impact to the individual or team limits, regardless of how the institution chooses to refer to the award.

NO. NC-2015-28

FINANCIAL AID – TERMS AND  
CONDITIONS OF AWARDING  
INSTITUTIONAL FINANCIAL  
AID – TERMS OF INSTITUTIONAL  
FINANCIAL AID AWARD –  
HEARING OPPORTUNITY

**Intent:** To specify that a financial aid hearing must be conducted by an institutional entity outside of the athletics department.

**Bylaws:** Amend 15.3.2.4, as follows:

15.3.2.4 Hearing Opportunity. The institution's regular financial aid authority shall notify the student-athlete in writing, within 14 consecutive calendar days from the date the student-athlete has been notified of the decision to reduce or cancel aid during the period of the award or the reduction or nonrenewal of aid for the following academic year, of the opportunity for a hearing when institutional financial aid based in any degree on athletics ability is reduced or canceled during the period of the award, or not renewed. **The hearing shall be conducted by an institutional entity or committee outside of the athletics department (e.g., financial aid review committee, the office of student affairs, office of the dean of students or a committee composed of the faculty athletics representative, student-athletes and nonathletics faculty/staff members).** The notification of the hearing opportunity shall include a copy of the institution's established policies and procedures for conducting the required hearing, including the deadline by which a student-athlete must request the hearing. The institution shall conduct the hearing within 30 consecutive calendar days of receiving a student-athlete's request for the hearing ~~and shall not delegate the responsibility for conducting the hearing to the university's athletics department or its faculty athletics committee.~~

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** This change will ensure consistency in hearings for denied requests of permission to contact, use of the one-time transfer exception and nonrenewals of financial aid.

NO. NC-2015-29

PLAYING AND PRACTICE SEASONS –  
SUMMER PRACTICE – FACILITY  
FEES FOR BASKETBALL AND  
FOOTBALL STUDENT-ATHLETES

**Intent:** In basketball and football, to specify that an institution may pay fees associated with the use of institutional practice and competition facilities by student-athletes engaged in voluntary athletically related activities during the summer.

**A. Bylaws:** Amend 17.3.7, as follows:

17.3.7 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff shall not engage in countable athletically related activities outside the institution's playing season, except as permitted in Bylaw 17.1.6.2.

**17.3.7.1 Summer Practice. Practice that is organized or financially supported by a member institution shall be prohibited during the summer unless specifically authorized in the bylaws (e.g., foreign tour) or through official interpretations approved by the Management Council. An institution may pay fees associated with the use of institutional practice and competition facilities engaged in voluntary athletically related activities in his or her sport.**

**B. Bylaws:** Amend 17.9.8, as follows:

17.9.8 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff shall not engage in countable athletically related activities outside the playing season, except for the following:

[17.9.8-(a) through 17.9.8-(b) unchanged.]

**17.9.8.1 Summer Practice. Practice that is organized or financially supported by a member institution shall be prohibited during the summer unless specifically authorized in the bylaws (e.g., foreign tour) or through official interpretations approved by the Management Council. An institution may pay fees associated with the use of institutional practice and competition facilities engaged in voluntary athletically related activities in his or her sport.**

**Source:** NCAA Division II Management Council (Legislation Committee).

**Effective Date:** Immediate

**Additional Information:** This proposal will permit an institution to pay fees for the use of institutional practice and competition facilities by student-athletes for voluntary activities in the sport of basketball and football during the summer. Currently, it is permissible for an institution to pay fees required to use practice or competition facilities in order to allow student-athletes to voluntarily use the facilities during the summer for free or at a reduced rate in all sports except for basketball and football. This change would provide equitable opportunity for all student-athletes, regardless of sport, to participate in voluntary athletically related activities during the summer.

NO. NC-2015-30

COMMITTEES – DIVISION II  
COMMITTEES – DIVISION II GENERAL  
COMMITTEES – STUDENT-ATHLETE  
ADVISORY COMMITTEE – DUTIES

**Intent:** To amend the duties of the Student-Athlete Advisory Committee as follows: (1) to specify that the committee shall identify issues and initiatives affecting student-athletes; (2) to clarify that the committee shall be involved in the Division II legislative process through participation in the annual Convention; and (3) to specify that the committee shall participate in four in-person meetings each year.

**Bylaws:** Amend 21.8.5.9, as follows:

21.8.5.9 Student-Athlete Advisory Committee.

[21.8.5.9.1 through 21.8.5.9.3 unchanged.]

21.8.5.9.4 Duties. The committee shall:

(a) Identify issues and initiatives affecting Division II *institutions* **student-athletes**;

[21.8.5.9.4-(b) through 21.8.5.9.4-(c) unchanged.]

(d) *Participate* **Be involved** in the Division II legislative process through *involvement* **participation** in the annual Convention;

[21.8.5.9.4-(e) through 21.8.5.9.4-(g) unchanged.]

(h) Participate in ~~three~~ **four** in-person meetings per year.

**Source:** NCAA Division II Management Council (Student-Athlete Advisory Committee).

**Effective Date:** Immediate

**Additional Information:** The Student-Athlete Advisory Committee duties have not been revised since 2004. The amended legislation accounts for duties that the Student-Athlete Advisory Committee already undertakes, including participation in four in-person meetings per year.

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# Appendix G

## Corresponding Legislative Proposal Numbers

This appendix lists proposals that appear in the Official Notice and gives their corresponding number in the Second Publication of Proposed Legislation (SPOPL).

| <b>Official Notice</b> ..... | <b>SPOPL</b> |
|------------------------------|--------------|
| 2015-1 .....                 | 2-5          |
| 2015-2 .....                 | 2-6          |
| 2015-3 .....                 | 2-7          |
| 2015-4 .....                 | 2-9          |
| 2015-5 .....                 | 2-18         |
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| 2015-8 .....                 | 2-2          |
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| 2015-13 .....                | 2-11         |
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## *Appendix H*

### **Corresponding Legislative Proposal Numbers**

This appendix lists proposals that were included in the Second Publication of Proposed Legislation (SPOPL) and gives their corresponding number in the Official Notice.

| <b>SPOPL</b> | <b>Official Notice</b> |
|--------------|------------------------|
| 2-1.....     | 2015-7                 |
| 2-2.....     | 2015-8                 |
| 2-3.....     | 2015-9                 |
| 2-4.....     | 2015-10                |
| 2-5.....     | 2015-1                 |
| 2-6.....     | 2015-2                 |
| 2-7.....     | 2015-3                 |
| 2-8.....     | 2015-11                |
| 2-9.....     | 2015-4                 |
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# Appendix I

## Convention Voting Procedures

The following terms and procedures involved in voting at NCAA Conventions have been reviewed by the Association's parliamentarian.

### Significant Terms

1. **Vote Announcement**—After a paddle, roll-call or secret ballot vote, the chair announces the vote and states whether the motion passed or failed.
2. **Retake a Vote**—A retake occurs when a paddle vote is taken again or when a paddle vote is counted. A retake may occur before the statement of the next question. After the statement of the next question, a motion to reconsider must be used to retake a vote. During a retake, voters may change their votes and new eligible voters may participate. A retake motion would be considered dilatory and, therefore, denied after a roll-call vote and out of order after a secret-ballot vote unless it is clear that the question was misunderstood or that fraud had occurred.
3. **Change a Vote**—In a paddle vote, a vote may be changed if a retake occurs or by rising for that purpose before the result is announced by the chair. After the announcement of the vote, but before the next question is stated, a change may be made only by permission of the assembly by a majority vote after a nondebatable motion. In a roll-call vote, a change may occur before closing the polls or the polls may be reopened to change a vote before the statement of the next question. In a secret-ballot vote, no change may be made once the ballot is cast. After the statement of the next question following a roll-call vote and after a vote is cast in a secret ballot, a vote change can occur only through a successful motion to reconsider.
4. **Recount a Vote**—This applies only to a secret-ballot vote. The ballots simply are counted again as cast and can be ordered only by a majority vote of the assembly.
5. **Closing the Polls**—For roll-call and secret-ballot votes, the polls are opened when the chair calls for the vote. When the chair has ascertained that all who so desire have voted or have changed their votes, the chair will state that the polls are closed. If there is disagreement on closing the polls, they may be closed by a two-thirds vote on a nondebatable motion to do so. Once the polls are closed, the polls may be reopened before the statement of the next question by majority vote on a nondebatable motion to do so. Once the polls are closed, however, the chair will move to the next item on the agenda.
6. **Statement of Next Question**—When a new motion is made and seconded, the chair will announce that “The motion before you is.... Is there any discussion?” This is the statement of the next question and ends the opportunity to retake a vote or reopen the polls in re-

- gard to the preceding question.
7. **Reconsideration**—After the statement of the next question, only one motion to reconsider any foregoing question may be made before adjournment of the Convention by any member that voted on the prevailing side in the original consideration. Reconsideration of a vote taken in a division or subdivision business session must occur in that division's or subdivision's business session, except that such reconsideration also may occur during a designated period at the beginning of the general business session.

## **Voting Procedures**

1. **Paddle Voting**
  - a. The chair calls for a vote by paddles, and determines the result by sound or sight from the dais.
  - b. The chair may retake the vote if there is doubt.
  - c. The chair must have the vote counted if requested by a voting delegate. The chair also may choose to retake a paddle vote and have it counted by hand or by the wireless voting system.
  - d. During a retake, new voters may participate or votes may be changed. Vote changes also may occur before the result is announced by the chair.
  - e. A retake will not be permitted after the next question has been stated. A request to retake a counted vote will be regarded as dilatory by the chair and will not be allowed.
2. **Roll-Call Voting (by Wireless Voting System)**
  - a. A roll-call vote may be designated by the Presidents Council or ordered by a majority of the voters, following a nondebatable motion to vote in that manner. If both a secret-ballot and a roll-call vote are moved, the assembly votes first on whether or not to vote by roll call. A motion to conduct a secret ballot on an issue designated for roll call by the Presidents Councils will be considered out of order.
  - b. Once ordered, the chair shall call for a roll-call vote by use of wireless voting system.
  - c. The chair shall determine if everyone who wishes to has voted, or if anyone wishes to change a vote. When it appears that all ballots have been cast, the chair shall state that polls are closed.
  - d. The chair will move to the next available item on the agenda while votes are being tallied. No new voters, changes or corrections to the prior question are permitted unless the polls are reopened, and such a motion will be out of order after the next question is stated by the chair. Once the new question is stated by the chair, the only way to return to any foregoing question is by reconsideration, and only one motion for reconsideration of a given item is permitted.
  - e. Abstentions will not be counted in the determination of a majority.

**3. Ballot Voting (Secret Ballot)**

- a. A secret ballot may be ordered by the assembly before, during or after any ordinary vote (but before the next question is stated) by a majority vote on a nondebatable motion to do so.
- b. Once ordered, the chair shall ask for the vote by wireless voting system. Votes will be tallied electronically, but only a summary printout of results will be reported.
- c. After the chair determines that all who wish to vote have voted, the polls shall be closed. A vote change shall not be permitted once the vote is cast.
- d. The chair will move to the next available item on the agenda while votes are being tallied. Once the next question is stated by the chair, the polls may not be reopened for a new vote on the prior issue.
- e. Abstentions will not be counted in the total for determination of a majority.



## *Appendix J*

### **Convention Lanyards, Badges and Voting Paddles**

The Convention lanyards are of various colors to designate the individual's delegate status. The designations are as follows:

|   |               |
|---|---------------|
| Voting delegate .....                                   | Red lanyard   |
| Alternate delegate .....                                | Blue lanyard  |
| Other delegate with speaking rights .....               | Green lanyard |
| Delegate without speaking rights and other observers .. | White lanyard |
| Autonomy conference delegate.....                       | Black lanyard |

Only those persons with red, blue, green or black lanyards are permitted to speak in a business session.

In addition, the Convention badges are of different colors to designate the individual's status. The designations are as follows:

|                            |                                   |
|----------------------------|-----------------------------------|
| Delegate .....             | Magenta designation on name badge |
| Speaker/Presenter .....    | Gold designation on name badge    |
| Media .....                | Brown designation on name badge   |
| President/Chancellor ..... | Purple designation on name badge  |
| NCAA Staff .....           | Blue designation on name badge    |
| Vendor .....               | Orange designation on name badge  |
| Division I Business .....  | Red designation on name badge     |
| Visitor .....              | Green designation on name badge   |

The following is a listing of the different voting paddle colors in use at the 2015 NCAA Convention:

|              |              |
|--------------|--------------|
| Orange.....  | Division II  |
| Yellow ..... | Division III |

# Appendix K

## NCAA Governance Structure

### Board of Governors

Chair - Lou Anna Simon

| <b>Div.</b> | <b>Name, Institution</b>                                | <b>Conference</b>                   | <b>Term Exp.</b> |
|-------------|---|-------------------------------------|------------------|
| FBS         | Gene D. Block, University of California, Los Angeles    | Pac-12                              | August 2016      |
| FBS         | Nathan O. Hatch, Wake Forest University                 | Atlantic Coast                      | March 2015       |
| FBS         | David Leebron, Rice University                          | Conference USA                      | August 2016      |
| FBS         | Harris Pastides, University of South Carolina, Columbia | Southeastern                        | August 2015      |
| FBS         | E. Joseph Savoie, University of Louisiana, Lafayette    | Sun Belt                            | August 2017      |
| FBS         | Kirk Schultz, Kansas State University                   | Big 12                              | August 2016      |
| FBS         | Lou Anna Simon, Michigan State University               | Big Ten                             | March 2015       |
| FCS         | Noreen Morris, Northeast Conference                     | Northeast                           | July 2015        |
| DI          | David R. Hopkins, Wright State University               | Horizon League                      | August 2015      |
| II          | Judith A. Bense, University of West Florida             | Gulf South                          | January 2016     |
| II          | Thomas Haas, Grand Valley State University              | Great Lakes Intercollegiate         | January 2015     |
| II          | Karen Stromme, University of Minnesota Duluth           | Northern Sun Intercollegiate        | January 2015     |
| III         | Alan S. Cureton, University of Northwestern-St. Paul    | Upper Midwest                       | January 2016     |
| III         | Sharon Herzberger, Whittier College                     | Southern California Intercollegiate | January 2015     |
| III         | Terry A. Ruppert, Wilmington College (Ohio)             | Ohio Athletic                       | January 2015     |

#### *NCAA Staff Liaisons:*

Donald Remy, Executive Vice President of Law, Policy and Governance/Chief Legal Officer

Terri Carmichael-Jackson, Director of Law, Policy and Governance

## Division II Presidents Council

Chair - Thomas Haas

| <b>Name, Institution</b>                           | <b>Term Exp.</b> |
|--|------------------|
| Judith A. Bense, University of West Florida        | January 2016     |
| Linda Bleicken, Armstrong Atlantic University      | January 2016     |
| Robin C. Capehart, West Liberty University         | January 2016     |
| Steven DiSalvo, Saint Anselm College               | January 2016     |
| Ronald L. Ellis, California Baptist University     | January 2018     |
| Deborah Ford, University of Wisconsin, Parkside    | January 2017     |
| James "Jim" Gaudino, Central Washington University | January 2015     |
| Thomas Haas, Grand Valley State University         | January 2015     |
| Glen Jones, Henderson State University             | January 2019     |
| Arthur F. Kirk Jr., Saint Leo University           | January 2016     |
| Michael Scales, Nyack College                      | January 2017     |
| Steve Scott, Pittsburg State University            | January 2017     |
| Dene K. Thomas, Fort Lewis College                 | January 2017     |
| Leslie Wong, San Francisco State University        | January 2018     |
| Robert Wyatt, Coker College                        | January 2016     |

### *Staff Liaisons:*

Terri M. Steeb-Gronau, Vice President for Division II

Maritza S. Jones, Director of Division II

Stephanie Quigg Smith, Director of Academic and Membership Affairs

Amanda Conklin, Associate Director of Academic and Membership Affairs

Gregg Summers, Associate Director of Research for Division II

Ruth C. Reinhardt, Executive Assistant of Division II

## Division II Management Council

### Chair - Karen Stromme

| <b>Name, Institution</b>  | <b>Term Exp.</b> |
|---|------------------|
| Robin Arnold, Holy Family University                            | January 2018     |
| Anita S. Barker, California State University, Chico             | January 2016     |
| Julia Beeman, Belmont Abbey College                             | January 2018     |
| Douglas D. Blais, Southern New Hampshire University             | January 2016     |
| Carrie Bodkins, Alderson-Broaddus College                       | January 2018     |
| Tonya Charland, Great Lakes Valley Conference                   | January 2018     |
| Jim Crawley, Dominican College                                  | January 2017     |
| Kris Dunbar, Lake Superior State University                     | January 2015     |
| Gary R. Gray, University of Alaska Fairbanks                    | January 2018     |
| Kathy Heitzman, Bloomsburg University of Pennsylvania           | January 2016     |
| Robert Hogue, Pacific West Conference                           | January 2017     |
| Timothy E. Ladd, Palm Beach Atlantic University                 | January 2016     |
| Richard D. Loosbrock, Adams State University                    | January 2017     |
| Larry Marfise, University of Tampa                              | January 2016     |
| Jacqie McWilliams, Central Intercollegiate Athletic Association | January 2017     |
| Janet Montgomery, University of West Alabama                    | January 2015     |
| Steve Poston, Wingate University                                | January 2015     |
| Will Prewitt, Great American Conference                         | January 2016     |
| Kevin Schriver, Southwest Baptist University                    | January 2018     |
| Karen Stromme, University of Minnesota Duluth                   | January 2016     |
| Scott Swain, Notre Dame College                                 | January 2018     |
| Kim Vinson, Cameron University                                  | January 2015     |
| Brent Wren, University of Alabama in Huntsville                 | January 2015     |
| Gilbert "Griz" Zimmerman, Texas A&M International University    | January 2017     |

*Staff Liaisons:*

Terri M. Steeb-Gronau, Vice President for Division II  
 Maritza S. Jones, Director of Division II  
 Stephanie Quigg Smith, Director of Academic and Membership Affairs  
 Amanda Conklin, Associate Director of Academic and Membership Affairs  
 Gregg Summers, Associate Director of Research for Division II  
 Ruth C. Reinhardt, Executive Assistant of Division II

## *Appendix L*

### **Request for Interpretations**

Member institutions and conferences are encouraged to request interpretations of the proposed legislation in this Official Notice before the Convention. Interpretations related to the proposed legislation in this Official Notice may be requested via electronic mail to the primary contact persons at [aconklin@ncaa.org](mailto:aconklin@ncaa.org) or [kwolf@ncaa.org](mailto:kwolf@ncaa.org), not later than December 5, 2014. When submitting such a request, please include the proposal number in question, your institution's name and your title. All resulting interpretations will be distributed to the delegates in time for the conference meetings held in conjunction with the Convention.

The NCAA salutes the more than  
**460,000** student-athletes  
participating in **23** sports at  
more than **1,100** member institutions

