A G E N D A

National Collegiate Athletic Association

Division I Amateurism Cabinet

National Collegiate Athletic Association
Indianapolis, Indiana September 23-24, 2008

1. Welcome and introductions. [Supplement No. 1]

2. Orientation.

   a. Governance structure objectives. [Supplement Nos. 2 and 3]

   b. Communications/coordination report. [Supplement No. 4 to be distributed at the meeting]

   c. Liaison responsibilities. [Supplement No. 5]

   d. Election of vice chair.

   e. NCAA media policy. [Supplement No. 6]

3. Expense report presentation.

4. Background information.

   a. Carryover transitional items. [Supplement No. 7]

5. Bylaw 12 Review.

   a. Legislative update. [Supplement Nos. 8 and 9]

   b. Overview of current post enrollment issues.

6. Eligibility Center update. [Supplement No. 10]

   a. Legislation.

b. Operations.

7. Review of current Student-Athlete Reinstatement Amateurism Directives. [Supplement No. 11]

8. Update on Presidential Task Force On Commercial Activity in Intercollegiate Athletics. [Supplement No. 12]

9. Update on CBS Fantasy League. [Supplement No. 13]

10. Review of legislative proposals. [Supplement No. 14]

11. Huffington Post blog by President Myles Brand. [Supplement 15]

12. Other business.

13. Key "take aways" - themes to share with the membership and the other cabinets.

14. Future meeting dates.

    a. February 19 and 20, 2009, San Antonio, Texas

    b. June 22 and 23, 2009, NCAA National Office, Indianapolis, Indiana

15. Adjournment.

NCAA AMATEURISM CABINET

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NCAA AMATEURISM CABINET

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NCAA/05/27/08/esb

GUIDE TO THE NEW DIVISION I GOVERNANCE STRUCTURE

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I. OBJECTIVES OF THE NEW DIVISION I GOVERANCE STRUCTURE.

a. Background and Intention of Restructuring. In 2005, the Division I Board of Directors charged the Governance Subcommittee of the Division I Management Council with examining the Division I governance structure to identify ways to increase efficiencies and enhance the level of support from the substructure. The Governance Subcommittee spent over two years examining the Division I governance structure and developed a series of recommendations aimed at addressing the Board of Directors' charge. The Governance Subcommittee had a number of objectives it sought to accomplish in reorganizing the governance structure. The Board supported those objectives and ultimately adopted the proposed reorganization of the Division I governance structure at its November 1, 2007, meeting. If this governance restructuring is to ultimately achieve its desired goals and be responsive to the Board of Directors' request, it is imperative that both staff liaisons and representatives serving within the governance structure be mindful of the objectives behind this restructuring and stay true to its intent.

b. Objectives and the Board and Substructure Levels. A listing of the objectives behind the restructuring efforts both at the Board of Directors and substructure levels is attached as Addendum A.

II. DUTIES AND JURISDICTION OF THE DIVISION I BOARD, COUNCILS AND CABINETS.

a. Board of Directors.

1. Duties. The Division I Board of Directors shall:

- Serve as the division's principal leadership body;
- Establish working principles for the division;
- Set the divisional agenda (both the legislative and non-legislative agenda);
- Examine broad policy initiatives;
- Establish and direct general policy;
- Set the division's strategic course and develop a strategic plan;
- Approve the annual budget;
- Direct the governance substructure for a more coordinated approach to addressing issues;
- Remain the ultimate legislative authority in Division I and adopt select bylaws;
- Formally determine and articulate its plan for the delegation of authority to ensure that roles and expectations are clearly understood; and
- Make appointments to Division I cabinets, councils, the Division I Committee on Infractions and the Infractions Appeals Committee.

The specific terms of the Board of the Directors duties are set forth in the NCAA Bylaw 4.2.2.

2. Reporting Lines. The following governance bodies report to the Division I Board of Directors:

- Division I Presidential Advisory Group;
- Leadership Council;
- Legislative Council;
- Committee on Academic Performance;
- Committee on Infractions; and
- Infractions Appeals Committee.

3. Staff Liaisons: S. David Berst and Beth DeBauche, primary liaisons; Bernard Franklin and Delise O'Meally, liaisons.

b. Leadership Council.

1. Duties. The Leadership Council shall:

- Assist the Board in leading the Division and charting its course;
- Identify strategic issues that can impact Division I and intercollegiate athletics as a whole;
- Help set the Division I legislative agenda and identify significant issues that may require legislative solutions;
- Serve as the primary advisory to the Board of Directors on strategic and policy issues;
- Assist the Board by providing the Board with background information, comments and advice on non-legislative matters and selected legislative proposals either of particular importance to or with broad impact on the division; and
- Receive reports from various Association-wide and Division I committees.

The specific terms of the Leadership Council's duties will be set forth in the NCAA Division I Manual.

2. Reporting Lines. The following committees will report to the Leadership Council:

- Minority Opportunities and Interests Committee;
- Sportsmanship and Ethical Conduct;

- Committee on Women's Athletics; and
- Student-Athlete Advisory Committee.

3. Staff Liaisons: S. David Berst, Beth DeBauche, Bernard Franklin and Kevin Lennon, primary liaisons; Delise O'Meally, liaison.

c. Legislative Council.

1. Duties. The Legislative Council is the primary legislative body in the Division I governance structure, subject to Board oversight. The Legislative Council is responsible for considering every proposal in the annual legislative cycle with the caveat the Board can examine and act on any proposal it so chooses. The Legislative Council's actions on legislation will not be considered final until the conclusion of the following Board meeting to ensure the Board has an opportunity for final review and oversight.

   It is envisioned that the Board (with advice from the Leadership Council) will identify proposals early in the legislative cycle that it will want to consider, but it should be noted that the Board has discretion to review any proposal before action to adopt or defeat is considered final.

   In addition to considering and voting on legislation, the Legislative Council will:

   - Identify the strengths and weaknesses of legislative proposals;
   - Develop educational materials regarding pending legislation;
   - Develop a voting order chart for consideration of proposals;
   - Consider waivers of legislation through the Subcommittee for Legislative Relief.
   - Identify possible interpretative issues for the Legislative Review and Interpretations Committee (LRIC); and
   - Serve as an appellate body for Legislative Review/Interpretations Committee (LRIC). (*LRIC shall serve as a standing committee that reports to this council.*)

   The specific terms of the Legislative Council's duties will be set forth in the NCAA Division I Manual.

2. Reporting Lines. The following committees report to the Legislative Council:

   - Legislative Review and Interpretations Committee (LRIC);

- Athletic Certification;
- Student-Athlete Reinstatement; and
- Football Championship Subdivision Governance Committee. [Note: The Football Bowl Subdivision (FBS) and the Football Championship Subdivision (FCS) will vote separately on football issues. FCS conferences set forth in the NCAA Division I Manual will be permitted to vote on such legislative issues at the Football Championship Subdivision Governance Committee meeting.]

The cabinet may establish the following subcommittee:

- Subcommittee for Legislative Relief.

3. Staff Liaisons: Lynn Holzman and Steve Mallonee, primary liaisons; Amy Huchthausen and Leeland Zeller, secondary liaisons. Beth DeBauche will attend to help coordinate issues affecting the Leadership Council and the Division I governance structure as a whole. Delise O'Meally will attend to coordinate consideration of Association-wide matters.

d. Championships/Sports Management Cabinet.

1. Duties. The Championships/Sports Management Cabinet retained much of the jurisdiction of the former Championships/Competition Cabinet except for issues pertaining to committee selections and Bylaw 16 issues not related to championship travel and awards.

2. Reporting Lines. The following committees report to the Championships/Sports Management Cabinet:

- Competitive Safeguards and Medical Aspects of Sports;
- Olympic Sports Liaison Committee;
- Rules Committees;
- Playing Rules Oversight Panel; *(For information purposes)*;
- All sports issues committees; and
- All sports committees. *(Note: Sports committees will assume responsibility for issues management as well.)*

3. Staff Liaisons: Joni Comstock and Dave Schnase, primary liaisons; Wayne Burrow and Carol Reep, secondary liaisons.

e. Administration Cabinet.

1. Duties. The Administration Cabinet, true to its name, is primarily responsible for addressing the administrative functions of Division I. This cabinet assumed many of the responsibilities from the Management Council regarding the regular operations of the division, including:

   - Issues related to the efficient management of Division I governance;
   - Division I membership process; and
   - All committee selections, including sports committees.

   Specific duties will be set forth in the NCAA Division I Manual.

2. Reporting Lines. The following Association-wide committees report to the Administration Cabinet:

   - Honors Committee;
   - Postgraduate Scholarship;
   - Research; and
   - Walter Byers Scholarship.

3. Staff Liaisons: Steve Mallonee and Beth DeBauche, primary liaisons; Sharon Tufano, Delise O'Meally and Dave Schnase, secondary liaisons.

f. Academics Cabinet.

1. Duties. The Academics Cabinet has assumed jurisdiction over all academic matters except those currently addressed by the Committee on Academic Performance. (*Note: Due to the nature and volume of its work, the Committee on Academic Performance will remain intact and will report to the Board of Directors.*) The Academics Cabinet's duties will include:

   - Overseeing academic research and policies;
   - Establishing, managing and monitoring eligibility standards;
   - Working with Division II to ensure to the greatest extent possible that consistent information is available to prospective student-athletes;
   - Working with the two-year college community;
   - Working with the NCAA Eligibility Center to oversee the certification of initial eligibility from an academic standpoint; and
   - Serving as appellate body for select eligibility waivers.

   Specific duties will be set forth in the NCAA Division I Manual.

2. Reporting Lines. The following committees report to the Academics Cabinet:

   - Foreign Student Records;
   - High School Review;
   - Students Records Review;
   - Initial Eligibility Waivers; and
   - Progress Towards Degree.

   The cabinet may establish the following subcommittees:

   - IEW Waivers Appeals; and
   - PTD Waiver Appeals.

3. Staff Liaisons: Diane Dickman, Julie Cromer and Carrie Leger, primary liaisons.

g. Recruiting and Athletics Personnel Issues.

1. Duties. This cabinet has jurisdiction over issues pertaining to the recruitment of prospective student-athletes and the conduct and employment of athletics personnel. The cabinet is responsible for:

   - Bylaw 13 recruiting matters including studying and making recommendations to the Board, Leadership Council and Legislative Council concerning the recruiting process in intercollegiate athletics; and
   - Bylaw 11 conduct and employment of athletics personnel issues.

2. Staff Liaisons: Amy Huchthausen, primary liaison; Charnele Kemper, Jeremiah Carter and Jackie Thurnes, secondary liaisons

h. Student-Athlete, Awards, Benefits, Expenses and Financial Aid Cabinet.

1. Duties. This cabinet is charged with addressing the many issues that arise in the areas of awards, benefits, expenses and financial aid. Accordingly, this cabinet's jurisdiction includes:

   - Bylaw 15 financial aid matters, including studying and making recommendations to the Board, Leadership Council and Legislative Council concerning principles governing financial aid; and

- Issues pertaining to Bylaw 16 awards, benefits and expenses for enrolled student-athletes. The Championships/Sports Management Cabinet retains jurisdiction over championships awards and travel.

Specific duties will be set forth in the NCAA Division I Manual.

2. Staff Liaisons: Brad Hostetter, primary liaison; Vanessa Fuchs and Kris Richardson, secondary liaisons.

i. Amateurism Cabinet.

1. Duties. True to its name, this cabinet has jurisdiction over all amateurism issues, including oversight of issues pertaining to the NCAA Eligibility Center's amateurism work. This cabinet is charged with examining the relationship between intercollegiate athletics and professional teams/organizations. Additionally, the cabinet has jurisdiction to review the application of Bylaw 12 related to endorsements and the use of a student-athlete's name or likeness. This cabinet is the final appellate body for cases involving the determination of facts related to the certification of amateur status per Bylaw 12.01.1.

2. Reporting Lines. The following committee reports to the Amateurism Cabinet:

- Amateurism Fact-Finding Body.

3. Staff liaisons. Rachel Newman, primary liaison; Angie Cretors and Geoff Silver, secondary liaisons.

j. Communications and Coordination Committee.

1. Duties. The Communications and Coordination Committee, which is composed of the chairs of the cabinets and councils, is charged with coordinating consideration of issues and legislative concepts between the various Division I governance bodies. As the new governance structure gets established, this group will meet before the grouping of councils and cabinets meetings to help coordinate the considerations of issues.

2. Staff Liaison. Beth DeBauche is the primary liaison to this group. Additionally, at least one staff liaison from each cabinet and council will be expected to participate on this group's conference calls and in-person meetings. All liaisons will be welcome to participate. The focus of this group will be to enhance the level of coordination between Division I governance bodies so that there is a more cohesive approach to managing the Division I agenda.

Additionally, this group should help the membership stay informed regarding governance activities.

k. Division I Governance Structure. A chart of the Division I governance structure is attached as Addendum B.

III. CONFERENCE REPRESENTATION IN THE GOVERNANCE STRUCTURE.

a. Conference Representation. Division I has a representative form of governance based on conference affiliation. Accordingly, conferences are responsible for submitting the names of nominees for the various governance bodies and representatives on the Board, Presidential Advisory Group, councils and cabinets serve on behalf of the conferences. All 31 multisport conferences are represented on the Legislative and Leadership Councils and the Championships/Sports Management Cabinet. (Subject to weighted voting.). All 11 Football Bowl Subdivision conferences are represented on the five 21-member cabinets. The 20 Football Championship and Division I Subdivision conferences are represented on no fewer than two but no more than three cabinets at any one time.

b. Terms. With the reorganization of the Division I governance structure scheduled to take effect in September 2008, representatives on the cabinets and councils have been assigned staggered terms of two, three and four years to help create a level of continuity on the councils and cabinets. Upon expiration of those terms, all service terms will be four years in length. To assist the individual conferences along with the 31 multisport conferences in managing their governance nomination process, a conference rotational schedule has been designed. Pursuant to this schedule, all conferences within the Football Bowl Subdivision rotate at the same time and conferences in the Football Championship Subdivision/Division I Subdivision have been assigned to groups of 10 and further designated into groups of five, which rotate at the same time. This means that when these rotations occur, individuals will be assigned four-year terms. In the event of interim appointments, those appointments will complete the original four year term and are subject to the conference's rotational schedule. Where an individual serves a complete four-year term, that term will automatically coincide with the conference's term on the rotational schedule. To explain in more detail, where an individual leaves a term before the four-year term ends and someone else is appointed as a replacement, that person will serve until the conclusion of the conference's term on the rotational schedule. If the replacement representative serves less than two years, that person may again be appointed to a full term on the same governance body if the conference has a seat on that body when the conference's rotation starts anew.

c. Eligibility to Serve. While a representative who serves what is considered to be a full term on a cabinet or council is not eligible to be reappointed immediately to the same cabinet or council, that representative is eligible to be immediately appointed to another cabinet or council for which the conference has a seat.

d. Conference Rotation. Under the rotational schedule, all of a conference's terms on the councils and cabinets rotate at the same time. For example, the terms of all America East Conference representatives will end at the same time. Further, all representatives within the Football Bowl Subdivision will rotate at the same time. At the Football Championship and Division I Subdivision levels, all conferences have been placed in groups of 10 regardless of subdivision and then further divided in groups of five that will rotate seats at the same time. This assignment at the Football Championship Subdivision/Division I Subdivision levels is designed to anticipate future movement of conferences between the Football Championship and Division I Subdivisions. The 31 multisport conferences are responsible for managing the conference rotational schedule but the NCAA governance staff will maintain a record of the rotational schedule at the National Office on their behalf.

The following 10 Football Championship/Division I Subdivision conferences are assigned to the same rotational grouping:

SWAC	Colonial
OVC	Patriot
Southland	Atlantic Sun
Missouri Valley	MAAC
Big South	Atlantic -10

The grouping of 10 conferences listed above is subdivided in groups of five conferences for rotational purposes as follows:

Group 1: Atlantic Sun, Colonial, Missouri Valley, Ohio Valley, SWAC; and
Group 2: Atlantic 10, Big South, MAAC, Patriot, Southland.

The following 10 Football Championship/Division I Subdivision conferences are assigned to the same rotational grouping:

Southern	MEAC
Ivy	Northeast
Big Sky	Summit
WCC	America East
Horizon	Big West

The grouping of 10 conferences listed above is subdivided in groups of five conferences for rotational purposes as follows:

Group 1: MEAC, Northeast, Southern, Summit, West Coast; and
Group 2: America East, Big Sky, Big West, Horizon, Ivy.

e. Rotational Schedule. The conference rotational schedule is attached as Addendum C.

f. Weighted voting and voting percentages. Weighted voting shall be applied at the Leadership Council, Legislative Council, and Championships/Sports Management Cabinet levels, as these bodies are the three 31-member bodies in the Division I governance structure. The voting percentages in the new governance structure reflect the percentages established under the 1997 agreement. These percentages are listed below as follows:

One representative (who shall have three votes) from each of the following seven conferences:

1. Atlantic Coast Conference;
2. Big East Conference;
3. Big Ten Conference;
4. Big 12 Conference;
5. Conference USA;
6. Pacific-10 Conference; and
7. Southeastern Conference.

One representative (who shall have 1.5 votes) from each of the following four conferences:

1. Mid-American Conference;
2. Mountain West Conference;
3. Sun Belt Conference; and
4. Western Athletic Conference.

One representative (who shall have 1.2 votes) from each of the following conferences:

1. America East;
2. Atlantic 10 Conference;
3. Atlantic Sun Conference;
4. Big Sky Conference;
5. Big South Conference;

6. Big West Conference;
7. Colonial Athletic Association;
8. Horizon League;
9. Ivy Group;
10. Metro Atlantic Athletic Conference;
11. Mid-Eastern Athletic Conference;
12. Missouri Valley Conference;
13. Northeast Conference;
14. Ohio Valley Conference;
15. Patriot League;
16. Southern Conference;
17. Southland Conference;
18. Southwestern Athletic Conference;
19. Summit League; and
20. West Coast Conference.

There shall not be weighted voting at the five 21-member cabinets since not all of the 31 multisport conferences are represented on each of the bodies, with the 11 FBS conferences represented on all five cabinets and the 20 remaining conferences represented on at least two but no more than three cabinets at one time.

g. Roll Call Voting. Roll call voting shall be used at the Legislative Council (as is the case at the Division I Board of Directors level).

IV. REPRESENTATIONAL REQUIREMENTS AND THE APPOINTMENT PROCESS.

a. Gender and Diversity Requirements. The legislated minimums of 20 percent ethnic minorities and 35 percent of either gender shall be applied independently to two separate groups of governance bodies, i.e. the three 31-member governance bodies and the five 21-member governance bodies. Specifically, the representational minimums shall be applied to the 93 service opportunities provided by the 31-member Legislative Council, Leadership Council and Championships/Sports Management Cabinet and that the minimum percentages be applied separately to the 105 service opportunities provided by the five 21-member cabinets.

Additionally, the Football Bowl Subdivision will be responsible for meeting the diversity requirements at each of the two tiers at the level approximately equal to their percentage of representation at that tier (1/3 and 1/2) and the other two subdivisions shall together be responsible for the diversity requirements at each of the two tiers at a level equal to their percentage of representation (2/3 and 1/2).

b. Positional Requirements. While there are no specific positional requirements at the council and cabinet levels, it is expected that the Division I governance structure will be populated by faculty members and athletics administrators who hold a variety of positions. Representatives serving in the Division I governance structure shall represent a variety of perspectives and viewpoints reflective of the diversity of the Division I membership. It should be noted that given that intercollegiate athletics is woven into the fabric of higher education, it is expected that the faculty voice will be strongly heard in the Division I governance structure.

c. Role of the Division I Board of Directors in the Appointment Process. The Board of Directors will make all appointments to the Division I councils and cabinets. As part of this process the Board will examine slates of nominees to not only ensure they meet the legislated requirements but to confirm that each governance body has balanced representation. The Board has stated it wants to ensure the required minimums are just a starting point and not an end in and of themselves.

d. Call for Nominations. The call for nominations for the cabinets and councils will occur each January and the window for conferences to submit nominations will be open until the middle of March. This schedule is designed to provide the conferences with time to work together to present a diverse slate of nominees to the Division I Board of Directors at its April meeting.

e. Role of the Conferences. For the Division I governance structure to truly be populated by a dynamic and diverse group of leaders, the 31 multisport conferences must work closely together to develop the slate of nominees. It is anticipated that each conference as well as the Football Bowl Subdivision and the Football Championship/Division I Subdivision assigned rotational groups will seek to develop tentative appointment plans to help identify and grow new talent to serve in the Division I governance structure.

f. Interim Appointments. While the legislated gender and diversity requirements will not be applied at the time interim appointments are made, the legislated requirements will be applied at the next opportunity for the Board to make regular appointments, thereby ensuring that any appointments made in the interim period are ultimately subject to the legislated requirements.

g. Alternates. The Board, councils and cabinets shall permit alternates to attend the appropriate governance meetings when the appointed representative cannot attend. These governance bodies are encouraged to establish a flexible standard to permit alternates to attend. Given that the Division I governance structure is based on

conference representation, it is therefore essential that conferences are allowed to participate in the structure.

V. LEADERSHIP ROLES.

a. Chair Requirement. Each of the councils and the cabinets shall have a chair serving in a leadership role. Chairs shall serve at least one year but no more than two years in that role.

b. Role of Board of Directors. To assist in the governance transition process, the Division I Board of Directors appointed a chair for each of the councils and cabinets for the first year to allow the chairs to participate in an orientation program. Thereafter, the councils and cabinets will have the discretion to recommend their own chair. The councils and the cabinets will submit the name of the recommended chair to the Board of Directors for final approval.

c. Vice Chair. The councils and cabinets will not be required to appoint a vice chair but will have discretion to recommend a vice chair if it is felt that a vice chair would be beneficial to the efficient management of that group. As is the case with the chair appointment process, the recommendation of the council or cabinet regarding a vice chair shall be forwarded to the Board of Directors for approval.

d. Rotational Schedule for Chairs. At least once every three rotations, there shall be a representative serving as chair at the council and Championships/Sports Management Cabinet levels who is not from the Football Bowl Subdivision.

VI. MEETING SCHEDULE.

a. Division I Board of Directors. The Division I Board of Directors has four scheduled meetings per year. These meetings are held in April, August, October/November and in conjunction with the NCAA Convention in January. Additionally, this group may meet at other times during the year when circumstances warrant. Meetings are typically one day in length starting at 8 a.m. and concluding by mid afternoon. With the exception of the meeting held at the NCAA Convention, the Board of Directors meetings are held in Indianapolis.

b. Division I Presidential Advisory Group. The Division I Presidential Advisory Group has two in-person meetings per year and two scheduled conference calls. The meetings occur in Indianapolis the day before the Division I Board of Directors meetings in October and April. The conference calls are scheduled prior to the

August and January Board of Directors meetings. The Presidential Advisory Group meetings are held in Indianapolis and the meetings typically begin at noon and conclude no later than 5 p.m.

c. Leadership Council. It is anticipated that the Leadership Council will meet approximately three times per year. The Leadership Council's meeting schedule will purposely be somewhat flexible so that it can properly respond to both issues on the Division I agenda and the Division I Board of Directors. This first year, it is anticipated that the group will meet in the summer to get ready for the year ahead, in the fall, at the NCAA Convention and in April prior to the Board of Directors meeting. Given that the Leadership Council and the Legislative Council have separate and distinct functions, the two councils will not necessarily meet directly before or after one another.

d. Legislative Council. The Legislative Council will meet three times per year in conjunction with the regularly scheduled Division II and III Management Council meetings in October, at the NCAA Convention in January and then again in April. This meeting schedule is designed to follow the flow of the annual Division I legislative cycle.

e. Cabinets. The cabinets will meet two or three times per year, depending on workload. The cabinets will meet during a designated three week window in September, February and June/July. This schedule is designed to be responsive to the Division I annual legislative cycle. The coordinated approach to the cabinet meeting schedule is intended to ensure that not only information flows through the governance structure in a timely fashion but that the membership has appropriate notice to anticipate governance reports. Given the relatively small size of the cabinets and their limited jurisdiction, it is anticipated that cabinets will seek to use technology to possibly periodically replace the need for an in-person meeting.

f. Use of Technology. Governance bodies at the council and cabinet levels are encouraged to seek to use technology to help manage their workload.

g. Coordination of meeting schedule. To assist with the flow of governance information and to allow for more coordination between the various cabinets, Shorts Travel will assist in arranging and coordinating the cabinet meeting schedule. The Shorts Travel staff will assist with identifying meeting locations and arranging for contracts for meeting space.

h. Exceptions. Should a cabinet or the Legislative Council want to meet at a time other than a time designated in the master Division I meeting schedule or should a cabinet

or the Legislative Council want to schedule an additional meeting, such requests shall be forwarded to the Leadership Council for consideration and possible approval.

i. Weekends. To the extent possible the schedule will be arranged so there are no meetings on weekends. The NCAA Convention meetings may be an exception to this guide.

j. Meeting Schedule. The Division I meeting schedule is attached as Addendum D.

VII. STRUCTURE OF MEETINGS.

a. Work as a committee of the whole. All cabinets and councils shall work as bodies of the whole rather than divide into subcommittees to conduct their work. The purpose of governance groups working as bodies of the whole is to ensure that all representatives serving on governance bodies have an opportunity to participate in discussions on key issues and that there is more transparency in the governance process. There are certain cabinet duties that will require the establishment of subcommittees, for example, Initial Eligibility Waivers and Progress Towards Degree Waiver Appeals groups.

b. Request to form subcommittees. Any subcommittee within the new Division I governance structure (except appellate bodies) must be legislatively established, whereby the jurisdiction of the subcommittee is clearly set forth.

c. Administrative Committees. The cabinets and councils shall have the discretion to establish an administrative committee to assist in addressing the interim actions of that body. The jurisdiction of these administrative committees shall be limited to conducting interim actions and these committees shall not be used as a means to work as a small group on specific projects.

VIII. COMMUNICATION WITH GOVERNANCE REPRESENTATIVES AND WITH THE MEMBERSHIP.

a. Publication and Posting of Agendas. Agendas and associated meeting materials for the cabinet and council meetings shall be both mailed to representatives and posted on the NCAA's Website at least 17 days in advance of meetings. Every effort should be made to ensure the meeting materials are as complete as possible at the time of mailing and that the distribution of supplemental materials at meetings is kept to a minimum. In the event additional supplements need to be distributed after the 17-day mailing/posting deadline, these supplements shall be posted to the NCAA's Website

in a timely fashion. Further, if a cabinet or council has established a legislatively approved subcommittee, the meeting materials for that subcommittee must also be posted on the Website in a timely fashion. Efforts should be made to try to coordinate mails for the cabinet.

b. Report Format. Each cabinet will produce one report, which will be submitted to both the Leadership and Legislative Councils. Reports shall distinguish between action items and information items and between legislative and non legislative items. The process is designed to be simple with both councils receiving the one report from each of the six cabinets.

c. Report Deadlines and Posting. Reports from all cabinet and council meetings shall be written and posted on the NCAA's Website within three days of the scheduled conclusion of that governance meeting. This deadline is intended to enhance the level of coordination between governance bodies and to ensure that conference officials and the membership are informed about governance issues in a timely fashion.

d. Liaison Program. Effective communication is essential to any successful form of governance. For the Board of Directors and membership to have confidence in the new structure, there must be regular and frequent communication between the various governance bodies.

1. Council Level. The chairs of both the Leadership and Legislative Councils will be invited to regularly attend the Board of Directors meetings. Additionally, the written reports from each council meeting must be provided to the other council as a matter of course and the chairs or vice chairs of each council will attend the other council's meeting on an as needed basis.

2. Cabinet Level. The cabinet chairs may be asked to attend a meeting of one of the councils from time to time depending on the issues being discussed but it will not be required as a matter of course. Additionally, as a supplement to the work of the Communications and Coordination Committee, representatives from both councils will be assigned as informal liaisons to follow the work and discussions of each cabinet. These liaisons will not automatically be expected to attend their assigned cabinet's meetings; rather the type and frequency of communication between the councils and the cabinets will be dictated by the issues being examined.

IX. DIVISION I STUDENT-ATHLETE ADVISORY COMMITTEE (SAAC).

a. Representatives of Student-Athlete Advisory Committee serving within the Structure. Given the importance of the student-athlete voice in the Division I governance structure, the chair of the Division I Student-Athlete Advisory Committee serves on the Leadership Council and the vice chair serves on the Legislative Council, both as non-voting members. Further, each of the six cabinets is assigned one representative from the Division I Student-Athlete Advisory Committee to serve as a non-voting member.

b. Liaisons to the Student-Athlete Advisory Committee. A total of three representatives from the combined Leadership and Legislative Councils shall serve as liaisons to the Division I Student-Athlete Advisory Committee. At least one representative shall be from the Legislative Council. As liaisons, representatives shall try to participate in SAAC meetings and conference calls to the extent their schedules allow.

X. DIVISION I LEGISLATIVE PROCESS.

a. Sponsoring Legislation. The Legislative Council along with the Board of Directors, Leadership Council, cabinets and any of the 31 multi-sport conferences will be permitted to propose legislation under the Division I governance structure.

b. Timeframe for sponsoring legislation. The deadline for sponsoring legislation for the conferences, cabinets and councils is July 15, which marks the beginning of the annual legislative cycle. The Board of Directors has until the conclusion of the October Board meeting to sponsor legislation in the annual cycle.

c. Noncontroversial or Emergency Legislation. While Division I follows an annual legislative cycle, the Board of Directors and the Legislative Council shall be permitted to adopt emergency or non-controversial legislation provided the legislation is adopted by at least a three-fourths majority of the members present and voting. The Legislative Council shall have established guidelines that will be applied to determine if a legislative proposal meets the standards to be considered as either emergency or non-controversial legislation. (Note: The roles of the Legislative Council and Board are the same under this process as they are under the process for adoption of legislation in the annual legislative cycle. Accordingly, the Legislative Council's action will not be considered final until the conclusion of the Board meeting.) The Leadership Council does not have authority to adopt legislation, but rather it provides advice to the Legislative Council and to the Board of Directors.

d. Guidelines regarding Noncontroversial/Emergency Legislation. The Legislative Council's guidelines regarding non-controversial/emergency legislation are attached as Addendum E.

e. Division I Legislative Cycle. While the specific terms of the Division I legislative process are found in the NCAA manual, a general description of the legislative cycle is set forth below including comments from the former Governance Subcommittee:

1. Setting the Legislative Agenda. Throughout the year the Board of Directors, with the help of the Leadership Council, will help set the Division I legislative agenda by suggesting concepts for development by the governance substructure. Ideas may also be developed by the substructure.

2. Deadline for Sponsoring Legislative. The conferences, cabinets and councils must submit legislative concepts by July 15. The Division I Board of Directors has until its October meeting to sponsor legislation.

3. Role of the September Cabinet Meeting. The six issue-specific cabinets will meet within a three week window in September to begin offering comments and suggested modifications to legislative proposals in the annual legislative cycle. [Note: It is possible, given the more limited jurisdiction of the cabinets that more than one cabinet will be asked to review and comment on a proposal, thereby providing the Legislative Council with a variety of different perspectives from which to consider a proposal.]

4. Coordination and General Process. Legislative matters originating from the Board, the Leadership Council or any of the six cabinets shall be forwarded to the Legislative Council for consideration. Further, comments from committees pertaining to legislative proposals will be shared with the Legislative Council. The Legislative Council, in turn, will report directly to the Board of Directors. The Legislative Council's actions will also be shared with the Leadership Council for information but the Legislative Council will not be considered to report to the Leadership Council, as the two councils are on the same tier in the governance structure. The Leadership Council may advise the Board regarding any legislative proposal, but cannot override or alter the Legislative Council's action on a proposal.

5. October Legislative Council Meeting. Legislative Council will meet in October at the same time as the Division II and III Management Councils for a scheduled two-day meeting to begin reviewing the legislative proposals in the annual legislative cycle. [Note: Ideally, it may be helpful for the Legislative Council to consolidate and reconcile similar proposals at this meeting, but it may be too early in the legislative process for the council to be able to perform this task. If the Legislative Council is unable to reconcile legislative proposals

at this meeting due to timing issues, the Legislative Council is charged with reconciling proposals at its January meeting.]

6. Role of the Legislative Council in Commenting on Legislation. It is envisioned that at points during the legislative cycle, the Leadership Council may offer comments and advice to assist the Board of Directors regarding select legislative proposals in the annual legislative cycle.

7. Division I Official Notice. The Division I Official Notice, which includes all of the proposals to be considered as part of the annual legislative cycle, will be published on-line no later than November 15. The notice will include comments from the substructure regarding proposals and is intended to serve as a guide for not only the membership but for the Legislative Council and Board as they seek to consider legislative proposals at the NCAA Convention meetings.

8. Role of the Legislative Council at the NCAA Convention. The Legislative Council will meet at the beginning of the NCAA Convention to formally consider legislation. The Legislative Council will have three options when considering proposals. Those options are: Adopt the proposal upon initial review – (Category 1); Send the proposal out for additional membership comment – (Category 2); and Defeat the proposal – (Category 3). Proposals that receive at least 2/3 support of the members present and voting shall be considered adopted, subject to reporting to the Board for possible action by that group. Proposals that do not receive the requisite 2/3 support but receive at least a majority of the members that either support the proposal for adoption or support sending the proposals out for comment, will be sent out for additional membership comment.

9. Legislative Role of the Board of Directors at the Convention. The Board of Directors will meet at the NCAA Convention, but a few days after the Legislative Council. At that time the Board of Directors will receive a report from the Legislative Council regarding legislative actions taken by that group. The Legislative Council's report will include a listing of those proposals, which were adopted upon initial review (Category 1) and those proposals, which were defeated by the Legislative Council (Category 3). It is not envisioned that the Board of Directors will choose to consider every proposal in the Category 1 and 3 listings, but that the Board, with the advice and assistance of the Leadership Council, will seek to review and take action on a small number of proposals that are identified as being important to the overall future of Division I. In the event the Board determines further review is necessary, the Board could seek additional feedback from the substructure or take action itself. No legislative

action by the Legislative Council will be considered final until after the conclusion of the Board of Directors meeting to ensure the Board can ask to consider those proposals it so chooses. Legislative proposals that the Legislative Council believes would benefit from additional membership review and comment will be listed as Category 2 proposals and will be shared with the Board as information at the January meeting.

10. 60-day Comment Period. The 60-day comment period will begin at the conclusion of the Board meeting and is intended to provide the membership and affiliate groups with an opportunity to share opinions and amendments-to-amendments that are less expansive in scope. This information will ultimately be shared with the councils and Board as those bodies continue to examine the legislative proposals in advance of the April governance meetings.

11. April Legislative Council Meeting. In April, the Legislative Council will meet to consider those proposals remaining in the annual legislative cycle. This will be the second review of these legislative proposals in the annual legislative cycle. Proposals will be adopted based on a simple majority of those members present and voting.

12. April Board of Directors Meeting. In late April, the Board of Directors will meet and as part of its agenda, it will receive a report from the Legislative Council on legislative actions taken at its most recent meeting. As was the case in January, the Legislative Council's legislative actions will be considered the default position, subject to the Board of Directors oversight. Again, the Board will properly have the authority to review any actions by the Legislative Council and take independent action. Again, the Legislative Council's actions will not be considered final until the conclusion of the Board of Directors meeting to ensure the Board has proper oversight.

13. Override Process. The Division I legislative process provides for a membership override process. The specific terms of which are set forth in the NCAA Division I Manual.

Understanding the New Division I Governance Structure

Board of Directors

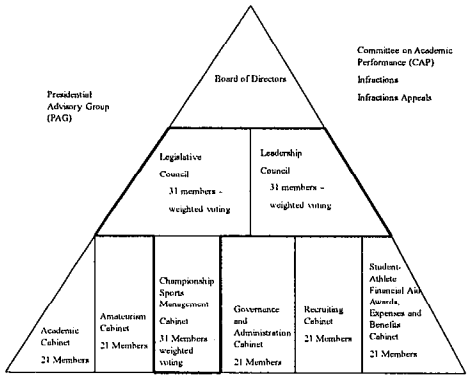
- Board shall retain its primacy in the governance structure.
- No change to the size, composition or purpose of the Board.
- 18 institutional presidents or chancellors.
  - One each from the 11 Division FBS conferences.
  - Seven members from the 20 Division FCS/Div. I conferences.
- No major changes to functions of the Board.
- The Board will serve as the ultimate legislative authority.
- The Board will have the authority to consider any legislative proposal but will not be required to consider every proposal.

Board of Directors (BOD)

- Changes intended to aid the Board in:
  - Establishing working principles for the division;
  - Setting the divisional agenda; and
  - Examining broad policy initiatives.
- Four meetings per year: August, October, April and January.
  - New – The Committee on Infractions and Infractions Appeals Committee will report to the Board.
- James Barker, Clemson University, chair.

Division I Presidential Advisory Group (PAG)

- PAG will remain intact.
- PAG plays a valued role in advising the Board and in enhancing presidential communication.
- 20-person advisory group representing all Division FCS/Div. I conferences.
  - Includes seven members of the Board of Directors.
- Duties:
  - Advise the Board regarding the FCS/Division I perspective.
  - Enhance governance communication.
- Two in-person meetings – October and April/two conference calls August and January.
- Bruce Grube, President, Georgia Southern University, chair.



Leadership Council (31 members)

- Serve as the primary advisory group to the Board on strategic and policy issues.
- Provide background information, advice and counsel to the Board on legislative and non legislative matters.
- Receive authority from the Board through agendas that mirror the Board's.
- Suggest concepts for the legislative agenda.
- Have a national focus rather than a local/conference one.
- Retain much of the former Management Council's jurisdiction, except legislation.

Leadership Council (31 members)

- 31 members representing the 31 multi-sport conferences.
- Weighted voting (7 FBS conferences 3 votes, 4 FBS conferences 1.5 votes and 20 conferences 1.2 votes).
- Three meetings per year.
- Flexible schedule to respond to the Board.
- First meeting August 2008.
- No roll call voting.
- Damon Evans, Athletics Director, University of Georgia, chair.

Legislative Council (31 members)

- Primary legislative body in Division I subject to Board direction and review.
- Legislative role similar to former Management Council.
- Final legislative authority with regard to proposals not selected by the Board for further review.
  - Note: Board has authority to consider <u>any</u> proposal in the cycle.
- Charged with:
  - Identifying strengths & weaknesses of proposed legislation;
  - Developing educational materials; and
  - Providing more consistency in the legislative approach.

Legislative Council (31 members)

- 31 members representing each of the multisport conferences with weighted voting.
- Three meetings per year. (October, January and April)
- Roll call voting.
- Jackie Campbell, Assoc. Commissioner, Atlantic 10 Conference, chair.

Cabinets

- Championships/Sports Management Cabinet.
  - Same jurisdiction as former cabinet except committee selections and some awards and benefits issues.
  - New – Sports committees will assume both championships and sports administration issues.
  - Jeff Schemmel, San Diego State, chair.
- Administration Cabinet.
  - Division I governance issues.
  - Division I membership process.
  - All committee selections.
  - Rob Halvaks, Big West Conference, chair.

Cabinets

- Academics Cabinet.
  - Oversee academic research and policies;
  - Establish, managing and monitoring eligibility standards; and
  - Appellate body for academic waivers.
  - Carolyn Callahan, University of Virginia, chair.
- Recruiting Cabinet.
  - Bylaw 13/recruiting matters; and
  - Bylaw 11/conduct and employment issues.
  - Petrina Long, UCLA, chair.

Cabinets

- Student-Athlete Awards, Benefits and Financial Aid Cabinet.
  - Bylaw 15/financial aid matters, and
  - Bylaw 16/awards and benefits issues (except championships awards and travel).
  - Grace Calhoun, Indiana University, chair.
- Amateurism Cabinet.
  - Amateurism issues;
  - Oversight of amateurism issues pertaining to the Eligibility Center; and
  - Issues regarding student-athlete likeness and promotions.
  - Mike Rogers, Baylor University, chair.

Cabinets

- 31 members on the Championships/Sports Management Cabinet.
  - Weighted voting.
- 21 members on each of the remaining five cabinets.
  - 11 representatives from the FBS conferences/10 from the FCS/Div. I conferences.
  - Each FCS/Div. I conference has representatives on at least two but no more than three of the five remaining cabinets.
- Three meetings per year. September, February and June/July.
- Meetings shall be approximately two days in length.

Rotational Schedule

- Football Bowl Subdivision.
  - Eight governance seats. All conference seats rotate at the same time. All seats within this subdivision rotate at the same time.
- Football Championship Subdivision/Division I Subdivision.
  - Permanent governance seats on the Leadership Council, Legislative Council and Championships Cabinet. Rotating seats on the other five cabinets. Seat on at least two but no more than three cabinets at one time.
  - Rotational schedule based on 2 groups of ten conferences, which are subdivided into groups of 5 conferences.
  - Within groupings, all seats rotate at the same time.

Gender/Diversity and Positional Requirements

- Standard:
  - To apply the legislated minimums of 20 percent ethnic minorities and 35 percent of either gender to two separate groups independently (i.e., the three 31-member governance bodies and the five 21-member governance bodies).
- There are no numeric positional requirements but it is imperative that the faculty voice be heard.
- Subdivisions responsible for meeting diversity requirements at level equal to their percentage of representation at that tier (FBS 1/3 and 1/2) (FCS/Div. I 2/3 and 1/2).

Gender/Diversity and Positional Requirements

- Board to take an active role in ensuring the slate of nominees reflects not only appropriate levels of gender and ethnic diversity, but positional diversity as well.
- The Leadership Council's first agenda item is to determine whether there are additional ways to enhance the level of diversity in the structure while still providing conferences with some level of flexibility.
- Board suggested possibly establishing benchmarks for future growth.

Communication/Coordination Committee

- A coordinated Division I agenda requires a high level of communication between the various governance bodies.
- Leaders from the cabinets and councils will serve on a Communication/Coordination Committee.
- Charge – To coordinate consideration of issues and legislative concepts between the various bodies and to ensure a high level of communication among the bodies.
- This committee will meet before the grouping of meetings.

Legislative Process

- Sponsoring Legislation. The Board, councils and cabinets along with any of the conferences may sponsor legislation.
- Timeframe for sponsoring legislation. July 15 is the deadline for conferences, cabinets and councils. Board has until the conclusion of its October meeting.
- Noncontroversial or Emergency Legislation. The standard for noncontroversial or emergency legislation still apply.
- Setting the Legislative Agenda. Throughout the year the Board, with the Leadership Council's help, will seek to set the Division I legislative agenda. Substructure may also provide ideas.

Legislative Process

- Role of the September Cabinet Meeting. The cabinets will meet within a three-week window in September to begin offering comments and suggested modifications to proposals.
- October Legislative Council Meeting. The Council will begin reviewing proposals to provide comments and suggestions in preparation for January.
- Role of the Leadership Council. At any point in the cycle, the Leadership Council may offer comments and advice to assist the Board.
- Division I Official Notice. Will be published on-line no later than November 15.

Legislative Process

- Role of the Legislative Council at the NCAA Convention. The Council has three options when considering proposals:
  - Adopt the proposal – (Category 1);
  - Send the proposal out for additional comment – (Category 2); and
  - Defeat the proposal – (Category 3).
- Proposals that receive at least 2/3 support are considered adopted, subject to Board oversight.
- Proposals that do not receive 2/3 support but receive at least a majority that either support the proposal or support sending the proposals out for comment, are sent out for additional comment.

Legislative Process

- Legislative Role of the Board of Directors at the Convention. The Board will receive a report from the Legislative Council listing adopted proposals (Category 1) and defeated proposals (Category 3).
- If the Board determines a proposal needs further review, the Board can seek additional feedback or take action itself.
- The Legislative Council's actions are not considered final until the conclusion of the Board meeting.
- Proposals sent out for additional comment (Category 2) will be shared with the Board as information.

Legislative Process

- 60-day Comment Period. Begins at the conclusion of the Board meeting and provides the membership and affiliates with an opportunity to share opinions and amendments-to-amendments that are less expansive in scope.
- April Legislative Council Meeting. Legislative Council will consider proposals remaining in the cycle. Proposals are adopted based on a simple majority.
- April Board of Directors Meeting. The Board to receive a report on the Legislative Council's actions. The Board has authority to review any action and take independent action. The Legislative Council's actions will not be considered final until the conclusion of the Board meeting.

Features of the New Governance Structure

- No Subcommittees. Bodies to work as a committee of the whole rather than subdivide.
  - Subcommittees must be set forth legislatively (except appellate bodies).
- Administrative Committees. Bodies have discretion to establish an administrative committee to address interim actions.
- Mailing Deadlines. Agendas and meeting materials shall be mailed and posted at least 17 days in advance of meetings.

Features of the New Governance Structure

- Complete Mailings. Every effort shall be made to ensure meeting mailings are as complete as possible and the distribution of supplemental materials at meetings is kept to a minimum.
- Report Format. Each cabinet will produce one report, for submission to both councils. Reports will distinguish between action items and information items and between legislative and non legislative items.
- Report Deadlines. All reports shall be written and posted within three days of the scheduled conclusion of that meeting.

Features of the New Governance Structure

- Council Level. Both councils chairs to attend Board meetings.
  - Written reports from each council will be provided to the other.
  - Chairs to attend the other council's meeting as needed.
- Cabinet Level. Cabinet chairs to attend council meetings only on an as needed basis.
  - Representatives from both councils will be assigned as an informal liaison to follow the work of each cabinet.
  - The type/frequency of communication between the councils and the cabinets will be dictated by the issues being examined.

Transition

- Issues. Structure and staff charged with developing a priority list of projects and issues to be carried forward in the new structure.
- Staffing. Assigned experienced staff liaisons but also used as an opportunity to grow new talent.
- Orientation. Session intended to ensure:
  - The themes identified by the Governance Subcommittees are shared; and
  - Those serving have a general understanding of Division I and its issues.

SUPPLEMENT NO. 4
TO BE DISTRIBUTED
AT THE MEETING.

Amateurism Cabinet Liaison Responsibilities

Rachel Newman (Primary Liaison)	**Suzanne Brickell (Administrative Assistant)**	**Angie Cretors (Secondary Liaison)**	**Geoff Silver (Secondary Liaison)**
Coordinate agenda items and meeting materials.	Liaison to Short's Travel to make meeting arrangements.	Prepare Cabinet chair for Communications/Coordination conference calls.	Track legislative proposals requiring Cabinet action/ comment.
Assist chair with leading meeting discussion.	Notification to Cabinet for travel and logistics regarding meetings.	Coordinate report writing.	Legislative education regarding amateurism rules.
Communicate with Amateurism Certification and Student-Athlete Reinstatement Staffs on amateurism issues.	Final review and mailing of agenda/ supplements.	Assist with meeting planning.	Monitoring eligibility center interpretations and issues.
Communicate with Leadership and Legislative Council liaisons and NCAA vice-presidents on issues involving the Cabinet.	Final review of meeting minutes.	Coordination of Amateurism Certification Fact Finding Appeal process.	

The NCAA Media Policy

"The president of the Association and the chair of the Executive Committee are the only individuals authorized to speak on behalf of the Association except as outlined below.

An individual representing a member institution or conference who speaks or opines on an Association issue only has the authority to express the view of that individual or the member institution or conference unless the individual has been designated by the Executive Committee of the Association as a speaking agent of the Association on that issue.

Committee chairs are hereby designated as speaking agents of their committees regarding issues within their committees' jurisdiction on which there is consensus, except that positions of advocacy on behalf of the committee or the Association to be communicated in writing or orally to persons or entities external to the Association must have prior approval by the NCAA Executive Committee or the president of the Association. For purposes of this policy, 'committees' includes all NCAA committees, cabinet, boards, councils, subcommittees and special or ad hoc groups.

The president of the Association is hereby granted authority to designate additional speaking agents of the Association."

Cabinet members are expected to adhere to this policy.

REPORT OF THE JUNE 10, 2008
NCAA DIVISION I ACADEMICS/ELIGIBILITY/COMPLIANCE CABINET SUBCOMMITTEE ON AGENTS AND AMATEURISM

1. ACTION ITEMS

a. Nonlegislative.

(1) Nomination for Appointee to the NCAA Division I Amateurism Fact-Finding Committee.

(a) Recommendation. The NCAA Division I Academics/Eligibility/ Compliance Cabinet Subcommittee on Agents and Amateurism recommends Anthony Archbald, Western Athletic Conference, be appointed as a member of the NCAA Division I Amateurism Fact-Finding Committee.

(b) Rationale. The subcommittee considered the background and experience of the recommended appointee.

(c) Effective Date. Immediate.

(d) Budget Impact. None.

(2) Nominations for Reappointment to the Amateurism Fact-Finding Committee.

(a) Recommendation. The subcommittee recommends the following individuals be reappointed for an additional term to the Amateurism Fact-Finding Committee:

i Stephen Robertello, Washington State University.

ii Leslie Claybrook, Samford University.

iii Jill Redmond, Dartmouth College.

iv Milo Peck Jr., Fairfield University.

(b) Rationale. The subcommittee considered the background and experience of the recommended appointees as well as the overall committee composition and current role of the appointees. Due to the staggering of initial terms with the committee, the reappointments are necessary to maintain some continuity and consistency within the committee membership.

(c) Effective Date. Immediate.

(d) Budget Impact. None.

(3) Amateurism Fact-Finding Policies and Procedures – Revisions

(a) Recommendation. The subcommittee recommends the cabinet approve revisions to the NCAA Division I Amateurism Fact-Finding Committee's policies and procedures manual.

(b) Rationale. The subcommittee noted that that the revisions are not substantive in nature; rather, they are necessary to take into account the newly created Eligibility Center.

(c) Effective Date. Immediate.

(d) Budget Impact. None.

2. *INFORMATIONAL ITEMS.*

a. **Review request of the American Volleyball Coaches Association (AVCA) to change Bylaw 14.2.3.2 (tennis and swimming and diving).** The subcommittee met in conjunction with the Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Continuing Eligibility to review a recommendation from the AVCA related to including volleyball into the current tennis and swimming and diving rule. The Subcommittee on Continuing Eligibility has agreed to recommend that the cabinet sponsor legislation that would revise Bylaw 14.2.3.2 to include women's volleyball as a sport subject to additional standards related to the determination of the use of a season of competition prior to initial collegiate enrollment. A majority of the Subcommittee on Agents and Amateurism supports this recommendation.

b. **Update on the Task Force on Commercial Activities in Intercollegiate Athletics.** The subcommittee received an update on work of the Task Force on Commercial Activities in Intercollegiate Athletics. The task force has been charged with developing broad-based, consistent principles that will be translated into NCAA legislation affecting all sports and all commercial activity associated with athletics, with a special emphasis on the two issues that led to the formation of the task force: the use of student-athlete likenesses, images and names and the environment of postseason football in the Division I Football Bowl Subdivision. Charged with submitting its recommendations to the Board by the end of the year, the group began its first meeting with a review of data, including revenue, corporate sponsors, number of contests and

number of promotions. Guidance for the review has been taken and will continue to be taken from the Presidential Task Force on the Future of Division I Intercollegiate Athletics, the NCAA Strategic Plan and current NCAA rules regarding amateurism and promotional activities.

c. **General Amateurism and Eligibility Form for International and Select Student-Athletes.** The subcommittee discussed the current legislative requirement for institutions to gather information regarding an international student-athlete's athletics background on this standardized form to assist in determining the amateur status of each international student-athlete. The subcommittee recommends the continued use of this form for the 2008-09 academic year. However, the subcommittee noted that with enhancements to the Eligibility Center's amateurism certification process, the form may no longer be necessary in future years and that the Division I Amateurism Cabinet will review whether the form will be necessary in the future.

d. **Transition to the Division I Amateurism Cabinet.** The subcommittee identified the following areas/topics to be transitioned and discussed within the Amateurism Cabinet:

(1) Discussion of Agents and Advisors Issues.

(2) Professional Sports Counseling Panels.

(3) General Amateurism and Eligibility Form for International and Select Student-Athletes.

(4) Bylaw 12 Educational Sessions for New Amateurism Cabinet Members.

(5) Discussion of Issues Related to the Receipt of Prize Money.

(6) The Use of Student-Athlete Likenesses and the Involvement of Student-Athletes in Promotional Activities.

Subcommittee Chair: Mike Rogers, Baylor University, Big 12 Conference
Staff Liaison(s): Angie Cretors, Agent, Gambling and Amateurism Activities
Jobrina Perez, Membership Services

REPORT OF THE FEBRUARY 12, 2008
NCAA DIVISION I ACADEMICS/ELIGIBILITY/COMPLIANCE CABINET
SUBCOMMITTEE ON AGENTS AND AMATEURISM

1. *ACTION ITEMS*

- None.

2. *INFORMATIONAL ITEMS.*

a. **Amateurism Certification Process Update.** The NCAA Eligibility Center (EC) staff provided an update regarding the amateurism certification process. The EC staff intends to create a friendlier process for completing the amateurism certification questionnaire. The subcommittee encouraged the EC staff to include Student-Athlete Advisory Committee (SAAC) members and international student-athletes in its focus groups to aid in the process. In addition, the EC staff noted some confusion among the membership regarding the sports to which the amateurism certification process applies and whether the amateurism certification process applies to male students who only practice with a women's team (or vice versa). The subcommittee confirmed that the EC should continue its policy to certify Division I sports for which the NCAA sponsors championships, Division I football and emerging sports, and also confirmed that it should not certify students who only practice with a team of the opposite gender. The EC staff also expressed its concern with prospective student-athletes' failure to register in a timely manner with the Eligibility Center and complete the amateurism certification questionnaire. The subcommittee met in conjunction with the NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Recruiting. The Subcommittee on Recruiting recommended the cabinet sponsor legislation for the 2008-09 legislative cycle to require a prospective student-athlete to complete the amateurism questionnaire prior to his or her official visit. The Subcommittee on Agents and Amateurism supports the recommendation.

b. **Agent/Advisor Discussion.** The subcommittee discussed the role that agents and advisors have with prospective and current student-athletes. The staff provided information on growing trends and issues involving the sports of men's basketball, football, baseball and men's ice hockey. The subcommittee plans to continue its work regarding agents and advisors during the June meeting and suggested that this item be transitioned to the new Division I Amateurism Cabinet.

c. **Update on Student-Athlete Likeness Legislation.** The staff provided an update on the status of NCAA Proposal Nos. 2007-25, 2007-26 and 2007-28, which the cabinet sponsored in June. The Division I Management Council tabled the proposals at their January meeting pending the review by a presidential task force of issues related to commercialism in intercollegiate athletics and the use of student-athlete likenesses.

d. **Compliance Forms.** The subcommittee reviewed the General Amateurism and Eligibility Form for International and Select Student-Athletes and discussed whether the form is still necessary or whether the form should be modified based on the amateurism certification process questionnaire. The subcommittee agreed to discuss this issue further at the June meeting.

Subcommittee Chair: Mike Rogers, Baylor University, Big 12 Conference
Staff Liaison(s): Angie Cretors, Agent, Gambling and Amateurism Activities
Jobrina Perez, Membership Services

REPORT OF THE SEPTEMBER 11, 2007
NCAA DIVISION I ACADEMICS/ELIGIBILITY/COMPLIANCE CABINET
SUBCOMMITTEE ON AGENTS AND AMATEURISM

1. ACTION ITEM

a. Individual Legislative Items.

(1) NCAA Proposal No. 2007-23 -- Amateurism -- Exceptions To Amateurism Rule -- Prize Money Prior To Full-Time Collegiate Enrollment -- Tennis.

(a) Recommendation. The subcommittee recommends the cabinet oppose NCAA Proposal No. 2007-23, which would, in tennis, specify that prior to full-time collegiate enrollment an individual may accept prize money based on his or her place finish or performance in open athletics events, not to exceed $10,000 per calendar year and would further specify that once the individual has reached the $10,000 limit, he or she may receive additional prize money on a per event basis, provided such prize money does not exceed his or her actual and necessary expenses for participation in the event. The subcommittee recommends the cabinet request that the sponsor modify Proposal No. 2007-23 to eliminate the provision that would allow an individual to receive additional prize money after he or she has received $10,000 in prize money during a particular calendar year. Further, the subcommittee recommends that in the event the sponsor does not accept the cabinet's recommended modification, the cabinet sponsor an alternative proposal.

(b) Rationale. The subcommittee supports permitting individuals, prior to full-time collegiate enrollment, to receive a maximum of $10,000 in prize money per calendar year to cover expenses related to their competition. Tennis is a sport that requires significant financial backing for travel, equipment and tournament fees. During a season, young tennis players rarely receive prize money over and above their expenses. Permitting prospective student-athletes to accept up to $10,000 in prize money recognizes the reality of the sport without compromising an individual's amateur status. Further, not requiring extensive documentation for the acceptance of prize money lessens the administrative burden on the institution's compliance staff.

2. *INFORMATIONAL ITEMS.*

a. **Proposal No. 2007-60 – Criteria For Determining Season of Eligibility – Tennis – Time Period Prior to Enrollment And Residence Requirement.** The subcommittee supports Proposal No. 2007-60, which, in tennis, would specify that a student-athlete who does not enroll in a collegiate institution as a full-time student prior to or during the institution's second regular academic term following graduation shall be charged with a season of intercollegiate tennis eligibility for each calendar year after the graduation date of the student-athlete's high school class and prior to full-time collegiate enrollment during which the student-athlete has participated in organized tennis events and shall fulfill one academic year in residence at the certifying institution for each calendar year after the graduation date of the student-athlete's high school class during which the student-athlete has engaged in organized tennis events. This proposal, in conjunction with Proposal No. 2007-23, limits the period of time during which an individual may accept prize money prior to enrollment. Further, this proposal encourages a prospective student-athlete to enroll at an earlier age and begin their academic career sooner. The original tennis legislation was the result of an eligibility survey conducted by the Intercollegiate Tennis Association (ITA) and was intended to eliminate some of the inequities in tennis and encourage student-athletes to matriculate in a timely manner. After observing the actual results of the legislation for 10 years, the ITA now believes that the legislation should be further refined in order for it to fully meet the original purposes.

b. **Amateurism Certification Update.** The NCAA Eligibility Center staff provided an update on the status of the amateurism certification process and the Eligibility Center. To date, the amateurism certification process has been well received. Of particular note is the fact that many institutions are embracing the shared responsibility concept of the process.

c. **Agent Information and Outreach.** The staff provided an update on new agent educational initiatives that have been distributed to the membership. The staff also alerted the subcommittee to recent discussions with the baseball agent/advisor community.

d. **Major League Baseball Draft.** At the direction of the NCAA Division I Board of Directors, the subcommittee discussed whether a change in the time of the Major League Baseball (MLB) draft would be prudent and/or possible. The membership has expressed some concern that student-athletes are being influenced and distracted by the draft occurring during the NCAA Division I baseball postseason. The

subcommittee submits that a possible avenue to pursue is to suggest to MLB that the draft not occur on dates on which NCAA postseason competition is scheduled to occur.

e. **Promotional Activities Update.** The staff provided an update on the status of the Proposal Nos. 2007-25, 2007-26 and 2007-28, which the cabinet sponsored in June. The staff worked with members of the subcommittee and the NCAA Working Group on the Use of Student-Athlete Names and Likenesses to develop a Web cast, which explains the background and intended application of the proposals. The Web cast is available on www.ncaa.org. The staff presented feedback received to date from a survey available after viewing the Web cast.

Subcommittee Chair: Mike Rogers, Baylor University, Big 12 Conference
Staff Liaison(s): Angie Cretors, Agents, Gambling and Amateurism Activities
Jennifer Henderson, Membership Services

REPORT OF THE JUNE 12, 2007,
NCAA DIVISION I ACADEMICS/ELIGIBILITY/COMPLIANCE CABINET
SUBCOMMITTEE ON AGENTS AND AMATEURISM

1. ACTION ITEMS.

- **Individual Legislative Items.**

a. NCAA Division I Bylaw 12.5.1 – Amateurism – Permissible Promotional Activities – Co-sponsorship of Commercial Entity.

(1) Recommendation. The subcommittee recommends that the cabinet sponsor legislation to amend Bylaw 12.5.1. Specifically, the subcommittee recommends that Bylaw 12.5.1.1 be amended to specify that a permissible promotional activity may involve co-sponsorship by a commercial entity, as approved by the institution, subject to the following conditions:

(a) The promotion must identify (e.g., via graphics, voice over, text) the commercial entity and explain its affiliation with the institution, conference or noninstitutional charitable, educational or nonprofit agency (e.g., entity is the official sponsor of the institution or event);

(b) The promotion may not include language or action (e.g. voice-over, use of product of services, product placement, text) which directly encourages the use or purchase of a commercial product or service;

(c) A co-sponsor's product or service may not be included in the promotional activity, except for the normal use of athletics equipment and apparel; and

(d) The promotion may not include co-sponsorship by a commercial agency that is involved in or promotes sports wagering activities.

The subcommittee also recommends the elimination of the requirement that all moneys derived from an activity go directly to the institution or conference or to the charitable, educational or nonprofit agency. In addition, the subcommittee recommends that Bylaw 12.5.1.1.2 be amended to allow promotional activities to occur at the location of a commercial establishment, which may be a cosponsor of the activity, provided the student-athlete does not promote the sale of a commercial product or service in conjunction with the fundraising activity. Finally, the subcommittee recommends that Bylaw 12.5.1.8 be amended to allow photographs of student-athletes to be sold in the same manner as is currently permissible for highlight videos and media guides.

(2) Rationale. The elimination of the requirement that the appearance of a commercial co-sponsor be limited to the reproduction of the sponsoring company's officially registered regular trademark or logo does not open the door to elaborate advertisements. It simply deregulates an outdated and often confusing standard. The current legislation addresses this limitation in the context of printed items. Interpretations were necessary to extend the limitation to other media. The key is the requirement that the relationship between the institution and the commercial cosponsor is explained in the promotional activity. It is important that the relationship or affiliation of the commercial co-sponsors with the institution, conference or noninstitutional charitable, education or nonprofit entity be explained as a part of the promotional activity. In activities that have multiple commercial co-sponsors, a common relationship or affiliation does not have to be explained separately for each commercial co-sponsor. The product or service of a cosponsor may not be included in the promotional activity, except for the normal use of athletics equipment and apparel. Athletics apparel and equipment manufacturers that support an institution's athletics program should be allowed to be recognized as sponsors when the apparel or equipment is in normal use in an athletics context.

(3) Effective Date. August 1, 2008.

(4) Budget Impact. None.

(5) Impact on Student-Athlete's Time. None.

b. Bylaws 12.5.1 and 12.5.2 – Amateurism – Permissible and Nonpermissible Promotional Activities – Competition Video, Audio Footage or Photographs.

(1) Recommendation. The subcommittee recommends that the cabinet sponsor legislation to amend Bylaws 12.5.1 and 12.5.2 to specify that an advertisement or promotion by a commercial entity (except for any entity that is involved in or promotes sports wagering) may feature competition video footage, competition audio or competition photographs involving a student-athlete with eligibility remaining, provided the following conditions are met:

(a) The advertisement or promotion must be approved by the institution's athletics director (or his or her designee who may not be a coaching staff member);

(b) The advertisement or promotion must identify (e.g., via graphics, voice over, text) the commercial entity and explain its affiliation with the institution, conference or the NCAA (e.g., entity is the official sponsor of the institution or event); and

(c) Any language or action (e.g., voice over, use of product or service, text) included in the advertisement or promotion which directly encourages the use or purchase of a commercial product or service of the commercial entity may not be attributable to or made by the student-athletes, institution, conference or the NCAA.

(2) Rationale. This proposal addresses the appearance of the name, image or likeness of student-athletes in commercial advertisements or promotions by sponsors with whom institutions, conferences or the NCAA have an affiliation. The proposal was developed in the spirit of balancing the importance of commercial sponsors in maintaining a comprehensive athletics program and the importance of protecting student-athletes from being exploited by commercial entities. The appearance of student-athletes' names, pictures or likenesses in competition video footage, audio or pictures does not create a direct endorsement of commercial products or services. The ability to allow such advertisements or promotions provides an institution, conference or NCAA the flexibility of determining the manifestation of its relationship with commercial entities. Further, the increased flexibility may increase the ability of an institution (or conference or NCAA) to strengthen its relationship with commercial sponsors and increase the ability of institutions to support a comprehensive athletics program or the programming of the conference and NCAA. The importance of limiting the use of student-athletes' names, pictures or likenesses to competition footage, audio, or photographs is that it helps protect student-athletes' time and prevents direct endorsements by student-athletes.

(3) Effective Date. August 1, 2008.

(4) Budget Impact. Potential for increased revenue.

(5) Impact on Student-Athlete's Time. None.

c. Bylaw 12.5.3 Amateurism – Promotional Activities – Media Activities – Use of Student-Athlete's Name, Image or Likeness for Promotion of Coverage.

(1) Recommendation. The subcommittee recommends that the cabinet sponsor legislation to amend Bylaw 12.5.3 to specify that a media entity, or its authorized distributor, may feature a student-athlete's name, image or likeness in promotions of its coverage of intercollegiate contests or events in which the student-athlete's institution will or may participate, or has previously participated. Use of a student-athlete's name, image or likeness in such promotions shall be limited to competition video footage, competition audio or competition photographs. Media entities may feature a student-athlete's name, image, or likeness in the course of their journalistic coverage of news (and the promotion of such coverage) concerning the student-athlete or his or her institution or conference or the NCAA.

(2) Rationale. With the growth of media entities and their coverage of intercollegiate athletics events, it is important to clarify the permissible use of student-athletes' names, pictures or likenesses in such promotions. This proposal does not significantly change the current standard, but codifies the typical manner in which the broadcasts of intercollegiate contests or events may be promoted using the names, likenesses and photographs of student-athletes with eligibility remaining. The restriction of the use of student-athletes' names, pictures or likenesses to competition video footage, competition audio or competition photographs provides that no additional student-athlete time will be spent in these promotional activities. It should be noted that it will remain permissible for news media to use the name and likeness of a student-athlete in the context of promoting its coverage of an event, story or interview involving the student-athlete. Such use of a student-athlete's name or likeness has traditionally been considered to be informational and not intended to promote the use of the news media's products or services. Additional student-athlete involvement in media activities, such as in-game interviews or stories remains permissible and is specifically addressed in Bylaw 12.5.3.

(3) Effective Date. August 1, 2008.

(4) Budget Impact. None.

(5) Impact on Student-Athlete's Time. None.

d. Bylaw 12.1.2.4.1 – Amateurism – Exceptions to Amateurism Rule – Exception for Prize Money Prior to Full-Time Collegiate Enrollment – Tennis – Unlimited Prize Money.

(1) Recommendation. The subcommittee recommends the cabinet sponsor legislation to amend Bylaw 12.1.2.4.1 to permit, in tennis, prior to collegiate enrollment, an individual to accept unlimited prize money based on his or her place finish or performance in an open athletics event.

(2) Rationale. Current NCAA legislation limits the amount of prize money that may be accepted by an individual prior to collegiate enrollment to actual and necessary expenses. Permitting individuals, in tennis, to accept unlimited prize money prior to collegiate enrollment has three key benefits. First, according to the Intercollegiate Tennis Association (ITA), the top junior tennis player, if allowed to keep unlimited prize money, would seldom exceed $6,000 per year for at top male player and $1,000 a year for a top female player. As a result, the potential for abuse is very limited due to the fact that most individuals would receive less than their expenses for participating in the events. Second, most top junior tennis players travel extensively to compete. No current legislation exists to allow participants in individual sports, such as tennis, to receive assistance to pay for the expenses incurred while traveling to compete. However, legislation does exist for team sports to receive sponsorships and financial assistance to pay the cost for teams (e.g., nonscholastic teams) to travel extensively. Finally, in most international tennis tournaments, prize money is awarded based on place finish. It is not realistic to require participants or international tournament operators, to administer their events so as to comply with NCAA rules.

(3) Effective Date: August 1, 2008; applicable to student-athletes who initially enroll full-time at a collegiate on or after August 1, 2008.

(4) Budget Impact. None.

(5) Impact on Student-Athlete's Time. None.

e. **Bylaw 14.2.3.2 Eligibility – Seasons of Competition – Criteria for Determining Season of Eligibility – Tennis – Second Regular Academic Term.**

(1) Recommendation. The subcommittee recommends the cabinet sponsor legislation to amend Bylaw 14.2.3.2, to specify in tennis, that an individual who does not enroll in a collegiate institution as a full-time student prior to the second regular academic term following the date upon which the individual's high school class normally graduates, shall utilize a season of intercollegiate competition for each calendar year in which the individual has participated in organized tennis. [Note: This recommendation is contingent on the cabinet supporting the recommendation which would permit, in tennis, prior to collegiate enrollment, an individual to accept unlimited prize money based on his or her place finish or performance in an open athletics event (reference report letter (d).

(2) Rationale. Current legislation requires that after the high school graduation date of the student-athlete's class, a student-athlete shall have one year to be immediately eligible and retain the opportunity of four seasons of competition on initial, full-time collegiate enrollment. Reducing this period of time would further emphasize the importance of an academic continuum, help ensure that all enrolled student-athletes have relatively similar competitive opportunities, based on age and experience prior to collegiate enrollment, and reduce the window of time that individuals may accept unlimited prize money.

(3) Effective Date. August 1, 2008; applicable to student-athletes who initially enroll full-time at a collegiate on or after August 1, 2008.

(4) Budget Impact. None.

(5) Impact on Student-Athlete's Time. None.

f. **Bylaws 12.1.2-(e) and 12.2.3.2 – Amateurism – Amateur Status – Competing on Professional Teams – Tennis.**

(1) Recommendation. The subcommittee recommends the cabinet sponsor legislation to amend Bylaws 12.1.2-(e) and 12.2.3.2 to permit, in tennis, a student-athlete, prior to full-time collegiate enrollment, to compete on a professional team, provided the student-athlete does not receive pay or remuneration in excess of actual and necessary expenses.

(2) Rationale. Currently, NCAA legislation allows an individual, prior to enrollment, to compete on a doubles tennis team with a professional who is competing for cash or a comparable prize, provided the individual does not receive payment of any kind for such participation. However, if an individual is a member of the same tennis team as a professional player (even though the individual and the professional play on different courts); the individual's eligibility will be affected since they are members of the same team. Revising the current rule would alleviate the situation where an individual's eligibility status is jeopardized due to a teammate receiving remuneration above actual and necessary expenses even though the individual is unaware of this arrangement.

(3) Effective Date: August 1, 2008; applicable to student-athletes who initially enroll full-time at a collegiate on or after August 1, 2008.

(4) Budget Impact. None.

(5) Impact on Student-Athlete's Time: None.

g. Bylaw 12.1.2.1.3.1 – Amateurism – Educational Expenses – Prior to Collegiate Enrollment.

(1) Recommendation. The subcommittee recommends the cabinet sponsor legislation to amend Bylaw 12.1.2.1.3.1, to permit prospective student-athletes to receive educational expenses relating to tutoring, standardized testing preparatory classes from any individual or entity other than an agent, professional sports teams/organization or a representative of an institution's athletics interests, provided such expense are disbursed directly to the individual, organization or educational institution providing the service.

(2) Rationale. Current NCAA legislation limits a prospective student-athlete to receiving tuition, fees, room and board, and books prior to collegiate enrollment from any individual or entity other than an agent, professional sports team/organization or representative of an institution's athletics interests under specified disbursement conditions. Expanding the permissible educational expenses permitted prior to collegiate enrollment beyond tuition, fees, room and board and books will allow prospective student-athletes to

receive expenses for tutoring and preparatory classes. These expenses assist in preparing students for the rigors of a four-year college education. Finally, this proposal is consistent with the student-first philosophy.

(3) Effective Date. Immediate.

(4) Budget Impact. None.

(5) Impact on Student-Athlete's Time. None.

2. *INFORMATIONAL ITEMS.*

a. **Amateurism-Certification Process Update**. The staff provided an update on the status of the amateurism-certification process and the NCAA Eligibility Center. To date, the amateurism certification process has been well-received. Many institutions are embracing the shared responsibility of the process. Since the amateurism certification process began this academic year, the amateurism certification staff has reviewed and closed approximately 125,000 cases.

b. **NBA Pre-Draft Camp and Draft/Tryout Issues**. The staff provided an update on the recent NBA Pre-Draft Camp and discussions that occurred between NCAA staff and NBA representatives. The group reviewed the NCAA memorandum that was sent to all institutions explaining NCAA legislation pertaining to professional team tryouts and inclusion into a professional draft.

c. **National Football League Players Association (NFLPA) Agent/Advisor Regulations.** The staff provided an update to the subcommittee on the recent changes to the NFLPA agent regulations. Per the new regulations, NFLPA certified agents are not permitted to have contact with players not eligible for the NFL draft. The NFL rule states that a player must be three years removed from high school.

d. **Post-Enrollment Issues Surrounding Prize Money Based on Performance and Competition on a Professional Team – Tennis.** At a future cabinet meeting, the subcommittee plans to engage the cabinet in a discussion relating to currently enrolled student-athletes, in tennis, being permitted to receive prize money based the individual's place finish or performance and participating on a professional team. This concept would potentially reduce confusion that exists with tournament directors and participants since

prospective student-athletes are allowed to accept prize money based on place finish or performance but current student-athletes are not afforded this opportunity. In addition, current NCAA legislation limits a student-athlete to receive actual and necessary expenses from the nonprofessional organization that is sponsoring the competition on a per-event basis; however, the expense may not be conditioned on the student-athlete's place finish or performance in the event. The subcommittee plans to engage the cabinet in this discussion at the September or February meeting.

e. **United States Golf Association (USGA) Recommendations.** The subcommittee reviewed information received from the USGA regarding its own governing regulations that permit prospective student-athletes to receive financial assistance for reasonable expenses not exceeding actual expenses incurred to play in a golf competition or exhibition. Examples of permissible sources would be family, friends and local businesses. The subcommittee discussed this recommendation and did not believe that any legislative proposals were warranted at this time.

f. **International student-athlete certification for eligibility form.** The subcommittee discussed the current legislative requirement for institutions to gather information regarding an international student-athlete's athletics background on this standardized form to assist in determining the amateur status of each international student-athlete. The subcommittee recommends the continued use of this form and made necessary changes for use in the 2007-08 academic year.

Committee Chair: Mike Rogers, Baylor University, Big 12 Conference
Staff Liaison(s): Angie Cretors, Agents, Gambling and Amateurism Activities
Jennifer Henderson, Membership Services

REPORT OF THE
NCAA DIVISION I ACADEMICS/ELIGIBILITY/COMPLIANCE CABINET SUBCOMMITTEE ON AGENTS AND AMATEURISM

1. *ACTION ITEMS.*

Nonlegislative Items.

a. Nomination for Chair of the NCAA Division I Amateurism Fact-Finding Committee.

(1) Recommendation. The NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Agents and Amateurism recommends Chandra Bierwirth, George Washington University, be appointed as the chair of the NCAA Division I Amateurism Fact-Finding Committee.

(2) Rationale. The subcommittee considered the background and experience of the recommended appointee as well as her expressed interest in serving as the chair.

(3) Effective Date. Immediate.

(4) Budget Impact. None.

b. Nominations for the Amateurism Fact-Finding Committee.

(1) Recommendation. The subcommittee recommends the following individuals be reappointed for an additional term to the committee:

(a) Valerie Sheley, University of South Carolina, Columbia.

(b) Heather Lyke Catalano, Ohio State University.

(c) Julie Lessiter, Northwestern State University.

(d) Stan Williamson, Campbell University.

(2) Rationale. The subcommittee considered the background and experience of the recommended appointees as well as the overall committee composition and current role of the appointees. Due to the staggering of initial terms with the committee, the reappointments are necessary to maintain some continuity and consistency within the committee membership.

(3) Effective Date. Immediate.

(4) Budget Impact. None.

c. **Amateurism Fact-Finding – Procedures for Determination of Fact – Review via Conference Call.**

(1) Recommendation. The subcommittee recommends the cabinet approve changes to the NCAA Division I amateurism fact-finding policies and procedures manual regarding the review of a case via conference call, as outlined below.

- The committee members may discuss a case via conference call, if necessary, to reach a decision. Such conference call would occur at the request of any of the committee members. In addition, the purpose of the call is to discuss the case and not to gather additional information and, therefore, the NCAA amateurism certification process staff, the prospective student-athlete and/or the institution(s) involved may not participate on the call.

(2) Rationale. The subcommittee noted that permitting a committee member to request a conference call would provide the necessary flexibility to discuss a case that requires deliberation by the full committee and is difficult to decide solely on information contained within the written record. It should be noted that current policy provides the committee chair the authority to request a conference call in those instances in which the presence of the prospective student-athlete and/or the institution(s) involved would be beneficial for the discussion and resolution of the case.

(3) Effective Date. Immediate.

(4) Budget Impact. None.

2. ***INFORMATIONAL ITEMS.***

a. **Discussion on Agents and Advisors.** The subcommittee discussed the status of amateurism-related proposals reviewed by the NCAA Division I Management Council and NCAA Division I Board of Directors in January. The Management Council's referred NCAA Proposal No. 2006-26 back to the subcommittee. Therefore, the subcommittee agreed to continue to research the role advisors play

with prospective and enrolled student-athletes to determine if legislative recommendations are necessary. In addition, the staff noted that the issue of agents and outside influences was an item identified by the NCAA Division I Presidential Task Force on the Future of Division I Intercollegiate Athletics. The subcommittee also agreed to gather additional information and feedback regarding professional sports counseling panels and how institutions implement and utilize these panels to provide advice and support to their student-athletes.

b. **Amateurism Certification Process Update.** The subcommittee received a presentation from Todd Leyden, president of the NCAA Eligibility Center, on the creation of the eligibility center that will bring the initial-eligibility and amateurism certification functions together. Mr. Leyden also addressed the status of the amateurism certification process and the work that is being done by the staff to provide timely certifications for the 2007 fall class.

c. **Update on Amateurism Issues Related to Individual Sports.** The staff provided an update on recent discussions regarding amateurism issues that could impact individual sports.

(1) Golf Issues. The staff reported on information received from the Golf Coaches Association of America, the National Golf Coaches of America and the United States Golf Association regarding those Association's regulations on amateurism principles such as receipt of expenses related to practice and/or competition.

(2) Tennis Issues. The subcommittee received presentations from David Benjamin, executive director of the Intercollegiate Tennis Association, as well as several Division I tennis coaches and student-athletes related to amateurism issues. Specifically, issues involving receipt of prize money, professional team participation and organized competition prior to collegiate enrollment were identified as issues warranting further discussion.

Additionally, the subcommittee engaged in a general discussion regarding amateurism principles. It was noted that separately addressing individual sport issues may not be the most effective or efficient method to examine this issue that affects a core principle of the Association and division. Therefore, the subcommittee agreed to gather additional information and feedback and encouraged the Management Council to provide direction as to whether this broad review is warranted.

d. **Pre-enrollment Academic Oriented Expenses.** The subcommittee reviewed current legislation relating to permissible educational expenses prior to collegiate enrollment and discussed other academic preparatory expenses that are currently not permitted. The subcommittee specifically identified the issue of preparatory classes for the SAT and ACT tests, as well as Princeton Review courses as a topic to further discuss at the June meeting.

Committee Chair (Interim): Mike Rogers, Baylor University, Big XII Conference
Staff Liaison(s): Angie Cretors, Agents, Gambling and Amateurism Activities
Maritza Jones, Membership Services

Division I Amateurism

Amateurism Cabinet Meeting
September 23-24, 2008
Indianapolis, Indiana

Overview

- Definition of a Professional Team.
- Contracts and other Written Commitments.
- Prohibited Forms of Pay.
- Agents and Advisors.

2

Principle of Amateurism

- NCAA Constitution 2.9:

  Student-athletes shall be amateurs in an intercollegiate sport, and their participation should be motivated primarily by education and by the physical, mental and social benefits to be derived. Student participation in intercollegiate athletics is an avocation, and student-athletes should be protected from exploitation by professional and commercial enterprises.

3

Bylaw 12.1.2
Amateur Status

- Individual loses amateur status if:
  - Paid for athletics skill.
  - Accepts promise of pay.
  - Signs contract or commitment with professional team or to be paid.
  - Receives salary or reimbursement of expenses from pro team.
  - Competes on a pro team.
  - Enters into an agreement with an agent.
  - Subsequent to enrollment, enters a pro draft (exceptions may apply).

4

NCAA Bylaw 12.1.2
Amateur Status

Professional Team Involvement

Bylaw 12.02.4
Amateurism - Professional Team

- A professional team is an organized team that declares itself to be a professional team or provides **ANY** of its players more than actual and necessary expenses.

6

Bylaw 12.02.4

Specified Actual and Necessary Expenses

- Meals and lodging directly tied to competition or practice held in preparation for competition.
- Apparel, equipment and supplies.
- Coaching and instruction.
- Health/medical insurance.
- Transportation related to practice or competition.
- Medical treatment and physical therapy.
- Facility usage.
- Entry fees.
- Other reasonable expenses.

7

Other Reasonable Expenses Incidental to Participation

(NCAA Proposal No. 2002-49)

- Proposal No. 2002-49 added "other reasonable expenses incidental to participation" language.
  - Prior to the adoption of Proposal No. 2002-49, any team that provided an expense not listed as an actual and necessary expense under the definition of a professional team was considered a professional team.
- The intent of the Proposal No. 2002-49 was to clarify that only teams providing substantial funding to its team members, not merely reasonable expense money, should be classified as professional.

8

Other Reasonable Expenses

(Proposal No. 2004-150)

- Proposal No. 2004-150 removed "incidental to participation" language.
  - Prior to Proposal No. 2004-150, confusion arose as to whether reasonable expenses unrelated to participation would be appropriate under the legislation.
- This amendment clarified the definition of actual and necessary expenses and allowed interpretive flexibility to permit a less bureaucratic application of the rule.

9

Bylaws 12.1.2-(c) and 12.2.5

Contracts and other Written Commitments to Play Professional Athletics

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Bylaw 12.2.5
Contracts and Compensation

- An individual shall be ineligible for participation in an intercollegiate sport if:
  - Entered into any kind of agreement to compete in professional athletics, either orally or in writing.
  - Legal enforceability of agreement irrelevant.

11

Bylaw 12.1.2-(c)
Professional Contract or Commitment

- Did the individual sign a contract *or* commitment of any kind to play professional athletics, regardless of its legal enforceability or any consideration received?
  - Does the commitment clearly indicate that it is to play professionally?
  - May require analysis of team under Bylaw 12.02.4.

12

Case Study No. 1

- Marko, a prospective student-athlete, signs a contract to play basketball for a European athletics club which has both amateur and professional teams.
- Marko signs a contract which declares he will receive actual and necessary expenses for involvement with any of the club's teams.

13

Case Study No. 1

- Marko played the entire season for one of the club's amateur teams with the exception of one contest for which he played a total of two minutes on one of the club's professional teams.
- Marko received only actual and necessary expenses for his participation on both the amateur and professional teams.

14

Case Study No. 1

Has Marko jeopardized his amateur status?

Yes.
Signed a contract with a professional team.
Competed on professional team.
Received expenses from a professional team.

Official interpretation: [Reference: 11/16/05, Item No. 1]

15

Case Study No. 2

- Maria, a foreign prospective student-athlete in the sport of soccer, signed a license application with a professional soccer club.
- All members of the team are required to sign a license application in order to represent the team in competition.
- After signing the license application, the player is not able to compete for another team without being granted a release from their team.
- Maria did not sign a separate contract with the club.

16

Case Study No. 2

Has Maria jeopardized her amateur status?

Yes, the license application represents a written commitment to play professional athletics.

The fact that Maria did not sign a traditional contract may serve as mitigation in the reinstatement process.

17

Bylaw 12.1.2.1
Prohibited Forms of Pay

Review of Selected Bylaws

Bylaw 12.1.2.1.4.3
Expenses from Outside Team or Organization

- Expenses received from an outside amateur sports team or organization *may not exceed* actual and necessary travel, room and board expenses, and apparel and equipment *for competition and practice held in preparation for such competition.*

19

Bylaw 12.1.2.1.4.3
Expenses from Outside Team or Organization

Questions to Ask:

- Are the expenses limited to travel, room and board, apparel and equipment?
- Are the expenses tied directly to competition or practice in preparation for competition?

20

Bylaw 12.1.2.1.4.5
Expenses from Sponsor other than Parent or Nonprofessional Sponsor of Event

- Prohibits the receipt of expenses to participate in athletics competition (while not representing an educational institution) from:
  - A sponsor *other than* an individual upon whom the athlete is naturally or legally dependent, or;
  - Nonprofessional organization that is sponsoring the competition.

21

Expenses from Sponsor other than Parent or Nonprofessional Sponsor of Event

Fundraising Issues:

- Was the money raised placed into the team's general fund?
- Was the money raised designated specifically for one individual's use?
- Is the individual permitted to participate even if he or she does not raise the minimum amount?

22

Case Study No. 3

- Suzy participated in a golf tournament.
- A local business donated $300 to the golf team that Suzy represented in the competition.
- The golf team used the funds to cover the team's expenses to attend the championship.

23

Case Study No. 3

Has Suzy jeopardized her eligibility in golf?

No. The money was used to cover the team's (including Suzy's) actual and necessary expenses for travel, room and board, apparel and equipment.

24

Case Study No. 4

- Moby participated in a golf tournament.
- Moby's neighbor donated $500 to the state golf association earmarked specifically for Moby to cover his expenses to attend the tournament.
- The state golf association (who is not a sponsor of the golf tournament) provided the funds to Moby, who used the money to cover a portion of his expenses for participation in the tournament.

25

Case Study No. 4

Has Moby jeopardized his eligibility in golf?

Yes. Although the amount received does not exceed actual and necessary expenses, the payment was specifically earmarked for Moby from an impermissible source.

Educational column: [Reference: 5/3/07]

26

Bylaw 12.1.2.1.5

Payment Based on Performance

- Impermissible to receive any payment, including actual and necessary expenses:
  - Conditioned on the individual's or team's place finish or performance, or;
  - Given on an incentive basis, or;
  - Receipt of expenses in excess of the same reasonable amount for permissible expenses given to all individuals or team members involved in the competition.

27

Case Study No. 5

- Kim (current student-athlete) participated in an open tennis tournament sponsored by a nonprofessional organization in which prize money was awarded based on place of finish provided the participant advanced to at least the second round of the event.
- Kim remained in the event for two days and reached the second round. Kim qualified for $750 cash based on her place finish in the event.
- Kim's actual and necessary expenses (travel, room and board) were $1,000.
- The nonprofessional organization sponsoring the competition allowed Kim to keep the $750 in prize money to help defray some of her actual and necessary expenses.

28

Case Study No. 5

Has Kim jeopardized her amateur status in tennis?

Yes, Kim accepted pay in the form of a cash award based on her athletics skill.

Money is based on advancement to the second round of the tournament and would constitute payment based on performance.

Regardless of whether amount exceeds actual and necessary expenses.

29

Bylaw 12.1.2.4.1

Prize Money Prior to Full-Time Collegiate Enrollment

- Prior to collegiate enrollment, an individual may accept prize money based on place finish or performance in an open athletics event (an event that is not invitation only).
  - Such prize money may not exceed actual and necessary expenses, and;
  - May be provided only by the sponsor of the open event.

30

Bylaw 12.3

Agents

Bylaw 12.3.1
General Rule

- Has the individual ever agreed (orally or in writing) to be represented by an agent for the purpose of marketing his or her athletics ability or reputation in that sport?
- If so, individual is ineligible for intercollegiate participation in that sport.

32

Bylaw 12.3.1.1
Representation for Future Negotiations

- An individual shall be ineligible per Bylaw 12.3.1 if he or she enters into a verbal or written agreement with an agent for representation in future professional sports negotiations that are to take place after the individual has completed his or her eligibility in that sport.

33

Bylaw 12.3.2

Legal Counsel

- Permissible to secure advice from a lawyer (agent) concerning a proposed professional contract, unless the agent also represents the prospect in contract negotiations.
- Agent may not:
  - Be present during contract discussions with professional organization, or;
  - Have any direct contact (including by phone or mail) with a professional sports organization on behalf of the prospect.
- Agent's presence during such discussions would trigger Bylaw 12.3.1.

34

Remember!

- Even if an individual takes advantage of permissive legislation and secures advice from an agent, the prospect must pay going rate that is charged for those services.

35

Case Study No. 6

- Matt, a baseball student-athlete, used the services of an advisor/agent to gather information about the Major League Baseball draft (e.g., the prospect's draft status, approximate value of contracts in various rounds of draft).

36

Case Study No. 6

- Matt and the advisor/agent had an oral agreement that he would be represented by the advisor/agent in the event he were to be drafted by a professional team.
- Matt was not drafted by any professional team.

37

Use of Agents
Case Study

Has Matt jeopardized his amateur status in the sport of baseball?

Yes, Matt entered into a verbal agreement with the advisor/agent for future representation.

Does not matter that contingency (i.e., Matt getting drafted) did not occur.

38

Questions?

39

BYLAW, ARTICLE 12

Amateurism

12.01 General Principles 61
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12.01 GENERAL PRINCIPLES

12.01.1 Eligibility for Intercollegiate Athletics. Only an amateur student-athlete is eligible for intercollegiate athletics participation in a particular sport.

12.01.2 Clear Line of Demarcation. Member institutions' athletics programs are designed to be an integral part of the educational program. The student-athlete is considered an integral part of the student body, thus maintaining a clear line of demarcation between college athletics and professional sports.

12.01.3 "Individual" vs. "Student-Athlete." NCAA amateur status may be lost as a result of activities prior to enrollment in college. If NCAA rules specify that an "individual" may or may not participate in certain activities, this term refers to a person prior to and after enrollment in a member institution. If NCAA rules specify a "student-athlete," the legislation applies only to that person's activities after enrollment.

12.01.4 Permissible Grant-in-Aid. A grant-in-aid administered by an educational institution is not considered to be pay or the promise of pay for athletics skill, provided it does not exceed the financial aid limitations set by the Association's membership.

12.01.5 Compliance with Legislation for Emerging Sports. Beginning with the second year of the Association's identification of an emerging sport for women (see Bylaw 20.02.5), the institution shall comply fully in that program with all applicable amateurism legislation set forth in Bylaw 12. *(Adopted: 1/10/95; Revised: 2/24/03)*

12.02 DEFINITIONS AND APPLICATIONS

12.02.1 Individual. An individual, for purposes of this bylaw, is any person of any age without reference to enrollment in an educational institution or status as a student-athlete.

12.02.2 Pay. Pay is the receipt of funds, awards or benefits not permitted by the governing legislation of the Association for participation in athletics.

12.02.3 Professional Athlete. A professional athlete is one who receives any kind of payment, directly or indirectly, for athletics participation except as permitted by the governing legislation of the Association.

12.02.4 Professional Athletics Team. A professional team is any organized team that:

(a) Provides any of its players more than actual and necessary expenses for participation on the team, except as otherwise permitted by NCAA legislation. Actual and necessary expenses are limited to the following, provided the value of these items is commensurate with the fair market value in the locality of the player(s) and is not excessive in nature: *(Revised: 4/25/02 effective 8/1/02)*
  (1) Meals directly tied to competition and practice held in preparation for such competition;
  (2) Lodging directly tied to competition and practice held in preparation for such competition;
  (3) Apparel, equipment and supplies;
  (4) Coaching and instruction;
  (5) Health/medical insurance;
  (6) Transportation (expenses to and from practice competition, cost of transportation from home to training/practice site at the beginning of the season and from training/practice site to home at the end of season);
  (7) Medical treatment and physical therapy;
  (8) Facility usage; *(Revised: 4/24/03)*
  (9) Entry fees; and *(Revised: 4/24/03)*
  (10) Other reasonable expenses; or *(Adopted: 4/24/03; Revised: 10/28/04)*

(b) Declares itself to be professional (see Bylaw 12.2.3.2.4). *(Revised: 8/8/02)*

12.02.5 Student-Athlete. A student-athlete is a student whose enrollment was solicited by a member of the athletics staff or other representative of athletics interests with a view toward the student's ultimate participation in the intercollegiate athletics program. Any other student becomes a student-athlete only when the student reports for an intercollegiate squad that is under the jurisdiction of the athletics department, as specified in Constitution 3.2.4.5. A student is not deemed a student-athlete solely on the basis of prior high school athletics participation.

12.1 GENERAL REGULATIONS

An individual must comply with the following to retain amateur status. (See Bylaw 14 regarding the eligibility restoration process.)

12.1.1 Validity of Amateur Status. As a condition and obligation of membership, it is the responsibility of an institution to determine the validity of the information on which the amateur status of a prospective student-athlete (including two-year and four-year college transfers initially enrolling at an NCAA Division I institution) and student-athlete is based. (See Bylaw 14.01.3.) *(Adopted: 1/9/06 effective 8/1/06, for all final certifications for student-athletes initially enrolling at a Division I or Division II institution on or after 8/1/07, Revised: 1/8/07, 4/30/07)*

12.1.1.1 Amateurism Certification Process. An institution shall use an initial eligibility center approved by the Executive Committee to determine the validity of the information on which the amateur status of a student-athlete is based. *(Adopted: 1/9/06 effective 8/1/06, for final certifications for student-athletes initially enrolling at a Division I or Division II institution on or after 8/1/07, Revised: 4/30/07)*

12.1.1.1.1 Scope. The certification of amateur status issued by the NCAA Eligibility Center is limited to activities that occur prior to a prospective student-athlete's request for final amateurism certification or his or her initial full-time enrollment at an NCAA Division I or II institution, whichever occurs earlier. *(Adopted: 4/30/07)*

12.1.1.1.2 Institutional Responsibilities.

12.1.1.1.2.1 Amateur Status After Certification. An institution is responsible for certifying the amateur status of a prospective student-athlete (including two-year and four-year college transfers initially enrolling at an NCAA Division I institution) from the time he or she requests that a final certification be issued by the NCAA Eligibility Center or from the time he or she initially enrolls as a full-time student at an NCAA Division I or II institution (whichever occurs earlier). *(Adopted: 4/30/07)*

12.1.1.1.2.2 Sharing Information and Reporting Discrepancies. If an institution receives additional information or otherwise has cause to believe that a prospective student-athlete's amateur status has been jeopardized, the institution is responsible for promptly notifying the NCAA Eligibility Center of such information. Further, an institution is responsible for promptly reporting to the NCAA Eligibility Center all discrepancies in information related to a student-athlete's amateurism certification. *(Adopted: 4/30/07)*

12.1.1.1.3 Eligibility for Practice or Competition. Prior to engaging in practice or competition, a student-athlete shall receive a final certification of amateur status based on activities that occur prior to his or her request for final certification or initial full-time enrollment at an NCAA Division I or II institution (whichever occurs earlier). *(Adopted: 4/30/07)*

12.1.1.1.3.1 Temporary Certification—Recruited Student-Athlete. If a recruited prospective student-athlete reports for athletics participation before the student's amateur status has been certified, the student may practice, but not compete, for a maximum period of 14 days. After this period, the student shall have his or her amateur status certified to continue to practice or compete. *(Adopted: 1/9/06 effective 8/1/06, for all final certifications for student-athletes initially enrolling at a Division I or Division II institution on or after 8/1/07)*

12.1.1.1.3.2 Temporary Certification—Nonrecruited Student-Athlete. If a nonrecruited prospective student-athlete reports for athletics participation before the student's amateur status has been certified, the student may practice, but not compete, for a maximum period of 45 days. After this period, the student shall have had his or her amateur status certified to continue to practice or to compete. *(Adopted: 1/9/06 effective 8/1/06, for all final certifications for student-athletes initially enrolling at a Division I or Division II institution on or after 8/1/07)*

12.1.1.1.4 Eligibility for Practice After a Final Not Certified Certification. After a final not certified certification is rendered, a student-athlete may continue to engage in practice activities, provided the institution has submitted a notice of appeal. At the point in which all appeal opportunities have been exhausted and no eligibility has been granted, the student-athlete may no longer participate in practice activities. *(Adopted: 3/21/07)*

12.1.2 Amateur Status. An individual loses amateur status and thus shall not be eligible for intercollegiate competition in a particular sport if the individual:

(a) Uses his or her athletics skill (directly or indirectly) for pay in any form in that sport;

(b) Accepts a promise of pay even if such pay is to be received following completion of intercollegiate athletics participation;

(c) Signs a contract or commitment of any kind to play professional athletics, regardless of its legal enforceability or any consideration received;

(d) Receives, directly or indirectly, a salary, reimbursement of expenses or any other form of financial assistance from a professional sports organization based on athletics skill or participation, except as permitted by NCAA rules and regulations;

(e) Competes on any professional athletics team per Bylaw 12.02.4, even if no pay or remuneration for expenses was received; *(Revised: 4/25/02 effective 8/1/02)*

(f) After initial full-time collegiate enrollment, enters into a professional draft (see also Bylaws 12.2.4.2.1 and 12.2.4.2.3); or *(Revised: 4/25/02 effective 8/1/02, 4/24/03 effective 8/1/03 for student-athletes entering a collegiate institution on or after 8/1/03)*

(g) Enters into an agreement with an agent. *(Adopted: 4/25/02 effective 8/1/02)*

12.1.2.1 Prohibited Forms of Pay. "Pay," as used in Bylaw 12.1.2 above, includes, but is not limited to, the following:

12.1.2.1.1 Salary, Gratuity or Compensation. Any direct or indirect salary, gratuity or comparable compensation.

12.1.2.1.2 Division or Split of Surplus. Any division or split of surplus (bonuses, game receipts, etc.).

12.1.2.1.3 Educational Expenses. Educational expenses not permitted by the governing legislation of this Association (see Bylaw 15 regarding permissible financial aid to enrolled student-athletes).

12.1.2.1.3.1 Educational Expenses or Services—Prior to Collegiate Enrollment. A prospective student-athlete may receive educational expenses or services (e.g., tuition, fees, room and board, books, tutoring, standardized test preparatory classes) prior to collegiate enrollment from any individual or entity other than an agent, professional sports team/organization, member institution or a representative of an institution's athletics interests, provided the payment for such expenses or services is disbursed directly to the individual, organization or educational institution (e.g., high school, preparatory school) providing the educational expense or service. *(Adopted: 4/25/02 effective 8/1/02, Revised: 1/14/08)*

12.1.2.1.3.2 Educational Expenses from Outside Sports Team or Organization—After Collegiate Enrollment. Educational expenses provided to an individual after initial collegiate enrollment by an outside sports team or organization that are based on any degree on the recipient's athletics ability [except as specified in Bylaw 15.2.6.4-(h)], even if the funds are given to the institution to administer to the recipient. *(Revised: 1/10/95, 4/25/02 effective 8/1/02)*

12.1.2.1.3.2.1 Educational Expenses—Olympic Committee. A student-athlete may receive educational expenses awarded by the U.S. Olympic Committee (or for international student-athletes, expenses awarded by the equivalent organization of a foreign country) pursuant to the applicable conditions set forth in Bylaw 15.2.6.5. *(Adopted: 4/15/97; Revised: 11/1/00, 4/25/02 effective 8/1/02)*

12.1.2.1.3.2.2 Educational Expenses—National Governing Body. A student-athlete may receive educational expenses awarded by a U.S. national governing body (or, for international student-athletes, expenses awarded by the equivalent organization of a foreign country) pursuant to the applicable conditions set forth in Bylaw 15.2.6.5. *(Adopted: 10/28/97 effective 8/1/98; Revised: 11/1/00, 4/25/02 effective 8/1/02)*

12.1.2.1.4 Expenses, Awards and Benefits. Excessive or improper expenses, awards and benefits (see Bylaw 16 regarding permissible awards, benefits and expenses to enrolled student-athletes).

12.1.2.1.4.1 Cash or Equivalent Award. Cash, or the equivalent thereof (e.g., trust fund), as an award for participation in competition at any time, even if such an award is permitted under the rules governing an amateur, noncollegiate event in which the individual is participating. An award or a cash prize that an individual could not receive under NCAA legislation may not be forwarded in the individual's name to a different individual or agency. *(Revised: 4/25/02 effective 8/1/02)*

12.1.2.1.4.1.1 Exception—Prospective Student-Athlete's Educational Institution. A financial award may be provided to a prospective student-athlete's educational institution in conjunction with the prospective student-athlete being recognized as part of an awards program in which athletics participation, interests or ability is a criterion, but not the sole criterion, in the selection process. Such an award must also include nonathletics criteria, such as the prospective student-athlete's academic record and nonathletics extracurricular activities and may not be based on the prospective student-athlete's place finish or performance in a particular athletics event. In

addition, it is permissible for an outside organization (other than a professional sports organization) to provide actual and necessary expenses for the prospective student-athlete (and the prospective student-athlete's parents or other relatives) to travel to a recognition event designed to recognize the prospective student-athlete's accomplishments in conjunction with his or her selection as the recipient of a regional, national or international award. *(Adopted: 10/28/99)*

12.1.2.1.4.1.2 Operation Gold Grant. An individual (prospective student-athlete or student-athlete) may accept funds that are administered by the United States Olympic Committee pursuant to its Operation Gold program. *(Adopted: 4/26/01 effective 8/1/01)*

12.1.2.1.4.2 Expenses/Awards Prohibited by Rules Governing Event. Expenses incurred or awards received by an individual that are prohibited by the rules governing an amateur, noncollegiate event in which the individual participates.

12.1.2.1.4.3 Expenses from Outside Team or Organization. Expenses received from an outside amateur sports team or organization in excess of actual and necessary travel, room and board expenses, and apparel and equipment (for individual and team use only from teams or organizations not affiliated with member institutions, including local sports clubs as set forth in Bylaw 13.11.2.3) for competition and practice held in preparation for such competition. Practice must be conducted in a continuous time period preceding the competition except for practice sessions conducted by a national team, which occasionally may be interrupted for specific periods of time preceding the competition. *(Revised: 1/10/90, 1/10/92)*

12.1.2.1.4.3.1 Expenses/Benefits Related to Olympic Games. It is permissible for members of an Olympic team to receive all nonmonetary benefits and awards provided to members of an Olympic team beyond actual and necessary expenses, including entertainment, equipment, clothing, long distance telephone service, Internet access, and any other item or service for which it can be demonstrated that the same benefit is available to all members of that nation's Olympic team or the specific sport Olympic team in question. *(Adopted: 11/1/00)*

12.1.2.1.4.3.2 Operation Gold Grant. An individual (prospective student-athlete or student-athlete) may accept funds that are administered by the United States Olympic Committee pursuant to its Operation Gold program. *(Adopted: 4/26/01)*

12.1.2.1.4.4 Unspecified or Unitemized Expenses. Payment to individual team members or individual competitors for unspecified or unitemized expenses beyond actual and necessary travel, room and board expenses for practice and competition.

12.1.2.1.4.5 Expenses from Sponsor Other Than Parents/Legal Guardians or Nonprofessional Sponsor of Event. Actual and necessary expenses or any other form of compensation to participate in athletics competition (while not representing an educational institution) from a sponsor other than an individual upon whom the athlete is naturally or legally dependent or the nonprofessional organization that is sponsoring the competition.

12.1.2.1.4.6 Expenses for Parents/Legal Guardians of Participants in Athletics Competition. Expenses received by the parents or legal guardians of a participant in athletics competition from a nonprofessional organization sponsoring the competition in excess of actual and necessary travel, room and board expenses, or any entertainment expenses, unless such expenses are made available to the parents or legal guardians of all participants in the competition. *(Adopted: 1/16/93; Revised: 1/11/97)*

12.1.2.1.4.6.1 Postseason Bowl Event. [FBS] On one occasion per year, a student-athlete may designate either additional individuals or substitutes (not to exceed a total of six individuals) to receive entertainment expenses related to an event organized by the nonprofessional sponsor of a postseason bowl game specifically for the parents or legal guardians of student-athletes participating in the postseason bowl. The additional individuals or substitutes designated by the student-athlete shall be subject to the review and approval of the institution's athletics director, or his or her designee. *(Adopted: 4/29/04 effective 8/1/04)*

12.1.2.1.5 Payment Based on Performance. Any payment, including actual and necessary expenses, conditioned on the individual's or team's place finish or performance or given on an incentive basis, or receipt of expenses in excess of the same reasonable amount for permissible expenses given to all individuals or team members involved in the competition. *(Revised: 4/25/02 effective 8/1/02)*

12.1.2.1.5.1 Operation Gold Grant. An individual (prospective student-athlete or student-athlete) may accept funds that are administered by the United States Olympic Committee pursuant to its Operation Gold program. *(Adopted: 4/26/01)*

12.1.2.1.6 Preferential Treatment, Benefits or Services. Preferential treatment, benefits or services because of the individual's athletics reputation or skill or pay-back potential as a professional athlete, unless such treatment, benefits or services are specifically permitted under NCAA legislation. For violations of this bylaw in which the value of the benefit is $100 or less, the eligibility of the individual shall not be affected,

conditioned on the individual repaying the value of the benefit to a charity of his or her choice. The individual, however, shall remain ineligible from the time the institution has knowledge of the receipt of the benefit until the individual repays the benefit. If the violation involves institutional responsibility, it remains an institutional violation per Constitution 2.8.1, and documentation of the individual's repayment shall be forwarded to the enforcement staff. *(Revised: 1/11/94, 1/14/08)*

12.1.2.1.7 Prize for Participation in Institution's Promotional Activity. Receipt of a prize for participation (involving the use of athletics ability) in a member institution's promotional activity that is inconsistent with the provisions of Bylaw 12.5 or approved official interpretations. *(Revised: 11/1/07 effective 8/1/08)*

12.1.2.2 Use of Overall Athletics Skill—Effect on Eligibility. Participation for pay in competition that involves the use of overall athletics skill (e.g., "superstars" competition) constitutes a violation of the Association's amateur-status regulations; therefore, an individual participating for pay in such competition is ineligible for intercollegiate competition in all sports. (See Bylaw 12.5.2.3.3 for exception related to promotional contests.) *(Revised: 4/25/02 effective 8/1/02)*

12.1.2.3 Road Racing. "Road racing" is essentially the same as cross country or track and field competition and cannot be separated effectively from those sports for purposes of Bylaw 12. Therefore, a student-athlete who accepts pay in any form for participation in such a race is ineligible for intercollegiate cross country or track and field competition. *(Revised: 4/25/02 effective 8/1/02)*

12.1.2.4 Exceptions to Amateurism Rule.

12.1.2.4.1 Exception for Prize Money Prior to Full-Time Collegiate Enrollment. Prior to collegiate enrollment, an individual may accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only). Such prize money may not exceed actual and necessary expenses and may be provided only by the sponsor of the open event. The calculation of actual and necessary expenses shall not include the expenses or fees of anyone other than the prospective student-athlete (e.g., coach's fees or expenses, parent's expenses). *(Adopted: 4/25/02 effective 8/1/02, Revised: 12/12/06 applicable to any expenses received by a prospective student-athlete on or after 8/23/06)*

12.1.2.4.2 Exception for Insurance against Disabling Injury or Illness. An individual may borrow against his or her future earnings potential from an established, accredited commercial lending institution exclusively for the purpose of purchasing insurance (with no cash surrender value) against a disabling injury or illness that would prevent the individual from pursuing a chosen career, provided a third party (including a member institution's athletics department staff members, its professional sports counseling panel or representatives of its athletics interests) is not involved in arrangements for securing the loan. The student-athlete shall report all such transactions and shall file copies of any loan documents associated with disability insurance with the member institution, regardless of the source of the collateral for the loan. The student-athlete also shall file copies of the insurance policy with the member institution, regardless of whether a loan is secured to purchase the insurance policy. *(Revised: 1/16/93, 1/14/97 effective 8/1/97)*

12.1.2.4.3 Exception for Institutional Fundraising Activities Involving the Athletics Ability of Student-Athletes. Institutional, charitable or educational promotions or fundraising activities that involve the use of athletics ability by student-athletes to obtain funds (e.g., "swim-a-thons") are permitted only if:

(a) All moneys derived from the activity or project go directly to the member institution, member conference or the charitable, educational or nonprofit agency; *(Revised: 5/11/05)*

(b) The student-athletes receive no compensation or prizes for their participation; and

(c) The provisions of Bylaw 12.5.1 are satisfied.

12.1.2.4.4 Exception for USOC Elite Athlete Health Insurance Program. An individual may receive the comprehensive benefits of the USOC Elite Athlete Health Insurance Program. *(Adopted: 1/10/90)*

12.1.2.4.5 Exception for Training Expenses. An individual (prospective or enrolled student-athlete) may receive actual and necessary expenses [including grants but not prize money, whereby the recipient has qualified for the grant based on his or her performance in a specific event(s)] to cover developmental training, coaching, facility usage, equipment, apparel, supplies, comprehensive health insurance, travel, room and board without jeopardizing the individual's eligibility for intercollegiate athletics, provided such expenses are approved and provided directly by the U.S. Olympic Committee (USOC) or the appropriate national governing body (NGB) in the sport (or, for foreign student-athletes, the equivalent organization of that nation). *(Adopted: 1/10/91; Revised: 4/27/00)*

12.1.2.4.6 Exception for Family Travel to Olympic Games. A commercial company (other than a professional sports organization) or members of the local community may provide actual and necessary expenses for an individual's spouse, parents, legal guardians or other relatives to attend the Olympic Games in which the individual will participate. *(Adopted: 1/11/94)*

12.1.2.4.7 Exception for Payment of NCAA Eligibility Center Fee. A high school booster club (as opposed to specific individuals) may pay the necessary fee for prospective student-athletes at that high school to be certified by the NCAA Eligibility Center, provided no particular prospective student-athlete(s) is singled out because of his or her athletics ability or reputation. *(Adopted: 1/11/94, Revised: 5/9/07)*

12.1.2.4.8 Exception for Camp or Academy Sponsored by a Professional Sports Organization. An individual may receive actual and necessary expenses from a professional sports organization to attend an academy, camp or clinic, provided: *(Adopted: 1/10/95, Revised: 11/1/01 effective 8/1/02)*

(a) No NCAA institution or conference owns or operates the academy, camp or clinic;

(b) No camp participant is above the age of 15;

(c) The professional sports organization provides to the participants nothing more than actual and necessary expenses to attend the camp or clinic and equipment/apparel necessary for participation;

(d) Athletics ability or achievements may not be the sole criterion for selecting participants; and

(e) Academy participants must be provided with academic services (e.g., tutoring).

12.1.2.4.9 Exception for Receipt of Free Equipment and Apparel Items by a Prospective Student-Athlete. It is permissible for prospective student-athletes (as opposed to student-athletes) to receive free equipment and apparel items for personal use from apparel or equipment manufacturers or distributors under the following circumstances: *(Adopted: 1/11/97)*

(a) The apparel or equipment items are related to the prospective student-athlete's sport and are received directly from an apparel or equipment manufacturer or distributor;

(b) The prospective student-athlete does not enter into an arrangement (e.g., open account) with an apparel or equipment manufacturer or distributor that permits the prospective student-athlete to select apparel and equipment items from a commercial establishment of the manufacturer or distributor; and

(c) A member institution's coach is not involved in any manner in identifying or assisting an apparel or equipment manufacturer or distributor in determining whether a prospective student-athlete is to receive any apparel or equipment items.

12.1.2.4.10 Expenses for Participation in Olympic Exhibitions. An individual may receive actual and necessary expenses from the U.S. Olympic Committee (USOC), national governing body (NGB) or the nonprofessional organizations sponsoring the event to participate in Olympic tours or exhibitions involving Olympic team members and/or members of the national team, provided that if the individual is a student-athlete, he or she misses no class time, and the exhibition does not conflict with dates of institutional competition. *(Adopted: 10/28/97 effective 8/1/98)*

12.1.2.4.11 Commemorative Items for Student-Athletes Participating in Olympic Games, World University Games, Pan American Games, World Championships and World Cup Events. It is permissible for student-athletes to receive commemorative items incidental to participation in the Olympic Games, World University Games, Pan American Games, World Championships and World Cup events through the applicable national governing body. These benefits may include any and all apparel, leisure wear, footwear and other items that are provided to all athletes participating in the applicable event. *(Adopted: 11/1/00 effective 8/1/01)*

12.1.2.4.12 Exception—NCAA First-Team Program. A prospective student-athlete who is a participant in the NCAA First-Team Mentoring Program may receive actual and necessary expenses to attend the First-Team Program's annual educational conference and training seminar. *(Adopted: 8/7/03)*

12.1.3 Amateur Status if Professional in Another Sport. A professional athlete in one sport may represent a member institution in a different sport and may receive institutional financial assistance in the second sport. *(Revised: 4/27/06 effective 8/1/06)*

12.2 INVOLVEMENT WITH PROFESSIONAL TEAMS

12.2.1 Tryouts.

12.2.1.1 Tryout Before Enrollment. A student-athlete remains eligible in a sport even though, prior to enrollment in a collegiate institution, the student-athlete may have tried out with a professional athletics team in a sport or received not more than one expense-paid visit from each professional team (or a combine including that team), provided such a visit did not exceed 48 hours and any payment or compensation in connection with the visit was not in excess of actual and necessary expenses. A self-financed tryout may be for any length of time.

12.2.1.1.1 Exception for Predraft Basketball Camp. In basketball, prior to full-time enrollment in a collegiate institution, a prospective student-athlete may accept actual and necessary expenses from a professional sports organization to attend that organization's predraft basketball camp regardless of the length of the camp. *(Adopted: 4/27/06)*

12.2.1.2 Tryout After Enrollment. After initial full-time collegiate enrollment, an individual who has eligibility remaining may try out with a professional athletics team (or participate in a combine including that team) at any time, provided the individual does not miss class. The individual may receive actual and necessary expenses in conjunction with one 48-hour tryout per professional team (or a combine including that team). The 48-hour tryout period shall begin at the time the individual arrives at the tryout location. At the completion of the 48-hour period, the individual must depart the location of the tryout immediately in order to receive return transportation expenses. A tryout may extend beyond 48 hours if the individual self-finances additional expenses, including return transportation. A self-financed tryout may be for any length of time, provided the individual does not miss class. *(Revised: 1/10/92, 4/24/03, 5/26/06, 4/26/07 effective 8/1/07)*

12.2.1.2.1 Exception for Predraft Basketball Camp. In basketball, a student-athlete may accept actual and necessary travel, and room and board expenses from a professional sports organization to attend that organization's predraft basketball camp regardless of the duration of the camp. [See Bylaws 14.7.3.2-(e) and 16.10.1.9 for more information on predraft basketball camps.] *(Adopted: 4/23/03; Revised: 5/26/06, 4/26/07 effective 8/1/07)*

12.2.1.3 Outside Competition Prohibited. During a tryout, an individual may not take part in any outside competition (games or scrimmages) as a representative of a professional team.

12.2.1.4 Professional Team Representative at College Practice. A tryout with a professional team is not considered to have occurred when a representative of a professional team visits a member institution during the academic year and evaluates a student-athlete while the institution is conducting a regular practice session, physical education class or off-season conditioning program session that includes physical activities (e.g., speed trials, agility tests, strength tests), provided these activities are normally a part of and take place during regular practice, class or conditioning sessions.

12.2.2 Practice Without Competition. An individual may participate in practice sessions conducted by a professional team, provided such participation meets the requirements of NCAA legislation governing tryouts with professional athletics teams (see Bylaw 12.2.1) and the individual does not:

(a) Receive any compensation for participation in the practice sessions;

(b) Enter into any contract or agreement with a professional team or sports organization; or

(c) Take part in any outside competition (games or scrimmages) as a representative of a professional team.

12.2.2.1 Prohibited Involvement of Institution's Coach. An institution's coaching staff member may not arrange for or direct student-athletes' participation in football or basketball practice sessions conducted by a professional team.

12.2.3 Competition.

12.2.3.1 Competition against Professionals. An individual may participate singly or as a member of an amateur team against professional athletes or professional teams. *(Revised: 8/24/07)*

12.2.3.2 Competition with Professionals. An individual shall not be eligible for intercollegiate athletics in a sport if the individual ever competed on a professional team (per Bylaw 12.02.4) in that sport. However, an individual may compete on a tennis, golf, two-person sand volleyball or two-person synchronized diving team with persons who are competing for cash or a comparable prize, provided the individual does not receive payment of any kind for such participation. *(Revised: 1/9/96 effective 8/1/96, 1/14/97, 4/25/02 effective 8/1/02)*

12.2.3.2.1 Professional Player as Team Member. An individual may participate with a professional on a team, provided the professional is not being paid by a professional team or league to play as a member of that team (e.g., summer basketball leagues with teams composed of both professional and amateur athletes).

12.2.3.2.2 Professional Coach or Referee. Participation on a team that includes a professional coach or referee does not cause the team to be classified as a professional team.

12.2.3.2.3 Major Junior A Ice Hockey. Ice hockey teams in the United States and Canada, classified by the Canadian Amateur Hockey Association as major junior A teams, are considered professional teams under NCAA legislation.

12.2.3.2.3.1 Limitation on Restoration of Eligibility. An appeal for restoration of eligibility may be submitted on behalf of an individual who has participated on a major junior A ice hockey team under the provisions of Bylaw 14.12; however, such individual shall be denied at least the first year of intercollegiate athletics competition in ice hockey at the certifying institution and shall be charged with the loss of at least one season of eligibility in ice hockey. *(Revised: 1/11/89)*

12.2.3.2.4 Exception—Olympic/National Teams. It is permissible for an individual (prospective student-athlete or student-athletes) to participate on Olympic or national teams that are competing for prize money or are being compensated by the governing body to participate in a specific event, provided the student-athlete does not accept prize money or any other compensation (other than actual and necessary expenses). *(Adopted: 8/8/02)*

12.2.3.3 Competition in Professional All-Star Contest. A student-athlete who agrees to participate in a professional (players to be paid) all-star game becomes ineligible to compete in any intercollegiate contest that occurs after that agreement. Thus, a senior entering into such an agreement immediately following the last regular-season intercollegiate contest would not be eligible to compete in a bowl game, an NCAA championship or any other licensed postseason intercollegiate contest.

12.2.4 Draft and Inquiry.

12.2.4.1 Inquiry. An individual may inquire of a professional sports organization about eligibility for a professional-league player draft or request information about the individual's market value without affecting his or her amateur status.

12.2.4.2 Draft List. After initial full-time collegiate enrollment, an individual loses amateur status in a particular sport when the individual asks to be placed on the draft list or supplemental draft list of a professional league in that sport, even though: *(Revised: 4/25/02 effective 8/1/02)*

(a) The individual asks that his or her name be withdrawn from the draft list prior to the actual draft;

(b) The individual's name remains on the list but he or she is not drafted; or

(c) The individual is drafted but does not sign an agreement with any professional athletics team.

12.2.4.2.1 Exception—Basketball—Four-Year College Student-Athlete. An enrolled student-athlete in basketball may enter a professional league's draft one time during his or her collegiate career without jeopardizing eligibility in that sport, provided the student-athlete is not drafted by any team in that league and the student-athlete declares his or her intention to resume intercollegiate participation within 30 days after the draft. The student-athlete's declaration of intent shall be in writing to the institution's director of athletics. *(Adopted: 1/11/94; Revised: 1/10/95, 1/14/97 effective 4/16/97, 4/24/03 effective 8/1/03 for student-athletes entering a collegiate institution on or after 8/1/03)*

12.2.4.2.2 Exception—Basketball—Two-year College Prospective Student-Athlete. A prospective student-athlete enrolled at a two-year collegiate institution in basketball may enter a professional league's draft one time during his or her collegiate career without jeopardizing eligibility in that sport, provided the prospective student-athlete is not drafted by any team in that league. *(Adopted: 4/24/03 effective 8/1/03; for student-athletes entering a collegiate institution on or after 8/1/03)*

12.2.4.2.3 Exception—Football. [FBS/FCS] In football, an enrolled student-athlete (as opposed to a prospective student-athlete) football may enter the National Football League draft one time during his collegiate career without jeopardizing eligibility in that sport, provided the student-athlete is not drafted by any team in that league and the student-athlete declares his intention to resume intercollegiate participation within 72-hours following the National Football League draft declaration date. The student-athlete's declaration of intent shall be in writing to the institution's director of athletics. *(Adopted: 10/31/02; Revised: 4/14/03, 12/15/06)*

12.2.4.2.4 Exception—Sports Other Than Basketball and Football An enrolled student-athlete in a sport other than basketball or football may enter a professional league's draft one time during his or her collegiate career without jeopardizing his or her eligibility in the applicable sport, provided the student-athlete is not drafted and within 72 hours following the draft he or she declares his or her intention to resume participation in intercollegiate athletics. The student-athlete's declaration of intent shall be in writing to the institution's director of athletics. *(Adopted: 4/26/07 effective 8/1/07)*

12.2.4.3 Negotiations. An individual may request information about professional market value without affecting his or her amateur status. Further, the individual, his or her legal guardians or the institution's professional sports counseling panel may enter into negotiations with a professional sports organization without the loss of the individual's amateur status. An individual who retains an agent shall lose amateur status. *(Adopted: 1/10/92)*

12.2.5 Contracts and Compensation. An individual shall be ineligible for participation in an intercollegiate sport if he or she has entered into any kind of agreement to compete in professional athletics, either orally or in writing, regardless of the legal enforceability of that agreement. *(Revised: 1/10/92)*

12.2.5.1 Nonbinding Agreement. An individual who signs a contract or commitment that does not become binding until the professional organization's representative or agent also signs the document is ineligible, even if the contract remains unsigned by the other parties until after the student-athlete's eligibility is exhausted.

12.3 USE OF AGENTS

12.3.1 General Rule. An individual shall be ineligible for participation in an intercollegiate sport if he or she ever has agreed (orally or in writing) to be represented by an agent for the purpose of marketing his or her athletics ability or reputation in that sport. Further, an agency contract not specifically limited in writing to a sport or particular sports shall be deemed applicable to all sports, and the individual shall be ineligible to participate in any sport.

12.3.1.1 Representation for Future Negotiations. An individual shall be ineligible per Bylaw 12.3.1 if he or she enters into a verbal or written agreement with an agent for representation in future professional sports negotiations that are to take place after the individual has completed his or her eligibility in that sport.

12.3.1.2 Benefits from Prospective Agents. An individual shall be ineligible per Bylaw 12.3.1 if he or she (or his or her relatives or friends) accepts transportation or other benefits from: *(Revised: 1/14/97)*

(a) Any person who represents any individual in the marketing of his or her athletics ability. The receipt of such expenses constitutes compensation based on athletics skill and is an extra benefit not available to the student body in general; or

(b) An agent, even if the agent has indicated that he or she has no interest in representing the student-athlete in the marketing of his or her athletics ability or reputation and does not represent individuals in the student-athlete's sport. *(Adopted: 1/14/97)*

12.3.2 Legal Counsel. Securing advice from a lawyer concerning a proposed professional sports contract shall not be considered contracting for representation by an agent under this rule, unless the lawyer also represents the individual in negotiations for such a contract.

12.3.2.1 Presence of a Lawyer at Negotiations. A lawyer may not be present during discussions of a contract offer with a professional organization or have any direct contact (in person, by telephone or by mail) with a professional sports organization on behalf of the individual. A lawyer's presence during such discussions is considered representation by an agent.

12.3.3 Athletics Scholarship Agent. Any individual, agency or organization that represents a prospective student-athlete for compensation in placing the prospective student-athlete in a collegiate institution as a recipient of institutional financial aid shall be considered an agent or organization marketing the individual's athletics ability or reputation.

12.3.3.1 Talent Evaluation Services and Agents. A prospective student-athlete may allow a scouting service or agent to distribute personal information (e.g., high school academic and athletics records, physical statistics) to member institutions without jeopardizing his or her eligibility, provided the fee paid to such an agent is not based on placing the prospective student-athlete in a collegiate institution as a recipient of institutional financial aid.

12.3.4 Professional Sports Counseling Panel. It is permissible for an authorized institutional professional sports counseling panel to:

(a) Advise a student-athlete about a future professional career;

(b) Provide direction on securing a loan for the purpose of purchasing insurance against a disabling injury; *(Adopted: 1/16/93)*

(c) Review a proposed professional sports contract;

(d) Meet with the student-athlete and representatives of professional teams;

(e) Communicate directly (e.g., in-person, by mail or telephone) with representatives of a professional athletics team to assist in securing a tryout with that team for a student-athlete; *(Adopted: 1/11/94)*

(f) Assist the student-athlete in the selection of an agent by participating with the student-athlete in interviews of agents, by reviewing written information player agents send to the student-athlete and by having direct communication with those individuals who can comment about the abilities of an agent (e.g., other agents, a professional league's players' association); and *(Adopted: 1/11/94)*

(g) Visit with player agents or representatives of professional athletics teams to assist the student-athlete in determining his or her market value (e.g., potential salary, draft status). *(Adopted: 1/11/94)*

12.3.4.1 Appointment by President or Chancellor. This panel shall consist of at least three persons appointed by the institution's president or chancellor (or his or her designated representative from outside the athletics department). *(Revised: 3/8/06)*

12.3.4.2 Composition. The majority of panel members shall be full-time employees outside of the institution's athletics department. No more than one panel member may be an athletics department staff member. No sports agent or any person employed by a sports agent or agency may be a member of the panel. All panel members shall be identified to the NCAA national office. *(Revised: 1/11/94, 1/10/05)*

12.4 EMPLOYMENT

12.4.1 Criteria Governing Compensation to Student-Athletes. Compensation may be paid to a student-athlete: *(Revised: 11/22/04)*

(a) Only for work actually performed; and

(b) At a rate commensurate with the going rate in that locality for similar services.

12.4.1.1 Athletics Reputation. Such compensation may not include any remuneration for value or utility that the student-athlete may have for the employer because of the publicity, reputation, fame or personal following that he or she has obtained because of athletics ability.

12.4.2 Specific Athletically Related Employment Activities.

12.4.2.1 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: *(Revised: 1/9/96 effective 8/1/96, 4/25/02 effective 8/1/02)*

(a) Institutional facilities are not used; *(Adopted: 4/25/02 effective 8/1/02)*

(b) Playing lessons shall not be permitted; *(Adopted: 4/25/02 effective 8/1/02)*

(c) The institution obtains and keeps on file documentation of the recipient of the lesson(s) and the fee for the lesson(s) provided during any time of the year; and *(Adopted: 4/25/02 effective 8/1/02)*

(d) The compensation is paid by the lesson recipient (or the recipient's family) and not another individual or entity. *(Adopted: 4/25/02 effective 8/1/02)*

(e) Instruction to each individual is comparable to the instruction that would be provided during a private lesson when the instruction involves more than one individual at a time. *(Adopted: 4/2/03 effective 8/1/03)*

(f) The student-athlete does not use his or her name, picture or appearance to promote or advertise the availability of fee-for-lesson sessions. *(Adopted: 4/2/03 effective 8/1/03)*

12.4.2.2 Broken-Time Payments. An individual may not receive "broken-time" payments except as authorized and administered by the United States Olympic Committee during the period immediately preceding 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 United States Ski Association) are prohibited.

12.4.2.2.1 Exception When Individual Not Enrolled in Regular Term. An individual may receive broken-time payments administered by the United States 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 14.02.7), 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 no more than the period from the date the individual begins practice with the national team following selection to that team to one week after the conclusion of the competition. *(Adopted: 1/10/90; Revised: 1/9/96 effective 8/1/96)*

12.4.2.3 Athletics Equipment Sales. A student-athlete may not be employed to sell equipment related to the student-athlete's sport if his or her name, picture or athletics reputation is used to advertise or promote the product, the job or the employer. If the student-athlete's name, picture or athletics reputation is not used for advertising or promotion, the student-athlete may be employed in a legitimate sales position, provided he or she is reimbursed at an hourly rate or set salary in the same manner as any nonathlete salesperson.

12.4.2.4 Goodwill Tour Commissions. A student-athlete representing the institution in a goodwill tour during summer months, in conjunction with the tour, may sell such items as jackets, blazers or similar institutional promotional items to booster groups or other friends of the institution on a salary, but not a commission, basis.

12.4.2.5 Restitution. For violations of Bylaw 12.4.2 and its subsections in which the value of the benefit is $100 or less, the eligibility of the individual shall not be affected conditioned on the individual repaying the value of the benefit to a charity of his or her choice. However, the individual shall remain ineligible from the time the institution has knowledge of receipt of the impermissible benefit until the individual repays the benefit. Violations of this bylaw remain institutional violations per Constitution 2.8.1, and documentation of the individual's repayment shall be forwarded to the enforcement staff. *(Adopted: 8/5/04)*

12.4.3 Camp/Clinic Employment, General Rule. A student-athlete may be employed by his or her institution, by another institution, or by a private organization to work in a camp or clinic as a counselor, unless otherwise restricted by NCAA legislation (see Bylaw 13.12 for regulations relating to camps and clinics). Out-of-season playing and practice limitations may restrict the number of players from the same institution who may be employed in that institution's camp (see the specific sport in Bylaw 17 for these employment restrictions and Bylaw 13.12).

12.4.4 Self-Employment. A student-athlete may establish his or her own business, provided the student-athlete's name, photograph, appearance or athletics reputation are not used to promote the business. *(Adopted: 12/12/06)*

12.5 PROMOTIONAL ACTIVITIES

12.5.1 Permissible.

12.5.1.1 Institutional, Charitable, Education 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: *(Revised: 1/11/89, 1/10/91, 1/10/92)*

(a) The student-athlete receives written approval to participate from the director of athletics (or his or her designee who may not be a coaching staff member), subject to the limitations on participants in such activities as set forth in Bylaw 17; *(Revised: 1/11/89, 4/26/01)*

(b) The specific activity or project in which the student-athlete participates does not involve cosponsorship, advertisement or promotion by a commercial agency other than through the reproduction of the sponsoring company's officially registered regular trademark or logo on printed materials such as pictures, posters or calendars. The company's emblem, name, address, telephone number and Web site address may be included with the trademark or logo. Personal names, messages and slogans (other than an officially registered trademark) are prohibited; *(Revised: 1/11/89, 1/10/91, 5/6/08)*

(c) The name or picture of a student-athlete with remaining eligibility may not appear on an institution's printed promotional item (e.g., poster, calendar) that includes a reproduction of a product with which a commercial entity is associated if the commercial entity's officially registered regular trademark or logo also appears on the item; *(Adopted: 11/12/97)*

(d) The student-athlete does not miss class; *(Revised: 1/11/89)*

(e) All moneys derived from the activity or project go directly to the member institution, member conference or the charitable, educational or nonprofit agency; *(Revised: 1/11/89, 1/10/92)*

(f) The student-athlete may accept actual and necessary expenses from the member institution, member conference or the charitable, educational or nonprofit agency related to participation in such activity; *(Revised: 1/11/89, 1/10/92, 4/28/05)*

(g) The student-athlete's name, picture or appearance is not used to promote the commercial ventures of any nonprofit agency; *(Adopted: 1/10/92)*

(h) Any commercial items with names, likenesses or pictures of multiple student-athletes (other than highlight films or media guides per Bylaw 12.5.1.7) may be sold only at the member institution at which the student-athletes are enrolled, institutionally controlled (owned and operated) outlets or outlets controlled by the charitable or educational organization (e.g., location of the charitable or educational organization, site of charitable event during the event). Items that include an individual student-athlete's name, picture or likeness (e.g., name on jersey, name or likeness on a bobble-head doll), other than informational items (e.g., media guide, schedule cards, institutional publications), may not be sold; and *(Adopted: 1/16/93, Revised: 1/9/96, 4/27/06 effective 8/1/06)*

(i) The student-athlete and an authorized representative of the charitable, educational or nonprofit agency sign a release statement ensuring that the student-athlete's name, image or appearance is used in a manner consistent with the requirements of this section. *(Revised: 1/11/89, 1/10/92)*

12.5.1.1.1 Promotions Involving NCAA Championships, Events, Activities or Programs. The NCAA [or a third party acting on behalf of the NCAA (e.g., host institution, conference, local organizing committee)] may use the name or picture of an enrolled student-athlete to generally promote NCAA championships or other NCAA events, activities or programs. *(Adopted: 8/7/03)*

12.5.1.1.2 Promotions Involving Commercial Locations/Sponsors. A member institution or a charitable, educational or nonprofit organization may use the appearance, name or picture of an enrolled student-athlete to promote generally its fundraising activities at the location of a commercial establishment, provided the commercial establishment is not a cosponsor of the event and the student-athlete does not promote the sale of a commercial product in conjunction with the fundraising activity. A commercial establishment would become a cosponsor if the commercial establishment either advertises the presence of the student-athlete at the commercial location or is involved directly or indirectly in promoting the activity. *(Adopted: 1/10/92)*

12.5.1.1.3 Distribution of Institutional Items through Commercial Outlets. A member institution may distribute noncommercial items that include names or pictures of student-athletes (items not for sale) at commercial establishments, provided the institution generally distributes such items to other commercial establishments in the community and the distribution of the items does not require the recipient to make a purchase at the commercial establishment. *(Adopted: 1/16/93, Revised: 5/21/08)*

12.5.1.1.4 Player/Trading Cards. 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 distribute but may not sell player/trading cards that bear a student-athlete's name or picture. *(Adopted: 1/11/94 effective 8/1/94)*

12.5.1.1.4.1 Exception—Olympic/National Team. A national governing body may sell player/trading cards that bear the name or picture of a student-athlete who is a member of the Olympic/national team in that sport, provided all of the funds generated through the sale of such cards are deposited directly with the applicable Olympic/national team. *(Adopted: 1/6/96)*

12.5.1.1.5 Schedule Cards. An advertisement on an institution's wallet-size playing schedule that includes the name or picture of a student-athlete may include language other than the commercial product's name, trademark or logo, provided the commercial language does not appear on the same page as the picture of the student-athlete. A violation of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility. *(Adopted: 1/10/92, Revised: 1/14/08, 5/21/08)*

12.5.1.1.6 Effect of Violations. If an institution, without the student-athlete's knowledge or consent, uses or permits the use of the student-athlete's name or picture in a manner contrary to Bylaw 12.5.1.1, the violation shall be considered an institutional violation; however, the student-athlete's eligibility shall not be affected. In addition, a violation of Bylaw 12.5.1.1 related to any permissible promotional activity in which the only condition of the legislation not satisfied is the failure to obtain written approval from the director of athletics (or his or her designee who may not be a coaching staff member) shall be considered an institutional violation; however, the student-athlete's eligibility shall not be affected, provided the approval would have been granted if requested. *(Adopted: 1/14/97, Revised: 4/26/07)*

12.5.1.2 United States Olympic Committee/National Governing Body Advertisement Prior to Collegiate Enrollment. Prior to initial, full-time collegiate enrollment, an individual may receive payment for the display of athletics skill in a commercial advertisement, provided: *(Adopted: 1/11/94)*

(a) The individual receives prior approval to appear in the advertisement from the U.S. Olympic Committee or the applicable national governing body;

(b) The U.S. Olympic Committee or national governing body approves of the content and the production of the advertisement;

(c) The individual forwards the payment to the U.S. Olympic Committee or national governing body for the general use of the organization(s); and

(d) The funds are not earmarked for the individual.

12.5.1.3 Continuation of Modeling and Other Nonathletically Related Promotional Activities after Enrollment. If an individual accepts remuneration for or permits the use of his or her name or picture to advertise or promote the sale or use of a commercial product or service prior to enrollment in a member institution, continued remuneration for the use of the individual's name or picture (under the same or similar circumstances) after enrollment is permitted without jeopardizing his or her eligibility to participate in intercollegiate athletics only if all of the following conditions apply: *(Revised: 1/14/97, 3/10/04)*

(a) The individual's involvement in this type of activity was initiated prior to his or her enrollment in a member institution;

(b) The individual became involved in such activities for reasons independent of athletics ability;

(c) No reference is made in these activities to the individual's name or involvement in intercollegiate athletics;

(d) The individual does not endorse the commercial product; and *(Revised: 3/10/04)*

(e) The individual's remuneration under such circumstances is at a rate commensurate with the individual's skills and experience as a model or performer and is not based in any way upon the individual's athletics ability or reputation.

12.5.1.4 Congratulatory Advertisement. It is permissible for a student-athlete's name or picture, or the group picture of an institution's athletics squad, to appear in an advertisement of a particular business, commercial product or service, provided:

(a) The primary purpose of the advertisement is to publicize the sponsor's congratulations to the student-athlete or team;

(b) The advertisement does not include a repoduction of the product with which the business is associated or nay other item or description identifying the business or service other than its name or trademark;

(c) There is no indication in the makeup of wording of the advertisement that the squad members, individually or collectively, or the institution endorses the product or service of the advertiser;

(d) The student-athlete has not signed a consent or release granting permission to use the student-athlete's name or picture in a manner inconsistent with the requirements of this section; and

(e) If the student-athlete has received a prize from a commercial sponsor in conjunction with participation in a promotional contest and the advertisement involves the announcement of receipt of the prize, the receipt of the prize is consistent with the provisions of Bylaw 12.5.2.3.3 and approved official interpretations. *(Revised: 11/1/07 effective 8/1/08)*

12.5.1.5 Educational Products Related to Sport-Skill Instruction. It is permissible for a student-athlete's name or picture to appear in books, articles and other publications, films, videotapes, and other types of electronic reproduction related to sport-skill demonstration, analysis or instruction, provided:

(a) Such print and electronic media productions are for educational purposes;

(b) There is no indication that the student-athlete expressly or implicitly endorses a commercial product or service;

(c) The student-athlete does not receive, under any circumstances, any remuneration for such participation; however, the student-athlete may receive actual and necessary expenses related to his or her participation; and *(Revised: 1/9/06 effective 8/1/06)*

(d) The student-athlete has signed a release statement ensuring that the student-athlete's name or image is used in a manner consistent with the requirements of this section and has filed a copy of the statement with the student-athlete's member institution.

12.5.1.6 Camps. An institutional or privately owned camp may use a student-athlete's name, picture and institutional affiliate only in the camp counselor section in its camp brochure to identify the student-athlete as a staff member. A student-athlete's name or picture may not be used in any other way to directly advertise or promote the camp. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, and do not affect the student-athlete's elgibility. *(Revised: 4/26/01 effective 8/1/01 for camps that occur during the 2001 academic year and thereafter, 4/17/02, 7/12/04, 1/9/06)*

12.5.1.7 Promotion by Third Party of Highlight Film, Videotape or Media Guide. Any party other than the institution or a student-athlete (e.g., a distribution company) may sell and distribute an institutional highlight film or videotape or an institutional or conference media guide that contains the names and pictures of enrolled student-athletes only if: *(Revised: 1/16/93)*

(a) The institution specifically designates any agency that is authorized to receive orders for the film, videotape or media guide; *(Revised: 1/16/93)*

(b) Sales and distribution activities have the written approval of the institution's athletics director;

(c) The distribution company or a retail store is precluded from using the name or picture of an enrolled student-athlete in any poster or other advertisement to promote the sale or distribution of the film or media guide; and *(Revised: 1/16/93)*

(d) There is no indication in the makeup or wording of the advertisement that the squad members, individually or collectively, or the institution endorses the product or services of the advertiser.

12.5.1.8 Promotion of NCAA and Conference Championships. The NCAA [or a third party acting on behalf of the NCAA (e.g., host institution, conference, local organizing committee)] may use the name or picture of a student-athlete to generally promote NCAA championships. A student-athlete's name or picture may appear in a poster that promotes a conference championship, provided the poster is produced by a member that hosts a portion of the championship or by the conference. *(Adopted: 1/11/89; Revised: 8/7/03)*

12.5.1.9 Olympic, Pan American, World Championships, World Cup and World University Games. A student-athlete's name or picture may be used to promote Olympic, Pan American, World Championships, World Cup or World University Games as specified in this section. *(Adopted: 1/10/92; Revised: 1/9/96 effective 8/1/96)*

12.5.1.9.1 Sale and Distribution of Promotional Items. Promotional items (e.g., posters, postcards, film, videotapes) bearing the name or picture of a student-athlete and related to these events may be sold or distributed by the national or international sports governing body sponsoring these events or its designated third-party distributors. It is not permissible for such organizations to sell player/trading cards that bear a student-athlete's name or picture, except as noted in Bylaw 12.5.1.1.3.1. Promotional items may include a corporate sponsor's trademark or logo but not a reproduction of the product with which the business is associated. The name or picture of the student-athlete may not be used by the distribution company or retail store on any advertisement to promote the sale or distribution of the commercial item. *(Adopted: 1/10/92; Revised: 1/16/93, 1/11/94 effective 8/1/94)*

12.5.1.9.1.1 Corporate Sponsors. A corporate sponsor may sell a promotional item related to these events that uses the name or picture of a team but not an individual student-athlete. *(Adopted: 1/10/92)*

12.5.2 Nonpermissible.

12.5.2.1 Advertisements and Promotions After Becoming a Student-Athlete. After becoming a student-athlete, an individual shall not be eligible for participation in intercollegiate athletics if the individual:

(a) Accepts any remuneration for or permits the use of his or her name or picture to advertise, recommend or promote directly the sale or use of a commercial product or service of any kind; or

(b) Receives remuneration for endorsing a commercial product or service through the individual's use of such product or service.

12.5.2.1.1 Exceptions. The individual's eligibility will not be affected, provided the individual participated in such activities prior to enrollment and the individual:

(a) Meets the conditions set forth in Bylaw 12.5.1.3 that would permit continuation of such activities; or

(b) Takes appropriate steps upon becoming a student-athlete to retract permission for the use of his or her name or picture and ceases receipt of any remuneration for such an arrangement.

12.5.2.1.2 Improper Use of Student-Athlete's Name or Picture. If an institution, without the student-athlete's knowledge or consent, uses or permits the use of the student-athlete's name or picture in a manner contrary to Bylaw 12.5.2.1, the violation shall be considered an institutional violation; however, the student-athlete's eligibility shall not be affected. *(Adopted: 1/11/97)*

12.5.2.2 Use of a Student-Athlete's Name or Picture without Knowledge or Permission. If a student-athlete's name or picture appears on commercial items (e.g., T-shirts, sweatshirts, serving trays, playing cards, posters) or is used to promote a commercial product sold by an individual or agency without the student-athlete's knowledge or permission, the student-athlete (or the institution acting on behalf of the student-athlete) is required to take steps to stop such an activity in order to retain his or her eligibility for intercollegiate athletics. Such steps are not required in cases in which a student-athlete's photograph is sold by an individual or agency (e.g., private photographer, news agency) for private use. *(Revised: 1/11/97, 5/12/05)*

12.5.2.3 Specifically Restricted Activities. A student-athlete's involvement in promotional activities specified in this section is prohibited.

12.5.2.3.1 Name-the-Player Contest. A student-athlete may not permit use of his or her name or picture in a "name-the-player" contest conducted by a commercial business for the purpose of promoting that business.

12.5.2.3.2 Athletics Equipment Advertisement. A student-athlete's name or picture may not be used by an athletics equipment company or manufacturer to publicize the fact that the institution's team uses its equipment.

12.5.2.3.3 Promotional Contests. Receipt of a prize for winning an institutional or noninstitutional promotional activity (e.g., making a half-court basketball shot, being involved in a money scramble) by a prospective or enrolled student-athlete (or a member of his or her family) does not affect his or her eligibility, provided the prize is won through a random drawing in which all members of the general public or the student body are eligible to participate. *(Revised: 1/9/96 effective 8/1/96, 3/25/05, 6/12/07)*

12.5.2.4 Other Promotional Activities. A student-athlete may not participate in any promotional activity that is not permitted under Bylaw 12.5.1. *(Adopted: 11/1/01)*

12.5.3 Media Activities.

(a) **During the Playing Season.** During the playing season, a student-athlete may appear on radio and television programs (e.g., coaches' shows) or engage in writing projects when the student-athlete's appearance or participation is related in any way to athletics ability or prestige, provided the student-athlete does not receive any remuneration for the appearance or participation in the activity. The student-athlete shall not make any endorsement, expressed or implied, of any commercial product or service. The student-athlete may, however, receive actual and necessary expenses directly related to the appearance or participation in the activity. A student-athlete participating in media activities during the playing season may not miss class, except for class time missed in conjunction with away-from-home competition or to participate in a conference-sponsored media day. *(Revised: 1/16/93, 1/14/97, 1/9/06, 4/27/06)*

(b) **Outside the Playing Season.** Outside the playing season, a student-athlete may participate in media activities (e.g., appearance on radio, television, in films or stage productions or participation in writing projects) when such appearance or participation is related in any way to athletics ability or prestige, provided the student-athlete is eligible academically to represent the institution and does not receive any remuneration for such appearance or participation. The student-athlete may not make any endorsement, expressed or implied, of any commercial product or service. The student-athlete may, however, receive legitimate and normal expenses directly related to such appearance or participation, provided the source of the expenses is the entity sponsoring the activity. *(Revised: 1/16/93, 1/14/97)*

12.5.4 Use of Logos on Equipment, Uniforms and Apparel. A student-athlete may use athletics equipment or wear athletics apparel that bears the trademark or logo of an athletics equipment or apparel manufacturer or distributor in athletics competition and pre- and postgame activities (e.g., celebrations on the court, pre- or postgame press conferences), provided the following criteria are met. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, they shall not affect the student-athlete's eligibility. *(Revised: 1/11/94, 1/10/95, 1/9/96 effective 8/1/96)*

(a) Athletics equipment (e.g., shoes, helmets, baseball bats and gloves, batting or golf gloves, hockey and lacrosse sticks, goggles and skis) shall bear only the manufacturer's normal label or trademark, as it is used on all such items for sale to the general public; and *(Revised: 1/10/95)*

(b) The student-athlete's institution's official uniform (including numbered racing bibs and warm-ups) and all other items of apparel (e.g., socks, head bands, T-shirts, wrist bands, visors or hats, swim caps and towels) shall bear only a single manufacturer's or distributor's normal label or trademark (regardless of the visibility of the label or trademark), not to exceed 2¼ square inches in area (rectangle, square, parallelogram) including any additional material (e.g., patch) surrounding the normal trademark or logo. The student-athlete's institution's official uniform and all other items of apparel shall not bear a design element similar to the manufacturer's trademark/logo that is in addition to another trademark/logo that is contrary to the size restriction. *(Revised: 1/11/94, 1/10/95, 2/16/00)*

12.5.4.1 Laundry Label. If an institution's uniform or any item of apparel worn by a student-athlete in competition contains washing instructions on the outside of the apparel on a patch that also includes the manufacturer's or distributor's logo or trademark, the entire patch must be contained within a four-sided geometrical figure (rectangle, square, parallelogram) that does not to exceed 2¼ square inches. *(Adopted: 1/10/95)*

12.5.4.2 Pre- or Postgame Activities. The restriction on the size of a manufacturer's or distributor's logo is applicable to all apparel worn by student-athletes during the conduct of the institution's competition, which includes any pre- or postgame activities (e.g., postgame celebrations on the court, pre- or postgame press conferences) involving student-athletes. *(Adopted: 1/10/95)*

12.5.4.3 Outside Team Uniforms and Apparel. The provisions of Bylaw 12.5.4-(b) do not apply to the official uniforms and apparel worn by outside teams.

12.5.4.4 Title-Sponsor Recognition. Racing bibs and similar competition identification materials (e.g., bowl-game patches) worn by participants may include the name of the corporate sponsor of the competition, provided the involved commercial company is the sole title sponsor of the competition.

12.6 FINANCIAL DONATIONS FROM OUTSIDE ORGANIZATIONS

12.6.1 Professional Sports Organizations.

12.6.1.1 To Noncollegiate Amateur Team. A noncollegiate amateur team or playing league shall not be considered a professional team or league, even if it receives financial support from a national amateur sports administrative organization or its equivalent that in turn receives developmental funds from a professional team or professional sports organization.

12.6.1.2 To Intercollegiate Event. A professional sports organization may not serve as a financial sponsor of intercollegiate competition. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the student-athlete's eligibility. *(Adopted: 1/10/92; Revised: 8/5/04)*

12.6.1.2.1 Exception—Sports Other Than Football and Men's Basketball. In sports other than football and men's basketball, an institution's marketing department may enter into a reciprocal contractual relationship with a professional sports organization for the specific purpose of marketing and promoting an institutionally sponsored sport. *(Adopted: 4/29/04 effective 8/1/04)*

12.6.1.3 Developmental Funds to NCAA. A professional sports organization may provide funds for intercollegiate athletics developmental purposes in a particular sport (e.g., officiating expenses, research and educational projects, the conduct of summer leagues, purchase of equipment). However, such funds shall be provided in an unrestricted manner and administered through the Association's national office.

12.6.1.4 To Institution, Permissible. A member institution may receive funds from a professional sports organization, provided: *(Revised: 4/29/04 effective 8/1/04)*

(a) The money is placed in the institution's general fund and used for purposes other than athletics;

(b) The money is placed in the institution's general scholarship fund and commingled with funds for the assistance of all students generally; or

(c) The money is received by the institution as a result of a reciprocal contractual marketing relationship and is placed in the athletics department's budget for the specific purpose of marketing and promoting any institutionally sponsored sport other than football and men's basketball. *(Adopted: 4/29/04 effective 8/1/04)*

12.6.1.5 To Institution, Nonpermissible. A member institution shall not accept funds from a professional sports organization if:

(a) The funds are for the purpose of recognizing the development of a former student-athlete in a particular sport. The receipt of such funds by an institution would make additional moneys available that could benefit student-athletes and thus result in student-athletes indirectly receiving funds from a professional sports organization;

Report of the National Collegiate Athletic Association Division I Leadership Council Meeting

The NCAA Division I Leadership Council submits the following report from its August 6, 2008, meeting:

1. **Understanding the new Division I governance structure.** SUPPLEMENT NO. 1

LDC ACTION:

a. Received an overview of the new Division I governance structure to ensure the members had a thorough understanding of the goals and objectives behind restructuring and the importance of the Leadership Council's role in helping the Board of Directors as it seeks to lead Division I; and

b. Learned that the Leadership Council will:

- Serve as the primary advisory group to the Board of strategic and policy issues;
- Provide background information, advice and counsel to the Board on legislative and nonlegislative matters;
- Receive authority from the Board through agendas that mirror the Board of Directors;
- Suggest concepts for the legislative agenda;
- Have a national focus rather than a local/conference one; and
- Retain much of the former Management Council's jurisdiction, except legislation.

2. **Discussion with NCAA President Myles Brand.**

LDC ACTION:

a. Entered into a conversation with the NCAA President regarding the vitally important role of the Leadership Council as it seeks to think strategically regarding the issues facing Division I and to take a national perspective on behalf of the NCAA; and

b. Were reminded that the Leadership Council must strive to develop a strong relationship with the Board by providing thoroughly developed positions on matters of national concern.

3. **Review of three-to-five year national office strategies.**

LDC ACTION:

a. Received a presentation from the NCAA president in which he reviewed the three controlling goals that should be at the forefront of the Division I governance representatives' thought processes as they seek to develop positions and recommendations. These controlling goals are:

- Complete this cycle of academic reform;
- Subserve all business, corporate and championships efforts and decisions, especially those concerning basketball, to positioning for and negotiating new media contracts; and
- Focus on issues related to student-athletes and athletics personal well-being.

b. Were encouraged to review the NCAA's Strategic Plan in conjunction with consideration of the three controlling goals.

[Note: The staff will send the Leadership Council members a copy of the NCAA's Strategic Plan.]

4. Update regarding Fantasy Sports Leagues.

LDC ACTION:

a. Were informed by the NCAA President that a recent ruling by the 8th Circuit Federal Court of Appeals in the case of CSC Distrib. And Mkting. Inc. v. Major League Baseball L.P., in which the court applied Missouri state law to professional fantasy leagues, has led fantasy sports games distributors to conclude that offering a college football fantasy game that includes names and game statistics of college student-athletes would be consistent with the ruling;

b. Were advised that there is an apparent conflict with this ruling and a July 2008 NCAA rules interpretation, which states the use of a student-athlete's name in connection with a fantasy sports game even when there is not an entry fee or prize associated, is a violation of NCAA bylaws; and

c. Learned that a cease and desist letter would be sent by the Association on behalf of its members and student-athletes to any distributor engaged in such activities and that the Board, with the help of the Commercial Activities Task Force and eventually the Leadership Council, would be encouraged to address whether fantasy sports games that adhere to certain parameters necessarily violate the principles of amateurism.

5. **Discussion regarding the role and purpose of the Leadership Council (i.e., support the Division I Board of Directors and help to identify and manage the agenda for Division I.)** SUPPLEMENT NO. 3, ADDENDUM A, B, C, D & E

a. Flow of Council's work.

LDC ACTION:

(1) Learned that the meeting schedule for the new Division I governance structure is based on both the Division I Board of Directors' quarterly schedule and the annual Division I legislative cycle, which begins on July 15 with the legislation submission deadline and concludes with the Board's April meeting; and

(2) Discussed how the Leadership Council should seek to develop its meeting schedule so it can be helpful in identifying issues for the governance substructure's examination, while at the same time, seeking to be responsive to the Division I Board of Directors.

b. Structure and timing of meetings.

LDC ACTION:

(1) Agreed that given the number of issues the Council has been asked to examine, that the Leadership Council should meet prior to the meeting already scheduled on January 15 at the NCAA Convention; and

(2) Suggested trying to identify a time near the October Legislative Council and Board of Directors meetings, with the caveat, the meeting should be conducted in the early part of the week to avoid conflicts with travel associated with football games.

[Note: The staff will solicit availability calendars so that a meeting can be scheduled in the fall.]

c. Administrative Committee.

LDC ACTION:

(1) Were informed that under the new governance structure, while the formation of subcommittees are precluded unless legislatively prescribed, each governance body is permitted to form an administrative committee to help address the interim actions of the group; and

(2) Noted it might be too early to determine whether the Council would have interim work, although some members opined they felt an administrative committee would assist with the efficient administration of this Council.

d. Vice chair.

LDC ACTION:

(1) Learned that pursuant to the new Division I governance structure, each council and cabinet has discretion to appoint a vice chair if it is determined that the assignment of such a position would be helpful; and

(2) Determined that given that it was the council's first meeting and the current chair can serve up to two years, it would be prudent to wait before making a determination as to whether a vice chair is needed.

e. Other issues.

LDC ACTION:

(1) Discussed the importance of communication within the new governance structure and having a level of familiarity with the work of the committees that report to it; and

(2) Solicited the names of interested Leadership Council members to serve as liaisons to the following committees:

- Division I Student-Athlete Advisory Committee (1 FBS member and 1 Division I member);
- Minority Interests and Opportunities Committee; and
- Sportsmanship and Ethical Conduct.

[Note: Once the interest surveys have been compiled, liaisons will be selected and the Leadership Council notified.]

6. Review of the functions of the Communications and Coordination Committee.

SUPPLEMENT NO. 4

LDC ACTION:

a. Learned that as a feature of the new Division I governance structure, a Communications and Coordination Committee has been established, which is charged with helping to enhance the level of communication between Division I governance bodies and the membership so that there is a more cohesive approach to managing the Division I agenda; and

b. Were informed that the committee will convene via conference call before/after the grouping of councils and cabinets meetings to help coordinate the consideration of issues and that this committee's report will be shared with Leadership Council members.

7. **Reviewed agenda items identified by the Division I governance structure, including the Division I Board of Directors, for consideration and discussion by the Leadership Council.**

LDC ACTION: Were informed that the Division I Board of Directors has identified the following four issues as being appropriate for Leadership Council examination and that over the course of its next few meetings, the Leadership Council will be asked to engage in some hard work to offer recommendations to the membership and Board regarding these important issues.

a. Recommend initiatives that will enhance the level of diversity in the Division I governance structure. SUPPLEMENT NO. 5 ADDENDUM

LDC ACTION:

(1) Received an overview of the governance subcommittee's efforts to enhance the level of ethnic, gender and positional diversity serving in the Division I governance structure and reviewed the legislative diversity requirements;

(2) Learned that the Board of Directors now plays a keen oversight role in the governance appointment process and has charged the Leadership Council with examining ways to enhance the level of diversity serving within the structure; and

(3) Entered into a preliminary discussion, in which individual members shared ideas to enhance diversity, including:

- Efforts need to focus on broadening the pool from which representatives are selected. There needs to be a focus on developing talent to ready representatives for leadership roles.

- The governance cabinets and the committee structure provides a good opportunity for young professionals to gain experience.

- Conferences may be able to provide assistance by including more and different representatives in their meeting structure.

- The NCAA Convention can serve as a forum to provide development opportunities to young professionals.

- Identifying minority and female professionals for additional exposure to NCAA meetings.

- Increased efforts to discuss employment opportunities in intercollegiate athletics with minority and female student-athletes should be pursued.

- Efforts should be made to learn from successful programs in higher education and elsewhere, as lack of diversity is a societal problem.

- Mentoring efforts, including providing access to reading materials, a dedicated web site and meetings may be beneficial.

- An assessment of current NCAA professional development programs for females and minorities should be conducted to assess their level of success.

[Note: The NCAA Diversity and Inclusion staff will be called upon to assist with this examination. For future discussions the Council asked to see governance service histories by conference.]

b. Update regarding preliminary plans to examine Division I membership standards.

LDC ACTION: Learned that as a result of the two-year moratorium in 2000, Division I developed a more detailed educational assessment program and standards to more clearly distinguish football playing institutions among subdivisions, but that the migration to Division I did not slow down. Accordingly, in August 2007, the Division I Board of Directors established a four-year membership moratorium to take time to assess and study the impact of this membership migration and develop reasonable philosophical expectations and legislative requirements that should be adhered to by all institutions desiring to transition to or remain in Division I; and

- Were informed that the Leadership Council has been charged with engaging in that study and offering recommendations concerning Division I membership standards.

- Were advised that the chair of the former Membership and Governance Subcommittees of the Management Council and the current chair of the Administrative Cabinet would be called upon to assist in this project.

[Note: Leadership Council members will be sent reading materials regarding current Division I membership standards in advance of the next meeting.]

c. Following review by the Board of Directors, offer recommendations concerning the report of the Task Force on Commercial Activity in Intercollegiate Athletics.

LDC ACTION:

(1) Were informed that the Task Force's charge is to develop guiding principles and instructive guidelines that clearly identify the balance point between unrealistic idealism and crass commercialism; and

(2) Learned that it is anticipated the Task Force will seek to complete its charge within the next few months, at which time the Leadership Council, in keeping with the three controlling goals, will be asked to provide additional strategic thinking by possibly addressing such questions as "should there be an attempt to regulate the environment?" and "if so, by whom, and with what level of consistency?"

d. Discuss appropriate strategies to consider certain Division I amateurism issues.
SUPPLEMENT NO. 6

LDC ACTION:

(1) Received a brief presentation from the vice president for Membership Service regarding the history of Division I amateurism legislation and the standard of review for amateurism cases, which has evolved over time as more international student-athletes have enrolled in Division I institutions; and

(2) Were informed that:

- The new Division I Amateurism Cabinet plans to review amateurism issues, with specific attention given to the definition of a professional team (and how one may become ineligible based on benefits received by a teammate), as well as issues related to actual and necessary expenses.

- The NCAA student-athlete reinstatement staff and the NCAA Division I Committee on Student-Athlete Reinstatement will discuss with the Legislative Council a desire for additional flexibility from the NCAA Division I Management Council directive regarding competition with professionals.

- The Committee on Student-Athlete Reinstatement (ultimately the NCAA Division I Legislative Council) will review and consider implementing more flexible application of Management Council amateurism directives.

8. Identification of additional issues and themes of importance to the Leadership Council.

LDC ACTION:

a. Were provided an opportunity to share ideas regarding other issues that Council members would like to see examined by the Leadership Council; and

b. Members shared the following areas for review:

- The issues of ethics in sports and how Division I and the Association as a whole can assist coaches associations and other constituent groups in having meaningful conversations regarding ethics and professionalism.

- A broad examination of time demands on student-athletes based on recent research findings, including consideration of restructuring or eliminating the non-championship segment.

- Hiring practices in intercollegiate athletics and whether there is adequate transparency in the process, consistent with typical hiring practices on campus.

- The need for additional professional development for coaches and the possible need for a coaching certification program whereby coaches receive education on a wide array of issues that are designed to assist coaches in focusing on the overall well-being of student-athletes.

- The problem of early recruitment and commitments.

9. News from the National Office.

a. Review of significant agenda items from the August 7, 2008, Division I Board of Directors meeting. SUPPLEMENT NO. 7

LDC ACTION: Learned that in addition to the items listed on the Leadership Council's agenda, the Board is scheduled to receive a brief overview regarding the preliminary efforts of the Football Academic Enhancement Group, an update from the Oversight and Monitoring Group and a report from the Committee on Academic Performance in which the committee is asking the Board to examine its role in the appellate process for Occasion Three and Four Penalties.

b. Status report on the work of the Men's Basketball Academic Enhancement Working Group. SUPPLEMENT NO. 8

LDC ACTION:

(1) Received an update on the ongoing work of the Men's Basketball Academic Enhancement Group, which was charged by the Board to think creatively to identify ways to improve the academic performance and ultimately the graduation rates, of Division I men's basketball student-athletes;

(2) Heard from staff and members of the group that the basketball community appears committed to seeking to have meaningful, cultural change in the sport, mindful that the Academic Progress Rate is here to stay; and

(3) Learned that the Basketball Academic Enhancement Group will continue its work at its August 8, 2008, meeting, with the goal of providing the Board with a series of recommendations by October 2008, and that once the Board receives these recommendations, the Leadership Council will be asked to offer its guidance regarding the consideration of the recommendations.

c. Update regarding the membership's override request with regard to Proposal No. 2007-30-C. SUPPLMENT NO. 9A, 9B, & 9C

LDC ACTION:

(1) Learned that 62 member institutions have submitted override requests regarding the adoption of Proposal No. 2007-30-C, which is intended to prohibit Division I men's basketball coaches from observing "non-scholastic events" during the April contact period;

(2) Were informed that the staff plans to recommend to the Board that it sustain its earlier action in adopting the proposal as the proposal is designed to address concerns about the increase in nonscholastic influences in the sport in the spring and poor academic performance and preparation; and

(3) Voted to recommend to the Division I Board of Directors that it sustain its earlier adoption of Proposal No. 2007-30-C, as the Leadership Council has concerns about the proliferation of nonscholastic events conducted during the April contact period and the resulting consequences to the well being of the prospective students who participate in these events. (Unanimous Voice Vote.)

10. Discussion of appropriate process to evaluate reports from committees that report to the Leadership Council.

LDC ACTION: Mindful that enhanced communication and more coordination between governance groups are key objectives of the Division I governance restructuring, discussed how it wants to receive information from committees that report to the Leadership Council; and noted it hopes to receive succinct reports that highlight salient points.

a. Committee on Women's Athletics. SUPPLEMENT NO. 10

LDC ACTION: Received the report and heard from the chair that the committee plans to broadly examine ways to enhance diversity both at the coaching and administrative levels, which, in turn, should assist the Leadership Council in its examination of ways to enhance diversity in the Division I governance structure.

b. Minority Opportunities and Interests Committee. SUPPLEMENT NO. 11

LDC ACTION: Received the report and learned that the Division I Management Council Administrative Committee declined to sponsor legislation in the 2008-09 legislative cycle to provide that each active member would be responsible for submitting annual data demonstrating that their employment practices are in compliance with their institutional employment practices when filling open positions within their athletics department. [Note: In deciding not to sponsor the legislation, the Administrative Committee suggested that MOIC should be encouraged to work on the legislative concept over the course of this next year in an attempt to provide more detail and clarity to the recommendation.]

c. Sportsmanship and Ethical Conduct. SUPPLEMENT NO. 12

LDC ACTION: Received the report and took no action.

d. Division I Student-Athlete Advisory Committee. SUPPLEMENT NO.13

LDC ACTION:

(1) Received the report and learned that the Division I SAAC will seek to provide feedback to the working group examining issues surrounding "at risk" student-athletes.

(2) Were invited to send representatives to the Division I Student-Athlete Regional Leadership Conference scheduled for November 7 – 9, 2008, in La Jolla, California.

11. Other business and issues for discussion.

LDC ACTION: Reviewed the draft 2009 NCAA Convention schedule, and learned the Leadership Council is scheduled to meet as follows:

Thursday, January 15

- Joint Leadership Council/Collegiate Commissioners Association (CCA) meeting – 10 – 11:30 a.m..
- Leadership Council/Legislative Council/CCA Luncheon – 11:30 a.m. – 1 p.m..
- Leadership Council meeting – 1 – 3:30 p.m.

Friday, January 16

- Leadership Council/Legislative Council/SAAC breakfast – 8 – 9:30a.m.
- Division I Issues Forum (suggested) 9:30 – 11:30 a.m.
- Leadership Council/Legislative Council/BOD luncheon 11:30 a.m. – 1 p.m.
- Legislative Forum (suggested) 1:30 – 3:30 p.m.

[Note: If there is a membership vote required with regard to the override request on Proposal No. 2007-30-C, it will occur in the Division I Business Session, which will be held at the conclusion of the Division I Legislative Forum.]

12. Adjournment.

NCAA STUDENT-ATHLETE REINSTATEMENT GUIDELINES
DIVISION I

NCAA Division I Bylaw 10 Guidelines.

1. **Bylaw 10.1-(b) (Academic Fraud).**

   a. The NCAA Division I Student-Athlete Reinstatement Committee directed staff to impose a minimum condition withholding from one season and charging with a season of competition. (December 2001)

   b. Committee indicated that one season is a minimum and, based on the specific facts of a case, a penalty beyond a season may be imposed. (December 2004)

2. **Bylaw 10.1-(d) (Provision of False or Misleading Information).**

   a. Provision of false and misleading information [Bylaw 10.1 (d) site] – General guideline is to withhold 20 to 50 percent. (February 2001)

   b. Although guideline is 20 to 50 percent due to seriousness of student-athlete's actions, staff may impose a condition greater than 50 percent if it deems appropriate. (June 2003)

   c. In situations where a student-athlete provides false and misleading information during the investigation of the violation but the institution does not believe that the student-athlete "knowingly" provided the information and does not cite Bylaw 10.1-(d), the provision of the false and misleading information may be considered in evaluating the student-athlete's culpability for the initial violation. (February 2001)

Bylaw 12 Guidelines.

1. **Review of Amateurism Cases Involving Contracts and Competition with Professional Teams for Prospective Student-Athletes Initially Enrolling in a Collegiate Institution for the 2002-03 Academic Year or before.**

   The committee established a two-prong analysis for these cases. The first prong focuses on the individual's intent to professionalize. The following information standards are to be used when analyzing an individual's intent to professionalize under the first prong:

   a. The intent or purpose of the funds or other benefits (e.g., was the money used to offset basic living or educational expenses?).

b. The individual's knowledge of NCAA legislation at the time of the violation and the status of the individual (pre-enrollment vs. post enrollment).

c. Receipt of monetary or other benefits and the amount of the benefits received by the individuals.

d. Status of the individual; specifically, whether the league defines the individual as professional and the level or degree at which the competition occurred.

e. Existence of any special circumstances at the time the contract was signed (e.g., age and availability of other sports leagues in which for the individual to participate).

f. Whether individual benefited from signing the agreement (factor added June 2001).

If it is determined that the individual demonstrated an intent to professionalize, his or her eligibility will not be reinstated. If it is determined that an individual did not show an intent to professionalize, then the analysis shifts to the second prong, focused on competitive advantage. (December 1999)

The NCAA Division I Management Council directed the committee to apply a withholding condition of 20 percent of the contests in which the prospective student-athlete participated not to exceed 28.6 percent of the NCAA sports season. (October 2001)

2. **Review of Amateurism Cases involving Contracts, Compensation (e.g., prize money, salary, expenses) and Competition with Professional Teams for Student-Athletes Initially Enrolling in a Collegiate Institution for the 2003-04 Academic Year or After**.

a. Philosophy Statement. An individual who engages in activities that professionalize himself or herself will be deemed permanently ineligible for NCAA Division I athletics.

b. Standard. The individual's actions shall be reviewed under a "reasonable-person" standard to determine if those actions warrant the individual not being reinstated for intercollegiate athletics eligibility.

c. Comment. The NCAA's Principle of Amateurism specifies that student participation in intercollegiate athletics is an avocation. This is a bedrock principle for the NCAA. The Division I membership recently defeated proposals to significantly change its amateurism rules indicating that the current rules need to be consistently upheld. An individual who pursues sport as a vocation, even if the individual fails at that pursuit,

shall not be permitted to compete in intercollegiate athletics. The individual's intent is no longer relevant with respect to whether the individual actually became professional athlete.

3. **Reinstatement Policies for Amateurism Violations.**

a. Professional Contract. An individual who enters into an agreement (oral or written) to participate in professional athletics shall not be permitted to compete in intercollegiate athletics.

(1) This is a presumptive statement that is rebuttable, but the standard to rebut is high (e.g., substantial, clear and convincing evidence).

(2) The act of entering into an agreement to participate in professional athletics carries with it the understanding that the individual is abandoning his or her amateur status.

(3) The burden to rebut that presumption shall rest with the institution and individual involved in a specific case.

(4) Only exceptional mitigating circumstances shall be considered when reviewing the request for reinstatement.

b. Compensation. An individual who accepts compensation (e.g., prize money above actual and necessary expenses, salary, benefits, etc.) shall not be permitted to compete in intercollegiate athletics.

(1) Salary – The acceptance of a salary will result in the student-athlete not being reinstated. The acceptance of a salary for competing in professional athletics, historically, has been viewed as a clear decision to abandon amateur status and has not resulted in reinstatement of intercollegiate athletics eligibility.

(2) Prize Money – An individual shall not be reinstated if he or she profits from sport and accepts prize money above his or her expenses. The expense calculation for prize money is done on an event-by-event basis.

(3) Actual and Necessary Expenses – If an individual accepts actual and necessary expenses from a professional team, the individual will be required to repay the value of expenses and be withheld based on the dollar amount of the expenses. Also considered in the analysis is how the student-athlete benefited from the provision of the expenses.

(4) Educational Expenses – If an individual accepts educational expenses from an impermissible source (e.g., professional team, agent) he or she shall be required to repay the value of the impermissible expenses and be required to be withheld based on culpability for the violation.

c. Professional Competition. The decision not to allow competition with professionals shall be interpreted literally, with the exception of individuals competing while enrolled in high school or immediately thereafter. The shift in the treatment of these violations is based on the membership's decision not to allow competition with professionals.

(1) An individual who participates on a professional team after his or her first opportunity to enroll in a collegiate institution shall not be permitted to compete in intercollegiate athletics.

(a) The first opportunity to enroll in college is based on the certifying institution's first date of classes.

(b) The prospective student-athlete's first opportunity is that date following his or her expected high school graduation date, which is determined based on his or her initial enrollment and the expected time to complete the secondary education as determined by the NCAA Foreign Student Records Committee (FSRC).

(2) An individual who participates on a professional team prior to his or her first opportunity to enroll in college will be withheld from competition on a one-for-one basis, not to exceed the equivalent of the number of contests in an NCAA season for that sport.

d. Effective Date. The effective date for the reinstatement condition for all penalties is applicable to all individuals initially enrolling at an NCAA institution after August 1, 2003, with the exception of prize money violations. The reinstatement condition for prize-money violations will be for any activities occurring after September 1, 2002.

4. Additional Clarification of Management Council Directive.

a. Actual and Necessary Expenses. The committee determined that actual and necessary expenses should be calculated consistent with the calculation of actual and necessary expenses for extra-benefit violations. (February 2003)

b. Failure to Produce Professional Contract. The committee determined that since the consequence for signing a professional contract is a presumption of permanent ineligibility, if the facts as reported by the institution include a contract violation, the failure to produce a contract will result in permanent ineligibility. (February 2003)

c. Expected Date of High School Graduation. The committee determined that for the purposes of the reinstatement directive, the penalty of permanent eligibility tied to professional competition should be based on the prospect's expected date of high school graduation as determined by the Guide to International Academic Standards for Athletics Eligibility. (February 2003)

d. Forwarded Prize Money. The committee determined that in situations where the individual does not actually receive the prize money (e.g., money forwarded to federation, teammates accept money), the condition may not be permanent ineligibility if the student-athlete has no control over the distribution of the money and did not directly benefit from the prize money that was forwarded. (February 2003)

e. December Graduation. The committee determined if an individual graduates from high school in December, since January is the individual's first opportunity to enroll, if the individual competes on a professional team beyond January, he or she should be permanently ineligible. (February 2003)

f. Prize Money Accepted after Enrollment, but while Enrolled at an International Institution. The committee determined that if the prize money accepted is less than expenses, then, generally speaking, a withholding condition should not be imposed inasmuch as the application of the guidelines for withholding for enrolled student-athletes was based on an increased knowledge. The committee determined that student-athletes who have yet to enroll at an NCAA institution are more like prospects in this instance and, thus, should not be subject to the withholding condition if the prospect had no knowledge accepting it was a violation. (September 2003)

5. Post Enrollment Amateurism Violations.

In light of the shift in reinstatement conditions for prospective student-athletes, the committee reviewed the reinstatement conditions for enrolled student-athletes who engage in activities in violation of NCAA amateurism legislation subsequent to their enrollment at a collegiate institution. Since significant changes occurred in the reinstatement conditions for prospective student-athletes, it seems consistent to apply a similar standard to enrolled student-athletes. In that regard, the following guidelines were adopted:

a. Prize Money (was adopted June 2002, for prize money accepted after September 1, 2002). If, subsequent to enrollment, a student-athlete accepts prize money **in excess of expenses,** his or her eligibility will not be reinstated. If, subsequent to enrollment, a student-athlete accepts prize money that is **less than expenses,** the student-athlete will be required to repay the impermissible prize money and will be withheld based on the student-athlete's culpability for the violation. ($100-$299 = 10 percent; $300-$500 = 20 percent; $501 and up = 30 percent).

(For prize money accepted subsequent to enrollment prior to September 1, 2002, no committee directive exists. Generally speaking precedent requires the student-athlete to repay the money received.)

b. Competition on a Professional Team (effective for competition occurring after March 1, 2004). If, subsequent to collegiate enrollment, a student-athlete competes on a team that is considered professional under NCAA legislation, his or her eligibility will not be reinstated. This is consistent with the directive for prospective student-athletes. (February 2004)

(For competition on a professional team subsequent to enrollment prior to March 1, 2004, no committee directive exists. Precedent generally requires a minimum one-for-one-withholding condition.)

c. Expenses from a Professional Team (effective for expenses received after March 1, 2004). If a student-athlete accepts expenses from a professional team subsequent to his or her enrollment at a collegiate institution, the student-athlete shall repay the expenses and the student-athlete's culpability will be assessed. A withholding condition may be imposed based on the dollar amount of expenses accepted. Similar to prospective student-athletes who accept expenses from a professional team, the condition for expenses would be imposed only if reinstatement was warranted and would be in addition to any condition imposed for other amateurism violations. (February 2004)

(For receipt of expenses from a professional team subsequent to enrollment prior to March 1, 2004, no committee directive exists. Precedent generally requires a minimum condition of repayment.)

d. Signing of a Contract or Acceptance of a Salary. Similar to the condition for prospective student-athletes, the committee noted that if an enrolled student-athlete signs a contract to participate in professional athletics or accepts a salary, the presumption should be permanent ineligibility. Under the intent-to-professionalize standard, it was unlikely that an enrolled student-athlete's eligibility would be reinstated if he or she signed a contract to play professional athletics or accepted a

salary; however, based on the new standard, the committee felt it was necessary to include contract and salary within the context of all violations subsequent to a student-athlete's enrollment. (February 2004)

(For signing of a contract or receipt of a salary subsequent to enrollment prior to March 1, 2004, no committee directive exists. However, precedent generally would result in student-athlete not being reinstated.)

6. **Other Amateurism Issues**.

a. Amateurism Cases involving Impermissible Actual and Necessary Expenses. The committee directed the staff to require student-athletes to repay all impermissible expenses, including actual and necessary expenses received after August 1, 2001. (June 2000)

b. United States Independent Soccer League (USISL) and Australian Women's National Basketball League (AWNBL) Considered Professional. The committee directed staff to treat these cases like all other amateurism violations given the professional nature of both leagues. (December 2000)

c. Football Scholarship Programme. The committee directed the staff that individuals who are initially enrolling at an NCAA institution for the 2003-04 academic year and who violate amateurism legislation as a result of their involvement with the Programme be considered the same as student-athletes in other amateurism cases who compete with professionals, accept impermissible monies from a professional team and sign professional contracts. For student-athletes who have been involved with the Programme and are enrolling for the 2002-03 academic year, the staff and Division I Committee will review their reinstatement requests on a case-by-case basis in light of the case precedent and the circumstances presented by the institution. (June 2002)

d. Women's Bowling. (For prize money accepted prior to 9/1/02)

(1) In the sport of women's bowling, an individual who accepts impermissible prize money prior to August 1, 2001, shall be withheld from the next 10 percent of the institution's regularly scheduled contests as minimum condition for reinstatement.

(2) Any impermissible prize money accepted by an individual after August 1, 2001, and prior to September 1, 2002, shall require repayment as a minimum condition for reinstatement.

(3) At any time, if an individual declines acceptance of the prize money and the money is not disbursed to an institution, the individual shall be reinstated without conditions.

(4) Prize money accepted after September 1, 2002, shall be treated under the amateurism directive stated under Item No. 5.

e. Tennis. [For prize money accepted prior to 9/1/02]

(1) For prize money received prior to January 1, 1998, the committee determined that the appropriate reinstatement condition is a 10-percent-withholding condition.

(2) The committee agreed that for any prospective student-athlete who receives impermissible prize money based on place finish after January 1, 1998, and prior to September 1, 2002, the minimum condition for restoration would require the prospective student-athlete to repay the prize money based on place finish and, depending on other impermissible actions by the prospective student-athlete, additional conditions may be imposed.

(3) Prize money accepted after September 1, 2002, for prospective student-athletes shall be treated under the Management Council amateurism directive.

7. **Bylaw 12.3 (Agents).**

a. The committee noted that agent violations are considered more serious than general extra-benefit violations of Bylaws 16 (awards, benefits and expenses for enrolled student-athletes) or 12.1.1.1.6 (preferential treatment, benefits or services); therefore, the monetary guidelines should be more stringent than the extra-benefit guidelines. (December 2000)

b. The committee directed the staff to impose a minimum 10-percent-withholding condition for any type of impermissible benefit received by a student-athlete from an agent. (December 2000)

c. The committee affirmed that the staff should consider the following issues (December 2000):

(1) The value of the benefit received by the student-athlete;

(2) The student-athlete's awareness of the person's agent status; and

(3) The student-athlete's involvement in obtaining the benefit.

d. Signing of a contract with an agent carries with it the presumption of abandoning ones amateur status.

8. **Bylaw 12.5 (Promotional Activities)**.

- The committee directed the staff to analyze the following in reviewing these cases (December 2000):

  a. How commercial the promotion was;

  b. The culpability of the student-athlete, emphasizing whether the student-athlete had received NCAA rules education and had knowledge of the use of his or her name or picture; and

  c. How the identity of the student-athlete was established (e.g., whether the promotion includes the student-athlete's name, institution, team and/or uniform).

Bylaw 13 Guidelines.

1. **Official Visit and Dead-Period Violations**.

- The committee determined that it did not want to require repayment for official-visit violations that occur during a dead period or extend into a dead period since the visit could be permissible but for the dates of the visit. (December 2002)

2. **Standard for Review**.

- The committee determined that recruiting violations should be analyzed under a reasonable person standard, focusing on whether the recruiting violation would have affected a "reasonable-persons" decision to attend the institution. (February 2004)

Agent Violations

(Penalties are assessed for each violation that occurs; so if individual is in violation of agent legislation and competition legislation, both penalties will be imposed.)

Description of Violation	Guideline
1. Prospective student-athlete (includes any individual who is subject to review by NCAA amateurism certification staff) signs an agreement with an agent or an agreement indicating that an individual will represent him or her.	1. Eligibility not reinstated.
2. Prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) or family member accepts benefits from an agent valued at less than $100.	2. Eligibility reinstated based on repayment of value of the impermissible benefits and based on 10 percent withholding condition.
3. Prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) or family member accepts benefits from an agent that are greater than $101.	3. Case-by-case review by the NCAA student-athlete reinstatement staff. Amateurism certification staff will forward to reinstatement staff to review. (Minimum condition of repayment and 10 percent withholding condition.)
4. Prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) signs an agreement with a talent evaluation service or agent that is conditioned on the service or agent securing an athletics scholarship for the prospective student-athlete.	4. Eligibility reinstated based on 10-percent withholding condition.

Agreement/Contract Penalties

(Penalties are assessed for each violation that occurs; so if individual is in violation of agreement legislation and competition legislation, both penalties will be imposed.)

Description of Violation	Guideline
1. Prospective student-athlete (includes any individual who is subject to review by NCAA amateurism certification staff) signed agreement or contract to participate on a team where there is no indication in agreement that individual is a professional (word professional is not used in contract) and there is no indication prospect will be paid for his or her participation on the team. Contract may explicitly say individual is an amateur or may just not designate that prospect is professional or being paid.	1. Eligibility reinstated; withheld from a season of competition and charged with a season of competition.
2. Prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) signs agreement or contract to participate on a team where the contract indicates it is a professional contract (e.g., contract indicates team is professional or uses word professional).	2. Eligibility not reinstated.
3. Prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) signs agreement or contract that provides for the receipt of money above expenses (including, but not limited to, salary, bonuses and stipends).	3. Eligibility not reinstated.

Description of Violation	Guideline
4. Prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) participates in limited events where he or she indicates competing as a professional (e.g., tennis event or golf event).	4. Eligibility reinstated; withheld from a season of competition and charged with a season of competition.
5. Prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) participates in multiple events where he or she indicates competing as a professional (e.g., tennis event or golf event).	5. Eligibility not reinstated.

Competition with Professionals

(Penalties are assessed for each violation that occurs, so if individual is in violation of competition legislation and agreement legislation, both penalties will be imposed.)

Description of Violation	Guideline
1. Prospective student-athlete (includes any individual who is subject to review by NCAA amateurism certification staff) competes on a team that meets NCAA definition of professional while in high school (prior to first opportunity to enroll at collegiate institution).	1. Withheld one-for-one, not to exceed the equivalent of an NCAA season.
2. Prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) competes on a team that NCAA considers professional after first opportunity to enroll.	2. Withhold two-for-one (this penalty can exceed equivalent of an NCAA season).

Expenses from Sponsor other than Parents/Legal Guardians or Nonprofessional Sponsor of Event
(Penalties are assessed for each violation that occurs, so if individual is in violation of receipt of impermissible money legislation and competition legislation, both penalties will be imposed.)

Description of Violation	Guideline
1. Prospective student-athlete (includes any individual who is subject to review by NCAA amateurism certification staff) receives expenses for multiple events from a sponsor other than parents/legal guardians or nonprofessional sponsor of an event.	1. Case-by-case analysis by NCAA student-athlete reinstatement staff. NCAA amateurism certification staff should forward case to student-athlete reinstatement staff.
2. Prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) receives expenses for a single event from a sponsor other than parents/legal guardians or nonprofessional sponsor of an event totaling over $1,000.	2. Case-by-case analysis by NCAA student-athlete reinstatement staff. Amateurism certification staff should forward case to student-athlete reinstatement staff.
3. Prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) receives expenses for a single event from a sponsor other than parents/legal guardians or nonprofessional sponsor of an event totaling less than $1,000.	3. Eligibility reinstated based on repayment of the expenses received.

Prize Money Penalties

(Penalties are assessed for each violation that occurs, so if individual is in violation of prize money legislation and competition legislation, both penalties will be imposed.)

Description of Violation	Guideline
1. Prize money accepted by prospective student-athlete above expenses for totality of events (meaning profited from sport, accepted money above totality of all expenses).	1. Eligibility is not reinstated. If minimal dollar amount, NCAA amateurism certification staff should consider if mitigation and forward to student-athlete reinstatement staff.
2. Prize money accepted by prospective student-athlete (includes any individual whose initial collegiate enrollment will be at an NCAA Division I or II institution) above expenses for a particular event, but total money received is less than expenses.	2. Less than $100 = require repayment and withhold from 10 percent. Case-by-case analysis by NCAA student-athlete reinstatement staff. Amateurism certification staff should forward case to student-athlete reinstatement staff. Presumption will be permanent ineligibility.
3. Prize money forwarded by prospective student-athlete to federation or national team and prospective student-athlete is able to demonstrate that money is not earmarked for prospective student-athlete (money goes into general account). Prospective student-athlete must demonstrate that he or she did not receive permissible expenses from federation or national team contingent on, or in any way connected to, an obligation to forward prize money.	3. Eligibility reinstated.

Description of Violation	Guideline
4. Prize money forwarded by prospective student-athlete to federation and earmarked for prospective student-athlete or if money is forwarded to another individual.	4. Eligibility not reinstated. If mitigation is present, amateurism certification staff can forward to student-athlete reinstatement staff to be considered.
5. Prize money accepted by prospective student-athlete after enrollment at a two-year institution, National Association of Intercollegiate Athletics institution or international institution for a particular event, but total money received is less then expenses.	5. If money less than expenses for the particular event = eligibility reinstated based on repayment. If money is greater than expenses for the particular event = eligibility not reinstated.

Receipt of Money from Professional Team

(Penalties are assessed for each violation that occurs; so if individual is in violation of receipt of impermissible money legislation and competition legislation, both penalties will be imposed.)

Description of Violation	Guideline
1. Money provided to prospective student-athlete (includes any individual who is subject to review by NCAA amateurism certification staff) above the value of expenses (e.g., salary).	1. Eligibility not reinstated.
2. Stipend provided to prospective student-athlete (includes any individual who is subject to review by amateurism certification staff); money is used to cover expenses and value did not exceed actual and necessary expenses associated with practice and competition.	2. Eligibility reinstated based on repayment of value of expenses and withholding based on the dollar amount. Less than $500 = no withholding. $501 to $700 = 10 percent withholding. $701 to $1,001 = 20 percent withholding. $1,001 and up = 30 percent withholding.
3. Prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) received expenses from professional team; not in form of payments (e.g., meals paid for, bus rides).	3. Eligibility reinstated based on repayment of the value of the expenses received.
4. Prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) receives incentives based on performance and incentives are less than the value of his or her expenses.	4. Case-by-case review by student-athlete reinstatement staff. Amateurism certification staff should forward case to student-athlete reinstatement staff.
5. Educational expenses received by prospective student-athlete (includes any individual who is subject to review by amateurism certification staff) from professional team.	5. Eligibility reinstated based on repayment of the impermissible expenses.

Report of the NCAA Division I
Task Force on Commercial Activity in Intercollegiate Athletics

The NCAA Division I Task Force on Commercial Activity in Intercollegiate Athletics submits the following report from its July 25, 2008, meeting:

- ***INFORMATIONAL ITEMS***.

1. Fantasy League. The Task Force received a thorough presentation from NCAA corporate partner CBS regarding the growth and development of fantasy sports leagues. Thereafter, the Task Force learned from staff that a recent ruling by the 8th Circuit Federal Court of Appeals in the case of CSC Distrib. And Mkting. Inc. v. Major League Baseball Advanced Media L.P., in which the court applied Missouri State law to professional fantasy leagues has lead fantasy sports games distributors to conclude that offering a college football fantasy game that includes names and game statistics of college student-athletes would be consistent with the ruling. The Task Force was informed of a July 2008 NCAA rule interpretation which states the use of a student-athlete's name in connection with a fantasy sports game even when there is not an entry fee or prize associated is a violation of NCAA bylaws.

   Given the apparent conflict between NCAA rules and the court ruling, the Task Force discussed the situation at length, including possible responses. It was noted that a cease and desist letter would be sent by the Association on behalf of its members and student-athletes to any distributor engaged in such activities. The Task Force noted that the Division I Board of Directors should be encouraged to address whether fantasy sports games that adhere to certain parameters necessarily violate the principles of amateurism. Additionally, the Task Force noted there appears to be a need to study whether actual licensing of NCAA and/or institutional trademarks and mascots may be appropriate to ensure the proper quality control for such games.

2. Review and discussion of historic narrative. The Task Force reviewed a historic narrative entitled "Bringing Balance to Commercial Activity in Intercollegiate Athletics," which was intended to assist the group as it seeks to align the commercial activities associated with intercollegiate athletics with the rest of higher education. Group members noted that the document should not be referenced as "a discussion of principles," given its narrative form, but they did suggest the statement should be included as part of any final Task Force report to help provide helpful contextual information. Group members were encouraged to provide their comments and edits to the narrative and to share them with the staff.

3. Review of revised Task Force charge. The Task Force members concurred that the group's charge of developing guiding principles that clearly identify the balance point between unrealistic idealism and crass commercialism, is sufficiently detailed so that

ultimately, principles and guidelines can be developed that can easily translate into enforceable rules as appropriate.

4. Foundation for discussion. Group members discussed the fact that, given the broad nature of its charge, any failure by the Task Force to address an issue may be viewed by the membership as a tacit endorsement of a current practice or activity. Accordingly, members were asked to consider whether they were comfortable with the current state of commercial activities relative to intercollegiate athletics. In response, some members shared specific concerns, and it was suggested that in the final Task Force report examples of these concerns should be given to help make the case for a balanced approach to commercial activities. Making the case for a more balanced approach, in turn, will help lay the foundation for the development of principles, guidelines and possible regulations.

5. Examination of principles. The Task Force members explored a variety of approaches they could take to develop a statement of principles.

   a. Making the clear distinctions between principles and guidelines. Members suggested that it may be helpful in seeking to develop a statement of principles to better define the distinction between principles and guidelines, to ensure the development of more accurate statements. Members suggested that principles should be a reflection of beliefs, while guidelines should include measureable standards that may, in some circumstances, lead to enforcement mechanisms.

   b. Charge to Task Force members. The Task Force members and staff were charged with reviewing a draft of principles and guidelines to offer their comments and suggested revisions. Members were encouraged to provide feedback to the staff liaisons within the next seven to 10 days. [Note: Specific comments offered by members during the meeting regarding the principles and guidelines were recorded by staff.]

6. Review of guidelines. The group recommended that, as final guidelines are developed, examples should also be provided to help illustrate the application of the guidelines. The members suggested that examples illustrate the optimum application, the minimum application and the aspirational application of the guidelines. The members noted the process of developing these examples would help in strengthening the guidelines as difficulty in identifying examples would help illustrate weaknesses in the guidelines.

7. Level of consistency. The Task Force began to discuss whether there needed to be a level of consistency in the approach to commercial activity across the enterprise. Members generally opined that principles should be consistent but acknowledged that there may naturally be a degree of inconsistency in the application. While the group did not take a formal position, and it is anticipated this issues may be discussed further at a future meeting, the group did concur there should be an effort to strive for more consistency.

8. Other issues and next steps. The next meeting of the Task Force is scheduled for October 6, 2008. The staff will send out information regarding the specific time and location of the meeting. In the interim, Task Force members and staff are encouraged to share their thoughts and ideas regarding this important project.

Task Force chair: Graham B. Spanier (chair), Pennsylvania State University
Staff liaisons: David Berst, governance
Beth DeBauche, governance
Bernard Franklin, governance & membership and education services
David Knopp, corporate and broadcast alliances
Kevin Lennon, membership services
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Subject: NCAA Memorandum

Attachments: Attachment - FSG.DOC

July 29, 2008

MEMORANDUM

TO: Division I Football Bowl Subdivision Directors of Athletics and Directors of Compliance.

FROM: S. David Berst
Vice President for Division I.

SUBJECT: Use of student-athlete names, statistics, and institution affiliation in "fantasy sports games."

I wish to provide an update about the NCAA's involvement related to introduction of mainstream "fantasy games" for collegiate sports (beginning with the Division I Football Bowl Subdivision regular season) incorporating student-athlete names, statistics, and institution affiliation. Fantasy sports games typically are conducted on various Internet sites, including major Web sites owned by CBS Sports, Yahoo!, and ESPN. Fantasy sports games allow users to become the coach of their own personal sports teams and compete against others creating fantasy teams. Users select teams of real athletes chosen from among all eligible athletes on all teams within a league and compete against other team coaches for the league championship. The game and its rules are designed to mimic real play as much as possible, so each player's real-game statistics from the previous week's play are used in calculating fantasy wins and losses. Fantasy sports games using print media reports are over forty years old; popularity increased dramatically when they became Web-based several years ago.

A recent court decision applying Missouri state law to a professional baseball fantasy league has led distributors of Fantasy sports games to conclude that offering an Football Bowl Subdivision college football fantasy league would be consistent with this ruling. (CBC Distrib. & Mktg., Inc. v. Major League Baseball Advanced Media, L.P., United States Federal Court of Appeals, 8th Circuit). The NCAA is reviewing these issues and the applicability of that court decision on college football and other intercollegiate sports.

The Division I Legislative Review and Interpretations Committee published an interpretation in July 2008 (Attachment above) that the use of student-athlete names in connection with a fantasy sports game, even when there is not an entry fee or prize associated with the game, is a violation of NCAA Bylaws. The Division I Task Force on Commercial Activity in Intercollegiate Athletics also discussed the issue at its recent meeting on July 25, 2008. The committee will make a recommendation to the Division I Board of Directors to engage in further discussion about whether fantasy sports games that adhere to certain parameters necessarily violate the principle of amateurism. Further, the committee believes that there is need to study whether actual licensing of NCAA and/or institutional trademarks and mascots may be appropriate to ensure the proper quality control for these games.

The Official Interpretation as it stands now normally would require an institution and/or its student-athlete to send a cease and desist to any third party entity using student-athlete names/likeness in connection with fantasy sports games. However, because a collegiate fantasy game for Division I Football Bowl Subdivision regular season would impact all of its institutions and many of its student-athletes, the NCAA is prepared to send notice to any entity conducting a collegiate fantasy game using student-athlete names. Certainly, an institution or student-athlete who wishes to notify a third party of concern independent of the NCAA action has the right to do so, and the NCAA cannot speak for institutions who believe their intellectual property is being violated or for student-athletes who believe that use of their names in such games amounts to a violation of their right of publicity, aside from the NCAA Bylaws issue.

If you have any questions about this matter, please feel free to contact me directly. I expect that there will be further updates after the governance meetings take place in early August.

cc: Division I Board of Directors
Division I Conference Commissioners
NCAA Selected Staff
Task Force on Commercial Activities

ATTACHMENT

NCAA OFFICIAL INTERPRETATION

ISSUE: Use of a Student-Athlete's Name in a Fantasy Sports Game (I)
Date Issued: Jul 02, 2008
Date Published: Jul 15, 2008
Type: Official
Item Ref: 1

ACTION: The committee confirmed that if a student-athlete's name is used, without the student-athlete's knowledge or permission, in a fantasy sports game operated by an outside entity or agency, the student-athlete (or the institution acting on his or her behalf) is required to take steps (e.g., issue a cease and desist letter) to stop the activity in order to retain his or her eligibility for intercollegiate athletics.

[References: NCAA Division I Bylaws 12.5.2.1 (advertisements and promotions after becoming a student-athlete), 12.5.2.2 (use of a student-athlete's name or picture without knowledge or permission) and official interpretation (10/26/89, Item No. 4)]

[**NOTE:** Because a fantasy sports game devoted to collegiate athletics will likely involve the use of student-athlete names from many NCAA member institutions, the NCAA has agreed to write a cease and desist letter to any third party conducting such a game on behalf of all of its member institutions and featured student-athletes. The NCAA's letter(s) will relieve the student-athlete (or the athlete's institution on his or her behalf) from further obligations to take action to comply with Bylaw 12.5.2.2. The student-athlete and/or member institution are not precluded from contacting the third party fantasy game operator independently or from taking any further measures that they deem appropriate whether under the law or under NCAA Bylaws.]

APPLICIABLE BYLAWS:

NCAA Bylaw 12.5.2.1 Advertisements and Promotions After Becoming a Student-Athlete. After becoming a student-athlete, an individual shall not be eligible for participation in intercollegiate athletics if the individual:

(a) Accept any remuneration for or permits the use of his or her name or picture to advertise, recommend or promote directly the sale or use of a commercial product or service of any kind; or

(b) Received remuneration for endorsing a commercial product or service through the individual's use of such product or service.

NCAA Bylaw 12.5.2.2 Use of a Student-Athlete's Name or Picture without Knowledge or Permission. If a student-athlete's name or picture appears on commercial items (e.g., T-shirts, sweatshirts, serving trays, playing cards, posters) or is used to promote a commercial product sold by an individual or agency without the student-athlete's knowledge or permission, the student-athlete (or the institution acting on behalf of the student-athlete) is required to take steps to stop such an activity in order to retain his or her eligibility for intercollegiate athletics. Such steps are not required in cases in which a student-athlete's photograph is sold by an individual or agency (e.g., private photographer, news agency) for private use. *(Revised: 1/11/97, 5/12/05)*

LEGISLATION

NCAA DIVISION I PUBLICATION OF PROPOSED LEGISLATION

2008-09 Legislative Cycle

August 15, 2008

NCAA

THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
P.O. Box 6222
Indianapolis, Indiana 46206-6222
317/917-6222
ncaa.org
August 2008

Legislation Prepared By: Lynn Holzman, *Director of Membership Services*; Steve Mallonee, *Membership Services Governance Liaison/Managing Director of Membership Services* and Leeland Zeller, *Associate Director of Membership Services*.

NCAA, NCAA logo and NATIONAL COLLEGIATE ATHLETIC ASSOCIATION are registered marks of the Association and use in any manner is prohibited unless prior approval is obtained from the Association.

Publication of Proposed Legislation for the 2008-09 Legislative Cycle

This publication presents all proposed amendments to the NCAA legislation that were properly sponsored for the 2008-09 legislative cycle by Division I conferences, the NCAA Division I Academics/ Eligibility/Compliance Cabinet, the NCAA Division I Championships/Competition Cabinet, the NCAA Division I Management Council and the NCAA Division I Board of Directors in accordance with the Division I legislative calendar.

This publication is produced directly from the Legislative Services Database for the Internet (LSDBi) each time it is downloaded. Therefore, the content of the publication may change each time it is accessed from the NCAA Web page. As modifications or corrections are made to proposals during the sponsor modification/alternative proposal period, updates will be made to LSDBi and those changes will be reflected in this document.

Because this document is generated directly from LSDBi each time it is downloaded, there is no table of contents or index; however, users may use the "Bookmark" feature of the Adobe Reader to quickly scan the proposal numbers and titles and go directly to those proposals within the document. Users may also use the "Search" feature to find particular proposals. The proposals are presented by topical area by bylaw numbers and by proposal number within topical areas. The order of the topical areas is as follows:

Organization

Personnel

Amateurism

Recruiting

Eligibility

Financial Aid

Awards, Benefits and Expenses

Playing and Practice Seasons

Championships and Postseason Football

Division Membership

Committees

Academic Performance Program

Administrative Regulations

Executive Regulations

2008-09 Division I Legislative Calendar

The legislative calendar, as set forth in NCAA Constitution 5 is summarized here for convenience of reference.

July 15: Deadline for submission of proposals by Division I conferences and cabinets.

August 15: Deadline for online posting of Division I Publication of Proposed Legislation.

Posting of POPL through September 30, 2008: Cabinet and Committee Review. Applicable proposals forwarded to the appropriate governance entity for discussion and comment.

July 15 through October 21, 2008: Sponsor Modification/Alternative Proposal Period. From July 15 through October 21 at 5 p.m., the cabinets or any conference may suggest that the sponsor modify the proposal or may sponsor an alternative proposal, provided the suggested modification or alternative proposal is on topic with the original proposal. Modifications suggested during this period may increase or decrease the scope of the proposal. Entities suggesting modifications are to contact the proposal's sponsor to determine if the sponsor agrees with the proposed change.

November 15, 2008: NCAA Division I Official Notice Available Online. The Official Notice lists all pending legislative proposals (including alternative proposals) whether sponsored by conferences, cabinets, the Management/Legislative Council or the Board of Directors.

October 20-21, 2008: The NCAA Division I Legislative Council Meeting.

January 14-17, 2009: NCAA Convention.

January 15, 2009: Management Council initial consideration of legislation.

January 17, 2009: NCAA Division I Board of Directors meeting.

January 18 through March 18, 2009: 60-Day Comment/Amendment/Override Period. Cabinets and conferences shall have 60 days to offer amendments to any legislation forwarded for membership comment by the Legislative Council or request an override of any legislation adopted by the Legislative Council or Board of Directors at their January 2009 meetings. During this period, legislative amendments that do not increase the modification specified in the original proposal are permitted. Any amendments submitted during this time period will be posted for the membership on LSDBi. Pursuant to NCAA Division I Constitution 5.3.2.4.1, during this time period, member institutions also may submit comments on the pending legislation.

April 20-21, 2009: Legislative Council second consideration of legislation.

April 30, 2009: Board of Directors meeting.

May 1-June 29, 2009: 60-Day Override Period.

PROPOSALS SUBMITTED FOR THE 2008-09 LEGISLATIVE CYCLE

[Note: In the following proposals, those letters and words that appear in *italics* are to be deleted and those letters and words that appear in **bold** face are to be added. Some proposals may be considered in October 2008 as emergency or noncontroversial. All other proposals are for consideration in January and April 2009.]

No. 2008-9 NCAA MEMBERSHIP AND CHAMPIONSHIPS AND POSTSEASON FOOTBALL — CONDITIONS AND OBLIGATIONS OF MEMBERSHIP — OPERATING AND CAPITAL FINANCIAL DATA REPORT

Intent: To specify that an institution shall submit financial data detailing operating revenues, expenses and capital related to its intercollegiate athletics program to the NCAA on an annual basis, as specified, as a condition and obligation of membership and in order to be eligible to enter a team or individual in NCAA championship competition.

A. Constitution: Amend 3.2.4, as follows:

3.2.4 Conditions and Obligations of Membership.

[3.2.4.1 through 3.2.4.15 unchanged.]

3.2.4.16 Operating and Capital Financial Data Report. An institution shall submit financial data detailing operating revenues, expenses and capital related to its intercollegiate athletics program to the NCAA on an annual basis in accordance with the financial reporting policies and procedures. The required data shall include, but is not limited to, the following:

(a) All expenses and revenues for or on behalf of an institution's intercollegiate athletics program, including those by any affiliated or outside organization, agency or group of individuals;

(b) Salary and benefits data for all athletics positions. The data shall include base salary, bonuses, endorsements, media fees, camp or clinic income, deferred income and other income contractually guaranteed by the institution;

(c) Capital expenditures (to be reported in aggregate for athletics facilities), including capitalized additions and deletions to facilities during the reporting period, total estimated book value of athletically related plant and equipment net of depreciation, total annual debt service on athletics and university facilities and total debt outstanding on athletics and university facilities;

(d) Value of endowments at fiscal year-end that are dedicated to the sole support of athletics;

(e) Value (at the time of submission or the report) of all pledges that support athletics; and

(f) The athletics department fiscal year-end fund balance.

3.2.4.16.1 Verification and Certification. The report shall be subject to annual agreed-upon verification procedures approved by the membership (in addition to any regular financial reporting policies and procedures of the institution) and conducted by a qualified independent accountant who is not a staff member of the institution and who is selected by the institution's chancellor or president or by an institutional administrator from outside the athletics department designated by the chancellor or president. The independent accountant shall verify the accuracy and completeness of the data prior to submission to the institution's chancellor or president and the NCAA.

The institution's chancellor or president shall certify the financial report prior to submission to the NCAA.

B. Constitution: Amend 6.2.3, as follows:

6.2.3 Financial Report-Procedures. All expenses and revenues for or on behalf of an institution's intercollegiate athletics program, including those by any affiliated or outside organization, agency or group of individuals (two or more), shall be subject to annual agreed-upon procedures approved by the Division I membership (in addition to any regular financial reporting policies and procedures of the institution) conducted for the institution by a qualified independent accountant who is not a staff member of the institution and who is selected either by the institution's chancellor or president or by an institutional administrator from outside the athletics department designated by the chancellor or president.

6.2.3.1 Schedule. The report created pursuant to the approved procedures shall be completed for one fiscal year and presented to the chancellor or president on or before January 15 following the end of the institution's fiscal year.

C. Bylaws: Amend 18.4.2.1, as follows:

18.4.2 Institutional Eligibility.

18.4.2.1 General Institutional Requirements. To be eligible to enter a team or an individual in NCAA championship competition, an institution shall:

[18.4.2.1-(a) through 18.4.2.1-(e) unchanged.]

(f) Have submitted its race and demographic information to the NCAA through the official submission process; *and*

(g) Have submitted its financial data detailing operating revenues, expenses and capital related to its intercollegiate athletics program to the NCAA through the official submission process (see Constitution 3.2.4.16); and

[18.4.2.1-(g) renumbered as 18.4.2.1-(h), as unchanged.]

Source: NCAA Division I Board of Directors.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: NCAA Membership

Rationale: This recommendation is a result of the work of the Presidential Task Force on the Future of Division I Intercollegiate Athletics. The task force found that the threats to the future of intercollegiate athletics are nearly all connected to the need for ensuring the financial integrity of intercollegiate athletics. In order to bring focus to the financial realities for intercollegiate athletics and relieve the financial stress, or even avert a looming crisis, it will fall to chancellors and presidents to give impetus and direction to the effort. Creating a national policy to collect and promulgate clear and concise data will allow chancellors and presidents to use the data to align

athletics budgeting with institutional mission to strengthen the enterprise. Financial data related to athletics departments and programs will be collected in a timely manner using uniform and common definitions. A full and comprehensive financial picture of revenues, expenditures and capital improvements related to intercollegiate athletics will be readily available to decision-makers for use in strategic planning and policy development. Ratios or data points (dashboard indicators) will provide simple comparisons among institutions. Finally, collected data will be codified and presented in a manner that protects institutional and individual privacy.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 29, 2008 Submit Submitted for consideration.

Aug 07, 2008 Board of Directors , Sponsored

Personnel

No. 2008-10 PERSONNEL — DEFINITIONS AND APPLICATIONS — MINORITY GRADUATE ASSISTANT COACH — CHAMPIONSHIP SUBDIVISION FOOTBALL

Intent: To establish a program by which a minority graduate assistant coach position is awarded annually to each NCAA Division I Football Championship Subdivision (FCS) conference and to establish the parameters of the program and position, as specified.

A. **Bylaws:** Amend 11.01, as follows:

[Federated provisions, FCS only.]

11.01 Definitions and Applications.

[11.01.1 through 11.01.3 unchanged.]

11.01.4 Coach, Minority Graduate Assistant — Championship Subdivision Football. In Championship Subdivision Football, a minority graduate assistant coach is an ethnic minority who has been selected for such a position by a selection committee composed of representatives from the NCAA Minority Opportunities and Interests Committee, the American Football Coaches Association and the Black Coaches and Administrators. Each conference shall determine which of its member institutions may employ the selected coach. The selected institution must meet the Football Championship Subdivision membership requirements (Bylaw 20.9.8). The NCAA shall provide the funding necessary to employ the coach at each selected institution. The following provisions shall apply:

(a) The individual shall have received a baccalaureate degree and shall be a graduate student enrolled in at least 50 percent of an institution's minimum regular graduate program of studies. The individual may attend an institution other than the one at which he or she performs coaching duties, with the approval of the selection committee. The

individual is not required to be enrolled in a specific graduate degree program unless required by institutional policy.

(b) The individual may not receive compensation or remuneration in excess of the value of a full grant-in-aid for a full-time student, based on the resident status of that individual, and the receipt of four complimentary tickets to the institution's football and basketball games;

(c) Graduate and postgraduate financial assistance administered by the institution shall be excluded from the individual's limit on remuneration, provided such assistance is awarded through an established and continuing program to aid graduate students;

(d) The position shall be renewed on an annual basis contingent on the individual successfully completing 12 semester or 18 quarter hours during the previous academic year. No individual shall serve as a minority graduate assistant coach for a period of more than three years. The Legislative Council Subcommittee for Legislative Relief may approve a waiver of these limitations based on the fact that the student's service as a coach and enrollment as a graduate student were interrupted for reasons that are unrelated to athletics, or to personal or family finances, and that are beyond the control of the institution or the coach. Such a waiver may not be granted solely to permit the completion of a graduate program;

(e) Compensation for employment from a source outside the institution during the academic year shall be excluded from the individual's limit on remuneration, provided the institution does not arrange such employment and the compensation is for work actually performed. The member institution may not arrange on- or off-campus employment opportunities except for summer employment, which is permissible regardless of whether the student remains enrolled in the graduate program during the summer;

(f) A minority graduate assistant coach may accept employment benefits available to all institutional employees (e.g., life insurance, health insurance, disability insurance), as well as expenses to attend the conventions of the national coaches associations in football, without the value of those benefits being included:

(g) The institution may provide actual and necessary expenses for the individual's spouse and children to attend contests in which the institution participates in the NCAA Football Championship; and

(h) The individual may not evaluate or contact prospective student-athletes off campus regardless of whether compensation is received for such activities. The individual may not perform recruiting coordination functions (see Bylaw 11.7.1.2); however, it is permissible for a minority graduate assistant coach to make telephone calls to prospective student-athletes, provided the coach has successfully completed the coaches' certification examination per Bylaw 11.5.1.1.

[11.01.4 through 11.01.6 renumbered as 11.01.5 through 11.01.7 unchanged.]

B. Bylaws: Amend 11.7.3, as follows:

[Federated provisions, FCS only.]

11.7.3 Championship Subdivision Football. There shall be a limit of 11 coaches of any type who may be employed by an institution in Championship Subdivision Football.

11.7.3.1 Exception — Minority Graduate Assistant Coach. An institution may employ a minority graduate assistant coach pursuant to Bylaw 11.01.4 as selected by the institution's conference.

[11.7.3.1 renumbered as 11.7.3.2, unchanged.]

Source: Southern Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Personnel

Rationale: This proposal would provide qualified minority candidates with an entry into the football coaching profession. The minority graduate assistant position would serve as an additional prong in the Association's multifaceted effort to address the critical shortage of ethnic minorities in head coaching positions in college football, primarily at the Division I level.

Estimated Budget Impact: Approximately $328,800 annually will fund 12 grants covering tuition, fees, room and board and required text books. [Source: U.S. Department of Education, National Center for Education Statistics - The Condition of Education 2007 (NCES 2007-064)].

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 14, 2008 Submit Submitted for consideration.

No. 2008-11 PERSONNEL — LIMITATIONS ON THE DUTIES OF COACHES — NONCOACHING ACTIVITIES — EXCEPTION — STUDENT MANAGER — BASEBALL

Intent: In baseball, to specify that a student manager may be involved in on-field activities (e.g., catching in the bullpen, pitching batting practice, hitting fungoes, shagging balls) without counting in the institution's coaching limitations, provided the student manager participates in the activities within five years of his or her initial full-time collegiate enrollment and does not provide instruction to student-athletes or engage in other coaching activities.

Bylaws: Amend 11.7.1.1.1.1, as follows:

11.7.1.1.1 Countable Coach. An athletics department staff member must count against coaching limits as soon as the individual participates (in any manner) in the coaching of the intercollegiate team in practice, games or organized activities directly related to that sport, including any organized staff activity directly related to the sport.

11.7.1.1.1.1 Noncoaching Activities. Institutional staff members involved IN noncoaching activities (e.g., administrative assistants, academic counselors) do not count in the institution's coaching limitations, provided such individuals are not identified as coaches, do not engage in any on- or off-field coaching activities (e.g., attending meetings involving coaching activities, analyzing videotape or film involving the institution's or an opponent's team), and are not involved in any off-campus recruitment of prospective student-athletes or scouting of opponents. A noncoaching staff member with sport-specific responsibilities may not participate with or observe student-athletes in the staff member's sport who are engaged in nonorganized voluntary athletically related activities (e.g., pick-up games).

11.7.1.1.1.1.1 Exception — Student Manager — Baseball. In baseball, a student manager may be involved in on-field activities (e.g., catching in the bullpen, pitching batting practice, hitting fungoes, shagging balls) without counting in the institution's coaching limitations, provided the student manager participates in the activities within five years of his or her initial full-time collegiate enrollment and does not provide instruction to student-athletes or engage in other coaching activities.

[11.7.1.1.1.2 through 11.7.1.1.1.4 unchanged].

Source: Pacific-10 Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Personnel

Rationale: Routine on-field activities such as catching in the bullpen, pitching batting practice, hitting fungoes and shagging balls have been defined as on-field coaching activities, which must be performed by a countable coach. These duties could be performed by student managers, which would permit coaches to spend more time providing instruction to student-athletes. These activities are not inherently coaching, and no advantage exists if they are performed by a student manager. Similar activities in other sports (e.g., feeding balls to the quarterback in football drills, retrieving balls for shooters in basketball) are performed by student managers. Limiting such on-field activities to student managers who are within five years of their initial full-time collegiate enrollment would alleviate concerns that an institution may have former professional players or other nonstudents become "managers" and engage in countable coaching activities.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 26, 2008 Submit Submitted for consideration.

No. 2008-12 PERSONNEL — LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME — EXCEPTION — WOMEN'S BASKETBALL — JULY EVALUATION PERIODS

Intent: In women's basketball, to specify that during the July evaluation periods, a coach replaced for the purpose of off-campus recruiting activities is not required to return to the institution's campus before engaging in additional recruiting activities, provided no more than three coaches engage in off-campus recruiting activities each day.

Bylaws: Amend 11.7.4.3, as follows:

11.7.4.3 Off-Campus Recruiting — At Any One Time. It is permissible for a coach to leave campus to engage in off-campus contact or evaluation before another coach who is off campus actually returns to campus, provided the total number of coaches recruiting on behalf of the institution at any time do not exceed the permissible number. The coach being replaced must complete his or her recruiting activities before another coach may begin any off-campus recruiting activity. Further, the replaced coach may not engage in additional recruiting activities until after he or she has returned to the institution's campus.

11.7.4.3.1 Exception - Women's Basketball — July Evaluation Periods. During the July evaluation periods, a replaced coach is not required to return to the institution's campus before engaging in additional recruiting activities, provided no more than three coaches engage in off-campus recruiting activities each day.

Source: Big East Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Personnel

Rationale: During the July evaluation periods, women's basketball coaches travel the country in order to identify prospective student-athletes. Only three of the four coaches are permitted to recruit at any one time, and this is regulated by requiring a coach who comes "off the road" to return to campus before being permitted to resume recruiting activities. Due to the intense nature of the July evaluation periods, it is preferable that the three-coach limit be regulated by permitting only three coaches to engage in off-campus recruiting each day, and by permitting a coach who is replaced as an off-campus recruiter to resume recruiting without returning to campus first. This proposal would allow three coaches to evaluate while the fourth coach travels from one certified event directly to the location of another. Under the current rule, coaches must take turns flying back to campus, creating needless expenses and using valuable time.

Estimated Budget Impact: Potential decrease in recruiting travel expenses.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 11, 2008 Submit Submitted for consideration.

No. 2008-13 AMATEURISM — EXCEPTION FOR PRIZE MONEY FOR STUDENT-ATHLETES — OUTSIDE THE PLAYING SEASON DURING AN OFFICIAL VACATION PERIOD — INDIVIDUAL SPORTS

Intent: In individual sports, to permit a student-athlete to accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's declared playing and practice season during any official vacation period and the prize money does not exceed actual and necessary expenses and is provided only by the sponsor of the open event.

A. **Bylaws:** Amend 12.1.2.4, as follows:

12.1.2.4 Exceptions and Amateurism Rule.

[12.1.2.4.1 unchanged.]

12.1.2.4.1 Exception for Prize Money for Student-Athletes — Outside the Playing Season During an Official Vacation Period — Individual Sports. In individual sports, a student-athlete may accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's declared playing and practice season during an official vacation period. Such prize money may not exceed actual and necessary expenses and may be provided only by the sponsor of the open event. The calculation of actual and necessary expenses shall not include the expenses or fees of anyone other than the student-athlete (e.g., coach's fees or expenses, parent's expenses).

[12.1.2.4.2 through 12.1.2.4.12 renumbered as 12.1.2.4.3 through 12.1.2.4.13, unchanged.]

B. **Bylaws:** Amend 16.1.1, as follows:

16.1.1 Application of Awards Legislation.

[16.1.1.1 unchanged.]

16.1.1.2 Awards Received by a Student-Athlete While Enrolled as a Full-Time Student. The awards limitations of Bylaw 16.1 apply to awards received by a student-athlete while enrolled during the academic year (from the beginning of the fall term through completion of the spring term, including any intervening vacation period) as a regular student in a minimum full-time academic load, or awards received by a student-athlete while representing the student-athlete's institution at any other time. Such awards may not include cash, gift certificates, a cash-equivalent award (an item that is negotiable for cash or trade or other services, benefits or merchandise) for athletics participation, or a country club or sports club membership.

16.1.1.2.1 Exception. Prize Money Outside the Playing Season During an Official Vacation Period — Individual Sports. In individual sports, a student-athlete may accept prize money that does not exceed his or her actual and necessary expenses, pursuant

to Bylaw 12.1.2.4.2.

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

16.1.1.3.1 Exception — Prize Money Outside the Playing Season During an Official Vacation Period — Individual Sports. In individual sports a student-athlete may accept prize money that does not exceed his or her actual and necessary expenses, pursuant to Bylaw 12.1.2.4.2.

[16.1.1.3.1 renumbered as 16.1.1.3.2, unchanged.]

[16.1.1.4 unchanged.]

Source: Pacific-10 Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Amateurism

Rationale: Currently, a prospective student-athlete may accept prize money based on place finish, up to actual and necessary expenses, in order to offset costs incurred while participating in an open athletics event. In the interest of student-athlete well-being and consistency in the rules, the same opportunity should be available to enrolled student-athletes. The current post-enrollment amateurism rule adversely affects student-athletes in individual sports. Student-athletes who participate in team sports and who compete on outside teams during vacation periods are able to travel extensively and have their expenses paid in full or subsidized heavily by their teams, team sponsors and/or event organizers. Student-athletes in individual sports should have the same opportunity to compete at a high level during vacation periods while having some or all of their expenses covered. The scope of this proposal is limited to the receipt of actual, incurred, out-of-pocket expenses. A student-athlete would not be able to profit from competing in events and accepting money based on place finish. Moreover, in order to safeguard against student-athletes missing class to compete in outside events, this proposal would apply only to open events taking place during official vacation periods and outside of the playing and practice season.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 27, 2008 Submit Submitted for consideration.

Recruiting

No. 2008-14 RECRUITING — DEFINITIONS AND APPLICATIONS — PROSPECTIVE STUDENT-ATHLETE — ENROLLMENT AND ATTENDANCE IN SUMMER CLASSES PRIOR TO INITIAL FULL-TIME ENROLLMENT

Intent: To specify that an individual shall no longer be considered a prospective student-athlete for purposes of the contact limitations in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 at the point in which he or she officially registers and enrolls and attends classes in an institution's summer term prior to initial full-time enrollment.

Bylaws: Amend 13.02.11, as follows:

13.02.11 Prospective Student-Athlete. A prospective student-athlete is a student who has started classes for the ninth grade. In addition, a student who has not started classes for the ninth grade becomes a prospective student-athlete if the institution provides such an individual (or the individual's relatives or friends) any financial assistance or other benefits that the institution does not provide to prospective students generally. An individual remains a prospective student-athlete until one of the following occurs (whichever is earlier):

[13.02.11-(a) through 13.02.11-(b) unchanged.]

(c) The individual officially registers and enrolls and attends classes during the summer prior to initial full-time enrollment *and receives institutional athletics aid.*

[13.02.11.1 unchanged.]

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Recruiting).

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation permits any individual who is enrolled in the institution's summer term prior to his or her initial, full-time enrollment at the certifying institution to be provided academic support services and to use the institution's training room facilities without signing a National Letter of Intent (NLI). In addition, in football and basketball, any individual who is enrolled in the institution's summer term prior to his or her initial, full-time enrollment at the certifying institution may engage in voluntary summer workouts conducted by an institution's strength and conditioning coach regardless of whether the individual has signed an NLI or is receiving athletically related financial aid during the summer term. Although these individuals have not signed an NLI and are not receiving summer financial aid, they are no longer being recruited by the institution and they receive the same access to institutional facilities and services as individuals who have signed an NLI or are receiving summer financial aid. Accordingly, these individuals should also be provided the benefits of student-athletes for purposes of Bylaw 16 and the institutions at which they are enrolled should not be subject to the contact restrictions of Bylaw 13.

Estimated Budget Impact: Minimal; based on possible benefits and modes of contact.

Impact on Student-Athlete's Time: Minimal; based on possible benefits and contact.

Position Statement(s)

History:

Jun 10, 2008 Submit Submitted for consideration.

Jun 11, 2008 Cabinet / Committee , Sponsored

No. 2008-15 RECRUITING — DEFINITIONS AND APPLICATIONS — PROSPECTIVE STUDENT-ATHLETE — INSTITUTIONAL ORIENTATION SESSION

Intent: To specify that a prospective student-athlete who has signed a National Letter of Intent (NLI) [or, for an institution that does not use the NLI in a particular sport for a prospective student-athlete who is not eligible to sign an NLI (e.g., four-year college transfer), the institution's written offer of admission and/or financial aid] and has reported to a required institutional orientation session with 14 calendar days prior to the opening day of classes of a regular academic year term shall not be subject to the contact restrictions in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 as of the opening day of the required orientation.

Bylaws: Amend 13.02.11, as follows:

13.02.11 Prospective Student-Athlete. A prospective student-athlete is a student who has started classes for the ninth grade. In addition, a student who has not started classes for the ninth grade becomes a prospective student-athlete if the institution provides such an individual (or the individual's relatives or friends) any financial assistance or other benefits that the institution does not provide to prospective students generally. An individual remains a prospective student-athlete until one of the following occurs (whichever is earlier):

[13.02.11-(a) through 13.02.11-(c) unchanged.]

[13.02.11.1 unchanged.]

13.02.11.2 Institutional Orientation Session. A prospective student-athlete who has signed a National Letter of Intent (NLI) [or, for an institution that does not use the NLI in a particular sport or for a prospective student-athlete who is not eligible to sign an NLI (e.g., four-year college transfer), the institution's written offer of admission and/or financial aid] and has reported to a required institutional orientation session within 14 calendar days prior to the opening day of classes of a regular academic year term shall not be subject to the contact restrictions in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 as of the opening day of the required orientation.

Source: Southeastern Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Currently, prospective student-athletes who are required to attend an institutional orientation session in late July or early August are considered prospective student-athletes until they begin classes unless they have attended summer school and received athletically related financial aid. In some cases, issues arise related to the well-being of prospective student-athletes who travel long distances for a required orientation. Once the orientation ends the prospective student-athletes must either return home or find lodging, meals and transportation on their own until they begin classes as full-time students. A current student-athlete may not provide local transportation to a prospective student-athlete and the prospective student-athlete may not receive an occasional meal from a staff member. Since this proposal limits the effective time period to a 14-day period prior to the start of classes and limits the scope to prospective student-athletes who have signed a National Letter of Intent, the potential for abuse is limited. This proposal would permit the affected prospective student-athletes to interact with future teammates and coaches in a logical and reasonable manner. An individual in this situation may not engage in any countable athletically related activities during the time period and may not receive room or board expenses.

Estimated Budget Impact: Minimal.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No. 2008-16: RECRUITING — CONTACTS AND EVALUATIONS — CONTACTABLE INDIVIDUALS — STUDENT-ATHLETE WITHDRAWN FROM FOUR-YEAR COLLEGE — EXCEPTION — OFFICIAL CHURCH MISSION

Intent: To specify that an institution shall not contact a student-athlete who has begun service on an official church mission without obtaining permission from the institution from which the student-athlete withdrew prior to beginning his or her mission if the student-athlete signed a National Letter of Intent (NLI) and attended the institution (with which he or she signed the NLI) as a full-time student; further, to specify that if such a student-athlete has completed his or her official church mission and does not enroll full time in a collegiate institution within one calendar year of completion of the mission, an institution may contact the student-athlete without obtaining permission from the first institution.

Bylaws: Amend 13.1.1.3.2, as follows:

13.1.1.3.2 Student-Athlete Withdrawn from Four-Year College. A member institution may contact a student-athlete who has withdrawn officially from a four-year collegiate institution without obtaining permission from the first institution only if at least one academic year has elapsed since the withdrawal.

13.1.1.3.2.1 Exception — Official Church Mission. An institution shall not contact a student-athlete who has begun service on an official church mission without obtaining permission from the institution from which the student-athlete withdrew prior to beginning his or her mission if the student-athlete signed a National Letter of Intent (NLI) and attended the institution (with which he or she signed the NLI) as a full-time student. If such a student-athlete has completed his or her official church mission and does not enroll full time in a collegiate institution within one calendar year of completion of the mission, an institution may contact the student-athlete without obtaining permission from the first institution.

Source: Western Athletic Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Recruiting

Rationale: An official church mission is a time when an individual should not have to deal with distractions due to numerous recruiting contacts by coaches. In many cases, the missionary's church may restrict contact between the missionary and his or her family and friends to correspondence and two phone calls per year. Current legislation allows for active recruitment of such a student-athlete to recommence after he or she has been officially withdrawn from a four-year institution. Recruitment during the mission experience detracts from the goals and focus of the mission. In addition, many resources are expended in recruiting prospective student-athletes. The fact that a student-athlete who serves an official church mission will once again become eligible for recruitment discourages many schools from recruiting those prospective student-athletes prior to their missions. This proposal would protect such student-athletes and the institutions with which they sign National Letters of Intent from external recruiting interferences during the student-athlete's missionary service.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: Reduction in intrusions on a student-athlete's time during a church mission.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No. 2008-17 RECRUITING — CONTACTS AND EVALUATIONS — PERMISSIBLE RECRUITERS — BOWL SUBDIVISION FOOTBALL — HEAD COACH RESTRICTIONS — SPRING EVALUATION PERIOD — OTHER OFF-CAMPUS ACTIVITIES

Intent: In bowl subdivision football, to specify that the head coach shall not participate in an off-campus coaching clinic, visit a prospective student-athlete's educational institution for any reason or meet with a prospective student-athlete's coach at an off-campus location during the April 15 through May 31 evaluation period.

Bylaws: Amend 13.1.2.6, as follows:

13.1.2.6 Bowl Subdivision Football — Head Coach Restrictions.

[13.1.2.6.1 unchanged.]

13.1.2.6.2 Spring Evaluation Period. In bowl subdivision football, the head coach shall not engage in off-campus recruiting activities, **participate in an off-campus coaching clinic, visit a prospective student-athlete's educational institution for any reason, or meet with a prospective student-athlete's coach at an off-campus location** during the April 15 through May 31 evaluation period.

Source: Southeastern Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: The current restriction on off-campus recruiting activities was adopted with the intent of prohibiting head football coaches from engaging in any off-campus recruiting activities during the spring evaluation period. Following the adoption of the restriction, confusion arose regarding the activities in which head coaches were allowed to engage off an institution's campus. This proposal further defines the activities in which head coaches may not participate during the spring evaluation period. A head coach would be permitted to speak at engagements held at locations other than a prospective student-athlete's educational institution that are open to the general public or engagements organized for institutional (NCAA institution) fundraising purposes.

Estimated Budget Impact: Potential reduction in recruiting travel costs.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No. 2008-18 RECRUITING — TELEPHONE CALLS INITIATED BY A PROSPECTIVE STUDENT-ATHLETE AT HER OWN EXPENSE — WOMEN'S LACROSSE

Intent: In women's lacrosse, to specify that an institutional coaching staff member may receive telephone calls placed by a prospective student-athlete at her own expense before July 1 following her junior year in high school, provided the coaching staff member does not request that the a prospective student-athlete call at a specific time or otherwise prearrange the telephone call; further; to specify that telephone calls placed after July 1 following the prospective student-athlete's junior year in high school may be prearranged.

Bylaws: Amend 13.1.3.2, as follows:

13.1.3.2 Additional Regulations.

[13.1.3.2.1 unchanged.]

13.1.3.2.2 Telephone Calls Initiated by Prospective Student-Athlete at His or Her Expense **— Sports other than Women's Lacrosse.** *Institutional* **In sports other than women's lacrosse, institutional** coaching staff members (see Bylaw 13.1.3.4.1) may receive telephone calls placed by a prospective student-athlete at the prospective student-athlete's own expense at any time, including before July 1 following the prospective student-athlete's junior year in high school.

13.1.3.2.3 Telephone Calls Initiated by Prospective Student-Athlete at Her Expense — Women's Lacrosse. In women's lacrosse, an institutional coaching staff member (see Bylaw 13.1.3.4.1) may receive telephone calls placed by a prospective student-athlete at her own expense before July 1 following her junior year in high school, provided the coaching staff member does not request that the prospective student-athlete call at a specific time or otherwise prearrange the telephone call. Telephone calls placed after July 1 following the prospective student-athlete's junior year in high school may be prearranged.

Source: Ivy Group.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation permits coaches to receive telephone calls from prospective student-athletes at any time. However, coaches may not place calls to prospects until July 1 following the prospect's junior year in high school. Coaches often circumvent the July 1 restriction by prearranging calls from prospective student-athletes. For example, a coach may ask the prospects he or she is recruiting to call the coach's office every Tuesday night or arrange for regular conference calls that include the coach, the prospect and his or her parents, high school coach, guidance counselor, or club coach. The women's lacrosse coaches believe that this practice unnecessarily intrudes on the lives of high school juniors, who feel pressure to demonstrate interest by making such calls to college coaches at the coaches' requests. This proposal would ensure that prospective student-athletes are initiating calls solely at their discretion prior to July 1 following their junior year. This amendment is part of a package of proposals sponsored on behalf of the Intercollegiate Women's Lacrosse Coaches Association, designed to address recruiting

issues in that sport. The proposals also may serve as a pilot program for adoption in other sports, if they prove effective.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: Reduced time and intrusion for prospective student-athletes.

Position Statement(s)

History:

Jul 08, 2008 Submit Submitted for consideration.

No. 2008-19 RECRUITING — CONTACTS AND EVALUATIONS — FOOTBALL — ONE CONTACT WITH JUNIORS OR SENIORS — SPRING EVALUATION PERIOD

Intent: In football, to specify that during the spring evaluation period, an institution may make one in-person, off-campus contact per prospective student-athlete (including prospective student-athletes in their junior year) at the prospective student-athlete's educational institution; further, to specify that an institution may use an additional evaluation in conjunction with the contact.

A. Bylaws: Amend 13.02.4.2, as follows:

[Federated provision, FBS and FCS, divided vote.]

13.02.4.2 Evaluation Period. An evaluation period is a period of time when it is permissible for authorized athletics department staff members to be involved in off-campus activities designed to assess the academic qualifications and playing ability of prospective student-athletes. No in-person, off-campus recruiting contacts shall be made with the prospective student-athlete during an evaluation period.

13.02.4.2.1 Exception — Spring Evaluation Period — Football. In football, an institution may make one in-person, off-campus contact per prospective student-athlete (including prospective student-athlete's in their junior year per Bylaw 13.1.1.1.1) at the prospective student-athlete's educational institution during the spring evaluation period.

B. Bylaws: Amend 13.1.1.1, as follows:

[Federated provision, FBS and FCS, divided vote.]

13.1.1.1 High School Prospective Student-Athletes. Off-campus recruiting contacts shall not be made with a prospective student-athlete or the prospective student-athlete's relatives or legal guardians before July 1 following the prospective student-athlete's completion of the junior year in high school (July 15 in women's gymnastics). U.S. service academy exceptions to this provision are set forth in Bylaw 13.16.1.

13.1.1.1.1 Exception — Football. In football, it is permissible to make one in-person, off-campus recruiting contact with a prospective student-athlete or a prospective student-athlete's relatives or legal guardians at the prospective student-athlete's educational institution during the spring contact period of the prospective student-athlete's junior year in high school (subject to applicable recruiting calendar restrictions).

C. Bylaws: Amend 13.1.6.2, as follows:

[Federated provision, FBS and FCS, divided vote.]

13.1.6.2 Football. In football, **contacts shall be permitted as follows:**

(a) Contact Period. During the contact period [per Bylaw 30.10.3.-(b)], each institution shall be limited to six in-person, off-campus recruiting contacts per prospective student-athlete at any site and shall include contacts made with the prospective student-athlete's relatives or legal guardians, but shall not include contacts made during an official visit per Bylaw 13.6.

(b) Spring Evaluation Period. During the spring evaluation period [per Bylaw 30.10.3-(f)], each institution may make one in-person, off-campus contact per prospective student-athlete (including prospective student-athletes in their junior year per Bylaw 13.1.1.1.1) at the prospective student-athlete's educational institution. It is not necessary for the contact to occur in conjunction with an evaluation; however, if the contact occurs in conjunction with an evaluation (on the same day), the institution shall be charged with both a contact and an evaluation for that prospective student-athlete (see Bylaws 13.1.8.4 and 13.1.8.4.1).

D. Bylaws: Amend 13.1.8.4, as follows:

[Federated provision, FBS and FCS, divided vote.]

13.1.8.4 Limitations on Number of Evaluations — Football. In football, institutional staff members shall be limited to three evaluations during the academic year during which the prospective student-athlete competes or practices on any team. Not more than one evaluation may be used during the fall evaluation period and not more than two evaluations may be used during the April 15 through May 31 evaluation period per Bylaw 30.10.3. An authorized off-campus recruiter may use one evaluation to assess the prospective student-athlete's athletics ability and one evaluation to assess the prospective student-athlete's academic qualifications during the April 15 through May 31 evaluation period. If an institution's coaching staff member conducts both an athletics and an academic evaluation of a prospective student-athlete on the same day during the April 15 through May 31 evaluation period, the institution shall be charged with the use of an academic evaluation only and shall be permitted to conduct a second athletics evaluation of the prospective student-athlete on a separate day during the April 15 through May 31 evaluation period.

13.1.8.4.1 Exception — Additional Spring Evaluation in Conjunction with Contact. During the spring evaluation period, an institution may use an additional evaluation (third spring evaluation; fourth evaluation for the academic year) in conjunction with an off-campus contact per Bylaw 13.1.6.2-(b). If an academic evaluation is used in conjunction with the contact (on the same day), the institution shall be permitted to conduct two athletics evaluations of the prospective student-athletes during the period (for a total of three evaluations during the period).

E. Bylaws: Amend 13.1.8.9.2, as follows:

[Federated provision, FBS and FCS, divided vote.]

13.1.8.9.2 Limitations on the Number of Spring Evaluations. In football, institutional staff members shall not visit a prospective student-athlete's educational institution on more than *two* **three** calendar days during the spring evaluation period. A visit to a prospective student-athlete's educational institution that only includes contact with a signed prospective student-athlete during the spring evaluation period shall be considered one of the institution's *two* **three** permissible days at that institution.

F. Administrative: Amend 30.10.3, as follows:

[Federated provision, FBS and FCS, divided vote.]

30.10.3 Football. The following recruiting periods shall apply to football:

[30.10.3-(a) through 30.10.3-(e) unchanged.]

(f) Four weeks (excluding Memorial Day and Sundays) during April 15 through May 31 selected at the discretion of the member institution and designated in writing in the office of the director of athletics [as provided in (1) below **and with exception in (2) below**]:

Evaluation Period

(1) An authorized off-campus recruiter may use one evaluation to assess the prospective student-athlete's athletics ability and one evaluation to assess the prospective student-athlete's academic qualifications during the April 15 through May 31 evaluation period. If an institution's coaching staff member conducts both an athletics and an academic evaluation of a prospective student-athlete on the same day during the April 15 through May 31 evaluation period, the institution shall be charged with the use of an academic evaluation only and shall be permitted to conduct a second athletics evaluation of the prospective student-athlete on a separate day during this evaluation period. **In addition, an institution may use an additional evaluation (a third spring evaluation; fourth evaluation for the academic year) in conjunction with an off-campus contact per Bylaw 13.1.6.2-(b). If an academic evaluation is used in conjunction with the contact (on the same day), the institution shall be permitted to conduct two athletics evaluations of the prospective student-athlete during the period (for a total of three evaluations during the period).**

(2) An institution may make one in-person, off-campus contact per prospective student-athlete (including prospective student-athletes in their junior year per Bylaw 13.1.1.1.1) on the campus of the prospective student-athlete's educational institution. It is not necessary for the contact to occur in conjunction with an evaluation; however, if the contact occurs in conjunction with an evaluation (on the same day), the institution shall be charged with both a contact and an evaluation for that prospective student-athlete.

[30.10.3-(g) unchanged.]

Source: Big Ten Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Between NCAA Division I Academic Progress Rate considerations, off-field behavioral expectations, and trends such as increased mid-year enrollment by high school prospective student-athletes, there has never been more pressure to have an early, accurate assessment of a prospective student-athlete's ability to succeed academically and assimilate culturally in a collegiate environment. Permitting an additional recruiting opportunity per prospective student-athlete during the spring evaluation period will enhance a coaching staff's assessment of the character and academic qualifications of a prospective student-athlete. The additional recruiting opportunity would permit a contact with a prospective student-athlete (including juniors) at the prospective student-athlete's educational institution or a contact plus an evaluation in conjunction

with that contact on the same day. At most, the additional recruiting opportunity would result in one additional visit to a prospective student-athlete's educational institution during the spring evaluation period. In addition to improving the accuracy of a staff's assessment of a prospective student-athlete earlier in the recruiting process, another benefit of this proposal is that impermissible contacts ("bumps") with juniors and seniors during the spring evaluation period would be reduced. Finally, confining the additional recruiting opportunity to the prospective student-athlete's educational institution is consistent with and furthers the effort to focus recruiting on the scholastic environment.

Estimated Budget Impact: One additional visit to a high school during the spring evaluation period.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No. 2008-20 RECRUITING — FOOTBALL EVALUATIONS — SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES — EVENTS ORGANIZED AND CONDUCTED BY SCHOLASTIC ATHLETICS GOVERNANCE BODIES — OTHER EVALUATION EVENTS

Intent: In football, to specify that live athletics evaluations are permissible at events organized and conducted solely by a scholastic athletics governing body (e.g., state high school athletics association, junior college athletics association); further, to specify that institutional staff members shall not attend a recruiting event in which information (e.g., athletics or academic credentials, highlight video) related to prospective student-athlete is presented or otherwise made available.

Bylaws: Amend 13.1.8.9.4, as follows:

[Federated provision, FBS and FCS, divided vote]

13.1.8.9.4 Scholastic and Nonscholastic Activities. In football, all live athletics evaluations shall be limited to:

(a) Regularly scheduled high school, preparatory school and two-year college contests and practices; *and*

(b) Regular scholastic activities involving prospective student-athletes enrolled only at the institution at which the regular scholastic activities occur**; and**

(c) Events that are organized and conducted solely by a scholastic athletics governing body (e.g., state high school athletics association, junior college athletics association).

13.1.8.9.4.1 Other Evaluation Events. In football, institutional staff members shall not attend a recruiting event (other than those permitted pursuant to Bylaw 13.1.8.9.4) in which information (e.g., athletics or academic credentials, highlight or combine video) related to prospective student-athletes is presented or otherwise made available.

Source: Southeastern Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: This proposal seeks to permit coaches attendance at coaching clinics, all-star game practices and competitions that are solely conducted and organized by a state high school athletics association or by a junior college athletics association. In addition, the current limitations on evaluations apply only to live athletics activities. This proposal would preclude attendance at recruiting events (other than the permissible live events) in which information (e.g., athletics or academic credentials, highlight or combine video) related to prospective student-athletes is presented or otherwise made available, but it would not preclude an institution's coach from engaging in other individual evaluation activities (e.g., individually meeting with a high school coach to discuss a prospective student-athlete athletics or academic credentials).

Estimated Budget Impact: Potential for costs related to attendance at events organized and conducted by a scholastic athletics governing body; eliminates costs related to other evaluation events.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No 2008-21 RECRUITING — ADMISSIONS AND GRADUATION DATA, BANNED DRUG LIST AND INITIAL-ELIGIBILITY STANDARDS — REPORTS AND NOTIFICATION — ELIGIBILITY CENTER

Intent: To specify that the NCAA Eligibility Center shall provide the information contained within the disclosure reports related to admissions, graduation-rate data, academic progress rate data, graduation success rate, as well as notification of initial-eligibility standards, the NCAA banned drug list and information about nutritional supplements to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center or after the Eligibility Center has received an institution's request to add the prospective student-athlete to the institution's institutional request list, whichever occurs first.

Bylaws: Amend 13.3, as follows:

13.3. ADMISSIONS AND GRADUATION DATA, BANNED DRUG LIST AND INITIAL-ELIGIBILITY STANDARDS.

13.3.1 Disclosure Reports.

[13.3.1.1 unchanged.]

13.3.1.2 Report Distribution. *Member institutions* **The NCAA Eligibility Center** shall provide *to prospective student-athletes and to prospective student-athletes' parents or legal guardians* the information contained within the report **to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center or after the Eligibility Center has received an institution's request to add the prospective student-athlete to the institution's institutional request list, whichever occurs first.** The NCAA shall provide a compilation of graduation data to the prospective student-athletes' guidance offices and high school and two-year college coaches. *The information shall be provided at the earliest opportunity after the institution's first arranged in-person encounter with the prospective student-athlete or upon request; however, in no event shall an institution provide the information later than the day prior to a prospective student-athlete's signed acceptance of the National Letter of Intent or signed acceptance of the institution's written offer of admission and/or financial aid. An institution may provide the information in hard copy or electronic form (e.g., electronic mail, link to Web site). Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.*

13.3.2 Banned Drug List and Information about Nutritional Supplements.

[13.3.2.1 unchanged.]

13.3.2.2 Report Distribution. *Member institutions* **The NCAA Eligibility Center** shall provide *to all incoming prospective student-athletes and to prospective student-athletes' parents* the NCAA banned drug list, *or the NCAA Web site address at which the list is located,* and information about nutritional supplements (see Bylaw 31.2.3.4) **to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center or after the Eligibility Center has received an institution's institutional request list, whichever occurs first.** *The information shall be provided at the earliest practical opportunity (e.g., after the institution's first arranged in-person encounter with the prospective student-athlete) or upon request; however, in no event shall an institution provide the information later than July 1 before the prospective student-athlete's initial enrollment at the institution. For a prospective student-athlete whose recruitment in initiated after July 1, the institution must send the banned drug and information about nutritional supplements at the earliest opportunity. 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.*

13.3.3 Notification of Initial-Eligibility Standards. *Member institutions* **The NCAA Eligibility Center** shall provide *to high school prospective student-athletes and their parents or legal guardians* information regarding the initial-eligibility standards contained in Bylaw 14.3 **to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center or after the Eligibility Center has received an institution's request to add the prospective student-athlete to the institution's institutional request list, whichever occurs first.** *The information shall be provided at the earliest opportunity after the institution begins recruiting the prospective student-athlete, but not later than the day prior to the prospective student-athlete's signed acceptance of the National Letter of Intent or institution's written offer of admission and/or financial aid. An institution may provide the information in hard copy or electronic form (e.g., electronic mail, link to Web site). Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.*

Source: Big 12 Conference.

Effective Date: August 01, 2010

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation places an unnecessary administrative burden on institutions to distribute information that could be efficiently provided to prospective student-athletes by the Eligibility Center. This is particularly true in the case of initial-eligibility standards. The necessary information related to admissions and graduation-rate data, academic progress rate data and graduation success rate is already collected and published by the NCAA. The creation of the Eligibility Center has provided increased efficiency and customer service to prospective student-athletes and their parents. This proposed role in the central coordination and distribution of required reports would greatly enhance the Eligibility Center's service to the membership. The close relationship between the NCAA national office and the Eligibility Center will facilitate the sharing of the necessary data. The required information could be provided to prospective student-athletes by the most efficient method (e.g., through e-mail or other technology), as determined by the Eligibility Center. This shift in report distribution is merely administrative in nature. Institutions would remain responsible for responding to any questions raised by prospective student-athletes and their parents or legal guardians regarding initial-eligibility, academic rates, the NCAA banned drug list and nutritional supplements.

Estimated Budget Impact: Potential increased cost for the Eligibility Center.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 26, 2008 Submit Submitted for consideration.

No. 2008-22 RECRUITING — PRINTED RECRUITING MATERIALS — INSTITUTIONAL POSTCARDS

Intent: To specify that an institutional postcard may be provided to a prospective student-athlete, his or her parents or legal guardians, his or her coach or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved, provided its dimensions do not exceed 4 1/4 by 6 inches, it contains only the institution's name and logo or an athletics logo on one side when produced and it includes only handwritten information, (e.g., words, illustrations) on the opposite side when provided to a prospective student-athlete.

Bylaws: Amend 13.4.1.1, as follows:

13.4.1.1. Printed Recruiting Materials. As specified below, an institution may provide the following printed materials to prospective student-athletes, their parents or legal guardians, their coaches or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved.

[13.4.1.1-(a) through 13.4.1.1-(i) unchanged.]

(k) Institutional Postcards. The dimensions of an institutional postcard may not exceed 4 1/4 by 6 inches. In addition, a postcard may contain only the institution's name and logo or an athletics logo on one side when produced and may include only handwritten information, (e.g., words, illustrations) on the opposite side when provided to prospective student-athletes.

[Remainder of 13.4.1.1 unchanged.]

Source: Big 12 Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Recruiting

Rationale: The distinction between institutional postcards and note cards can be confusing and prone to misapplication. This proposal will alleviate many questions regarding what constitutes a postcard and what constitutes a note card for recruiting purposes. Further, postcards are less expensive to produce and require less postage to mail. This proposal does not eliminate the option of sending a blank postcard issued by the U.S. postal service to a prospective student-athlete as general correspondence.

Estimated Budget Impact: Will vary depending on use of postcards.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 25, 2008 Submit Submitted for consideration.

No. 2008-23 RECRUITING — RECRUITING MATERIALS — ELECTRONIC TRANSMISSIONS — AFTER NATIONAL LETTER OF INTENT SIGNING OR OTHER WRITTEN COMMITMENT

Intent: To specify that after the calendar day on which a prospective student-athlete signs a National Letter of Intent (NLI), signs an institution's written offer of admission and/or financial aid, or submits a room or tuition deposit in response to the institution's written offer of admission, there shall be no limit on the forms of electronically transmitted correspondence sent by the institution with which the prospective student-athlete has committed.

Bylaws: Amend 13.4.1.2.1, as follows:

> 13.4.1.2.1 Exception — Electronic Transmissions After National Letter of Intent Signing or Other Written Commitment. After the calendar day on which a prospective student-athlete signs a National Letter of Intent, **signs the institution's written offer of admission and/ or financial aid, or submits a room or tuition deposit in response to the institution's written offer of admission,** there shall be no limit on the forms of electronically transmitted correspondence sent to the prospective student-athlete or his or her parents or legal guardians by the institution with which the prospective student-athlete has *signed* **committed**. *For an institution not using the National Letter of Intent in a particular sport, or for a prospective student-athlete who is not eligible to sign a National Letter of Intent (e.g., four-year college transfer) , there shall be no limit on the forms of electronically transmitted correspondence sent to a prospective student-athlete or his or her parents or legal guardians by that institution after the calendar day on which the prospective student-athlete signs the institution's written offer of admission and/or financial aid.*

Source: Southern Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: This proposal would establish an exception to the electronic correspondence legislation that would be similar to the current legislation regarding publicity released by an institution after a prospective student-athlete has evidenced his or her commitment to attend the institution. A key factor in the membership's desire to eliminate text messaging and other electronically transmitted correspondence is the intrusive nature of these particular methods of communication during the recruiting process. However, such communication to prospective student-athletes who have already committed to the institution does not present a recruiting advantage and is not overly invasive. Prospective student-athletes who have signed an institutional financial aid agreement or have submitted a tuition or room deposit may not have signed a National Letter of Intent, but they have shown the same level of commitment as those prospective student-athletes who have. Institutions should be able to communicate with those prospective student-athletes via the same electronic methods. This proposal would allow for a consistent application to all prospective student-athletes who have committed to attend the institution.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: Minimal.

Position Statement(s)

History:

Jul 14, 2008 Submit Submitted for consideration.

No. 2008-24 RECRUITING — RECRUITING MATERIALS — OTHER RECRUITING MATERIALS POSTED TO INSTITUTION'S WEB SITE

Intent: To permit an institution to print and provide other recruiting information that is posted on its Web site to prospective student-athletes via regular mail as attachments to general correspondence or during any permissible on- or off-campus contact.

Bylaws: Amend 13.4.1.3, as follows:

> 13.4.1.3 Other Recruiting Materials. An institution may post recruiting materials not listed in Bylaw 13.4.1 on its Web site *but* **and** may *not* print such items and provide them to prospective student-athletes via **regular** mail **as attachments to general correspondence** or during *visits* **any permissible on- or off-campus contact**.

Source: Atlantic Coast Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Currently, any information that is posted on the institution's Web site may not be sent to a prospective student-athlete as an attachment to general correspondence unless it appears in the list of permissible recruiting materials. In order for information that does not appear on the list of permissible materials to be sent as an attachment, the institution must find it elsewhere (e.g., newspaper, other Web site). A typical institution's Web site contains valuable and important information beyond what appears on the list of permissible materials. Such information could easily be sent to prospective student-athletes. Some prospective student-athletes do not have daily access to computers and, therefore, are not able to access this additional information. This change would not result in significant increases in costs associated with producing and sending the information since these items are already being produced and posted to the institution's Web site.

Estimated Budget Impact: Cost to print and mail additional recruiting materials.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 09, 2008 Submit Submitted for consideration.

No. 2008-25 RECRUITING — OFFICIAL VISIT AND LETTER OF INTENT PROGRAMS — REQUIREMENTS FOR OFFICIAL VISIT AND OFFERS OF ATHLETICALLY RELATED FINANCIAL AID — COMPLETION OF AMATEURISM CERTIFICATION QUESTIONNAIRE

Intent: To specify that a high school, preparatory school or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the NCAA Eligibility Center before an institution may provide the prospective student-athlete an official visit; further, to specify that an institution shall not provide a high school, preparatory school or transfer prospective student-athlete a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire with the Eligibility Center.

A. Bylaws: Amend 13.6.3, as follows:

13.6.3 Requirements for Official Visit. The following requirements must be met before an institution may provide an official visit to a prospective student-athlete:

[13.6.3-(a) through 13.6.3-(b) unchanged.]

(c) A high school or preparatory school prospective student-athlete must register with the NCAA Eligibility Center; *and*

(d) A high school or preparatory school prospective student-athlete must be placed on the institution's institutional request list (IRL) with the NCAA Eligibility Center.; **and**

(e) A high school, preparatory school or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the NCAA Eligibility Center.

[13.6.3.1 through 13.6.3.2 unchanged.]

B. Bylaws: Amend 13.9, as follows:

13.9 LETTER-OF-INTENT PROGRAMS, FINANCIAL AID AGREEMENTS

13.9.1 *NCAA Eligibility Center Registration and Institutional Request List* **Requirements for Offer of Athletically Related Financial Aid.** *An institution shall not provide a high school or preparatory school prospective student-athlete a written offer of athletically related financial aid (per Bylaw 15.3.2.3) until he or she has registered with the NCAA Eligibility Center and the institution has placed the prospective student-athlete on its institutional request list (IRL) with the NCAA Eligibility Center.* **The following requirements must be met before an institution may provide a written offer of athletically related financial aid (per Bylaw 15.3.2.3) to a prospective student-athlete:**

(a) A high school or preparatory school prospective student-athlete must register with the NCAA Eligibility Center;

(b) A high school or preparatory school prospective student-athlete must be placed on the institution's institutional request list (IRL) with the NCAA Eligibility Center; and

(c) A high school, preparatory school Or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the NCAA Eligibility Center.

[Remainder of 13.9 unchanged.]

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Agents and Amateurism and Subcommittee on Recruiting).

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation requires that a prospective student-athlete present an institution with a high school (or college) academic transcript and register with the Eligibility Center prior to taking an official visit to the institution. Prior to the official visit, the institution must also place the prospective student-athlete on its institutional request list. Requiring prospective student-athletes to take the additional step of completing the amateurism questionnaire prior to taking an official visit and prior to receiving a written offer of athletically related aid will allow the Eligibility Center to begin the process of certifying prospective student-athletes' amateur status at an earlier date and will help ease case volume leading up to and after the start of the academic year when competition is pending. The effective date of August 1, 2009, will provide adequate notice to institutions and prospective student-athletes.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Feb 12, 2008 Submit Submitted for consideration.

Feb 13, 2008 Academics/Eligibility/Compliance Cabinet , Sponsored

Jun 11, 2008 Academics/Eligibility/Compliance Cabinet Modified proposal to also specify that an institution shall not provide a prospective student-athlete (including a prospective transfer student-athlete who is subject to the amateurism certification process) a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire with the Eligibility Center.

No. 2008-26 RECRUITING — OFFICIAL VISIT — MEALS ON OFFICIAL VISIT — MEALS AT AIRPORT OR BUS OR TRAIN STATION

Intent: To specify that meals may be provided to a prospective student-athlete on an official visit at the airport or bus or train station at the time of his or her arrival or departure.

Bylaws: Amend 13.6.7.7, as follows:

> 13.6.7.7 Meals on Official Visit. The cost of actual meals, not to exceed three per day, on the official visit for a prospective student-athlete and the prospective student-athlete's parents, legal guardian(s), spouse or children need not be included in the $30-per-day entertainment expense. Meals must be comparable to those provided to student-athletes during the academic year. **Meals may be provided within a 30-mile radius of the institution's campus and at the airport or bus or train station at the time of the prospective student-athlete's arrival or departure.** A reasonable snack (e.g., pizza, hamburger) may be provided in addition to the three meals.

Source: Big 12 Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: This proposal supports the well-being of prospective student-athletes and recognizes the liability and responsibility placed on an institution during official visits. It is necessary to account for the realities of travel as well as the importance of a coaching staff member's availability to assist and supervise prospective student-athletes who travel alone for an official visit. Security issues are unpredictable and travel delays are common. It is reasonable for an institutional staff member to provide a meal to a prospective student-athlete while he or she waits at the airport or bus or train station as the result of such issues or delays. Although it is currently permissible to pay a prospective student-athlete's costs for meals incurred while in transit, this proposal accounts for the prospective student-athlete who is not able to pay for such meals. Additionally, this proposal creates equity among institutions that are located various distances from airports or bus or train stations. For example, those institutions that have a major airport within 30 miles of campus have a greater number of flight options available and also have the option to provide supervision along with a meal at the airport when travel issues arise.

Estimated Budget Impact: Minimal.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 25, 2008 Submit Submitted for consideration.

No. 2008-27 RECRUITING — UNOFFICIAL VISIT — HOUSING — LODGING IN DORMITORIES — ADDITIONAL RESTRICTION — WOMEN'S LACROSSE

Intent: In women's lacrosse, to specify that an institution's athletics department staff member shall not arrange lodging for a prospective student-athlete on an unofficial visit in an enrolled student-athlete's residence (e.g., dormitory room, apartment) until August 1 following the prospective student-athlete's junior year in high school.

Bylaws: Amend 13.7.2.1.2, as follows:

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

13.7.2.1.2.1 Additional Restriction — Women's Lacrosse. In women's lacrosse, an institution's athletics department staff member shall not arrange lodging for a prospective student-athlete on an unofficial visit in an enrolled student-athlete's residence (e.g., dormitory room, apartment) until August 1 following the prospective student-athlete's junior year in high school.

Source: Ivy Group.

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation permits an institution to arrange for prospective student-athletes on unofficial visits to stay overnight in the dormitory room or other residence of current student-athletes. Prospective student-athletes who are juniors in high school or younger, are often not mature enough to handle the freedoms associated with staying overnight without supervision and problems have been known to arise. Restricting the arrangement of overnight on-campus lodging to prospective student-athletes who are entering their senior year in high school will help to alleviate this problem while still permitting younger prospective student-athletes to visit an institution overnight if they make other lodging arrangements. This restriction is not intended to impact visits that are not arranged by an athletics department staff member. This amendment is part of a package of proposals sponsored on behalf of the Intercollegiate Women's Lacrosse Coaches Association, designed to address recruiting issues in that sport. The proposals also may serve as a pilot program for adoption in other sports, if they prove effective.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 08, 2008 Submit Submitted for consideration.

No. 2008-28 RECRUITING — FINANCIAL AID AGREEMENTS — OFFERS OF AID BEFORE JULY 1 FOLLOWING JUNIOR YEAR — WOMEN'S LACROSSE

Intent: In women's lacrosse, to specify that an institution shall not offer (or indicate that it will or may offer), orally or in writing, athletically related financial aid, other institutional financial aid or admissions assistance before July 1 following the prospective student-athlete's junior year in high

school; further, to specify that an institution shall not accept any commitment from a prospective student-athlete before July 1 following the prospective student-athlete's junior year in high school.

Bylaws: Amend 13.9.2, as follows:

13.9.2 Letter of Intent Restriction. A member institution may not participate in an institutional or conference athletics letter-of-intent program or issue an institutional or conference financial aid agreement that involves a signing date that precedes the initial regular (as opposed to early) signing date for the National Letter of Intent program in the same sport. However, an institution may permit a prospective student-athlete to sign an institutional or conference letter of intent during the National Letter of Intent early signing period in the applicable sport.

[13.9.2.1 unchanged.]

13.9.2.2 Offer of Aid Before Signing Date — **Sports Other Than Women's Lacrosse**. *An* **In sports other than women's lacrosse,** institution may indicate in writing to a prospective student-athlete that an athletically related grant-in-aid will be offered by the institution; however, the institution may not permit the prospective student-athlete to sign a form indicating his or her acceptance of such an award before the initial signing date in that sport in the National Letter of Intent program.

13.9.2.3 Offer of Aid Before July 1 Following Junior Year — Women's Lacrosse. In women's lacrosse, an institution shall not offer, (or indicate that it will or may offer), orally or in writing athletically related financial aid, other institutional financial aid or admissions assistance before July 1 following the prospective student-athlete's junior year in high school. An institution shall not accept any commitment from a prospective student-athlete before July 1 following the prospective student-athlete's junior year in high school.

Source: Ivy Group.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Recruiting

Rationale: The Women's Lacrosse Coaches Association believes that stopping the trend of college coaches providing verbal offers of admissions and scholarship support and asking for and receiving verbal commitments from prospective student-athletes during their junior year in high school will result in a higher quality recruiting process for prospective student athletes and coaches. This proposal seeks to take the pressure and "fear" approach out of recruiting (e.g., fear that if the prospect does not accept an offer she may not receive another one) and replace it with the opportunity for prospects to make informed decisions. In addition, waiting until July 1 following a prospect's junior year in high school to make offers and accept commitments allows coaches to use the early summer months for evaluations at high school games and tournaments, thereby giving a more accurate view of a prospective student-athlete's talent and potential, as well as her academic qualifications. This amendment is part of a package of proposals sponsored on behalf of the Intercollegiate Women's Lacrosse Coaches Association, designed to address recruiting issues

in that sport. The proposals also may serve as a pilot program for adoption in other sports, if they prove effective.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 08, 2008 Submit Submitted for consideration.

No. 2008-29 RECRUITING — TRYOUTS — EXCEPTIONS — VOLUNTARY SUMMER CONDITIONING — SPORTS OTHER THAN FOOTBALL AND BASKETBALL

Intent: In sports other than football and basketball, to specify that a prospective student-athlete may engage in voluntary summer workouts conducted by an institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieval basis), provided he or she is enrolled in the institution's summer term prior to the student's initial full-time enrollment at the certifying institution.

Bylaws: Amend 13.11.3, as follows:

13.11.3 Tryout Exceptions.

[13.11.3.1 through 13.11.3.9 unchanged.]

13.11.3.10 Voluntary Summer Conditioning — Sports Other Than Football and Basketball. In sports other than football and basketball, a prospective student-athlete may engage in voluntary summer workouts conducted by an institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieve basis), provided he or she is enrolled in the institution's summer term prior to the student's initial full-time enrollment at the certifying institution.

13.11.3.10.1 Mandatory Medical Examination. Prior to participation in any weight-training or conditioning workouts conducted by an institution's strength and conditioning coach, a prospective student-athlete who will be a first-time participant shall be required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). The examination or evaluation must have been administered within six months prior to participation in any weight-training or conditioning activity.

[13.11.3.10 renumbered as 13.11.3.11, unchanged.]

Source: Southeastern Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation permits football and basketball prospective student-athletes to participate in voluntary conditioning activities during the summer with the institution's strength and conditioning coach, provided the prospective student-athletes are enrolled in the institution's summer term. This proposal extends the same opportunity to incoming student-athletes in all other sports. Currently, incoming student-athletes in other sports who elect to enroll in summer school prior to initial full-time enrollment may not work out with their future teammates and are forced to lift weights and condition on their own, and in some cases, without proper guidance from a skilled strength and conditioning coach. This proposal will allow all incoming student-athletes the opportunity to receive proper instruction and to work with their future teammates.

Estimated Budget Impact: Potential increase in costs associated with additional prospective student-athletes involved in weight-training and conditioning activities.

Impact on Student-Athlete's Time: Opportunity for involvement in voluntary conditioning activities.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No. 2008-30 RECRUITING — SPORTS CAMPS AND CLINICS — EMPLOYMENT AT CAMP OR CLINIC — HIGH SCHOOL, PREPARATORY-SCHOOL, TWO-YEAR COLLEGE COACHES OR OTHER INDIVIDUALS INVOLVED WITH PROSPECTIVE STUDENT-ATHLETES — EMPLOYMENT AS SPEAKER — MEN'S BASKETBALL

Intent: In men's basketball, to specify that an institution shall not employ a speaker in its camp or clinic who is involved in coaching prospective student-athletes or is associated with a prospective student-athlete as a result of the prospective student-athlete's participation in basketball.

Bylaws: Amend 13.12.2.2, as follows:

13.12.2.2 High School, Preparatory-School, Two-Year College Coaches or Other Individuals Involved with Prospective Student-Athletes. A member institution (or employees of its athletics department) may employ a high school, 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 at its camp or clinic, provided:

[13.12.2.2-(a) through 13.12.2.2-(b) unchanged.]

[13.12.2.2.1 unchanged.]

13.12.2.2.2 Employment as a Speaker in an Institutional Camp or Clinic — Men's Basketball. An institution shall not employ a speaker in its men's basketball camp or clinic who is involved in coaching prospective student-athletes or is associated with a prospective student-athlete as a result of the prospective student-athlete's participation in basketball.

Source: NCAA Division I Championships/Competition Cabinet (Men's Basketball Issues Committee).

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation does not preclude institutions from providing honorariums to a prospective student-athlete's coach to speak at an institution's camp or clinic. Such a fee is often independent of any compensation for employment as a camp counselor and is used as a recruiting inducement, either to pay for the costs of the coach's players to attend the camp or to solicit the enrollment of a prospective student-athlete associated with that coach. In some cases, the fee may be exorbitant unless institutional policy restricts the amount. This proposal would address those recruiting concerns without precluding institutions from employing a prospective student-athlete's coach as a legitimate counselor. Current legislation governs such employment and requires compensation paid to all counselors to be commensurate with the going-rate based on like teaching ability and camp experience.

Estimated Budget Impact: Potential cost savings.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 13, 2008 Submit Submitted for consideration.

Jun 16, 2008 Men's Basketball Issues Committee , Recommends Approval

Jun 25, 2008 Championships/Competition Cabinet , Sponsored

No. 2008-31 RECRUITING — USE OF RECRUITING FUNDS — RECRUITING SERVICES — VIDEO SERVICES

Intent: To eliminate the requirement that off-campus observation of a prospective student-athlete on a video that is made available by a scouting service be considered an evaluation activity subject to applicable evaluation regulations.

Bylaws: Amend 13.14.3, as follows:

13.14.3 Recruiting Services.

[13.14.3.1 unchanged.]

13.14.3.2 Video Services. Member institutions are permitted to use video services so long as only regularly scheduled (regular season) high school or two-year college contests are involved. The institution may not contract with the service in advance to have particular contest videotaped, and the service must be available to all institutions at the same cost. *Off-campus observation of a prospective-student-athlete on a video made available by a scouting service is considered an evaluation activity and is subject to applicable evaluation regulations.*

[13.14.3.3. unchanged.]

Source: Big 12 Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Technological advances have permitted coaches to have easy and inexpensive access to video at locations other than work. No competitive advantage is gained by a coach viewing a video of a high school or two-year college contest off campus. Coaches have relatively equal access to view video from scouting services in various formats (e.g., online, on DVD, video cassette). Therefore, coaches should not be limited by the viewing location and should not be required to count off-campus observation as an evaluation. In addition, off-campus observation of video should not be regulated by the recruiting calendar. The observation of prospective student-athletes on video should be permissible at any time and at any location without restrictions.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 25, 2008 Submit Submitted for consideration.

No. 2008-66 ADMINISTRATIVE REGULATIONS — RECRUITING CALENDARS — FOOTBALL — DEAD PERIOD

Intent: In football, to specify that an institution shall designate two weeks (not required to be consecutive) during the months of June and July as a dead period.

Administrative: Amend 30.10.3, as follows:

30.10.3 Football. The following recruiting periods shall apply to football:

(a) June 1 through the last Saturday in November [except for (1) **and (2)** below]: Quiet Period

[30.10.3-(a)-(1) unchanged.]

(2) Two weeks (not required to be consecutive) during the months of June and July selected at the discretion of the institution and designated in writing in the office of the director of athletics. For purposes of this provision, a week is any consecutive seven-day period (e.g., Thursday through Wednesday): **Dead Period**

[Remainder of 30.10.3 unchanged.]

Source: Big Ten Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: This proposal requires each institution to set aside two weeks during the summer as a dead period, which prohibits in-person contact with recruits either on or off campus. Currently, coaches feel it necessary to be in the office at all times in case a prospective student-athlete visits unexpectedly. This dead period would provide coaches, particularly assistant coaches, with down time before training camp and the football season. Because of varying academic calendars, each school would determine its own dead period. In order to be implemented for summer 2009, this proposal has an immediate effective date.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No. 2008-67 ADMINISTRATIVE REGULATIONS — RECRUITING CALENDARS — SOFTBALL — CONTACT PERIOD AUGUST 1 THROUGH THE DAY PRIOR TO THANKSGIVING DAY

Intent: In softball, to establish a contact period from August 1 through the day prior to Thanksgiving Day.

Administrative: Amend 30.10.4, as follows:

30.10.4 Softball. The following recruiting periods shall apply to softball:

(a) August 1 through *Labor Day* **the day prior to Thanksgiving Day** Contact Period **[except for (1) below]**:

(b) *The day after Labor Day through Thanksgiving day [except for (1) and (2) below]:* *Contact only (no evaluations)*

(1) The second Friday in October through the first Sunday of November: *Contact Period*

(21) Monday through Thursday of the week that includes the initial Dead Period date for the fall signing of the National Letter of Intent:

[30.10.4-(c) through 30.10.4-(f) relettered as 30.10.4-(b) through 30.10.4-(e), unchanged.]

Source: Big East Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Under the current softball recruiting calendar, fall evaluations are limited to a narrow window of time (second Friday in October through the first Sunday in November). The short duration of this period presents several problems for the fall recruiting process. Prospective student-athlete well-being was a primary reason for the structure of the current calendar. However, the truncation of the fall evaluation period has put more stress on prospective student-athletes by causing an increase in missed class time due to tournaments being held for longer periods during the permissible evaluation weekends, in addition to the proliferation of events taking place during weekdays. Additionally, the short time period for evaluations in the fall has created increased pressure on coaches to recruit as much as possible within the allowable timeframe, thereby decreasing time spent on campus with current student-athletes. Moreover, if a single tournament is canceled due to weather conditions or other reasons, a considerable recruiting opportunity is lost. The recruiting calendar should allow for greater flexibility to use the 50 permissible evaluation days instead of limiting the time period in which it is permissible to evaluate prospective student-athletes.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 02, 2008 Submit Submitted for consideration.

Intent: In women's lacrosse, to specify that during the fall contact period, evaluations of prospective student-athletes participating in lacrosse activities who have not started their senior year in high school are limited to the three weekends prior to Thanksgiving.

Administrative: Amend 30.10.8, as follows:

30.10.8 Lacrosse, Women's. The following recruiting periods shall apply to women's lacrosse:

[30.10.8-(a) through 30.10.8-(e) unchanged.]

(f) September 1 through the Tuesday before Thanksgiving [except for (1) **and (2)** below]: Contact Period

(1) Monday through Thursday of the initial week of the fall signing of the National Letter of Intent: Dead Period

(2) Evaluations of prospective student-athletes participating in lacrosse activities who have not started their senior year in high school are limited to the three weekends (Saturday and Sunday) prior to Thanksgiving. **Dead Period**

[30.10.8-(g) unchanged.]

Source: Ivy Group.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Recruiting

Rationale: Prospective student-athletes are incurring travel expenses and withdrawing from other activities in order to be seen at fall tournaments by college coaches. Substantial evaluation opportunities already exist in the spring and summer. The recruiting process should not unnecessarily impose on these prospective student-athletes' time in the fall. This proposal would allow younger prospective student-athletes to participate in fall sports and other activities in September and October and still have the opportunity to be evaluated by college coaches. This proposed limitation does not apply to senior prospective student-athletes since the fall evaluation period is the last scheduled opportunity for college coaches to evaluate their athletics ability prior to the signing dates.

Therefore, it would be permissible for coaches to evaluate at senior-only tournaments. This proposal is not intended to prohibit other types of evaluations (e.g., academic evaluations, evaluations of prospective student-athletes playing other sports) during the fall contact period. This amendment is part o a package of proposals sponsored on behalf of the Intercollegiate Women's Lacrosse Coaches Association, designed to address recruiting issues in that sport. The proposals also may serve as a pilot program for adoption in other sports, if they prove effective.

Estimated Budget Impact: Potential cost reduction with fewer evaluation opportunities.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 08, 2008 Submit Submitted for consideration.

Eligibility

No. 2008-32 ELIGIBILITY — GENERAL ELIGIBILITY REQUIREMENTS — FULL-TIME ENROLLMENT — REQUIREMENT FOR COMPETITION — NONTRADITIONAL COURSES

Intent: To specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) offered by the certifying institution may be used to satisfy the full-time enrollment requirement for competition, provided the specified conditions are met.

Bylaws: Amend 14.1.8.2, as follows:

14.1.8.2 Requirement for Competition. To be eligible for competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies leading to a baccalaureate or equivalent degree, which shall not be less than 12 semester or quarter hours.

[14.1.8.2.1 through 14.1.8.2.4 unchanged.]

14.1.8.2.5 *Extension Courses. A student-athlete may use a combination of hours taken in residence during a regular term and extension courses taken from the certifying institution during that term to meet the minimum 12-hour enrollment requirement, provided the institution considers enrollment in such extension courses as regular course enrollment for all students during term time.* **Nontraditional Courses. Enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) offered by the certifying institution may be used to satisfy the full-time enrollment requirement for competition, provided the following conditions are met:**

(a) Evaluation of the student's work in the course is conducted by the appropriate academic authorities in accordance with the certifying institution's established academics policies;

(b) The course is available to any student at the certifying institution:

(c) Enrollment in the course occurs within the institution's regular enrollment periods pre-registration or drop-add period) in accordance with the institution's academic calendar and applicable policies and procedures;

(d) The course is conducted during the institution's regular academic schedule (term time) in accordance with the institution's academic calendar and applicable policies and procedures;

(e) The course involves regular interaction with the instructor (in-person or electronically);

(f) The institution uses a conventional grading scale consistent with similar courses offered by the institution and in accordance with applicable policies and procedures; and

(g) The course is acceptable for degree credit (no remedial or noncredit course) and is reflected on the student's official academic record.

14.1.8.2.6 Correspondence Courses. A student-athlete may not use a correspondence course to meet the minimum 12-hour enrollment requirement.

[14.1.8.2.7 renumbered as 14.1.8.2.6, unchanged.]

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Continuing Eligibility).

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Eligibility

Rationale: After extensive review of traditional and nontraditional courses, the NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Continuing Eligibility defined traditional courses as those involving regular in-person, classroom-based instruction. Nontraditional courses were defined as those involving little or no classroom-based instruction (e.g., distance-learning, correspondence, extension, Internet courses, independent study and any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student). Technological trends within postsecondary instruction require a modernization of the language used to refer to various methods of course delivery. Generally, a student-athlete should be permitted to use nontraditional courses to satisfy the full-time enrollment requirement, provided the institution considers enrollment in such a course as regular course enrollment for all students; however, this proposal establishes minimum standards that must be met in order for nontraditional courses to be used for purposes of full-time enrollment for competition.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 10, 2008 Submit Submitted for consideration.

Jun 11, 2008 Academics/Eligibility/Compliance Cabinet , Sponsored

No. 2008-33 ELIGIBILITY — SEASONS OF COMPETITION — FIVE-YEAR RULE — CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY — DELAYED ENROLLMENT — WOMEN'S VOLLEYBALL

Intent: In women's volleyball, to specify that a student-athlete who does not initially enroll full time in a collegiate institution within one year following the high school graduation date of the student-athlete's class and participates in organized events after the one-year period, shall be charged with a season of intercollegiate competition for each year of participation and shall fulfill an academic year in residence on matriculation at the certifying institution before being eligible to represent the institution in intercollegiate competition.

Bylaws: Amend 14.2.3.2, as follows:

14.2.3.2 **Delayed Enrollment** —Tennis, *and Swimming and Diving*, **and Women's Volleyball**. After the high school graduation date of the student-athlete's class (as determined by the first year of high school enrollment or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility), a student-athlete shall have one year in order to be immediately eligible and retain the opportunity for four seasons of competition on initial, full-time collegiate enrollment. Graduation from high school or secondary school shall be based on the student-athlete's prescribed educational path in his or her country. The student also must meet all applicable NCAA, institutional and conference eligibility requirements. A student who does not enroll in a collegiate institution as a full-time student during that one-year time period shall be subject to the following:

(a) The student-athlete shall be charged with a season of intercollegiate *tennis or swimming and diving* eligibility for each calendar year after the one-year time period (the next opportunity to enroll after one calendar year has elapsed) and prior to full-time collegiate enrollment during which the student-athlete has participated in organized *tennis or swimming and diving* events per Bylaw 14.2.3.5.3.

(b) After the one-year time period, if the student-athlete has engaged in organized *tennis or swimming and diving* events per Bylaw 14.2.3.5.3, on matriculation at the certifying institution, the student-athlete must fulfill an academic year in residence before being eligible to represent the institution in intercollegiate *tennis or swimming and diving* competition.

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Continuing Eligibility).

Effective Date: August 1, 2010, for student-athletes, initially enrolling full time in a collegiate institution on or after August 1, 2010.

Category: Amendment

Topical Area: Eligibility

Rationale: There is support among members of the American Volleyball Coaches Association (AVCA) for this legislation to address concerns regarding the current organized competition legislation. It is becoming increasingly common for women's volleyball prospective student-athletes to intentionally delay initial collegiate enrollment in order to compete and train at an elite level. Under the current legislation, these prospective student-athletes may delay enrollment until age 21 and train and compete for three to four years before entering college. This proposal adds women's volleyball to the legislation by which tennis and swimming and diving have addressed similar concerns.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 10, 2008 Submit Submitted for consideration.

Jun 11, 2008 Academics/Eligibility/Compliance Cabinet , Sponsored

No. 2008-34 ELIGIBILITY — FRESHMAN ACADEMIC REQUIREMENTS — CORE CURRICULUM TIME LIMITATION — STUDENTS WITH EDUCATION IMPACTING DISABILITIES

Intent: To specify that if a prospective student-athlete with a diagnosed education-impacting disability graduates from high school within the core-curriculum time limitation, he or she may use up to three core courses completed after high school graduation to satisfy the core-curriculum or minimum grade-point average requirements, or both.

Bylaws: Amend 14.3.1.2.1.2, as follows:

> 14.3.1.2.1.2 **Exception** — Students with Education-Impacting Disabilities. *The Eligibility Center, pursuant to policies and procedures prescribed by the Academics Cabinet, may approve the use of all core courses completed by a student diagnosed with an education-impacting disability prior to initial full-time enrollment at a collegiate institution.* **If a prospective student-athlete with a diagnosed education-impacting disability graduates from high school within the core-curriculum time limitation, he or she may use up to three core courses completed after high school graduation to satisfy the core-curriculum or minimum grade-point average requirements, or both. The prospective student-athlete may complete the core courses at a location other than the high school from which he or she graduated and may initially enroll full time at a collegiate institution at any time after completion of the core courses. A prospective student-athlete may not use a core course completed after graduation if he or she receives institutional financial aid while enrolled in the course during the summer after the high school graduation date of his or her class (see Bylaw 15.2.8.1.4).**

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Initial-Eligibility Issues).

Effective Date: August 1, 2009, for student-athletes initially enrolling full time in a collegiate institution on or after August 1, 2009.

Category: Amendment

Topical Area: Eligibility

Rationale: Current legislation permits a prospective student-athlete with a diagnosed education-impacting disability to use all core courses up to the individual's initial full-time enrollment to satisfy the core-curriculum or minimum grade-point average requirements or both. This proposal provides a more consistent application of the core-curriculum time limitation legislation for all prospective student-athletes, while still providing reasonable accommodation for individuals with diagnosed education-impacting disabilities. This proposal also would protect the well-being of prospective student-athletes with education-impacting disabilities, particularly those individuals who require accommodations to complete their course work, by limiting the number of core courses they are completing in a short amount of time. Pursuant to current initial-eligibility waiver policies and procedures, consideration may be given to all courses taken by a prospective student-athlete with an education-impacting disability up to initial full-time enrollment. Consideration of all courses taken would continue as a part of the waiver process under this proposed change to the legislation.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 10, 2008 Submit

Jun 11, 2008 Academics/Eligibility/Compliance Cabinet , Sponsored

No. 2008-35 ELIGIBILITY — PROGRESS-TOWARD-DEGREE REQUIREMENTS — REGULATIONS FOR ADMINISTRATION OF PROGRESS TOWARD DEGREE — NONTRADITIONAL COURSES

Intent: To specify that nontraditional courses (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) completed at a four-year institution other than the certifying institution, may be used to meet credit hour and percentage-of-degree requirements, provided the specified conditions are met.

Bylaws: Amend 14.4.3.4, as follows:

14.4.3.4 Regulations for Administration of Progress Toward Degree.

[14.4.3.4.1 through 14.4.3.4.2 unchanged.]

14.4.3.4.3 Correspondence and Extension Courses From *Another* **a Two-Year Institution**. Correspondence, extension and credit-by-examination courses taken from *an* **a two-year** institution other than the one in which a student-athlete is enrolled as a full-time student shall not be used in determining a student's academic standing or progress toward degree.

14.4.4.3.1 Waivers. Waivers of this restriction may be granted by the Progress-Toward-Degree Waiver Committee in response to written requests from member institutions.

14.4.4.3.2 Centralized Correspondence-Course Exception. In a state that centralizes the offering of correspondence courses through one state institution, a student enrolled in another of the state's institutions may use a correspondence course from the institution authorized to offer such courses in determining the student's academic standing or progress toward degree.

[14.4.3.4.4 through 14.4.3.4.7 unchanged.]

14.4.3.4.8 Distance-Learning Courses **From a Two-Year Institution**. Credit hours earned via distance learning **from a two-year institution** may be used to meet all progress-toward-degree requirements provided:

[14.4.3.4.8-(a) through 14.4.3.4.8-(b) unchanged.]

14.4.3.4.9 Nontraditional Courses from Another Four-Year Institution. Nontraditional courses (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) completed at a four-year institution other than the certifying institution, may be used to meet credit hour and percentage-of-degree requirements, provided the following conditions are met:

(a) Evaluation of the student's work in the course is conducted by the appropriate academic authorities in accordance with the offering institution's established academic policies;

(b) The course is available to any student at the certifying institution;

(c) Enrollment in the course occurs within the offering institution's regular enrollment periods (pre-registration or drop-add period) in accordance with the institution's academic calendar and applicable policies and procedures;

(d) The course involves regular interaction with the instructor (in-person or electronically);

(e) The offering institution uses a conventional grading scale consistent with similar courses offered by the institution and in accordance with applicable policies and procedures; and

(f) The course is acceptable for degree credit (no remedial or noncredit courses) and is reflected on the student's official academic record at the certifying institution.

[14.4.3.4.9 renumbered as 14.4.3.4.10, unchanged.]

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Continuing Eligibility).

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Eligibility

Rationale: After extensive review of traditional and nontraditional courses, the Academics/Eligibility/Compliance Cabinet Subcommittee on Continuing Eligibility defined traditional courses as those involving regular in-person, classroom-based instruction. Nontraditional courses were defined as those involving little or no classroom-based instruction (e.g., distance-learning, correspondence, extension, Internet courses, independent study and any other course or credit that is not earned in a typical face-to-face classroom environment with regular in-person interaction between the instructor and the student). Technological trends within postsecondary instruction require a modernization of the language used to refer to various methods of course delivery. Generally, a student-athlete should be permitted to use nontraditional courses from any four-year institution to satisfy progress-toward-degree requirements, provided they are accepted by the certifying institution and satisfy graduation requirements for all students at the certifying institution. It is important to respect institutional discretion and authority in setting course content and curriculum and to trust institutional integrity with regard to use of nontraditional courses. However, this proposal establishes minimum standards that must be met in order for nontraditional courses to be used for progress-toward-degree requirements.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 10, 2008 Submit Submitted for consideration.

Jun 11, 2008 Academics/Eligibility/Compliance Cabinet , Sponsored

No. 2008-36 ELIGIBILITY — PROGRESS-TOWARD-DEGREE REQUIREMENTS — ELIGIBILITY FOR COMPETITION — INTERNATIONAL COMPETITION WAIVER — USE OF CREDITS EARNED

Intent: To specify that credits earned by a student during the term or terms to which an international competition waiver applies may be used to satisfy the 24/36 hour, percentage-of-degree and grade-point average progress-toward degree requirements.

Bylaws: Amend 14.4.3.6, as follows:

14.4.3.6 Waivers of Progress-Toward-Degree Rule. The Division I Progress-Toward-Degree Waiver Committee shall establish appropriate criteria for waivers of this legislation. The following waivers shall be administered by the conference members of the Association or, in the case of an independent institution, by the Division I Progress-Toward-Degree Waiver Committee.

[14.4.3.6-(a) unchanged.]

(b) International Competition. The credit hours required under the progress-toward-degree regulation of Bylaws 14.4.3.1 and 14.4.3.5-(c) may be prorated at nine hours per term of actual attendance during an academic year in which a student is not enrolled for a term or terms or is unable to complete a term **as a full-time student** as result of participation in the FIFA World Youth Championship, Pan American Games, Olympic Games, World Championships, World Cup or World University Games (including final Olympic tryouts and the officially recognized training program that directly qualifies participants for those tryouts). This waiver provision may be applied to no more than two semesters or three quarters. **Credits earned by the student during the term or terms to which the waiver applies may be used to satisfy the 24/36 hour [see Bylaw 14.4.3.1-(a), percentage-of-degree (see Bylaw 14.4.3.2) and grade-point average requirements (see Bylaw 14.4.3.3).**

Source: Big 12 Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Eligibility

Rationale: Currently, credits earned by a student during the term or terms to which a medical absence waiver applies may be used to satisfy the 24/36 hour, percentage-of-degree and grade-point average progress-toward-degree requirements. This proposal affords student-athletes who participate in the specified international competition the same benefit. Currently, hours earned during the term or terms associated with an international competition waiver may not be used to satisfy progress-toward-degree requirements. Permitting the use of such hours to satisfy these elements of the progress-toward-degree requirements is consistent with the NCAA's intent to ensure that students are progressing toward completion of a degree. Moreover, such hours still would not be applicable toward the six hour or 18/27 credit hour requirement.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 25, 2008 Submit Submitted for consideration.

No. 2008-37 ELIGIBILITY — TRANSFER REGULATIONS — EXCEPTIONS FOR TRANSFERS FROM FOUR-YEAR COLLEGES — CHURCH MISSION

Intent: To eliminate the church mission exception to the transfer residence requirement for transfers from four-year colleges.

Bylaws: Amend 14.5.5.2, as follows:

14.5.5.2 Exceptions for Transfers from Four-Year Colleges. A transfer student (other than one under disciplinary suspension per Bylaw 14.5.1.3) from a four-year collegiate institution is not subject to the residence requirement for intercollegiate competition, provided the student does not have an unfulfilled residence requirement at the institution from which he or she is transferring (except for the return to original institution without participation or with minimal participation exception) and any of the following exceptions is satisfied. During the student-athlete's first academic year of full-time collegiate enrollment, such conditions may serve as a basis for an exception to the residence requirement only for transfer students who, at the time of initial collegiate enrollment, met the requirements for "qualifiers" (set forth in Bylaw 14.3.1) in Division I. In basketball, a student-athlete who initially enrolls at the certifying institution as a full-time student after the conclusion of the first term of the academic year and qualifies for an exception to the one-year residence requirement shall not be eligible for competition until the ensuing academic year.

[14.5.5.2.1 through 14.5.5.2.4 unchanged.]

14.5.5.2.5 Military Service, *Church Mission* Exception. The student returns from at least 12 months of active service in the armed forces of the United States, *or from at least 12 months of active service on an official church mission.*

14.5.5.2.5.1 Collegiate Enrollment Concurrent with Military Service. The amount of time that an individual is enrolled as a regular student in a collegiate institution while concurrently on active military duty *or engaged in active service on an official church mission* may not be counted as a part of the 12-month active-duty period that qualifies a student for an exception to the transfer-residence requirement.

[Remainder of 14.5.5.2 unchanged.]

Source: Western Athletic Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Eligibility

Rationale: Current legislation provides an exception to the residence requirement for a transfer student from a four-year institution if the student-athlete actively serves at least 12 months on an official church mission. The exception essentially makes a student-athlete who is serving an official church mission a "free agent," because he or she is not required to fulfill a year in residence on returning and transferring to another institution. Since the current legislation provides an exception to the transfer residence requirement, many institutions are discouraged from investing the time,

energy and finances into recruiting prospective student-athletes who plan to serve missions. As a result, an individual who would otherwise serve a mission may choose not to do so in order to receive a scholarship offer, which may be contingent on not serving a mission. Legislation affecting official church mission service should be distinguished from active military service due to a recent increase in the recruitment of student-athletes who serve official church missions.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No. 2008-38 ELIGIBILITY — TRANSFER REGULATIONS — FOUR-YEAR COLLEGE TRANSFERS — COMPETITION AND RECEIPT OF ATHLETICALLY RELATED FINANCIAL AID IN YEAR OF TRANSFER — TENNIS

Intent: In tennis, to specify that a transfer student from a four-year institution who enrolls at the certifying institution as a full-time student after the conclusion of the first term of the academic year and qualifies for an exception to the one-year residence requirement shall not be eligible for competition until the following academic year if he or she has competed during the same academic year and received athletically related financial aid during the same academic year from the previous four-year institution.

Bylaws: Amend 14.5.5.3, as follows:

14.5.5.3 Competition in Year of Transfer. A transfer student from a four-year institution, who has received a waiver of or exception to the transfer residence requirement (per Bylaw 14.5.5.2), is not eligible to compete at the certifying institution during the segment that concludes with the NCAA championship if the student-athlete has competed during that segment of the same academic year in that sport at the previous four-year institution.

14.5.5.3.1 Competition and Receipt of Athletically Related Financial Aid in Year of Transfer — Tennis. In tennis, a transfer student from a four-year institution who enrolls at the certifying institution as a full-time student after the conclusion of the first term of the academic year and qualifies for an exception to the one-year residence requirement shall not be eligible for competition until the following academic year if he or she has competed during the same academic year and received athletically related financial aid during the same academic year from the previous four-year institution.

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Continuing Eligibility).

Effective Date: August 01, 2010

Category: Amendment

Topical Area: Eligibility

Rationale: Current legislation precludes a student-athlete from engaging in competition in a particular sport at two different institutions in the championship segment of the same academic year. In tennis, the season of competition is typically divided into two segments, but the Intercollegiate Tennis Association (ITA) is concerned about situations in which a student-athlete may compete for two different institutions in the same academic year and the difficulty some institutions have in replacing a student-athlete midyear. Accordingly, the ITA supports this proposal, which limits the ability of a midyear tennis transfer student-athlete to compete for two four-year institutions in the same academic year if the student-athlete received athletically-related financial aid at the first institution. Additionally, this proposal encourages and promotes more careful consideration by the coach and the student-athlete during the recruiting process and helps to solidify the commitment made by both parties.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 10, 2008 Submit Submitted for consideration.

Jun 11, 2008 Academics/Eligibility/Compliance Cabinet , Sponsored

No. 2008-39 ELIGIBILITY — OUTSIDE COMPETITION, EFFECTS ON ELIGIBILITY — EXCEPTION — CONFERENCE ALL-STAR COMPETITION AGAINST U.S. NATIONAL TEAM — WOMEN'S ICE HOCKEY

Intent: In women's ice hockey, to specify that a student-athlete may compete during the academic year as a member of a conference all-star team in up to two contests against the U.S. Women's National Ice Hockey Team in the 12 months prior to the Winter Olympic Games.

A. Bylaws: Amend 14.7.1, as follows:

14.7.1 Outside Competition — Sports Other Than Basketball. A student-athlete in any sport other than basketball who participates during the academic year as a member of any outside team in any noncollegiate, amateur competition becomes ineligible for intercollegiate competition unless eligibility is restored by the Committee on Student-Athlete Reinstatement. A student-athlete is permitted to practice on such a team.

[14.7.1.1 through 14.7.1.2 unchanged.]

14.7.1.3 Exception — Conference All-Star Competition Against U.S. National Team — Women's Ice Hockey. In women's ice hockey, a student-athlete may compete during the academic year as a member of a conference all-star team in up to two contests against the U.S. Women's National Ice Hockey Team in the 12 months prior to the Winter Olympic Games.

[14.7.1.3 through 14.7.1.5 renumbered as 14.7.1.4 through 14.7.1.6, unchanged.]

B. Bylaws: Amend 17.14.8.1, as follows:

17.14.8.1 Noncollegiate, Amateur Competition.

17.14.8.1.1 During Academic Year. A student-athlete in ice hockey who participates during the academic year as a member of any outside ice hockey team in any noncollegiate, amateur competition (e.g., tournament play, exhibition games or other activity) except while representing the institution in intercollegiate ice hockey competition shall be ineligible for intercollegiate ice hockey competition unless eligibility is restored by the Committee on Student-Athlete Reinstatement (see Bylaw 14.7.3 for exceptions).

[17.14.8.1.1.1 unchanged.]

17.14.8.1.1.2 Exception — Conference All-Star Competition Against U.S. National Team. In women's ice hockey, a student-athlete may compete during the academic year as a member of a conference all-star team in up to two contests against the U.S. Women's National Ice Hockey Team in the 12 months prior to the Winter Olympic Games.

Source: Ivy Group.

Effective Date: Immediate

Category: Amendment

Topical Area: Eligibility

Rationale: In previous years leading up to the Winter Olympic Games, NCAA Division I Subcommittee for Legislative Relief (formerly Administrative Review Subcommittee) waivers have been granted for conference women's ice hockey all-star teams to play a maximum of two contests each against the U.S. women's national team. In granting the waiver related to the 2006 Winter Olympic Games, the subcommittee encouraged the applicant conferences to propose legislation to address the issue. This proposal will decrease bureaucracy by permitting participation in such contests without requiring institutions or conferences to request a waiver.

Estimated Budget Impact: Costs related to two contests every four years potentially involving a few students per institution.

Impact on Student-Athlete's Time: Time related to two contests every four years potentially involving a few students per institution.

Position Statement(s)

History:

Jul 03, 2008 Submit Submitted for consideration.

Financial Aid

No. 2008-40 FINANCIAL AID — MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT — WOMEN'S VOLLEYBALL

Intent: In women's volleyball, to increase the maximum institutional grant-in-aid limitation from 12 to 13.

Bylaws: Amend 15.5.2, as follows:

15.5.2 Head-Count Sports Other Than Football and Basketball.

15.5.2.1 Maximum Limits. An institution shall be limited in any academic year to the total number of counters (head count) in each of the following sports:

Women's Gymnastics 12

Women's Volleyball *12* **13**

Women's Tennis 8

[Remainder of 15.5.2 unchanged.]

Source: Pacific-10 Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Financial Aid

Rationale: In 2004, an ad hoc group made up of members of the NCAA Division I Academics/ Eligibility/Compliance Cabinet Subcommittee on Financial Aid, the NCAA Division I Management Council and the NCAA Division I Committee on Women's Athletics performed a comprehensive review of the appropriateness of the maximum institutional grant-in-aid limitations in women's sports. As a result of its review, the group recommended legislation to increase the institutional grant-in-aid limitation in women's volleyball from 12 to 13 to reflect the addition of the "libero" position. The legislation was adopted by the Board of Directors in 2005, but it was narrowly overridden by the membership in January 2006. Data continues to support the recommendation to increase the institutional grant-in-aid limitation in this sport. The addition of the libero and specialization by position has resulted in an increase in squad sizes in the sport (up to 14.5 in 2005-06 from 14.0 in 2003-04). High school participation also has increased, resulting in a larger pool of viable prospective student-athletes who are worthy of athletics scholarships. The proposed increase also takes into consideration that the average number of volleyball student-athletes receiving athletics grant-in-aid is relatively consistent among Division I institutions. This fact is an important competitive and recruiting equity consideration.

Estimated Budget Impact: Potential increase of one scholarship per institution.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 26, 2008 Submit Submitted for consideration.

No 2008-41 FINANCIAL AID — MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT — BASEBALL

Intent: In baseball, to increase the annual limit on the value of financial aid awards (equivalencies) to counters from 11.7 to 14.

Bylaws: Amend 15.5.4, as follows:

> 15.5.4 Baseball Limitations. During the 2008-09 academic year, there shall be a limit of 11.7 on the value of financial aid awards (equivalencies) to counters and a limit of 30 on the total number of counters, in baseball at each institution. During the 2009-10 academic year and thereafter, there shall be an annual limit of *11.7* **14** on the value of financial aid awards (equivalencies) to counters and an annual limit of 27 on the total number of counters in baseball at each institution.
>
> [Remainder of 15.5.4 unchanged.]

Source: Southeastern Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Financial Aid

Rationale: Currently, institutions are limited to providing a maximum of 27 student-athletes with at least 25 percent of an equivalency beginning August 1, 2009. This is a step forward in improving the academic success of baseball student-athletes, but additional steps are necessary to further the initiative to increase graduation rates and retain student-athletes. Many baseball student-athletes receive only token amounts of athletically related financial aid. Low scholarship amounts are byproducts of the numbers needed to field a baseball team and the low number of equivalencies that are available. An increase to the maximum equivalencies will allow institutions the flexibility to provide student-athletes with increased athletically related financial aid to further reduce the likelihood of transfer to another institution. Further, as a result of small equivalency values during the academic year, many student-athletes are required to pay the majority of the cost to attend summer terms. Given the expense, many student-athletes choose to participate in summer baseball rather than make additional progress toward a degree. Finally, the increase in equivalencies would provide a better financial opportunity for prospective student-athletes from lower income families to participate in baseball. This proposal furthers student-athlete well-being as well as student-athlete retention and academic progress toward a degree.

Estimated Budget Impact: Potential increase of 2.3 scholarships per institution.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008	Submit	Submitted for consideration.

No. 2008-42 AWARDS, BENEFITS AND EXPENSES — COMPLIMENTARY ADMISSIONS AND TICKET BENEFITS — POSTSEASON EVENTS

Intent: To specify that an institution may provide each student-athlete who participates in or is a member of a team participating in a postseason event (e.g., conference championship, NCAA championship, National Invitational Tournament, bowl game) with six complimentary admissions to all intercollegiate athletics events at the site at which the student (or team) participates.

Bylaws: Amend 16.2.1.1.1, as follows:

> 16.2.1.1.1 Exception — *Conference Championships, NCAA Championships and Bowl Games***Postseason Events**. An institution may provide each student-athlete who participates in or is a member of a team participating in a **postseason event (e.g.,** conference championship, NCAA championship,**National Invitational Tournament,** *or* bowl game**)** with six complimentary admissions to all intercollegiate athletics events at the site at which the student (or team) participates.

Source: Big Ten Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Awards, Benefits and Expenses

Rationale: This proposal would simplify and bring consistency to the application of the complimentary admissions legislation and permit a student-athlete to receive six complimentary admissions to postseason events in which the student-athlete participates or is a member of a team participating in the event.

Estimated Budget Impact: Varies depending on postseason participation.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No. 2008-43 AWARDS, BENEFITS AND EXPENSES — HOUSING AND MEALS — NUTRITIONAL SUPPLEMENTS — FRUIT, NUTS AND BAGELS

Intent: To specify that fruit, nuts and bagels are classes of nonmuscle-building nutritional supplements that may be provided to student-athletes for the purpose of providing additional calories and electrolytes.

Bylaws: Amend 16.5.2, as follows:

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

[16.5.2-(a) through 16.5.2-(f) unchanged.

(g) Nutritional Supplements. An institution may provide only nonmuscle-building nutritional supplements to a student-athlete at any time for the purpose of providing additional calories and electrolytes, provided the supplements do not contain any NCAA banned substances. Permissible nonmuscle-building nutritional supplements are identified according to the following classes: Carbohydrate/electrolyte drinks, energy bars, carbohydrate boosters, *and* vitamins and minerals, **fruit, nuts and bagels.**

Source: Atlantic Coast Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Awards, Benefits and Expenses

Rationale: Current legislation allows for an institution to provide student-athletes with energy bars, carbohydrate/electrolyte drinks, and carbohydrate boosters, but does not allow them to provide actual food items, such as fruits, nuts, or bagels. Dietitians working with student-athletes work to convince student-athletes and coaches that nutrition can have a very big impact on his or her athletics performance, and to convince them that they are not immune to the same types of health risks that nonathletes face. While some sports nutrition supplements have an important role in the lives of athletes, encouraging a diet of healthy and natural foods is a key for establishing a long term healthy lifestyle. Additionally, many permissible nonmuscle-building nutritional supplements may not be as healthy as they seem. Many contain high-fructose corn syrup, which has raised concern among nutritional experts because of the way it is broken down in the body. Excessive amounts of fructose have been theorized to be one of the contributors to the obesity epidemic. Fructose has also been linked, through research, to an increased risk for heart disease and accelerated bone loss.

Estimated Budget Impact: Costs related to providing fruit, nuts and bagels to student-athletes at any time.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 09, 2008 Submit Submitted for consideration.

No. 2008-44 AWARDS, BENEFITS AND EXPENSES — EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION — DEPARTURE/RETURN EXPENSE RESTRICTIONS — EXCEPTIONS — TRAVEL FOLLOWING CHAMPIONSHIPS EVENTS AND POSTSEASON FOOTBALL GAMES

Intent: To specify that travel following contests in NCAA championship events, national governing body championships in emerging sports or licensed postseason football games that take place during the institution's official vacation period during the academic year or between regular academic terms are exempt from the requirement that a student-athlete remain no longer than 36 hours following the conclusion of the competition in order to receive actual and necessary expenses to return to campus.

Bylaws: Amend 16.8.1.2.1, as follows:

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 no earlier than 48 hours prior to the start of the actual competition and remains no more than 36 hours following the conclusion of the actual competition even if the student-athlete does not return with the team.

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

[16.8.1.2.1.1-(a) through 16.8.1.2.1.1-(d) unchanged.]

(e) Travel following contests in NCAA championship events, NGB championships in emerging sports or licensed postseason football games that take place during the institution's official vacation period during the academic year or between regular academic terms;

[16.8.1.2.1.1-(e) through 16.8..1.2.1.1-(i) relettered as 16.8.1.2.1.1-(f) through 16.8.1.2.1.1-(j), unchanged.]

[Remainder of 16.8.1.2 unchanged.]

Source: Atlantic Coast Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Awards, Benefits and Expenses

Rationale: Current legislation provides an exception to the 48-hour departure restriction for travel prior to contests in NCAA championship events, National Governing Body championships in emerging sports or licensed postseason football games; however, there is no exception for departing the competition site more than 36 hours following the conclusion of a competition. When these events take place during institutional vacation periods and classes are not in session, many student-athletes and their families choose to stay in the locale of the competition for an extended period after the competition. However, under the current rule, if a student-athlete remains at the site more than 36 hours after the conclusion of the competition, the institution is not permitted to pay for that student-athlete's return transportation. Current legislation provides an exception to the 36-hour return restriction for regular-season competition that takes place during the institution's official vacation period during the academic year and between terms. This proposal would bring consistency to the application of the return restriction for regular-season and championship

competition that occurs during the institution's vacation period. The same rationale for an exception for regular-season competition would logically apply to championship competition and postseason football games.

Estimated Budget Impact: Potential increase in costs to provide transportation expenses to student-athletes remaining in the locale of competition beyond 36 hours.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 09, 2008 Submit Submitted for consideration.

Playing and Practice Seasons

No. 2008-45 PLAYING AND PRACTICE SEASONS — GENERAL REGULATIONS — SKILL INSTRUCTION — SPORTS OTHER THAN FOOTBALL — CONCURRENT SESSIONS

Intent: In sports other than football, to specify that prior to September 15 and after April 15, no more than four student-athletes from the same team may be involved in skill-related instruction with their coaches at any one time in any one facility.

Bylaws: Amend 17.1.6.2, as follows:

17.1.6.2 Weekly Hour Limitations — Outside the Playing Season.

[17.1.6.2-(a) through 17.1.6.2-(c) unchanged.]

[17.1.6.2.1 unchanged.]

17.1.6.2.2 Skill Instruction — Sports other than Baseball and Football. Participation by student-athletes in individual skill-related instruction in sports other than baseball and football is permitted outside the institution's declared playing season, from the institution's first day of classes of the academic year or September 15, whichever occurs earlier, to one week prior to the beginning of the institution's final examination period at the conclusion of the academic year [see Bylaw 17.1.6.2-(a)]. More than four student-athletes from the team may be involved In skill-related instruction with their coaches from September 15 through April 15. Prior to September 15 and after April 15, no more than four student-athletes from the same team may be involved in skill-related instruction with their coach(es) at any one time in any **one** facility.

17.1.6.2.3 Skill Instruction — Baseball. In baseball, participation by student-athletes in skill-related instruction is permitted outside the institution's declared playing season, from the institution's first day of classes of the academic year or September 15, whichever occurs earlier, to one week prior to the beginning of the final examination period at the conclusion of the academic year [see Bylaw 17.1.6.2-(a)]. More than four student-athletes may be involved in skill-related instruction with their coaches from September 15 to one week prior to the final examination period for the fall term and from January 15 through April 15. No more than four student-athletes may be involved in skill-related instruction with their coaches at any one time in any **one** facility prior to September 15, from the opening day of classes of the institution's second academic term to January 15 (for those institutions that begin classes prior to January 15) and after April 15.

Source: Big 12 Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The current legislation governing skill-related instruction was implemented to prevent teams from essentially conducting regular practice at certain times during the off-season. However, as applied, it places unnecessary time demands on student-athletes and institutional staff members because it does not allow more than four student-athletes to participate in skill-related instruction with their coaches at any one time in any facility prior to September 15 and after April 15. Allowing separate, autonomous groups of student-athletes to participate in skill-related instruction at the same time does not compromise the intent of the original legislation. Clearly, it is not possible to conduct regular practice by allowing more than one group to participate in skill-related instruction in separate locations at the same time. The most significant benefit of this proposal would be the reduction in the total amount of time that would be required to conduct skill-related instruction for the entire team. For sports with larger rosters, such as baseball, which may have up to 40 student-athletes, allowing multiple groups to participate in skill-related instruction at one time would permit three baseball coaches to conduct skill instruction for their 40 student-athletes in five hours, rather than ten.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 26, 2008 Submit Submitted for consideration.

No. 2008-46 PLAYING AND PRACTICE SEASONS — BASEBALL — PRESEASON PRACTICE AND FIRST CONTEST — CHAMPIONSHIP SEGMENT

Intent: In baseball, to specify that in the championship segment, an institution shall not commence practice sessions prior to the Friday that is three weeks prior to the first permissible contest date for the championship segment and shall not play its first contest (game or scrimmage) with outside competition prior to the Friday in February that is 14 weeks before the Friday immediately preceding Memorial Day.

A. **Bylaws:** Amend 17.4.2, as follows:

17.4.2 Preseason Practice. A member institution shall not commence practice sessions in baseball prior to the following dates:

[17.4.2-(a) unchanged.]

(b) Championship Segment. *February 1* **The Friday that is three weeks prior to the first permissible contest date for the championship segment.**

B. **Bylaws:** Amend 17.4.3, as follows:

17.4.3 First Contest.. A member institution shall not play its first contest (game or scrimmage) with outside competition in baseball prior to the following dates:

[17.4.3-(a) unchanged.]

(b) Championship Segment. The Friday in February that is *13* **14** weeks before the Friday immediately preceding Memorial Day (see Figure 17-2).

Source: Conference USA.

Effective Date: Immediate

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The 2008 baseball season was the first season in which institutions experienced a compacted 13-week playing season due to the uniform start dates for practice and competition during the championship segment. An unintended consequence of the legislation is that institutions are playing the same number of contests in a shorter period of time. As a result, institutions are participating in more weekday games, thereby increasing the number of missed class days and reducing student-athletes' time for academics in the spring term. Some conferences have experienced a 15 percent increase in the number of missed class days. Given the focus on the academic performance of baseball student-athletes, it is necessary to reconsider the first contest date for the championship segment. This proposal would allow for flexibility with scheduling, would reduce missed class time and would allow more time for student-athletes to fulfill academic requirements.

Estimated Budget Impact: Minimal.

Impact on Student-Athlete's Time: Potential reduction in missed class time.

Position Statement(s)

History:

No. 2008-47 PLAYING AND PRACTICE SEASONS — BASEBALL — MAXIMUM NUMBER OF CONTESTS — 52 DURING THE CHAMPIONSHIP SEGMENT AND FOUR DURING THE NONCHAMPIONSHIP SEGMENT

Intent: In baseball, to specify that an institution shall limit its total playing schedule with outside competition during the institution's playing season to 52 contests (games and scrimmages) during the championship segment and four contests (games and scrimmages) during the nonchampionship segment.

Bylaws: Amend 17.4.5, as follows:

17.4.5 Number of Contests.

17.4.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in baseball during the institution's baseball playing season to *56* **52** contests (games and scrimmages) **during the championship segment and four contests (games and scrimmages) during the non-championship segment,** except for those contests excluded under Bylaws 17.4.5.3 and 17.4.5.4.

[17.4.5.1.1 unchanged.]

17.4.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in not more than *56* **52** baseball contests **during the championship segment and four contests during the nonchampionship segment** (this limitation includes those contests in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution).

[Remainder of 17.4.5 unchanged.]

Source: Pacific-10 Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The 2008 baseball season was the first season in which institutions experienced the compacted 13-week playing season caused by the mandatory competition start date in February. Institutions are challenged to fit 56 games into a shortened season. The compacted season is inconsistent with the academic enhancement measures that were recently implemented in baseball. The same number of games in a shorter time period only increases the stress and academic pressure on student-athletes. A reduction of four games during the championship segment would reduce the academic hardships placed on student-athletes in the spring. Moving those games to the fall would allow institutions to maintain an overall 56-game schedule.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: Reduction in time spent in game related activities and/or travel in the spring; proportionate increase in the fall.

Position Statement(s)

History:

Jul 03, 2008 Submit Submitted for consideration.

No. 2008-48 PLAYING AND PRACTICE SEASONS — BASEBALL — MAXIMUM NUMBER OF CONTESTS — 52 DURING THE CHAMPIONSHIP SEGMENT

Intent: In baseball, to reduce the maximum number of contests from 56 to 52.

Bylaws: Amend 17.4.5, as follows:

17.4.5 Number of Contests.

17.4.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in baseball during the institution's baseball playing season to *56* **52** contests (games and scrimmages), except for those contests excluded under Bylaws 17.4.5.3 and 17.4.5.4.

[17.4.5.1.1 unchanged.]

17.4.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in not more than *56* **52** baseball contests (this limitation includes those contests in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution).

[Remainder of 17.4.5 unchanged.]

Source: Pacific-10 Conference, Big South Conference and West Coast Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Based on the experience of the compacted baseball schedule during the 2008 season, which resulted from the new competition start date, it has become apparent that institutions are challenged to fit 56 games into a shortened season. Although institutions are not required to participate in the maximum permissible number of games, institutions are not required to participate in the maximum permissible number of games, institutions are reluctant to schedule fewer than maximum because of the potential effect on consideration for postseason participation. A four game reduction would reduce the hardships placed on baseball programs generally and student-athletes and coaches specifically.

Estimated Budget Impact: Decease in costs for travel and/or game related expenses; less revenue from ticket sales.

Impact on Student-Athlete's Time: Reduction in time spent in game related activities and/or travel.

Position Statement(s)

History:

Jul 03, 2008 Submit Submitted for consideration.

No. 2008-49 PLAYING AND PRACTICE SEASONS — MEN'S BASKETBALL — FIRST CONTEST — EXCEPTIONS — INFORMAL PRACTICE SCRIMMAGES — NO MISSED CLASS TIME

Intent: In men's basketball, to specify that no class time shall be missed in conjunction with an informal practice scrimmage, including activities associated with such scrimmages (e.g., travel, pregame and postgame activities).

A. Bylaws: Amend 17.5.3, as follows:

17.5.3 First Contest. A member institution shall not play its first contest (game or scrimmage) with outside competition in basketball prior to the second Friday of November (see Figure 17-2).

17.5.3.1 Exceptions. The following basketball contests (games and scrimmages) are permitted prior to the first contest dates specified under Bylaw 17.5.3:

(a) Practice Scrimmages. Informal practice scrimmages with outside competition, provided they are conducted in privacy without publicity or official scoring. Individuals other than athletics department staff members and those necessary to conduct a basketball practice scrimmage against outside competition may not be present during such a scrimmage. The institution shall ensure that the scrimmage is free from public view. **In men's basketball, no class time shall be missed in conjunction with such a scrimmage, including all associated activities (e.g., travel, pregame and postgame activities)**; and

[17.5.3.1-(b) unchanged.]

B. Bylaws: Amend 17.5.5.3, as follows:

17.5.5.3 Annual Exemptions.. The following basketball contests each year may be exempted from a member institution's maximum number of contests:

[17.5.5.3-(a) through 17.5.5.3-(i) unchanged.]

(j) Practice Scrimmage. An informal practice scrimmage with outside competition, provided it is conducted in privacy without official scoring. Individuals other than athletics department staff members and those necessary to conduct a basketball practice scrimmage against outside competition may not be present during such a scrimmage. The institution shall ensure that the scrimmage is free from public view. **In men's basketball, no class time shall be missed in conjunction with such a scrimmage, including all associated activities (e.g., travel, pregame and postgame activities).** In women's basketball, an institution may play two practice scrimmages during any year it does not use an exemption set forth in Bylaw 17.5.5.3-(g), 17.5.5.3-(h) or 17.5.5.3-(i), or may play one practice scrimmage and either one exhibition contest against a foreign team in the United States, one exhibition contest against a "club" member of USA Basketball or one exhibition contest against a four-year collegiate institution (other than an NCAA Division I institution). In men's basketball, an institution may play two practice scrimmages during any year it does not use an exemption set forth in Bylaw 17.5.5.3-(i), or may play one practice scrimmage and one exhibition contest against a non-NCAA Division I four-year collegiate institution.

Source: NCAA Division I Championships/Competition Cabinet (Men's Basketball Issues Committee) (Playing and Practice Seasons Subcommittee).

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Current legislation permits an institution to participate in an informal basketball scrimmage after the start date for on-court practice. Such a scrimmage may be conducted against another Division I institution. The current rules have established conditions to ensure that the scrimmage is conducted in privacy and does not, in essence, become an additional contest. However, there is no requirement that student-athletes do not miss class time to participate in such a scrimmage. In recent years, there have been some instances involving institutions that have traveled significant distances to participate in scrimmages against other Division I institutions. These scrimmages originally were designed to permit institutions in close proximity to each other to engage in an informal type of practice session. As such, student-athletes should not be missing class time to participate. This proposal will help further the original intent of the legislation.

Estimated Budget Impact: Potential cost savings for institutions that have been traveling significant distances while classes were in session to participate in practice scrimmages.

Impact on Student-Athlete's Time: Less missed class time.

Position Statement(s)

History:

Jun 13, 2008	Submit	Submitted for consideration.
Jun 16, 2008	Men's Basketball Issues Committee	, Recommends Approval
Jun 25, 2008	Championships/Competition Cabinet	, Sponsored

No. 2008-50 PLAYING AND PRACTICE SEASONS — WOMEN'S BASKETBALL — FIRST CONTEST EXCEPTIONS AND ANNUAL EXEMPTIONS — FOREIGN TEAM IN U.S. AND USA BASKETBALL CLUB

Intent: In women's basketball, to eliminate the exception to the first contest date and the annual exemptions for exhibition contests against club members of USA Basketball and foreign teams in the U.S.

A. Bylaws: Amend 17.5.3, as follows:

17.5.3 First Contest. A member institution shall not play its first contest (game or scrimmage) with outside competition in basketball prior to the second Friday of November (see Figure 17-2).

17.5.3.1 Exceptions. The following basketball contests (games or scrimmages) are permitted prior to the first contest dates specified under Bylaw 17.5.3:

[17.5.3.1-(a) unchanged.]

(b) *USA Basketball, Foreign-Team and* Non-NCAA Division I Four-Year Collegiate Institution Games. *In women's basketball, the two basketball games exempted per Bylaws 17.5.5.3-(g), 17.5.5.3-(h) and 17.5.5.3-(i) may be played after the date on which an institution may commence on-court preseason practice (see Bylaw 17.5.2). In men's basketball, the two basketball games* **Contests** exempted per Bylaw 17.5.5.3-(*i***g**) may be played after the date on which an institution may commence on-court preseason practice (see Bylaw 17.5.2).

B. Bylaws: Amend 17.5.5.3, as follows:

17.5.5.3 Annual Exemptions. The following basketball contests each year may be exempted from a member institution's maximum number of contests: [17.5.5.3-(a) through 17.5.5.3-(f) unchanged.]

(g) Foreign Team in U.S. — Women's Basketball. An exhibition contest against a foreign team in the United States played in the arena in which the member institution regularly plays its home contests. An institution may play two exhibition contests against a foreign team in the United States during any year in which it does not use an exemption set forth in Bylaws 17.5.5.3-(h), 17.5.5.3-(i), or 17.5.5.3-(j), or may play one exhibition contest against a foreign team in the United States and either one exhibition contest against a "club" member of USA Basketball, one exhibition contest against a four-year collegiate institution (other than a NCAA Division I institution) or one practice scrimmage as defined in Bylaw 17.5.5.3-(j);

(h) USA Basketball Club — Women's Basketball. An exhibition contest against a "club" member of USA Basketball played in the arena in which the member institution regularly plays its home contests. An institution may play two exhibition contests against a "club" member of USA Basketball during any year in which it does not use an exemption set forth in Bylaw 17.5.5.3-(g), 17.5.5.3-(i) or 17.5.5.3-(j), or may play one exhibition contest against a "club" member of USA Basketball and either one exhibition contest against a foreign team in the United States, one exhibition contest against a four-year collegiate institution (other than an NCAA Division I institution) or one practice scrimmage as defined in Bylaw 17.5.5.3-(j).

(*i***g**) Exhibition Against a Non-NCAA Division I Four-Year Collegiate Institution. An exhibition contest against a four-year collegiate institution (other than a NCAA Division I institution) played in the arena in which the member institution regularly plays its home contests. *In women's basketball, an institution may play two exhibition contests against a non-NCAA Division I four-year collegiate institution during any year in which it does not use an exemption set forth in Bylaws 17.5.5.3-(g), 17.5.5.3-(h) or 17.5.5.3-(j), or may play one exhibition contest against a non-NCAA Division I four-year collegiate institution and either one exhibition contest against a foreign team in the United States or one practice scrimmage as defined in Bylaw 17.5.5.3-(j). In men's basketball, an* **An** institution may play two exhibition contests against a non-NCAA Division I four-year collegiate institution during any year in which it does not use the exemption set forth in Bylaw 17.5.5.3-(*j***h**), or may play one exhibition contest against a non-NCAA Division I four-year collegiate institution and one practice scrimmage as defined in Bylaw 17.5.5.3-(*j***h**); and,

(*j***h**) Practice Scrimmage. An informal practice scrimmage with outside competition, provided it is conducted in privacy without official scoring. Individuals other than athletics department staff members and those necessary to conduct a basketball practice scrimmage against outside competition may not be present during such a scrimmage. The institution shall ensure that the scrimmage is free from public view. *In women's basketball, an institution may play two practice scrimmages during any year it does not use an exemption set forth in Bylaw 17.5.5.3-(g), 17.5.5.3-(h) or 17.5.5.3-(i), or may play one practice scrimmage and either one exhibition contest against a foreign team in the United States, one exhibition contest against a "club" member of USA Basketball or one exhibition contest against a four-year collegiate institution (other than a NCAA Division I institution). In men's basketball, an* **An** institution may play two practice scrimmages during any year it does not use an exemption set forth in Bylaw 17.5.5.3-(*i***g**), or may play one practice scrimmage and one exhibition contest against a non-NCAA Division I four-year collegiate institution.

Source: Big East Conference.

Effective Date: August 1, 2009; contracts signed before August 15, 2008 may be honored.

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Currently, in women's basketball, institutions are permitted to schedule preseason exhibition contests against noncollegiate club teams. Many of these club teams are directly

associated with junior club teams populated by recruitable prospective student-athletes. These contests have become intertwined with access to recruits who play on noncollegiate teams. There is concern that these games create a relationship between institutions and club teams that result in an unfair recruiting advantages. Limiting exhibition games to contests against four-year collegiate institutions fosters a healthier competitive environment for collegiate teams and eliminates potential recruiting advantages. Finally, this same legislative change was adopted from men's basketball in 2004.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 02, 2008 Submit Submitted for consideration.

No. 2008-51 PLAYING AND PRACTICE SEASONS — PRESEASON PRACTICE — CROSS COUNTRY, FIELD HOCKEY, WOMEN'S RUGBY, SOCCER, WOMEN'S VOLLEYBALL AND MEN'S WATER POLO

Intent: In cross country, field hockey, women's rugby, soccer and men's water polo, to specify that an institution shall not commence practice sessions before 16 days prior to the date on which the first permissible contest or date of competition may occur; further, in women's volleyball, to specify that an institution shall not commence practice sessions before 20 days prior to the date on which the first permissible contest may occur.

A. **Bylaws:** Amend 17.7.2, as follows:

17.7.2 Preseason Practice. A member institution shall not commence practice sessions in cross country *prior to the date that permits a maximum of 21 units (see Bylaw 17.02.11) prior to the first scheduled intercollegiate contest* **before 16 days prior to the date on which the first permissible date of competition may occur**.

B. **Bylaws:** Amend 17.10.2, as follows:

17.10.2 Preseason Practice. A member institution shall not commence practice sessions in field hockey*prior to the date that permits a maximum of 21 units (see Bylaw 17.02.11) prior to the first scheduled intercollegiate contest* **before 16 days prior to the date on which the first permissible contest may occur**.

C. **Bylaws:** Amend 17.18.2, as follows:

17.18.2 Preseason Practice. A member institution shall not commence practice sessions in women's rugby *prior to the date that permits a maximum of 21 units (see Bylaw 17.02.11) prior to the first scheduled intercollegiate contest***before 16 days prior to the date on which the first permissible contest may occur**.

D. Bylaws: Amend 17.20.2, as follows:

17.20.2 Preseason Practice. A member institution shall not commence practice sessions in soccer *prior to the date that permits a maximum of 21 units (see Bylaw 17.02.11) prior to the first scheduled intercollegiate contest* **before 16 days prior to the date on which the first permissible contest may occur**.

E. Bylaws: Amend 17.28.2, as follows:

17.28.2 Preseason Practice — Women. A member institution shall not commence practice sessions in women's volleyball *prior to the date that permits a maximum of 29 units (see Bylaw 17.02.11) prior to the first scheduled intercollegiate contest (excluding the early alumni match) or September 1, whichever is later. If the first scheduled contest occurs before September 1, the institution shall count back one practice unit for each day (excluding Sundays) from September 1 through the date of the first scheduled contest. Thereafter, the institution shall apply the formula as prescribed in Bylaw 17.02.11* **before 20 days prior to the date on which the first permissible contest may occur (excluding the early alumni match)**. An institution may not begin practice in its segment in which the NCAA championship is not conducted until January 1.

F. Bylaws: Amend 17.29.2, as follows:

17.29.2 Preseason Practice.

(a) Men. A member institution shall not commence practice sessions in men's water polo *prior to the date that permits a maximum of 21 units (see Bylaw 17.02.11) prior to the first scheduled intercollegiate contest***before 16 days prior to the date on which the first permissible date of competition may occur**.

[17.29.2-(b) unchanged.]

Source: West Coast Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The current practice unit calculation for fall sports results in institutions beginning preseason practice on different days. This proposal identifies a consistent time period of practice days prior to the date on which the first permissible contest or date of competition may occur for each fall sport except football. One result of this proposal would be greater predictability and consistency since the preseason practice period would always be the same length. The proposal would allow programs to maintain a consistent preseason training program and period of time for preseason practice from season to season. It would also result in fiscal equity among institutions. Student-athletes would report to campus at approximately the same time they do under current legislation. Finally, the proposal would eliminate the complicated and time-consuming formula that is necessary to calculate each institution's first permissible practice date annually.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 14, 2008 Submit Submitted for consideration.

No. 2008-52 PLAYING AND PRACTICE SEASONS — FOOTBALL — PRESEASON PRACTICE — LIMIT ON NUMBER OF PARTICIPANTS — REPLACEMENT OF STUDENT-ATHLETE DUE TO INJURY OR ILLNESS

Intent: In football, to specify that a student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice.

A. **Bylaws:** Amend 17.11.2.1.2, as follows:

[Federated provision, FBS only]

17.11.2.1.2 Limit on Number of Participants — Bowl Subdivision. In bowl subdivision football, there shall be a limit of 105 student-athletes who may engage in practice activities prior to the institution's first day of classes or the institution's first contest, whichever occurs earlier.

[17.11.2.1.2.1 unchanged.]

17.11.2.1.2.2 Replacement of Student-Athlete Due to Injury or Illness. A student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's 105-participation preseason practice limitation.

[17.11.2.1.2.2 renumbered as 17.11.2.1.2.3 unchanged.]

B. **Bylaws:** Amend 17.11.2.1.3, as follows:

[Federated provision, FCS only]

17.11.2.1.3 Limit on Number of Participants — Championship Subdivision. In championship subdivision football, there shall be a limit of 90 student-athletes who may engage in practice activities prior to the institution's first day of classes or the institution's first contest, whichever occurs earlier.

[17.11.2.1.3.1 through 17.11.2.1.3.3 unchanged.]

17.11.2.1.3.4 Replacement of Student-Athlete Due to Injury or Illness. A student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice.

Source: Southeastern Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Current legislation limits the number of student-athletes who may participate in and receive expenses related to preseason practice activities. In addition, current legislation does not allow an injured or ill student-athlete to be replaced in the limit on preseason participants. This proposal would permit replacement of a student-athlete who sustains an injury or illness that prevents further participation in preseason practice. For the student-athlete to be replaced, he must immediately cease participation in all athletically related activities and may not resume participation in athletically related activities prior to the institution's first day of classes or first contest, whichever occurs first. The replaced student-athlete would not be permitted to return to practice for the remainder of the preseason-practice period; however, football programs that lose student-athletes to injuries or illnesses would be able to maintain a consistent number of preseason practice participants.

Estimated Budget Impact: Preseason practice expenses for student-athletes who replace injured or ill student-athletes.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No. 2008-53 PLAYING AND PRACTICE SEASONS — GOLF — MAXIMUM CONTEST LIMITATIONS — DETERMINATION OF DATE OF COMPETITION

Intent: In golf, to eliminate the provision by which an institution is considered to have used a date of competition if one or more student-athletes participate on behalf of the institution on a particular date.

Bylaws: Amend 17.12.5.1, as follows:

17.12.5.1 Maximum Limitations — Institutional. A member shall limit its total playing schedule with outside competition in golf during the permissible golf playing season to 24 dates of competition, except for those dates of competition excluded under Bylaws 17.12.5.2 and 17.12.5.3 (see Bylaw 20.9.4.3 for minimum contests and participants requirements).

[17.12.5.1.1 unchanged.]

17.12.5.1.2 Determination of Date of Competition. A member institution shall be considered to have used a date of competition in golf if one or more student-athletes participate on behalf of the institution on a particular date.

[17.12.5.1.3 through 17.12.5.1.4 renumbered as 17.12.5.1.2 through 17.12.5.1.3 unchanged.]

Source: Big 12 Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Currently, if one or more student-athletes participate in a golf event, it constitutes an institutional date of competition. As a result, institutions have created junior varsity programs with teams carrying enough student-athletes to fill two or more teams. Pursuant to current legislation and interpretations, student-athletes competing as individuals trigger a varsity date of competition if 50 percent or more of the student-athletes participating in the event compete "primarily on the varsity level" (defined as playing in 50 percent or more of a team's varsity contest). Applying and tracking this standard has created substantial confusion and has made scheduling and planning difficult. Although this proposal does not remove these interpretations for those institutions that want to conduct a junior varsity and/or a freshman squad, it gives institutions flexibility without creating competitive advantages. Finally, each student-athlete is limited to 24 dates of competition and there is no increase in missed class time or additional dates of competition for any individual.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 14, 2008 Submit Submitted for consideration.

No. 2008-54 PLAYING AND PRACTICE SEASONS — GOLF — ANNUAL EXEMPTIONS — HAWAII OR ALASKA

Intent: In golf, to specify that any dates of competition in Hawaii or Alaska either against or under the sponsorship of an active Division I member located in Hawaii or Alaska, by a member located outside the area in question are exempted from the maximum number of dates of competition.

Bylaws: Amend 17.12.5.2, as follows:

17.12.5.2 Annual Exemptions. The maximum number of dates of competition in golf shall exclude the following:

[17.12.5.2-(a) through 17.13.5.2-(e) unchanged.]

(f) Hawaii or Alaska. Any dates of competition in golf in Hawaii or Alaska, respectively, **either** against **or under the sponsorship of** an active Division I member located in Hawaii or Alaska, by a member located outside the area in question;

[17.12.5.2-(g) through 17.13.5.2-(k) unchanged.]

Source: Western Athletic Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The current legislation applies only to dual golf competition against an active Division I member located in Hawaii or Alaska; however, intercollegiate golf is typically played in a tournament format with more than two teams competing against each other. Therefore, the current exception is not practical. This proposal would extend the same exemption that is currently available in other sports to golf. Furthermore, this proposal provides a greater incentive for member institutions located outside of Hawaii and Alaska to schedule competition in those states, despite the geographical distance, which further supports the original intent of the legislation.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 01, 2008 Submit Submitted for consideration.

No. 2008-55 PLAYING AND PRACTICE SEASONS — WOMEN'S SOCCER — FIRST CONTEST OR DATE OF COMPETITION — 12-WEEK SEASON

Intent: In women's soccer, to specify that an institution shall not play its first contest or engage in its first date of competition (game) with outside competition prior to the 12th weekend prior to the start of the women's soccer championship.

Bylaws: Amend 17.20.3, as follows:

17.20.3 First Contest or Date of Competition. A member institution shall not play its first contest or engage in its first date of competition (game) with outside competition in soccer prior to the following dates:

(a) Women's Soccer — The Friday prior to the *11th* **12th** weekend *[or 12th weekend in years in which the date of the first permissible contest in men's soccer results in 12 weeks between that date and the start of the NCAA Division I Men's Soccer Championship (e.g., 2008, 2012, 2013, 2014)]* prior to the start of the NCAA Division I Women's Soccer Championship (see Figure 17-2), except that an alumni contest may be played the previous weekend.

[17.20.3-(b) unchanged.]

Source: Atlantic Coast Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The first contest date in men's soccer was amended in 2007, resulting in a 12-week season in five of the next 11 years: 2007, 2008, 2012, 2013 and 2014. The first contest date in women's soccer was amended in 2008 in order to give women's soccer the same 12 weeks between the first contest and the start of the championship in the same years as men's soccer. For scheduling purposes, it is more beneficial in women's soccer to have a consistent 12-week season every year. This change does not result in additional time demands on student-athletes because the total playing season in women's soccer would continue to be limited to 132 days.

Estimated Budget Impact: Increase in expenses for one additional week during those years in which the season would have been 11 weeks.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 09, 2008 Submit Submitted for consideration.

No. 2008-56 PLAYING AND PRACTICE SEASONS — TENNIS — MAXIMUM NUMBER OF DATES OF COMPETITION — INDIVIDUAL SINGLES OR DOUBLES TOURNAMENT LIMITATIONS — NUMBER OF PARTICIPANTS

Intent: To increase from three to four the number of student-athletes who may participate in an individual singles or doubles tournament without counting the event as one of the institution's dates of competition.

Bylaws: Amend 17.26.5, as follows:

17.26.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in tennis during the permissible tennis playing season to 25 dates of competition (including not more than seven individual singles and/or doubles tournaments that are counted as single dates of competition), except for those dates of

competition excluded under Bylaws 17.26.5.3 and 17.26.5.4. (See Bylaw 20.9.4.3 for minimum contests and participants requirements.)

[17.26.5.1.1 unchanged.]

17.26.5.1.2 Individual Singles or Doubles Tournament Limitations — Institutional. An individual singles or doubles tournament that does not include any team scoring or the recognition of a team champion shall count as a single date of competition (not to exceed the maximum number of tournaments noted in Bylaw 17.26.5.1) for those institutions that have more than *three* **four** student-athletes competing therein, regardless of the number of days during which tournament competition takes place.

[Remainder of 17.26.5 unchanged.]

Source: NCAA Division I Championships/Competition Cabinet (Playing and Practice Seasons Subcommittee).

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: This proposal would permit institutions to send two doubles teams to such an individual singles or doubles tournament without using an institutional date of competition. Under the current limit of three student-athletes, one student-athlete is not able to participate in doubles competition at such a tournament. The additional student-athlete will not result in additional missed class time or an increase to the number of dates of competition for individual student-athletes because participation in tournaments would still count against the individual student-athlete's maximum dates of competition. Even though an additional student-athlete would be able to travel to a particular individual singles or doubles tournament, that student-athlete would presumably be traveling to the same number of total events throughout the playing season under the current rule.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 24, 2008 Submit Submitted for consideration.

Jun 25, 2008 Championships/Competition Cabinet , Sponsored

No. 2008-57 PLAYING AND PRACTICE SEASONS — TRACK AND FIELD — SAFETY EXCEPTION — HURDLES AND STEEPLECHASE

Intent: To specify that a coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in jumping hurdles or the jumping element of the steeplechase.

Bylaws: Amend 17.27.7, as follows:

17.27.7 Safety Exception. A coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in field events, **jumping hurdles or the jumping element of the steeplechase**. The coach may provide safety or skill instruction but may not conduct the individual's workouts.

Source: Big 12 Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: When the legislation establishing the safety exception was adopted in 1991, it included fencing, gymnastics, rifle, skiing, swimming and diving, the field events of track and field and water polo. Since then, the exception has been added for archery, equestrian, rowing, synchronized swimming and wrestling. Extending the application of the safety exception to the hurdles and the steeplechase is consistent with the original intent of the safety exception legislation, which was to allow a coach to provide safety instruction to student-athletes while participating in voluntary workouts in sports that include elements that pose risks of bodily harm. Considering the physical demands and risks that are involved in the hurdles and the steeplechase, it is appropriate for a coach to provide safety supervision. In addition, these specific track events include a substantial degree of technique that is imperative in avoiding accidents and preventing injuries. It is important that a coach is available to spot and provide skill instruction in order to ensure the student-athlete's safety and well-being.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: Voluntary activities.

Position Statement(s)

History:

Jun 26, 2008 Submit Submitted for consideration.

No. 2008-74 PLAYING AND PRACTICE SEASONS — BASEBALL — FIRST CONTEST — CHAMPIONSHIP SEGMENT — ALUMNI CONTEST

Intent: In baseball, to permit a single alumni contest to be conducted the weekend prior to the first permissible contest date of the championship segment.

Bylaws: Amend 17.4.3, as follows:

17.4.3 First Contest. A member institution shall not play its first contest (game or scrimmage) with outside competition in baseball prior to the following dates:

(a) Nonchampionship Segment. September 1.

(b) Championship Segment. The Friday in February that is 13 weeks before the Friday immediately preceding Memorial Day (see Figure 17-2), **except that a single alumni contest may be played the previous weekend (Saturday-Sunday)**.

Source: Big West Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The recent changes to the playing and practice season legislation essentially eliminated the opportunity for an alumni contest to be played in the championship segment. Alumni contests must now be played in the fall or during the first week of a condensed schedule. Many professional baseball players are not available for alumni contests in the fall segment. Allowing one contest the weekend prior to the start of the championship segment will allow more alumni to participate in these contests. Many institutions use these contests as fundraising opportunities, which have lost opportunities with the adoption of the new legislation. Earlier start dates for a single alumni contest already exist in other sports.

Estimated Budget Impact: Potential for additional revenue.

Impact on Student-Athlete's Time: Minimal.

Position Statement(s)

History:

Jun 23, 2008 Submit Submitted for consideration.

Championships and Postseason Football

No. 2008-58 CHAMPIONSHIPS AND POSTSEASON FOOTBALL — CRITERIA FOR ESTABLISHMENT OR CONTINUATION OF CHAMPIONSHIPS — MINIMUM SPONSORSHIP FOR CHAMPIONSHIPS — WOMEN'S SPORTS

Intent: To specify that a National Collegiate Championship or a division championship may be established in a women's sport if at least 40 institutions sponsor the sport.

Bylaws: Amend 18.2.4, as follows:

18.2.4 **Minimum Sponsorship for** Championships *Established During 1994-95 or Later.*

18.2.4.1 Men's Sports. A National Collegiate Championship or a division championship may be established **in a men's sport** *during the 1994-95 academic year or thereafter* if at least 50 institutions sponsor the sport.

18.2.4.12 *Exceptions for* Women's Sports *During the 1994-95 through 2008-09 Academic Years*. A National Collegiate Championship or division championship may be established *during the 1994-95 through 2008-09 academic years* in a women's sport *in which the Association does not already conduct a championship* if at least 40 institutions sponsor the sport.

[18.2.4.2 renumbered as 18.2.4.3, unchanged.]

Source: NCAA Division I Management Council (Administrative Committee) (Committee on Women's Athletics).

Effective Date: Immediate

Category: Amendment

Topical Area: Championships and Postseason Football

Rationale: The current legislation was developed to promote gender equity by providing a slightly lower threshold of institutions sponsoring the sport for the establishment of new women's championships. The initial legislation outlined 1994-95 through 1998-99 as a specified time period that the threshold of 40 institutions was necessary in order for the Association to establish a new women's championship. The legislation was later extended to 2003-04 and then to 2008-09. As the emerging sports program has evolved beyond its initial 10-year-period with additional sports being added and the ongoing development of existing championships, including bracket expansion, there continues to be a need to permit the establishment of new championships if at least 40 institutions sponsor a sport. Removal of the specified time periods will eliminate the need for additional legislative action to extend this provision. The expansion of men's championship opportunities makes it prudent to retain the overall principle that 40 institutions are necessary in order for a women's championship be established to ensure gender equity in NCAA championship and other postseason opportunities for men and women. Also, institutions that are in the process of adding women's sports have more viable options as the number of women's championship sports increase.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: Increased championship participation opportunities for female student-athletes.

Position Statement(s)

History:

Jul 14, 2008 Submit Submitted for consideration.

Jul 14, 2008 Committee on Women's Athletics , Recommends Approval

Jul 30, 2008 Management Council Administrative Committee , Sponsored

Division Membership

No. 2008-59 DIVISION MEMBERSHIP — DEFINITIONS AND APPLICATIONS — EMERGING SPORTS FOR WOMEN — ARCHERY, BADMINTON, SYNCHRONIZED SWIMMING, TEAM HANDBALL AND SAND VOLLEYBALL

Intent: To add sand volleyball as an emerging sport for women; further, to remove archery, badminton, synchronized swimming and team handball as emerging sports for women and to eliminate other specified legislation associated with these sports (e.g., playing and practice season regulations, sports sponsorship minimum contest and participant requirements).

A. Bylaws: Amend 11.7.4, as follows:

11.7.4 Limitations on Number of Coaches and Off-Campus Recruiters. There shall be a limit on the number of coaches who may be employed by an institution and who may contact or evaluate prospective student-athletes off-campus at any one time in each sport as follows:

Sport	Limit on Number of Coaches	Limit on Off-Campus Recruiters
Archery, Women	2	2
Badminton, Women	2	2
Baseball	3	2
Basketball, Men	4	3
Basketball, Women	4	3
Bowling, Women	.2	2
Equestrian	3	2
Fencing, Men	2	2
Fencing, Women	2	2
Football, Bowl Subdivision (See Bylaw 11.7.2)	12	7
Football, Championship Subdivision (See Bylaw 11.7.3)	11	7
Field Hockey	3	2
Golf, Men	2	2
Golf, Women	2	2
Gymnastics, Men	3	2
Gymnastics, Women	3	2
Ice Hockey, Men	3	2
Ice Hockey, Women	3	2
Lacrosse, Men	3	2
Lacrosse, Women	3	2
Rifle, Men	2	2
Rifle, Women	2	2
Rowing, Women's	3	2 (during the academic year) 3 (during the summer)
Rugby, Women's	3	2
Skiing, Men	2	2
Skiing, Women	2	2
Soccer, Men	3	2
Soccer, Women	3	2
Softball, Women	3	2
Squash, Women	2	2
Swimming, Men	2	2
Swimming and Diving, Men	3	2

B. Bylaws: Amend 14.1.8.1.6, as follows:

14.1.8.1.6 Waiver — United States Olympic Committee/National Governing Body. A student with eligibility remaining who is not enrolled or who is enrolled in less than a minimum full-time program of studies or a former student-athlete may participate on a regular basis in organized practice sessions, provided the following conditions are met:

[14.1.8.1.6-(a) unchanged.]

(b) In the case of former student-athlete, the practice sessions involve an individual sport, **or rowing** *or synchronized swimming*

[14.1.8.1.7-(c) through 14.1.8.1.7-(g) unchanged.]

C. Bylaws: Amend 15.5.3.1.2, as follows:

15.5.3.1.2 Women's Sports. There shall be a limit on the value (equivalency) of financial aid awards (per Bylaw 15.02.4.1) that an institution may provide in any academic year to counters in the following women's sports:

Archery	*5*	Rowing	20
Badminton	*6*	Rugby	12
Bowling	5	Skiing	7
Cross Country/Track and Field	18	Soccer	14
Equestrian	15	Softball	12
Fencing	5	Squash	12
Field Hockey	12	Swimming and Diving	14
Golf	6	*Synchronized Swimming*	*5*
Lacrosse	12	*Team Handball*	*10*
		Water Polo	8

D. Bylaws: Amend 17.02.12, as follows:

17.02.12 Varsity Intercollegiate Sport. A varsity intercollegiate sport is a sport that has been accorded that status by the institution's president or chancellor or committee responsible for intercollegiate athletics policy and that satisfies the following conditions:

[17.02.12-(a) through 17.02.12-(c) unchanged.]

17.02.12.1 Team Sports. The following are classified as team sports for purposes of this bylaw:

Baseball	Rugby, Women's
Basketball	**Sand Volleyball**
Field Hockey	Soccer
Football	Softball
Ice Hockey, Men's and Women's	*Synchronized Swimming, Women's*
Lacrosse	*Team Handball, Women's*
Rowing, Women's	Volleyball
	Water Polo, Men's and Women's

17.02.12.2 Individual Sports. The following are classified as individual sports for purposes of this bylaw:

Archery, Women's	Rifle
Badminton, Women's	Skiing
Bowling, Women's	Squash, Women's
Cross Country	Swimming and Diving
Equestrian, Women's	Tennis
Fencing	Track and Field, Indoor and Outdoor
Golf	Wrestling
Gymnastics	

E. Bylaws: Amend 17.2, as follows:

17.2 ARCHERY, WOMEN'S. Regulations for computing the archery playing season are set forth in Bylaw 17.1. (See Figures 17-1 and 17-2.)

17.2.1 Length of Playing Season. The length of an institution's playing season in archery shall be limited to a 144-day season which may consist of two segments (each consisting of consecutive days) and exclude only required off days per Bylaw 17.1.6.4 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

17.2.2 Preseason Practice. A member institution shall not commence practice sessions in archery prior to September 7 or the institution's first day of classes for the fall term, whichever is earlier.

17.2.3 First Date of Competition. A member institution shall not engage in its first date of competition (game or scrimmage) with outside competition in archery prior to September 7 or the institution's first day of classes for the fall term, whichever is earlier.

17.2.4 End of Regular Season. A member institution shall conclude all practice and competition (meets and practice meets) in each segment in archery by the conclusion of the national governing body championship in archery.

17.2.5 Number of Dates of Competition.

17.2.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in archery during the institution's archery playing season to 15 dates of competition (games and scrimmages), except for those dates of competition excluded under Bylaws 17.2.5.3 and 17.2.5.4 (see Bylaw 20.9.4.3 for minimum contests and participants requirements).

17.2.5.1.1 In-Season Foreign Competition. A member institution may engage in one or more of its countable dates of competition in archery in one or more foreign countries on one trip during the prescribed playing season. However, except for competition in Canada and Mexico or on a certified foreign tour (see Bylaw 17.31), the institution may not engage in such in-season foreign competition more than once every four years.

17.2.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in 15 dates of competition (this limitation includes those dates of competition in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution).

17.2.5.3 Annual Exemptions. The maximum number of dates of competition in archery shall exclude the following:

(a) United States Intercollegiate Championships. Competition in the U.S. Intercollegiate Archery Championships;

(b) United States Indoor Championships. Competition in the U.S. Indoor Archery Championships;

(c) Conference Championship. Competition in one conference championship meet in archery;

(d) National Governing Body Championship. Competition in the archery national governing body championship;

(e) Alumni Meet. One date of competition each year against an alumni team of the institution;

(f) Foreign Team in U.S.One date of competition each year with a foreign opponent in the United States;

(g) Hawaii, Alaska, Puerto Rico. Any dates of competition in Hawaii, Alaska or Puerto Rico, respectively, either against or under the sponsorship of an active member institution located in Hawaii, Alaska or Puerto Rico, by a member located outside the area in question;

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

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

(1) The student-athletes do not miss classes as a result of the participation;

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

(3) The activity takes place within a 30-mile radius of the institution's main campus.

17.2.5.4 Once-in-Four-Years Exemption — Foreign Tour. The dates of competition on a foreign tour shall be excluded from the maximum number of dates of competition, provided the tour occurs only once in a four-year period and is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.32).

17.2.6 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 declared playing season pursuant to Bylaw 17.2.1, except as permitted in Bylaws 17.1.6.2 and 17.1.6.2.2.

17.2.6.1 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. An institution may pay fees associated with the use of institutional practice and competition facilities by student-athletes engaged in voluntary athletically related activities in their sport.

17.2.6.1.1 Summer-Workout Sessions. A coach may participate in individual-workout sessions with student-athletes from the coach's team during the summer, provided the request for such assistance is initiated by the student-athlete.

17.2.7 Safety Exception. A coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete uses archery equipment. The coach may provide safety or skill instruction but cannot conduct the individual's workouts.

17.2.8 Campus and Clinics. There are no limits on the number of student-athletes in archery who may be employed (e.g., as counselors) in camps or clinics (see Bylaw 13.12). Currently enrolled student-athletes may not participate as campers in their institution's camps or clinics.

17.2.9 Other Restrictions.

17.2.9.1 Noncollegiate, Amateur Competition.

17.2.9.1.1 During Academic Year. A student-athlete in archery who participates during the academic year as a member of any outside team in any noncollegiate, amateur competition (e.g., team invitational meet, exhibition meets or other activity) except while representing the institution in intercollegiate competition shall be ineligible for intercollegiate competition unless eligibility is restored by the Committee on Student-Athlete Reinstatement (see Bylaw 14.7.3 for exceptions).

17.2.9.1.1.1 Vacation-Period Exception. A student-athlete may compete outside of the institution's declared playing and practice season as a member of an outside team in any noncollegiate, amateur competition during any official vacation period published in the institution's catalog.

17.2.9.1.2 Out of Season. There are no limits on the number of student-athletes from the same member institution with eligibility remaining who may practice or compete out of season on an outside amateur team (competition on an outside team permitted only during the summer, except as provided in Bylaw 17.2.9.1.1.1).

17.2.9.1.2.1 Involvement of Coaching Staff. No member of the coaching staff of a member institution may be involved in any capacity (e.g., coach, official, player or league/team administrator) during the academic year (including vacation periods during the academic year) with an outside team that involves any student-athlete with eligibility remaining from the institution's team except as provided under Bylaws 14.7.3, 17.1.1.1 and 17.32.

17.2.9.1.2.2 Olympic and National Team Development Program.

Olympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution, provided:

(a) The national governing body (NGB) conducts and administers the developmental program;

(b) The NGB selects coaches involved in the developmental program; and

(c) The NGB or the selected coaches select the involved participants.

F. Bylaws: Amend 17.3, as follows:

17.3 BADMINTON, WOMEN'S. Regulations for computing the badminton playing season are set forth in Bylaw 17.1. (See Figures 17-1 and 17-2.)

17.3.1 Length of Playing Season. The length of an institution's playing season in badminton shall be limited to a 144-day season which may consist of two segments (each consisting of consecutive days) and exclude only required off days per Bylaw 17.1.6.4 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

17.3.2 Preseason Practice. A member institution shall not commence practice sessions in badminton prior to September 7 or the institution's first day of classes for the fall term, whichever is earlier.

17.3.3 End of Regular Season. A member institution shall not engage in its first date of competition (game or scrimmage) with outside competition in badminton prior to September 7 or the institution's first day of classes for the fall term, whichever is earlier.

17.3.4 End of Regular Season. A member institution shall conclude all practice and competition (meets and practice meets) in each segment in badminton by the conclusion of the national governing body championship in badminton.

17.3.5 Number of Dates of Competition.

17.3.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in badminton during the institution's badminton playing season to 15 dates of competition (games and scrimmages) (including not more than three tournaments that are counted as single dates of competition), except for those dates of competition excluded under Bylaws 17.3.5.3 and 17.3.5.4 (see Bylaw 20.9.4.3 for minimum contests and participants).

17.3.5.1.1 In-Season Foreign Competition. A member institution may engage in one or more of its countable dates of competition in badminton in one or more foreign countries on one trip during the prescribed playing season. However, except for competition in Canada and Mexico or on a certified foreign tour (see Bylaw 17.32), the institution may not engage in such in-season foreign competition more than once every four years.

17.3.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in 15 dates of competition in badminton (including not more than three tournaments that are counted as single dates of competition) (this limitation includes those dates of competition in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution).

17.3.5.3 Annual Exemptions.

The maximum number of dates of competition in badminton shall exclude the following:

(a) Conference Championship. Competition in one conference championship meet in badminton;

(b) National Governing Body Championship. Competition in the badminton national governing body championship;

(c) Alumni Match. One date of competition each year against an alumni team of the institution;

(d) Foreign Team in U.S. One date of competition each year with a foreign opponent in the United States;

(e) Hawaii, Alaska, Puerto Rico. Any dates of competition in Hawaii, Alaska or Puerto Rico, respectively, either against or under the sponsorship of an active member institution located in Hawaii, Alaska or Puerto Rico, by a member located outside the area in question;

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

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

(1) The student-athletes do not miss classes as a result of the participation;

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

(3) The activity takes place within a 30-mile radius of the institution's main campus.

17.3.5.4 Once-In-Four-Years Exemption — Foreign Tour. The dates of competition on a foreign tour shall be excluded from the maximum number of dates of competition, provided the tour occurs only once in a four-year period and is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.32).

17.3.6 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 declared playing season pursuant to Bylaw 17.3.1, except as permitted in Bylaws 17.1.6.2. and 17.1.6.2.2.

17.3.6.1 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. An institution may pay fees associated with the use of institutional practice and competition facilities by student-athletes engaged in voluntary athletically related activities in their sport.

17.3.6.1.1 Summer-Workout Sessions. A coach may participate in individual-workout sessions with student-athletes from the coach's team during the summer, provided the request for such assistance is initiated by the student-athlete.

17.3.7 Camps and Clinics. There are no limits on the number of student-athletes in badminton who may be employed (e.g., as counselors) in camps or clinics (see Bylaw 13.12). Currently enrolled student-athletes may not participate as campers in their institution's camps or clinics.

17.3.8 Other Restrictions.

17.3.8.1 Noncollegiate, Amateur Competition.

17.3.8.1.1 During Academic Year.

17.3.8.1.2 Out of Season. There are no limits on the number of student-athletes from the same member institution with eligibility remaining who may practice or compete out of season on an outside amateur team (competition on an outside team permitted only during the summer, except as provided in Bylaw (17.3.8.1.1.1).

17.3.8.1.2.1 Involvement of Coaching Staff. No member of the coaching staff of a member institution may be involved in any capacity (e.g., coach, official, player or league/team administrator) during the academic year (including vacation periods during the academic year) with an outside team that involves any student-athlete with eligibility remaining from the institution's team except as provided under Bylaws 14.7.3, 17.1.1.1 and 17.32.

17.3.8.1.2.2 Olympic and National Team Development Program.

There are no limits on the number of student-athletes from the same institution who may participate in Olympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution, provided:

(a) The national governing body (NGB) conducts and administers the developmental program;

(b) The NGB selects coaches involved in the developmental program; and

(c) The NGB or the selected coaches select the involved participants.

17.3.8.2 Equipment Issue, Squad Pictures. No limitations.

G. Bylaws: Amend 17.24, as follows:

17.24 SYNCHRONIZED SWIMMING, WOMEN'S. Regulations for computing the synchronized swimming playing season are set forth in Bylaw 17.1. (See Figures 17-1 and 17-2.)

17.24.1 Length of Playing Season. The length of an institution's playing season in synchronized swimming shall be limited to a 132-day season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.6.4 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

17.24.2 Preseason Practice. A member institution shall not commence practice sessions in synchronized swimming prior to September 7 or the institution's first day of classes, whichever is earlier.

17.24.3 First Contest Date. A member institution shall not play its first contest (game or scrimmage) with outside competition in synchronized swimming prior to September 7 or the institution's first day of classes, whichever is earlier.

17.24.4 End of Regular Season. A member institution shall conclude all practice and competition (games and scrimmages) in synchronized swimming by the last day of final exams for the regular academic year at the institution.

17.24.5 Number of Dates of Competition.

17.24.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in synchronized swimming during the institution's synchronized swimming playing season to 15 dates of competition (meets and scrimmages), except for those dates of competition excluded under Bylaws 17.24.5.3 and 17.24.5.4.

17.24.5.1.1 In-Season Foreign Competition. A member institution may engage in one or more of its countable dates of competition in synchronized swimming in one or more foreign countries on one trip during the prescribed playing season. However, except for contests played in Canada and Mexico or on a certified foreign tour (see Bylaw 17.32), the institution may not engage in such in-season foreign competition more than once every four years.

17.24.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in not more than 15 dates of competition in synchronized swimming (this limitation includes those dates of competition in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution).

17.24.5.3 Annual Exemptions. The maximum number of dates of competition in synchronized swimming shall exclude the following:

(a) Conference Championship. Competition in one conference championship meet;

(b) National Governing Body Championship Competition. Competition in the national governing body championship;

(c) Alumni Meet. One date of competition each year against an alumni team of the institution;

(d) Foreign Team in United States. One date of competition each year with a foreign opponent in the United States;

(e) Hawaii, Alaska, Puerto Rico. Any dates of competition in Hawaii, Alaska or Puerto Rico, respectively, either against or under the sponsorship of an active member institution located in Hawaii, Alaska or Puerto Rico, by a member institution located outside the area in question;

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

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

(1) The student-athletes do not miss classes as a result of the participation;

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

(3) The activity takes place within a 30-mile radius of the institution's main campus.

17.24.5.4 Once-in-Four-Years Exemption — Foreign Tour. An institution may exempt the dates of competition on a foreign tour, provided the tour occurs only once in a four-year period and is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.32).

17.24.6 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 declared playing season per Bylaw 17.24.1 except as permitted in Bylaws 17.1.6.2 and 17.1.6.2.2.

17.24.6.1 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. An institution may pay fees associated with the use of institutional practice and competition facilities by student-athletes engaged in voluntary athletically related activities in their sport.

17.24.7 Safety Exception. A coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in synchronized swimming. The coach may provide safety or skill instruction but may not conduct the individual's workouts.

17.24.8 Camps and Clinics. There are no limits on the number of student-athletes in synchronized swimming who may be employed (e.g., as counselors) in camps or clinics (see Bylaw 13.12). Currently enrolled student-athletes may not participate as campers in their institution's camps or clinics.

17.24.9 Other Restrictions.

17.24.9.1 Noncollegiate, Amateur Competition.

17.24.9.1.1 During Academic Year. A student-athlete in synchronized swimming who participates during the academic year as a member of any outside team in any noncollegiate, amateur competition (e.g., team invitational meet, exhibition meets or other activity) except while representing the institution in intercollegiate competition shall be ineligible for intercollegiate competition unless eligibility is restored by the Committee on Student-Athlete Reinstatement (see Bylaw 14.7.3 for exceptions).

17.24.9.1.1.1 Vacation-Period Exception. A student-athlete may compete outside of the institution's declared playing and practice season as a member of an outside team in any noncollegiate, amateur competition during any official vacation period published in the institution's catalog.

17.24.9.1.2 Out of Season. There are no limits on the number of student-athletes from the same member institution with eligibility remaining in intercollegiate synchronized swimming who may practice or compete out of season on an outside, amateur synchronized swimming team (competition on an outside team permitted only during the summer, except as provided in Bylaw 17.24.9.1.1.1).

17.24.9.1.2.1 Involvement of Coaching Staff. No member of the coaching staff of a member institution may be involved in any capacity (e.g., coach, official, player or league/team administrator) during the academic year (including vacation periods during the academic year) with an outside team that involves any student-athlete with eligibility remaining from the institution's team except as provided under Bylaws 14.7.3, 17.1.1.1 and 17.32.

17.24.9.1.2.2 Olympic and National Team Development Program.

There are no limits on the number of student-athletes from the same institution who may participate in Olympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution, provided:

(a) The national governing body (NGB) conducts and administers the developmental program;

(b) The NGB selects coaches involved in the developmental program; and

(c) The NGB or the selected coaches select the involved participants.

17.24.9.2 Equipment Issue, Squad Pictures. No limitations.

H. Bylaws: Amend 17.25, as follows:

17.25 TEAM HANDBALL, WOMEN'S. Regulations for computing the team handball playing season are set forth in Bylaw 17.1. (See Figures 17-1 and 17-2.)

17.25.1 Length of Playing Season. The length of an institution's playing season in team handball shall be limited to a 132-day season, which may consist of two segments (each consisting of consecutive days) and which may exclude only required off days per Bylaw 17.1.6.4 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

17.25.2 Preseason Practice. A member institution shall not commence practice sessions in team handball prior to September 7 or the institution's first day of classes, whichever is earlier.

17.25.3 First Contest Date. A member institution shall not play its first contest (game or scrimmage) with outside competition in team handball prior to September 7 or the institution's first day of classes, whichever is earlier.

17.25.4 End of Regular Playing Season. A member institution shall conclude all practice and competition (games and scrimmages) in team handball by the conclusion of the national governing body team handball championship.

17.25.5 Number of Dates of Competition.

17.25.5.1 Maximum Limitations — Institutional. A member institution shall limit its total playing schedule with outside competition in team handball during the institution's playing season to 20 dates of competition (meets and scrimmages) (including not more than three tournaments that are counted as single dates of competition), except for those contests excluded under Bylaws 17.25.5.3 and 17.25.5.4.

17.25.5.1.1 In-Season Foreign Competition. A member institution may engage in one or more of its countable dates of competition in team handball in one or more foreign countries on one trip during the prescribed playing season. However, except for contests played in Canada and Mexico or on a certified foreign tour (see Bylaw 17.32), the institution may not engage in such in-season foreign competition more than once every four years.

17.25.5.2 Maximum Limitations — Student-Athlete. An individual student-athlete may participate in each academic year in 20 dates of competition in team handball (including not more than three tournaments that are counted as single dates of competition) (this limitation includes those dates of competition in which the student represents the institution in accordance with 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution).

17.25.5.3 Annual Exemptions. The maximum number of dates of competition shall exclude the following:

(a) Conference Championship. Competition in one conference championship meet;

(b) National Governing Body Championship Competition. Competition in the national governing body championship;

(c) Alumni Meet. One date of competition each year against an alumni team of the institution;

(d) Foreign Team in U.S. One date of competition each year with a foreign opponent in the United States;

(e) Hawaii, Alaska, Puerto Rico. Any dates of competition in Hawaii, Alaska or Puerto Rico, respectively, either against or under the sponsorship of an active member institution located in Hawaii, Alaska or Puerto Rico, by a member institution located outside the area in question; and

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

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

(1) The student-athletes do not miss classes as a result of the participation;

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

(3) The activity takes place within a 30-mile radius of the institution's main campus.

17.25.4 Once-in-Four-Years Exemption — Foreign Tour. An institution may exempt the dates of competition on a foreign tour, provided the tour occurs only once in a four-year period and is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.32).

17.25.6 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 declared playing season per Bylaw 17.25.1 except, as permitted in Bylaws 17.1.6.2 and 17.1.6.2.2.

17.25.6.1 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. An institution may pay fees associated with the use of institutional practice and competition facilities by student-athletes engaged in voluntary athletically related activities in their sport.

17.25.7 Camps and Clinics. There are no limits on the number of student-athletes in team handball who may be employed (e.g., as counselors) in camps or clinics (see Bylaw 13.12). Currently enrolled student-athletes may not participate as campers in their institution's camps or clinics.

17.25.8 Other Restrictions.

17.25.8.1 Noncollegiate, Amateur Competition.

17.25.8.1.1 During Academic Year. A student-athlete in team handball who participates during the academic year as a member of any outside team in any noncollegiate, amateur competition (e.g., team invitational meet, exhibition meets or other activity) except while representing the institution in intercollegiate competition shall be ineligible for intercollegiate competition unless eligibility is restored by the Committee on Student-Athlete Reinstatement (see Bylaw 14.7.3 for exceptions).

17.25.8.1.1.1 Vacation Period Exception. A student-athlete may compete outside of the institution's declared playing and practice season as a member of an outside team in any noncollegiate, amateur competition during any official vacation period published in the institution's catalog.

17.25.8.1.2 Out of Season. There are no limits on the number of student-athletes from the same member institution with eligibility remaining in intercollegiate team handball who may practice or compete out of season on an outside, amateur team handball team (competition on an outside team permitted only during the summer, except as provided in Bylaw 17.25.8.1.1.1).

17.25.8.1.2.1 Involvement of Coaching Staff. No member of the coaching staff of a member institution may be involved in any capacity (e.g., coach, official, player or league/team administrator) during the academic year (including vacation periods during the academic year) with an outside team that involves any student-athlete with eligibility remaining from the institution's team except as provided under Bylaws 14.7.3, 17.1.1.1 and 17.32.

17.25.8.1.2.3 Olympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution, provided:

(a) The national governing body (NGB) conducts and administers the developmental program;

(b) The NGB selects coaches involved in the developmental program; and

(c) The NGB or the selected coaches select the involved participants.

17.25.8.2 Equipment Issue, Squad Pictures. No limitations.

I. Bylaws: Amend 20.02.5, as follows:

20.02.5 Emerging Sports for Women. The following shall be considered emerging sports for women and countable for purposes of revenue distribution (for sports sponsorship and grants-in-aid):

(a) Team Sports: team handball, rugby and *synchronized swimming***sand volleyball**; and

(b) Individual Sports: *archery, badminton,* equestrian and squash.

[Remainder of 20.02.5 unchanged.]

J. Bylaws: Amend 20.9.4.3, as follows:

20.9.4.3 Minimum Contests and Participants Requirements for Sports Sponsorship.. In each sport, the institution's team shall engage in at least a minimum number of intercollegiate contests (against four-year, degree-granting collegiate institutions) each year. In the individual sports, the institution's team shall include a minimum number of participants in each contest that is counted toward meeting the minimum-contests requirement. The following minimums are applicable:

Team Sports	**Minimum Contests**	**Individual Sports**	**Minimum Contests**	**Minimum Participants**
Baseball	27	*Women's Archery*	*5*	*5*
Basketball	25	*Women's Badminton*	*8*	*6*
Field Hockey	11	Women's Bowling	8	5
Football	9	Cross Country	6	5
Men's Ice Hockey	25	Equestrian	6	12
Women's Ice Hockey	20	Men's Fencing	9	5
Lacrosse	10	Women's Fencing	9	5
Women's Rowing	6	Golf	8	5
Women's Rugby	9	Men's Gymnastics	9	6
Soccer	11	Women's Gymnastics	9	5
Softball	27	Rifle	8	4
Women's Synchronized Swimming	*8*	Skiing	5	5
Women's Team Handball	*10*	Women's Squash	8	9
Volleyball	19	Swimming and Diving	10	11
Men's Water Polo	15	Tennis	12	5
Women's Water Polo	10	Track and Field, Indoor	6	14
		Track and Field, Outdoor	6	14
		Wrestling	13	7

(Note: The minimum-contest requirements set forth in Bylaws 20.9.4.3.1 through 20.9.4.3.7 apply only to the provisions of this section and do not apply to minimum-contest requirements in Bylaws 14 and 17.)

Source: NCAA Division I Management Council (Administrative Committee) (Committee on Women's Athletics).

Effective Date: August 1, 2009, for the removal of archery, badminton, synchronized swimming and team handball; August 1, 2010 for the addition of sand volleyball.

Category: Amendment

Topical Area: Division Membership

Rationale: There is wide-spread support for sand volleyball to be added as an emerging sport for women, including support from institutions and governing bodies. Data indicates that over 200,000 females ages 6-17 play sand volleyball and over 60 percent play only sand volleyball. Also, there were over 40 teams from NCAA institutions competing in sand volleyball tournaments in spring 2008. It is expected that the addition of sand volleyball will produce a significant increase in participation opportunities for women. The delayed effective date for sand volleyball will provide the divisions time to develop the necessary regulations. NCAA regulations require that emerging sports gain championship status within 10 years or show steady progress toward that goal. Four sports on the original list, (archery, badminton, synchronized swimming and team handball) have seen minimal sponsorship growth over the past 14 years. In July 2007, the institutions, conferences and national governing bodies supporting these four sports were notified that they needed to provide a minimum of 10 commitment letters from institutions by July 2008 and that failure to meet that request would result in a recommendation for their removal from the list. None of the four sports were able to meet this requirement.

Estimated Budget Impact: Dependent on institutional decisions whether to sponsor an identified emerging sport for women. Emerging sports for women may be used to meet sports sponsorship requirements, in Divisions I and II the minimum membership financial aid requirements, and, in Division I, for revenue distribution purposes.

Impact on Student-Athlete's Time: Dependent on institutional sponsorship.

Position Statement(s)

History:

Jul 14, 2008	Submit	Submitted for consideration.
Jul 14, 2008	Committee on Women's Athletics , Recommends Approval	
Jul 30, 2008	Management Council Administrative Committee , Sponsored	

No. 2008-60 DIVISION MEMBERSHIP — PROVISIONAL MEMBERSHIP PROCESS AND REQUESTING RECLASSIFICATION — INSTITUTIONS SUBJECT TO ACADEMIC PERFORMANCE PROGRAM PENALTIES

Intent: To specify that the NCAA Division I Administration Cabinet may deny an institution's advancement to active Division I membership for any Division II institution seeking reclassification to Division I or any provisional member seeking active Division I status, if any of the institution's sport programs are subject to penalties pursuant to the NCAA Division I Academic Performance Program.

A. **Bylaws:** Amend 20.3, as follows:

20.3 PROVISIONAL MEMBERSHIP

20.3.1 Provisional Membership Process. A provisional member shall be eligible to apply for active membership only after the successful completion of specified requirements set forth in this bylaw. **The Administration Cabinet may deny referral of a provisional member to the Leadership Council for election to active membership if any of the institution's sport programs are subject to penalties pursuant to the Division I Academic Performance Program.**

[Remainder of 20.3 unchanged.]

B. Bylaws: Amend 20.5.2, as follows:

20.5.2 Requesting Reclassification.

[20.5.2.1 unchanged.]

20.5.2.2 Compliance with Criteria. If the member has met all applicable membership criteria of this article for the division to which it intends to transfer and has complied for the four years preceding June 1 with all other requirements set forth in this bylaw, the member shall be transferred to the new division effective the September 1 that the institution selects as its effective date. **However, the Administration Cabinet may deny referral of a reclassifying institution to the Leadership Council for advancement to active Division I status if any of the institution's sport programs are subject to penalties pursuant to the Division I Academic Performance Program.**

[Remainder of 20.5 unchanged.]

Source: NCAA Division I Management Council (Membership Subcommittee).

Effective Date: August 1, 2009; applicable to institutions in the provisional or reclassifying processes as of August 1 2009, and those beginning either process on or after August 1, 2009.

Category: Amendment

Topical Area: Division Membership

Rationale: Pursuant to the policy established by the NCAA Division I Committee on Academic Performance, institutions that are transitioning to Division I are required to submit data pursuant to the Division I Academic Performance Program policies and procedures beginning with the year the institution is required to comply with Division I legislation (year one for reclassifying members reclassifying from Division II to Division I and year two for provisional members). However, the NCAA Division I Academic Progress Rate of these institutions' teams currently is not taken into consideration when determining whether such institutions should be advanced to active Division I status. At the conclusion of the required membership transition period, the institution will have submitted multiple years of academic data and will be subject to potential penalties for failure to meet the appropriate academic benchmarks. The academic performance of an institution transitioning to Division I is an appropriate tool for determining its eligibility for election to Division I status. This proposal would provide authority to the Administration Cabinet to carefully review the circumstances regarding any institution that is subject to any academic performance program

penalty at the conclusion of the transitioning period and determine if an institution should be approved for advancement to active Division I status.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Apr 13, 2008 Submit Submitted for consideration.

Apr 13, 2008 Management Council Membership Subcommittee , Recommends Approval

Apr 14, 2008 Management Council , Sponsored

No. 2008-63 DIVISION I MEMBERSHIP — MEMBERSHIP REQUIREMENTS — MINIMUM PARTICIPANTS REQUIREMENTS FOR SPORTS SPONSORSHIP — TRACK AND FIELD — MULTI-DAY MEETS

Intent: In track and field, to specify that if the number of student-athletes participating in a multi-day meet on behalf of the institution over the course of the entire meet equals or exceeds the minimum number of participants required for sports sponsorship and the meet is conducted on consecutive days, an institution may use the competition as a contest in meeting the minimum-contest requirements.

Bylaws: Amend 20.9.4.3, as follows:

20.9.4.3 Minimum Contests and Participants Requirements for Sports Sponsorship. In each sport, the institution's team shall engage in at least a minimum number of intercollegiate contests (against four-year, degree-granting collegiate institutions) each year. In the individual sports, the institution's team shall include a minimum number of participants in each contest that is counted toward meeting the minimum-contests requirement. The following minimums are applicable:

[Minimum requirements unchanged.]

[20.9.4.3.1 through 20.9.4.3.3 unchanged.]

20.9.4.3.4 Individual Sports — One or More Sites. In the individual sports, if the minimum number of student-athletes participating on one or more teams, at one or more sites, on behalf of the institution on the same day equals or exceeds the minimum number of participants per Bylaw 20.9.4.3, an institution may use the competition as a contest in meeting the minimum-contest requirements (see Bylaw 17.02.6.1).

20.9.4.3.4.1 Exception — Multi-Day Meets — Track and Field. In track and field, if the number of student-athletes participating in a multi-day meet on behalf of the institution over the course of the entire meet equals or exceeds the minimum number of participants per Bylaw 20.9.4.3 and the meet is conducted on consecutive days, an institution may use the competition as a contest in meeting the minimum-contest requirements.

[20.9.4.3.5 through 20.9.4.3.8 unchanged.]

Source: Big East Conference.

Effective Date: August 01, 2009

Category: Amendment

Topical Area: Division Membership

Rationale: In track and field, many meets are conducted over the course of two days for a variety of reasons, including facility availability, weather, hours of daylight, large field sizes and the safety of involved student-athletes. Currently, in the case of a multi-day meet, 14 student-athletes must compete on each day of the meet in order for the meet to count toward the institution's minimum number of contests for the purpose of sport sponsorship. As a result, in many instances involving multi-day meets, coaches are forced to make roster and travel decisions that are not based on competitiveness or the student-athlete's well-being, but on satisfying the requirement that 14 student-athletes participate each day. This proposal would help assure that student-athletes will no longer be asked to compete in meets based solely on the day that an event is contested and that coaches will not be required to transport an unnecessarily high number of student-athletes. Further, institutions will not be penalized for choosing to attend two-day rather than single-day meets.

Estimated Budget Impact: Potential savings to the institution from traveling with fewer student-athletes.

Impact on Student-Athlete's Time: Potential for fewer student-athletes being required to travel.

Position Statement(s)

History:

Jul 02, 2008 Submit Submitted for consideration.

No. 2008-64 DIVISION MEMBERSHIP — MEMBERSHIP REQUIREMENTS — FOOTBALL BOWL SUBDIVISION REQUIREMENTS — WAIVERS

Intent: To specify that the members of the NCAA Division I Administration Cabinet representing NCAA Division I Football Bowl Subdivision (FBS) conferences, by a two-thirds majority of those members present and voting, may grant waivers of the FBS membership requirements.

Bylaws: Amend 20.9.7.6, as follows:

[Federated provision, FBS only.]

20.9.7.6 Waivers. *There shall be no waivers* **The members of the Administration Cabinet representing Football Bowl Subdivision conferences, by a two-thirds majority of those members present and voting, may grant waivers** of the Football Bowl Subdivision membership requirements **set forth in Bylaw 20.9.7.1 through 20.9.7.4**.

Source: Conference USA.

Effective Date: Immediate

Category: Amendment

Topical Area: Division Membership

Rationale: The membership cannot anticipate the array of circumstances an institution may encounter that would prevent it from meeting the FBS membership requirements, particularly in the area of athletics aid. Currently, the opportunity to request a waiver of those requirements does not exist. For example, a number of public institutions with very low tuition costs are unable to expend at least four million dollars on grants-in-aid even though they fully fund the required minimum number of sports for sports sponsorship. In addition, the maximum number of grants-in-aid some institutions are able to offer during the academic year is very close to the required minimum of 200. In that regard, institutions should have the opportunity to petition for relief of the membership requirements for situations that are beyond the control of the institution or for situations in which consideration of the totality of the circumstances would indicate that relief should be granted.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

Committees

No. 2008-61 COMMITTEES — DIVISION I CABINETS AND COMMITTEES — WOMEN'S SOCCER COMMITTEE — COMPOSITION — REGIONS

Intent: To specify that the composition of the NCAA Division I Women's Soccer Committee shall include one member from each of the eight Division I women's soccer regions and two members selected at large.

Bylaws: Amend 21.7.6.5.5.3.20, as follows:

21.7.6.5.5.3.20 Women's Soccer Committee. The Women's Soccer Committee shall consist of 10 member, including one member from each of the *six* **eight** Division I women's soccer regions and *four* **two** members selected at large. No more than two members of the committee may be appointed from the same region. Six members shall be representatives from Football Bowl Subdivision institution's, and four members shall be representatives from Football Championship and Division I Subdivision institutions.

Source: NCAA Division I Championships/Competition Cabinet.

Effective Date: Immediate

Category: Amendment

Topical Area: Committees

Rationale: This change will make the committee composition for women's soccer consistent with the composition for men's soccer and will reduce the number of teams for regional advisory committees to evaluate. Further, the change will help alleviate a public perception that teams are not being fairly evaluated and selected due to having fewer regions as compared to other championships, such as women's volleyball (with a sport sponsorship of 316), men's soccer (198) and women's softball (272). This change will not impact the selection process and will allow the committee to place all teams in a member conference in the same region. This proposal is being recommended as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant disagreement or alternative points of view will not be generated and there does not appear to be a significant impact on existing or proposed legislation.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 24, 2008 Submit Submitted for consideration.

Jun 25, 2008 Championships/Competition Cabinet , Sponsored

Jun 25, 2008 Championships/Competition Cabinet , Recommends Approval as Noncontroversial Legislation

No. 2008-62 COMMITTEES — COMMITTEES REPORTING TO BOARD OF DIRECTORS — DIVISION I PRESIDENTIAL ADVISORY GROUP — DUTIES — LEGISLATIVE ISSUES

Intent: To specify that members of the NCAA Division I Presidential Advisory Group who represent Football Championship Subdivision conferences shall have the authority to act on behalf of the Football Championship Subdivision members of the Board of Directors on legislative issues that relate to championship subdivision football, subject to review by the full Board of Directors.

Bylaws: Amend 21.7.9.1, as follows:

21.7.9.1 Division I Presidential Advisory Group.

[21.7.9.1.1 through 21.7.9.1.2 unchanged.]

21.7.9.1.3 Duties. The Division I Presidential Advisory Group shall advise and provide input to the seven members of the committee who serve on the Board of Directors. **Members of the Presidential Advisory Group who represent Football Championship Subdivision conferences shall have the authority to act on behalf of the Football Championship Subdivision members of the Board of Directors on legislative issues that relate to championship subdivision football, subject to review by the full Board of Directors.**

Source: NCAA Division I Management Council (Governance Subcommittee).

Effective Date: Immediate

Category: Amendment

Topical Area: Committees

Rationale: Given the strategic importance football plays at NCAA Division I Football Championship Subdivision (FCS) institutions, it is important that all FCS conferences have an equal voice in the decision oversight process related to FCS-specific legislation. This proposed change is consistent with the manner in which Football Bowl Subdivision conference representatives are permitted to vote on a legislative issue involving bowl subdivision football that is considered by the Board of Directors. Discussions and decisions related to championship subdivision football legislative matters would occur during the Presidential Advisory Group meetings.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Apr 13, 2008 Submit Submitted for consideration.

Apr 13, 2008 Management Council Governance Subcommittee , Recommends Approval

Apr 14, 2008 Management Council , Sponsored

Administrative Regulations

No. 2008-65 ADMINISTRATIVE REGULATIONS — FOREIGN TOURS AND COMPETITION — TIMING OF TOUR — PROHIBITION DURING ACADEMIC YEAR LABOR DAY VACATION PERIOD

Intent: To specify that an institution shall not participate in a foreign tour that occurs in conjunction with a Labor Day academic year vacation period.

Administrative: Amend 30.7.8, as follows:

30.7.8 Timing of Tour. A tour may only be scheduled during the summer-vacation period between the institution's spring and fall terms or during *any other* **an academic year** vacation period **(other than a Labor Day vacation period)** published in the institution's official catalog. All travel to and from the foreign country must take place during such a vacation period. However, if the team crosses the international date line during the tour, the change of date will be disregarded and the equivalent time as measured in the United States will be used to determine the institution's vacation period.

[30.7.8.1 unchanged.]

Source: NCAA Division I Management Council (Administrative Review Subcommittee).

Effective Date: August 1, 2009; however, institutions may honor a contract beyond this date if a contract for participation was signed before April 14, 2008.

Category: Amendment

Topical Area: Administrative Regulations

Rationale: Currently, an institution may participate in a foreign tour during Labor Day weekend provided it recognizes Labor Day as a vacation period. Institutions that do not recognize Labor Day or only recognize it for institutional staff and administration (e.g., not extended to students and professors) have sought NCAA Division I Management Council Administrative Review Subcommittee (now NCAA Division I Legislative Council Subcommittee for Legislative Relief) waivers in order to participate in tours. Eleven requests from men's basketball programs have been submitted since July 2005. Relief has been provided to those institutions that recognize Labor Day in some manner (e.g., administrative day for staff and administration). The intent of a foreign tour is to provide student-athletes with additional cultural and educational opportunities. However, competitive equity concerns have been raised. Those concerns relate to the fact that institutions are allowed ten days of practice before the start of the tour and that freshmen student-athletes may participate on such tours if the institution's academic year has begun. This legislation would not apply to institutions for which Labor Day occurs during the summer vacation period before the start of the regular academic year (e.g., quarter institutions), but the current legislation does not permit incoming freshman to participate in summer foreign tours.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: May impact the timing and duration of foreign tours.

Position Statement(s)

History:

Apr 13, 2008 Submit Submitted for consideration.

Apr 13, 2008 Administrative Review Subcommittee , Recommends Approval

Apr 14, 2008 Management Council , Sponsored

Intent: In men's basketball, to specify that in order for a summer basketball league or a basketball event to be certified, the event or league operator or manager must be approved in accordance with guidelines established by the NCAA basketball certification staff.

A. **Administrative:** Amend 30.14, as follows:

30.14 SUMMER BASKETBALL LEAGUES. In order for a summer basketball league to be certified, a certification application form must be submitted each year to the NCAA national office. To be certified, the following criteria must be met by each league:

[30.14-(a) through 30.14-(i) unchanged.]

(j) Awards. League participants may receive an award, provided the cost of the award is included in the participant's entry fee; *and*

(k) Medical Insurance. The league operator must provide proof of medical insurance coverage for league participants.**; and**

(l) Approval of League Operator or Manager — Men's Basketball. Individuals involved in operating or managing a men's basketball league must have been approved in accordance with guidelines established by the NCAA basketball certification staff.

B. **Administrative:** Amend 30.15, as follows:

30.15 SUMMER BASKETBALL EVENT CERTIFICATION — MEN'S BASKETBALL. In men's basketball, in order for a summer basketball event (e.g., camp, league, tournament or festival) to be certified, a certification application form must be submitted each year to the NCAA national office 45 days before the start of the event. An event review form for each event also must be submitted to the national office not later than three months after the event sessions. The following criteria must be met by each event in order to be certified:

[30.15-(a) through 30.15-(i) unchanged.]

(j) Individuals involved in coaching activities **and in operating or managing the event** must have been approved in accordance with guidelines established by the NCAA basketball certification staff;

[30.15-(k) through 30.15-(p) unchanged.]

Source: NCAA Division I Championships/Competition Cabinet (Men's Basketball Issues Committee).

Effective Date: Immediate

Category: Amendment

Topical Area: Administrative Regulations

Rationale: Current legislation requires that an individual involved in coaching activities at an NCAA certified event must have been approved in accordance with guidelines established by the basketball certification staff. No such requirement exists for operators of these events. There have been recent situations involving operators of events who have engaged in questionable activities, yet still were able to operate a certified event. In one case, the participants and the event site involved with the operator were victims of fraud. These types of activities potentially could be avoided if requirement of a background check is extended to event operators. This proposal is being recommended as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant disagreement or alternative points of view will not be generated and there does not appear to be a significant impact on existing legislation or proposed legislation.

Estimated Budget Impact: Minimal additional costs for background checks.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 13, 2008 Submit Submitted for consideration.

Jun 16, 2008 Men's Basketball Issues Committee , Recommends Approval

Jun 25, 2008 Championships/Competition Cabinet , Sponsored

Jun 25, 2008 Championships/Competition Cabinet , Recommends Approval as Noncontroversial Legislation

Executive Regulations

No. 2008-70 EXECUTIVE REGULATIONS — SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS, PARTICIPATION — AUTOMATIC QUALIFICATION — ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL — MULTISPORT CONFERENCE — DEFINITION OF CORE INSTITUTION

Intent: In sports other than men's basketball, to specify that for the purposes of multisport conference eligibility for automatic qualification in a particular sport, a core institution is an institution that has been an active member of Division I during the eight preceding years or an institution that has sponsored the sport at the Division I level the eight preceding years.

Administrative: Amend 31.3.4.4.1, as follows:

31.3.4.4 Additional Requirements Sports Other Than Men's Basketball.

31.3.4.4.1 Multi-Sport Conference. To be considered eligible for automatic qualification in a particular sport, a multi-sport member conference must include six core institutions that satisfy continuity-of-membership. For the purposes of this legislation, core refers to an institution that has been an active member of Division I the eight preceding years **or has sponsored the sport at the Division I level eight preceding years.** Further, the continuity-of-membership requirement shall be met only if a minimum of six core institutions have conducted conference competition together in Division I the preceding two years in the applicable sport. There shall be no exceptions to the two-year waiting period. Any new member added to a member conference that satisfies the continuity of membership requirements shall be immediately eligible to represent the conference as the automatic qualifier.

[Remainder of 31.3.4.4 unchanged.]

Source: Mid-American Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Executive Regulations

Rationale: Currently, there are many sports sponsored at the Division I level by non-Division I institutions, which have shown a commitment to the sports, but are not eligible for an automatic qualification. In addition, there are sports programs that are unable to secure membership in a conference principally due to geographic location. There are at least ten to twelve sport programs that participate without access to an automatic qualification (at-large with limited RPI scheduling possibilities). This situation has contributed to institutions dropping sports because they cannot find a conference to assist with the difficulties of scheduling and because of the lack of access to an automatic qualification due to the small number of at-large bids. This proposal would help encourage conferences to consider adding such institutions as members for a particular sport.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No. 2008-71 EXECUTIVE REGULATIONS — SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION — AUTOMATIC QUALIFICATION —ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL — MULTISPORT CONFERENCE — EXCEPTION — MEMBER THAT HAS SPONSORED THE SPORT AT THE DIVISION I LEVEL THE EIGHT PRECEDING YEARS

Intent: In sports other than men's basketball, to specify that a multisport conference that falls below six core members may be considered for automatic qualification in that sport, provided the conference adds an institution to its membership (for a total of at least six members) that has sponsored the sport for the preceding eight years at the Division I level and at least six institutions (including the added institution) have conducted conference competition together at the Division I level in the sport the preceding two years.

Administrative: Amend 31.3.4.4, as follows:

31.3.4.4 Additional Requirements, Sports Other Than Men's Basketball.

31.3.4.4.1 Multi-Sport Conference. To be considered eligible for automatic qualification in a particular sport, a multi-sport member conference must include six core institutions that satisfy continuity-of-membership. For the purposes of this legislation, core refers to an institution that has been an active members of Division I the eight preceding years. Further, the continuity-of-membership requirement shall be met only if a minimum of six core institutions have conducted conference competition together in Division I the preceding two years in the applicable sport. There shall be no exceptions to the two-year waiting period. Any new member added to a member conference that satisfies the continuity-of-membership requirements shall be immediately eligible to represent the conference as the automatic qualifier.

31.3.4.4.1.1 Exception — **Newly Added Conference Sport.** A multi-sport conference that adds a conference-sponsored sport may be considered for automatic qualification in that sport, provided the conference includes at least six active NCAA Division I institutions that have conducted conference competition together at the Division I level in the sport the preceding two years and the sport is sponsored by less than 50 percent of the Division I membership.

31.3.4.4.1.2 Exception — Member that has Sponsored the Sport at the Division I Level the Eight Preceding Years. A multi-sport conference that falls below six core members may be considered for automatic qualification in that sport, provided the conference adds an institution to its membership (for a total of at least six members) that has sponsored the sport the eight preceding years at the Division I level and at least six institutions (including the added institution) have conducted conference competition together at the Division I level in the sport the preceding two years,

[Remainder of 31.3.4.4 unchanged.]

Source: Mid-American Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Executive Regulations

Rationale: Currently, there are many sports sponsored at the Division I level by non-Division I institutions, which have shown a commitment to the sports, but are not eligible for an automatic qualification. In addition, there are sports programs that are unable to become members of

conferences principally due to geographic location. This situation has led to institutions dropping some sports because they cannot find a conference to assist with the difficulties of scheduling and because of the lack of access to an automatic qualification due to the small number of at-large bids. This proposal would help encourage conferences to consider adding such institutions as members for a particular sport.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No. 2008-72 EXECUTIVE REGULATIONS — SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS — PARTICIPATION — AUTOMATIC QUALIFICATION — ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL — MULTISPORT CONFERENCE — EXCEPTION — SPORTS SPONSORSHIP

Intent: In sports other than men's basketball, to specify that a multisport conference that adds a conference-sponsored sport may be considered for automatic qualification in that sport, provided at least six institutions have conducted conference competition together at the Division I level for the preceding two years and the sport is sponsored by less than 65 percent of the Division I membership.

Administrative: Amend 31.3.4.4, as follows:

31.3.4.4 Additional Requirements, Sports Other Than Men's Basketball.

31.3.4.4.1 Multi-Sport Conference. To be considered eligible for automatic qualification in a particular sport, a multi-sport member conference must include six core institutions that satisfy continuity-of-membership. For the purposes of this legislation, core refers to an institution that has been an active member of Division I the eight preceding years. Further, the continuity-of-membership requirement shall be met only if a minimum of six core institutions have conducted conference competition together in Division I the preceding two years in the applicable sport. There shall be no exceptions to the two-year waiting period. Any new member added to a member conference that satisfies the continuity-of-membership requirements shall be immediately eligible to represent the conference as the automatic qualifier.

31.3.4.4.1.1 Exception. A multi-sport conference that adds a conference-sponsored sport may be considered for automatic qualification in that sport, provided the conference includes at least six active NCAA Division I institutions that have conducted conference competition together at the Division I level in the sport the preceding two years and the sport is sponsored by less than *50* **65** percent of the Division I membership.

[Remainder of 31.3.4.4 unchanged.]

Source: Mid-American Conference.

Effective Date: Immediate

Category: Amendment

Topical Area: Executive Regulations

Rationale: Six men's sports for which NCAA championships are conducted are sponsored by at least 80 percent of the Division I membership. There is a distinct drop off to 60 percent or less for men's soccer and men's tennis. A great disparity exists between sponsorship of men's soccer and men's tennis and the sponsorship of sports such as baseball and men's basketball, which are sports that have particularly high percentages of sponsorship at member institutions. This proposal recognizes and accounts for the sponsorship percentages in order to facilitate the addition of those sports as conference-sponsored sports.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jul 15, 2008 Submit Submitted for consideration.

No. 2008-73 EXECUTIVE REGULATIONS — NATIONAL STATISTICS PROGRAM

Intent: To specify that the NCAA Division I Championships/Sports Management Cabinet shall oversee the national statistics program and approve its policies and procedures; further, to specify that the policies and procedures shall be published on the NCAA Web site.

Administrative: Amend 31.9, as follows:

31.9 NATIONAL STATISTICS PROGRAM. A national statistics program shall be maintained for active member institutions in football, men's and women's basketball, baseball, men's and women's ice hockey, men's and women's lacrosse, men's and women's soccer, women's softball and women's volleyball. The Championships/Sports Management Cabinet shall *determine* **oversee** the statistics *program's* **program and approve its** policies and procedures. **The national statistics program policies and procedures shall be published on the NCAA Web site.**

31.9.1 General Policies.

31.9.1.1 Statistics Reporting. For a member institution to be eligible for either an individual or a team national statistics title, it shall have filed reports with the national office before the midway point in its regular-season schedule and shall have reported weekly thereafter. If a conference office files the reports, both the league and the institution share the responsibility for providing the updates on a regular basis as described above.

31.9.1.2 Substantiation of Statistics. Filing a statistics report does not ensure automatically a member institution's inclusion in the NCAA's national statistics rankings. The report shall be mathematically accurate. Unusual statistics that cannot be promptly supported will not be included in the rankings. The NCAA shall withhold such reports from the ranking until a satisfactory explanation and substantiation of the statistics are submitted by an appropriate official of the member institution involved.

31.9.1.3 Correlation with Conference Statistical Rules. If a conference adopts a statistical rule different than that of the NCAA, the Executive Committee shall determine on a case-by-case basis how the statistics resulting from use of the special rule will be related to the national statistics program.

31.9.1.4 Countable Opponents. Only contests against varsity intercollegiate teams of four-year, degree-granting institutions shall be included in individual and team statistics, won-lost record and coaching records. Contests against service teams, professional teams, semiprofessional teams, amateur teams, two-year colleges and club teams are specifically excluded. Further, only contests against varsity intercollegiate teams of four-year, degree-granting institutions that play a majority of their contests in that sport against varsity intercollegiate teams (per Constitution 3.2.4.5) of United States four-year, degree-granting institutions shall be tabulated for inclusion in such statistics (and counted for purposes of team selection for an NCAA championship per Bylaw 31.3.3.1).

31.9.1.5 Ranking Minimums. Ranking minimums shall be determined by the national office to assure a valid comparative basis. The minimums shall be based on the normal participation or performance levels of the "field" in a given category and shall be reviewed annually.

31.9.1.6 Individual Minimum — Games Requirement. To be ranked, a student-athlete must appear in 75 percent of the team's games (a volleyball student-athlete must appear in 66.6 percent of the team's games, an ice hockey goaltender must play in 33.3 percent of the team's minutes and a lacrosse goaltender must play in 60 percent of the team's minutes). National per-game rankings shall be based on the number of games an individual actually plays; and even if a player is in the lineup for only one play, the player shall be charged with a game played whether or not the player touches the ball.

31.9.1.6.1 Exception. For statistical purposes only, if a player appears in a football game only to hold the ball on point-after-touchdown kick attempts, he shall not be charged with a game played. However, if he becomes statistically involved on the play (e.g., successfully runs, passes or kicks following an aborted kick attempt), he shall be charged with a game played.

31.9.1.7 Less Than Minimum — Game Rule. If a player has participated in fewer than the required percentage of the team's games, but the player's per-game average still would be highest if charged with the necessary required games, the player shall be declared champion. However, if no player shall be declared champion by the application of both the necessary required games and the minimums required for punting and kick-return championships (see Bylaws 31.9.4.6 and 31.9.4.7).

31.9.1.8 Statistics of Ineligible Student-Athletes.

31.9.1.8.1 Declared Ineligible During Season. The individual statistics of any student-athlete declared ineligible by a member institution, a conference or the NCAA for any remaining portion of a season shall not be included in the national statistics rankings from the date the student-athlete is declared ineligible.

31.9.1.8.2 Declared Ineligible After Championship Competition. When a participant in an NCAA championship is declared ineligible after the championship competition, all of the student-athlete's statistics in the championship; the team's championships won-lost record and all of its statistics shall be asterisked and footnoted, and its place in the final standings shall be asterisked and noted as vacated. All team and individual statistics for the offending team's opponents shall remain unaffected.

31.9.2 Baseball and Softball Statistics.

31.9.2.1 Fall Games. For purposes of national statistics, games played during the fall shall not be included in a team's won-lost record and statistics.

31.9.2.2 Exhibition Games. A game will be counted by both teams as an official contest for purposes of won-lost records and team and individual statistics unless both institutions agree in writing before the game that it is to be an exhibition contest. If it is an exhibition contest, the team and individual statistics and records cannot be counted for either team.

31.9.2.3 Batting Championships. The national batting championship shall be based on a minimum of 2.5 times at bat per game played for baseball and 2.0 times at bat per game for softball, as well as a minimum total number of official at-bats established annually by the national office based on current conditions and the division involved. However, if there is a player with fewer than the required number of at-bats whose average would be the highest if the player were charged with the required number of at-bats with zero additional hits, that player shall be declared champion.

31.9.2.4 Strikeout Ratio (Strikeouts per Seven or Nine Innings). The national individual strikeout ratio champion for pitchers shall be based on at least one inning pitched for every game played by that player's team, as well as a minimum total number of innings pitched established annually by the national office based on current conditions and the divisions involved. However, If there is a player with fewer than the required number of innings pitched whose ratio would be the highest if the player were charged with the required number of innings with zero strikeouts, that player shall be declared champion.

31.9.3 Basketball Statistics. All tournament games (e.g., holiday, postseason and conference play-offs) shall be included in the official statistics.

31.9.4 Football Statistics.

31.9.4.1 Seven-Game Requirement. An institution shall be required to play at least seven games against four-year, degree-granting varsity opposition (per Bylaw 31.9.1.4) to be eligible for national statistics rankings.

31.9.4.2 Conference Championship Game. A conference game that matches two divisional winners for the purpose of determining the league championship shall be counted in statistics and won-lost records.

31.9.4.3 Bowl Games, Conference Playoffs, National Playoffs. Postseason bowl, conference playoffs and national-championship playoff games shall be included in the official records and statistics.

31.9.4.4 Overtime Games. Statistics of extra-period (overtime) games are included in the contest's total statistics.

31.9.4.5 Passing Champion. The national passing champion shall be determined by a rating formula with a minimum number of pass attempts required per game. However, if a player has fewer than the required number of pass attempts per game and his rating points still would be highest if he were charged with the necessary required pass attempts, and counting each attempt as an interception, he shall be declared champion.

31.9.4.6 Punting Champion. The national individual punting champion shall be determined by the average yards per punt with a minimum number of punts per game. However, if a player has fewer than the required number of punts per game and his average per punt still would be the highest if he were charged with the necessary required punts for zero additional yards, he shall be declared champion.

31.9.4.7 Kick-Return Champions. The national individual punt-return and kick-off return champions shall be determined by average per return with a minimum number of returns required per game. However, if there is a player with fewer than the required minimum returns per game whose average per return would be the highest if he were charged with the necessary required returns with zero additional yards, he shall be declared the champion.

31.9.4.8 Minimum-Games Requirement. For purposes of Bylaws 31.9.4.6 and 31.9.4.7, if a player has not participated in the required 75 percent of the team's games but has the required minimum number of returns or punts per game played, he is not to be charged with the number of games necessary for qualification because it cannot be assumed that he would have maintained his average in the additional games.

31.9.5 Forfeits. Neither the outcome nor the statistics in any completed contest are reversible by a forfeit due to postgame administrative actions, except as provided in Bylaw 31.9.5.4 or by Committee on Infractions' decisions. The actual results of the contest and the statistics shall be entered as such in both teams' all-time records, as well as in the coaches' records and in individual statistics. Contests later forfeited shall be denoted by the institution with an asterisk and a footnote.

31.95.1 Consistency of Application. Each member institution involved in a forfeited contest is encouraged, but not required, to enter the results of the contest in its records in the same manner as the Association to prevent confusion in national rankings of team and coaching records.

31.9.5.2 "No Contest" Declaration. There is no forfeit of a contest until all participating teams are present and the referee or other appropriate contest official has assumed jurisdiction in accordance with applicable playing rules. When a team does not appear (e.g., due to weather conditions, accidents, breakdown of vehicles, illness or catastrophic causes), a forfeit is not recorded. An institution shall not, for statistical purposes, declare a forfeit for nonfulfillment of a contract. Such instances shall be considered as "no contest." In circumstances involving institutions from the same conference, the league office has the option to declare a forfeit win and loss for conference-standing purposes only but this does not change an institution's overall win-loss record.

31.9.5.2.1 Basketball, Men's. If, under the NCAA Men's and Women's Basketball Rules Committee's interpretation regarding interrupted games, the officials do not declare a winner or loser in such a contest, the status shall be "no contest." Statistics shall not be counted, nor shall either team's won-lost record or coach's record be changed.

31.9.5.3 Contest in Progress. If a forfeit is declared while a contest is in progress or a situation occurs that forces a premature end to the contest, all statistics (other than won-lost and coach's records) are voided unless the contest has progressed to a "reasonable point of conclusion" (e.g., three quarters in football and lacrosse, 30 minutes in basketball and five innings in baseball and softball and two periods in ice hockey; for volleyball, all completed games in a match shall count, as well as a partial game if the team ahead has scored at least 10 points), in which case all statistics shall count and shall be reflected in all records. The team's won-lost record shall include the forfeit, but if the statistics are voided, all averages in future rankings shall be computed without inclusion of the forfeited contests.

31.9.5.4 Actions by the NCAA Management Council. An institution required to forfeit contests under the restitution provisions of Bylaw 19.7 shall vacate and strike from its records the individual records and performances achieved by the ineligible player during the period of ineligible participation in the following manner:

(a) Team victories shall be abrogated and coaching records altered by the institution and the national office for those contests in which the player participated while ineligible;

(b) It is not required that similar action be taken in regard to the individual records an performances of other players (teammates and opponents) who participated in contests during the period in which the player participated while ineligible;

(c) While neither the forfeiting institution nor the national office has the authority to require opponents receiving those forfeits to alter their season records, the forfeiting institution should actively encourage its opponents to do so; and

(d) These same conditions shall be applicable to the records of a conference. Neither the institution nor the national office has the authority to require a conference to alter its records. However, the institution should actively encourage such a result.

31.9.6 Career Records.

31.9.6.1 Co-head Coaches. In the event that an institution designates a co-head-coaching system, the won-lost records of both coaches for each season that they co-head coaches, are to be included in each coach's total career record. In such instances, both coaches' career records shall be denoted by an asterisk and a footnote [e.g., includes 40-20 record as a co-head coach with (name of other coach) during the years indicated].

31.9.6.2 Division Classification. For career record purposes, a player's statistics are recognized by the Association only for the years that the individual's college was an active member of the Association. In the event an individual's college changed divisions while a member, career statistics for the individual are credited only in the division in which he or she actually competed each year.

31.9.6.3 Collegiate Record Category. In the above-mentioned case where an individual's college changed divisions while a member, the player's full career statistics are to be entered in the collegiate record category.

31.9.6.4 Determination of Head Coach at an Institution. In order for a coach to be credited with wins, losses or ties, that individual must be designated as the institution's head coach for the entire sports season. Individuals serving on an advisory or preseason basis may not be credited with the wins, losses, or ties. If the head coach is not present at a contest due to illness of other unexpected circumstances, or otherwise is unable to complete the sports season, it is up to the institution to determine whether the win, loss or tie for that contest(s) shall be credited to the head coach or to an interim or assistant coach, as determined by the institution prior to the contest(s).

Source: NCAA Division I Championships/Competition Cabinet.

Effective Date: Immediate

Category: Amendment

Topical Area: Executive Regulations

Rationale: Removing the policies and procedures of the national statistics program from the legislative process while having the Championships/Sports Management Cabinet continue to oversee and approve changes will eliminate the current bureaucracy and confusion in the process. This action also will help ensure the statistics program is applied consistently across all three divisions of the Association. The national statistics program policies and procedures are already provided to the membership via the NCAA Web site. This proposal is being recommended as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant disagreement or alternative points of view will not

be generated and there does not appear to be a significant impact on existing or proposed legislation.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s)

History:

Jun 24, 2008 Submit Submitted for consideration.

Jun 25, 2008 Championships/Competition Cabinet , Sponsored

Jun 25, 2008 Championships/Competition Cabinet , Recommends Approval as Noncontroversial Legislation

The Huffington Post

August 26, 2008

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"This is America! Of course student-athletes should be paid for playing sports. They are the ones who sweat out the wins and the losses. They are the ones who produce all the labor. Did you ever hear of capitalism, for crying out loud? The laborer should be paid for his work."

That is the more strident version of the capitalism argument for why student-athletes in intercollegiate athletics should be paid, and pay for play is one of the most frequently asked questions I encounter from audiences during speaking engagements. There are other arguments for pay for play (the fairness issue is one I'll take up in another posting), but capitalism is usually the first one.

It has merit.

This is America, and we do believe in capitalism. We see it as the best and fairest way to generate consumer product. We are convinced it promotes hard work, competition, innovation and quality of life. And it does. It has its flaws. It has a tendency to produce large gaps between the haves and the have-nots; but it does encourage a strong work ethic, and I wouldn't trade capitalism for any other economic model as a structure in which business operates.

But it isn't a workable approach for every aspect of American life. We don't apply it, for example, to churches or charities. And we don't use capitalism as the model for how education works. With some few exceptions, American higher education does not function within a capitalistic structure.

It isn't that money is not important to higher education. It is; even big money. It's not uncommon for large state universities with hospitals for teaching future doctors to have annual budgets in the $3 to $4 billion range. It takes a lot of money to run a large university and provide a quality education. But they do not operate within a capitalistic structure. They are purpose driven; not profit driven.

If they were profit driven, campuses would have to give up many courses of study that are essential to a university education, including (God forbid!) my discipline -- philosophy. Why would they have to give up some studies? Because they are "loss units" that have to be subsidized from other revenue-generating courses of study or other services, and that isn't a sound capitalistic approach.

Higher education offers a comprehensive range of study because its purpose is to educate a population of future leaders who will enhance society as a whole based on a broad body of knowledge and skills. There is educational value to offering even that which is not profitable.

The same is true of intercollegiate athletics. Football and men's basketball are the only two college sports that consistently have revenues that exceed expenses; and even then, not all football or men's basketball programs generate enough revenue to cover costs. All the other sports have to be subsidized. And all but about 20 Division I universities have to subsidize from their general funds because athletics doesn't generate enough to cover expenses.

That flies in the face of the popularly held perception that intercollegiate athletics -- think of all those television contracts, all that bowl money, all the merchandizing -- are awash is excess revenue. It just isn't so.

The money from football and men's basketball (and only 60 to 70 percent of those programs actually cover their own costs) are helping pay the way for the other sports. Adding a budget line for salaries in those two sports would undoubtedly mean cutting sports -- first for men and then for women.

So what! Why worry about the other sports?

Here is the answer and the critical point: Because there is educational value in participating in sports. Athletics is one of the essential co-curricular activities that teaches important life skills -- team work and hard work, persistence and resilience, self-sacrifice and self-discipline and pursuit of excellence in life. Those are skills that are important to the individual and to society at large. We want to maximize the number of students who learn these skills, not cut programs in order to pay salaries to a few.

So, the capitalism argument doesn't work for a variety of reasons. It favors the few over the broader interests of the many. It is based on a false perception that there is sufficient revenue to pay student-athletes even in football and men's basketball to play the sports. And most importantly, it tries to impose an economic structure on higher education and intercollegiate athletics that runs contrary to the way in which they do business.

The critic will respond, "But it just isn't fair. What about everyone who is making money?"
That's the topic for the next post.

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- chucktrotter See Profile I'm a Fan of chucktrotter

"It's a really big thing for the players to be honored here tonight. There are no losers out of this. Success or failure in football doesn't matter, they're both not permanent. It's what you turn your life into that matters."

Dan Hooks

Reply Favorite Flag as abusive Posted 09:44 PM on 08/07/2008
- RPLinNYC See Profile I'm a Fan of RPLinNYC

". And we don't use capitalism as the model for how education works. With some few exceptions, American higher education does not function within a capitalistic structure."

does the poster know that most tenure-track positions have been replaced by adjunct faculty? (cheap intellectual labor with no benefits). the poster doesn't seem too familiar
with today's universities, from the ivy league all the way across the board.

Reply Favorite Flag as abusive Posted 02:50 PM on 08/07/2008
- cheforacle See Profile I'm a Fan of cheforacle

I have always supported the following plan:
(a) small stipends (or per diems) for all players to use when they travel for contests or team-related activities;
(b) for football and basketball players (the revenue-generators) payment of a modest salary into a trust fund to be accessed only after the player has graduated from that institution or a subsequent one;
(c) the players should be allowed to take 5 years to graduate as many get red-shirted and the amount of time they spend on their sport provides good reason to give them the extra year.

If tha amounts are modest, I think Brand's concerns may be addressed.

Reply Favorite Flag as abusive Posted 11:17 AM on 08/07/2008
- Vinlander See Profile I'm a Fan of Vinlander

What are universities for? I thought they existed to further educate young and not-so-young adults. Student athletics isn't an academic venture -- it is a business.

The solution is to get the NFL and NBA's minor leagues off the college campuses and make these leagues pay for the development of their new stars. Then we could pay students who turn up and get decent grades!

Reply Favorite Flag as abusive Posted 11:13 AM on 08/07/2008
- MinuteMan See Profile I'm a Fan of MinuteMan

> Here is the answer and the critical point: Because there is educational value in participating in sports.

I agree that playing sports has educational value, but what percentage of the student body is allowed to participate in sports at this level?

And what percentage of student athletes are able to fully participate in the other educational opportunities at these institutions? Even at small (e.g., third tier) schools, student athletes miss significant amounts of class time and often are unable to keep up with their studies because of the massive amount of time required to excel in their sports. Many pass courses only because the athletic department has exercised its power of "persuasion" on individual faculty members.

College atheletics, as currently practiced is a lose-lose proposition. The only clear winners are the sometimes handsomely compensated coaches and the college administrators who are more interested in athletic prowess than academic success.

Reply Favorite Flag as abusive Posted 11:09 AM on 08/07/2008
- robbep See Profile I'm a Fan of robbep

I totally disagree with this article, anyone who has played a major sport in college knows how much work and sacrafice the athlete makes. The universities are making millions of dollars off of the backs of these athletes and the athlete shld get a piece of the financial rewards. Chris Webber's jersey made millions of dollars for Michigan U and he got none of it. You think this is fair? The coaches make millions and the athletes get none of it? It is ridiculous for anyone to suggest that college sports is anything other than what it is , exploitation. We shld all gather around and watch migrant workers pick tomatoes it is the same concept.

Reply Favorite Flag as abusive Posted 08:14 AM on 08/07/2008
- MinuteMan See Profile I'm a Fan of MinuteMan

The solution is not to pay "student athletes" but to replace the big time college sports with professional minor-league systems. Baseball has done that for years. Then there won't be the need to universities to maintain the charade that many of the "student athletes" they exploit are qualified to attend.

Once set up as a professional minor-league system, this philosophical conflict between capitalism and the academic world will vanish—though it will still leave others.

Some will argue that atheletic scholarships are sometimes the only way that young people can afford to get through college; however, I would be surprised if the number of times that an athletic scholarship *successfully* puts a student through college is only slightly higher than the number of Reagan's Cadillac-driving welfare queens. A fairer and more cost-effective way can and should be found to allow qualified students to attend and complete college.

Reply Favorite Flag as abusive Posted 11:21 AM on 08/07/2008
- appetite88 See Profile I'm a Fan of appetite88

At Stanford, the wrestling team got its funding cut whiile the football players were put up in hotels for HOME GAMES. Many of the football players got a free ride to a school that they otherwise would have never gotten into. They were some of the dumbest and most unruly members of my classes. My education cost enough already, I would have been pissed to see some of that money go to football and basketball players. The Google guys, Larry Page and Sergey Brin, brought Stanford hundreds of millions of dollars with the PageRank patent, and they didn't get paid directly for their efforts by the school. Why are athletes being exploited anymore by, say, doctoral students?

Reply Favorite Flag as abusive Posted 08:44 AM on 08/07/2008

- LakeHMM See Profile I'm a Fan of LakeHMM

I totally agree. It's ridiculous the way people romanticize and generalize capitalism. The proposal of paying student-athletes is ridiculous to me. Just because someone exerts effort doesn't mean it's a job. It has to be productive, and this isn't. (Don't get me started on regular pro sports.)

Reply Favorite Flag as abusive Posted 06:53 AM on 08/07/2008
- TommyO See Profile I'm a Fan of TommyO

This, it seems to me, is an incredibly shallow post. Brand repeats arguments made by big-time universities for years. For those same years there has been no data to back up the arguments. If the goal is to teach "team work and hard work, persistence and resilience, self-sacrifice and self-discipline and pursuit of excellence in life" to a maximum number of students is intercollegiate athletics, which serves a tiny number of students the way to do it? Do we really know that athletics teaches "team work" etc. at all? And if it does, isn't this something that can and should be learned K-12 and not at the college level? Doesn't intramurals or recreational programming or club sports teach the same concept at far less cost? Do colleges attract good students and faculties because of their sports programs? How does the University of Chicago manage to survive? What about all those European universities without football teams? What is really happening is that universities are interested in keeping alumni happy and and milking them for cash. Even that argument is weak. Do alumni give for medical research, for example, because the football team is a BCS contender? If so, where's the data?

Reply Favorite Flag as abusive Posted 03:58 AM on 08/07/2008
- EngineerBill See Profile I'm a Fan of EngineerBill

One thing that Mr. Brand ignores is the talent drain from NCAA basketball and, to a lesser extent, football. When a talented athlete decides to play at a college, in the back of his mind he knows he is one injury away from ending his sports career. Combine that with no pay and it is no wonder that UCLA's Kevin Love for example, left for the pros. A "Minor League" sports division run by the college power houses of Football and Basketball has an upside in returning talent to teams that would otherwise never stay in College sports. Kareem Jabbar and Bill Walton never would have stayed with UCLA like they did during the John Wooden era. I would like to see those days come back.

Reply Favorite Flag as abusive Posted 11:53 PM on 08/06/2008
- LeonBNJ See Profile I'm a Fan of LeonBNJ

To me all 'athletic' scholarships ought to be ended. The money should go to qualified scholars, not someone who is well below acacemic qualifications for a given school because they can play Football or Basketball at a high level.

Reply Favorite Flag as abusive Posted 11:27 PM on 08/06/2008
- strad See Profile I'm a Fan of strad

There is plenty of data to support the fact that athletes actually graduate at HIGHER levels than non-athletes. They are, by all rights, scholars who are there for education first and athletics second. Additionally, athletes must meet minimum NCAA and university requirements before being accepted. Look at Brandon Jennings. All evidence pointed to the fact that his SAT scores wouldn't qualify him to play in college. He opted out and signed a seven figure contract to play in Europe. Sure, there are some athletes that may not be as intelligent as their peers, but there is ample evidence that athletics play an important role in creating leaders who excel both in the classroom and on the field.

Reply Favorite Flag as abusive Posted 08:11 AM on 08/07/2008
- MinuteMan See Profile I'm a Fan of MinuteMan

Given the extremely high drop-out rate for open-admission schools, this isn't saying much. At the local four-year college, 45% of the students are gone within their first year. The reasons are varied, but the inability to afford the costs is probably a signficant factor.

Reply Favorite Flag as abusive Posted 11:30 AM on 08/07/2008
- kevinw See Profile I'm a Fan of kevinw

Actually this is not factually correct. The comparison of graduation rates is with all students as a whole. If you change the parameter to students that attended the university for three years or more there is a sharp difference between Athletes and the regular student body. It is not a question of whether the athletes are as intelligent as their peers. Sen. Bill Bradley, who played for Princeton and the championship Knicks is incredibly smart. The problem is that the pro-leagues and the NCAA have conspired to force players to use the Universities as the minor league route to the pros. If they are to be used as a minor league, they should be paid minor league rates.

Reply Favorite Flag as abusive Posted 10:29 AM on 08/07/2008

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- appetite88 See Profile I'm a Fan of appetite88

For your purposes, you are pooling in sports that generate money like football and basketball with sports that don't generate money like gymnastics, crew, track & field. I bet your findings would be different if you broke them out.

Reply Favorite Flag as abusive Posted 08:48 AM on 08/07/2008
- UnbiasView See Profile I'm a Fan of UnbiasView

I don't see why it wouldn't work for football and basketball at the D-I level because these schools bank off of these kids and don't allow the athletes to have jobs outside of school.

Reply Favorite Flag as abusive Posted 10:20 PM on 08/06/2008
- sandgk See Profile I'm a Fan of sandgk

The NCAA is the single most ineffective, myopic and backward non-governmental organization in America.

Brand is raising a red herring that doesn't even come close to addressing the real issue.

Without some form of pay-for-play in the premier sport, football, at the larger institutions, there is a real risk that the goslings of the geese that lay the NCAA's golden eggs will one day win their court ruling and voila!

No more pigskin product for the NCAA and the University Presidents to sell to the media at a Billion-dollar plus rate each year.

Reply Favorite Flag as abusive Posted 09:58 PM on 08/06/2008
- Paul See Profile I'm a Fan of Paul

College athletes are, as a class, exploited. They get no payment for their work and most drop out of college before graduating.

Reply Favorite Flag as abusive Posted 09:54 PM on 08/06/2008
- MinuteMan See Profile I'm a Fan of MinuteMan

Despite the enlightened climate attributed to big universities, they are really built on a base of student exploitation not much better than the worker exploitation that is all too common in the commercial world. Many universities would cease to function effectively if they did not have a pool of teaching "assistants" working for subsistence wages and usually no benefits. In some schools, the "assistant' is the sole instructor for the class while in others the "assistants" provide all the direct student contact where the courses are taught by regular faculty in arena-sized classrooms. Across the country, big-name universities have bitterly fought attempts by their teaching "assistants" to unionize. In addition, the more highly-valued research at universities would grind to a halt if highly-educated graduate students were not putting in long hours at subsistence wages to put their advisor's name on papers and provide support for their grant work.

Reply Favorite Flag as abusive Posted 11:37 AM on 08/07/2008
- cheforacle See Profile I'm a Fan of cheforacle

I think your claim that most drop out before they graduate is demonstrably false. Do you have any proof to support your assertion?

Reply Favorite Flag as abusive Posted 11:20 AM on 08/07/2008
- UnbiasView See Profile I'm a Fan of UnbiasView

Dropping out has little to do with not getting a small payment.

Reply Favorite Flag as abusive Posted 10:20 PM on 08/06/2008
- Paul See Profile I'm a Fan of Paul

By dropping out they give up the only payment offered - an education.

But they are not chosen for their prospects of academic success but because they can play football.

It is exploitation, pure and simple.

Reply Favorite Flag as abusive Posted 12:50 AM on 08/07/2008
- LeftRight See Profile I'm a Fan of LeftRight

um..... How about the fact that most of the student athletes in the football and basketball programs are getting at least a reduced cost to attend the school, and many are not paying a DIME!!!

Reply Favorite Flag as abusive Posted 06:56 PM on 08/06/2008
- UnbiasView See Profile I'm a Fan of UnbiasView

And they should, explain to me one reason why they shouldn't.

Student A from the burbs pays $10,000

Student B from the burbs gets a free ride and makes his school millions in revenue

Reply Favorite Flag as abusive Posted 10:19 PM on 08/06/2008
- LeftRight See Profile I'm a Fan of LeftRight

I'm actually not opposed to the scholarship program. In fact, I think that it's a great way for schools to get the best talent. However, to ignore that and insist that schools should PAY the athletes is moronic!

Reply Favorite Flag as abusive Posted 02:16 PM on 08/07/2008
- appetite88 See Profile I'm a Fan of appetite88

So should doctoral candidates be paid any time their research (which under the current model is owned by the school) leads to income? Should famous alumni be paid for attracting applicants to the school?

If the athletes are being paid, then surely the cheerleaders, the band, the college radio announcer, the student newspaper that writes them up.. should all have get a slice of the pie.

Reply Favorite Flag as abusive Posted 01:25 PM on 08/07/2008
- JohnShank See Profile I'm a Fan of JohnShank

You're right. We should continue to treat athletes as though they are somehow better than other humans. Treat them like special little people. Nothing could go wrong with that. Like, drugs, shootings, jail time, dog fights, steroids. These people have everything handed to them and many believe they are super-human and above the law. Meanwhile most can't find a coherent sentence with two hands and a floodlight. But, let's continue to worship athletes and the money they produce. Good thinking.

Reply Favorite Flag as abusive Posted 10:26 AM on 08/07/2008
- ignrnthllblly See Profile I'm a Fan of ignrnthllblly

Yeah, well that half-scholarship is costing the school essentially play money--less than what the school will pay out to have a knee pronounced bum and buy the kid a one-way bus ticket home. Work-study is far less cost efficient.

Reply Favorite Flag as abusive Posted 08:13 PM on 08/06/2008

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Myles Brand

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Why the Fairness Argument on Pay for Play Isn't a Fair Argument

Posted August 12, 2008 | 09:48 AM (EST)

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"But it just isn't fair that student-athletes don't get paid to play sports. What about everyone else who is making money? What about the coaches making millions? Doesn't the student-athlete deserve something?"

This is the fairness argument for why student-athletes should be paid for playing sports as a part of intercollegiate athletics. Last week, I talked about the capitalism argument for pay for play and why it misses the point, and the fairness argument is another approach that also misses the point.

It's a point of view that looks around the world of college sports at the most-hyped and most-visible level; sees head coaches and athletics directors with large compensation packages; sees large staffs of professionals from assistant coaches to academic advisors, trainers, strength coaches, and others; and says: "Wait a minute. The student-athlete is the only amateur left in college sports!"

That's true.

The critical point is that it has always been true. The early days of intercollegiate athletics saw some athletes in some sports who were not students at all (on occasion, the athlete would move from college to college on a weekly basis to participate). But it has always been true that student-athletes were the only amateurs in what otherwise is an enterprise coached, managed and supported by professional staffs. For student-athletes, playing sports is not a profession; everyone else in college sports is making a living from the enterprise.

What really bothers us and abuses our sense of fairness is the scale of salaries for some personnel, of media contracts for some conferences and of facility expansion on some campuses. It's the million-dollar (or $2 to $4 million) coach, the multi-million dollar television contracts and the build-out of luxury suites that sends us over the edge. It all begins to look out of whack.

And it is.

There is only one perspective from which the high salaries and huge budgets make sense: the marketplace. At the highest levels, college football and men's basketball are competing for coaches in a marketplace that includes their professional

counterparts. Those compensation packages are also the coat tails for other positions.

Media contracts over the last two decades have exploded both in terms of number and value as the interest by the American public has increased for sports in general and college sports in particular. And stadium expansions have become common - some would argue even necessary -to meet increased demand for seats.

While all of this has meant more monies for about five dozen universities in what is popularly referred to as "big time college sports," it has not translated into excess revenues after expenses in any more than a small handful of programs.

In other words, the marketplace isn't a place for every, or even most, programs in college sports. They are not going to realize sufficient return for those investments to generate excess revenues.
And this is why the fairness argument falls apart. No one ever makes the claim that Divisions II or III or even most of the Division I student-athletes should be paid. They don't make the claim for any program that is losing money. And there isn't even a hint that female student-athletes are entitled to salaries. Why not? Don't all of these student-athletes work just as hard as the few in top end of Division I football and men's basketball?

Of course they do, but everyone understands that there isn't enough money to pay all student-athletes. It only works to argue that student-athletes should be paid because everyone else is making big money if you mean the few elite athletes in one of the two sports at one of the dozen or less institutions that are "big time" enough to consistently generate more revenue than required to pay the bills.

What about all the others? Think they might have a problem with some student-athletes getting paid and they aren't? Worse is the inevitable possibility that paying football and men's basketball athletes when there are insufficient revenues to cover other costs would result in the loss of any opportunity to participate because their sports would to cut. More than likely, their reaction would be simple and to the point: It isn't fair.

So, the capitalism argument for pay for play doesn't work because higher education and intercollegiate athletics aren't truly operating in a capitalistic environment. The fairness argument doesn't work because you can't correct what on the surface appears to be an inequity for a few (less than 2 percent of all student-athletes) by creating a worse inequity for the majority. Both arguments fail to recognize the underlying principle for why athletes aren't paid in the collegiate model of sports. They are students.

That is the topic for the third and final posting next week on the pay-for-play topic.

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- RAND7044 See Profile I'm a Fan of RAND7044

Where do i begin. I know, Baloney. Most athletic departments don't make money because they carry too many club sports (golf, feild hockey, bowling, even baseball). Thats the dirty little secret that the NCAA doesn't tell people. By and large most Div I schools that carry basketball and football make money. That just have to spend that money on other sports and their coaches salaries. Any notion that these kids get the same class time is regular students is insane. Especially at the higher levels for basketball. These kids are on the road at least two nights out of any given week. Which means that there is at least another day in a half add for travel. Div II and Div III atheletes generally don't have the same expectation as D I atheletes. There games usually are more locally concentrated and most are not on scholarship, and yet their travel demands are high as well. This doesn't even factor in the amount of time practicing, and training. Are you kidding me? All atheletes should not be paid. I can't justify spending money on a sport that doesn't generate income, which pretty much includes most of them. But no one can justify not paying the atheletes in major DI schools. It is grossly unfair. Especially when you consider the fact that your coach is making well over a million a year. What a joke.

Reply Favorite Flag as abusive Posted 12:11 PM on 08/13/2008

- LeftRight See Profile I'm a Fan of LeftRight

Once again, the reason that they shouldn't be paid is that many, if not most, of the student athletes in the big sports (football and

basketball) are getting FULL RIDE SCHOLARSHIPS! This is in a time when the average cost of attending even a state school is outpacing inflation by at least 3 times! THAT is their pay! THAT is the reason that they play! They are getting a free education that others are taking out tens of thousands of dollars in loans to pay for!

Reply Favorite Flag as abusive Posted 01:56 PM on 08/12/2008
- jvarga See Profile I'm a Fan of jvarga

I have $50,000 in student loan debt that suggests that athletes given full rides are, in fact, paid.

Reply Favorite Flag as abusive Posted 10:53 AM on 08/12/2008
- Parducci See Profile I'm a Fan of Parducci

I agree. If they receive a scholarship, room and board, books, tutors, athletic training, etc.., etc., they are being paid. That's why Div I sports are no fun to watch.

Reply Favorite Flag as abusive Posted 11:59 AM on 08/12/2008

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Pay for Play is Fine -- But Not in College Sports

Posted August 20, 2008 | 08:12 PM (EST) stumble digg reddit del.ico.us news trust mixx.com

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Let's be clear.

There is nothing wrong with paying athletes to play sports. Professional sports is big business in America. The athletes, as a labor force, are rightly paid what the market will bear. That's the professional model.

But it isn't the right approach for the collegiate model of sports.

For the professional model, the bottom line is...well...the bottom line. For the collegiate model, the bottom line is education. In the professional model, the athletes are commodities who can be traded to meet market needs. In the collegiate model, the athletes are students.

For the last couple of weeks, I've written about the two reasons most people give for why student-athletes should be paid.

The first one is the capitalism argument. Big-time college sports, especially football and men's basketball, is big business. Student-athletes are a significant part of that capitalism machine and are generating the revenue. As labor, as with their professional counterpart, they have a right to share in the money they help bring in.

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It's an appealing argument, but it doesn't hold up. Neither higher education, of which college sports is only a small part, nor intercollegiate athletics is truly capitalistic. They do not generate revenue to make a profit; they generate revenue to fulfill a purpose, to meet the mission of higher education. If they were models of capitalism, many academic programs and nearly all sports other than football and men's basketball would be dropped because they are too costly and do not generate enough revenue to pay their own way.

In fact, based on that model a large number -- 30 to 40 percent in Division I -- of the football and men's basketball programs would shut down because they fail even to cover their own costs.

The second argument is that it just isn't fair. Everyone else gets paid -- some of the coaches get paid millions. Why shouldn't student-athletes?

Another appealing argument, but as flawed as the first. While it is true that student-athletes are the only amateurs in amateur college sports, the collegiate model has never been otherwise. Like every other human resource on campus, coaches, athletics directors, trainers, and all the other personnel in an athletics department are paid based on the demands of the market. We can argue, fairly in my opinion, that the market for coaches at the highest levels is artificially inflated by professional sports and may be damaging to the propriety of higher education as a whole.

But the idea that a market should be created for the employment of students to play sports because it is only fair would benefit only a few individuals in only a couple of sports on only a handful of campuses where revenues exceed expenses. Such a market would disadvantage all other student-athletes who would unquestionably be deprived of opportunities to participate so that revenues could be reallocated to compensate the lucky few.

Nothing fair about that.

These arguments, as appealing as they are around the water cooler or in the sports bar, miss the point. College sports has survived as a component of campus for a century and a half now for two reasons: 1) Those who play are students, and 2) Intercollegiate athletics shares in the driving purpose of higher education -- to educate students.

I know. That collective groan I hear rising is the chorus of cynics singing in unison, "Come on, Brand, give us a break."

To be sure, there are athletes playing college sports who have little or no intention of being a student. After 40 years in the classroom, as a philosophy professor, I can tell you that lack of sincerity isn't confined to athletes. You will find it all over campus. And, clearly, there are coaches who care much more about X's and O's than about A's and B's.

There are abuses and abusers.

But the majority of student-athletes -- including those in the sports of football and men's basketball -- would be or would want to be in college whether they are athletes or not. Some have the opportunity to be students only because of athletics, including young men and women from low-income families. The driving purpose of higher education all over campus, including athletics, is to educate. And on average, more student-athletes earn their degree than all the other students. Ten years after enrollment, 88 percent of all student-athletes earn their degrees!

It requires professionals and lots of money to carry out the higher education mission. We understand that.

But somehow, the obvious and even noble acquiring of money to finance the mission of higher education is characterized as little more than a ravenous greed for filthy lucre when it comes to financing the mission of intercollegiate athletics.

Intercollegiate athletics is not the entertainment division of the higher education business; it enhances the educational experience of student-athletes. Student-athletes are not a human resource in the great business machine of intercollegiate athletics; they are the object of intercollegiate athletics.

Professional athletes are paid because playing sports is their job. Playing sports is not the job of student-athletes.

They are amateurs at it.

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- Chbronze See Profile I'm a Fan of Chbronze permalink

I like that part about the "noble aquiring of money", maybe you you read that enough Mr. Brand you will start to believe it. As for

me, I know better.

Reply Favorite Flag as abusive Posted 11:25 PM on 08/25/2008
- Chbronze See Profile I'm a Fan of Chbronze permalink

Boy, Brand doesn't have an axe to grind. I guess athletes are like grad students, let's pay them little or nothing, use them as often as we can, and accept the benefits derived. Sounds like capitalism to me. I'm not for players getting paid, but I would like to see the statistics of injured athletes who graduate. That would tell the true educational interests of these universities.

Reply Favorite Flag as abusive Posted 11:14 PM on 08/25/2008
- dadumdee See Profile I'm a Fan of dadumdee permalink

Where are you getting the idea that making profit and providing an education are mutually exclusive? Colleges exist to do both. You could be a f-cking genius, but if you show up to class without your tuition paid, you will quickly find out the limits of that purpose of meeting the mission of higher education.

Student atheletes should at least get an hourly wage for the amount of hours put in to practices, meetings, and games. I've known atheletes that didnt have money to do their laundry. If you pay them a decent hourly wage, you could eliminate financial distractions and keep tabs of the amounts of time students are spending on sports. They also should receive a full scholarship for all four years (and don't bring up cost because colleges are all about the mission of higer education, remember)

Reply Favorite Flag as abusive Posted 04:17 PM on 08/25/2008
- barko See Profile I'm a Fan of barko permalink

Interesting editorial -- but one huge question pops out: if Brand is so concerned with college athletics NOT being part of the larger capitalist system, why does he allow EVERY other aspect of them to be run that way? Huge television contracts, memorabilia sales, stadium luxury boxes, and outrageous coach salaries are all becoming standard. Why not control those the same way you control the student athletes capitalist interest? It would be easy: regulate salaries, stadiums, and television contracts. But that will never happen, right Brand? Because -- unlike your attitude toward the actual revenue producers (the athletes) -- you have a vested interest in making sure everyone ELSE gets rich. Sad.

Reply Favorite Flag as abusive Posted 03:15 PM on 08/25/2008
- Paw1 See Profile I'm a Fan of Paw1 permalink

Let's be clear here. Schools make a fortune from intercollegiate sports. Rights fees, ticket sales, merch, bowl bonuses, you name it. This fortune is made on the backs of young men (mostly), who by and large will never see the inside of a pro stadium, other than as a spectator. Injuries, temptations and what naturally happens when thousands of athletes compete for a few dozen positions leaves the bulk of these so called student athletes out in the cold after college. And if you think a starter on a D1 team has time to learn anything after practices, games, training and travel, there a lovely bridge in Brooklyn with your name on it.

Let's cut the hypocritical nonsense and turn the collegiate sports experience into a true minor league, providing some compensation for all players, instead of the very lucky chosen few that win pro contracts. Maybe the typical athlete, under these conditions, can actually earn enough to better him or herself, instead of winding up with a useless college degree and broken dreams.

Reply Favorite Flag as abusive Posted 08:53 PM on 08/24/2008
- LiberalBuzz See Profile I'm a Fan of LiberalBuzz permalink

Obviously there needs to be reform for student athletes who get injured or of whom they are forbidden from working or risk losing their scholarships (I don't understand that reasoning at all) so that they can continue to get all they need besides books and "free" classroom with boarding included.

Food vouchers for the campus or at least some sort of program to keep them well fed and healthy is a great necessity so I don't understand any school not taking complete care of their athletes, BUT if that is the case then reform needs to be front and center.

BUT paying college students to play?

I agree completely that that is not a good idea. It could quickly get out of hand at the detriment of other students.

What next?

Some colleges becoming strictly sports oriented with TV deals, endorsement deals, and not even schooling being required?

Those athletes who forgo their education after high school to go play in either Europe or wherever are missing one very important thing...what happens if you get too injured to play?

There you are 19 years old, no education, injured AND no scholarship possibilities anymore, so what now? Flippin' burgers? Join the local gang to support yourself?

Sorry but the system has worked just fine but maybe a few kinks could be worked out, but otherwise no pay for athletes.

Reply Favorite Flag as abusive Posted 01:15 AM on 08/23/2008
- Veritas_1 See Profile I'm a Fan of Veritas_1 permalink

College athletes get a free education, free board, free food, free tutoring, celebrity status, and all kinds of other help. Those who care less about the education get what they truly desire: exposure and a chance to develop their game. If a few need some pocket change for food, why can't they take out a private student loan?

While it would be nice to give student athletes salaries, where would the slippery slope stop? Do you think high profile football or basketball stars would be satisfied with minimum wage? Would it prevent them from leaving early for a professional draft? Europe? Not likely.

Reply Favorite Flag as abusive Posted 05:30 PM on 08/22/2008
- dadw5boys See Profile I'm a Fan of dadw5boys permalink

It is a form of Simple Respect for the people who actually bring in that income for the schools !
Colleges constantly abuse the athletes privacy rights by releasing their medial records or medical information. The only reason to have a disabled list at all is so GAMBLERS can fix the odds for a game.
They put their bodies on the line and if injuried now know they could lose the scolarship the free romm and board and the college fees. Some kind of Insurance policy should be carried to pick up those fees and allow and injuried player to finish college.

Reply Favorite Flag as abusive Posted 08:18 AM on 08/24/2008
- drkazmd65 See Profile I'm a Fan of drkazmd65 permalink

Dear Dr. Brand,... as an IU Graduate (non-atheletic, Biology BS '87) I agree with you in principle. In theory, collegate atheletics is not entirely about the money.

But, when a University can manage to raise the capital to improve training facilities specifically to attract Blue-chip prospects (without regard to their actual academic ability), add luxury seats and press-boxes for the fat-cat alums and big-paying radio/TV networks, or spend hundreds of thousands of dollars / year to get a 'winning' coach,... but a player on scholarship can't have a part-time job or he/she risks losing their scholarship,... the system isn't fair.

When the big money teams (and yes,.. most don't make money) get all the capital investment, and the Univeristy Library has to scrape by to get subscriptions to journals and buy new books - what is the job of the University anyway?

I remember several years back, when Bobby Knight was coach of IU's Mens' Basketball team, he was one of the few (for all of Bobby's other personal failings) that regularly complained about games scheduled away from campus, late on weekdays, during the school year. The TV timeslots took prescidence over the needs of the scholar-athelete.

What would be wrong with giving the student-athleles a small salary, or letting them persue off-season employment?

Reply Favorite Flag as abusive Posted 02:20 PM on 08/22/2008
- Sportswoman See Profile I'm a Fan of Sportswoman permalink

shame on Huffington Post for deleting my comments about the hypocracy of brand's statements. You are no better than Fox News. I worked in the sports world; I saw poor kids on college campuses without enough pocket money for food when campus food services closed down. I see those jerseys selling for thousands in college bookstores witht hat kid's name on the back selling that jersey. Ticket prices are through the roof. Yeah, the NCAA cares about education and not money, all right. That's why there is no playoff system? Why has the Reggie Bush investigation taken two years?

Reply Favorite Flag as abusive Posted 12:33 PM on 08/22/2008
- UnknownSoldier See Profile I'm a Fan of UnknownSoldier permalink

College basketball has deteriorated over the last 20 years. Wth kid Brandon Jennings signing with a European team right out of High School, it appears that the hand writting is on the wall for College Basketball.

A star high school player can goto Europe play for 3 or 4 years get paid millions to work on his game for the NBA.

You will see slow unathletic middle class boys playing College Basketball from now on.

Reply Favorite Flag as abusive Posted 09:15 PM on 08/21/2008
- dadw5boys See Profile I'm a Fan of dadw5boys permalink

Colleges rake in millions but can not even carry disability insurance policys on the players. They can pay millions to a coach but not the let a college player finish college if they lose a scolarship because they are injuried !!!!

Reply Favorite Flag as abusive Posted 03:43 PM on 08/21/2008
- UnknownSoldier See Profile I'm a Fan of UnknownSoldier permalink

They don't even guarantee the scholarship for 4 years, the players are on year to year scholarships.

Reply Favorite Flag as abusive Posted 09:00 PM on 08/21/2008

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