A G E N D A

National Collegiate Athletic Association
Division I Legislative Council

The Westin Indianapolis Hotel
Indianapolis

October 18-19, 2010

[Note: Items in bold are anticipated action items.]

1. Opening remarks.

2. Report of the October 5, 2010, NCAA Division I Leadership Council meeting. [Supplement No. 1]

3. Report of the August 12, 2010, NCAA Division I Board of Directors meeting. [Supplement No. 2]

4. Report of the August 12, 2010, NCAA Executive Committee meeting. [Supplement No. 3]

5. Litigation update.

6. Remarks from NCAA President Emmert.

7. Report of the NCAA Division I Legislative Council Administrative Committee. [Supplement No. 4]

8. Report of the August 26, 2010, NCAA Division I Communications and Coordination Committee teleconference. [Supplement No. 5]

9. NCAA Division I Cabinet and Committee/Subcommittee reports.

   [Note: The NCAA Division I Legislative Review/Interpretations Committee, NCAA Division I Legislative Council Subcommittee for Legislative Relief, NCAA Division I Committee on Athletics Certification and NCAA Division I Committee on Student-Athlete Reinstatement report directly and only to the NCAA Division I Legislative Council. Therefore, reports from those entities will be fully reviewed. For the other entities listed

below, the Legislative Council will focus its review only on legislative action and legislative information items included in the reports.]

a. **Reports of the NCAA Division I Championships/Sports Management Cabinet (June and September meetings).** [**Supplement Nos. 6-a and 6-b**]

b. Report of the NCAA Division I Administration Cabinet (June and September meetings). [Supplement Nos. 7-a and 7-b]

c. **Reports of the NCAA Division I Academics Cabinet (June and September meetings).** [**Supplement No**s. 8-a and **8-b**]

d. Reports of the NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet (June and September meetings). [Supplement Nos. 9-a and 9-b]

e. **Reports of the NCAA Division I Amateurism Cabinet (June and September meetings).** [**Supplement Nos. 10-a and 10-b**]

f. **Reports of the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet (June and September meetings).** [Supplement Nos. 11-a and **11-b**]

g. **Report of the NCAA Division I Legislative Review and Interpretations Committee.**

   (1) Review of official interpretations. [Supplement No. 12-a]

   (2) Appeal of LRIC decision. [Supplement No. 12-b]

h. **Report of the NCAA Division I Legislative Council Subcommittee for Legislative Relief. [Supplement No. 13]**

i. Report of the NCAA Division I Committee on Athletics Certification. [Supplement No. 14]

j. Report of the NCAA Division I Student-Athlete Advisory Committee (SAAC) (April and July meetings). [Supplement Nos. 15-a and 15-b]

k. Report of the NCAA Division I Committee on Student-Athlete Reinstatement. [Supplement No. 16]

l. Report of the NCAA Division I Committee on Academic Performance (April and June meetings). [Supplement Nos. 17-a and 17-b]

m. Report of the NCAA Division I Football Championship Subdivision Governance meeting. [Supplement No. 18]

10. NCAA association-wide committee reports.

a. Report on the NCAA Committee on Women's Athletics. (May and September meetings) [Supplement Nos. 19-a and 19-b]

b. Report on the NCAA Minority Opportunities and Interests Committee (July and September Meetings). [Supplement Nos. 20-a and 20-b]

c. Report on the joint meetings of the Committee on Women's Athletics and Minority Opportunities and Interest Committee. [Supplement No. 21]

d. Report on the NCAA Committee on Sportsmanship and Ethical Conduct. [Supplement No. 22]

11. Legislative issues.

a. Status of override requests following August Board of Directors meeting.

b. **Legislation recommended as emergency or noncontroversial and modification of wording. [Supplement No. 23]**

c. NCAA Proposal No. 2009-100 – NCAA Division I Men's Basketball Committee feedback and comments. [Supplement No. 24]

d. Discussion regarding legislation scheduled for initial consideration in January. [See Supplement No. 25-a for NCAA Division I Publication of Proposed Legislation.]

(1) Points to consider related to 2010-11 proposals. [Supplement No. 25-b]

(2) 2010-11 NCAA Division I Legislative Proposals Question and Answer Document. [Supplement No. 25-c]

(3) Comments received from various constituent groups, if available. [Supplement No. 25-d]

(4) Report of the NCAA Division I Legislative Council Sand Volleyball Working Group. [Supplement No. 25-e]

[Note: This time is being reserved for all the Legislative Council members to thoroughly review, learn more and to ask questions about pending proposals. The Legislative Council can offer suggestions and modifications to proposals during this discussion. Accordingly, Legislative Council members should come to the meeting prepared to discuss the legislation by reviewing Supplement Nos. 25-b through 25-d.]

12. Board of Directors Resolution relating to legislative process discussion. (Supplement No. 26)

13. Policy and Procedures Updates.

    a. Recommendation for Establishing a Deadline for Appealing Interpretations from the NCAA Division I Legislative Review and Interpretations Committee. [Supplement No. 27-a]

    b. NCAA Division I Legislative Council Policy and Procedures. [Supplement No. 27-b]

14. What is expected at the 2011 NCAA Convention?

    a. Schedule of events. [Supplement No. 28]

    b. Meetings with NCA Division I Leadership Council, Board of Directors and NCAA Division I Student-Athlete Advisory Committee.

15. Other business.

    - Collaboration zone.

16. Future meeting dates.

    a. January 12-13, 2011, in conjunction with the NCAA Convention, San Antonio.

    b. April 11-12, 2011, Indianapolis.

17. Key discussion points summary.

18. Adjournment.

Leadership Council Attendance
October 5, 2010 Meeting

Leadership Council members in attendance:
Michael Alden, University of Missouri, Columbia, Big Twelve Conference, chair
Jeffrey Altier, Stetson University, Atlantic Sun Conference
Sandy Barbour, University of California, Berkeley, Pacific-10 Conference
McKinley Boston, Jr., New Mexico State University, Western Athletic Conference
Peg Bradley-Doppes, University of Denver, Sun Belt Conference
Barry Collier, Butler University, Horizon League (alternate)
Janet Cone, University of North Carolina, Asheville, Big South Conference
Joan Cronan, University of Tennessee, Southeastern Conference
Tom Douple, Summit League
Nick Fulton, Division I Student-Athlete Advisory Committee
Chet Gladchuk, U.S. Naval Academy, Patriot League
Robin Harris, Ivy League
Alan Hauser, Appalachian State University, Southern Conference
Jack Hayes, Hofstra University, Colonial Athletic Association
R.C. Johnson, University of Memphis, Conference USA
Cynthia K. Jones, Southern Illinois University at Carbondale, Missouri Valley Conference
Paul Kowalczyk, Colorado State University, Mountain West Conference
Susan Cross Lipnickey, Miami University, Mid-American Conference
John Marinatto, Big East Conference
Noreen Morris, Northeast Conference
Patrick Nero, America East Conference
Ed Pasque, Atlantic 10 Conference (alternate)
John Ritschdorff, Marist College, Metro Atlantic Athletic Conference
Dennis Thomas, Mid-Eastern Athletic Conference
John Watson, Pepperdine University, West Coast Conference
Bobby Williams, Sam Houston State University, Southland Conference
Mark Wilson, Tennessee Technological University, Ohio Valley Conference

Leadership Council members not in attendance:
Morgan Burke, Purdue University, Big Ten Conference
Peter Fields, Montana State University-Bozeman, Big Sky Conference
Lynn King, University of the Pacific, Big West Conference
Jonathan (Jon) LeCrone, Horizon League
Charles McClelland, Texas Southern University, Southwestern Athletic Conference
Clyde McCoy, University of Miami, Atlantic Coast Conference
Jim Miller, University of Richmond, Atlantic 10 Conference

NCAA primary staff liaisons in attendance:
S. David Berst, NCAA
Jacqueline Campbell, NCAA, recording secretary

Guests:
Time Weiser, deputy commissioner, Big 12 Conference

NCAA staff members in attendance: Scott Bearby, Erik Christianson, Angie Cretors, Mark Emmert, Bernard Franklin, Michelle Hosick, Jim Isch, Kevin Lennon, Steve Mallonee, Rachel Newman, Delise O'Meally, Stacey Osburn, Dennis Poppe, Wallace Renfro, Bob Williams and Brandon Wright, were also present during portions of the meeting.

REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I LEADERSHIP COUNCIL
OCTOBER 5, 2010, MEETING

1. ACTION ITEMS.

a. **Division I Membership Standards**. The Leadership Council reviewed Proposal No. 2010-100 and recommended that the Division I Board of Directors modify the proposal to clarify that before a Football Championship Subdivision (FCS) institution may be reclassified to the Football Bowl Subdivision (FBS), the institution must receive a bona fide invitation for membership in a FBS conference or a conference that previously has been an FBS conference and invites the institution to continue classification as FBS.

b. **GoDaddy.com**. The Council received a report from the NCAA Committee on Women's Athletics (CWA) in which the committee noted its objection to the decision to permit the previously licensed GMAC Bowl to change its title sponsor to GoDaddy.com. The CWA noted that the NCAA Application for License to Conduct Postseason Football Contest includes in its conditions of receiving a license the requirement that the licensee promote and administer a postseason football game consistent with the image, integrity and values of the NCAA. The CWA noted that the majority of GoDaddy.com advertisements contain sexually suggestive material, many of which are more suggestive than allowed on television. The CWA requests that focused efforts be made to ensure that GoDaddy.com advertisements and activities surrounding the postseason bowl game maintain the integrity and image of the NCAA and its student-athletes. The Leadership Council unanimously voted to support the CWA's position regarding GoDaddy.com as a bowl title sponsor and to request that the NCAA Executive Committee review the concerns expressed by the CWA in order to determine how best to ensure that future bowl sponsors are aligned with the image, values and integrity of the Association.

2. INFORMATION ITEMS.

a. **Update from new NCAA President**. The Leadership Council welcomed new NCAA President Mark Emmert. President Emmert reviewed with the Council his focus for the future of the Association:

- Enhance the student-athlete experience.
- Demonstrate leadership with members to keep strengthening the platform that governs national intercollegiate athletics.
- Engage the world beyond higher education to further support and sustain the collegiate model.

President Emmert engaged in a question and answer session on various topics of interest to the Council.

b. **Discussion on Agents.** The Council received information regarding the differences in the draft policies of several professional sports. Rachel Newman-Baker, NCAA director of agent, gambling and amateurism activities (AGA), shared with the Council information about the trends related to agent interference with NCAA eligibility rules that the AGA staff has collected over the past several years. The Council engaged in discussion regarding the manner by which agents enter the lives of prospective and enrolled student-athletes, and how they influence the decisions student-athletes ultimately make regarding professional career opportunities. The Council agreed that this is a complex issue related to education, regulation and enforcement, and asked that staff provide more information (e.g., numbers of student-athletes being touched by third-parties) related to agent activity for review and use in further discussion at its January 2011 meeting. It also was suggested that agents and coaches be invited to present information to the Council. It is anticipated that the Council will be expected to submit recommendations to the Board of Directors that will lead to a better process to ensure that individuals make an informed decision when considering a career in professional athletics.

c. **Report on NCAA/Major League Baseball Discussions**. The Council was updated on preliminary discussions that have taken place between several representatives of the NCAA and Major League Baseball (MLB) and the Major League Baseball Players Association (MLBPA). The Council reviewed discussions related to a College Baseball Development Initiative that would utilize funds provided by MLB and the MLBPA to: (1) Increase opportunities for student-athletes to participate in college baseball and thereby experience the educational values associated with intercollegiate athletics; (2) Develop programs to enhance the sport for participants and fans; (3) Implement initiatives to address the lack of racial diversity in the sport, and (4) Provide opportunities for student-athletes to improve their baseball skills. The Leadership Council agreed that discussions regarding the initiative should continue, but that the NCAA should be mindful of the potential implications and unintended consequences of moving forward with such an initiative. The group was advised that the item would be a continued agenda topic for the Leadership Council and that it would be consulted before any final recommendations are submitted to the Board of Directors.

d. **Legislative Items in the 2010-11 Cycle of Potential Interest to the Leadership Council.** The Council received a report regarding a number of proposals in the 2010-11 legislative cycle. The Leadership Council discussed Proposal 2010-100 and took the following actions:

- Directed the staff to convene a smaller group of Leadership Council members, along with several Division I conference commissioners, to discuss the potential ramifications and unintended consequences (e.g. impact on automatic qualification) that may result if the definition of a multi-sport conference as set forth in the proposal is adopted.

- Agreed to continue to support the elimination of all multisport classification (for sports not classified in Division I during the 2010-11 academic year), noting that the member conferences have the opportunity to set forth alternative proposals during the current sponsor modification period.

e. **Application of NCAA Bylaw 20.9.7.4-(a)**. The Leadership Council considered a request from the NCAA Division I Administration Cabinet to provide feedback related to the application of the Football Bowl Subdivision (FBS) requirement set forth in Bylaw 20.9.7.4-(a) that requires an institution to award 90 percent of the permissible maximum number of overall football grants-in-aid per year over a rolling two-year period. Specifically, the Council discussed whether the 90-percent requirement should be based on the 85 permissible maximum number of overall football grants-in-aid that generally may be awarded or based on the overall number of football grants-in-aid that an FBS institution may be limited to awarding as a result of penalties imposed by an NCAA committee (e.g., NCAA Division I Committee on Academic Performance, Committee on Infractions). The Leadership Council recommended that the Administration Cabinet apply the 90-percent requirement based on the maximum number of overall football grants-in-aid an institution is permitted to award in an academic year following any reduction imposed by a governing committee action.

f. **Capital One Cup**. The Leadership Council expressed concern about the Capital One Cup, which is a new trophy that will be awarded to the top men's and women's Division I programs based on cumulative on-field performance across selected NCAA sports. Institutions will earn points based on their teams' top-10 finishes and in final official coaches' polls in 13 men's and women's sports, including cross-country, golf and tennis for men; and volleyball, softball and rowing for women. The Council expressed concern with the tiered scoring system, which seems to imply that some NCAA sports are more important than others. In addition, the Council noted the exclusion of FCS football, which is a significant Division I championship sport. The Council suggested that there be more effective influence to ensure that NCAA corporate partners' activities are as consistent as possible with the expectations of the membership.

g. **Litigation Report.** Scott Bearby, interim NCAA general counsel, reported on the legal activity in which the Association is involved.

h. **Report of the March 23, 2010, Leadership Council meeting**. The Council approved the report of its March 23, 2010, meeting.

i. **Report from the Division I Student-Athlete Advisory Committee.** Division I Student-Athlete Advisory Committee chair Nick Fulton presented a report of the committee's recent meeting and priorities for the upcoming year.

j. **Future Meetings**.

a. January 15, 2011, San Antonio, Texas.

b. TBD -- March/April 2011, Indianapolis, Indiana.

Leadership Council chair: Michael Alden, University of Missouri
Staff Liaisons: S. David Berst, Division I governance
Jacqueline Campbell, Division I governance
Kevin Lennon, academic and membership affairs

REPORT OF THE AUGUST 12, 2010, MEETING OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I BOARD OF DIRECTORS.

1. **Report of the April 29, 2010, Board of Directors meeting. The Board approved the report of its April 29, 2010, meeting.** (Unanimous Voice Vote.) [Reference Supplement No. 1.]

2. **Report of the Division I Presidential Advisory Group**. The Board received a report from Ann Millner, chair of the Division I Presidential Advisory Group (PAG), regarding the group's August 9, 2010, conference call. The Board was informed of PAG's view regarding various Board agenda items as they were considered by the Board, including actions by the Football Championship Subdivision (FCS) members of PAG to sponsor legislation, regarding membership requirements for the FCS. [Reference BOD Supplement No. 2.]

3. **Report from the Interim President.** NCAA Interim President Jim Isch reported on the following items:

   a. **Head Coaches Academic Performance Rate (APR) Portfolio**. Isch noted the recent release of the single-year APR scores for Division I head coaches in six sports, including football and basketball. It was noted that the database was designed to create more transparency in the Academic Performance Program and strengthen the accountability of coaches for the academic performance of their student-athletes.

   b. **Agents**. Isch noted recent news stories about agents and their involvement with student-athletes and prospective student-athletes. The Board was informed that appropriate discussions concerning relationships involving student-athletes and agents have already begun in the NCAA structure. It is expected that the agent issue will be reviewed by various governance bodies, along with feedback from the membership, before the Board would be expected to act.

   c. **Values-Based Decision Making**. Wally Renfro, vice president and senior advisor to the president, described the work of the Values-Based Decision Making Group and a draft of a white paper that attempts to examine values as a balance point between self-interest and self-denial in decision making. The Board was asked to provide feedback that can be used by the Values-Based Decision Making Group as it continues this project.

   d. **Athletics Finances**. Todd Petr, NCAA managing director of research, presented the Board with revenue and expense data related to six-year trends in Division I athletics finances, with a focus on the Football Bowl Subdivision (FBS). The group discussed the trends evidenced by the data and noted some of the differences across the

subdivisions. A request was made for the research staff to incorporate non-FBS data into the FBS quartile data that was presented in order to compare similarities and differences.

4. **Knight Commission Report**. The Board heard a presentation from Brit Kirwan and Gerald Turner, co-chairs of the Knight Commission, regarding its 2010 report "Restoring the Balance" in intercollegiate athletics. The Board and the co-chairs engaged in considerable discussion about the commission's recommendations and a process to continue communication of the commission's recommendations and follow up in the NCAA governance structure.

5. **National Association of Basketball Coaches Report (NABC).** Jim Haney, executive director of the NABC, informed the Board of the NABC's views on ways to improve men's basketball APR and graduation rates, as well as challenges faced by men's basketball in this area. The Board received a copy of the NABC Communications Strategy for Coaches, which is a document that includes suggested best practices for coaches to enhance communications at the campus, conference and national level. The Board endorsed the plan and agreed to encourage Division I institutions to consider and implement some of these strategies.

6. **Legislative Issues**. The Board reviewed the following legislative recommendations:

   a. **Football Academic Working Group**. The Board reviewed the working group's recommendation that it sponsor legislation that would require football student-athletes who do not successfully complete nine semester or eight quarter credit hours or earn the fall semester or quarter APR eligibility point to be ineligible for participation in the first four games of the following football season. However, if the student-athlete has successfully completed 27 credit hours or 40 quarter hours prior to the beginning of the following fall term, he would be ineligible for only two games.

   b. **Men's Basketball Academic Enhancement Group**. The Board considered a recommendation that it sponsor legislation that would establish a summer academic preparation and college acclimatization model for designated men's basketball student-athletes.

   c. **Division I Membership Standards**. The Board considered a recommendation that it sponsor legislation to implement new Division I membership standards.

BOARD ACTION: The Board agreed to sponsor the recommended legislation in Item Nos. 6-a through 6-c above in the 2010-11 legislative cycle. (Unanimous voice vote.) [Reference BOD Supplement Nos. 5, 6 and 7.]

d. **Concussion Management.** The Board was asked to use its authority to adopt emergency legislation that would require Division I institutions to have a concussion management plan on file, as specified in the proposal.

BOARD ACTION: The Board used its authority to adopt emergency legislation as requested above. (Unanimous voice vote.) [Reference Proposal No. 2010-4.]

e. **Basketball Focus Group.** The Board was asked to use its authority to adopt emergency legislation that would specify the eligibility consequences and notice requirements for violations in the men's basketball enforcement initiative involving camp employment, camp operation and men's basketball staff involvement in the operation of nonscholastic events. It was noted that the Board adopted the concept during its October 2009 meeting; however, this action was necessary to include these provisions in the NCAA Manual.

BOARD ACTION: The Board agreed to adopt emergency legislation that would specify the eligibility consequences and notice requirements for the violations specified above. (Unanimous voice vote.) [Reference Proposal No. 2010-5.]

7. **Update on Legislative Council's Consideration of Board of Director's April Resolution.** Shane Lyons, associate commissioner at the Atlantic Coast Conference and chair of the Division I Legislative Council, reviewed a discussion document submitted in response to the Board's April Resolution requesting that the Legislative Council develop a draft of a policy statement that would provide better guidance regarding consideration of proposed NCAA legislation. The discussion document provided information to assist the Board in its understanding of the dynamics of the current legislative cycle and identified several concepts relating to the legislative process that will be discussed further by the Legislative Council during its October meeting. It was noted that the Board will receive an update from the council during the Board's October meeting.

8. **Committee on Academic Performance**. The Board received a report of the June 28-30, 2010, meeting of the Committee on Academic Performance (CAP). The Board asked that during its October meeting the CAP report on its examination of the Academic Performance Rate (APR) calculation and whether a score of 925 remains the appropriate benchmark.

9. **Litigation Update.** Elsa Cole, NCAA General Counsel, provided this report to the Board.

10. **Division I Committee on Infractions.** The Board reviewed a recommendation from the Committee on Infractions to revise NCAA Bylaw 32.7.1 to remove the prohibition that the summary disposition process shall not be used to adjudicate a case involving a repeat violator.

    BOARD ACTION: The Board approved the recommended revision to Bylaw 32.7.1. (Unanimous voice vote.) [Reference PP-2010-1.]

11. **Election of New Chair.** The Board voted to select Judy Genschaft, president of the University of South Florida, to serve as the new chair of the Board of Directors. (Unanimous voice vote.)

12. **Future meeting Dates**.

    a. October 28, 2010, The Westin Indianapolis, Indianapolis, Indiana.

    b. January 15, 2011, NCAA Convention, San Antonio, Texas.

    c. April 28, 2011, The Westin Indianapolis, Indianapolis, Indiana

    d. August 11, 2011, The Westin Indianapolis, Indianapolis, Indiana

    e. October 27, 2011, The Westin Indianapolis, Indianapolis, Indiana

Board of Directors chair: Edward Ray, Oregon State University, acting chair for this meeting
Staff Liaisons: S. David Berst, Division I governance
Jacqueline Campbell, Division I governance

NCAA DIVISION I BOARD OF DIRECTORS
AUGUST 12, 2010, MEETING ATTENDANCE

Board members in attendance:
Stanley Albrecht, Utah State University, Western Athletic Conference
Guy Bailey, Texas Tech University, Big 12 Conference
Charles Bantz, Indiana University-Purdue University of Indianapolis, Summit League
William Beauchamp, University of Portland, West Coast Conference
Greg Dell'Omo, Robert Morris University, Northeast Conference
Nathan Hatch, Wake Forest University, Atlantic Coast Conference
Sidney McPhee, Middle Tennessee State University, Sun Belt Conference
William Meehan, Jacksonville State University, Ohio Valley Conference
Ann Millner, Weber State University, Big Sky Conference
John Peters, Northern Illinois University, Mid-American Conference
Edward Ray, Oregon State University, Pacific-10 Conference, acting chair
David Schmidly, University of New Mexico, Mountain West Conference
Lou Anna Simon, Michigan State University, Big Ten Conference
Lee Todd, University of Kentucky, Southeastern Conference
Steadman Upham, University of Tulsa, Conference USA

Board members not in attendance:
Judy Genshaft, University of South Florida, Big East Conference
William R. Harvey, Hampton University, Mid-Eastern Athletic Conference
Kevin Mullen, Siena College, Metro Atlantic Athletic Conference

NCAA staff Liaisons in attendance:
S. David Berst, NCAA
Jacqueline Campbell, NCAA, recording secretary

Guests from other Division I governance bodies:
Shane Lyons, Atlantic Coast Conference, chair of the Division I Legislative Council

Other Guests:
Jim Haney, National Association of Basketball Coaches
Brit Kirwan, Knight Commission
Amy Perko, Knight Commission
Gerald Turner, Knight Commission

Other NCAA staff members in attendance: Erik Christianson, Elsa Cole, Joni Comstock, Mark Emmert, Bernard Franklin, Lynn Holzman, Michelle Hosick, Jim Isch, Kevin Lennon, Steve Mallonee, Keith Martin, Delise O'Meally, Tom Paskus, Todd Petr, Bill Regan, Wallace Renfro, Greg Shaheen, Robert Vowels, Wendy Walters, Charlotte Westerhaus, Bob Williams and Brandon Wright.

The National Collegiate Athletic Association
August13, 2010 SDB/JGC:vlm

MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

EXECUTIVE COMMITTEE

Westin Indianapolis
Indianapolis, Indiana

August 12, 2010

Participants:

Charles Bantz, Indiana Univ.-Purdue Univ. at Indianapolis
Drew Bogner, Molloy College
Kathleen Brasfield, Angelo State University
James Bultman, Hope College
Mark Emmert, NCAA president-elect
James Harris, Widener University
Nathan Hatch, Wake Forest University
Sidney McPhee, Middle Tennessee State University
Ann Millner, Weber State University
Lynn Oberbillig, Smith College
John Peters, Northern Illinois University
Beverley Pitts, University of Indianapolis
Edward Ray, Oregon State University, chair
David Schmidly, University of New Mexico
Lou Anna Simon, Michigan State University
Lee Todd, University of Kentucky
Bernard Franklin, NCAA
Jim Isch, NCAA
Delise O'Meally, NCAA, recording secretary

Judy Genshaft, University of South Florida; William Harvey, Hampton University; and Kevin Mullen, Siena College, were not able to participate.

Also in attendance were: Gary Brown, director of NCAA News; Elsa Cole, vice president of legal affairs/general counsel; Joni Comstock, senior vice president of championships/senior woman administrator; Dennis Cryder, senior vice president of branding and communications; Tom Jernstedt, executive vice president; Kevin Lennon, vice president of academic and membership affairs; Keith Martin, interim vice president of administration/chief financial officer; Wallace Renfro, vice president and senior advisor to the NCAA president; Greg Shaheen, senior vice president of basketball and business strategies; Robert Vowels, vice president of educational affairs; Wendy Walters, director of academic and membership affairs; Charlotte Westerhaus, vice president of diversity and inclusion; Bob Williams, managing director of public and media relations; David Berst, Daniel Dutcher and Mike Racy, NCAA governance vice presidents; and Jackie Campbell, Leah Kareti and Terri Steeb, NCAA governance directors.

[Note: These minutes contain only actions taken (formal votes or stated "sense of the meeting") in accordance with NCAA policy regarding minutes of all Association entities. While certain items on the Committee's agenda were acted on at various times throughout the meeting, all final actions within a given topic are combined in these minutes for convenience of reference.]

The meeting was called to order at 2 p.m. by the chair, President Ray. All members were present as noted above.

1. Welcome and announcements. Ray welcomed Sidney McPhee, president of Middle Tennessee State University; Nathan Hatch, president of Wake Forest University; David Schmidly, president of the University of New Mexico; Lou Anna Simon, president of Michigan State University; and Lee Todd, president of the University of Kentucky. He also thanked Beverley Pitts, who was attending her last Executive Committee meeting.

2. Approval of April 29, 2010, meeting minutes.

   It was VOTED

   "To approve the Executive Committee minutes of the April 29, 2010, meeting as distributed."

3. NCAA President-elect report. President Ray convened an executive session during which President-elect Mark Emmert discussed personnel matters, organizational structure and other national office business.

4. NCAA Interim President report. Interim President Jim Isch updated the Committee on a climate survey recently conducted at the NCAA national office by Oliver Wyman, a management consulting firm. The Committee received an overview of various elements and key takeaways of the report. It asked to be kept informed of any actions taken to address areas of concern.

5. NCAA Executive Committee Finance Committee report.

   a. Third quarter FY 2009-10 budget to actual. The Finance Committee reviewed the third quarter budget-to-actual report and noted that the Association is on track to meet its budget projections. The Association has received 100 percent of its rights fees payment from CBS Sports in the third quarter.

(1) Revenue. Revenues received year-to-date represent 99 percent of the budget, and it is expected that revenues will exceed the budget in the fourth quarter.

(2) Expenses. Part of the Division I revenue distribution occurred in the third quarter, and the remaining amounts will be distributed in the fourth quarter. Total Association's expenses are 51 percent of the total budget for the third quarter and are in line with the prior year.

(3) Quasi-endowment. The Finance Committee noted that quasi-endowment policies would be reviewed at its end-of-the-year meeting. It will review the purpose and targeted amounts of the quasi endowment and offer a recommendation at the January 2011 Executive Committee meeting.

6. Report from Executive Committee working group on membership issues.

The Committee received a report from the working group on membership issues. The working group was charged with reviewing membership growth from an Association-wide perspective. It discussed a variety of membership topics including reclassification trends, as well as the overall higher education landscape and trends among two-year colleges and for profit institutions.

The working group also discussed current membership categories and recommends that the NCAA Executive Committee direct the divisional governance structure to consider legislative action to:

a. Eliminate the "corresponding membership" category;

b. Redefine the requirements for the "affiliated membership" category to restrict it to coaches and sports associations for sports sponsored by the NCAA and to associations comprised of college/university administrators;

c. Increase the annual fee (currently $225) for the "affiliated membership" category to an amount that more appropriately reflects the benefits and privileges of membership (e.g., use of the Association's registered marks); and

d. Create a formal approval process, including a tiered-fee structure, based on the use of the Association's registered marks.

The working group noted that affiliated membership is available to duly elected nonprofit groups or associations whose function and purpose are directly related to one or more sports in which the Association conducts championships or identifies as an emerging sport. Affiliated members have several benefits and privileges, including the opportunity to be represented by one nonvoting delegate at the NCAA Convention and use of registered NCAA marks in accordance with specific guidelines. Corresponding membership is available to duly elected institutions, conferences and nonprofit organizations that are not eligible for active, provisional, conference or affiliated membership. Corresponding members receive all publications and mailings available to the general membership of the Association but do not have the opportunity to use the Association's marks.

This recommendation will streamline the membership categories and more clearly outline appropriate parameters for use of the Association's marks. Further, publications and general mailings are publicly available through the NCAA website, so the elimination of the corresponding membership category has no impact on the ability to remain informed of the Association's activities. Current affiliated and corresponding members will be notified of their options prior to the implementation of these changes.

It was VOTED

"To approve the recommendations of the Executive Committee working group on membership with regard to affiliated and corresponding NCAA membership."

7. Litigation update. The Committee received a report from the NCAA general counsel regarding litigation and settlement actions.

8. NCAA drug-testing plan. The Committee received a report from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS) regarding drug-testing protocol. In April 2009, the Committee charged CSMAS with reviewing the NCAA drug-testing program to recommend any changes in the plan that could result in increasing drug-use deterrence without increasing drug-testing costs. CSMAS advanced a recommendation for a drug-testing plan that allows for flexibility in testing both in championships and in year-round testing. That flexibility will involve more weighted/targeted testing both by sports and substances and will include a progression toward no-notice notification.

It was VOTED

"To approve the recommended drug-testing plan with an effective date of September 1, 2010.

9. Report from NCAA Committee on Sportsmanship and Ethical Conduct. The Committee received a report from the NCAA Committee on Sportsmanship and Ethical Conduct (CSEC) regarding issues surrounding the impact of violence on student-athletes. The Committee supported further examination of this issue by CSEC in conjunction with the CSMAS, the Committee on Women's Athletics (CWA) and the three divisional student-athlete advisory committees. This joint task force will be charged with:

   a. Conducting research to determine the extent/scope of violent behavior involving student-athletes;

   b. Determining the NCAA's role in addressing this issue; and

   c. Reviewing best practices in related areas and explore educational opportunities around the issue.

10. NCAA Division I Board of Directors and Divisions II and III Presidents Councils reports.

   a. Division I Board of Directors. The Committee received an update on the actions of the Division I Board of Directors that included the following:

      (1) Concussion management plan. Adopted emergency legislation that requires Division I institutions to have a concussion management plan on file, as specified in the proposal.

      (2) Football Academic Working Group. Agreed to sponsor legislation to implement a fall term academic requirement for future competition in the sport of football.

      (3) Knight Commission. Received a report from Gerald Turner and Brit Kirwan, cochairs of the Knight Commission. The Board and the cochairs engaged in considerable discussion about the commission's recommendations and the process to continue communication and follow-up within the NCAA governance structure.

      (4) Men's Basketball Academic Enhancement Group. Agreed to sponsor legislation to establish a summer retention-focused program to support academic, athletics and learning skills development for men's basketball student-athletes.

      (5) Division I membership standards. Agreed to sponsor legislation recommended by the Division I Leadership Council that would implement new Division I membership standards.

(6) Chair appointment. Selected Judy Genshaft, president at the University of South Florida, as its new chair.

b. Division II Presidents Council. The Committee received an update on the actions of the Division II Presidents Council that included the following:

(1) NCAA Constitution 3.2.4 (NCAA membership—active membership—conditions and obligations of membership—concussion management plan). Voted to exercise its presidential authority to enact emergency legislation that will require, as a condition and obligation of NCAA Division II membership, an institution to have a concussion management plan on file, as specified. This legislation is effective August 16, 2010.

(2) Life in the Balance—Phase II. Voted to sponsor three pieces of legislation, which focus on managing time demands of student-athletes, for the 2011 NCAA Convention. These three recommendations include:

(a) Moving the start date for practice and competition in the nonchampionship segment for spring sports to September 7 or the fourth day of classes, whichever is earlier.

(b) Moving the start date for conditioning activities and preseason practice in winter sports to September 7 or the fourth day of classes, whichever is earlier.

(c) Permitting student-athletes in winter and spring sports to participate in a maximum of two hours of full team activities per week from the beginning of the institution's academic year in the fall term through the day before the first permissible practice date. In fall championship sports, it would permit a student-athlete's participation in a maximum of two hours of full-team activities per week from the first day of classes in the winter or spring term through February 15. Finally, in sports other than football, it would specify that outside of the playing season after the Division II championship to one week before the start of the institution's exam period, a student-athlete could participate in no more than two hours per week of skill instruction as part of the permissible eight hours of countable athletically related activities.

(3) Enhancement fund revisions. Endorsed the decision of the Division II Planning and Finance Committee, which voted to approve a change in the enhancement fund allocation, effective May 2012. The new allocation

will provide 75 percent to conference offices based on sports sponsorship and 25 percent via an equal distribution to Division II active member institutions. The new distribution model eliminates the performance in the men's and women's basketball championship as a part of the distribution. The Division II Planning and Finance Committee will implement a transition fund to offset any losses to the conferences in the first year. It agreed that the Division II strategic positioning platform must influence all future program and budget decisions for the division. The committee believed a distribution formula based in part on success in only two national championships (men's and women's basketball) was inconsistent with the division's comprehensive platform.

(4) Division II Chancellors and Presidents Summit. The third Division II Chancellors and Presidents Summit was conducted in Indianapolis June 18-19. The Division II chancellors and presidents in attendance for the business session Saturday discussed various Division II initiatives and topics, which included sessions on Life in the Balance—Phase II; Division II strategic membership growth; academics and life skills; and athletics department enhancement tools. The two-day summit began with a Presidents Council meeting Friday morning, followed by conference meetings and an evening reception. The business session portion of the summit was held during the day Saturday and was followed by a social function in the NCAA Hall of Champions, which had been redesigned to highlight the Division II academics and athletics experience.

c. Division III Presidents Council. The Committee received an update on the actions of the Division III Presidents Council. These included:

(1) Identity initiative. Received an update on new resources to be made available to the Division III membership to assist in local activation of the Division III strategic positioning platform. This presidentially led initiative serves to reinforce the values of Division III beyond its position on not awarding athletics aid. The upcoming release of activation tool kits and promotional materials for institutions and conferences, as well as the new website to explain Division III to the general public, marks a significant milestone for the division.

(2) Transgendered student-athletes. Referred to CSMAS and CWA a charge to raise awareness of the issues associated with, and resources available to protect, transgendered student-athlete well-being, and to establish a timeline for the NCAA to develop a formal policy on transgendered student-athlete eligibility. The Council determined that the number of transgender students interested in athletics participation is likely to continue to rise,

and the Association should offer its members more assistance and direction regarding how to best manage any associated eligibility and well-being issues.

(3) Presidential leadership. The Presidential Advisory group discussed and the Presidents Council sponsored a series of proposals designed to further empower Division III presidents at the strategic level, while further empowering the Management Council at the operational level. The Council is sponsoring a proposal to allow the Management Council to serve as a sponsor for operational legislation, subject to ratification by the Presidents Council. This will allow the Presidents Council to focus more on strategic considerations as it shifts away from detailed operational issues.

The Presidents Council also is supporting the addition of vice presidents or other senior administrators to whom athletics reports to the Management Council, thus formally bringing to the table a perspective that manages athletics on 80 percent of Division III campuses.

The Presidents Council will engage immediately in a significant communication effort to clarify expectations of presidential leadership at the conference level and offer best practices for models of such leadership.

(4) Drug education and testing. In response to its 2007-09 pilot study, the advisory group and Presidents Council considered the options available to the division for drug education and testing. Division III currently does not engage in year-round drug testing. The division is considering the most appropriate drug-education and -testing program based on the pilot results and other studies. It noted the issue relates to student-athlete well-being, institutional autonomy, competitive equity and available financial resources. The advisory group and Council considered four options. While the presidential groups favor a model to provide funding for optional, localized drug testing in conjunction with an enhanced educational model, several broader options will be presented at the 2011 Convention for full membership discussion. These options include:

(a) Retention in its current form of championships testing for performance enhancing drugs and illegal street drugs. This option was supported by the presidential bodies.

(b) Enhanced educational programming. This option emerged as the most favored of the four. It should be inclusive of performance-enhancing substances, street drugs and, perhaps most importantly, alcohol. The division should seek to partner with student affairs professionals in the development of educational content and best practices.

(c) Academic year-round drug testing (performance enhancing and/or street). This option was not favored by the Council based on a lack of compelling evidence that there is a student-athlete specific substance problem. The findings related to performance-enhancing substances were not compelling to move beyond the existing championships testing program, and the street drug issues seem to be consistent with patterns found in the general student body. The Council will continue to monitor student-athlete drug use to assess future need for a year round testing program.

(d) Optional funding for campus based education and/or testing. This option was supported as a way to assist institutions in tailoring the deterrence program most appropriate for the institution.

11. NCAA Executive Committee Subcommittee on Gender and Diversity Issues. The Committee received a written report of the work of the Executive Committee Subcommittee on Gender and Diversity Issues.

12. Future meetings. The Committee reviewed its future meetings schedule.

13. Adjournment. Ray adjourned the meeting at 4:30 p.m.

# # # # #

REPORT OF THE NCAA DIVISION I LEGISLATIVE COUNCIL ADMINISTRATIVE COMMITTEE JUNE 9, 2010, TELECONFERENCE

***ACTION ITEMS*.**

- None.

***INFORMATIONAL ITEMS*.**

1. **Review and Approval of NCAA Compliance Forms.** The NCAA Division I Legislative Council Administrative Committee reviewed and approved the 2010-11 compliance forms. The forms will be posted to the NCAA Web site by July 1.

2. **Proposals Sponsored for the 2010-11 Legislative Cycle.** Based on the recommendation of the NCAA Committee on Women's Athletics, the Administrative Committee sponsored the following proposals for the 2010-11 legislative cycle.

   a. **NCAA Bylaw 20.02.5 Division Membership – Definitions and Applications – Emerging Sports for Women – Squash.**

      (1) Intent. To remove squash as an emerging sport for women and to eliminate other specified legislation associated with this sport (e.g., playing and practice season regulations, sports-sponsorship minimum contest and participant requirements).

      (2) Effective Date. August 1, 2011.

      (3) Rationale. The emerging sports for women program began in 1994 as a result of recommendations from the NCAA Gender-Equity Task Force. NCAA regulations require that emerging sports for women gain championship status (minimum of 40 varsity-sponsored NCAA programs) within 10 years or show steady progress toward that goal to remain on the emerging sports for women list. Nine sports were on the original list, including squash. In the past 14 years, four of those sports became championship sports (rowing, women's ice hockey, women's water polo and bowling). In 2009, four sports were removed from the list due to not being able to demonstrate steady progress (archery, badminton, synchronized swimming and team handball). In 2009, the number of institutions sponsoring squash as a varsity program was 28 and this number has been constant since 2007. The committee has reached out to the sport contacts on several occasions since 2007 to offer feedback on the sport's 2008 action plan and requested additional information evidencing that there has been

any progress made toward the goal of 40 varsity programs. Squash has not been able to meet this requirement. If squash is removed from the list, institutions may still sponsor the sport as varsity and include it in their gender-equity efforts. Any sport can pursue renewal to emerging sport status by following committee procedures, including submission of a proposal and 15 letters of institutional commitment.

(4) Estimated Budget Impact. 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.

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

b. NCAA Constitution 3.2.4.5.2 Membership – Conditions and Obligations of Membership – Application of Rules to All Recognized Varsity Sports – Emerging Sports Timetable

(1) Intent. To amend NCAA Constitution 3.2.4.5.2 to remove the "phase-in" period for application of NCAA legislation and require that all NCAA legislation be applied at the time of the effective date the sport appears on the emerging sports for women list.

(2) Effective Date. August 1, 2011.

(3) Rationale. Current NCAA legislation allows for a three-year phase-in period for application of specified NCAA legislation from the date a sport is added to the emerging sports for women list. In recent years, the delay in application of NCAA legislation has resulted in confusion in areas such as amateurism, recruiting and financial aid among institutions contemplating adding the sport once it is established on the list. Eliminating the phase-in period for applying legislation to emerging sports for women supports competitive equity among institutions that sponsor the sport and will require that all legislation apply on the effective date the sport is recognized on the emerging sports list. Eliminating the phase-in period will also require NCAA legislation (e.g., coaching limitations, financial aid) be in place by the effective date of the sport's addition to the emerging sports list. However, this approach will provide greater transparency and information with regard to budgets and resource allocation. As sports are recommended to be added to the emerging sports for women list, the committee will take into account (with input from the sport's sponsors) how much time may be necessary to develop

the applicable legislation and will give careful consideration to the appropriate effective date the sport would be recognized on the emerging sports for women list.

(4) Estimated Budget Impact. None.

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

3. NCAA Proposal No. M-2010-7 Administrative Regulations – Recruiting Calendars – Dead or Quiet Periods for Other Sports – Women's Gymnastics – National Collegiate Championships. The Administrative Committee reviewed and approved NCAA Proposal No. M-2010-7, that in women's gymnastics, clarifies that the dead period surrounding the National Collegiate Women's Gymnastics Championships shall be the day before the first day of the championships to noon on the day after the championships, effective immediately.

4. Legislative Proposals Related to Sand Volleyball from the 2009-10 Legislative Cycle. The Administrative Committee entered Proposal No. 2009-19-A, Proposal No. 2009-19-B, Proposal No. 2009-32-B, Proposal No. 2009-39, Proposal No. 2009-70 and Proposal No. 2009-83 into the 2010-11 legislative cycle. The proposals were originally tabled by the NCAA Division I Legislative Council at its April 2010 meeting in order to allow for more in-depth discussion, review and education of the concepts related to sand volleyball. The proposals will go through the normal legislative cycle, which will allow for membership feedback and consideration of any possible modifications and alternative proposals. It is anticipated that the proposals will be voted on in January 2011.

Committee Chair: *Shane Lyons, Atlantic Coast Conference*
Staff Liaisons: *Lynn Holzman, Academic and Membership Affairs*
Steve Mallonee, Academic and Membership Affairs
Binh Nguyen, Academic and Membership Affairs
Leeland Zeller, Academic and Membership Affairs

REPORT OF
THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I COMMUNICATIONS AND COORDINATION COMMITTEE
AUGUST 26, 2010, CONFERENCE CALL

Participants: August 26, 2010

Sarah Bobert, Marquette University – (Awards, Benefits, Expenses and Financial Aid Cabinet)
Carolyn Callahan, University of Virginia – (Academic Cabinet)
Nick Fulton, Big Ten Conference, (Division I Student-Advisory Committee)
Rob Halvaks, Big West Conference – (Administration Cabinet)
Petrina Long, University of California, Los Angeles – (Recruiting and Athletics Personnel Issues Cabinet)
Shane Lyons, Atlantic Coast Conference – (Legislative Council)
Jane Miller, University of Virginia – (Championships/Sports Management Cabinet- vice chair)
Jacqueline Campbell, NCAA – recording secretary

Mike Rogers, Baylor University – (Amateurism Cabinet) and Judy Rose, University of North Carolina, Charlotte -- (Championships/Sports Management Cabinet) were unable to participate on the call.

NCAA staff: David Berst, Angela Cretors, Jennifer Daniels, Diane Dickman, Lynn Holzman, Steve Mallonee, Binh Nguyen, Kris Richardson, Maricela Shukie, Alex Smith, Jennifer Strawley, Sharon Tufano and Brandon Wright also participated on the call.

The conference call was called to order at 3:04 p.m. by Jacqueline Campbell. All were present as noted above.

1. **Comments Regarding Cabinets' Key Items.** The cabinet chairs briefly shared the following June meeting highlights:

   a. Academic Cabinet. The cabinet met jointly with the Division I Committee on Academic Performance and continued its discussion of initial-eligibility and two-year college transfer requirements. The cabinet also discussed non-traditional coursework and agreed to sponsor two proposals that would simplify the legislation regarding the use of nontraditional coursework to meet full-time enrollment and progress-toward-degree requirements. In September, the cabinet plans to continue its discussion and evaluation of enhanced eligibility models.

   b. Administration Cabinet. During its June meeting, the cabinet agreed to sponsor Proposal No. 2010-11, which would remove the requirement that override votes take place at the annual NCAA Convention. The cabinet also conducted its annual review

of institutions in the Division I provisional/reclassification process, advancing two institutions to active membership and several others to the next year of the process. The cabinet reviewed regional alignments of 10-member/eight-region sport committees and recommended that the Championships/Sports Management Cabinet consider sponsoring legislation that would reduce the number of regions for these committees, which would offer broader representation opportunities. During the September meeting, the cabinet will consider several committee appointments and discuss its role in the new reclassification process included should Proposal No. 2010-100 be adopted to implement new Division I membership standards.

c. Amateurism Cabinet. The cabinet agreed to sponsor legislation in the 2010-11 legislative cycle that would modify the current regulations related to the use of a student-athlete's name, picture or likeness in promotional activities. The cabinet also agreed to sponsor non-controversial legislation to allow student-athletes prior to collegiate enrollment to receive performance-based awards while participating on outside amateur teams, provided the value of the awards do not exceed actual and necessary expenses. The cabinet began a discussion regarding agents and advisors, and their relationships with prospective and current student-athletes, as well as the pre- and post-draft structures in various sports. During its September meeting, the cabinet plans to continue its discussion of agents/advisors, as well as embarking on the topic of earmarked funds received by prospective student-athletes through fundraising activities.

d. Awards, Benefits, Expenses and Financial Aid Cabinet. The cabinet agreed to sponsor ten proposals in the 2010-11 legislative cycle that would provide student-athletes with an opportunity to receive additional sources of financial aid without impacting team limits. The cabinet also reaffirmed its support for the current regulation that requires financial aid awarded based on athletics ability not to exceed a one-year period. Looking forward to the September meeting, the cabinet will review departure/return expense legislation, participation awards limitations and Bylaw 16 waivers.

e. Championships/Sports Management Cabinet. During its June meeting, the cabinet continued its Bylaws 17 and 31 review and the impact of possible cost-containment measures. The cabinet agreed to sponsor two proposals that would prohibit missed class time for competition during the non-championship segment for certain sports and lodging in conjunction with home competition for the Football Championship Subdivision (FCS). In September, the cabinet will review legislative proposals for which its feedback has been requested, as well as conduct its regular review of recommendations from the various sports committees.

f. Recruiting/Athletics Personnel Cabinet. The cabinet reviewed feedback from the membership regarding the various proposed recruiting models. The cabinet agreed to

sponsor proposals in the 2010-11 legislative cycle that would: 1) prohibit official visits for prospective student-athletes that have signed a National Letter of Intent; 2) limit the number of noncoaching staff members in the sports of men's and women's basketball and football, and 3) prohibit a verbal offer of athletics financial aid prior to July 1 following the prospect's junior year in high school, with an additional requirement that the institution must receive a five-semester transcript prior to making the verbal offer. In September, the cabinet will continue its discussion of the various recruiting models, review legislative proposals for which its feedback has been requested and explore the development of recruiting calendars for all sports.

2. Brief Updates from Board of Directors and Legislative/Leadership Councils.

a. Board of Directors. The Board of Directors met twice since this committee's last call. The April meeting immediately followed the signing of the new media contract as well as the hiring of the new NCAA president. The Board approved expansion of the NCAA Division I Men's Basketball Championship field from 65 to 68 teams. In August, the Board agreed to sponsor legislation that would: 1) establish a fall academic term requirement for competition for football student-athletes; 2) establish a summer academic preparation and college acclimatization model for designated men's basketball student-athletes; and 3) implement new Division I membership requirements. The Board also adopted emergency legislation requiring Division I institutions to maintain a concussion management plan. Lastly, the Board selected Judy Genshaft, president of the University of South Florida, as its new chair.

b. Leadership Council. During its April meeting, the Leadership Council finalized its recommendation for new Division I membership standards and recommended that the Board of Directors sponsor legislation to implement those standards. In October, the Council will spend considerable time discussing agents and their relationships with student-athletes, as well as a possible collaboration between the NCAA and Major League Baseball. The Council also will discuss a referral from the Administration Cabinet regarding the application of a Football Bowl Subdivision requirement that requires institutions to award at least 90 percent of the maximum permissible overall financial aid grants over a rolling two-year period.

c. Legislative Council. During its April meeting, the Council reviewed Proposal Nos. 2009-22 and 2009-51-B, which both received the requisite number of override vote requests. The Council modified its previous action and delayed the effective date of Proposal No. 2009-22 and revised Proposal No. 2009-51-B to apply only to the sport of basketball. The Council modifications were accepted by the membership and, therefore, there will be no Division I business session at the 2011 NCAA Convention for the purpose of voting on Division I legislation. During its October meeting, the

Council will review approximately 100 legislative proposals and will consider the Board of Directors' April Resolution that the Council develop a policy statement that would provide better guidance regarding consideration of proposed NCAA legislation.

3. **Student-Athlete Advisory Committee Update.** The chair of the Division I Student-Athlete Advisory Committee (SAAC) updated the committee regarding the Division I SAAC's work over the past several months. The Division I SAAC has spent considerable time discussing commercialism and the use of a student-athlete's name, picture or likeness in promotional activities. In November, the committee will conduct its annual review of proposed legislation and determine those proposals for which it would like to establish and communicate a position.

4. **Update on the Division I Governance Collaboration Zone.** The committee received a brief demonstration of the Division I Governance Collaboration Zone. The committee was asked for feedback regarding use of the collaboration zone and what features would assist cabinet/council members in their governance work.

5. **2011 NCAA Convention.** The committee was informed that there will be no Division I business session at the 2011 Convention. The staff requested feedback on ways to increase the division's attendance at the Convention.

6. **Proposed Future Call Dates.** The staff noted that the next expected call date would be in early to mid-November following the fall governance meetings. The committee will be sent a calendar in September to indicate availability for the November call.

7. **Adjournment.** The call was adjourned at 4:03 p.m.

REVISED
REPORT OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I CHAMPIONSHIPS/SPORTS MANAGEMENT CABINET

The Westin Indianapolis
Indianapolis, Indiana
June 15-16, 2010

REPORT OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I CHAMPIONSHIPS/SPORTS MANAGEMENT CABINET

The Westin Indianapolis
Indianapolis, Indiana

June 15-16, 2010

Participants:

David Blank, Elon University
Sherri Booker, Atlantic Sun Conference
Carrie Coll, Mountain West Conference
Joan Cronan, University of Tennessee, Knoxville
Raynoid Dedeaux, Mid-Eastern Athletic Conference
Susan Delaney-Scheetz, Pennsylvania State University
Connie Dillon, University of Oklahoma
Jim Fallis, Northern Arizona University
Jim Fiore, Stony Brook University
Tom Hickman, Winthrop University
Robert S. Krimmel, Saint Francis University (Pennsylvania)
Myndee Larsen, The Summit League
Patrick Lyons, Iona College
Erin McDermott, Princeton University
Jane Miller, University of Virginia
Marilyn Moniz-Kaho'ohanohano, University of Hawaii, Manoa
Daniel Neault, student-athlete from the University of the Pacific
Bruce Rasmussen, Creighton University
Nance Reed, Towson University
Judy Rose, University of North Carolina, Charlotte
Jim Schmidt, University of Illinois, Chicago
Rosemary A. Shea, College of Holy Cross
Paula Smith, University of California, Irvine
Mike Thomas, University of Cincinnati
Keith Tribble, University of Central Florida
Rick Villarreal, University of North Texas
Bradley K. Walker, Ohio Valley Conference
Larry Williams, University of Portland
Steve Brown, NCAA
Joni Comstock, NCAA
Brad Hostetter, NCAA
Carol Reep, NCAA
Dave Schnase, NCAA

Greg Burke, director of athletics at Northwestern State University; Dr. Kenneth Casavant, professor at Washington State University; and Dr. Jon Steinbrecher, commissioner of the Mid-American Conference were not able to attend the June cabinet meeting.

Tommy McClelland, director of athletics at McNeese State University, attended as the alternate for Greg Burke, representing the Southland Conference. Chris Dawson, associate commissioner at the Pacific-10 Conference, attended as the alternate for Dr. Kenneth Casavant. Warde Manuel, director of athletics at the University at Buffalo, the State University of New York, attended as the alternate for Dr. Jon Steinbrecher and will be the permanent representative for the Mid-American Conference effective July 1.

The Southwestern Athletic Conference has not named a replacement for Esha Hand who resigned earlier this year.

REPORT OF THE
NCAA DIVISION I CHAMPIONSHIPS/SPORTS MANAGEMENT CABINET
JUNE 15-16, 2010, MEETING

***KEY ITEMS*.**

1. **Championships/Sports Management Cabinet Review of NCAA Division I Bylaws 17 and 31.** The NCAA Division I Championships/Sports Management Cabinet continued its discussion of possible cost-reduction recommendations related to the administration of championships and playing and practice seasons. The cabinet was informed that the NCAA Division I Leadership Council recommended a more global approach when attempting to address spending in intercollegiate athletics and that the Values Based Decision Making Group will develop a set of guiding principles to guide a review of spending and costs. As a result, the cabinet deferred action on a majority of the recommendations in front of it this meeting and agreed to consider its work to date in light of the principles to be established by the Values Based Decision Making Group. The cabinet did agree to sponsor two proposals that would alleviate financial burdens on institutions. The cabinet agreed that these two proposals should be sponsored independent of the guiding principles being developed.

2. **Track and Field – Championship Format.** The cabinet discussed and provided feedback on a proposal submitted by the NCAA Division I Men's and Women's Track and Field Committee to replace the existing preliminary-round qualifying system with a single-site national championship with a fixed field size of 32 in individual events and 24 in relay events. The proposal was submitted in response to the cabinet's charge to develop a format to mitigate cost, provide appropriate access, and allow some deference to obvious qualifiers. While the cabinet expressed appreciation for the Men's and Women's Track and Field Committee's work and its attempt to respond to the cabinet's charge, the cabinet requested that the Men's and Women's Track and Field Committee conduct additional analysis and provide a supplemental report to the cabinet for its September 2010 in-person meeting. Specifically, the Men's and Women's Track and Field Committee was asked to:

    a. Evaluate the impact of selecting the next best eight conference champions among conferences that are not already represented in the field rather than simply the next best eight conference champions;

b. In the absence of regional/preliminary competition, address anticipated implications for regular-season scheduling, specifically related to chasing marks and consideration of final qualifying meets;

c. Provide a report of the general successes, challenges, and opportunities for improvement related to the 2010 championships format which, for the first time, included a two-site preliminary round;

d. Provide a report that addresses the participation opportunity that exists in the current two-site preliminary round format. Specifically, the analysis should detail the progress of participants in the rounds of the championships by identifying original positions on the descending order list, subsequent performances at the 2010 two-site preliminary rounds, and final places at the national championships site;

e. Develop a schedule for a single-site national championship; and

f. Further engage the membership in a discussion on the topic to allow for interested parties to provide the Men's and Women's Track and Field Committee with feedback.

Finally, the cabinet discussed the Men's and Women's Track and Field Committee's response to the model proposed by the FCS/Division I Conference Commissioners Association. The cabinet encouraged the Men's and Women's Track and Field Committee to further examine the model in light of the information it develops in response to the above six requests.

3. Women's Soccer – Championships Format. The cabinet agreed to change the current 2-1-1-2 format of the Division I Women's Soccer Championship to a 1-1-2-2 format beginning in 2011. The new format will contribute to the continued growth of women's soccer and enhance the student-athlete experience by allowing many more institutions to host first-round competition. In addition, with more sites in the first round, the NCAA Division I Women's Soccer Committee can mitigate travel costs by keeping more institutions at home or closer to home during the first round. The cabinet requested that the Women's Soccer Committee monitor, evaluate and provide feedback to the cabinet on the use of non predetermined sites in the new model.

***ACTION ITEMS*.**

1. Legislative Items.

- **Bylaws 30.15 and 30.16 - Administrative Regulations – Summer Basketball Event Certification -- Men's and Women's Basketball -- Admission.**

(1) Recommendation. That the Legislative Council adopt noncontroversial legislation to establish a certified basketball event criterion that requires the price of admission to be listed on the event certification application and the price made available to coaches prior to their arrival at the event.

(2) Effective Date. May 1, 2011 (for events occurring on or after May 1, 2011).

(3) Rationale. Current basketball event certification criteria include the requirement that the price of an event packet must be listed on the event certification application and the price must be made available to coaches prior to their arrival at the event. In addition to event packets, operators often charge admission to coaches to attend the event. Requiring advance notice of the cost of admissions will assist coaches in planning which events to attend. This change is requested 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 are not likely generated and there does not appear to be a significant impact on existing or proposed legislation. Adopting this proposal as noncontroversial will allow for appropriate notice to event operators as applications are submitted for events occurring on or after May 1, 2011.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

2. Nonlegislative Items.

- **None.**

LEGISLATIVE INFORMATIONAL ITEMS.

- **The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle on the following items:**

  a. NCAA Executive Regulation 31.1.14.1.2 – Restricted Advertising and Sponsorship Activities. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to permit sponsorship of NCAA championship activities and promotions by a professional sports team or organization effective immediately.

  b. Playing and Practice Seasons – Football – Preseason Practice – Limit on Number of Participants – Football Championship Subdivision. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to increase, in the Football Championship Subdivision, from 90 to 95 the number of 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, effective August 1, 2011.

  c. Bylaw 20.8.1 – Eligibility for National Collegiate Championships. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to eliminate the requirement that, in those sports in which two-thirds or more of the institutions sponsoring the sport are members of the same division, an institution is required to meet that division's and its own division's institutional and individual eligibility requirements (or the more stringent rule if both divisions' rules address the same issue), effective August 1, 2011.

  d. Bylaws 16.8.1.2.1 - Student-Athlete Expenses – Lodging the Night Before a Home Contest – FCS Football. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to prohibit institutions, in FCS football, from providing hotel accommodations for student-athletes on the night before a home contest, effective August 1, 2011.

  e. Bylaw 17 – Playing and Practice Seasons – Missed Class Time – Nonchampionship Segment Competition. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle that would, in the sports of men's and women's cross country (for those institutions that do not sponsor indoor/outdoor track and field), field hockey, men's and women's lacrosse, men's and women's soccer, men's and women's volleyball and baseball, preclude missed class time for competition (and related activities) conducted during the nonchampionship segment. Further, to permit an exception to this restriction for Division I institutions located in Hawaii. This would be effective August 1, 2011.

f. Bylaw 21.7.5.5.5.3.19 - Committees – Men's Soccer Committee. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to preclude more than two members from the same region from serving on the NCAA Division I Men's Soccer Committee at the same time, effective August 1, 2011.

g. Bylaws 17.27.2 and 17.27.3 – Playing and Practice Seasons - Wrestling - First Date of Practice and Competition. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to specify that, in wrestling, the first date for practice would be October 10, and the first date of competition (including open, unattached or intercollegiate competition) would be November 1. This would be effective August 1, 2011.

h. Bylaw 17.27.5.3 – Playing and Practice Seasons - Wrestling - Annual Exemptions. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle that would, in wrestling, add an annual exemption to the date of competition limits for an institution and/or student-athlete to participate in the National Wrestling Coaches Association National Duals, effective August 1, 2011.

i. Bylaw 20.9.5.1 - Division Membership – Scheduling Requirements - Wrestling. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to require wrestling programs to play at least 50 percent (as opposed to 100 percent) of its contests against Division I opponents to satisfy the minimum number of contests specified to meet sports sponsorship criteria, effective August 1, 2011.

j. Bylaw 11.3.2 Personnel -- Income in Addition to Institutional Salary -- Endorsement of Noninstitutional Athletics Events Involving Prospective Student-Athletes by Institutional Staff Members. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to specify that, in all sports, athletics department staff members may not endorse, serve as a consultant or promote a noninstitutional athletics event that primarily involves prospective student-athletes by permitting the use of his or her name, picture or quotations effective immediately.

k. Bylaws 13.1.8.8-(b)-(1) and 30.10.2 Recruiting -- Contacts and Evaluations -- Basketball Evaluations -- Women's Basketball -- Nonscholastic Evaluations During Academic Year -- National Standardized Testing Weekends. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to specify that, in women's basketball, evaluations at nonscholastic events during the academic year evaluation period shall not occur on any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered. Further, if the PSAT, SAT, PLAN or ACT national

standardized tests are administered on dates that conflict with the fall and spring nonscholastic evaluation weekends, evaluations at nonscholastic events shall be permissible during the first full weekend (including Friday, Saturday and Sunday) of the October evaluation period and that if the PSAT, SAT, PLAN or ACT national standardized tests are administered on dates that conflict with the spring nonscholastic evaluation weekend, the five day evaluation period in April shall shift to the second Friday following the initial date for the spring signing of the National Letter of Intent through the following Tuesday, effective August 1, 2011.

l. Bylaws 13.1.6.4, 13.1.8.6 and 13.1.8.8 Recruiting -- Contacts and Evaluations -- Recruiting Opportunities -- Women's Basketball -- Seven Opportunities. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to specify that, in women's basketball, there be an increase to the number of recruiting opportunities (contacts and evaluations) from five to seven, effective August 1, 2011.

m. Bylaw 20.9.6.2 Membership -- Division I Membership Requirements -- Basketball Scheduling -- One-Third of Women's Contests in Home Arena. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to specify that, in women's basketball, an active or provisional member must play at least one-third of its regular-season women's basketball contests in the arena regularly used for the institution's home games, effective August 1, 2011.

OTHER LEGISLATIVE INFORMATIONAL ITEMS.

1. **NCAA Division I Men's Basketball Issues Committee.** The cabinet referred to the Men's Basketball Issues Committee the issue of whether Constitution 6.5.1 (financial disclosure) should be removed by legislative action. In the presentation of the issue to the cabinet, a member noted that the provisions in the rule are not currently being enforced and that recent initiative undertaken by the NCAA enforcement staff's Basketball Focus Group will likely accomplish the same goals.

2. **NCAA Division I Women's Basketball Issues Committee**. The cabinet discussed, but did not support, two legislative items recommended by the Women's Basketball Issues Committee related to the number of coaches who may recruit off-campus at any one time. The cabinet expressed concerns related to challenges in monitoring the recommended rule and the possibility that there would not be any coaches on campus during the noted academic year evaluation periods if the recommendations were ultimately adopted.

NONLEGISLATIVE INFORMATIONAL ITEMS.

1. **Approval of Report from February 16-17, 2010, Championships/Sports Management Cabinet Meeting.** The report from the cabinet's February 16-17, 2010, meeting, was approved as previously distributed.

2. **Report of the NCAA Division I Championships/Sports Management Cabinet's Administrative Committee.** The Administrative Committee reported the following:

   a. Sportsmanship – NCAA Respect Campaign. The Administrative Committee received a report from NCAA staff related to the NCAA Respect Campaign. Leaders in the sport of soccer agreed to have soccer serve as the pilot sport for phase III of the campaign. Feedback will be gathered from the key stakeholders and the campaign will be evaluated throughout the pilot program. In addition, the cabinet representative from the Atlantic Sun Conference provided an update on the conference's sportsmanship policy, and sporting behavior policy in the sport of soccer.

   b. NCAA Division I Women's Rowing Committee. NCAA staff provided a summary of automatic qualification into the women's rowing championship. It was noted that automatic qualification will be effective with the 2013 championship and that the Women's Rowing Committee will provide the cabinet with a plan for handling automatic qualification when the number of eligible conferences exceeds 50 percent of the bracket. It is not anticipated that the plan to be developed by the Women's Rowing Committee will impact the effective date of automatic qualification.

   c. Cabinet Liaisons. The cabinet appointed the following cabinet members as liaisons:

      (1) NCAA Olympic Sports Liaison Committee – Raynoid Dedeaux;

      (2) NCAA Division I Women's Softball Committee – Marilyn Moniz-Kaho'ohanohano; and

      (3) NCAA Division I Men's and Women's Swimming and Diving Committee – Carrie Coll.

   d. Appendix G of the Cabinet's Policies and Procedures Guide. NCAA staff was given authority to revise appendix G so that it will be consistent with current NCAA legislation.

e. Consistent Posting of Rating Percentage Indexes by Sport. The Administrative Committee discussed the timelines that are currently in place for sport committees to post their Rating Percentage Indexes during the season. As a follow up to these discussions, the Administrative Committee directed the staff to review this issue further and report back to the Administrative Committee in September as to whether a more consistent approach to these postings should occur among all sport committees that use a Rating Percentage Index.

3. Presentation of the New NCAA Media Rights Agreement. The cabinet received a presentation on the NCAA's new 14-year broadcast agreement with CBS/Turner Broadcasting. The cabinet commended those responsible for working on and finalizing the agreement. In addition, the cabinet directed the staff to convey to the NCAA Division I Revenue Distribution Task Force the importance of providing appropriate funding for NCAA championships.

4. Selection, Seeding and Bracketing. NCAA staff conducted a mock selection and bracketing exercise focusing on the 2010 Softball Championship, illustrating the work of a sport committee. It was an interactive process allowing the cabinet members to engage in give and take with staff, enhancing the understanding of this important process. Following the mock selection, a brief overview of the key bylaws and working principles which guide the sport committees was provided with a specific focus on the impact that bracket size, geographic considerations, conference matchups and hosting have on the bracketing process. A chart listing the essential features of all Division I team sports brackets was distributed and will be maintained on an ongoing basis as a reference for all cabinet members and staff. The cabinet requested that the staff consider other interactive presentations to provide additional context to the work and responsibilities of the cabinet.

5. Reports of Sports and Sport Issues Committees.

a. NCAA Women's Bowling Committee. The cabinet agreed to revise the selection criteria to include a Rating Percentage Index in place of the current Quality of Wins Index, effective 2010-11.

b. NCAA Division I Field Hockey Committee. The cabinet agreed to increase the squad size for the championship from 22 to 24 and increase the bench size from 28 to 30. The official travel party would remain at 28. The 29th and 30th individuals on the bench would pay for their tickets.

c. NCAA Division I Football Championship Committee.

(1) The cabinet agreed to amend the football championship selection, seeding, bracketing and hosting policies to accommodate the expansion of the bracket from 16 to 20 teams. It was noted that the best 12 teams would receive a bye as determined using the same criteria the committee uses to select teams for championship; the number of seeded teams will increase from four to five, consistent with the cabinet's policy to seed 25 percent of the bracket; opponents in both the first and second rounds will be paired according to geographic proximity (although teams from the same conference would not be matched against each other in any game that is the first game for both teams); and the minimum financial guarantee will be $30,000 for the first round, $30,000 for the second round, $40,000 for the quarterfinals and $50,000 for the semifinals.

(2) The cabinet also agreed to amend the championship earned-access criteria for the champion of a conference that is eligible for, but does not receive automatic qualification so that the average rank threshold moves from 16 to 20.

d. NCAA Women's Gymnastics Committee. Based on a recommendation from the Women's Gymnastics Committee, the cabinet agreed to rescind action taken at the cabinet's September 2009 meeting related to the championship format. As a result, the championship will continue to use a format in which the top three teams from each preliminary session will advance (i.e., maintain the Super Six format). It was noted that new information related to potential media coverage impacted the original recommendation.

e. Men's Soccer Committee.

(1) The cabinet agreed to modify the secondary criteria for selecting teams to the Division I Men's Soccer Championship to include strength of schedule and results against conference opponents, effective with the 2010 season.

(2) The cabinet agreed to adjust the demarcations of the bonus/penalty structure of the RPI to segments of five from segments of 15, effective with the 2010 season.

f. NCAA Division I Wrestling Committee. The cabinet agreed that effective with the 2011 NCAA Division I Wrestling Championships, if a replacement is needed for the championship; the replacement deadline will be moved up to eight days prior to the championships. The current deadline is three days prior to the event.

g. NCAA Men's and Women's Fencing Committee. The cabinet agreed that the West regional be conducted March 5, 2011, one week earlier than the prescribed date format, due to a facility conflict at the host institution. Currently it is scheduled to be conducted March 12, 2011.

6. Championships Awards Program. The cabinet received a comprehensive report on awards for Division I and National Collegiate Championships. The staff was directed to update the chart given the cabinet's feedback and asked that the revised document be included as part of the September meeting materials.

7. NCAA Competitive Safeguards and Medical Aspects of Sport. The cabinet received an update from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports. It was reported that in April 2010 the NCAA Executive Committee adopted a policy that will require all institutions to have a concussion management plan in place, including best practices outlined by the Committee on Competitive Safeguards and Medical Aspects of Sports. The Committee on Competitive Safeguards and Medical Aspects of Sports will produce a webinar that will be used to help educate the membership.

The Committee on Competitive Safeguards and Medical Aspects of Sports will be submitting a report for the cabinet's September meeting that outlines the Committee on Competitive Safeguards and Medical Aspects of Sports' position on the current permissible waiver option that was recently adopted as part of legislation requiring Sickle Cell Trait testing. Also, it was noted that education materials for coaches and student-athletes on concussions and sickle cell trait are available online as well as a question and answer document for institutions on the new Sickle Cell Trait testing legislation. Finally, the cabinet noted that it may seek feedback from the Committee on Competitive Safeguards and Medical Aspects of Sports as the cabinet continues discussions related to preseason practice opportunities.

8. Men's and Women's Soccer – Start Date and Combined College Cup. The cabinet received an update from staff noting that the Men's Soccer Committee and the Women's Soccer Committee continue to explore options for the championships, including the potential for joint Men's and Women's College Cups. Staff reported that the Men's Soccer Committee and the Women's Soccer Committee will be distributing a survey to the membership and conference offices later this summer which will request feedback specific to potential championship-round formats, opportunity for growth of NCAA soccer and ways to develop greater assets in the respective College Cups. The results of the feedback from the NCAA survey will be reviewed along with the results from the recent NSCAA survey, with an opportunity for the Men's Soccer Committee and the

Women's Soccer Committee to recommend enhancements for the men's and women's championships.

9. Committee Chair Appointments. The cabinet took the following action related to committees:

a. Women's Basketball Issues Committee. The cabinet appointed Ceal Barry, Associate Director of Athletics at the University of Colorado, Boulder, as chair effective September 1, 2010.

b. Field Hockey Committee. The cabinet appointed Cathy O' Donnell, Executive Associate Athletic Director and Senior Woman Administrator at Kent State University, as chair effective September 1, 2010.

c. Football Championship Committee. The cabinet appointed Jim O'Day, Director of Athletics, University of Montana, Missoula, as chair effective September 1, 2010.

d. Women's Soccer Committee. The cabinet appointed Lisa Campos, Senior Woman Administrator at the University of Texas at El Paso, as chair effective September 1, 2010.

e. NCAA Men's Water Polo Committee. The cabinet appointed Jeff Heidmous, Associate Athletic Director, at the U.S. States Air Force Academy, as chair effective September 1, 2010.

f. Wrestling Committee. The cabinet appointed Derek van der Merwe, Senior Associate Director of Athletics at Central Michigan University, as chair effective September 1, 2010.

g. Olympic Sports Liaison Committee. The cabinet appointed Lynn King, Director of Athletics, University of the Pacific, as chair effective September 1, 2010.

10. Automatic Qualification. The cabinet awarded automatic qualification as follows:

a. Field Hockey Committee. The 2010 Field Hockey Championship: Atlantic Coast Conference, Big Ten Conference, Colonial Athletic Association, Big East Conference and Ivy League. The play-in games will be the Northeast Conference at the America East Conference, the Northern Pacific Field Hockey Conference at

the Atlantic 10 Conference, and the Mid-American Conference at the Patriot League.

b. Football Championship Committee. The 2010 Football Championship: Big Sky Conference, Big South Conference, Colonial Athletic Association, Mid-Eastern Athletic Conference, Missouri Valley Football Conference, Northeast Conference (NEC), Ohio Valley Conference, The Patriot League, Southern Conference and Southland Conference.

c. Men's Soccer Committee. The 2010 Men's Soccer Championship: America East Conference, Atlantic Coast Conference, Atlantic Sun Conference, Atlantic 10 Conference, Big East Conference, Big South Conference, Big Ten Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Missouri Valley Conference, Mountain Pacific Sports Federation, Northeast Conference, Pacific-10 Conference, Patriot League, Southern Conference, The Summit League and the West Coast Conference.

d. Women's Soccer Committee. The 2010 Women's Soccer Championship: America East Conference, Atlantic Coast Conference, Atlantic Sun Conference, Atlantic 10 Conference, Big East Conference, Big Ten Conference, Big 12 Conference, Big Sky Conference, Big South Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southwestern Athletic Conference, Southern Conference, Southland Conference, Sun Belt Conference, The Summit League, West Coast Conference and Western Athletic Conference.

e. Men's Water Polo Committee. The 2010 Championship: Collegiate Water Polo Association, Mountain Pacific Sports Federation and Western Water Polo Association.

f. Wrestling Committee. The cabinet granted the Big 12 Conference an exception to the six-team requirement which will allow the Big 12 conference champions in each weight class to automatically qualify for the 2011 NCAA Division I Wrestling Championships.

11. Site Selections. The cabinet approved the following championships site selections for Division I Championships, 2011-2014:

a. National Collegiate Men's and Women's Rifle Championships. The host for 2011 will be Columbus State University.

b. NCAA Division I Women's Swimming and Diving Championships. The host for 2012 will be Auburn University.

c. NCAA Division I Men's Swimming and Diving Championships. The host for 2012 will be Seattle University.

d. NCAA Division I Men's Golf Championships.

(1) Championship host for 2012. The host for 2012 will be the University of Southern California.

- Regional hosts for 2012. The Regional hosts for 2012 will be the University of North Carolina, Greensboro, University of Georgia, University of Michigan, Western Kentucky University, Stanford University and the University of Oklahoma.

(2) Championship host for 2013. The host for 2013 will be Georgia Institute of Technology.

- Regional hosts for 2013. The Regional hosts for 2013 will be Louisiana State University, Florida State University, Ohio State University, University of Arkansas, Fayetteville, Washington State University and Arizona State University.

e. NCAA Division I Men's and Women's Tennis Championships. The host for 2013 will be the University of Illinois, Champaign.

f. NCAA Division I Field Hockey Championship. The host for 2012 and 2013 will be Old Dominion University.

g. National Collegiate Men's Gymnastics Championships.

(1) Championship host for 2012. The host for 2012 will be Oklahoma.

(2) Championship host for 2013. The host for 2013 will be Pennsylvania State University.

h. NCAA Division I Wrestling Championships.

(1) East regional host for 2011. The host for 2011 will be Liberty University.

(2) West regional host for 2011. The host for 2011 will be the U.S. Air Force Academy.

(3) Championship host for 2013. The host for 2013 will be Iowa State University.

(4) Championship host for 2014. The host for 2014 will be Oklahoma.

i. National Collegiate Men's Volleyball Championship.

(1) Championship host for 2012. The host for 2012 will be Southern California.

(2) Championship host for 2013. The host for 2013 will be the University of California, Los Angeles.

j. National Collegiate Men's and Women's Fencing Championships. The host for 2012 and 2013 will be the University of the Incarnate Word.

k. NCAA Division I Women's Lacrosse Championship. The host for 2012 will be Stony Brook University.

l. National Collegiate Women's Gymnastics Championships.

- Regional hosts for 2012. The University of Washington, University of Utah, Arkansas, Illinois, North Carolina State University and Auburn University.

m. National Collegiate Men's Water Polo Championship. The host for 2012 will be Southern California.

n. National Collegiate Women's Water Polo Championship.

(1) Championship host for 2012. The host for 2012 will be San Diego State University.

(2) Championship host for 2013. The host for 2013 will be Southern California.

o. National Collegiate Women's Ice Hockey Championship.

(1) Championship host for 2012. The host for 2012 will be the University of Minnesota, Duluth.

(2) Championship host for 2013. The host for 2013 will be the University of Minnesota, Twin Cities.

p. National Collegiate Men's and Women's Skiing Championships.

(1) Regional hosts for 2011. The hosts for 2011 will be Michigan Technological University, Bates College and Utah.

(2) Championship host for 2012. The host for 2012 will be the Montana State University, Bozeman.

- Regional host for 2012 will be Middlebury College.

(3) Championship host for 2013. The host for 2013 will be Middlebury.

q. National Collegiate Women's Bowling Championship.

(1) Championship host for 2012. The host for 2012 will be at the Mid-American Conference.

(2) Championship host for 2013. The host for 2013 will be the University of Detroit Mercy.

r. NCAA Division I Men's and Women's Cross Country Championships.

(1) Championship host for 2012. The host for 2012 will be the University of Louisville.

(2) Championship host for 2013. The host for 2013 will be Indiana State University.

(3) Regional hosts for 2011. The host for the Great Lakes regional will be the University of Toledo and the regional host for the Midwest regional will be Northern Illinois University.

s. NCAA Division I Men's and Women's Track and Field Championships.

(1) Great Lakes regional host for 2011. The host for 2011 will be the University of Toledo.

(2) Midwest regional host for 2011. The hosts for 2011 will be Northern Illinois University.

(3) Championship host for 2013. The host for 2013 will be Arkansas.

t. NCAA Division I Men's Ice Hockey Championships.

(1) West regional host for 2012. The host for 2012 will be Minnesota.

(2) East regional hosts for 2012. The host for 2012 will be Fairfield University and Yale University.

(3) Midwest regional host for 2012. The host for 2012 will be Michigan Tech.

(4) Northeast regional host for 2012. The host for 2012 will be the College of the Holy Cross.

u. NCAA Division I Women's Volleyball Championship.

(1) Regional hosts for 2012. The hosts for 2012 will be the University of California, Berkeley, University of Nebraska, Lincoln, University of Texas at Austin and Purdue University.

(2) Championship host for 2013. The host for 2013 will be Washington.

- Regional hosts for 2013. The hosts for 2013 will be Southern California, University of Kentucky, University of Florida and Illinois.

(3) Championship host for 2014. The host for 2014 will be Oklahoma, Big 12 Conference.

- Regional host for 2014. The hosts for 2014 will be Washington, Iowa State, Louisville and Minnesota.

(4) Regional host for 2012. The host for 2012 will be the College of the Holy Cross.

v. NCAA Division I Softball Championship. The host for 2011 will be Oklahoma.

w. NCAA Division I Women's Golf Championships.

(1) Championship host for 2013. The host for 2013 will be the University of Georgia.

(2) Regional hosts for 2013. The Central regional host for 2013 will be the University of Oklahoma and the West regional host will be Stanford University.

12. Future meeting dates and sites.

a. September 14-15, 2010; University Place, Indianapolis.

b. February 15-16, 2011; TBD, Indianapolis.

c. June 15, 2011; teleconference.

d. September 13-14, 2011; TBD, Indianapolis.

Committee Chair: Judy Rose, University of North Carolina, Charlotte
Staff Liaisons: Joni Comstock, Championships
David W. Schnase, Academic and Membership Affairs

REPORT OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I CHAMPIONSHIPS/SPORTS MANAGEMENT CABINET

University Place, IUPUI
Indianapolis, Indiana
September 14-15, 2010

REPORT OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I CHAMPIONSHIPS/SPORTS MANAGEMENT CABINET

University Place, IUPUI
Indianapolis, Indiana

September 14-15, 2010

Participants:

Shelley Appelbaum, Michigan State University
David Blank, Elon University
Sherri Booker, Atlantic Sun Conference
Greg Burke, Northwestern State University
Kenneth Casavant, Washington State University
Carrie Coll, Mountain West Conference
Shelley Davis, Southwestern Athletic Conference
Raynoid Dedeaux, Mid-Eastern Athletic Conference
Connie Dillon, University of Oklahoma
Jim Fallis, Northern Arizona University
Jim Fiore, Stony Brook University
Jonathan Hackett, student-athlete from the University of Southern California
Tom Hickman, Winthrop University
Robert S. Krimmel, Saint Francis University (Pennsylvania)
Myndee Larsen, The Summit League
Jeffrey Long, University of Arkansas, Fayetteville
Patrick Lyons, Iona College
Warde Manuel, University at Buffalo, the State University of New York
Erin McDermott, Princeton University
Jane Miller, University of Virginia
Marilyn Moniz-Kaho'ohanohano, University of Hawaii, Manoa
Bruce Rasmussen, Creighton University
Nance Reed, Towson University
Judy Rose, University of North Carolina, Charlotte
Jim Schmidt, University of Illinois, Chicago
Rosemary A. Shea, College of Holy Cross
Paula Smith, University of California, Irvine
Mike Thomas, University of Cincinnati
Keith Tribble, University of Central Florida
Rick Villarreal, University of North Texas
Bradley K. Walker, Ohio Valley Conference
Larry Williams, University of Portland
Steve Brown, NCAA
Jackie Campbell, NCAA
Joni Comstock, NCAA
Brad Hostetter, NCAA
Carol Reep, NCAA

REPORT OF THE
NCAA DIVISION I CHAMPIONSHIPS/SPORTS MANAGEMENT CABINET
SEPTEMBER 14-15, 2010, MEETING

***KEY ITEMS*.**

1. **Track and Field – Championship Format.** The NCAA Division I Championships/ Sport Management Cabinet reviewed and discussed information submitted by the NCAA Division I Men's and Women's Track and Field Committee related to the outdoor championship format. The information was submitted in response to several items the cabinet requested the committee consider after its previous discussion in June. The cabinet expressed appreciation for the thorough information presented and was interested in learning more about the identified opportunities for improvement to the current two regional format. To that end, the cabinet requested that the committee develop and forward specific recommendations related to these opportunities for improvement for the cabinet to consider at its February 2011 meeting. Further, the cabinet requested that the committee continue working on the development of a schedule for a single-site championship and present that to the cabinet in February 2011. Finally, the cabinet noted that the information related to the participants and the success of those participants was very beneficial and requested that similar information from the 2011 NCAA Division I Outdoor Track and Field Championships be provided to the cabinet at its June meeting, if possible.

2. **Men's and Women's Water Polo and Men's Volleyball – Automatic Qualification.** The cabinet requested that the NCAA Men's and Women's Water Polo and Men's Volleyball Committees develop recommendations as to how it will administer the respective championships within the parameters of NCAA Bylaw 31.3.4.7 (i.e., 50 percent of the field shall be reserved for at-large teams) beginning with the 2011-12 academic year. The cabinet will review the recommendations during its February 2011 meeting.

***ACTION ITEMS*.**

1. **Legislative Items.**

   a. **Bylaw 31.1.4.4 (Noon Start Time).**

      (1) Recommendation. That the NCAA Division I Legislative Council adopt noncontroversial legislation to provide an exception for the men's golf championship to begin prior to noon on Sunday.

      (2) Effective Date. Immediate.

(3) Rationale. The men's golf championships team match is played on Sunday and takes a minimum of approximately five hours of good weather to ensure completion of each individual match within the team match. With the chance for inclement weather being greater in the afternoon, the NCAA Division I Men's Golf Committee believes a permanent exception would ensure that the championship is administered most effectively. The committee notes that the Sunday round would likely begin at 10 a.m. Even though an exception (Bylaw 31.1.4.4.1) is available on an annual basis for extenuating circumstances (e.g., inclement weather) it would be more beneficial to have a consistent start time each year.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. Starting the matches earlier on Sunday may allow student-athletes from the two participating teams to return to campus that same day rather than a day later.

b. NCAA Constitution 6.5 (Financial Disclosure).

(1) Recommendation. That the Legislative Council adopt noncontroversial legislation to eliminate the financial disclosure requirements set forth in NCAA Constitution 6.5.1.

(2) Effective Date. Immediate.

(3) Rationale. The legislation was designed to assist in identifying potential conflicts of interest in the men's basketball recruiting process by providing "sunshine" on the relationships between institutional staff members and individuals who have access to prospective men's basketball student-athletes. It was thought that such information would prove valuable in determining whether improper activities are occurring and whether additional regulations are necessary. However, the NCAA basketball event certification staff at the national office experienced significant difficulty collecting accurate information. At the direction of the NCAA president, the staff ceased enforcing the rule and collecting the data as the benefit derived from such data was determined to be minimal in relation to the resources expended to collect and process the information. At its January 2006 meeting, the former NCAA Division I Management Council actually adopted NCAA Division I Proposal No. 2006-1 as noncontroversial legislation to eliminate the legislative requirement.

The NCAA Division I Board of Directors, though, overturned the action of the Management Council at its April 2006 meeting and, thus, technically the financial requirements remained in effect. However, due to a lack of resources to effectively collect the necessary information to further the intended goal of the original legislation, as well as a reorganization of NCAA national office priorities, the staff was directed not to begin collecting the data again. Thus, for the last four years, the legislative provision has remained in the NCAA Division I Manual, but has not been enforced. It has generated confusion among the Division I membership and, as a result, it is suggested that the legislation again be eliminated.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

c. Bylaw 17.1.5.1 (Sickle Cell Solubility Test).

(1) Recommendation. That the Legislative Council adopt noncontroversial legislation to eliminate the written release opportunity available to student-athletes for sickle cell solubility testing.

(2) Effective Date. August 1, 2011.

(3) Rationale. Historically, the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports supported the original legislative proposal that did not allow a student-athlete to decline a sickle cell solubility test through a written release. It is important that athletics departments confirm sickle cell trait status in all student-athletes during the medical examination period prior to participation and there is a belief that the current written release option serves as a blanket waiver option contrary to the intent of the original proposal. While the cabinet believes this recommendation is not controversial, it recognizes that an immediate effective date would not be practical. Therefore, the cabinet is recommending that the written release option be eliminated for those examinations that occur prior to fall 2011.

(4) Estimated Budget Impact. Student-athletes without documented results of a prior test for sickle cell trait would be required to be tested.

(5) Student-Athlete Impact. Sickle cell trait screening and knowledge of the condition can be used as a gateway to targeted precautions in the interest of student-athlete well-being.

d. Bylaws 17.9.4.1 (Gridiron Classic Restrictions) and 17.9.5.2-(i) (Gridiron Classic).

(1) Recommendation. That the Legislative Council adopt noncontroversial legislation to eliminate the Gridiron Classic from the list of exceptions to the end of the season and maximum number of contests in football.

(2) Effective Date. Immediate.

(3) Rationale. Due to recent bracket expansion for NCAA Football Championship Subdivision football, the two conferences that send teams to participate in this game, the Northeast Conference and Pioneer Football League, will no longer hold the contest.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

e. Bylaw 13.1.7.8-(c) (Basketball Evaluations – Coaches Attendance at Basketball Events).

(1) Recommendation. That the Legislative Council adopt noncontroversial legislation to specify that all noninstitutional organized men's and women's basketball events, including those approved, sponsored or conducted by an applicable state, national or international governing body, that are organized and conducted primarily for a recruiting purpose shall be subject to the event certification process per Bylaw 13.18 in order for Division I men's and women's basketball coaches to attend such events.

(2) Effective Date. Immediate.

(3) Rationale. Currently, the basketball event certification program is not applicable to noninstitutional organized events that are approved, sponsored or conducted by an applicable state, national or international governing body (e.g., intrastate and interstate high school basketball games, state high school all-star games, international competitions and practices associated with such contests). The event certification program

was not designed to apply to regular scholastic competitions, all-star games that are either approved, sponsored or conducted by the applicable governing body and international competitions organized and administered by the applicable athletics governing body [e.g., Fédération Internationale de Basketball Amateur (FIBA)] as these activities are not organized primarily for a recruiting purpose. However, recruiting events (e.g., showcases, tryout camps) are being organized and/or approved by scholastic governing bodies (e.g., high school athletics associations) in an effort to provide evaluation opportunities for Division I college coaches. Such events currently are not subject to the certification event program guidelines, yet the primary, if not sole, purpose of such events is to provide recruiting showcases for the participating prospects. The basketball event certification program is designed to ensure that events in which Division I men's and women's basketball coaches are observing basketball prospects are being conducted in a manner consistent with core principles of the NCAA and in a manner that does not compromise the healthy, safety and well-being of the participants. In that regard, these noninstitutional organized basketball events organized and conducted primarily for a recruiting purpose involving prospective basketball athletes conducted during the July evaluation period should be subject to the basketball event certification program guidelines. This change is requested 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 are not likely generated and there does not appear to be a significant impact on existing or proposed legislation.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

2. Nonlegislative Items.

- None.

INFORMATIONAL ITEMS.

1. Comments on Proposals Currently in the 2010-11 Legislative Cycle. The cabinet reviewed proposals assigned to it for review that will be considered by the Division I

membership as part of the 2010-11 legislative cycle and offered the comments below. Proposals previously sponsored by the cabinet were provided for informational purposes.

a. Proposal No. 2010-45 Recruiting and Playing And Practice Seasons -- Tryout Exceptions and Out Of Season Restrictions -- Recognized Training and Development Programs. The cabinet agreed to support Proposal No. 2010-45, which would specify that in order for an athletics department staff member or coach to participate in state, regional, national and international training programs involving prospective student-athletes, the staff member must be selected by the applicable governing body and the participants are selected by an authority or a committee of the applicable governing body that is not limited to athletics department staff members affiliated with one institution; further, it would specify that Olympic and national team development programs may involve a coach and current student-athletes from the same institution, provided (in addition to existing criteria) a committee or other authority of the national governing body, which is not limited to coaches affiliated with one particular institution, selects the involved participants and the national governing body funds the program. The cabinet agreed with the sponsor's rationale.

b. Proposal No. 2010-54 Eligibility -- Seasons of Competition: Five-Year Rule -- Hardship Waiver -- First Half of Playing Season Calculation -- Tennis. The cabinet agreed to oppose Proposal No. 2010-54, which would, in tennis, specify that the first half of the season calculation is based on the number of days in the season that concludes with the NCAA championships, as declared by the institution, between the first date of competition used by any individual on the team after the conclusion of the institution's fall term and the last date of competition used by any individual on the team at the end of the declared playing season. The cabinet expressed philosophical concerns that competition factoring into championships selection for tennis student-athletes would not count when determining the first half of the season for the purpose of hardship waivers.

c. Proposal No. 2010-58 Eligibility, Financial Aid and Playing and Practice Seasons -- Summer Academic Preparation and College Acclimatization -- Men's Basketball. The cabinet agreed to oppose Proposal No. 2010-58, which would, in men's basketball, establish a summer academic preparation and college acclimatization model, as specified. Cabinet members expressed concern about an approach that would require incoming student-athletes to be enrolled in six hours of academic credit to receive financial aid but only pass three of those hours to maintain eligibility. The cabinet was concerned that this is not an appropriate level of success. Finally, with the addition of formal athletics development

activities in the summer, the additional impact on support staff (e.g., trainers) was a concern.

d. Proposal No. 2010-80 Awards, Benefits and Expenses -- Expenses Provided by the Institution for Practice -- Swimming and Diving -- Exception for Platform Diving. The cabinet agreed to support Proposal No. 2010-80, which would, in swimming and diving, specify that if an institution does not have access to a diving platform within the mileage limitations of Bylaw 16.8.1.1, the institution may provide expenses for diving practice sessions at a site located outside the mileage limitations that includes a diving platform. The cabinet agreed with the sponsor's rationale.

e. Proposal No. 2010-81 Awards, Benefits and Expenses -- Permissible Expenses Provided by the Institution for Competition -- Travel Squad Limits. The cabinet agreed to oppose Proposal No. 2010-81, which would establish travel squad limits for regular season, away-from-home competition, including exhibitions/ scrimmages, nonchampionship segment competition and conference championships and neutral site competitions, as specified. The cabinet noted that the establishment of travel squad limits for regular-season competition is best left to the discretion of institutions and conference offices.

f. Proposal No. 2010-82 Awards, Benefits and Expenses -- Expenses Provided by the Institution for Practice and Competition -- Travel to NCAA Championships, NGB Championships in Emerging Sports and Postseason Bowl Games during Vacation Period -- Exceptions and Incidental Expenses. The cabinet agreed to support Proposal No. 2010-82, which would specify that if a student-athlete does not use team travel to NCAA championships, NBG championships in emerging sports and postseason bowl games during a vacation period, the institution may only provide actual and necessary transportation costs for the student-athlete to travel from: campus to the event site and back to campus; campus to the student-athlete's home and back to campus; or the student-athlete's home to the event site and back home; further, to specify that reimbursement for automobile mileage shall not exceed the rate provided to institutional staff members and shall be limited to not more than 400 miles one-way; finally, to increase, from $20 to $55, the amount of money that an institution may provide to each member of the squad to cover unitemized incidental expenses during travel and practice for such events. Although the cabinet agreed to support the proposal, there was much discussion about how the sponsor determined the appropriate dollar amount for the incidental expense money. Further, while there was considerable discussion about this proposal applying to Football Bowl Subdivision football only, the

cabinet ultimately decided that consistent application across all sports should be supported.

g. Proposal No. 2010-87 Playing and Practice Seasons -- Nonchampionship Segment -- Travel Restrictions -- Cross Country, Field Hockey, Soccer, Softball and Volleyball -- Hawaii or Alaska Exception -- Once in Four Years. The cabinet agreed to support Proposal No. 2010-87, which would, in men's and women's cross country (for institutions without indoor or outdoor track and field), field hockey, men's and women's soccer, softball and men's and women's volleyball, specify that, once every four years, an institution may use any form of transportation for travel to Hawaii or Alaska for nonchampionship segment competition against an active member institution located in Hawaii or Alaska. The cabinet agreed with the sponsor's rationale.

h. Proposal No. 2010-88 Playing and Practice Seasons -- Nonchampionship Segment -- Cross Country, Field Hockey, Women's Lacrosse, Soccer, Softball and Volleyball -- Two Dates of Competition -- One Away-From Home Date. The cabinet agreed to oppose Proposal No. 2010-88, which would, in men's and women's cross country, field hockey, women's lacrosse, men's and women's soccer, softball, and men's and women's volleyball, specify that an institution is limited to two dates of competition during the nonchampionship segment, of which only one date may be an away-from-home date of competition. The cabinet noted that it has discussed issues surrounding the nonchampionship segment previously and determined that it is best to wait until the development of guiding principles related to cost containment were finalized by the NCAA Value-Based Decision-Making Task Force. To that end, the cabinet did not support reducing competitive opportunities in these identified sports at this time.

i. Proposal No. 2010-89 Playing and Practice Seasons -- Basketball -- Location of Qualifying Regular-Season Multiple-Team Event -- The Bahamas. The cabinet agreed to support Proposal No. 2010-89, which would, in basketball, specify that a qualifying regular-season multiple-team event may occur in the Commonwealth of The Bahamas. The cabinet agreed with the sponsor's rationale.

j. Proposal No. 2010-90 Playing and Practice Seasons -- Women's Bowling -- Preseason Practice and First Date of Competition -- October 1. The cabinet agreed to support Proposal No. 2010-90, which would, in women's bowling, specify that an institution shall not commence practice sessions or engage in its first date of competition with outside competition prior to October 1. The cabinet agreed with the sponsor's rationale.

k. Proposal No. 2010-91 Playing and Practice Seasons -- Women's Bowling -- Number of Dates of Competition. The cabinet agreed to support Proposal No. 2010-91, which would, in women's bowling, specify that an institution shall limit its total playing schedule with outside competition to, and that an individual student-athlete may participate in, each academic year, 32 dates of competition; further, to include all dates of competition of a tournament in the maximum limitation. The cabinet agreed with the sponsor's rationale.

l. Proposal No. 2010-93 Playing and Practice Seasons -- Rifle -- Dates of Competition -- Multiple-Day Contests. The cabinet agreed to support Proposal No. 2010-93, which would, in rifle, specify that an institution that participates in a match that exceeds one day in duration may count the multiple-day contest as a single date of competition; further, to specify that if a student-athlete fires more than one score for either smallbore rifle or air rifle during a multiple-day contest, such participation will result in a second date of competition for the institution. The cabinet agreed with the sponsor's rationale.

m. Proposal No. 2010-94 Playing and Practice Seasons -- Men's Soccer -- First Contest or Date of Competition -- 12-Week Season. The cabinet agreed to support Proposal No. 2010-94, which would, in men's soccer, 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 Friday prior to the 12th weekend prior to the start of the applicable Division I Soccer Championship, except that an alumni contest may be played the previous weekend. The cabinet agreed with the sponsor's rationale.

n. Proposal No. 2010-95 Playing and Practice Seasons -- First Contest or Date of Competition -- Cross Country and Soccer -- 10-Week Cross Country Season and 11-Week Soccer Season. The cabinet agreed to support Part A of Proposal No. 2010-95, which would, in cross country, specify that an institution shall not play its first contest or engage in its first date of competition (game or scrimmage) with outside competition prior to the Friday before the 10th weekend before the weekend of the NCAA Division I cross country regional competition. The cabinet agreed to oppose Part B of Proposal 2010-95 which would, in soccer, 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 Friday before the 11th weekend before the start of the applicable NCAA Division I Soccer Championship. The cabinet agreed with the sponsor's rationale as it relates to cross country. However, the cabinet noted its support of a 12-week season in soccer with its support of Proposal No. 2010-94.

o. Proposal No. 2010-96 Playing and Practice Seasons -- Women's Volleyball -- Preseason Practice -- 21 Units. The cabinet agreed to support Proposal No. 2010-96, which would, in women's volleyball, reduce, from 29 to 21, the number of units used to determine the start of preseason practice. The cabinet agreed with the sponsor's rationale.

p. Proposal No. 2010-99 Playing and Practice Seasons -- Foreign Tours and Competition -- No Institutional or Conference Foreign Tours. The cabinet agreed to oppose Proposal No. 2010-99 as written, which would specify that an institution or conference shall not sponsor or participate in a foreign tour; further, to specify that competition in a U.S. territory shall be restricted to once every four years on one trip during the prescribed playing season. The cabinet recommends the sponsor modify Proposal No. 2010-99 to specify that contracts before August 13, 2010, may be honored or foreign tours that will take place during summer 2011 may occur. The cabinet would support the proposal if modified. Further, in the event the sponsor does not support the suggested modification, the cabinet shall sponsor an alternative proposal. The cabinet is supportive of the elimination of foreign tours. However, the cabinet noted that an institution may have begun planning a foreign tour prior to the publication of this proposal that would occur during summer 2011 but may not have executed a final contract by August 13.

q. Proposal No. 2010-103 Division Membership -- Division I Membership Requirements -- Sports Sponsorship -- Minimum Contests for Sports Sponsorship -- Swimming and Diving. The cabinet agreed to support Proposal No. 2010-103, which would, in swimming and diving, reduce, from 10 to six, the minimum number of contests required to satisfy sports-sponsorship requirements. The cabinet agreed with the sponsor's rationale.

r. Proposal No. 2010-108 Executive Regulations -- Administration of NCAA Championships -- Sites and Dates -- Nonrevenue Championships Site Assignment. The cabinet agreed to oppose Proposal No. 2010-108, which would specify that in championships that do not generate revenue and for which only 25 percent of the bracket is seeded, seeded teams shall have the opportunity to host preliminary rounds and that conference opponents shall be avoided in the first two rounds of the championship. The cabinet noted that, because of the budget impact, it may be more appropriate to consider this proposal after the NCAA Division I Revenue Distribution Task Force completes its work. Finally, the cabinet noted that avoiding conference matchups as specified in the proposal may not be possible with each of the impacted championships (e.g., small bracket championships).

s. Proposal No. 2009-83 Playing and Practice Seasons and Division Membership – Regulations for Playing Season and Minimum Contest Requirements for Sports Sponsorship – Women's Sand Volleyball. The cabinet agreed to oppose Proposal No. 2009-83 as written, which would establish the playing and practice season and the minimum number of contests necessary for sports sponsorship purposes, as specified. The cabinet recommends the sponsor modify Proposal No. 2009-83 to specify that an institution and student-athlete, in sand volleyball, may participate in a maximum of 16 dates of competition, with no more than two dates of competition in the nonchampionship segment. The cabinet would support the proposal if modified. Further, in the event the sponsor does not support the suggested modification, the cabinet shall sponsor an alternative proposal. The cabinet reviewed the work of the Collegiate Commissioners Association Compliance Administrators working group that studied proposed sand volleyball legislation and agreed that fewer dates of competition is more appropriate. The cabinet is supportive of permitting an institution to play all 16 dates of competition in the championship segment if it so desires.

2. Modifications to Cabinet-Sponsored Proposals in the 2010-11 Legislative Cycle.

- **NCAA Proposal No. 2010-105 Division Membership – Division I Membership Requirements – Basketball Scheduling – One-Third of Contests in Home Arena – Women's Basketball.** Based on a recommendation from the NCAA Division I Women's Basketball Issues Committee, the cabinet agreed to modify Proposal No. 2010-105 to include a requirement that an active or provisional member must schedule one-third of its women's basketball regular-season contests away from home or at neutral sites. The proposal, if adopted, would require women's basketball teams to play one-third of their regular-season basketball games at home and one-third of their regular-season basketball games away from home or at neutral sites.

3. Other Legislative Informational Items.

- **NCAA Division I Women's Basketball Committee.** The cabinet discussed a recommendation by the NCAA Division I Women's Basketball Committee to sponsor legislation to eliminate the prohibition against the placement of microphones on a team coach or in team huddles and bench areas in NCAA championships (Bylaw 31.6.4.5). The decision to place microphones in such circumstances would be determined by each sports committee. The cabinet requested that it be provided more information on how such a practice would be

implemented before sponsoring legislation. Specifically, the cabinet asked the NCAA staff to develop materials outlining the experiences of other entities that have placed microphones on coaches, whether participation will be voluntary or mandatory, examples of a process that may be used by the sports committees when it receives a request to participate and specific parameters that may be used for media entities using the material. Finally, the cabinet agreed that feedback from the NCAA Division I Student-Athlete Advisory Committee would be beneficial and requested that feedback be provided at its February 2011 meeting.

4. Approval of Report from June 15-16 Championships/Sports Management Cabinet Meeting. The report from the Championships/Sports Management Cabinet's June 15-16 in-person meeting was approved as previously distributed.

5. Report of the Administrative Committee.

a. Committee Appointment Eligibility Requirements. The NCAA Division I Championships/Sport Management Cabinet Administrative Committee received a summary of the committee appointment eligibility requirements that were used in the prior governance structure by the former NCAA Division I Championships/ Competition Cabinet to provide greater continuity for sport committee service, and to prevent potential conflicts of interest. It was noted that in the current governance structure the Championships/Sport Management Cabinet no longer has oversight of sport committee appointments and recommended that the NCAA Division I Administration Cabinet consider implementing the previous committee appointment eligibility requirements as part of their guiding principles.

The following committee appointment eligibility requirements have been identified for the Administration Cabinet's consideration.

(1) An individual may not serve on an NCAA sport or rules committee unless the individual's institution sponsors that sport on a varsity intercollegiate basis. Conference office personnel may not serve on an NCAA sport or rules committee unless the conference sponsors the sport.

(2) No more than one individual from the same institution may serve on the same committee.

(3) No more than one individual from the same conference may serve on the same committee unless special circumstances warrant.

(4) An individual may not serve concurrently on more than one committee that has championships-administration responsibilities; however, an individual may serve concurrently on a committee with championships-administration responsibilities and on a committee with only rules-making responsibility.

(5) Individuals currently serving on sports committees are not eligible for consideration for appointment to different sports committees unless their current term will expire prior to the beginning of the new committee appointment.

Furthermore, the Administrative Committee approved adding a requirement to the cabinet's current policies and procedures manual noting that a cabinet member may not serve on a sport or rules committee concurrent with his or her cabinet term. It was further noted that any current cabinet members affected by this policy shall be allowed to complete their current service commitments.

b. Wrestling Automatic Qualification. The Administrative Committee reviewed a request from the Big 12 Conference for consideration to maintain their automatic qualifier status in the sport of wrestling beyond the 2010-11 season. The Administrative Committee referred the Big 12 request to the NCAA Division I Wrestling Committee and asked that the committee provide feedback in a supplement report to the cabinet for its February 2011 in-person meeting. Additionally, the Administrative Committee remains interested in ongoing discussions related to Division I membership requirements and the impact of those on automatic qualification.

c. Cabinet Liaisons. The cabinet appointed the following cabinet members as liaisons:

(1) NCAA Division I Women's Gymnastics Committee – Jeff Long;

(2) NCAA Division I Women's Soccer Committee – Shelley Appelbaum; and

(3) NCAA Division I Women's Volleyball Committee – Warde Manual.

6. Update on the NCAA Media Rights Agreement. The cabinet received an update from NCAA staff on recent developments related to the implementation of the new media rights agreement.

7. Selection, Seeding and Bracketing. As a follow-up to the June presentation on this subject, NCAA staff examined a number of scenarios posed by members of the cabinet with respect to geographic proximity, seeding more deeply into brackets and greater assurances of seeded teams hosting at non-predetermined sites. The applicability of these scenarios to specific championships was discussed. Further, a mock selection and bracketing exercise based on these model scenarios was conducted focusing on the 2010 NCAA Division I Softball Championship. From that demonstration, staff then provided information relative to additional hosting opportunities and projected financial and travel capacity implications. As with the June presentation, it was an interactive process allowing the cabinet members to engage in discussion with the goal of enhancing the understanding of this process and how the scenarios impact a championship bracket. Finally, the cabinet provided suggestions to enhance the understanding of these issues across the membership, with particular focus among the coaches associations and conferences.

8. Posting/Reporting Procedures of Rating Percentage Indices by Sport. Based on a request from the cabinet at its June meeting, the NCAA statistics staff forwarded a process recommendation that allows for a more consistent approach to the release of rating percentage indices (RPI) information for sports currently using the RPI. The process is specific to the posting of in-season RPI rankings on NCAA.com, and the distribution and content of the actual RPI reports at the end of the season. The cabinet commended the statistics staff on the development of a more consistent RPI reporting process and approved implementation beginning fall 2010.

9. Men's and Women's Soccer – Combined College Cup. The NCAA championships staff presented preliminary results from the NCAA survey that was recently completed by the membership and conference offices requesting feedback on potential championship formats, opportunities for growth of college soccer, brand identity of the College Cups and ways to develop greater assets in the respective College Cups. It was noted by the championships staff that the NCAA Division I Men's and Women's Soccer Committees will continue the review of both the NCAA and the National Soccer Coaches Association of America survey results to determine potential opportunities for enhancing the men's and women's championships. The cabinet requested that any recommendations for enhancement be provided to the cabinet for consideration at its February 2011 in-person meeting.

10. Emerging Sports for Women. NCAA staff presented an overview of the process used to identify emerging sports for women, including the oversight responsibilities that the NCAA Committee on Women's Athletics has for monitoring the progress of growth for those sports on the emerging sports list.

11. Bus Transportation Pilot Program. The NCAA travel staff updated the cabinet on a new pilot program designed to evaluate the feasibility of consolidating charter bus transportation in much the same way as the national office currently schedules air transportation. The purpose of the program will be to improve safety, increase efficiencies for member institutions and reduce overall costs. The pilot program this fall will include Divisions I, II and III football and Division I women's volleyball. The program will be evaluated during the fall for possible continuation this winter and spring.

12. Reports of Sports and Sport Issues Committees.

a. NCAA Division I Men's Basketball Committee. The cabinet was updated on the format for the 68-team men's basketball championship.

b. NCAA Women's Bowling Committee. The cabinet was notified that the modified Baker roll-off shall be the only tiebreaker used for all sudden death roll-offs throughout the season.

c. NCAA Division I Men's Golf Committee. The cabinet received an informational report from the Division I Men's Golf Committee that noted its lack of support for a waiver of the automatic qualification requirements for the America Sky Conference. The Administrative Committee confirmed its support of the Men's Golf Committee's position.

d. NCAA Division I Women's Golf Committee.

(1) Additional Individuals Selected to Regional Championship. The cabinet approved a recommendation, effective with the 2011 championship, that will add three additional individuals to each of the three regional championships fields, noting that these individuals will fill open tee times not currently being used.

(2) Big West Conference Waiver. The cabinet approved a recommendation that the Big West Conference be granted an exception to the six "core

member" requirement to receive automatic qualification for its 2011 conference champion.

e. NCAA Division I Men's Ice Hockey Committee. The cabinet approved the committee's recommendation to change the selection criteria to include results against teams with an RPI of .500 or better as opposed to results against teams in the top 25 of the RPI.

f. NCAA Women's Ice Hockey Committee. The cabinet approved a change to the definition of "Teams Under Consideration" to include only those teams in the top 12 of the RPI, effective with the 2011 championship.

g. NCAA Division I Women's Lacrosse Committee. The cabinet received information related to the committee's ongoing discussions of issues surrounding officiating in women's lacrosse, including discussing the establishment of a conflict of interest policy in the selection and evaluation of officials.

h. NCAA Men's and Women's Rifle Committee.

(1) Championships Format. The cabinet approved a championships format change, effective with the 2010-11 season, to permit five student-athletes to shoot and count only the top four scores.

(2) National Qualifier. The cabinet approved the committee's recommendation to change the national qualifier to the third weekend in February, effective with the 2011-12 academic year. The change will move the national qualifier to February 18-19, 2012, and championships selections to February 21, 2012.

i. NCAA Men's and Women's Skiing Committee.

(1) Selection Criteria for Central Region. The cabinet approved the automatic qualification of a skier who qualifies for the U.S. World Junior Championship team into the NCAA championship; provided the following criteria are met:

(a) The athlete must finish in a "qualifying spot" on the Central Collegiate Ski Association (CCSA) list in the U.S. Nationals distance event in which both seniors and juniors participate; and

(b) At either the CCSA Championships or the NCAA Central Region Championships, the skier must finish in a "qualifying spot" on the CCSA list in the technique which was not contested by both juniors and seniors at U.S. Nationals.

(2) Selection Criteria for East Region. The cabinet approved the automatic qualification of a skier named to the United States World Junior Team or the United States Under-23 Team who achieves a top 15 finish at the official World Junior or Under-23 Championship events. The top 15 finish must come in an individual distance race event with minimum distances being five kilometers for women and 10 kilometers for men.

j. NCAA Division I Men's and Women's Tennis Committee.

(1) America East Conference Waiver. The cabinet approved a request to grant the America East Conference a waiver of the six "core member" requirement which will enable the conference to be eligible for automatic qualification into the 2011 championships.

(2) Big West Conference Waiver. The cabinet approved a request to grant the Big West Conference a waiver of the six "core member" requirement which will enable the conference to be eligible for automatic qualification into the 2011 championships.

k. NCAA Women's Water Polo Committee. The cabinet approved the addition of the Big West Conference to the automatic qualifying conferences for the 2011 National Collegiate Women's Water Polo Championship. Further, a play-in game will be contested between the fifth and sixth ranked RPI conferences at the end of the prior year's season to play into the eight-team championship. This game will be contested the weekend prior to the championship and at a site approved by the Women's Water Polo Committee, ideally the home site of the institution in the higher-ranked conference. The conference must submit the proposed facility to the committee by December 1, 2010, with approval being provided by December 15, 2010.

13. Committee Chair Appointments. The cabinet took the following action related to committees:

a. NCAA Women's Bowling Committee. The cabinet appointed Jeff McCorvey, head women's bowling coach at Alabama A&M University, as chair, effective September 1, 2010.

b. NCAA Division I Women's Golf Committee. The cabinet appointed Velvet Milkman, senior woman administrator and head golf coach at Murray State University, as chair, effective September 1, 2010.

c. NCAA Division I Men's Ice Hockey Committee. The cabinet appointed Bob Driscoll, director of athletics at Providence College, as chair, effective September 1, 2010.

d. NCAA Women's Ice Hockey Committee. The cabinet appointed Chris Schneider, associate director of athletics at The Ohio State University as chair, effective September 1, 2010.

e. NCAA Women's Lacrosse Committee. The cabinet appointed Teddi Burns, associate director of athletics at Loyola University Maryland, as chair, effective September 10, 2010.

f. NCAA Division I Softball Committee. The cabinet appointed Scott Farmer, associate athletics director at the University of Louisiana, Lafayette, as chair, effective September 1, 2010.

g. NCAA Division I Men's and Women's Tennis Committee. The cabinet appointed Beth Goode, senior associate athletics director/senior woman administrator at Stanford University, as chair, effective September 1, 2010.

h. NCAA Division I Men's and Women's Track and Field Committee. The cabinet appointed Todd Patulski, executive associate athletics director at Baylor University, as chair, effective September 1, 2010.

i. NCAA Men's Volleyball Committee. The cabinet appointed Bob Krimmel, director of athletics at Saint Francis University (Pennsylvania), as chair, effective September 1, 2010.

14. Automatic Qualification. The cabinet awarded automatic qualification as follows:

a. Men's Baseball Committee. That the following 30 conferences receive automatic bids for their conference champion into the 2011 championship: America East

Conference, Atlantic 10 Conference, Atlantic Coast Conference, Atlantic Sun Conference, Big 12 Conference, Big East Conference, Big South Conference, Big Ten Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, Summit League, Sun Belt Conference, The Patriot League, West Coast Conference and the Western Athletic Conference.

b. Men's Basketball Committee. That the following 31 conferences receive automatic qualification for the 2011 championship: America East Conference, Atlantic Coast Conference, Atlantic Sun Conference, Atlantic 10 Conference, Big East Conference, Big Sky Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, The Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, The Summit League, Sun Belt Conference, West Coast Conference and the Western Athletic Conference.

c. Women's Basketball Committee. That the following 31 conferences receive automatic qualification for the 2011 championship: America East Conference, Atlantic Coast Conference, Atlantic Sun Conference, Atlantic 10 Conference, Big East Conference, Big Sky Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, The Summit League, Sun Belt Conference, West Coast Conference and Western Athletic Conference.

d. Division I Men's Golf Committee. That the following conferences receive automatic qualification for the 2011 championship: Atlantic Coast Conference, Atlantic Sun Conference, Atlantic 10 Conference, Big East Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West

Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, The Summit League, Sun Belt Conference, West Coast Conference and Western Athletic Conference.

e. Division I Women's Golf Committee. That the following conferences receive automatic qualification for the 2011 championship: Atlantic Coast Conference, Atlantic Sun Conference, Big East Conference, Big Sky Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Mid-American Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, The Summit League, Sun Belt Conference and Western Athletic Conference.

f. NCAA Men's Gymnastics Committee. That the following conferences receive automatic qualification for the 2011 championship: Eastern Collegiate Athletic Conference and the Big Ten Conference.

g. Division I Men's Ice Hockey Committee. That the following five conferences receive automatic qualification for the 2011 championship: Atlantic Hockey Association, Central Collegiate Hockey Association, ECAC Hockey League, Hockey East Association and the Western Collegiate Hockey Association.

h. NCAA Women's Ice Hockey Committee. That the following conferences receive automatic qualification for the 2011 championship: ECAC Hockey; Hockey East Association; and the Western Collegiate Hockey Association.

i. Women's Lacrosse Committee. That the following conferences receive automatic qualification for the 2011 championship: America East Conference, Atlantic Coast Conference, Big East Conference, Colonial Athletic Association, Ivy Group and the Mountain Pacific Sports Federation.

j. NCAA Division I Softball Committee. That the following conferences receive automatic qualification privileges for the 2011 championship: America East Conference, Atlantic Coast Conference, Atlantic 10 Conference, Atlantic Sun Conference, Big East Conference, Big South Conference, Big Ten Conference,

Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific Coast Softball Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, The Summit League, Sun Belt Conference and Western Athletic Conference.

k. Men's and Women's Tennis Committee. That the following 31 conferences receive automatic qualification privileges for the 2011 championships:

(1) Men's Conferences: America East Conference, Atlantic Coast Conference, Atlantic Sun Conference, Atlantic 10 Conference, Big East Conference, Big Sky Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, The Summit League, Sun Belt Conference, West Coast Conference and Western Athletic Conference.

(2) Women's Conferences: America East Conference, Atlantic Coast Conference, Atlantic Sun Conference, Atlantic 10 Conference, Big East Conference, Big Sky Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, The Summit League, Sun Belt Conference, West Coast Conference and Western Athletic Conference.

l. Men's Volleyball Committee. That the following conferences receive automatic qualification for the 2011 championship: Eastern Intercollegiate Volleyball

Association, Midwestern Intercollegiate Volleyball Association and the Mountain Pacific Sports Federation.

m. Women's Water Polo Committee. That the following conferences receive automatic qualification for the 2011 championship: Big West Conference, Mountain Pacific Sports Federation, Collegiate Water Polo Association, Southern California Intercollegiate Athletic Conference, Metro Atlantic Athletic Conference and Western Water Polo Association.

15. Site Selections. The cabinet approved the following championships site selections:

a. NCAA Division I Men's Lacrosse Championship.

(1) Quarterfinal Hosts for 2012. The hosts for 2012 will be U.S. Naval Academy and Drexel University.

(2) Championship Host for 2013. The host will be Drexel University.

(3) Championship Hosts for 2014. The hosts will be Johns Hopkins University, Loyola University Maryland, University of Maryland, Baltimore County, and Towson University.

b. NCAA Division I Women's Rowing Championships.

(1) Championship Host for 2011. The host will be Washington State University.

(2) Championship Host for 2012. The host will be the Metro Atlantic Athletic Conference.

(3) Championship Host for 2013. The host will be Clemson University.

c. NCAA Division I Men's and Women's Swimming and Diving. The cabinet has approved the following zone diving sites for 2011 as follows:

Zone A	U.S. Naval Academy, Annapolis, Maryland;
Zone B	University of Georgia, Athens, Georgia;
Zone C	The Ohio State University, Columbus, Ohio;
Zone D	University of Texas at Austin, Austin, Texas; and
Zone E	U.S. Air Force Academy, Minneapolis, Minnesota.

d. NCAA Division I Outdoor Track and Field Championships. The cabinet has approved the following preliminary round sites for the 2011 championship:

(1) East Region. The host will be Indiana University, Bloomington.

(2) West Region. The host will be the University of Oregon.

Committee Chair: Judy Rose, University of North Carolina, Charlotte
Staff Liaisons: Joni Comstock, Championships
David W. Schnase, Academic and Membership Affairs

REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I ADMINISTRATION CABINET JUNE 30, 2010, MEETING

***KEY ITEMS*.**

1. **Annual Review/Advancement of Provisional/Reclassifying Members.** The cabinet reviewed the progress of all 12 institutions currently in the process of reclassifying their sports programs to Division I active status. Specifically, the group reviewed the annual reports and updated strategic plans for all reclassifying and provisional members and focused on whether such institutions were meeting all applicable legislative requirements and were responsive to feedback provided to the institution the previous year by the cabinet.

2. **Override Voting.** The cabinet agreed to sponsor a proposal in the 2010-11 legislative cycle that would revise the process for casting override votes on legislation so as not to require the vote to occur at the annual Convention of the Association. The cabinet noted that such a proposal not only would result in reduced costs for institutions, but would reflect a more accurate representation of the "one institution/one vote" principle.

***ACTION ITEMS*.**

1. **Legislative Items**.

   - None.

2. **Nonlegislative Items.**

   - Annual Review/Advancement of Provisional/Reclassifying Members. The cabinet reviewed the progress of all 12 institutions currently in the process of reclassifying their sports programs to Division I active status. The cabinet agreed to recommend to the Leadership Council that California State University, Bakersfield, and the University of Central Arkansas, both institutions in their final year of the membership reclassification process, be elected to active Division I status. Further, the cabinet recommends to the Leadership Council that Bryant University (men's lacrosse and women's field hockey), Seattle University (men's and women's soccer), University of South Dakota (men's and women's outdoor track and field) and Southern Illinois University, Edwardsville (men's soccer and softball) be elected to active Division I multidivisional membership status in the identified sports. Each institution is completing its final year of the multidivisional reclassification process in the applicable sport.

***INFORMATION ITEMS*.**

1. Governance Updates.

a. Reports of the Administration Cabinet. The cabinet received the report of the February 9-10, 2010, Administration Cabinet meeting and approved the interim actions of the Administrative Committee of the Administration Cabinet.

b. Governance Reports. In keeping with Division I's efforts to enhance the level of governance communication and develop a more coordinated governance agenda, the cabinet received status reports from the Communications and Coordination Committee, the Board of Directors, the Leadership Council and the Legislative Council.

2. Issues pertaining to Division I membership.

a. Annual Review/Advancement of Provisional/Reclassifying Members – Review of Updated Strategic Plans and Annual Reports. The cabinet reviewed the progress of all 12 institutions currently in the process of reclassifying the sports programs to Division I active status. Specifically, the group reviewed the annual reports and updated strategic plans for all reclassifying and provisional members and focused on whether such institutions were meeting all applicable legislative requirements and were responsive to feedback provided to the institution the previous year by the cabinet. The cabinet advanced the following institutions to the next year of the membership reclassification process**:**

(1) Reclassifying Membership [Division II to Division I].

- Year Four -- Florida Gulf Coast University (pending receipt of additional information) and University of South Carolina, Upstate.

- Year Three -- Bryant University, University of North Dakota, Seattle University, University of South Dakota and Southern Illinois University, Edwardsville.

(2) Deferrals. The cabinet deferred any decision to advance Houston Baptist until such time as it has the opportunity to review additional requested information. The cabinet deferred any decision to advance North Carolina Central University and Presbyterian University pending receipt of additional information and review by the Committee on Athletics Certification of the institutions' status in the athletics certification process.

b. Review of National Accreditation Issue Per Constitution 3.2.3.3. The cabinet declined to sponsor legislation to modify the current constitutional provision that requires an active member to be accredited by one of the six regional accrediting agencies. The cabinet noted that the issue arose as a result of a Division II institution whose accreditation status was removed by the applicable regional accrediting agency, but the institution had received accreditation by a national agency recognized by the U.S. Department of Education in compliance with Title IV of the Higher Education Act of 1965. The cabinet also noted that any recommended legislative change would have to be approved by all three divisions as a common provision; further, the Division II Presidents Council previously declined to sponsor such legislation noting differences in the accreditation process between the current regional agencies and the national agency that approved the Division II institution.

c. Interpretative Issue Related to Football Bowl Subdivision (FBS) Requirements. The cabinet requested that the Leadership Council provide feedback related to the intent of the FBS requirement set forth in NCAA Bylaw 20.9.7.4-(a) that requires an institution to award 90 percent of the permissible maximum number of overall football grants-in-aid per year over a rolling two-year period. Specifically, the cabinet is seeking input as to whether the 90-percent requirement should be based on the 85 permissible maximum number of overall football grants-in-aid that generally may be awarded or based on the overall football grants-in-aid that an FBS institution may be limited to awarding as a result of penalties imposed by an NCAA Committee (e.g., NCAA Division I Committee on Academic Performance, Committee on Infractions).

d. Waiver of Minimum Women's Sports Sponsorship Requirements – Bylaw 20.9.4.2-Virginia Military Institute. The cabinet approved a request from Virginia Military Institute to waive the minimum women's sports sponsorship criteria per 20.9.4.2 for the 2010-11 academic year. The cabinet noted that the institution provided detailed information identifying that the institution will meet the minimum women's sports sponsorship criteria beginning with 2011-12 academic year with the addition of women's water polo and also documented the current efforts (coaching hire, operating budget, athletics aid) being undertaken in preparation of adding the sport on the varsity level.

e. Membership Categories – Affiliated/Corresponding Membership. The cabinet recommends that the Executive Committee support the concept to eliminate the "corresponding membership" category and that membership in the "affiliated" category be limited to:

(1) Coaches and sport associations for sports sponsored by the NCAA (or that are on the NCAA emerging sport list), and

(2) College/university administrator associations that have a direct connection to either the NCAA or its member institutions (e.g., NACDA, FARA).

Further, the cabinet supports an increase of the annual affiliated membership fee from $225 to an amount that is more appropriate based on the benefits gained by being allowed to use the Association's registered marks.

The cabinet noted that the Executive Committee will need to direct the divisional presidential groups to take the appropriate action to sponsor such legislation into the 2010-11 legislative cycle as a legislative proposal [common provision].

3. Committee Appointments.

a. Update on Efforts to Enhance the Level of Diversity Serving in the Governance Structure. The cabinet was informed that during its April meeting, the Board of Directors reviewed the slate of nominees for council and cabinet vacancies submitted by the FBS conferences. Although the slate fell slightly short of the enhanced diversity recommendations, the Board agreed to approve the slate with the condition that any subsequent modification due to attrition would have to assist in meeting the enhanced diversity standards. The cabinet expressed concern with the positional requirements and the potential unintended consequences of applying those requirements in addition to the gender and ethnicity requirements. The cabinet noted that the former Governance Subcommittee discussed possible positional requirements for the new structure, but agreed that the positional requirements would not provide conferences with sufficient flexibility in appointing their representatives to the cabinets and councils. The cabinet supports participation in the structure by faculty and athletics administrators; however, it also notes the importance of placing individuals with the appropriate expertise and experience on the various cabinets and councils. The cabinet urges the Board to reconsider adding the positional requirements to those of gender and ethnicity.

b. Committee Nominations. The cabinet approved appointments to 15 Division I and Association-wide committees. A list of the appointments and reappointments is attached.

4. Governance Assessment Tool. As part of an assessment plan to determine if the new structure is achieving its stated goals and objectives, the cabinet has been working with the NCAA research staff to develop an exit survey to be administered to individuals serving in the structure. The cabinet reviewed and made recommendations for revisions to the exit survey to be completed by individuals whose terms on a cabinet/council recently expired. The cabinet suggested that the survey also be completed by individuals currently serving on

cabinets/councils, inasmuch as those individuals could provide valuable information to assist in the evaluation of the governance structure/processes.

5. **Regional Conference Representation.** The cabinet discussed concerns with the current regional requirements of a number of 10-member sport committees, which limit the cabinet during the committee appointment process. The cabinet recommended that the Championships/Sports Management Cabinet review the regional alignments of 10-member/8-region sports committees and consider sponsoring appropriate legislation that would reduce the number of regions to four, as is the case for the Division I Men's and Women's Basketball Committees. The cabinet noted that there appears to be potential for broader representation opportunities on such committees if changes were made to the regional distinctions.

Cabinet chair: *Rob Halvaks, Big West Conference*
Cabinet liaisons: *Jacqueline Campbell, governance*
Steve Mallonee, academic and membership affairs
Delise O'Meally, membership and governance
Dave Schnase, academic and membership affairs
Sharon Tufano, governance

ATTACHMENT
DI Administration Cabinet 06/10

NCAA DIVISION I ADMINISTRATION CABINET
COMMITTEE APPOINTMENTS
June 30, 2010

All committee appointments are effective September 1, 2010, unless otherwise noted.

DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE

- John Morris, senior associate director of athletics, University of Washington, Pacific-10 Conference (reappointment).
- Alison Cone, director of athletics, California Polytechnic State University, Big West Conference.

DIVISION I AMATEURISM FACT-FINDING COMMITTEE (immediate vacancy)

- Jamie Johnson, assistant director of athletics, Rutgers, State University of New Jersey, New Brunswick, Big East Conference.

DIVISION I MEN'S BASKETBALL ISSUES COMMITTEE (immediate vacancy)

- Jon Steinbrecher, commissioner, Mid-American Conference.

HIGH SCHOOL REVIEW COMMITTEE

- Barbara Rupp, director of admissions, University of Missouri, Columbia, Big 12 Conference (reappointment).

HONORS COMMITTEE (immediate vacancy)

- Bernadette McGlade, commissioner, Atlantic 10 Conference.

DIVISION I INITIAL-ELIGIBILITY WAIVERS COMMITTEE (immediate vacancy)

- Richard McGlynn, senior associate director of athletics, Auburn University, Southeastern Conference.

OLYMPIC SPORTS LIAISON COMMITTEE (two immediate vacancies)

- Keisha Dunlap, assistant commissioner, Conference USA.
- David Roach, director of athletics, Colgate University.

MEN'S AND WOMEN'S FENCING COMMITTEE (one vacancy)

- Nikki Franke, head fencing coach, Temple University, Atlantic 10 Conference.

DIVISION I WOMEN'S GOLF COMMITTEE (immediate vacancy)

- Lisa Kelleher, associate director of athletics, University of Nevada, Las Vegas, Mountain West Conference.

MEN'S GYMNASTICS COMMITTEE (two vacancies)

- Mark Williams, head men's gymnastics coach, University of Oklahoma, Big 12 Conference (reappointment).
- Kip Simons, head men's gymnastics coach, U.S. Air Force Academy, Mountain West Conference.

WOMEN'S GYMNASTICS COMMITTEE (two vacancies)

- Mark Alnutt, associate director of athletics, University of Missouri, Columbia, Big 12 Conference (reappointment).
- Brice Biggin, head gymnastics coach, Kent State University, Mid-American Conference.

DIVISION I WOMEN'S LACROSSE COMMITTEE (one vacancy)

- Earl Koberlein, senior associate director of athletics, Stanford University, Pacific-10 Conference.

DIVISION I WOMEN'S VOLLEYBALL COMMITTEE (one vacancy)

- Barbara Walker, senior associate director of athletics, Wake Forest University, Atlantic Coast Conference.

WOMEN'S WATER POLO COMMITTEE (immediate vacancy)

- Peg Hefferan, associate director of athletics, Wagner College, Northeast Conference.

POSTGRADUATE SCHOLARSHIP COMMITTEE (one vacancy)

- Nicole R. Commissiong, public member.

REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I ADMINISTRATION CABINET SEPTEMBER 16, 2010, CONFERENCE CALL

KEY ITEMS.

1. **Committee Appointments**. The cabinet approved appointments to several Division I and Association-wide committees.

2. **Review of Legislation**. The cabinet took positions on legislative proposals referred from the 2010-11 Division I legislative cycle.

ACTION ITEMS.

1. **Legislative Items**.

   - None.

2. **Nonlegislative Items.**

   - None.

INFORMATION ITEMS.

1. **Report of the Administration Cabinet**. The cabinet received the report of the June 30, 2010, Administration Cabinet meeting and approved the interim actions of the Administrative Committee of the Administration Cabinet.

2. **Governance Reports**. The cabinet received status reports from the Communications and Coordination Committee, the Board of Directors and the Division I Student-Athlete Advisory Committee.

3. **Committee Appointments.** The cabinet approved appointments to nine Division I and Association-wide committees. A list of the appointments is attached (See Attachment A).

4. **Review of Proposals Referred to the Cabinet from the 2010-11 cycle.** The cabinet reviewed Division I legislative proposals assigned to it for review that will be considered by the Division I membership as part of the 2010-11 legislative cycle. Please see Attachment B for the cabinet's positions.

Cabinet chair: *Rob Halvaks, Big West Conference*
Cabinet liaisons: *Jacqueline Campbell, governance*
Steve Mallonee, academic and membership affairs
Delise O'Meally, membership and governance
Dave Schnase, academic and membership affairs
Sharon Tufano, governance

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NCAA DIVISION I ADMINISTRATION CABINET
COMMITTEE APPOINTMENTS
September 16, 2010

All committee appointments are effective immediately, unless otherwise noted.

DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE
- Roderick McDavis, president, Ohio University, Mid-American Conference.

DIVISION I AMATEURISM FACT-FINDING COMMITTEE
- Brian Lutz, associate director of athletics, University of Toledo, Mid-American Conference.

DIVISION I MEN'S BASKETBALL ISSUES COMMITTEE
- Barry Collier, director of athletics, Butler University.

DIVISION I WOMEN'S BASKETBALL ISSUES COMMITTEE
- Shanice Stephens, head women's basketball coach, University of North Texas, Sun Belt Conference.

HONORS COMMITTEE (January 2011 term start date)
- Mollie Lehman, assistant commissioner, Western Athletic Conference.

DIVISION I INITIAL-ELIGIBILITY WAIVERS COMMITTEE
- The cabinet voted not to make any appointments to the committee until a solicitation for additional nominations occurs.

WOMEN'S GYMNASTICS COMMITTEE
- The cabinet received no nominees and will solicit nominations from the North Central region.

DIVISION I WOMEN'S LACROSSE COMMITTEE
- Ann-Marie Guglieri, assistant director of athletics, Colgate University, Patriot League.

DIVISION I SOFTBALL COMMITTEE
- Megan Sobel, senior associate director of athletics, Dartmouth College, Ivy Group.

BASEBALL RULES COMMITTEE
- J. T. Bruett, director of athletic compliance, University of Minnesota, Twin Cities, Big Ten Conference.

MEN'S AND WOMEN'S ICE HOCKEY RULES COMMITTEE
- Tim Whitehead, head men's ice hockey coach, University of Maine, Orono, America East Conference.

NCAA DIVISION I ADMINISTRATION CABINET POSITIONS ON PROPOSALS REFERRED FROM THE 2010-11 LEGISLATIVE CYCLE

During its September 16 teleconference, the NCAA Division I Administration Cabinet discussed legislative proposals in the 2010-11 legislative cycle sponsored by cabinets and conferences assigned to the cabinet for review and comment. The chart below sets forth the cabinet's position and comments regarding the proposals. Please note that a position of support with no additional comment reflects that the cabinet supported the rationale provided by the sponsor of the proposal.

NCAA Division I Proposal Number	Title	Intent	Committee Position/Comments
NCAA Division I Proposal No. 2009-83	PLAYING AND PRACTICE SEASONS AND DIVISION MEMBERSHIP -- REGULATIONS FOR PLAYING SEASON AND MINIMUM CONTEST REQUIREMENTS FOR SPORTS SPONSORSHIP -- WOMEN'S SAND VOLLEYBALL	In women's sand volleyball, to establish the playing and practice season and the minimum number of contests necessary for sports sponsorship purposes, as specified.	Support
Proposal No. 2010-6	NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- ELECTION PROCEDURES -- BOARD OF DIRECTORS	To specify that the NCAA Division I Board of Directors, on the recommendation of the NCAA Division I Administration Cabinet, shall have the authority to elect an institution to active Division I membership status.	Support

NCAA Division I Proposal Number	Title	Intent	Committee Position/Comments
Proposal No. 2010-7	NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- APPLICATION OF RULES TO ALL RECOGNIZED VARSITY SPORTS -- ELIMINATION OF EMERGING SPORTS TIMETABLE	To eliminate the timetable for application of legislation to emerging sports for women.	Support
Proposal No. 2010-77	FINANCIAL AID AND DIVISION MEMBERSHIP -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATION -- FOOTBALL CHAMPIONSHIP SUBDIVISION DOMINANT PROVISIONS	To change the voting line of NCAA Bylaw 15.5.6.2 from federated (FCS) to Football Championship Subdivision dominant (FCSD) and to change the voting line of Bylaw 20.9.8 and its subsections from federated (FCS) to Football Championship Subdivision (FCSD).	Support
Proposal No. 2010-100	DIVISION MEMBERSHIP -- ELIMINATION OF PROVISIONAL AND MULTIDIVISIONAL MEMBERSHIP -- RECLASSIFICATION PROCESS AND MULTI-SPORT CONFERENCE REQUIREMENTS	To eliminate provisional and multidivisional membership, as specified, further to establish a four-year process for an institution that wishes to reclassify membership from Division II to Division I.	Support

NCAA Division I Proposal Number	Title	Intent	Committee Position/Comments
Proposal No. 2010-101	DIVISION MEMBERSHIP -- DEFINITIONS AND APPLICATIONS -- EMERGING SPORTS FOR WOMEN -- REMOVAL OF SQUASH	To remove squash as an emerging sport for women and to eliminate other specified legislation associated with the sport (e.g., playing and practice season regulations, sports-sponsorship minimum contest and participant requirements).	Support
Proposal No. 2010-102	DIVISION MEMBERSHIP -- ELIGIBILITY FOR NATIONAL COLLEGIATE CHAMPIONSHIPS -- ELIMINATION OF TWO-THIRDS MAJORITY ELIGIBILITY REQUIREMENT	To eliminate the requirement that, in those sports in which two-thirds or more of the institutions sponsoring the sport are members of the same division, an institution is required to meet that division's and its own division's institutional and individual eligibility requirements (or the more stringent rule if both divisions' rules address the same issue).	Support
Proposal No. 2010-103	DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- SPORTS SPONSORSHIP -- MINIMUM CONTESTS FOR SPORTS SPONSORSHIP -- SWIMMING AND DIVING	In swimming and diving, to reduce, from 10 to six, the minimum number of contests required to satisfy sports-sponsorship requirements.	Support

NCAA Division I Proposal Number	Title	Intent	Committee Position/Comments
Proposal No. 2010-104	DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- SCHEDULING REQUIREMENTS -- WRESTLING	In wrestling, to specify that an institution shall schedule and play at least 50 percent (as opposed to 100 percent) of its contests against Division I opponents to satisfy the minimum number of contests specified to meet sports sponsorship criteria.	Support
Proposal No. 2010-105	DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- BASKETBALL SCHEDULING -- ONE-THIRD OF CONTESTS IN HOME ARENA -- WOMEN'S BASKETBALL	In women's basketball, to specify that an active or provisional member must play at least one-third of its regular-season basketball contests in the arena regularly used for the institution's home games.	Oppose • Expressed concern that the minimum requirements will not achieve the proposal's objective to decrease the number of guaranteed games before the conference schedule begins. • Noted that the proposal does not address concerns or provide solutions for those institutions that may have difficulty scheduling home contests. • Suggested that consideration be given to establishing a maximum number of home contests.

NCAA Division I Proposal Number	Title	Intent	Committee Position/Comments
Proposal No. 2010-106	COMMITTEES -- COMMON COMMITTEES -- COMMITTEES WITH PLAYING RULES AND CHAMPIONSHIPS ADMINISTRATION RESPONSIBILITIES -- WOMEN'S BOWLING COMMITTEE	To increase the number of members of the Women's Bowling Committee from six to seven, including nonvoting secretary rules editor.	Support
Proposal No. 2010-107	COMMITTEES -- DIVISION I CABINETS AND COMMITTEES -- MEN'S SOCCER COMMITTEE -- NOT MORE THAN TWO MEMBERS FROM THE SAME REGION	To specify that not more than two members of the men's soccer committee may be appointed from the same region.	Support

REPORT OF THE NCAA DIVISON I ACADEMIC CABINET JUNE 28-29, 2010, MEETING

KEY ITEMS.

1. **Review of Eligibility Standards for Prospective Student-Athletes.** The NCAA Division I Academic Cabinet met jointly with the NCAA Division I Committee on Academic Performance to continue its review of initial-eligibility and transfer-eligibility requirements in an effort to align all academic eligibility requirements to increase student-athlete graduation success. The cabinet considered modifications to the current initial- and transfer-eligibility requirements designed to identify those prospective student-athletes who are academically prepared for college work and to foster additional support for student-athletes who are academically underprepared. The cabinet will solicit feedback from the NCAA Division I Board of Directors and membership, and will continue to discuss enhanced eligibility models during its September meeting.

2. **Nontraditional Courses Used to Fulfill Full-Time Enrollment and Progress-Toward-Degree Requirements.** The cabinet sponsored two proposals to simplify the legislation regarding the use of nontraditional courses (i.e., 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) to meet full-time enrollment and progress-toward-degree requirements. The proposals are intended to provide student-athletes with access to courses available to the student-body in accordance with institutional policies and procedures, while protecting against the misuse of such courses solely to meet eligibility requirements.

ACTION ITEMS.

- None.

INFORMATIONAL ITEMS.

1. **Legislative – Cabinet Sponsored Proposals for the 2010-11 Legislative Cycle.**

   a. **NCAA Bylaw 14.1.8.2 – Eligibility – General Eligibility Requirements – Full-Time Enrollment – Requirement for Competition.** The cabinet sponsored legislation to specify that enrollment in a nontraditional course or credit (i.e., 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, including Internet/virtual courses, distance-learning, extension, correspondence, or independent study) offered by the certifying institution may be used to satisfy the

full-time enrollment requirement for competition, provided the following conditions are met:

(1) The course is available to any student at the certifying institution;

(2) The institution considers enrollment in the course as regular course enrollment for all students;

(3) Enrollment in the course occurs within the institution's regular enrollment periods (preregistration or drop-add period) in accordance with the institution's academic calendar and applicable policies and procedures; and

(4) 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.

In light of the prevalence and acceptance of nontraditional courses throughout post-secondary education, it is appropriate to modernize the guidelines regarding the various methods of course delivery. This proposal clarifies the opportunity for student-athletes to take legitimate nontraditional coursework, but also recognizes the potential for academic misconduct and provides safeguards against misuse to meet eligibility requirements. In general, student-athletes should be provided with similar access to nontraditional courses as all students at their respective institutions in order to fulfill the full-time enrollment requirements, provided the institution considers enrollment in such a course as regular course enrollment for all students. This proposal also includes baseline standards for nontraditional courses to minimize the potential for misuse. Finally, this proposal respects institutional discretion and authority in setting course content and curriculum, and relies on institutional integrity and security with regard to the delivery of nontraditional courses.

b. Bylaw 14.4.3.4 – Eligibility – Progress-Toward-Degree Requirements – Regulations for Administration of Progress Toward Degree – Nontraditional Courses. The cabinet sponsored legislation to specify that enrollment in a nontraditional course or credit (i.e., 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, including Internet/virtual courses, distance-learning, extension, correspondence, or independent study) completed at an institution other than the certifying institution may be used to meet credit-hour requirements and percentage-of-degree requirements, provided the following conditions are met:

(1) The course is available to any student at the certifying institution;

(2) The institution considers enrollment in the course as regular course enrollment for all students; and

(3) Enrollment in the course occurs within the institution's regular enrollment periods (preregistration or drop-add period) in accordance with the institution's academic calendar and applicable policies and procedures.

In light of the prevalence and acceptance of nontraditional courses throughout post-secondary education, it is appropriate to modernize the guidelines regarding the various methods of course delivery. This proposal clarifies the opportunity for student-athletes to take legitimate nontraditional coursework, but also recognizes the potential for academic misconduct and provides safeguards against misuse to meet eligibility requirements. In general, student-athletes should be provided with similar access to nontraditional courses from any institution, as is the case for all students at their respective institutions, in order to fulfill graduation requirements for all students. This proposal also includes baseline standards for nontraditional courses to minimize the potential for misuse. Finally, this proposal respects institutional discretion and authority in setting course content and curriculum, and relies on institutional integrity and security with regard to the delivery of nontraditional courses.

c. Designation of Certain Initial-Eligibility Bylaws as "Common Provisions." The cabinet sponsored a proposal to specify that the following bylaws shall be common provisions between Division I and Division II: Bylaws 14.3.1.2 (core-curriculum requirements), 14.3.1.2.2 (nontraditional courses), 14.3.1.2.3 (college courses), 14.3.1.2.4 (English as a second language courses), 14.3.1.2.5 (courses for students with education-impacting disabilities), 14.3.1.2.6 (grade value of core courses), 14.3.1.2.7 (pass-fail grade), 14.3.1.2.8 (repeat courses), 14.3.1.2.9 (multiple high school attendance), 14.3.1.3 (test-score requirement), 14.3.1.3.2 (combined test score), 14.3.1.3.3 (nonstandard test administration, and 14.3.1.3.4 (test-score report).

Federation of the Association has successfully provided Divisions I and II the opportunity to consider and amend initial-eligibility legislation deemed most appropriate for each division (e.g., core-course distribution, test-score and grade-point average requirements and core-course time limitation). However, there are portions of the initial-eligibility legislation that traditionally have and practically should remain consistent for the two divisions. Such bylaws include the definition of core courses, regulations for the use of specific types of courses to meet initial-eligibility requirements (e.g., college courses, Advanced Placement,

English as a Second Language), calculation of the core-course grade-point average, test-score specifications (except for minimum test-score requirement), and graduation requirements. Designating these bylaws as common provisions will provide consistency for prospective student-athletes and high school coaches and administrators to understand initial-eligibility legislation and how courses completed by the prospective student-athlete will be used for purposes of certifying eligibility. A consistent standard also will assist the academic certification staff at the NCAA Eligibility Center in more efficiently determining whether a particular student-athlete has fulfilled each division's initial-eligibility requirements. If the divisions were to have different legislation, the Eligibility Center staff would be required to apply different standards to the same course. This may result in two core-course lists for each high school, leading to duplicate work for Eligibility Center staff and confusion for prospective student-athletes. However, the autonomy of each division to establish its own initial-eligibility requirements (e.g., number of core courses, minimum grade-point average and standardized test score) will be maintained under this proposal. If this proposal is adopted, the common provisions will become effective when adopted by both the Division I and Division II membership. [Note: Bylaw 14.3.1.2.2 will not be designated as common unless Division II also adopts a proposal currently active in its legislative cycle.]

d. Academic Certification of Prospective Student-Athletes from Examination-Based Countries. The cabinet sponsored a proposal to create an exception to the core-course time limitation specifying that prospective student-athletes from an examination-based country are subject to the core curriculum time limitations as set forth in the NCAA Guide to International Academic Standards for Athletics Eligibility. As a general principle, the cabinet noted that prospective student-athletes from examination-based countries should be certified using grades from the leaving examination, rather than the prospective student-athlete's transcript, regardless of any delay in graduation or delay in taking the leaving exams. The cabinet noted that the NCAA International Student Records Committee also supports the certification of prospective student-athletes from examination-based countries using that country's leaving examinations, even if completion of those examinations are delayed beyond the core-course time limitation. This approach appropriately recognizes the nature of examination-based countries and is consistent with the educational system in the prospective student-athlete's home country. Further, a consistent approach for all prospective student-athletes from a particular country is the most fair and appropriate means of certifying academic eligibility. In addition, annual transcripts for students from examination-based countries can be difficult to obtain and often are unofficial documents which cannot be used for initial-eligibility certification purposes. Using official leaving examinations will significantly ease the administrative burden on prospective

student-athletes, member institutions and the Eligibility Center staff. Further, individuals who do not take their leaving exams during the normal timeframe for students in their educational system will not be permitted to complete one additional core course after graduation (to improve their core-course grade-point averages) since they will not graduate on time. Finally, a prospective student-athlete who delays completion of the leaving examination (and also engages in organized competition prior to initial full-time collegiate enrollment) may be charged with season(s) of competition under NCAA eligibility legislation, as the individual's anticipated date of graduation will not be changed for purposes of certifying competition prior to initial full-time collegiate enrollment.

2. Nonlegislative.

a. Review of Academic Preparation and Eligibility Standards for Prospective Student-Athletes. The cabinet continued its review of initial-eligibility and transfer-eligibility requirements in an effort to align all eligibility requirements to support student-athlete academic success. The cabinet met jointly with the Committee on Academic Performance and representatives of the two-year college community to discuss potential enhancements to the current initial- and transfer-eligibility requirements designed to identify those prospective student-athletes who are academically prepared for college work, and to foster additional support for student-athletes who are academically underprepared.

NCAA research continues to indicate that a combination of standardized test scores and high school grades is a better predictor of academic success at a four-year institution than using either grades or tests alone. Data also indicates that the high school core-course grade-point average is the single most significant indicator of success at the four-year institution. Given these findings and based on feedback from the Board, the group continued to review models for initial eligibility.

The cabinet will continue to consider whether enhancements to the initial-eligibility requirements could improve student-athlete graduation success without excluding prospective student-athletes who are capable of academic success; however, the cabinet noted that it may continue to monitor academic performance until the impact of increased eligibility standards and the NCAA Division I Academic Progress Rate (APR) can be more fully realized before considering a significant change to the initial-eligibility model.

Regarding two-year college transfers, the group reviewed data on student-athlete academic performance while at the two-year college(s), collected for the first time

in the most recent NCAA Division I Academic Performance Program (APP) data collection process. The cabinet and committee considered several potential modifications to the current two-year college transfer regulations with the potential to generate greater academic success for two-year college transfers after transfer to a four-year institution.

Based on data indicating that an individual's most recent academic work is more predictive of future academic success than his or her high school academic profile, the group discussed whether all two-year college transfers should meet the same eligibility standard, regardless of qualifier status. Current rules establish different eligibility standards for two-year college transfers depending on the individual's qualifier status.

In addition, the group expressed interest in a concept that would target prospective student-athletes who are significantly academically underprepared by permitting an academic year in residence during the student's first year at the at the two-year college in order to remediate academic deficiencies. Student-athletes who present a specified academic profile would have the opportunity to choose such a plan at the time of the student's initial-collegiate enrollment, but would not be eligible for competition in the first year if they did so. Possible adjustments to the five-year clock and percentage of degree timeframe would allow such student-athletes to continue to participate in four seasons of competition within the five years immediately following the academic year in residence. Deviation from this plan would subject a student to standard NCAA eligibility regulations. Additional details, including the specific academic profile to qualify for such a graduation plan are yet to be determined.

The group also discussed whether an increase of the grade-point average requirement for two-year college transfers is appropriate. Research indicates that the overall grade-point average at the two-year college appears to be the best predictor of academic success at the four-year institution. Current regulations require a minimum 2.000 grade-point average in transferable degree credits to be immediately eligible for competition. The group expressed interest in increasing the minimum grade-point average in transferable credits, as well as adding an overall grade-point average requirement. The group noted a goal to minimize the number of student-athletes who do not meet the transfer requirement but eventually would be successful without increasing the number of student-athletes who meet the transfer requirements but eventually fail academically.

Research also suggests that the number of physical education credits completed at the two-year college is negatively correlated with academic success at the four-year institution. The group supported a concept to limit the number of physical

education courses that could be used to meet two-year college transfer requirements (transferable credits and grade-point average), unless the student-athlete declares a physical education major.

The group also discussed the concept of a transferable core curriculum for two-year college transfers, including a potential model requiring six semester hours of English (including three of writing or composition), three hours of mathematics and three hours of science of all two-year college transfers. The group also was interested in reviewing the impact of attendance at multiple two-year colleges. NCAA research indicates that between 25 and 40 percent of two-year college transfers in baseball, men's and women's basketball and football (depending on sport) attended more than one two-year college.

The cabinet will solicit feedback from the Board, membership and two-year college community and will continue to discuss enhanced eligibility models during its September meeting.

b. **Data Collection Regarding Two-Year College Transfer Student-Athletes.** The cabinet recommended to the Committee on Academic Performance that it continue to collect information on the academic performance of two-year college transfer student-athletes in baseball, football and men's and women's basketball for an additional two-year period. Specifically, the cabinet noted that the data collection is intended to inform the membership regarding the academic performance of two-year college transfers while at the two-year college. During the first year of data collection, information was collected regarding 3,961 student-athletes from 336 institutions; however, that number is expected to decrease as only a single year of enrolling student-athletes will be collected in fall 2010. The cabinet noted that the data collection is critical to continue to inform decisions about potential revisions to the two-year college transfer eligibility models as well as to begin to evaluate the impact of any future modifications.

c. **Women's Basketball Academic and Athletics Development Model.** The cabinet reviewed the proposed academic and athletics development model for women's basketball, as developed by the NCAA Division I Women's Basketball Issues Committee. The cabinet noted potential difficulties in implementation of the model for institutions that are reducing the number of courses offered during the summer (or are offered early in the summer, which would make it difficult for incoming freshmen prospective student-athletes to participate). The cabinet also noted it would prefer that student-athletes be required to successfully complete all of the credits in which they enroll, rather than 50 percent, as proposed by the committee. Lastly, the cabinet expressed some interest in identifying academically at-risk student-athletes for the required summer school element rather than requiring all incoming student-athletes to attend.

d. Review of Recruiting Models Proposed by the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet. The cabinet reviewed the proposed recruiting models developed by the Recruiting and Athletics Personnel Issues Cabinet. The cabinet expressed support for the concept of proposing recruiting models rather than single-variable amendments, and particularly for the models that address early recruitment issues by requiring a minimum number of academic evaluations and that preclude a verbal or written offer of athletically related financial aid prior to the institution receiving a four-semester or six-semester high school transcript.

e. Academic Support Plan Required for Initial-Eligibility Waivers. The cabinet approved an amendment to the initial-eligibility waiver policies and procedures to require that an academic support plan be submitted with an initial-eligibility waiver request in some situations. Academic support plans will be required in the following circumstances:

(1) The prospective student-athlete's academic record does not satisfy the minimum threshold requirements for review of initial-eligibility waivers. However, the NCAA staff may exclude additional waivers from this requirement based on an individual's outstanding overall academic record (e.g., student-athletes with a 3.500 grade-point average or a 1000 SAT/85 ACT test score)

(2) The prospective student-athlete's core-course grade-point average is less than 2.000.

(3) The prospective student-athlete has a diagnosed education-impacting disability.

(4) On request of the staff, based on the prospective student-athlete's overall academic profile.

The academic support plan will require the institution to identify strategies to support the student-athlete during the initial year of enrollment.

f. Academic Certification of Prospective Student-Athletes Who Graduate From High School and Enroll In College Early. The cabinet received an update on initial-eligibility waivers submitted for prospective student-athletes who graduated from high school before their expected date of high school graduation and enrolled immediately at NCAA Division I institutions. Occasionally, prospective student-athletes complete nontraditional courses to meet graduation and core-course requirements and these courses are invalidated during the

prospective student-athlete review process. In situations where the prospective student-athlete demonstrates academic readiness for college based on his or her overall academic profile, the NCAA academic and membership affairs staff has provided a partial initial-eligibility waiver for the student-athlete to receive financial aid during the initial term of enrollment and a conditional waiver for the ability to practice and compete during the following term. The cabinet supported the staff approach to such waivers and also requested that the staff provide additional information regarding the number of student-athletes who graduate from high school and enroll in college early, regardless of whether an initial-eligibility waiver was filed. The staff will continue to provide reports on such waivers submitted in the future and will develop waiver guidelines for the cabinet's consideration at a future meeting.

g. Review of Home School Standards and Application of Home-School Standards to Nontraditional Coursework. The cabinet received an update on a staff review of the standards for certifying the initial eligibility of prospective student-athletes who were home-schooled. The cabinet noted the review was appropriate given the cabinet's recent review of nontraditional courses used for initial-eligibility purposes, as many home-school administrators now use curriculum from providers of nontraditional courses. Currently, home-schooled students are required to meet the same requirements as all other prospective student-athletes. As part of their initial-eligibility certification, home-schooled students are required to submit a home-school transcript and additional documentation to the Eligibility Center. The Eligibility Center and academic and membership affairs staff reviewing such cases look for the same anomalies in the academic record as in the prospective student-athlete review process. However, the cabinet noted that legislation and policy regarding the certification of prospective student-athletes who attended a home school currently is limited, and directed the staff to develop a draft of potential policies for the cabinet's review at its September meeting.

h. Initial-Eligibility Test Score Validity and Notification. The cabinet received an update on conversations between NCAA staff and the national testing agencies to identify ways in which improved and more timely information can be shared with member institutions and the Eligibility Center in instances in which a test score is being questioned or challenged by the testing agency. The cabinet supported the staff's work and recommended continuing discussions with the testing agencies before considering legislative changes that may increase the burden on prospective student-athletes and student-athletes. Updates will be provided at future meetings as the discussions continue.

i. Facilitating Learning and Achieving Graduation (FLAG) Update. The cabinet received an update regarding the development and implementation of the FLAG program. Specifically, the Graduation Risk Overview (GRO) module, which assists institutions to evaluate and quantify each student-athlete's risk of not graduating, was released to the membership in December 2009. The second module, an online database of support services associated with specific risk factors, is currently under development by the national office staff. The module is projected to be available to the membership during summer 2010.

j. Academic Eligibility Waiver Policies and Procedures. The cabinet approved updates to the Initial-Eligibility Waiver Committee Policies and Procedures and the Progress-Toward-Degree Waiver Committee Policies and Procedures for the 2010-11 academic year. The revisions are primarily to reflect updates to the committees' authority and an institution's opportunity to appeal the committees' decisions to a subcommittee of the Academic Cabinet as a result of the adoption of NCAA Proposal No. 2009-60.

k. Academic Cabinet Policies and Procedures. The cabinet approved amendments to its policies and procedures to reflect the elimination of the cabinet's waiver appeal subcommittees due to the adoption of Proposal No. 2009-60 and due to changes in the compositional requirements for all councils and cabinets in the Division I governance structure. The revised policies and procedures are effective immediately.

l. NCAA Division I Football Academic Working Group Report. In a joint meeting with the Committee on Academic Performance, the cabinet reviewed the Football Academic Working Group's final report with a focus on outstanding issues related to the recommendations contained within the working group's report. The two governance bodies support the concept of requiring all football student-athletes to complete nine hours and earn the APR eligibility point during the fall term in order to be eligible for all games of the subsequent season. Football student-athletes failing to meet this requirement would be ineligible for participation in the first four contests in the following season. The groups also supported the option of reducing this penalty from the first four contests to two contests if the student-athlete earns 27 credit hours by the end of the summer session. Data demonstrate that football student-athletes who earn nine credit hours during the fall earn more APR points during their academic careers and are more likely to graduate and less likely to become an "0/2" student-athlete. Further, requiring 27 credit hours will position the student-athlete for graduation within four and a half years. This, in conjunction with other progress-toward-degree requirements, will ensure that football student-athletes are progressing toward a degree. The groups agreed that first-year student-athletes should be

allowed to use credit hours earned at the certifying institution during the summer before initial full-time enrollment and credit hours earned during the summer after the regular academic year to satisfy the 27 credit-hour requirement, but not the nine credit-hour requirement.

To address institutions following quarter-based academic calendars, the cabinet and committee recommended that football student-athletes be required to earn eight quarter hours in the fall term and, for those that fail to satisfy this requirement, be required to earn 40 quarter hours prior to the subsequent fall term in order to reduce the contest penalty. Research indicated the eight quarter-hour requirement generally is equivalent to the nine semester-hour requirement. Further, the 27 semester credit-hour requirement was selected because it positions a student-athlete for graduation in four and a half years. Requiring a football student-athlete at an institution with a quarter-based academic calendar to earn 40 quarter credit hours will position that student-athlete to graduate in an approximately equivalent period of time.

The cabinet and committee did not favor the working group's recommendation to no longer exempt the aid of "0/2" student-athletes who have exhausted eligibility when calculating contemporaneous penalties for Football Bowl Subdivision teams. The cabinet and committee agreed to take no action at this time regarding the recommendation in light of the Committee on Academic Performance's continued review of the APP, including the existing penalty structure, penalty-waiver filters and exceptions and cut scores. The two groups agreed that more time must be devoted to the study of time demands on football student-athletes and supported the cabinet in its effort to develop enhanced academic requirements for two-year college transfers that more accurately reflect the academic preparation most likely to lead to completion of a four-year degree.

Committee Chair: Carolyn Callahan, University of Virginia, Atlantic Coast Conference
Cabinet Liaisons: Matt Burgemeister, Academic and Membership Affairs
Julie Cromer, Academic and Membership Affairs
Diane Dickman, Academic and Membership Affairs

REPORT OF THE NCAA DIVISON I ACADEMIC CABINET SEPTEMBER 13-14, 2010, MEETING

KEY ITEMS.

1. **Review of NCAA Division I Academic Eligibility Requirements for Prospective Student-Athletes.** The NCAA Division I Academic Cabinet continued its discussion of possible changes to the initial-eligibility and 2-4 transfer requirements. After considering several potential modifications, the cabinet does not recommend changes to the initial-eligibility requirements at this time. The cabinet noted that additional time will allow for full consideration of data not yet available.

   With regard to 2-4 transfer requirements, the cabinet considered key research findings regarding the academic performance of two-year college transfers entering Division I institutions. Based on the data reviewed, the cabinet developed concepts for membership and two-year college input. The cabinet presents the draft concepts as a package for feedback. The package strives to balance principles of increased academic success, simplicity of administration, access to higher education and opportunity for those prospective student-athletes who are academically underprepared. The package includes enhanced academic standards for both qualifiers and nonqualifiers and the concept of a year of academic readiness.

2. **Recommendation for an Alternative Proposal for NCAA Division I Proposal No. 2010-58 – Eligibility, Financial Aid and Playing and Practice Seasons – Summer Academic Preparation and Acclimatization – Men's Basketball.** The cabinet recommends the NCAA Division I Board of Directors consider an alternative proposal for Proposal No. 2010-58. Proposal No. 2010-58, establishes a summer academic preparation and college acclimatization model for incoming and continuing men's basketball student-athletes. The cabinet's alternative proposal increases the requirement of completing three hours of acceptable degree credit during the summer prior to enrollment to six hours.

ACTION ITEMS.

1. **Legislative Items**.

   - **Request for Noncontroversial Legislation to Create an Exception to Full-Time Enrollment for Student-Athletes Engaging in Cooperative Educational Experiences Involving Work Experience.**

     (1) Recommendation. The cabinet recommends the NCAA Division I Legislative Council adopt noncontroversial legislation to specify that a student-athlete engaging in a required cooperative education experience

involving work experience or a student-athlete participating in a cooperative educational experience involving work experience combined with enrollment in at least six credit hours at the certifying institution be exempted from the application of full-time enrollment for competition legislation provided the student-athlete is considered to be enrolled in a full-time program of studies by the certifying institution and otherwise meets all applicable progress-toward-degree requirements.

(2) Effective Date. Immediate.

(3) Rationale. This proposal seeks to incorporate current guidelines that have resulted in the approval of all waivers of this provision filed over the past three years. The recommendations decreases bureaucracy by allowing institutions who have cooperative educational work experience programs to mange full-time enrollment for competition without the need to request a waiver, while maintaining the applicability of other progress-toward-degree requirements.

(4) Estimated Budget Impact. Potential minimal institutional cost savings by eliminating the writing and processing of waiver requests.

(5) Student-Athlete Impact. None.

2. Nonlegislative Items.

- None

INFORMATIONAL ITEMS.

1. Legislative – Comments on Proposals to be Initially Considered by the Legislative Council in January 2011.

a. Proposal No. 2010-12 -- Legislative Process -- Amendment Process – Membership Override of Legislative Changes – Legislative Council or Board of Directors Review – Override Voting. The cabinet supports Proposal No. 2010-52, which would eliminate the requirement that the override voting process on actions taken by the Legislative Council or Board must occur at the annual Convention. The cabinet noted the potential institutional cost savings, as well as the potential opportunity for a more representation in the voting process. The cabinet encouraged the NCAA Division I Administration Cabinet and

Legislative Council to consider using technology to allow for continued discussion and comments regarding override proposals (e.g., webcasting or video conferencing).

b. **Proposal No. 2010-25 – Amateurism and Awards, Benefits and Expenses – Use of Agents – Benefits, Gifts and Services – Career Counseling and Internship/Job Placement Services.** The cabinet opposes Proposal No. 2010-25, which would allow a student-athlete to use career counseling and internship/job placement services available exclusively to student-athletes, provided the student-athlete is not placed in a position in which the student-athlete uses his or her athletics ability. The cabinet noted the opportunity for student-athletes to use career counseling and internship/job placement services available to students generally at any time. Further, the cabinet noted the additional monitoring associated with internship/job placement and potential for placement based exclusively on athletics reputation contrary to extra benefit or preferential treatment legislation.

c. **Proposal No. 2010-35 – Recruiting – Basketball Evaluations – Women's Basketball – Nonscholastic Evaluations During Academic Year – National Standardized Testing Weekends.** The cabinet supports Proposal No. 2010-35, which would specify that in women's basketball, evaluations at nonscholastic events during the academic year evaluation period shall not occur during any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered. The cabinet noted that the change alleviates potential conflicts that may result in a prospective student-athlete having to forego an opportunity to take a standardized test.

d. **Proposal No. 2010-52 – Eligibility – Graduate Student/Postbaccalaureate Participation – One-Time Transfer Exception – Final Year of Eligibility – Nonrenewal of Athletics Aid At Previous Institution – Baseball, Basketball, Football and Men's Ice Hockey.** The cabinet supports Proposal No. 2010-52, which allows a graduate student enrolled in an institution other than the institution from which he or she previously received a degree to participate in intercollegiate athletics, provided the student-athlete meets the conditions of the one-time transfer exception (other than the sport restrictions), has one season of competition remaining and the student-athlete's previous institution did not renew his or her athletically related financial aid. The cabinet noted that allowing student-athletes who have graduated and are in their last year of eligibility the opportunity to transfer and use the one-time transfer exception when their previous institution has chosen not to renew athletics aid is in the best interest of student-athlete well-being. Further, the cabinet noted the limited applicability of

the proposal due to the threshold requirements and noted that creating this exception is a less bureaucratic option to the current waiver processes.

e. **Proposal No. 2010-53 – Eligibility – Seasons of Competition: Five Year Rule – Delayed Enrollment – Seasons of Competition – Sports Other Than Men's Ice Hockey and Skiing – Exception – National/International Competition.** The cabinet supports Proposal No. 2010-53, which would specify that in sports other than men's ice hockey and skiing, a prospective student-athlete's participation in specified organized national/international competition shall be exempted for a maximum of one year from the application of the delayed enrollment, seasons of competition legislation. The cabinet noted that this legislation affords prospective student-athlete's the ability to adequately pursue the Olympics (or other elite international competition). The cabinet encourages the NCAA Division I Amateurism Cabinet to examine delayed enrollment and elite tryout legislation on a global level to ensure consistency of application.

f. **Proposal No. 2010-54 – Eligibility – Seasons of Competition: Five-Year Rule – Hardship Waiver – First Half of Playing Season Calculation – Tennis.** The cabinet opposes Proposal No. 2010-54, which would specify that the first half of the season calculation for purposes of a hardship waiver in the sport of tennis be based on the number of days in the season that concludes with the NCAA championship. The cabinet noted that fall competition in the sport of tennis does count in the consideration for individual qualification for the NCAA championship. The cabinet did not see a compelling reason to create an exception to the application of the hardship waiver for the sport of tennis.

g. **Proposal No. 2010-57 – Eligibility – Freshman and Transfer Academic Requirements – Participation Prior to Certification – Recruited Student-Athlete – 21-Day Period.** The cabinet opposes Proposal No. 2010-57, which would increase the temporary certification period for a recruited student-athlete from 14 days to 21 days. The cabinet recommends that the sponsor modify Proposal No. 2010-57 to allow for the continuation of expenses incidental to participation during the extended certification period, but not allow for practice beyond the current 14-day period. The cabinet would support the proposal if modified as it addresses student-athlete well-being concerns. The cabinet noted the high volume of certifications processed by the NCAA Eligibility Center, but also noted delays in certification due to circumstances within the control of the recruited prospective student-athlete and institution. The cabinet noted that the proposal as written may limit improvements relative to timely submission of required certification documentation.

h. **Proposal No. 2010-58 – Eligibility, Financial Aid and Playing and Practice Seasons – Summer Academic Preparation and Acclimatization – Men's Basketball.** The cabinet opposes Proposal No. 2010-58 as written, which would establish a summer academic preparation and college acclimatization model for incoming and continuing men's basketball student-athletes. Specifically, the cabinet does not support requiring enrollment in six hours during the summer prior to full-time enrollment while only requiring successful completion of three. The cabinet requests the Board consider an alternative proposal for Proposal No. 2010-58. The cabinet generally supports the overall package of elements outlined in this proposal; however, the cabinet's alternative proposal increases the requirement of completing three hours of acceptable degree credit outlined in the proposal to six hours. The cabinet noted that limiting successful completion to three hours for incoming student-athletes does not provide the appropriate academic foundation regarding the pursuit of successful completion of courses undertaken. The cabinet does support the other components of the proposal and noted a summer academic preparation and college acclimatization model will have a positive impact on the men's basketball cultural.

i. **Proposal No. 2010-59 – Eligibility – Progress-Toward-Degree Requirements – Eligibility for Competition – Fulfillment of Credit Hour Requirements – Fall Term Academic Requirement for Future Competition – Football.** The cabinet supports Proposal No. 2010-59, which would specify that a football student-athlete who does not successfully complete nine semester hours or eight quarter hours of academic credit during the fall term and earn the NCAA Division I Academic Progress Rate (APR) eligibility point for the fall term shall not be eligible to compete in the first four contests against outside competition in the following playing season. Further, to specify that the student-athlete may regain eligibility to compete in the third and fourth contests of that season, provided he or she successfully completes at least 27 semester hours or 40 quarter hours of academic credit before the beginning of the next fall term. The cabinet noted data that demonstrates the importance of football student-athletes earning nine credits during the fall term in relation to likelihood of graduation. Further, the cabinet noted the importance of maintaining a level of ineligibility for contests as a means to facilitate behavior change during the fall term.

j. **Proposal No. 2010-61 – Financial Aid – General Principles – Eligibility of Student-Athletes for Institutional Financial Aid – Exception – Part-Time Enrollment After Exhausted Eligibility.** The cabinet supports Proposal No. 2010-61, which would specify that an institution may provide institutional financial aid to a student-athlete who has exhausted eligibility and is enrolled in less than a minimum full-time program of studies, provided the student-athlete is carrying the courses necessary to complete degree requirements, or the student-

athlete is carrying all the degree-applicable courses necessary to complete his or her degree requirements that are offered by the institution during that term. The cabinet noted the promotion of student-athlete well being by providing an additional opportunity for a student-athlete to receive athletics aid without the need to engage in unnecessary enrollment as a full-time student and/or submission of a waiver. The cabinet also noted the lack of competitive equity concerns since the proposal only applies to student-athletes who have exhausted eligibility.

k. **Proposal No. 2010-73 – Financial Aid – Counters and Equivalency Computations – Required Grade-Point Average to Qualify for Exemptions of Counter Status and Countable Institutional Aid – Reduction from 3.300 to 3.000.** The cabinet supports Proposal No. 2010-73, which would specify that in football and basketball, the necessary cumulative grade-point average at the certifying institution to meet the "institutional academic aid only" exception to counter status be reduced from 3.300 to 3.000; further, to specify that the necessary cumulative transferable grade-point to exempt institutional financial aid awarded to transfer student-athletes and institutional academic scholarships based solely on the recipient's academic record at the certifying institution from team limits be reduced from 3.300 to 3.000. The cabinet noted the benefit of maintaining consistency amongst exemptions and the establishment of a national standard generally in line with institutional thresholds.

l. **Proposal No. 2010-86 – Playing and Practice Seasons – General Playing Season Regulations – No Missed Class Time in Conjunction with Nonchampionship Segment Competition – Baseball, Cross Country, Field Hockey, Lacrosse, Soccer and Volleyball.** The cabinet supports Proposal No. 2010-86, which would specify that in baseball, men's and women's cross country (without indoor or outdoor track and field), field hockey, men's and women's lacrosse, men's and women's soccer, and men's and women's volleyball no class time shall be missed in conjunction with competition during the nonchampionship segment, including activities associated with such competition (e.g., travel and other pregame or postgame activities). The cabinet noted additional time available for academic focus and the potential for student-athlete academic improvement by limiting athletic time demands during the nonchampionship segment.

m. **Proposal No. 2010-87 – Playing and Practice Seasons – Nonchampionship Segment – Travel Restrictions – Cross Country, Field Hockey, Soccer, Softball and Volleyball – Hawaii of Alaska Exception – Once in Four Years.** The cabinet supports Proposal No. 2010-87, which would specify that in men's and women's cross country (for institutions without indoor or outdoor track and field), field hockey, men's and women's soccer, softball and men's and women's

volleyball, once every four years, an institution may use any form of transportation for travel to Hawaii or Alaska for nonchampionship segment competition. The cabinet noted the potential alleviation of athletics time demands on student-athletes in Alaska and Hawaii during the nonchampionship segment and the corresponding additional time for academic focus. Further, the cabinet noted the limited impact on the athletics time demands of student-athletes from other institutions due to the once in four year component of the exception.

n. Proposal No. 2010-88 – Playing and Practice Seasons – Nonchampionship Segment – Cross Country, Field Hockey, Women's Lacrosse, Soccer, Softball and Volleyball – Two Dates of Competition – One Away-From Home Date. The cabinet opposes Proposal No. 2010-88, which would specify that in men's and women's cross country, field hockey, women's lacrosse, men's and women's soccer, softball, and men's and women's volleyball an institution is limited to two dates of competition during the nonchampionship segment, of which only one date may be an away-from-home. The cabinet noted that athletics time demands may be limited through more effective means, including the elimination of missed class time. Finally, the cabinet noted reduction of dates of competition may result in increased hours of competition during the remaining dates resulting in student-athlete welfare concerns.

o. Proposal No. 2010-99 – Playing and Practice Seasons – Foreign Tours and Competition – No Institutional or Conference Foreign Tours. The cabinet opposes Proposal No 2010-99, which would specify that an institution or conference shall not sponsor or participate in a foreign tour. The cabinet noted the cultural and academic benefits associated with travel to foreign countries and the limited ability for student-athletes to engage in experiences abroad due to their athletics commitments. The cabinet noted the ability of member institutions to ensure academic and cultural components are incorporated into athletic foreign tours.

2. Nonlegislative.

a. Review of Division I Academic Eligibility Requirements.

Background.

In the most recent academic reform efforts, the Board implemented significant and sweeping measures designed to support student-athletes in their academic pursuits. Specifically, the Board adopted enhanced academic eligibility requirements, implemented measurements of academic performance and instituted

a system of recognition for high achievers and penalties for academic underperformance. These initiatives were developed for the specific purpose of increasing student-athlete graduation rates and the Board committed to future evaluations of the effectiveness of these measures.

To this end, the cabinet is responsible for evaluating the effectiveness of academic eligibility standards, including initial-eligibility and transfer regulations. The cabinet continued its discussion of possible changes to initial-eligibility and two-year college transfer standards. These discussions are preliminary and the cabinet will seek feedback from the membership, governance structure, and two-year college community over the next several months before drafting proposed legislation. The cabinet anticipates sponsoring legislation for the 2011-12 legislative cycle regarding changes to the 2-4 transfer student requirements.

The cabinet will review all feedback and comments it receives on the proposed 2-4 transfer concepts during its February meeting. Comments and suggestions may be provided to NCAA staff liaisons Jennifer Strawley and Diane Dickman.

Lastly, the cabinet has spent considerable time reviewing data in its efforts to thoughtfully consider possible changes to either initial-eligibility or 2-4 transfer requirements. The data has been significant, informative, and the basis for many of the concepts noted in this report.

Initial-Eligibility Standards.

Goals and Principles.

The Academic Cabinet's goals for the current review of the initial-eligibility standards are summarized as follows:

(1) Strive to maximize the first-year academic success of student-athletes, which is strongly predictive of eventual graduation from college;

(2) Preserve institutional responsibility for admissions decisions for prospective student-athletes; and

(3) Encourage prospective student-athletes to balance their self-identities as students and athletes.

The Academic Cabinet's guiding principles for its review of initial-eligibility standards are summarized as follows:

(1) Initial-eligibility standards should strive to maximize first-year college academic success, putting student-athletes on track to graduate in a reasonable timeframe while minimizing adverse impact on minority and low-income prospective student-athletes.

(2) NCAA rules shall be minimally acceptable standards, with continued reliance on member institutions to make admissions decisions that are most appropriate for determining academic success locally.

(3) Consideration should be given to the most recent NCAA academic data, changing secondary school standards and the national secondary school environment.

(4) Any new standards should be relatively simple and nationally applicable to assist prospects and high schools in understanding the rules and to provide for consistent application throughout the United States and abroad.

(5) Changes in initial-eligibility standards should be able to be implemented with relatively minimal increased chance for operational error and little to no increased bureaucracy for member institutions and high schools.

(6) New requirements should not create or expand opportunities for misrepresentation of prospective student-athletes' academic abilities or credentials.

Recommendation Regarding Initial-Eligibility Standards.

After considering several potential modifications, the cabinet determined that at this time, it does not recommend changes to the initial eligibility requirements. The cabinet noted that additional time will allow for full consideration of data not yet available including: (1) The impact of the increase to 16 core courses; (2) Data regarding core course taking patterns which should be available in June 2011; and (3) The impact of the APR and NCAA Division I Academic Performance Program (APP) standards.

The cabinet did note that among current qualifiers, student-athletes with the lowest high school core grade-point averages in aggregate have the lowest academic success in college. Thus, any future change to the initial-eligibility standards could consider increasing the core grade-point average minimum above the current 2.000. The cabinet noted this could be considered in conjunction with

a tiered eligibility standard (e.g., athletics aid and practice based on an established grade-point average and competition based on a higher standard).

Two-Four Transfer Requirements.

Goals and Principles.

In its continued review of 2-4 transfer regulations, the cabinet identified the following goals to guide its review:

(1) Establishment of 2-4 transfer academic requirements that lead to enhanced first-year academic success at the four-year institution.

(2) Establishment of 2-4 transfer academic requirements that improve academic success and graduation of 2-4 college transfer student-athletes at four-year institutions and have these outcomes more closely mirror that of nontransfer student-athletes.

(3) Establishment of 2-4 transfer academic requirements that provide greater opportunity for academically underprepared student-athletes to gain the academic skills and preparation necessary to be academically successful and graduate from a four-year institution.

The cabinet also established the following guiding principles for its review of 2-4 transfer regulations.

(1) Two-four transfer academic requirements should strive to emphasize the requirements which are needed to prepare a student-athlete academically to be successful at an NCAA institution.

(2) Two-four transfer academic requirements should maximize first-year college academic success when transferring to a four-year institution, ensuring that student-athletes are on track to graduate in five years and minimizing adverse impact on minority and low-income student-athletes.

(3) Two-four transfer academic requirements should be based on a standard that data indicate yields similar ineligibility standards to those of nontransfer student-athletes. Specifically, when examining the data, the standards should be set with benchmarks that yield ineligibility rates and APR rates similar to the rates of nontransfer students. These indicators can then be used as means to ultimately predict graduation.

(4) Two-four transfer regulations are minimal standards set for eligibility to compete, receive athletics aid and practice. There is a continued reliance on member institutions to make admissions decisions regarding 2-4 transfers that are appropriate for determining academic success locally.

(5) Data driven decisions used to assist in predicting academic success and eventual graduation should provide overall guidance in any possible changes to the 2-4 transfer regulations.

(6) Changes in 2-4 transfer regulations should consider simplicity of application for member institutions, two-year institutions and two-year college student-athletes. This includes preferring existing, well established academic elements, in lieu of creating new components whenever possible.

(7) The academic skills and preparation of qualifiers and nonqualifiers should be considered in any changes to the 2-4 transfer requirements.

Package of Concepts for Comment.

Two-four transfer regulations should be designed to identify those prospective student-athletes who are academically prepared to be successful at an NCAA institution and foster additional support for student-athletes who are academically underprepared. With this philosophical underpinning, the cabinet considered possible changes to both the qualifier and nonqualifier 2-4 transfer regulations as well as a concept of a year of academic readiness.

These concepts were considered as a package and the cabinet encourages constituents to consider the components together. In total, the concepts presented set minimum standards that reflect the academic preparation needed to succeed at an NCAA Division I institution while also providing opportunities for student-athletes who are academically underprepared on enrollment at a two-year institution sufficient time to meet 2-4 transfer requirements and be academically successful on transfer to an NCAA Division I institution.

***Key Research Findings*.**

The following research findings informed the cabinet's discussions and draft concepts regarding 2-4 transfers.

Finding: Current academic performance of two-year college transfers on entering Division I institutions.

(1) Data indicate that transfer student-athletes from two-year institutions enter Division I institutions with lower high school grades and test scores than any other group of student-athletes.

(2) The 2008-09 APR of two-year college transfers was 926, compared to 971 for student-athletes entering Division I directly from high school and 949 for transfers from four-year colleges.

(3) Two-year college transfers leave college ineligible at higher rates than any other group of student-athletes, in particular, on exhaustion of athletics eligibility.

(4) Although 2-4 transfer graduation rates have trended up in the last decade, they still lag behind those of student-athletes who enter a Division I institution directly from high school.

Finding: Predictive Power of Two-Year College Grade-Point Average.

(1) Data indicate that among two-year college transfers, grade-point average at the two-year institution (whether grade-point average in transferable or overall coursework) is the strongest predictor of first-year academic success at the four-year college.

(2) Predicted ineligibility rates and APR "0/2" rates (students who leave college while academically ineligible) decrease significantly as a function of increased two-year college grade-point average.

(3) For two-year college transfer student ineligibility or APR "0/2" rates to mirror in aggregate those of college freshmen, the current 2.000 transferable grade-point average standard for transfers would have to be increased.

Finding: Academic Success as a Function of High School Academic Qualifier Status.

- Academic performance at the two-year college is more predictive of four-year college success than high school academic performance. Division I academic nonqualifiers out of high school comprise a large portion of the two-year college student-athlete transfer population and tend to present similar academic struggles at the two-year school and subsequent four-year college.

Finding: Physical Education Activity Credits.

- The number of physical education activity courses taken at the two-year college has a statistically significant and independent negative relationship with academic success at the four-year school. In other words, among students with similar two-year college grade-point averages, those students with fewer physical education activity credits tend to have significantly better academic performances in their first year at the four-year institution.

Finding: Impact of Taking Core Academic Courses at the Two-Year College.

(1) Data indicates that student-athlete transfers with more core academic course taking (particularly in science and math) perform better at the four-year institution.

(2) Although 77 percent of nonqualifiers are already completing the combination of six transferable credits of English, three math and three science, 14.7 percent of those who do not take those classes are ineligible at the four-year college by the end of their first year (versus 8.5 percent among those taking the courses). Whereas 4.9 percent of those who complete this core departed the four-year school ineligible by end of the first year, 10.2 percent of those not taking the core credits were academically unsuccessful.

Possible Changes to 2-4 Transfer Student Academic Requirements for Student-Athletes who are Qualifiers.

The cabinet seeks comment on the following concept for qualifiers:

(1) Increase transferable grade-point-average requirement from the current 2.000 to 2.500.

(2) Expand NCAA Division I Bylaw 14.5.4.1.2 to all sports. This is the current men's basketball limitation of two hours of physical education activity courses that may be used to fulfill the transferable degree credit and grade-point average requirements. The exception noted in the bylaw for a physical education degree program or a degree program in education that requires physical education activity courses would be maintained for all sports.

(3) All other 2-4 transfer regulations for qualifiers would remain in place. This includes the student having spent at least one full-time term at the two year college [Bylaw 14.5.4.1-(a)] and satisfactorily completing an average of at least 12 semester or quarter hours of transferable-degree credit [Bylaw 14.5.4.1-(c)] per term.

(4) The increase to the grade point average and the limit on physical education activity courses would also apply to 4-2-4 transfers.

Possible Changes to 2-4 Transfer Student Academic Requirements for Student-Athletes who are Non-Qualifiers.

The cabinet seeks comment on the following concept for nonqualifiers:

(1) Increase transferrable grade-point-average requirement from the current 2.000 to 2.500 for competition purposes only. Although data clearly supports an increased grade-point average, to continue to provide access to higher education for student-athletes who do not meet the increased grade-point average, athletics aid and practice may be provided for student-athletes who achieve the current 2.000 transferable grade-point average and meet all other requirements noted in Item Nos. (2) through (5).

(2) Require completion of the following transferable core curriculum at the two-year institution: six credits of English, three credits of math and three credits of science. This adds three credits of science to the current core requirement [Bylaw 14.5.4.2-(b)].

(3) Expand Bylaw 14.5.4.2.4 to all sports. This is the current men's basketball limitation of two hours of physical education activity courses that may be used to fulfill the transferable degree credit and grade-point average requirements. The exception noted in the bylaw for physical education degree program or a degree program in education that requires physical education activity courses would be maintained for all sports.

(4) Eliminate the current three semester/four quarter attendance requirement [Bylaw 14.5.4.2-(c)].

(5) Continue to require the following: completion of 48 semester or 72 quarter hours of transferrable degree credit [Bylaw 14.5.4.2-(b)]; limitation on the use of hours earned during the summer terms (Bylaw 14.5.4.2.1); completion of an Associate of Arts degree from the two-year institution [Bylaw 14.5.4.2-(a)].

***Year of Academic Readiness for Two Year College Student-Athletes at Two-Year Institutions*.**

Background.

Representatives from the two-year college community have indicated that for certain student-athletes who enroll at the two-year institution academically underprepared, it is extremely difficult for the student-athlete to successfully complete the courses needed to meet NCAA transfer standards or needed to ensure the student-athlete is academically prepared to transfer to an NCAA Division I institution. Specifically, student-athletes who need significant remediation or courses taught at a level below those transferable to an NCAA institution are sometimes attending two-year colleges part time for a semester or two in order not to trigger the "NCAA clock." The year of academic readiness provides an alternative path for academically underprepared student-athletes that would better prepare the student-athletes for success at an NCAA Division I institution. The year of readiness would allow students to receive some forms of financial aid by attending a two-year college full time (e.g., Pell Grants) and taking remedial and other basic academic courses.

The cabinet seeks comment on the following concept for year of academic readiness.

(1) Provides an option for academically underprepared student-athletes who require a longer period of enrollment at the two-year institution in order to be academically prepared for enrollment at an NCAA Division I institution.

(2) Occurs during the student-athletes initial year of college enrollment which for this purpose must occur at a two-year institution.

(3) Prohibits competition during the first year of collegiate enrollment at the two-year institution.

(4) For such students the start of their five-year clock would be delayed during the first year of enrollment at the two-year institution for the purposes of the five-year period of eligibility and purposes of progress toward degree.

(5) The cabinet did not determine how student-athletes would be identified for this option. The cabinet considered the following possible triggers that would permit the year of academic readiness: (a) Enrollment in a

specified number of remedial hours; (b) Status as a nonqualifer; (c) Some other academic identification; or (d) Lack of competition during the first year of two-year college enrollment. The cabinet determined that it was important to obtain input from the two-year college community and the membership on this issue before finalizing a recommendation.

Rationale for Two-Year Transfer Concepts.

In summary, the cabinet presents these two-year transfer concepts for membership and two-year college community feedback before it finalizes any recommendations. The cabinet noted that this initial package of concepts strives to balance principles of increased academic success; simplicity of administration; access to higher education; and opportunity for prospective student-athletes who are academically underprepared. The cabinet will consider all input it receives during its February meeting.

The cabinet based its concepts on research and some of those key findings have been presented. Key elements of the package such as an increased grade-point average requirement, reduction in physical education activity courses, a core curriculum requirement and a year of academic readiness result in a balanced set of standards that will meet the established goals and principles.

b. **Discussion of Issue Coordination amongst Cabinets/Councils.** In reviewing the update from the Division I Communications and Coordination Committee, the cabinet noted the predominance of the report out function of this committee. The cabinet discussed options regarding better use of this group as a discussion forum in light of current issues that may impact several cabinets/councils. Suggestions regarding better facilitation of this goal included the use of written summaries to allow for a segment of committee meeting time to be devoted to questions raised by each cabinet/council, as well as a recommendation of an in-person meeting of cabinet/council chairs.

c. **Discussion of Cabinet and Council Representation.** The cabinet discussed the need to ensure appropriate representation of faculty athletics representatives and directors of athletics on all cabinets, councils and committees. The cabinet noted the concerns raised by the administrative cabinet in meeting these requirements and discussed methods to better facilitate the development of an adequate pool of candidates for the Administrative Cabinet. The cabinet discussed options regarding better education of cabinet/council roles with potential candidates to limit self-selection away from cabinet/council positions, development of a process of colleague identification by current cabinet/council members as a means of augmenting the candidate pool, and engagement of groups such as the IA FAR

and FARA to develop additional strategies to engage potential cabinet/council candidates.

d. **Results of Comprehensive Academic Support Services Survey. The cabinet reviewed the results of a comprehensive study of academic support resources and practices for student-athletes at Division I institutions.** The cabinet reviewed the results of a comprehensive study of academic support resources and practices for student-athletes at Division I institutions. The cabinet noted the relationship between institutional academic support budgets and services and year-end cumulative grade point-average. The variation in first-year academic outcomes is largely explained by the incoming individual academic characteristics and demographics of the student-athlete. It is important to note that while the data demonstrate the importance of the individual in their outcomes, there still is evidence that institutional behavior, including budget, can have an effect on student outcomes. Full survey results are available in the cabinet's materials.

e. **Report from the NCAA Eligibility Center.** The cabinet received its annual update from the NCAA Eligibility Center, including an overview of academic certification activity to date for the 2010-11 academic year and the implementation of policies and operations related to recently adopted legislation (e.g., Proposal Nos. 2008-21 and 2009-64). In addition, the NCAA Eligibility Center staff noted processing efficiencies, including improvements in Institutional Request List management by member institutions and the continued impact of missing or incomplete information on the processing of academic certification.

f. **Review of Legislation Regarding Co-Ops, Internships, and Student-Teaching.** The cabinet noted that the legislation should appropriately distinguish between cooperative educational exchange programs and cooperative education programs involving work experience and requested an editorial revision of the bylaws to reflect this distinction. Additionally, the cabinet noted the variety of terminology used to describe similar programs across member institutions and requested an editorial revision to include internships, practicums, and student teaching to applicable legislation referencing cooperative education programs involving work experience. Finally, the cabinet reviewed waiver requests for relief of the 18/27 hour requirement citing cooperative educational experience involving work experience. The cabinet supported the continued practice of granting these waivers when misadvisement provided from the institution results in the student-athlete not meeting the 18/27 hour requirement.

g. **Results of Core-Course Requirements National Review.** NCAA research staff provided the cabinet with data regarding a review of state high school graduation credit requirements and course requirements/recommendations among Division I

member institutions for student admission in comparison to current NCAA core course requirements for initial-eligibility certification. Results indicated some variability, but a significant majority of states have graduation requirements that meet or exceed the number of NCAA core-course credits required and in specific subject areas for initial-eligibility certification. Similar results were noted regarding student admission course requirements/recommendations. It was also noted that there is considerable variation in the number of high school core courses available to students based on certain demographic characteristics of the school.

Committee Chair: Carolyn Callahan, University of Virginia, Atlantic Coast Conference
Cabinet Liaisons: Diane Dickman, Academic and Membership Affairs
Alex Smith, Academic and Membership Affairs
Jennifer Strawley, Academic and Membership Affairs

REPORT OF THE NCAA DIVISION I AWARDS, BENEFITS, EXPENSES AND FINANCIAL AID CABINET JUNE 1-2, 2010, MEETING

***KEY ITEMS*.**

1. **Review of Feedback from Financial Aid Discussion Document No. 2.** The NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet continued its review of the financial aid items prioritized during its February 2010 meeting. In April 2010, the cabinet distributed Discussion Document No. 2 outlining seven possible legislative concepts for future submission into the Division I legislative cycle.

   Based on its discussion and review of the feedback received, the cabinet agreed to sponsor legislative proposals for the 2010-11 legislative cycle for Concept Nos. 1, 2, 3-b, 4, 5 and 6 (see Legislative Informational Items A-F in this report).

2. **Discussion of Eligibility of Student-Athletes for Institutional Financial Aid and Period of Award Legislation (Bylaw 15.3.3.1).** The cabinet revisited its discussion of the current NCAA legislation limiting athletically related financial aid to a maximum of one year. The cabinet reiterated its position that the current period of award legislation allows an institution the autonomy to provide the most deserving student-athletes athletics financial aid and ensures the best product available to the general public. Members of the cabinet also reasserted their position that athletics financial aid is a "merit" award and an annual review of whether an individual meets the standards of a merit award is the most appropriate way to ensure that the most deserving student-athletes receive that award each year. Further, the cabinet noted handling renewals on an annual basis supports a pro-competitive environment by providing annual opportunities for student-athletes to be awarded athletics aid, while a system that allows multiyear athletics aid agreements would limit opportunities for additional student-athletes to receive athletics aid because less aid would be available each year if an institution chose to award athletics aid for multiple years. Finally, the cabinet noted that allowing athletics aid for multiple years could create a need for additional legislation to address concerns related to student-athletes who want to transfer during the period of their award or are asked to transfer during the period of their award and to ensure the accountability of a student-athlete who was awarded athletics aid for multiple years.

3. **Proposed Definition of a Walk-On Student-Athlete.** As a result of its discussions related to the effect of recruited status on counter status, the cabinet agreed to sponsor legislation to define a walk-on student-athlete for the purposes of NCAA financial aid legislation. The cabinet agreed that rather than using the recruited status of an individual (Bylaw 13.02.12.1) to determine if a student-athlete's financial aid should trigger counter status, counter status should be based on whether the involved student-athlete satisfies the

definition of a "walk-on" student-athlete in Bylaw 15. (See Legislative Informational Item G in this report).

4. Identification of Future Agenda Items and Determination of Priorities.

a. Cabinet's List of Priority Items. The cabinet identified the following priority topics to review, and noted that data collection will be necessary to fully examine these issues:

(1) Examination of maximum grant-in-aid limitations.

(2) Equivalency versus head count designations.

(3) Review of the NCAA Compliance Assistant software's financial aid module.

(4) Outreach to financial aid community.

(5) Review of departure/return expense legislation.

(6) Participation awards limitations.

b. Item for Staff to Explore for Future Meetings. During this discussion, the cabinet directed the staff to explore the following item and report back to the cabinet during its September meeting:

- Bylaw 16 waivers. The cabinet directed the staff to provide a compilation of frequently requested waivers associated with Bylaw 16.

ACTION ITEMS.

1. Legislative Items.

- **None.**

2. Nonlegislative Items.

- **NCAA Division I Legislative Council Subcommittee for Legislative Relief Blanket Waiver - Yellow Ribbon G.I. Education Enhancement Program**. The cabinet requests the NCAA Division I Legislative Council Subcommittee for Legislative Relief grant a blanket waiver of Bylaw 15.2.5, effective for the 2010-11 academic year, to exempt the U.S. Department of Veterans Affairs (VA)-funded portion of the Yellow Ribbon G.I. Education Enhancement Program (Yellow Ribbon Program) from counting toward the individual limit and, for counters, toward the team limit. The cabinet agreed to sponsor legislation in the 2010-11 legislative cycle to exempt the VA-funded portion of the Yellow Ribbon Program from counting toward the individual limit and, for counters, toward the team limit (see Legislative Informational Item No. H in this report), but that proposal will not be considered by the NCAA membership in time for the 2010-11 academic year. In the interim, the cabinet believes that granting relief via a blanket waiver is appropriate, and is the same type of relief the cabinet requested when it agreed to sponsor legislation for the 2010-11 legislative cycle to add VA funds awarded through the Post-9/11 G.I. Bill to the list of exempted government grants in Bylaw 15.2.5.1.

***INFORMATIONAL ITEMS*.**

1. Legislative Items.

a. Bylaw 15.2.5.1 - Exempted Government Grants - Federal Need-Based Financial Aid.

(1) Recommendation. The cabinet agreed to sponsor legislation to exempt all federal need-based aid [e.g., Supplemental Educational Opportunities Grant (SEOG)] from counting towards a team's maximum financial aid limits (team limit).

(2) Effective Date: August 1, 2011.

(3) Rationale. Currently, select federal government grants are exempted from team and individual limit calculations (see Bylaws 15.02.4.1, 15.1.2 and 15.2.5.1 and Figure 15-1). However, not all federal need-based aid (e.g., SEOG) is exempted when calculating maximum team financial aid limits. This proposal would specify that all federal government grants awarded based on a student's demonstrated financial need would be exempt from

counting towards the maximum team financial aid limits. The aid would continue to count against the individual limit. In sponsoring this proposal, the cabinet noted: (1) This change would have a positive impact on student-athlete well-being by permitting additional sources of aid (e.g., aid for the neediest students) to be exempt from the team financial aid limits thereby reducing the amount of financial aid that counts toward a team's maximum financial aid limit (e.g., reduce equivalencies) and requiring fewer student-athletes to choose between accepting athletics aid or federal need-based aid; (2) There are safeguards (e.g., defined awarding criteria for all candidates, predetermined federal methodologies for calculating students with financial need, audits) already in place when determining the recipients of federal need-based aid, thus minimizing the potential for abuse; (3) This change would reduce bureaucracy for NCAA compliance monitoring and financial aid offices; and (4) The SEOG is exempted from team financial aid limits in Division II.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in a student-athlete being able to accept additional financial aid that would not count toward team limits.

b. Bylaw 15.2.5.1 - Exempted Government Grants - State Need-Based Financial Aid.

(1) Recommendation. The cabinet agreed to sponsor legislation to exempt all state need-based financial aid from counting towards team limits provided the aid is administered in accordance with the federal methodology for determining a student's financial need and has no relationship to athletics ability.

(2) Effective Date. August 1, 2011.

(3) Rationale. Currently, if a student-athlete is a counter and receives state need-based aid that is administered by an institution (i.e., the institution, through its regular committee or other agency for the awarding of financial aid to students generally, makes the final determination of the student-athlete who is to receive the award and of its value), then the aid must count against the team limit. Further, aid from government sources for which the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient is considered institutional aid.

As a result, such aid counts against the team limit. This proposal would specify that all state aid based on demonstrated financial need (regardless of whether the aid is administered by an institution) would be exempt from counting towards a team's maximum financial aid limits provided the aid is administered in accordance with the federal methodology for determining a student's financial need and has no relationship to athletics ability. The aid would continue to count against the individual limit. Further, this concept would not change the current application of the football or basketball, varsity competition legislation. In sponsoring this proposal, the cabinet noted: (1) This change would have a positive impact on student-athlete well-being by permitting additional sources of aid to be exempt from team financial aid limits thereby reducing the amount of financial aid that counts toward a team's maximum financial aid limit (e.g., reduce equivalencies) and requiring fewer student-athletes to choose between accepting athletics aid or state need-based aid from their institution; (2) There are safeguards (e.g., use of federal methodology for determining need, defined awarding criteria for all candidates, audits) already in place when determining the recipients of state need-based aid, minimizing the potential for abuse; (3) This change would reduce bureaucracy for NCAA compliance monitoring and financial aid offices; and (4) Such aid is currently exempt from counting against team financial aid limits in Division II.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in a student-athlete being able to accept additional financial aid that would not count toward the team limit.

c. Bylaw 15.2.5.1 - Exempted Government Grants - State Merit-Based Aid Administered by an Institution.

(1) Recommendation. The cabinet agreed to sponsor legislation to exempt state merit-based aid that is administered by an institution provided the awarding criteria satisfy the academic honor award or institutional academic scholarship legislative requirements and have no relationship to athletics ability.

(2) Effective Date. August 1, 2011.

(3) Rationale. Currently, if a student-athlete who is a counter also receives a merit-based state scholarship that is administered by the institution (i.e.,

the institution, through its regular committee or other agency for the awarding of financial aid to students generally, makes the final determination of the student-athlete who is to receive the award and of its value), the state scholarship must count against the team limit, regardless of the specified awarding criteria. Further, aid from government sources for which the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient is considered institutional aid and, as a result, is countable against the individual limit and, for counters, the team limit. This proposal would specify that all merit-based state aid would be exempted from counting against team limits if the awarding criteria satisfy the legislative requirements for an academic honor award or institutional academic scholarship and has no relationship to athletics ability. The aid would continue to count against the individual limit. Further, this concept would not change the current application of the football or basketball, varsity competition legislation. In sponsoring this proposal, the cabinet noted: (1) This change would have a positive impact on student-athlete well-being by permitting additional sources of aid to be exempt from team financial aid limits thereby reducing the amount of financial aid that counts toward a team's maximum financial aid limit (e.g., reduce equivalencies) and requiring fewer student-athletes to choose between accepting athletics aid or state merit-based aid from their institution; (2) Permitting an institution to exempt an award that is provided in a manner consistent with institutional policies would not create additional NCAA rules bureaucracy for financial aid offices, but would ensure some safeguards are in place to minimize the potential for abuse; and (3) Such aid is currently exempted from counting against team financial aid limits in Division II.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in a student-athlete being able to accept additional financial aid that would not count toward the team limit.

d. Bylaws 15.5.1.2.2, 15.5.3.2.2.2 and 15.5.3.2.2.3 - Institutional Academic Aid /Scholarships and Academic Honor Awards - Transfer Students- 3.000 Grade-Point Average.

(1) Recommendation. The cabinet agreed to sponsor legislation to specify a 3.000 grade-point average, as opposed to a 3.300 grade-point average, as necessary to exempt institutional financial aid from team limits under the

following NCAA legislation: (1) Receipt of institutional academic aid only; (2) Institutional academic scholarships; and (3) Academic honor awards - transfer students.

(2) Effective Date. August 1, 2011.

(3) Rationale. Currently, the legislation in Bylaws 15.5.1.2.2, 15.5.3.2.2.2 and 15.5.3.2.2.3 specifies that such institutional academic aid may be exempt from counting against team limits provided the recipient has completed at least one academic year of full-time enrollment at the certifying institution and has achieved a cumulative grade-point average of at least 3.300 (on a 4.000 scale) at the certifying institution. This proposal would specify that student-athletes could qualify for these legislated exceptions by completing at least one academic year of full-time enrollment at the certifying institution and achieving a cumulative grade-point average of at least 3.000 (on a 4.000 scale) at the certifying institution. These awards/scholarships would continue to be included when determining a student-athlete's individual limit. In sponsoring this proposal, the cabinet noted: (1) This change would have a positive impact on student-athlete well-being by permitting additional sources of aid to be exempt from the team financial aid limits, thereby reducing the amount of financial aid that counts toward a team's maximum financial aid limit (e.g., reduce equivalencies) and requiring fewer student-athletes to have to choose between accepting athletics aid or academic aid/scholarships from their institution; (2) This change standardizes the cumulative grade-point average needed to exempt academic aid based on the student-athlete's academic record in college and maintains a national standard for such exemptions; and (3) This change addresses concerns that in some instances, the general student population has the opportunity to receive these awards while a student-athlete who is a counter may be permitted to receive the award only if the team has room in its maximum financial aid limitation.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in a student-athlete being able to accept additional financial aid that would not count toward the team limit.

e. Bylaw 15.2.6.4 - Financial Aid from Outside Sources - Athletics Participation as a Major Criterion.

(1) Recommendation. The cabinet agreed to sponsor legislation to exempt all established and continuing outside scholarships from counting towards team limits provided:

(a) The choice of institutions is not restricted by the donor of the aid;

(b) There is no direct connection to institution; and

(c) Should the total value of all such awards exceed 10 percent of the value of the institution's full grant-in-aid, documentation of aid must be kept on file with the conference office.

(2) Effective Date. August 1, 2011.

(3) Rationale. The financial aid from outside sources legislation outlines the various types of outside sources of financial aid. Specifically, the athletics participation as a major criterion legislation specifies several conditions that must be satisfied in order for a student-athlete to receive an outside scholarship that is determined to have athletics as a major criterion (i.e., aid that is only awarded to individuals who participate in athletics). In addition, if the recipient of such aid is recruited, then the student-athlete is considered a counter and the award amount is applied to the team's maximum financial aid limits. This concept would specify that, provided specific conditions are satisfied, aid awarded by an established and continuing program, regardless of the type of outside award or the student-athlete's recruitment status, would be exempt from counting toward the team's maximum financial aid limits. In sponsoring this proposal, the cabinet noted: (1) This change would have a positive impact on student-athlete well-being by permitting additional sources of aid to be exempt from the team financial aid limits, thereby reducing the amount of financial aid that counts toward a team's maximum financial aid limit (e.g., reduce equivalencies) and requiring fewer student-athletes to have to choose between accepting athletics aid or outside awards; (2) This change promotes the simplification of the review of outside awards for compliance and financial aid offices by reducing bureaucracy associated with monitoring and researching outside awards; (3) The 10 percent limitation is appropriate because in cases where the total value of such awards exceeds this limit, institutions and conferences should be aware of which student-athletes receive these awards in order to limit the opportunities to abuse the legislation; and (4) Such outside scholarships would still be included when determining a student-athlete's individual

financial aid limit and no changes would be made to the current legislative requirement that the outside aid must be awarded through an established and continuing award program.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in a student-athlete being able to accept additional financial aid that would not count toward the team limit.

f. Bylaw 15.3.4.2 - Reduction or Cancellation Permitted - Replacement of Athletics Aid Agreement with Nonathletics Institutional Financial Aid.

(1) Recommendation. The cabinet agreed to sponsor legislation to allow a student-athlete to replace his or her signed athletics financial aid agreement (on his or her own initiative) with a institutional nonathletics financial aid package that is at least equal to the value of the signed athletics financial aid agreement before becoming a counter for the academic year.

(2) Effective Date. August 1, 2011.

(3) Rationale. Currently, the decrease not permitted legislation specifies that once a student-athlete signs an institution's athletically related financial aid agreement, the institution may not reduce or cancel the athletics aid until the conclusion of the period of the award unless one of the conditions in the reduction or cancellation permitted legislation is satisfied. In addition, an institution may include nonathletically related conditions in the financial aid agreement and those conditions may serve as the basis to permissibly reduce or cancel a student-athlete's athletics aid. Thus, under the current legislation, the only permissible way for this replacement to occur is for an institution to include a nonathletically related condition in its financial aid agreement. In sponsoring this proposal, the cabinet noted: (1) This change would have a positive impact on student-athlete well-being by permitting student-athletes opportunities to accept the financial aid package that is more beneficial to financing the cost of their college educations; (2) Institutional, need-based aid could be awarded to prospective student-athletes with less risk that such aid would impact a team's maximum financial aid limit; (3) This change may increase participation levels; and (4) If a student-athlete who has signed a National Letter of Intent (NLI) elects to cancel his or her athletics aid, the institution must take the necessary steps to address any issues with the

involved student-athlete's NLI. The cabinet directed the staff to develop a discussion document for the Collegiate Commissioners Association that includes pros and cons related to nullifying/voiding a student-athlete's NLI.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. Student-athletes would have an opportunity to accept the more beneficial financial aid package.

g. Bylaws 15.02, 15.5.1, and 15.5.1.2.2 - Financial Aid Definitions and Applications - Definition of a Walk-On Student-Athlete.

(1) Recommendation. The cabinet agreed to sponsor legislation to define a walk-on student-athlete for the purposes of NCAA financial aid legislation. Specifically, the cabinet proposed that a walk-on student-athlete is any individual who has not:

(a) Been provided with an official visit to the institution's campus;

(b) Had an arranged, in-person, off-campus encounter with a member of the institution's coaching staff (this provision includes a coach's arranged, in-person, off-campus encounter with the prospective student-athlete or the prospective student-athlete's parents, relatives or legal guardians); or

(c) Been issued a National Letter of Intent or a written offer of athletically related financial aid from the institution. This provision does not apply to an individual who is only issued a written offer of athletically related financial aid to attend a summer session prior to full-time enrollment.

(2) Effective Date. August 1, 2011.

(3) Rationale. During its February 2010 meeting, the Division I Recruiting and Athletics Personnel Issues Cabinet (RAPIC) discussed the current definition of a "recruited" prospective student-athlete (Bylaw 13.02.12.1) and considered how it impacts the current financial aid model. Although the RAPIC acknowledged that the current definition of recruited status may detrimentally impact an individual's ability to accept financial aid, the impact that any modifications would have on other areas of legislation

(e.g., eligibility and transfer status) led the RAPIC to suggest that the cabinet address the financial aid issues by proposing an alternative definition of a counter that is not tied to the definition of a recruited student-athlete set forth in Bylaw 13.

As a result of the concerns surrounding the various methods by which a coach may choose to communicate with a prospective student-athlete (e.g., telephone calls, electronic mail, general correspondence), the cabinet agreed to sponsor legislation to create a definition for a "walk-on" student-athlete for the purposes of Bylaw 15. This definition retains several of the items that currently results in a prospective student-athlete being considered a recruited student-athlete, but does not include any reference to the number of telephone calls or other general correspondence a student-athlete received from an institution. Specifically, the cabinet agreed that rather than using the recruited status of an individual (Bylaw 13.02.12.1) to determine if a student-athlete's financial aid should trigger counter status, counter status should be based on whether the involved student-athlete satisfies the definition of a "walk-on" student-athlete in Bylaw 15.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in fewer student-athletes triggering counter status and thus, being able to accept additional financial aid that would not count toward the team limit.

h. Bylaw 15.2.5.1 - Exempted Government Grants - Yellow Ribbon G.I. Education Enhancement Program.

(1) Recommendation. The cabinet agreed to sponsor legislation to add the portion of the Yellow Ribbon Program funded by the VA to the list of exempted government grants. The portion of the Yellow Ribbon Program funded by the institution will remain countable toward the individual limit and, for counters, toward the team limit.

(2) Effective Date. August 1, 2011.

(3) Rationale. This proposal would expand the current list of government grants that are exempted from counting toward a student-athlete's individual limit. In addition, for student-athletes who are counters, this proposal would permit an institution to exempt from the team limit the

VA-funded portion of Yellow Ribbon Program. This proposal supports the principle of student-athlete well-being by providing additional opportunities for student-athletes to receive financial aid that does not count toward his or her individual limit or team limit.

Finally, the cabinet noted that during its February 2010 meeting, a proposal was sponsored for the 2010-11 legislative cycle that would add VA funds awarded through the Post-9/11 G.I. Bill to the list of exempted government grants in Bylaw 15.2.5.1. In addition, a blanket waiver was granted in March 2010 by the Subcommittee for Legislative Relief to exempt, through the 2010-11 academic year, Post-9/11 G.I. Bill funds from counting toward a student-athlete's individual limit (i.e., cost of attendance).

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. May result in a student-athlete being able to accept additional financial aid that would not count toward individual or team limits.

i. Bylaw 15.3.3.1.1 - Financial Aid - Terms and Conditions of Awarding Institutional Financial Aid - Period of Institutional Financial Aid Award - One-Year Period - Exceptions - Student-Athlete Who Has Graduated in a Previous Academic Year and Will Exhaust Athletics Eligibility during the Fall Term of the Next Academic Year.

(1) Recommendation. The cabinet agreed to sponsor legislation to create an additional exception to the one-year period legislation to specify that a student-athlete who graduates during the previous academic year (including summer) may receive athletically related financial aid for less than one academic year, provided the student will exhaust his or her remaining athletics eligibility during the fall term of the next academic year.

(2) Effective Date. August 1, 2011.

(3) Rationale. Under current legislation, NCAA rules prohibit an institution from awarding athletics aid for less than one academic year to a student-athlete with eligibility remaining, even if the student-athlete has graduated prior to the academic year in question. The cabinet noted that it is appropriate to allow institutional discretion to determine, on a case-by-

case basis, whether to provide athletics aid for less than one year to a student-athlete with eligibility remaining who graduated during the previous academic year. Currently, if an institution decides to offer athletics aid to such a student-athlete, it must provide such student-athletes a one-year athletics aid agreement, even if the institution believes the student-athlete may not attend the entire spring semester. In many cases, a student-athlete may attend classes at the beginning of the spring or winter term in order to obtain their athletics aid, and then limit their engagement in academic work in order to focus on training for a professional career. Permitting an institution to review the appropriateness of a second term of athletics aid for these situations could encourage student-athletes to remain engaged academically during the second semester. The proposal would still permit an institution to use its discretion to decide whether to renew a student-athlete's athletics aid for the following term(s) of the academic year.

(4) Estimated Budget Impact. Potential cost savings based on permissibility of awarding athletics aid for less than one full academic year.

(5) Student-Athlete Impact. While this is permissible legislation (institution is not required to use this exception), this proposal could have a detrimental impact on a student-athlete's ability to receive athletics aid to pursue a second baccalaureate degree or graduate degree.

j. Bylaw 15.01.5 - Eligibility of Student-Athletes for Institutional Financial Aid - Exhausted Eligibility Student-Athletes Enrolled Part-Time for Multiple Terms to Complete Degree.

(1) Recommendation. The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to specify that it is permissible for an institution to award financial aid to a student-athlete who has exhausted athletics eligibility and is enrolled in less than a minimum full-time program of studies, provided the student-athlete is carrying for credit the courses necessary to complete degree requirements. In addition, to allow a student-athlete who has exhausted athletics eligibility to receive athletics aid while enrolled in less than a full-time program of studies for more than one regular academic term, provided he or she is carrying for credit all degree-applicable courses necessary to complete degree requirements that are offered by the institution during that term.

(2) Effective Date. August 1, 2011.

(3) Rationale. Current legislation governing eligibility of student-athletes for institutional financial aid requires student-athletes to enroll initially in a minimum full-time program of studies for the term as defined by the certifying institution. An exception to the full-time enrollment requirement is currently available for student-athletes who are carrying all courses necessary to graduate per an official interpretation [Reference: 11/17/98, Item No. 2]. Specifically, this official interpretation permits an institution to award financial aid to a student-athlete who has exhausted intercollegiate eligibility and is enrolled in less than a minimum full-time program of studies, provided the student-athlete is carrying for credit the courses necessary to complete degree requirements.

The cabinet's position is the current legislation and the official interpretation do not account for situations in which a student-athlete who has exhausted intercollegiate eligibility is unable to enroll in all courses necessary to earn his or her degree in a single academic term due to limited course availability and/or degree-sequencing issues. For example, a softball student-athlete who exhausted athletics eligibility during the 2010-11 academic year returns for her fifth year of enrollment during the 2011-12 academic year. She needs 12 hours to complete her degree requirements; however, only nine credit hours are offered during the 2011 fall term. Thus, she will need to enroll during the 2012 spring term to complete the remaining three credit hours for her degree program. The institution would like to provide her with athletics aid to attend both the 2011 fall and 2012 spring terms as a part-time student. Although the official interpretation allows the institution to provide her athletics aid for the 2012 spring term if she is enrolled less than full-time, the only permissible way to provide her with athletics aid for the 2011 fall term is to have her enroll initially as a full-time student.

Even though the institution could pursue a Subcommittee for Legislative Relief waiver for the 2011 fall term, the cabinet expressed concerns that requiring a student-athlete who has exhausted eligibility to enroll initially as a full-time student seems unnecessary, particularly since a student-athlete in this situation could enroll initially as a full-time student in order to receive her athletics aid, and then drop to part-time enrollment. Such an approach, however, results in student-athletes enrolling in courses only to maintain their eligibility for athletics aid and, as a result, potentially denying access to those courses to other students at the institution.

In sponsoring this proposal, the cabinet noted: (1) This legislation supports student-athlete well-being by providing an additional opportunity to receive athletics aid to earn his or her degree; (2) Since this proposal only applies to student-athletes who have exhausted athletics eligibility, there are no competitive-equity concerns regarding a student-athlete who is practicing and competing while enrolled in less than a full-time program of studies during one or more terms; (3) This proposal reduces bureaucracy by eliminating the need for an institution to go through the procedures of having a student-athlete unnecessarily enroll initially as a full-time student and/or having an institution file a waiver request; and (4) This proposal expands the application of the official interpretation. If this legislation is adopted, the official interpretation will be archived.

Finally, it should be noted that the cabinet anticipates Subcommittee for Legislative Relief waivers may be submitted requesting relief to provide a student-athlete who has exhausted eligibility with athletics aid while enrolled part-time during the 2010-11 academic year. The cabinet recommends the Subcommittee for Legislative Relief review such requests on a case-by-case, but would be supportive of relief for student-athletes who are unable to enroll in additional degree-applicable courses due to limited availability of such courses and/or course-sequencing issues.

(4) Estimated Budget Impact. Will vary.

(5) Student-Athlete Impact. This proposal promotes student-athlete well-being by providing an additional opportunity to receive athletics aid to earn his or her degree.

k. Update on Proposals in the 2009-10 Legislative Cycle Referred to the Awards, Benefits, Expenses and Financial Aid Cabinet. The cabinet received an update on Division I legislative proposals that were assigned to it for review.

2. Nonlegislative Items.

a. Discussion of California Assembly Bill No. 2079. The cabinet discussed the California Assembly Bill No. 2079, which addresses recruitment of student-athletes. The bill provides its own definition of "student-athlete", which is much broader than current NCAA definition, and would require collegiate athletic recruiters to provide in writing a "disclosure letter" or, in the case of a student-athlete who has not yet entered grade 11, direction to a disclosure letter posted on

the institution's Web site. The disclosure letter would be required to contain information about athletic scholarships (including renewals), athletically-related medical expenses and athletic releases. In addition to the disclosure letter, the bill also contains requirements for providing a written offer of aid within a prescribed time period after making a verbal offer and a few other items. In enacted, the bill would be effective January 1, 2011.

During its review, the cabinet noted that current NCAA legislation addresses many of the provisions listed in the bill. The cabinet also noted that the Higher Education Opportunity Act of 2008 currently regulates specific areas of financial aid for all students, namely early awareness of financial aid eligibility. The cabinet also noted that the bill's requirement that student-athletes be provided a written offer of aid one week after making a verbal commitment to the institution conflicts with Bylaw 13.9.2.2, which states that prior to August 1 of a prospective student-athlete's senior year in high school, an institution is not permitted to provide a written offer of athletically related financial aid or indicate in writing that it will offer a grant-in-aid and takes effect August 1, 2010. Finally, the cabinet stated that the bill may have a negative recruiting impact for institutions outside of the state of California. The cabinet asked the staff to provide updates, as needed, on this topic.

b. **Outreach to financial aid community.** During its September 2008 meeting, the cabinet prioritized outreach to the financial aid community. The cabinet was provided an update that the NCAA staff will present an overview of the NCAA Division I governance structure, the role of the cabinet within that structure, a review of the cabinet's recent work related to Bylaw 15 and suggestions for being aware of, and involved in discussions of changes to NCAA financial aid legislation to attendees at the July 2010 National Association of Student Financial Aid Administrators Convention.

c. **Referral to Division I Academics Cabinet.** During discussion of Legislative Informational Items Nos. I and J in this report, members of the cabinet were interested in whether current legislation governing post-baccalaureate participation, which requires student-athletes to be full-time students, should provide an exception for student-athletes who graduated in the previous academic term (or summer) and are returning to the institution for the fall term only to complete their final season of eligibility. Further, members of the cabinet were interested in whether the current exception to the full-time enrollment legislation, which allows a student-athlete to be enrolled less than full-time during the final semester or quarter of the baccalaureate program, provided the institution certifies the student is carrying (for credit) the courses necessary to complete the degree

requirements, should be expanded to apply to the final academic year of the degree program, provided the institution certifies the student is carrying (for credit) the courses necessary to complete the degree requirements. The cabinet believes that changes to the current legislation in these areas would reduce the number of courses that student-athletes and institutions need to fund, even though the student-athlete may not have any interest in the courses and the courses are not applicable to the student-athlete's degree program, and asks that the NCAA Division I Academics Cabinet review these issues and determine whether it wants to propose legislative change in those areas.

Committee Chair: *M. Grace Calhoun, Indiana University, Bloomington, Big Ten Conference*
Staff Liaisons: *Kris Richardson, Academic and Membership Affairs*
Shauna Cobb, Academic and Membership Affairs
Vanessa Fuchs, Academic and Membership Affairs

REPORT OF THE NCAA DIVISION I AWARDS, BENEFITS, EXPENSES AND FINANCIAL AID CABINET SEPTEMBER 21, 2010, MEETING

KEY ITEMS.

1. **Review of sand volleyball financial aid legislation.** The NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet reviewed feedback on NCAA Division I Proposal No. 2009-70 from the NCAA Division I Sand Volleyball Working Group and agreed to modify Proposal No. 2009-70 to include a provision that if a student-athlete who only participates (practices or competes) and is a counter in sand volleyball during her first year of full-time collegiate enrollment at the certifying institution participates in women's volleyball during her second year of full-time enrollment at the certifying institution, that the certifying institution must consider the student-athlete as a counter in women's volleyball for her first year of enrollment. [See Legislative Informational Item No. 1-b(1)]

2. **Equivalency computations – calculation of books.** The cabinet, prompted by its review of Proposal No. 2010-75, agreed that it needed more information about practices currently being used by member institutions to provide books to their student-athletes. The cabinet took no position on Proposal No. 2010-75, and directed the staff to collect information from the membership on those practices and to report back to the cabinet at its February 2011 meeting.

3. **Examination of maximum grant-in-aid limitations/equivalency versus head count designations.** The cabinet prioritized this examination during its June 2010 meeting. The cabinet reviewed historical information provided by the staff and agreed that additional information was necessary to allow the cabinet to conduct a thorough examination of the topics. The cabinet discussed models that could be used going forward (e.g., hybrid model currently used in sports like baseball and ice hockey) and the need for feedback from the membership and directed the staff to collect additional information, including information related to unduplicated counts, the ratio of available grants-in-aid to participants and information on participation trends in youth sports. The cabinet will review the information during its February 2011 meeting.

ACTION ITEMS.

1. **Legislative Items.**

   - None.

2. Nonlegislative Items.

- None.

***INFORMATIONAL ITEMS*.**

1. Legislative Items.

a. Comments on proposals in the 2010-11 legislative cycle forwarded to the cabinet. The cabinet reviewed Division I legislative proposals forwarded to it for review that will be considered by the Division I membership as part of the 2010-11 legislative cycle and offered the following comments:

(1) Proposal No. 2010-25. The cabinet agreed to support Proposal No. 2010-25 as written, which would permit a student-athlete to use career counseling and internship/job placement services available exclusively to student-athletes, provided the student-athlete is not placed in a position in which the student-athlete uses his or her athletics ability. The cabinet agreed with the sponsor's rationale.

(2) Proposal No. 2010-58. The cabinet took no position on Proposal No. 2010-58 which would establish a summer academic preparation and college acclimatization model, as specified. Although the cabinet expressed no concerns with the proposal's financial aid requirements, the cabinet expressed concerns about continuing student-athletes who attend summer school and engage in summer athletics development activities being required to successfully complete a minimum of six credit hours in order to be eligible to compete in the first term of the following academic year.

(3) Proposal No. 2010-66. The cabinet agreed to oppose Proposal No. 2010-66 as written, which would permit an institution to provide one training-table meal per day to a student-athlete who does not receive athletically related institutional financial aid that covers the full cost of board; further, to specify that the provision of the one training-table meal per day to such a student-athlete shall not be considered financial aid. The cabinet noted that, except in specific, legislated circumstances, meals are considered a type of financial aid. The cabinet also expressed concern about the provision of such a meal being used as a recruiting advantage for those institutions that elect to provide such a meal.

(4) Proposal No. 2010-68. The cabinet agreed to oppose Proposal No. 2010-68 as written, which would specify that a student-athlete may receive financial aid from an established family friend, provided specified conditions are met. The cabinet noted the difficulties with legislating these specific circumstances and indicated that those situations that involve extenuating circumstances can be addressed through the NCAA Division I Legislative Council Subcommittee for Legislative Relief waiver process.

(5) Proposal No. 2010-70. The cabinet agreed to oppose Proposal No. 2010-70 as written, which would specify that a student-athlete who has not received athletically related aid from the certifying institution during a previous academic year may receive athletically related financial aid to attend the institution's summer term or summer school, provided the student-athlete has been awarded athletically related financial aid for the following academic year and the aid is awarded only in proportion to the amount of athletically related financial aid the student will receive for the following academic year. The cabinet noted the lack of sufficient safeguards to guard against abuse and that the NCAA Student-Athlete Opportunity Fund currently may be used to provide financial aid for summer school.

(6) Proposal No. 2010-74. The cabinet agreed to oppose Proposal No. 2010-74 as written, which would, in baseball, specify that for an ensuing academic year, the combination of executed athletically related financial aid awards and outstanding written offers of athletically related financial aid to prospective student-athletes and student-athletes shall not exceed the maximum number of permissible awards by more than one equivalency; further, to specify that the overage may be divided among not more than two individuals (student-athletes or prospective student-athletes). The cabinet noted that recent legislative changes in baseball addressed some of the concerns noted in the rationale. The cabinet also noted reasons for allowing oversigning vary amongst campuses and that, as a result, issues related to oversigning should be addressed by each campus.

(7) Proposal No. 2010-75. The cabinet took no position on Proposal No. 2010-75, which would increase the financial aid equivalency figure for calculation purposes for books from $400 to $800; further, to specify that if a student-athlete receives any portion of a book allowance, $800 shall be used in the numerator and denominator of the equivalency calculation. The cabinet agreed that it needed more information about practices currently being used by member institutions to provide books to their student-athletes and directed

the staff to collect information from the membership on those practices and to report back to the cabinet at its February 2011 meeting.

(8) Proposal No. 2010-76. The cabinet agreed to oppose Proposal No. 2010-76 as written, which would, in women's basketball, reduce the annual limit on the number of counters at each institution from 15 to 13. The cabinet noted that the current financial aid limitation for women's basketball is appropriate and expressed concern with reducing the number of scholarships without ensuring that those resources would go to other women's programs.

(9) Proposal No. 2010-77. The cabinet took no position on Proposal No. 2010-77 which would change the voting line of Bylaw 15.5.6.2 from federated to Football Championship Subdivision (FCS) dominant and to change the voting line of Bylaw 20.9.8 and its subsections from federated (FCS) to Football Championship Subdivision (FCSD).

(10) Proposal No. 2010-78. The cabinet agreed to support Proposal No. 2010-78 as written, which would specify that, in football, an initial counter who replaces a midyear graduate may be counted against the initial limit for the year in which the aid is awarded (if the institution's annual limit has not been reached) or for the following academic year. The cabinet agreed with the sponsor's rationale.

(11) Proposal No. 2010-79. The cabinet agreed to oppose Proposal No. 2010-79 as written, which would specify that, on one occasion during the final academic year of a student-athlete's athletics eligibility, an institution may provide complimentary admissions for the student-athlete's parents or legal guardians to attend an institutional awards banquet at which the student-athlete is being honored. The cabinet noted that the proposal addresses a situation that occurs one-time during a student-athlete's final academic year of athletics eligibility and that those situations can be addressed through the NCAA Division I Subcommittee for Legislative Relief waiver process.

(12) Proposal No. 2010-80. The cabinet agreed to support Proposal No. 2010-80 which would specify that, in swimming and diving, if an institution does not have access to a diving platform within the mileage limitations of Bylaw 16.8.1.1, the institution may provide expenses for diving practice sessions at a site located outside the mileage limitations that includes a diving platform. The cabinet agreed with the sponsor's rationale.

(13) Proposal No. 2010-81. The cabinet agreed to oppose Proposal No. 2010-81 as written, which would establish travel squad limits for regular season, away-from-home competition, including exhibitions/scrimmages, nonchampionship segment competition and conference championships and neutral site competitions, as specified. The cabinet noted that many conferences already have policies related to travel squad limits and that such decisions should continue to be left to the discretion of institutions and conferences.

(14) Proposal No. 2010-82. The cabinet agreed to oppose Proposal No. 2010-82 as written, which would specify that if an student-athlete does not use team travel to NCAA championships, national governing body championships in emerging sports and postseason bowl games during a vacation period, the institution may only provide actual and necessary transportation costs for the student-athlete to travel from: campus to the event site and back to campus; campus to the student-athlete's home and back to campus; or the student-athlete's home to the event site and back home; further, to specify that reimbursement for automobile mileage shall not exceed the rate provided to institutional staff members and shall be limited to not more than 400 miles one-way; finally, to increase, from $20 to $55, the amount of money that an institution may provide to each member of the squad to cover unitemized incidental expenses during travel and practice for such events. The cabinet recommends the sponsor modify the proposal to eliminate the increase from $20 to $55 for incidental expenses at NCAA championships, national governing body championships in emerging sports and licensed bowl games. The cabinet would support the proposal if modified. Further, in the event the sponsor does not accept the cabinet's recommended modification, the cabinet agreed to sponsor an alternative proposal. The cabinet noted that the current amount that may be provided to each member of the squad to cover unitemized incidental expenses during travel and practice for such events is appropriate.

(15) Proposal No. 2010-83. The cabinet agreed to support Proposal No. 2010-83 as written, which would specify that, in championship subdivision football, institution shall not provide lodging (e.g., hotel, motel) to any student-athlete in conjunction with a home contest. The cabinet agreed with the sponsor's rationale.

(16) Proposal No. 2010-84. The cabinet agreed to support Proposal No. 2010-84 as written, which would increase the limitation on the maximum value of the annual participation award for a senior by $100 and to increase the limitation

on the maximum value for all other participation awards by $50, as specified. The cabinet agreed with the sponsor's rationale.

b. Modifications to cabinet sponsored proposals.

(1) Proposal No. 2009-70. The cabinet reviewed the information provided by the NCAA Division I Sand Volleyball Working Group and agreed to modify Proposal No. 2009-70 which would establish the maximum equivalency and counter limitations in sand volleyball, to specify that if a student-athlete who only participates (practices or competes) and is a counter in sand volleyball during her first year of full-time collegiate enrollment at the certifying institution, participates in women's volleyball during her second year of full-time collegiate enrollment at the certifying institution, that the certifying institution must consider the student-athlete as a counter in women's volleyball for her first year of enrollment. The cabinet noted that the inclusion of this provision would provide safeguards against the stockpiling of student-athletes. The cabinet also noted that the modification would not impact a student-athlete who only participates (practices or competes) and is a counter in sand volleyball during her first year of full-time collegiate enrollment at the certifying institution and participates in women's volleyball after her second year of full-time collegiate enrollment at the certifying institution.

(2) Proposal No. 2010-65. The cabinet agreed to modify Proposal No. 2010-65, which would establish a definition of "recruited student-athlete" for purposes of Bylaw 15, to specify that an individual who becomes a recruited prospective student-athlete at an institution only due to the fact that an institutional staff member or athletics representative initiated or arranged a telephone contact with the prospective student-athlete, the prospective student-athlete's relatives or legal guardians on more than one occasion for the purpose of recruitment, shall not be considered recruited for purposes of Bylaw 15. The cabinet noted that the modification is intended to prevent confusion by using the definition of recruited prospective student-athlete found in Bylaw 13.02.13.1.

c. Nonlegislative items.

(1) Outreach to financial aid community. The cabinet received an update from the staff related to outreach efforts (e.g., communication, education) to the financial aid community. Since the June 2010 meeting, the staff has provided a presentation to National Association of Student Financial Aid

Administrators to communicate NCAA financial aid legislation and issues. The cabinet will continue to receive updates on the staff's progress with these initiatives during future meetings.

(2) Review of the NCAA Compliance Assistant software's financial aid module. The cabinet received a presentation from the staff on the functionality and benefits of the NCAA Compliance Assistant software. The staff demonstrated the program to the cabinet and reviewed existing financial aid-related educational resources (e.g., User Guide, training videos, NCAA Regional Rules Seminar presentations, etc.) available to the membership. The cabinet will continue to receive updates on modifications that affect the program's financial aid module.

Committee Chair: *Sarah Bobert, Marquette University, Big East Conference*
Staff Liaisons: *Kris Richardson, Academic and Membership Affairs*
Shauna Cobb, Academic and Membership Affairs
Katie Willett, Academic and Membership Affairs

REPORT OF THE NCAA DIVISION I AMATEURISM CABINET JUNE 24-25, 2010, MEETING

***KEY ITEMS*.**

1. **Commercial Activity in Division I Intercollegiate Athletics.** The cabinet is proposing legislation related to the use of a current student-athlete's name or likeness for promotions, advertisements and media activities.

2. **Agent/Advisor Discussion** – The cabinet began initial discussions regarding current agent and advisor legislation. The staff provided the group background information related to current issues and trends involving prospective and current student-athletes' use of agents and advisors.

***ACTION ITEMS*.**

1. **Legislative Items.**

   a. **Request for Noncontroversial Legislation to permit a prospective student-athlete to accept payment based on performance (e.g., bonus money) from teams other than a professional teams.**

      (1) Recommendation. The Division I Amateurism Cabinet recommends the NCAA Division I Legislative Council adopt noncontroversial legislation to allow a prospective student-athlete to accept payment based on performance (e.g., bonus money) from a team other than a professional team (e.g., amateur team or an Olympic or National team) provided the combination of the payment and any expenses provided to the prospective student-athlete do not exceed actual and necessary expenses for participation on the team.

      (2) Effective Date. Immediate.

      (3) Rationale. With the adoption of 2009-22, prospective student-athletes are permitted to accept payment based on performance (e.g., bonuses) from a professional team, provided it does not exceed actual and necessary expenses to participate on the professional team. However, during its discussion of 2009-22, the cabinet never discussed whether this philosophy should apply to prospective student-athletes participating on nonprofessional teams (e.g., amateur teams and Olympic or national team). The cabinet believes it is illogical that NCAA legislation permits a prospective student-athlete to accept actual and necessary expenses in the form of payment based on performance from a professional team, but not from other types of teams. Therefore, the

cabinet believes this concept should be extended to teams other than professional teams.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

2. Nonlegislative Items.

- None.

INFORMATIONAL ITEMS.

1. Legislative Informational Items.

a. **NCAA Membership – Active Membership – Conditions and Obligations of Membership – Commercial Advertisement or Promotion -- Use of a Student-Athlete's Name, Picture or Likeness.** The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to specify that institutions and conferences shall include contractual language in all commercial agreements that outlines a commercial entity's obligation to comply with NCAA legislation on the use of a student-athlete's name, picture or likeness. Further, each institution and conference shall maintain written policies for its commercial agreements, which shall be made available for examination upon request by an NCAA staff member or an authorized representative of the NCAA.

b. **Promotional Activities – Use of a Student-Athlete's Name or Likeness.** The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to revise the regulations related to the use of a student-athlete's name or likeness for promotions, advertisements and media activities.

c. **Delayed Enrollment – Seasons of Competition - National/International Competition Exception.** The cabinet agreed to sponsor legislation for the 2010-11 legislative cycle to specify that, in sports other than men's ice hockey and skiing, for a maximum of one year, participation in activities that meet the criteria set forth in Bylaw 14.2.3.5.3 (organized competition) shall be excepted from Bylaw 14.2.3.2 (delayed enrollment – seasons of competition) if the competition is national or international competition that includes participation in:

i. Official Pan American, World Championships, World Cup, World University and Olympic training, tryouts and competition;

ii. Officially recognized training and competition directly qualifying participants for final Olympic tryouts; or

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

2. Nonlegislative Informational Items.

a. Impact of Amateurism Legislation on Prospects who Accept Earmarked Fundraised Dollars for Athletics Participation. The cabinet reviewed and discussed various types of fundraising activities in which prospective student-athletes had jeopardized their amateur status by directly accepting expenses for athletics participation from outside sources or accepting expenses donated to an amateur team or organization specifically earmarked for the prospect's use. The cabinet agreed to continue its examination on the impact of current amateurism legislation on prospects and whether new legislation is appropriate to address the current realties of the economic challenges faced by families across the country, the practice of some club systems and state associations and resulting fundraising activities. The cabinet requested the staff solicit feedback from National Association of Athletics Compliance (NAAC) on the issues related to fundraising activities and prepare it for discussion at its next in-person meeting.

b. Agent/Advisor Discussion - The staff provided the cabinet a detailed overview of current Bylaw 12 legislation and interpretations pertaining to agents and advisors. The staff presented six fundamental concepts and three legislative concepts for the cabinet to consider in its discussions regarding agent legislation. The cabinet engaged in a discussion related to current issues and trends involving prospective and current student-athletes' use of agents and advisors. The cabinet requested the staff research and provide additional information to be discussed at the September 2010 meeting.

c. Compliance Forms – The cabinet reviewed and approved the final changes to Form 10-11A (General Amateurism and Eligibility Form for International and Select Student-Athletes). The form was updated to reflect the adoption of proposal 2009-22 (Involvement with Professional Teams).

d. Division I Amateurism Fact-Finding Committee, Chair Appointment – The cabinet appointed Stephen Robertello, Washington State University, as the chair of the Division I Amateurism Fact-Finding Committee, effective September 1, 2010.

e. Division I Amateurism Fact-Finding Committee Policies and Procedures - The cabinet reviewed and approved the final changes to the Division I Amateurism Fact-Finding Committee Policies and Procedures. The policies and procedures were updated to include the requirement that the institution and ACP staff determine the wording of the disputed facts prior to submitting a request for a determination of facts to the committee. In addition, modifications were made to the format and timeline of a request for a determination of facts. Finally, the policies and procedures now include a prohibition against an institution requesting a determination of facts in the interpretive, waiver or student-athlete reinstatement processes unless there is new information presented that meets the existing reconsideration standard.

Cabinet Chair: *Mike Rogers, Baylor University, Big 12*
Staff Liaison(s): *Rachel Newman Baker, Agent, Gambling and Amateurism Activities*
Angie Cretors, Agent, Gambling and Amateurism Activities
Jobrina Perez, Academic and Membership Affairs

REPORT OF THE NCAA DIVISION I AMATEURISM CABINET SEPTEMBER 29 and 30, 2010, MEETING

***KEY ITEMS*.**

1. **Agent/Advisor Discussion**. The cabinet continued their discussion of the agent/advisor issue and specifically focused on the creation of a national professional sports counseling panel that could assist with providing reliable information to those student-athletes interested in pursuing a professional sports career.

2. **Promotional Activities – Use of a Student-Athlete's Name or Likeness.** The cabinet agreed to modify this proposal to clarify that if institutions individually or collectively agree to authorize or license the use of a student-athlete's name or likeness to a third party as part of a commercial product (e.g., video game), the activity shall be considered an institutional promotion and thus subject to the provisions of 12.5.1.1.

***ACTION ITEMS*.**

- None.

***INFORMATIONAL ITEMS*.**

1. **Legislative Informational Items.**

   a. **Modification to NCAA Proposal No. 2010-26 (Amateurism– Promotional Activities – Use of a Student-Athlete's Name or Likeness).** The cabinet modified this proposal to clarify that if institutions individually or collectively agree to authorize or license the use of a student-athlete's name or likeness to a third party as part of a commercial product (e.g., video game), the activity shall be considered an institutional promotion and thus subject to the provisions of 12.5.1.1. The cabinet noted that the provisions of 12.5.1.1 would require the student-athlete's approval to use his or her name or likeness prior to use in the commercial product.

   b. **Proposal No. 2010-24 – Amateurism – Involvement with Professional Teams – Professional Basketball Draft – Four-year College Student-Athlete – Men's Basketball.** The cabinet opposes Proposal No. 2010-24, which would specify in men's basketball, that the date by which a student-athlete must request that his name be removed from a professional league's draft list in order to retain his eligibility shall be the day before the first day of the spring National Letter of Intent signing period for the applicable year. The cabinet noted that the current rule requiring a student-athlete to withdraw his name by May 8 has only been in effect for one year and that the current rule needs further evaluation. The cabinet further noted that reducing the current time period might put student-athletes at a disadvantage by not allowing them sufficient time to gather adequate information as well as taking away opportunities for student-athletes to participate in pre-draft workouts. Finally, the cabinet noted that there is no evidence of an academic impact on student-athletes under the current timeline.

c. **Proposal No. 2010-25 – Amateurism and Awards, Benefits and Expenses – Use of Agents – Benefits, Gifts and Services – Career Counseling and Internship/Job Placement Services.** The cabinet opposes Proposal No. 2010-25, which would allow a student-athlete to use career counseling and internship/job placement services available exclusively to student-athletes, provided the student-athlete is not placed in a position in which the student-athlete uses his or her athletics ability. The cabinet noted the opportunity for student-athletes to use internship/job placement services available to students generally at any time. The cabinet further noted that current legislation and interpretations permit institutions and outside entities to provide career counseling services that are educational in nature and to provide other educational benefits exclusively to student-athletes. Finally, the cabinet noted the additional monitoring associated with internship/job placement services as well as the potential for placement based exclusively on athletics reputation.

d. **Proposal No. 2010-109 – Executive Regulations – Administration of NCAA Championships – Restricted Advertising and Sponsorship Activities -- Professional Sports Organizations or Teams.** The cabinet supports Proposal No. 2010-109, which would eliminate the prohibition on sponsorship of NCAA championship activities or promotions by professional sports organizations and teams. The cabinet agreed with the sponsor's rationale. However, the cabinet recommended that the sponsor consider eliminating the prohibition for conference championships as well. The cabinet agreed that this opportunity would increase the exposure of conference championship events.

2. **Nonlegislative Informational Items.**

a. **Agent and Advisor Discussion.** The cabinet discussed the agent/advisor issue and received reports from the National Association of Basketball Coaches (NABC), Division I Men's Ice Hockey coaches, NCAA Baseball Committee, and the NCAA/NFL/NFLPA/ AFCA/CCA Task Force. The cabinet specifically focused their discussion on the creation of a national professional sports counseling panel that could assist with providing reliable information to those student-athletes interested in pursuing a professional sports career. The cabinet asked the staff to obtain additional information from the National Association of Athletics Compliance (NAAC), coaches associations and Division I Student-Athlete Advisory Committee (SAAC). Additionally, the cabinet suggested that the staff contact former student-athletes who went through this decision-making process to gather information regarding resources they used and individuals they trusted throughout the process. The cabinet was not supportive of allowing prospective or enrolled student-athletes to receive benefits from agents/ advisors.

b. **Earmarked Fundraised Dollars for Athletics Participation**. The cabinet continued its discussion related to various types of fundraising activities in which prospective student-athletes had jeopardized their amateur status by directly accepting expenses for athletics participation from outside sources or accepting expenses donated to an amateur team or organization specifically earmarked for the prospect's use. The cabinet did express

concern about boosters and agents providing funding that would be contrary to current amateurism and recruiting legislation. The cabinet reviewed feedback from NAAC on the issue and agreed that NAACs feedback was supportive of proposing more flexible legislation related to fundraising activities for prospective student-athletes. The cabinet requested the staff to draft legislative concepts and prepare it for discussion at its next in-person meeting.

c. Expenses Provided to Prospective Student-Athletes from Professional Teams. The cabinet examined areas of Bylaw 12 that prohibit a prospective student-athlete from accepting expenses from a professional team without jeopardizing his or her amateur status. The cabinet noted that current legislation addresses the prohibition of educational expenses and general training expenses from a professional team. The cabinet further noted that current legislation exists related to camp or academy expenses from a professional team. The cabinet recommended that the adoption of Proposal No. 2009-22 should not impact these bylaws or other existing Bylaw 12 legislation that prohibit expenses from professional teams.

d. Eligibility Center Update. The Eligibility Center (EC) staff provided an overview of its new case management system that was activated spring 2010. The new system greatly enhances the EC's ability to use data to improve efficiencies and ultimately provide helpful information to the membership (e.g., data related to international prospective student-athletes, case duration, amateurism case/penalty information sorted by institution or conference). The EC also shared data from the current certification season (e.g., total number of penalties, active cases remaining, trends in types of violations). The EC staff also discussed several amateurism-related initiatives, including the conference-contact program, the creation of resources for the membership providing information relating to international sport structures (by sport) and the progress being made in forging strong relationships with outside constituencies that will help to improve the amateurism certification process (e.g, domestic and international NGBs and other sports associations, coaches associations). Lastly, the EC staff reviewed the progress made in handling high-profile reviews in light of the recommendations made by the Amateurism Task Force in 2009. Specifically, the EC staff informed the cabinet that high-profile, time-intensive reviews are very limited in number and when necessary, it has been possible to conduct timely reviews in situations in which the enforcement staff is involved with related issues without compromising either staff policies or procedures.

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Cabinet Chair: Mike Rogers, Baylor University, Big 12 Conference
Staff Liaison(s): Rachel Newman Baker, Agent, Gambling and Amateurism Activities
Angie Cretors, Agent, Gambling and Amateurism Activities
Jobrina Perez, Academic and Membership Affairs

REPORT OF THE NCAA DIVISION I RECRUITING AND ATHLETICS PERSONNEL ISSUES CABINET JUNE 8-9, 2010, MEETING

KEY ITEMS.

1. **Priority Item - Examination of the Recruiting Model.** The NCAA Division I Recruiting and Personnel Issues Cabinet continued its ongoing examination of the Division I recruiting model. The cabinet discussed the feedback that was received from the three models that were distributed to Division I member institutions, conferences and other constituent groups. The cabinet sponsored four proposals for the 2010-11 legislative cycle in the areas of verbal offers of financial aid, communication and post-National Letter of Intent activities. Further, the cabinet identified the need for all sports to develop recruiting calendars and recruiting-person days as the first step to help bring more uniformity to the legislation. The cabinet will continue to refine the concepts identified in the three recruiting models during the 2010-11 academic year and anticipates sponsoring additional legislation for the 2011-12 legislative cycle.

2. **Priority Item - Limits on the Number of Noncoaching Staff Members with Sport-Specific Responsibilities.** The cabinet reviewed feedback received from two surveys administered to the membership and other constituent groups in January and March 2010 related to the number of noncaoching staff members with sport-specific responsibilities employed by Division I institutions. The data indicated that a majority of the membership favored establishing numerical limits on these positions. Based on the information received and concern expressed regarding the proliferation of these individuals in basketball and football, the cabinet sponsored three proposals for the 2010-11 legislative cycle to establish limits on the number of noncoaching staff members with sport-specific responsibilities in basketball and football.

ACTION ITEMS.

- None.

INFORMATIONAL ITEMS.

1. **Legislative – Cabinet Sponsored Proposals for the 2010-11 Legislative Cycle.**

    a. **Athletics Personnel - Limitations on the Number and Duties of Coaches - Football Bowl Subdivision - Noncoaching Staff with Sport-Specific Responsibilities.**

(1) Recommendation. The cabinet sponsored a proposal to establish a maximum of four noncoaching staff members with sport-specific responsibilities in Football Bowl Subdivision.

(2) Effective Date. August 1, 2012.

(3) Rationale. Based on the cabinet's examination of the number of noncoaching staff members with sport-specific responsibilities and feedback received from surveys administered in January and March 2010 to the membership and other constituents, the cabinet agreed it is necessary to establish limitations on the number of noncoaching staff members with sport-specific responsibilities in football. The membership and NCAA Division I Board of Directors have expressed significant concern regarding the proliferation of these individuals and the impact on competitive equity. Further, this proposal will reaffirm a fundamental objective of the Association, which is to preserve and promote fair competition in intercollegiate athletics and reorient the programs into their traditional role as amateur sports as part of the educational mission of the institution. The cabinet also noted football and basketball are the sports in which a majority of institutions reported currently employing one or more noncoaching staff members with sport-specific responsibilities. Eighty-eight percent of survey respondents favored a limit of one to six noncoaching staff members in football and the limit of four was the option most favored by the directors of athletics. The cabinet believes that four is the most appropriate and practical limit when considering the number of noncoaching staff with sport-specific responsibilities currently employed by football programs in Football Bowl Subdivision. Some common examples of individuals who would be included in the proposed numerical limitations include, but are not limited to, directors of operations, video coordinators, quality control personnel, directors of player development and directors of community relations. Individuals who may report to another unit or department within the department of athletics or outside the department of athletics, such as sports information directors, academic advisors, athletic trainers, equipment managers and marketing staff, would not be included in the proposed numerical limitations even if these individuals have sport-specific responsibilities. Additionally, clerical staff (e.g., secretaries) and managers that work with specific sports programs would also not be included in the proposed numerical limitations.

(4) Estimated Budget Impact. Variable. Potential cost savings based on the current number of noncoaching staff with sport-specific responsibilities currently employed by an institution.

(5) Student-Athlete Impact. None.

b. Athletics Personnel - Limitations on the Number and Duties of Coaches – NCAA Football Championship Subdivision - Noncoaching Staff with Sport-Specific Responsibilities.

(1) Recommendation. The cabinet sponsored a proposal to establish a maximum of two noncoaching staff members with sport-specific responsibilities in Football Championship Subdivision.

(2) Effective Date. August 1, 2012.

(3) Rationale. Based on the cabinet's examination of the number of noncoaching staff members with sport-specific responsibilities and feedback received from surveys administered in January and March 2010 to the membership and other constituents, the cabinet agreed it is necessary to establish limitations on the number of noncoaching staff members with sport-specific responsibilities in football. The membership and Board of Directors have expressed significant concern regarding the proliferation of these individuals and the impact on competitive equity. Further, this proposal will reaffirm a fundamental objective of the Association, which is to preserve and promote fair competition in intercollegiate athletics and reorient the programs into their traditional role as amateur sports as part of the educational mission of the institution. The cabinet noted that football and basketball are the sports in which a majority of institutions reported currently employing one or more noncoaching staff members with sport-specific responsibilities. Eighty-eight percent of survey respondents favored a limit of one to six noncoaching staff members in football and the limit of two was the option most favored by the directors of athletics. The cabinet believes that two is the most appropriate and practical limit when considering the number of noncoaching staff with sport-specific responsibilities currently employed by football programs in Football Championship Subdivision. Some common examples of individuals who would be included in the proposed numerical limitations include, but are not limited to, directors of operations, video coordinators, quality control personnel, directors of player development and directors of community relations. Individuals

who may report to another unit or department within the department of athletics or outside the department of athletics, such as sports information directors, academic advisors, athletic trainers, equipment managers and marketing staff, would not be included in the proposed numerical limitations even if these individuals have sport-specific responsibilities. Additionally, clerical staff (e.g., secretaries) and managers that work with specific sports programs would also not be included in the proposed numerical limitations.

(4) Estimated Budget Impact. Variable. Potential cost savings based on the current number of noncoaching staff with sport-specific responsibilities currently employed by an institution.

(5) Student-Athlete Impact. None.

c. Athletics Personnel - Limitations on the Number and Duties of Coaches - Basketball - Noncoaching Staff with Sport-Specific Responsibilities.

(1) Recommendation. The cabinet sponsored a proposal to establish a maximum of one noncoaching staff member with sport-specific responsibilities in basketball.

(2) Effective Date. August 1, 2012.

(3) Rationale. Based on the cabinet's examination of the number of noncoaching staff members with sport-specific responsibilities and feedback received from surveys administered in January and March 2010 to the membership and other constituents, the cabinet agreed it is necessary to establish limitations on the number of noncoaching staff members with sport-specific responsibilities in basketball. The membership and Board of Directors have expressed significant concern regarding the proliferation of these individuals and the impact on competitive equity. Further, this proposal will reaffirm a fundamental objective of the Association, which is to preserve and promote fair competition in intercollegiate athletics and reorient the programs into their traditional role as amateur sports as part of the educational mission of the institution. The cabinet noted football and basketball are the sports in which a majority of institutions reported currently employing one or more noncoaching staff members with sport-specific responsibilities. Eighty-eight percent of survey respondents favored a limit of one to three noncoaching staff members in men's basketball and eighty-nine percent of

survey respondents favored a limit of one to three noncoaching staff members in women's basketball. Moreover, the limit of one was the option most favored by the directors of athletics surveyed for both men's and women's basketball. The cabinet believes that one is the most appropriate and practical limit when considering the number of noncoaching staff with sport-specific responsibilities currently employed by men's and women's basketball programs. Some common examples of individuals who would be included in the proposed numerical limitations include, but are not limited to, directors of operations, video coordinators, quality control personnel, directors of player development and directors of community relations. Individuals who may report to another unit or department within the department of athletics or outside the department of athletics, such as sports information directors, academic advisors, athletic trainers, equipment managers and marketing staff, would not be included in the proposed numerical limitations even if these individuals have sport-specific responsibilities. Additionally, clerical staff (e.g., secretaries) and managers that work with specific sports programs would also not be included in the proposed numerical limitations.

(4) Estimated Budget Impact. Variable. Potential cost savings based on the current number of noncoaching staff with sport-specific responsibilities currently employed by an institution.

(5) Student-Athlete Impact. None.

d. Recruiting - Tryouts - Competition Against Prospective Student-Athletes - Football Bowl Subdivision - Service Academy Exception.

(1) Recommendation. The cabinet sponsored a proposal to establish an exception for a national service academy's football subvarsity team to compete against a two-year college team, a high school team or a preparatory school team, provided no payment or other inducement (e.g., guarantee) is provided to such a team and no recruiting activities occur with members of such a team in conjunction with such competition.

(2) Effective Date. August 1, 2011.

(3) Rationale. NCAA Division I Proposal No. 2009-49 (FBS) (adopted in January 2010) prohibits varsity and subvarsity teams in Football Bowl Subdivision from competing against any team that includes prospective student-athletes. The service academies, however, are somewhat unique

in that "redshirting" is not a viable option. The service academies are structured around a congressionally approved eight-semester program. All service academy students are expected to complete their undergraduate degree in four years and then serve on active duty in the armed forces. As a result, service academy student-athletes have only four years in which to complete their eligibility. Many service academy football student-athletes participate on a subvarsity team for one year and on the varsity team for three years. If not for this subvarsity opportunity, most of them would graduate and begin active duty service after using only three years of eligibility. Subvarsity competition against teams that include prospective student-athletes is necessary in order to have a viable schedule. This proposal recognizes and addresses the chief concerns expressed by the sponsor of Proposal No. 2009-49 (i.e., recruiting advantage) while preserving the participation opportunities afforded by junior varsity competition at the service academies. Such contests should be permitted as long as there is no payment (or other inducement) or recruiting activity in conjunction with these contests. Failure to adopt this proposal will result in lost participation opportunities at the service academies.

(4) Estimated Budget Impact. None when compared to legislation prior to Proposal No. 2009-49; increase in costs compared to current prohibition.

(5) Student-Athlete Impact. None.

e. Recruiting - Time Period for Telephone Calls - Sports Other Than Football.

(1) Recommendation. The cabinet sponsored a proposal to permit an institution to make one telephone call per month to a prospective student-athlete, parent or legal guardian on or after June 15 at the conclusion of the prospective student-athlete's sophomore year in high school through July 31 after the prospective student-athlete's junior year in high school in sports other than football. Beginning August 1 prior to the individual's senior year in high school, an institution is permitted to make two telephone calls per week to a prospective student-athlete parent or legal guardian. Lastly, the institution is permitted to make one telephone call per week to a two-year or four-year college prospective student-athlete, parent or legal guardian.

(2) Effective Date. August 1, 2011.

(3) Rationale. This proposal applies the current telephone call rule in men's basketball to all sports, except football. Based on the cabinet's examination of the current recruiting model and feedback received from the membership, this proposal will help to bring uniformity to the legislation regarding telephone calls for all sports. In excluding football, the cabinet noted that the current telephone call legislation in that sport is specific to the spring evaluation period. The cabinet noted this proposal will provide coaches the opportunity to communicate on a limited basis with prospects at an earlier time to better assess their academic preparedness and provide guidance regarding their high school academic curriculum. Such access can assist both institutions and prospects in making more sound recruiting evaluations and decisions. The cabinet noted that with the introduction of legislative proposals restricting verbal offers of athletics aid until July 1 following the completion of an individual's junior year in high school, additional opportunities will exist to build a coach/player relationship and obtain key information about a prospective student-athlete prior to making any verbal or written offers of financial aid.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

f. Recruiting - Official Visits After National Letter of Intent (NLI) Signing All Sports.

(1) Recommendation. The cabinet sponsored a proposal to prohibit a prospective student-athlete from making an official visit to the institution in which the prospective student-athlete has signed a NLI. Further, for an institution not using the NLI in a particular sport, or for a prospective student-athlete not eligible to sign a NLI (e.g., four-year college transfer), a prospective student-athlete is prohibited from making an official visit to the institution after the prospect has signed an acceptance of a written offer of admission and/or financial aid.

(2) Effective Date. August 1, 2011.

(3) Rationale. The primary purpose of an official visit is to provide the prospective student-athlete and the institution an appropriate time and venue to evaluate one another as part of the recruiting process. Once a prospective student-athlete has signed a NLI, the recruiting process has

concluded. Therefore, an official visit after a prospective student-athlete has signed with an institution is an unnecessary evaluation. Prospective student-athletes that have signed an NLI would still be permitted to make unofficial visits to the institution.

(4) Estimated Budget Impact. Potential cost savings for the institution.

(5) Student-Athlete Impact. None.

g. Recruiting - Letter of Intent Programs, Financial Aid Agreements - Verbal Offer of Aid.

(1) Recommendation. The cabinet sponsored a proposal which would specify that prior to July 1 following a prospective student-athlete's junior year in high school, an institution shall not provide a verbal offer of athletically related financial aid to a prospective student-athlete, or a prospect's parent or legal guardian or any individual associated with the prospect as a result of the prospect's athletics participation. Further, to specify that the institution must have a minimum of a five-semester or seven-quarter high school transcript on file at the institution prior to extending the verbal offer of financial aid.

(2) Effective Date. Immediate.

(3) Rationale. This proposal addresses the growing concern expressed by the Board of Directors and feedback from the Division I membership regarding coaches making verbal offers of financial aid to individuals who have not yet produced an academic history indicating admissibility to a collegiate institution. The cabinet noted the need for increased opportunities to tie recruiting activities to academic evaluations, specifically prior to offers of financial aid being issued by an institution. The cabinet believes that the requirement for a five-semester or seven-quarter high school transcript provides a reasonable time period to assess a prospective student-athlete's academic profile prior to making any verbal commitment to the prospect. Further, the cabinet noted that a specific date would relieve potential pressure on high school employees to provide the most updated transcript immediately on completion of an academic term.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

h. Personnel and Recruiting - Communication Limitations - Exception - After Receipt of Financial Deposit or Signing a National Letter of Intent.

(1) Recommendation. The cabinet sponsored a proposal which would remove all restrictions on the forms and frequency of communication between any institutional administrators or coaching staff members and a prospective student-athlete, the prospect's parents or legal guardians the calendar day after any of the following has occurred:

(a) Prospect signs a NLI or for an institution not using the NLI in a particular sport, or for a prospective student-athlete not eligible to sign a NLI (e.g., four-year college transfer) a signed acceptance of a written offer of admission and/or financial aid agreement; or

(b) The institution has received a financial deposit in response to the institution's offer of admission regardless of the date that it occurs.

The current limitations regarding contacts or communication with prospective student-athletes on the day of prospective student-athletes' competition, visits to prospect's educational institutions and publicity related to a prospect's signing would continue to apply.

(2) Effective Date. Immediate.

(3) Rationale. This proposal reflects the membership's increased comfort level with and gradual move toward deregulation of communication after the generally recognized conclusion of the recruiting process.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

2. Nonlegislative Items.

a. Review of U.S. Department of Justice Investigation into Limitation on Grant-in-Aid. The cabinet received an update from the NCAA staff regarding the ongoing investigation by the U.S. Department of Justice into the NCAA financial aid regulations limiting an athletics grant-in-aid to a one-year period. The cabinet expressed serious concerns about the impact on the landscape of intercollegiate

athletics if the grant-in-aid is expanded beyond a single year. Further, the cabinet noted the mode for awarding athletics aid is consistent with the model in higher education for awarding other types of nonathletics aid. Most academic or other merit-based awards within higher education are renewed on a single-year basis and specific renewal requirements must be met on a year-to-year basis.

b. **Review of California Assembly Bill No. 2079.** The cabinet discussed California Assembly Bill No. 2079, which addresses recruitment of student-athletes. The bill provides its own definition of "student-athlete," which is much broader than the current NCAA definition and would require collegiate athletics recruiters to provide in writing a "disclosure letter" or, in the case of a student-athlete who has not yet entered grade 11, direction to a disclosure letter posted on the institution's Web site. The disclosure letter would be required to contain information about athletics scholarships (including renewals), athletically related medical expenses and athletics releases. In addition to the disclosure letter, the bill also contains requirements for providing a written offer of aid within a prescribed time period after making a verbal offer, and a few other items. If enacted, the bill would be effective January 1, 2011.

During its review, the cabinet noted that much of the information addressed in the bill is currently available and provided to prospective student-athletes on request. The cabinet agreed with the sponsor's goal of transparency; however, the cabinet noted that the bill, as written, would in many instances force NCAA institutions to choose between complying with NCAA legislation and breaking California state law, or vice versa. The cabinet believed that this issue is best addressed by a national governing body that has jurisdiction of members across all states. In addition, the cabinet noted that this legislation could place member institutions and prospective student-athletes within the state of California at a disadvantage nationally compared with their peers in other states.

c. **Enforcement Update.** The enforcement staff provided an update on the Division I major infractions cases for January to April 2010 involving violations of recruiting communication legislation. The cabinet requested the NCAA staff to include the penalties in future enforcement updates.

d. **Transportation from Airport or Bus or Train Station for Official Visits.** Based on a request from the membership, the cabinet reviewed the legislation regarding the provision of transportation of prospects from an airport or bus or train station on official visits that is not nearest to the institution. Specifically, the cabinet reviewed a situation involving an institution located in a major metropolitan area with multiple airports. If an institution selects an airport which

is not the closest major airport, they are required to begin the 48-hour period of the official visit. The cabinet was requested to review whether to propose legislation to permit an institution to select any airport within a specific-mile radius based on cost without starting the 48-hour period. The staff noted that at this time, no waivers to permit such action have been requested to the NCAA Division I Legislative Council Subcommittee for Legislative Relief. The cabinet noted that because no waivers have been requested, it was not necessary to propose a legislative change and suggested that the Subcommittee for Legislative Relief waiver process is the most appropriate way to address this potential issue.

e. **NCAA Bylaws 11 and 13 Proposals/Concepts Related to Women's Sand Volleyball.** The cabinet received an update regarding the 2009-10 proposals related to athletics personnel and recruiting for sand volleyball. The cabinet was reminded that the original proposals will be considered during the 2010-11 legislative cycle which will allow for further discussion and development of additional or alternative legislation. Additionally, the cabinet reviewed the application guide and points to consider document regarding the sand volleyball proposals and was informed that a working group of the Collegiate Commissioners Association Compliance Administrators has been created to study the current proposals and may provide alternative concepts for the cabinet to consider at its September meeting.

f. **Priority Item - Examination of Recruiting Model.** The cabinet continued its ongoing comprehensive examination of the recruiting model in the areas of academic and athletics evaluations, communication, campus visit and verbal and written offers of financial aid. The cabinet reviewed the feedback from Division I conferences, institutions and coaches associations. The cabinet noted a lack of consensus within the membership for any single model; however, the valuable feedback received allowed the cabinet to set priorities and laid the foundation for future shifts in recruiting legislation. Based on the feedback received, the cabinet agreed to sponsor four legislative proposals intended to begin to shift the culture and emphasis of recruiting in Division I. In addition to the sponsored legislation, the cabinet requested that the NCAA staff begin work with sport-specific groups and coaches associations to develop recruiting calendars and establishing recruiting-person days for each sport. The intent of this action is to bring all sports under the same general model of recruiting, while retaining the ability for variation between sports. It is anticipated that additional proposals will be developed to be placed into the 2011-12 legislative cycle.

g. **Future Agenda Items**. The cabinet identified as priority items for the upcoming year, the proliferation of strength and conditioning coaches and a broad

examination of recruiting materials in order to ensure consistency of the legislation and possible deregulation.

Cabinet Chair: ***Petrina Long, University of California, Los Angeles, Pacific-10 Conference***
Staff Liaison(s): ***Leeland Zeller, Academic and Membership Affairs***
Jeremiah Carter, Academic and Membership Affairs
Jen Daniels, Academic and Membership Affairs
Charnele Kemper, Academic and Membership Affairs
Jackie Thurnes, Enforcement Services

REPORT OF THE NCAA DIVISION I RECRUITING AND ATHLETICS PERSONNEL ISSUES CABINET SEPTEMBER 28-29, 2010, MEETING

KEY ITEMS.

1. **Review of Proposals Sponsored by and Forwarded to the Cabinet for the 2010-11 Cycle**. The NCAA Division I Recruiting and Athletics Personnel Issues Cabinet reviewed 26 legislative proposals related to recruiting and athletics personnel that will be considered by the Division I membership in the 2010-11 legislative cycle. The cabinet also modified four proposals originally sponsored by the cabinet. The proposals relate to limits on the number of noncoaching staff with sport specific responsibilities in basketball and football and evaluation days in women's sand volleyball. Finally, the cabinet sponsored three alternative proposals. The alternative proposals relate to limits on the number of noncoaching staff with sport specific responsibilities in basketball and football.

2. **Priority Item – Examination of Recruiting Models.** The cabinet discussed its ongoing comprehensive examination of the recruiting models. The cabinet reviewed a memorandum that will be distributed to sport specific groups and coaches associations regarding the development of recruiting calendars and establishing recruiting person or evaluation days in all sports to which such provisions currently do not apply. The cabinet will review the feedback during the February 2011 meeting with the goal of sponsoring legislation regarding communication, contacts and evaluations for the 2011-12 legislative cycle.

ACTION ITEMS.

- None.

INFORMATIONAL ITEMS.

1. **Modifications to Cabinet Sponsored Proposals in the 2010-11 Legislative Cycle and Alternative Proposals Sponsored.**

   a. **NCAA Proposal No. 2009-39 – Recruiting – Limitations on Number of Evaluations – Evaluations Days – Women's Sand Volleyball.** The cabinet agreed to modify Proposal No. 2009-39 to limit an institution that only sponsors women's sand volleyball to 80 evaluation days. Further, the proposal would permit an institution that sponsors both women's volleyball and women's sand volleyball 80 evaluation days for women's volleyball and 20 additional evaluation days specific to prospective student-athletes engaging in sand volleyball

competition only (not practice or other athletics activities associated with the competition). Further, other types of evaluations such as academic or nonsand volleyball athletics evaluations (e.g., evaluating at a track meet) would be prohibited during the 20 additional evaluation days. In addition, this proposal specifies that women's sand volleyball is subject to the women's volleyball recruiting calendar.

b. Proposal No. 2010-16-A – Personnel – Limitations on the Number and Duties of Coaches – Noncoaching Staff with Sport Specific Responsibilities – Basketball – Limit of Two. The cabinet agreed to modify Proposal No. 2010-16 to specify that there shall be a limit of two noncoaching staff members (two in men's basketball and two in women's basketball) whose responsibilities are specific to basketball and who work directly for the basketball program who may be employed (either on a salaried or a volunteer basis) by the institution. Feedback provided by the membership suggests that a limit of two noncoaching staff members with basketball specific responsibilities is appropriate and practical.

c. Proposal No. 2010-16-B – Personnel – Limitations on the Number and Duties of Coaches – Noncoaching Staff with Sport Specific Responsibilities – Basketball – Limit of One.

(1) Recommendation. The cabinet agreed to sponsor an alternative proposal to specify that there shall be a limit of one noncoaching staff member (one in men's basketball and one in women's basketball) whose responsibilities are specific to basketball and who works directly for the basketball program who may be employed (either on a salaried or a volunteer basis) by the institution and to exclude video coordinators from counting against the limit. Further, the proposal would specify that clerical staff and managers who work exclusively for the men's or women's basketball program are exempt from the application of the limitation.

(2) Rationale. Video coordinators whose responsibilities are specific to basketball and who work directly for basketball programs fill increasingly critical roles for their programs. In addition, the cabinet noted the potential for different applications of the rule to different institutions depending on whether a video coordinator works directly for the basketball program. Therefore, video coordinators should be treated similarly to other positions, such as athletic trainers and sport information

directors, in that these individuals typically perform highly specific responsibilities and are not engaged in other general administrative responsibilities related to the sport. In addition, membership feedback suggests that a limit of one, while exempting video coordinators, is an appropriate and practical standard.

(3) Effective Date. August 1, 2012.

(4) Estimated Budget Impact. Variable. Potential cost savings or increase based on the current number of noncoaching staff with sport specific responsibilities, including video coordinators, employed by an institution.

(5) Student-Athlete Impact. None.

d. Proposal No. 2010-18-A – Personnel – Limitations on the Number and Duties of Coaches – Noncoaching Staff with Sport Specific Responsibilities – Bowl Subdivision Football – Limit of Six. The cabinet agreed to modify Proposal No. 2010-18 to specify that, in bowl subdivision football, there shall be a limit of six noncoaching staff members whose responsibilities are specific to football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution. Feedback provided by the membership suggests that a limit of six noncoaching staff members with football specific responsibilities is appropriate and practical in bowl subdivision football.

e. Proposal No. 2010-18-B – Personnel – Limitations on the Number and Duties of Coaches – Noncoaching Staff with Sport Specific Responsibilities – Bowl Subdivision Football – Limit of Five.

(1) Recommendation. The cabinet agreed to sponsor an alternative proposal to specify that, in bowl subdivision football, there shall be a limit of five noncoaching staff members whose responsibilities are specific to football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution and to exclude video coordinators from counting against the limit. Further, the proposal would specify that clerical staff and managers who work exclusively for the football program are exempt from the application of this limitation.

(2) Rationale. Video coordinators whose responsibilities are specific to football and who work directly for football programs fill critical roles for their programs. In addition, the cabinet noted the potential for different applications of the rule to different institutions depending on whether a

video coordinator works directly for the football program. Therefore, video coordinators should be treated similarly to other positions, such as athletic trainers and sport information directors, in that these individuals typically perform highly specific responsibilities and are not engaged in other general administrative responsibilities related to the sport. In addition, membership feedback suggests that a limit of five, while exempting video coordinators, is an appropriate and practical standard.

(3) Effective Date. August 1, 2012.

(4) Estimated Budget Impact. Variable. Potential cost savings or increase based on the current number of noncoaching staff with sport specific responsibilities, including video coordinators, employed by an institution.

(5) Student-Athlete Impact. None.

f. Proposal No. 2010-20-A – Personnel – Limitations on the Number and Duties of Coaches – Noncoaching Staff with Sport Specific Responsibilities – Championship Subdivision Football – Limit of Four. The cabinet agreed to modify Proposal No. 2010-20 to specify that, in championship subdivision football, there shall be a limit of four noncoaching staff members whose responsibilities are specific to football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution. Feedback provided by the membership suggests that a limit of four noncoaching staff members with football specific responsibilities is appropriate and practical in championship subdivision football.

g. Proposal No. 2010-20-B – Personnel – Limitations on the Number and Duties of Coaches – Noncoaching Staff with Sport Specific Responsibilities – Championship Subdivision Football – Limit of Three.

(1) Recommendation. The cabinet agreed to sponsor an alternative proposal to specify that, in championship subdivision football, there shall be a limit of three noncoaching staff members whose responsibilities are specific to football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution and to exclude video coordinators from counting against the limit. Further, the proposal would specify that clerical staff and managers who work exclusively for the men's or women's basketball program are exempt from the application of this limitation.

(2) Rationale. Video coordinators whose responsibilities are specific to football and who work directly for football programs fill critical roles for their programs. In addition, the cabinet noted the potential for different applications of the rule to different institutions depending on whether a video coordinator works directly for the football program. Therefore, video coordinators should be treated similarly to other positions, such as athletic trainers and sport information directors, in that these individuals typically perform highly specific responsibilities and are not engaged in other general administrative responsibilities related to the sport. In addition, membership feedback suggests that a limit of five, while exempting video coordinators, is an appropriate and practical standard.

(3) Effective Date. August 1, 2012.

(4) Estimated Budget Impact. Variable. Potential cost savings or increase based on the current number of noncoaching staff with sport specific responsibilities, including video coordinators, employed by an institution.

(5) Student-Athlete Impact. None.

2. Legislative – Comments on Proposals to be initially considered by the NCAA Division I Legislative Council in January 2011. The cabinet's positions and comments related to recruiting and athletics personnel legislation sponsored by other NCAA governance entities and conferences in the 2010-11 legislative cycle are included in Attachment A.

3. Nonlegislative.

a. Priority Item – Examination of Recruiting Models. The cabinet has directed the NCAA staff to request that sport-specific committees of sports that do not have recruiting calendars and/or do not use recruiting person or evaluation days work with their applicable coaches associations to develop recruiting calendars and establish recruiting person or evaluation days for each sport. The cabinet will review the feedback it receives from sport-specific groups and coaches associations at its February 2011 meeting with the goal of sponsoring legislation for the 2011-12 legislative cycle. The cabinet will also continue its review of recruiting models as they relate to recruiting communication, contacts and evaluations at its February and June 2011 meetings with the view toward sponsoring legislation in those areas for the 2011-12 legislative cycle.

b. Update by Basketball Focus Group. The cabinet received an update regarding the current initiatives by the Basketball Focus Group of the NCAA enforcement

staff, including continuing issues related to the funneling of money and issues related to permitting coaches to have greater access to student-athletes during the summer.

c. **Future Agenda Items.** The cabinet identified as priority items for the upcoming year: consideration of potential limit on the number of strength and conditioning coaches for football and other sports; a broad review of recruiting materials and technology to ensure the consistency of the legislation and possible deregulation; and a review of the legislation involving the scouting of opponents.

Cabinet Chair: ***Petrina Long, University of California, Los Angeles, Pacific-10 Conference***
Staff Liaisons: ***Leeland Zeller, Academic and Membership Affairs***
Jen Daniels, Academic and Membership Affairs
Charnele Kemper, Academic and Membership Affairs
Jackie Thurnes, Enforcement Services

NCAA DIVISION I RECRUITING AND ATHLETICS PERSONNEL ISSUES CABINET LEGISLATIVE POSITIONS AND COMMENTS ON PROPOSALS IN THE 2010-11 LEGISLATIVE CYCLE

The following chart sets forth positions and comments related to recruiting and athletics personnel legislation sponsored by other NCAA governance entities and conferences in the 2010-11 legislative cycle. Please note that a position of support with no additional comment reflects that the cabinet supported the rationale provided by the sponsor of the proposal.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2009-19-A	PERSONNEL -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- WOMEN'S SAND VOLLEYBALL AND WOMEN'S VOLLEYBALL	To specify that an institution that sponsors only women's sand volleyball shall have a limit of two coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off campus at any one time; further, to specify that an institution that sponsors women's sand volleyball and women's volleyball shall have a limit of four coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time.	Prefers Proposal No. 2009-19-B over Proposal No. 2009-19-A. Noted concern regarding competitive equity issues between institutions that sponsor both sports and institutions that only sponsor one sport.
2009-19-B	PERSONNEL -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- WOMEN'S SAND VOLLEYBALL	In women's sand volleyball, to specify that the limit on the number of coaches who may be employed is two and the limit on the number of coaches who may contact or evaluate prospective student-athletes off campus at any one time is two.	Support. Prefers Proposal No. 2009-19-B over Proposal No. 2009-19-A

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-14	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- GRADUATE ASSISTANT COACH -- BOWL SUBDIVISION FOOTBALL AND WOMEN'S ROWING -- INCIDENTAL EXPENSES AT NCAA CHAMPIONSHIPS AND LICENSED BOWL GAMES	In bowl subdivision football and women's rowing, to permit a graduate assistant coach to receive cash to cover unitemized incidental expenses during travel and practice for NCAA championship events or licensed postseason bowl contests in accordance with the parameters by which student-athletes may receive such expenses.	Support.
2010-15	PERSONNEL -- COMPENSATION AND REMUNERATION -- INCOME IN ADDITION TO INSTITUTIONAL SALARY -- CONSULTANT FOR OR ENDORSEMENT OF NONINSTITUTIONAL ATHLETICS EVENTS INVOLVING PROSPECTIVE STUDENT-ATHLETES	To specify that an athletics department staff member may not serve as a consultant for a noninstitutional athletics event that primarily involves prospective student-athletes and may not endorse or promote such an event in any way, including permitting the use of his or her name, picture or quotations.	Support.
2010-17	PERSONNEL -- LIMITATIONS ON THE NUMBER OF COACHES -- FOOTBALL BOWL SUBDIVISION -- FOUR GRADUATE ASSISTANT COACHES	In bowl subdivision football, to increase, from two to four, the limit on graduate assistant coaches.	Support.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-19	PERSONNEL -- LIMITATION ON THE NUMBER AND DUTIES OF COACHES -- FOOTBALL BOWL SUBDIVISION -- WEIGHT OR STRENGTH COACH -- LIMIT OF FIVE	In bowl subdivision football, to specify that not more than five weight or strength coaches are permitted to work with a football program in any capacity, including all workouts (required or voluntary), practices and game-related activities.	Took no position. Will review potential limit on number of strength and conditioning coaches in football and other sports beginning in February 2011. Further, noted there is no data to support the proposed limit of five.
2010-21	PERSONNEL -- LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME -- EXCEPTION -- SPORTS OTHER THAN BASKETBALL -- JUNE, JULY AND AUGUST	In sports other than basketball, to specify that during June, July and August, 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 the permissible number of off-campus recruiters in the particular sport engage in recruiting activities each day.	Support. Prefers Proposal No. 2010-21 over Proposal No. 2010-22.
2010-22	PERSONNEL -- LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME -- EXCEPTION -- BASEBALL -- JUNE, JULY AND AUGUST	In baseball, to specify that during June, July and August, 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 two coaches engage in off-campus recruiting activities each day.	Support. Prefers Proposal No. 2010-21 over Proposal No. 2010-22. Noted the application to only one sport.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-27	RECRUITING -- CONTACTS AND TELEPHONE CALLS -- TIME PERIOD FOR OFF-CAMPUS CONTACTS AND TELEPHONE CALLS	To permit off-campus recruiting contacts with and telephone calls to a prospective student-athlete (or his or her relatives or legal guardians) on or after July 1 following completion of his or her junior year in high school, or the opening day of classes of his or her senior year in high school (as designated by the high school), whichever is earlier.	Support.
2010-28	RECRUITING -- CONTACTS AND EVALUATIONS -- HEAD COACH RESTRICTIONS -- BOWL SUBDIVISION FOOTBALL - ELIMINATION OF RESTRICTIONS ON ASSISTANT COACH PUBLICLY DESIGNATED AS NEXT HEAD COACH	In bowl subdivision football, to eliminate the restriction that specifies that an institution's assistant coach who has been publicly designated by the institution to become the next head coach shall be subject to the recruiting restrictions applicable to the institution's head coach.	Oppose. Noted current legislation has only been in effect since January 2010. Further, noted the potential recruiting advantage for institutions that publicly designate an assistant coach as the next head coach if the assistant coach is not restricted to the same activities as the current head coach.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-29	RECRUITING -- CONTACTS AND EVALUATIONS -- HEAD COACH RESTRICTIONS -- ASSISTANT COACH PUBLICLY DESIGNATED AS NEXT HEAD COACH -- BOWL SUBDIVISION FOOTBALL -- APPLICATION TO PRIOR DESIGNATIONS	In bowl subdivision football, to specify that an assistant coach who was publicly designated before August 14, 2009, by the institution to become its next head coach is not subject to the recruiting restrictions applicable to the institution's head coach.	Oppose. Noted this proposal would permit an inconsistent application of the legislation. Further, noted affected institutions already have received a one-year waiver of the current restrictions to provide opportunity to realign responsibilities of assistant coaches who have been publicly designated as the next head coach.
2010-32	RECRUITING -- TELEPHONE CALLS AND ELECTRONIC TRANSMISSIONS -- AFTER WRITTEN COMMITMENT OR RECEIPT OF FINANCIAL DEPOSIT -- ON OR AFTER SECOND WEDNESDAY OF NOVEMBER	To specify that on or after the second Wednesday of November of a prospective student-athlete's senior year in high school, there shall be no limit on the number of telephone calls by an institution to the prospective student-athlete and there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete, provided the prospective student-athlete has signed the institution's written offer of admission and/or financial aid or the institution has received a financial deposit in response to the institution's offer of admission.	Support. Prefers Proposal No. 2010-31 over Proposal No. 2010-32. Noted this proposal only impacts telephone calls and electronic communication. Further, noted this proposal is more restrictive as it relates to when the exceptions become applicable.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-33	RECRUITING -- CONTACTS AND EVALUATIONS -- RECRUITING OPPORTUNITIES -- WOMEN'S BASKETBALL -- SEVEN OPPORTUNITIES	In women's basketball, to increase, from five to seven, the number of recruiting opportunities (contacts and evaluations).	Support.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-34	RECRUITING -- CONTACTS AND EVALUATIONS -- MEN'S BASKETBALL EVALUATIONS -- CERTIFIED NONSCHOLASTIC EVENTS DURING APRIL CONTACT PERIOD	In men's basketball, to specify that a coaching staff member may evaluate prospective student-athletes at certified nonscholastic events on Saturdays and Sundays during the April contact period.	Support. Supports recommendation to reduce the number of days during the July evaluation periods in order to avoid an increase in recruiting at nonscholastic events. Recommends further consideration by the sponsors, the NCAA Division I Men's Basketball Issues Committee (MBIC) and the NCAA Division I Legislative Council regarding the specific days that should be removed from the July period. Supports recommendation from the MBIC to eliminate observation of scholastic activities during the April contact period, except regular scheduled high school, preparatory school and two-year college contests/tournaments and practices. Recommends further consideration by the sponsors, the MBIC and the Legislative Council.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-35	RECRUITING -- BASKETBALL EVALUATIONS -- WOMEN'S BASKETBALL -- NONSCHOLASTIC EVALUATIONS DURING ACADEMIC YEAR -- NATIONAL STANDARDIZED TESTING WEEKENDS	In women's basketball, to specify that evaluations at nonscholastic events during the academic year evaluation period shall not occur during any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered; further, to specify that if such a test is administered on a date that conflicts with the fall nonscholastic evaluation weekend, evaluations at nonscholastic events shall be permissible during the first full weekend (including Friday, Saturday and Sunday) of the fall/winter evaluation period; and that if such a test is administered on a date that conflicts with the spring nonscholastic evaluation weekend, the five day evaluation period in April shall shift to the second Friday following the initial date of the spring National Letter of Intent signing period through the following Tuesday.	Support.
2010-36	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- OTHER EVALUATION EVENTS -- CHAMPIONSHIP SUBDIVISION FOOTBALL	In championship subdivision football, to specify that an institutional staff member may attend a recruiting event in which information (e.g., athletics or academic credentials, highlight or combine videos) related to prospective student-athletes is presented or otherwise made available.	Oppose. Noted concern regarding the potential lack of oversight of nonscholastic events.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-37	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- OTHER EVALUATION EVENTS ORGANIZED OR SANCTIONED SCHOLASTIC ATHLETICS ASSOCIATION -- CHAMPIONSHIP SUBDIVISION FOOTBALL	In championship subdivision football, to specify that a coach may attend a recruiting event in which information (e.g., athletics or academic credentials, highlight or combine video) related to prospective student-athletes is presented or otherwise made available, provided the event is organized or sanctioned by the applicable state high school athletics association, state preparatory school association or state or national junior college athletics association.	Support. Expressed marginal support, but noted that the current legislation that restricts attendance at these types of events has been effective for only one year.
2010-38	RECRUITING -- RECRUITING MATERIALS -- ATHLETICS PUBLICATIONS -- NO MEDIA GUIDES TO PROSPECTIVE STUDENT-ATHLETES VIA DIGITAL STORAGE DEVICE OR E-MAIL	To prohibit an institution from providing a media guide to a prospective student-athlete via digital media storage device or as an attachment to electronic mail.	Oppose as written. Recommends sponsor modify proposal to permit an institution to provide a media guide to a prospective student-athlete as an attachment to electronic mail. Noted general support of providing materials to prospects via electronic methods that have little or no cost. If the sponsor does not modify the proposal, the cabinet will sponsor an alternative proposal.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-39	RECRUITING -- RECRUITING MATERIALS -- MEDIA GUIDES AND VIDEO/AUDIO MATERIALS -- METHODS OF DELIVERY TO PROSPECTIVE STUDENT-ATHLETES	To specify that an institution may provide a media guide and permissible video or audio material to a prospective student-athlete via an electronic mail hyperlink, an electronic mail attachment or an electronic media storage device (e.g., compact disc, flash drive); further, to specify that an institution is limited to providing a media guide or video or audio material to a prospective student-athlete via electronic media storage device one time.	Oppose as written. Recommends sponsor modify proposal to prohibit an institution from sending a media guide or video or audio material to a prospective student-athlete via electronic storage media device. Noted general support of providing materials to prospects via electronic methods that have little or no cost. If the sponsor does not modify the proposal, the cabinet will sponsor an alternative proposal.
2010-41	RECRUITING -- UNOFFICIAL (NONPAID) VISIT -- ENTERTAINMENT/TICKETS -- GENERAL RESTRICTIONS -- NONTRADITIONAL FAMILY	To specify that if a prospective student-athlete is a member of a nontraditional family (e.g., divorce, separation), an institution may provide up to two additional complimentary admissions to the prospective student-athlete in order to accommodate the parents accompanying the prospective student-athlete (e.g., stepparents) to attend a home athletics event during an unofficial visit.	Support.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-44	RECRUITING -- TRYOUTS -- TRYOUT EVENTS -- PROHIBITION ON HOSTING, SPONSORING OR CONDUCTING NONINSTITUTIONAL INSTRUCTIONAL EVENTS -- FOOTBALL	In football, to specify that an institution or conference shall not host, sponsor or conduct a noninstitutional camp, clinic, group workout or combine event, at any location, that provides instruction to prospective student-athletes.	Oppose. Noted concern related to potential unintended consequence of limiting access to legitimate instructional opportunities for all football prospective student-athletes based on limited availability of adequate facilities.
2010-45	RECRUITING AND PLAYING AND PRACTICE SEASONS -- TRYOUT EXCEPTIONS AND OUT-OF-SEASON RESTRICTIONS -- RECOGNIZED TRAINING AND DEVELOPMENT PROGRAMS	To specify that in order for an athletics department staff member or coach to participate in state, regional, national and international training programs involving prospective student-athletes, the staff member must be selected by the applicable governing body and the participants are selected by an authority or a committee of the applicable governing body that is not limited to athletics department staff members affiliated with one institution; further, to specify that Olympic and national team development programs may involve a coach and current student-athletes from the same institution, provided (in addition to existing criteria) a committee or other authority of the national governing body, which is not limited to coaches affiliated with one particular institution, selects the involved participants and the national governing body funds the program.	Support.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-46	RECRUITING -- TRYOUTS -- TRYOUT EXCEPTIONS -- HIGH SCHOOL, PREPARATORY-SCHOOL AND TWO-YEAR COLLEGE CONTESTS -- CONDUCTED BY INSTITUTION OR SPONSORED WITH AN OUTSIDE ORGANIZATION	To revise the requirements by which a high school, preparatory school or two-year college athletics contest or match, conducted by a member institution or sponsored jointly with an outside organization and held on the campus of a member institution, shall not be considered a tryout, as specified.	Support. Noted potential to further simplify the application of the exception.
2010-47	RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING OR SCOUTING SERVICES -- VIDEO-ONLY SERVICES	To specify that an institution is permitted to use or subscribe to a video service that only provides video of prospective student-athletes and does not provide information about or analysis of prospective student-athletes, subject to the criteria that permits an institution to subscribe to a recruiting or scouting service, except that the video-only service is not required to disseminate information about prospective student-athletes at least four times a year and is not required to provide individual analysis for each prospective student-athlete in the information it disseminates.	Support.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-48	RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING OR SCOUTING SERVICES -- LIST OF PERMISSIBLE RECRUITING SERVICES -- MEN'S BASKETBALL	In men's basketball, to specify that the NCAA national office shall publish a list, on a quarterly basis, of men's basketball recruiting or scouting services deemed to meet the required standards for subscription.	Oppose. Agreed with comments from the NCAA Division I Men's Basketball Issues Committee. Also, noted that current legislation was only recently adopted and the cost and burden to institutions regarding research of recruiting/scouting services should be significantly reduced as services continue to adjust to the new requirements. Noted the NCAA staff has worked with services and institutions regarding interpretative questions and will continue to do so.
2010-49	RECRUITING -- RECRUITING CALENDARS -- MEN'S BASKETBALL -- APRIL CONTACT PERIOD	In men's basketball, to revise the recruiting calendar by extending the contact period in April by nine days, but designating the weekends in April after the NCAA Division I Men's Basketball Championship as quiet periods.	Oppose if Proposal No. 2010-34 is adopted; support if Proposal No. 2010-34 is defeated.

NCAA Proposal Number	Title	Intent	Cabinet Position/Comments
2010-50	RECRUITING -- BASKETBALL EVENT CERTIFICATION -- WOMEN'S EVENTS AND MEN'S SUMMER EVENTS -- PRICE OF ADMISSION	In basketball, to specify that in order for a women's event or men's summer event to be certified, the price of admission to the event must be listed on the event certification application and the price must be made available to coaches prior to their arrival at the event.	Support.
2010-85	PLAYING AND PRACTICE SEASONS AND RECRUITING -- VOLUNTARY WORKOUTS -- STRENGTH AND CONDITIONING COACH FIRST AID/CPR CERTIFICATION AND AUTHORITY OF SPORTS MEDICINE STAFF -- SPORTS OTHER THAN FOOTBALL	In sports other than football, to specify that a strength and conditioning coach who conducts voluntary weight-training or conditioning activities is required to maintain certification in first aid and cardiopulmonary resuscitation; further, to specify that if a member of the institution's sports medicine staff (e.g., athletic trainer, physician) is present during voluntary conditioning activities conducted by a strength and conditioning coach, the sports medicine staff member must be empowered with the unchallengeable authority to cancel or modify the workout for health and safety reasons, as he or she deems appropriate.	Support.

MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I LEGISLATIVE REVIEW AND INTERPRETATIONS COMMITTEE

Teleconference No. 3 March 18, 2010

Participants:

David Batson, Texas A&M University
Brad Bertani, University of Tennessee, Knoxville
Marcus Brown, Pepperdine University
Beatrice Crane Banford, Marshall University
Novelle Dickenson, Hampton University
Ellen Ferris, University of Southern California
Frank Harrell, Tennessee Technological University
Don Oberhelman, San Diego State University
Kris Richardson, NCAA
Leeland Zeller, NCAA

Members unable to participate: Mary Mulvenna, Missouri Valley Conference.

[Note: These minutes contain only actions taken (formal votes or stated "sense of the teleconference") in accordance with NCAA policy regarding minutes of all Association entities. While certain items on the committee's agenda were acted on at various times throughout the meeting, all final actions within a given topic are combined in these minutes for convenience of reference.]

The NCAA Division I Legislative Review and Interpretations Committee teleconference was called to order at 3:05 p.m. All members were present as noted above.

1. The committee issued the following interpretation:

   Exempting Renewals of Academic Honor Awards from Equivalency Calculations. (I) The committee determined that if a student-athlete receives an academic honor award during his or her initial year of enrollment, but does not qualify for exemption of the award from his or her team's equivalency computation, and receives a renewal of the academic award in a subsequent year, the renewal may be exempted from the team's equivalency computation, provided the student-athlete achieves a cumulative grade-point average of at least 3.000 (based on a maximum of 4.000) at the certifying institution and meets all NCAA, conference and institutional progress-toward-degree requirements.

[References: NCAA Bylaws 15.5.3.2.2.1 (academic honor awards) and 15.5.3.2.2.1.2 (renewals) and a staff interpretation (3/23/10, Item No. a), which has been archived]

2. Adjournment. The meeting adjourned at approximately 4:10 p.m.

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MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I LEGISLATIVE REVIEW AND INTERPRETATIONS COMMITTEE

Teleconference No. 5 May 13, 2010

Participants:

David Batson, Texas A&M University
Brad Bertani, University of Tennessee, Knoxville
Marcus Brown, Pepperdine University
Novelle Dickenson, Hampton University
Ellen Ferris, University of Southern California
Mary Mulvenna, Missouri Valley Conference
Don Oberhelman, San Diego State University
Kris Richardson, NCAA
Leeland Zeller, NCAA

Members unable to participate: Beatrice Crane Banford, Marshall University and Frank Harrell, Tennessee Technological University.

[Note: These minutes contain only actions taken (formal votes or stated "sense of the teleconference") in accordance with NCAA policy regarding minutes of all Association entities. While certain items on the committee's agenda were acted on at various times throughout the meeting, all final actions within a given topic are combined in these minutes for convenience of reference.]

The NCAA Division I Legislative Review and Interpretations Committee teleconference was called to order at 3:05 p.m. All members were present as noted above.

1. The committee issued the following interpretation:

   Missed Class Time for Practice Activities. (I) The committee determined that a student-athlete may not miss class at any time (e.g., regular academic term, mini term, summer term) for practice activities, except when a team is traveling to an away-from-home contest and the practice is in conjunction with the contest.

   [References: NCAA Bylaw 17.1.6.6.1 (no class time missed for practice activities) and a staff interpretation (8/20/97, item ref. a), which has been archived]

2. Adjournment. The meeting adjourned at approximately 3:30 p.m.

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MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I LEGISLATIVE REVIEW AND INTERPRETATIONS COMMITTEE

Teleconference No. 6 June 10, 2010

Participants:

Beatrice Crane Banford, Marshall University
Brad Bertani, University of Tennessee, Knoxville
Frank Harrell, Tennessee Technological University
Mary Mulvenna, Missouri Valley Conference
Don Oberhelman, San Diego State University
Kris Richardson, NCAA

David Batson, Texas A&M University, College Station; Marcus Brown, Pepperdine University; Novelle Dickenson, Hampton University; and Ellen Ferris, University of Southern California, were unable to participate on the teleconference.

[Note: These minutes contain only actions taken (formal votes or stated "sense of the teleconference") in accordance with NCAA policy regarding minutes of all Association entities. While certain items on the committee's agenda were acted on at various times throughout the meeting, all final actions within a given topic are combined in these minutes for convenience of reference.]

The NCAA Division I Legislative Review and Interpretations Committee teleconference was called to order at 3:05 p.m. All members were present as noted above.

1. The committee issued the following interpretation:

   Use of a Recruiting or Scouting Service that Provides Only Video of Prospective Student-Athletes. (I) The committee confirmed that for an institution to subscribe to a recruiting or scouting service that provides only video of prospective student-athletes, the service must conform to all the requirements of the recruiting or scouting services legislation (e.g., disseminate information about prospective student-athletes at least four times per calendar year, provide individual analysis beyond demographic information or rankings, etc.).

   [References: NCAA Bylaw 13.14.3 (recruiting or scouting services)]

2. Adjournment. The meeting adjourned at approximately 3:20 p.m.

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MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I LEGISLATIVE REVIEW AND INTERPRETATIONS COMMITTEE

Teleconference No. 11 August 26, 2010

Participants:

Beatrice Crane-Banford, Marshall University
David Batson, Texas A&M University, College Station
Brad Bertani, University of Tennessee, Knoxville
Novelle Dickenson, Hampton University
Ellen Ferris, University of Southern California
Frank Harrell, Tennessee Technological University
Mary Mulvenna, Missouri Valley Conference
Don Oberhelman, San Diego State University
Leeland Zeller, NCAA

Marcus Brown, Pepperdine University; Jobrina Perez, NCAA and Kris Richardson, NCAA was unable to participate on the teleconference.

[Note: These minutes contain only actions taken (formal votes or stated "sense of the teleconference") in accordance with NCAA policy regarding minutes of all Association entities. While certain items on the committee's agenda were acted on at various times throughout the meeting, all final actions within a given topic are combined in these minutes for convenience of reference.]

The NCAA Division I Legislative Review and Interpretations Committee teleconference was called to order at 3:05 p.m. All members were present as noted above.

1. Application of Bylaw 13 to Prospect-Aged Individuals with no Reasonable Expectation of Participation in Intercollegiate Athletics. The committee recommends that the NCAA Division I Legislative Council modify a previous Council-approved official interpretation [Reference: 10/22/2001, Item No. a] to specify that the restrictions of Bylaw 13 do not apply to a prospect-aged individual who has no reasonable expectation of participating in intercollegiate athletics as a result of a disability or terminal illness, provided he or she is not a relative of a prospective student-athlete being recruited by the institution.

[References: Bylaws 13.02.11 (prospective student-athlete), 13.2.1 (general regulation), 13.2.2 (specific prohibitions) 13.10.5 (prospective student-athlete's visit), 13.10.6 (introduction of prospective student-athlete) and 13.15.1 (precollege expenses -- prohibited expenses); official interpretation (10/22/01, Item No. a) and staff interpretation (2/25/10, item a)]

2. The committee issued the following official interpretations:

Prospective Student-Athlete Participating in Voluntary Workouts on an Institution's Campus Prior to Initial Full-Time Enrollment at the Certifying Institution. (I)
Date Issued: August 26, 2010
Date Published: August 27, 2010
Type: Official Interpretation
Item No.: 1-a

The committee confirmed the following regarding a prospective student-athlete's participation in voluntary workouts on an institution's campus prior to initial full-time enrollment at the certifying institution:

(1) Participation during a summer term in which the prospective student-athlete is enrolled. A prospective student-athlete may participate in summer voluntary workouts conducted by the institution's strength and conditioning coach with department-wide duties (or, in championship subdivision football, a countable coach who is a certified strength and conditioning coach) only during the period of an institution's summer term (opening day of classes through last day of final exams) in which he or she is enrolled.

(2) Participation during the summer, but outside a summer term in which the prospective student-athlete is enrolled. A prospective student-athlete may participate in voluntary weightlifting or conditioning activities (e.g., conditioning on the track) on the institution's campus in the presence of (as opposed to conducted by) the institution's strength and conditioning coach during the periods of the summer that are outside the actual duration of the term or terms in which the prospective student-athlete is enrolled, provided such activities are not prearranged, the strength and conditioning coach is performing normal duties and responsibilities in the supervision of the weight room or facility in use (e.g., track) and does not work directly with the prospective student-athlete.

(3) Participation during the summer prior to initial full-time enrollment when prospective student-athlete is not enrolled in the summer term, but has signed a National Letter of Intent. In sports other than football and basketball, a prospective

student-athlete who has signed a National Letter of Intent (or a four-year college transfer who has signed a written offer of financial aid and/or admission), but who is not enrolled in an institution's summer term may participate in voluntary weightlifting or conditioning activities (e.g., conditioning on the track) on the institution's campus in the presence of the institution's strength and conditioning coach, provided such activities are not prearranged, the strength and conditioning coach is performing normal duties and responsibilities in the supervision of the weight room or facility in use (e.g., track) and he or she does not work directly with the prospective student-athlete. Involvement by the strength and conditioning coach (other than in a supervisory capacity) or the involvement of any coaching staff member in any capacity would constitute a tryout.

(4) Participation prior to initial full-time enrollment at the certifying institution (other than during the summer prior to enrollment). A prospective student-athlete who has signed a National Letter of Intent (or a four-year college-transfer prospective student-athlete who has signed a written offer of financial aid and/or admission) may participate in voluntary weightlifting or conditioning activities (e.g., conditioning on the track) on the institution's campus in the presence of the institution's strength and conditioning coach, provided such activities are not prearranged, the strength and conditioning coach is performing normal duties and responsibilities in the supervision of the weight room or facility in use (e.g., track) and he or she does not work directly with the prospective student-athlete. Involvement by the strength and conditioning coach (other than in a supervisory capacity) or the involvement of any coaching staff member in any capacity would constitute a tryout.

[References: NCAA Bylaws 13.11.1 (prohibited activities), 13.11.2.2 (recreational activities), 13.11.3.8.1 (voluntary summer conditioning -- bowl subdivision football, 13.11.3.8.2 voluntary summer conditioning -- championship subdivision football, 13.11.3.9 (voluntary summer conditioning -- basketball), and 13.11.3.10 (voluntary summer conditioning -- sports other than football and basketball; staff interpretations (05/28/09, Item No. d and 7/29/10, Item No. a), which have been archived and an official interpretation (05/18/05, Item No. 1), which has been archived]

Awards Based on Place Finish in Outside Competition. (I)
Date Issued: August 26, 2010
Date Published: August 27, 2010
Type: Official Interpretation
Item No.: 1-b

The committee confirmed that an individual may receive an award, as opposed to cash or items redeemable for cash, based on place finish (e.g., trophy, medal, saddle) in outside competition, subject to the applicable pre- and post-enrollment awards limits.

[References: NCAA Division I Bylaws 12.1.2.1.5 (payment based on performance), 16.1.1.1 (prior to enrollment), 16.1.1.2 (awards received by a student-athlete while enrolled as a full-time student), 16.1.1.3 (student-athlete not regularly enrolled); an official interpretation (06/06/91, Item No. 1) and a staff interpretation (4/08/10), which has been archived]

Donations Made for Prospective or Currently Enrolled Student-Athletes to Outside Team or Organization. (I)
Date Issued: August 26, 2010
Date Published: August 27, 2010
Item No.: 1-c

The committee confirmed that donations made by individuals other than a prospective or currently enrolled student-athlete's relatives or legal guardians (e.g., neighbors, businesses) to an outside team or organization in the name of or on behalf of the prospective or currently enrolled student-athlete are precluded, inasmuch as these donations would be considered "earmarked" for the prospective or currently enrolled student-athlete. However, it is permissible for such individuals to make a donation to the general fund of the outside team or organization, provided it is not credited to a particular prospective or currently enrolled student-athlete.

[References: NCAA Division I Bylaws 12.1.2 (amateur status), 12.1.2.1.4.3 (expenses from outside team or organization) and 12.1.2.1.4.5 (expenses from sponsor other than parents/legal guardians or nonprofessional sponsor of event); and staff interpretations (9/21/90, Item No. d) and (2/11/10, Item No. b), which has been archived]

Volleyball and Sand Volleyball are Considered the Same Sport. (I)
Date Issued: August 26, 2010
Date Published: August 27, 2010
Item No: 1-d

The committee confirmed that volleyball and sand volleyball are considered the same sport for purposes of NCAA amateurism and outside competition legislation.

[References: NCAA Division I Bylaws 12.1.2 (amateur status), 12.1.3 (amateur status if professional in another sport, 14.2.3.2 (delayed enrollment), and 14.7.1 (outside competition -- sports other than basketball); and staff interpretation (11/12/09, Item No. a) which has been archived]

2. Adjournment.

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Background Information for March 18, 2010, LRIC Minutes

Review of Staff Determination

Exempting Renewals of Academic Honor Awards from Equivalency Calculations. (I) The academic and membership affairs staff determined that if a student-athlete receives an academic honor award during his or her initial year of enrollment, but does not qualify for exemption of the award from his or her team's equivalency computation, and receives a renewal of the academic award in a subsequent year, the renewal may be exempted from the team's equivalency computation, provided the student-athlete achieves a cumulative grade-point average of at least 3.000 (based on a maximum of 4.000) at the certifying institution and meets all NCAA, conference and institutional progress-toward-degree requirements.

[References: NCAA Bylaws 15.5.3.2.2.1 (academic honor awards) and 15.5.3.2.2.1.2 (renewals)]

Background Information.

Issue: Whether a student-athlete who received an academic honor award at the time of initial full-time enrollment at the institution, but did not meet the requirements to exempt the academic honor award during the initial year, is permitted to exempt the academic honor award from the team's equivalency computation in future academic years if the student-athlete meets the conditions of the renewals legislation (Bylaw 15.5.3.2.2.1.2).

Background: A Division I conference asked whether a student-athlete could "earn" the ability to exempt an academic honor award in the second academic year even if he or she had not satisfied any of the requirements (high school class rank, high school cumulative grade-point average or ACT/SAT score) for exempting the award during the initial year of enrollment.

Analysis: Based on the intent and rationale of NCAA Division I Proposal No. 1998-52, as well as feedback from a staff liaison for the NCAA Committee on Financial Aid during the time when the proposal was developed, the key to exempting an academic honor award is that the initial award has to be based solely on the student's high school record, be awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution and satisfy the additional requirements specified in the legislation (Bylaw 15.5.3.2.2.1.1). If a student-athlete receives such an award, then as long as the requirements of the renewals legislation are met the institution is able to exempt the academic honor award from the team's equivalency computation in future academic years regardless of whether the academic honor award was able to be exempted during the student-athlete's initial year.

Limiting the ability to exempt an academic honor award in future academic years to student-athletes who were eligible to exempt it during their initial year would minimize the impact of the legislation and limit its effectiveness for encouraging the recruitment of student-athletes who qualify for academic awards and scholarships based on their high school academic record.

Bylaws/Interpretations/Proposals:

Bylaw 15.5.3.2.2.1 - Academic Honor Awards. Academic honor awards that are part of an institution's normal arrangements for academic scholarships, based solely on the recipient's high school record and awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution, are exempt from an institution's equivalency computation, provided the recipient was ranked in the upper 10 percent of the high school graduating class or achieved a cumulative grade-point average of at least 3.500 (based on a maximum of 4.000) or a minimum ACT sum score of 105 or a minimum SAT score of 1200 (critical reading and math). *(Adopted: 1/12/99 effective 8/1/99, Revised: 1/14/08 effective 8/1/08)*

Bylaw 15.5.3.2.2.1.1 - Additional Requirements. The following additional requirements shall be met: *(Adopted: 1/12/99 effective 8/1/99)*

a. The awards may include additional, nonacademic criteria (e.g., interviews, essays, need analysis), provided the additional criteria are not based on athletics ability, participation or interests, and the awards are consistent with the pattern of all such awards provided to all students;

b. No quota of awards shall be designated for student-athletes;

c. Athletics participation shall not be required before or after collegiate enrollment;

d. No athletics department staff member shall be involved in designating the recipients of such awards;

e. Any additional criteria shall not include athletics ability, participation or interests; and

f. There must be on file in the office of the director of athletics certification by the financial aid director or the chair of the financial aid committee that such awards are part of the institution's normal arrangements for academic scholarships, awarded independently of athletics ability, participation and interests and in amounts consistent with the pattern of all such awards made by the institution.

Bylaw 15.5.3.2.2.1.2 - Renewals. The renewal of an academic honor award (per Bylaw 15.5.3.2.2.1) is exempt from an institution's equivalency computation, provided: *(Adopted: 1/12/99 effective 8/1/99)*

a. The recipient achieves a cumulative grade-point average of at least 3.000 (based on a maximum of 4.000) at the certifying institution; and

b. The recipient meets all NCAA, conference and institutional progress-toward-degree requirements.

Proposal No. 1998-52:

Title: Academic Honor Awards

Intent: In Division I, to permit entering student-athletes who participate in equivalency sports to receive an institutional academic honor award under specified conditions without including such aid in the institution's team limits during that academic year in the applicable sport.

Bylaws: Amend 15.5.3 by adding new 15.5.3.3.2, pages 195-196, as follows:

"15.5.3.3.2 Exception. Academic honor awards that are part of an institution's normal arrangements for academic scholarships, awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution are exempt from a Division I institution's equivalency computation, provided: the recipient was ranked in the upper 10 percent of the high-school graduating class or achieved a core-course grade-point average of at least 3.500 (based on a maximum of 4.000) or a minimum ACT sum score of 105 or a minimum SAT score of 1200."

"15.5.3.3.2.1 Additional Requirements. The following additional academic honor requirements shall be met:

"a. The awards may include additional, nonacademic criteria (e.g., interviews, essays, need analysis), provided the additional criteria are not based on athletics ability, participation or interests and the awards are consistent with the pattern of all such awards provided to all students;"

"b. No quota of awards shall be designated for student-athletes;"

"c. Athletics participation shall not be required prior to or subsequent to college enrollment;"

"d. No athletics department staff member shall be involved in designating the recipients of such awards;"

"e. Any additional criteria shall not include athletics ability, participation or interests;" and

"f. There must be on file in the office of the director of athletics certification by the financial aid director or the chair of the financial aid committee that such awards are part

of the institution's normal arrangements for academic scholarships; awarded independently of athletics ability, participation and interests and in amounts consistent with the pattern of all such awards made by the institution."

"15.5.3.3.2.2 Renewals. The renewal of an academic honor award (per 15.5.3.3.2) is exempt from a Division I institution's equivalency computation, provided:"

"a. The recipient achieves a cumulative grade-point average of at least 3.000 (based on a maximum of 4.000) at the certifying institution," and

"b. The recipient meets all NCAA, conference and institutional satisfactory-progress requirements."

Source: NCAA Division I Board of Directors [Management Council (Academics/Eligibility/Compliance Cabinet) (Committee on Financial Aid)]

Effective Date: August 1, 1999
Category: Amendment
Topical Area: Financial Aid

Rationale: This proposal will encourage the recruitment of student-athletes who qualify for academic awards and scholarships, thus, improving the academic profile of the institution. Under current rules, such academic awards that are based on the recipient's high-school record must count against the institution's team limits in the applicable equivalency sport. Such a requirement discourages institutions from recruiting individuals who also will be receiving some institutional athletically related aid. Such scholarships have nothing to do with athletics ability, participation or interests and should not count in the institution's team limits in the applicable equivalency sport. Under this proposal, if the award qualifies under the specified criteria it will be excluded from the institution's team limits (but will continue to count toward the recipient's individual limits). The exclusion of such awards from the team limits will reward academic excellence and provide more financial opportunities for qualified students who, otherwise, are unable to receive the maximum amount of athletically and academically related aid for which they qualify. If an institution wants to use the aid to meet financial aid minimums, it may do so simply by not filing the necessary certification and, thus, include the aid in the institution's team limits in the applicable equivalency sport. Finally, student-athletes now are permitted to exempt $2,000 of employment earnings (outside the athletics department or athletics facility), so they also should be able to exempt academic-performance dollars.

History:

Jan 01, 1998: Submit (referred proposal to Academics/Eligibility/Compliance Cabinet); Submitted for consideration.
Jun 04, 1998: Academics/Eligibility/Compliance Cabinet, Recommends Approval

Jul 20, 1998: Comment Period; Start of Comment Period
Sep 18, 1998: Comment Period; End of Comment Period
Oct 20, 1998: Mgmt Council 1st Review, Approved
Nov 04, 1998: Comment Period; Start of Comment Period
Dec 21, 1998: Comment Period; End of Comment Period
Jan 11, 1999: Mgmt Council 2nd Review, Approved
Jan 12, 1999: Board Consideration, Adopted
Jan 22, 1999: Adopted, Override Period; Start of Override Period
Mar 15, 1999: Adopted, Override Period; End of Override Period
Mar 15, 1999: Adopted; Adopted - Final

1999 Column 17 -- Proposal No. 98-52 -- Academic Honor Awards
Date Published: August 30, 1999
Item Ref: Column 17 No. 1

Educational Column:

1999 Column No. 17. Proposal 98-52 - Academic Honor Awards: Division I institutions should note that Bylaw 15.3.3.1, which was effective August 1, permits entering student-athletes who participate in equivalency sports to receive an institutional academic honor award under specified conditions without including such aid in the institution's team limits during that academic year in the applicable sport. To assist Division I institutions with understanding Bylaw 15.3.3.1, the following questions and answers have been developed:

QUESTION NO. 1: Can Bylaw 15.3.3.1 be applied to a student-athlete who is not an incoming freshman?

ANSWER: Bylaw 15.3.3.1 may be applied to a student-athlete who is not an incoming freshman provided the institutional academic honor award that he or she is receiving is solely based on his or her high school record. It is not permissible to use the provisions of Bylaw 15.3.3.1 if the institutional academic honor award includes criteria associated with an individual's record at a two- or four-year collegiate institution.

QUESTION NO. 2: Can Bylaw 15.3.3.1 be applied retroactively?

ANSWER: An institution may apply the provisions of Bylaw 15.3.3.1 to a student-athlete who is not an incoming freshman who has (e.g. entering his or her junior year of collegiate enrollment), received an institutional academic honor award in a previous year that meets the initial award criteria and, beginning August 1, 1999, meets the established renewal criteria. It is not permissible for an institution to use the provisions of Bylaw 15.3.3.1 to exempt retroactively (prior to August 1) an academic honor award from an institution's team limits.

QUESTION NO. 3: How does Bylaw 15.3.3.1 affect the Division I financial aid membership requirements?

ANSWER: Inasmuch as an institution may use only countable aid in meeting the Division I financial aid membership requirements, it is not permissible for an institution to include aid toward meeting those requirements if the provisions of Bylaw 15.3.3.1 have been used to exempt such aid from the team limits.

QUESTION NO. 4: How does Bylaw 15.3.3.1 apply to a student-athlete in Division I -AA football whose only source of aid is an academic honor award?

During its June 8, 1999, in-person meeting, the Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Legislative Review/Interpretations determined that an entering student-athlete, in the sport of Division I -AA football, whose only source of aid from the institution is an academic honor award that satisfies the provisions of Bylaw 15.3.3.1, may be excluded from the institutions total number of counters (initial and overall).

Background Information for May 13, 2010, LRIC Minutes

Review of Staff Determination and Suggestion for Elevation and Incorporation

Missed Class Time for Practice Activities (I/II)

Date Issued: August 20, 1997
Date Published: August 20, 1997
Type: Staff Interpretation
Item Ref: a

The membership services staff determined that a student-athlete may not miss class time during the academic year or in summer school for practice activities, except when a team is traveling to an away-from-home contest and the practice is in conjunction with the contest. [Reference: NCAA Bylaw 17.1.6.5.1 (no class time missed for practice activities)]

Additional Information:

Currently, NCAA Bylaw 17.1.6.6.1 states that no class time shall be missed for practice activities except when a team is traveling to an away-from-home contest and the practice is in conjunction with the contest. The staff suggests that the committee consider elevating this interpretation and incorporating it into the NCAA Manual in order to help clarify that student-athletes may not miss class time during the academic year or in summer school for practice activities, except when a team is traveling to an away-from-home contest and the practice is in conjunction with the contest.

Incorporation of Official Interpretations - Reminders

The committee reviews all of the official interpretations issued and determines whether each should be incorporated into the Manual. Things to consider in this review:

- Is the interpretation specific to a very narrow or unique situation? If so, incorporation may not be necessary.

- Would one, in all likelihood, reach the conclusion set forth in the interpretation simply by reading the legislation? If so, incorporation may not be necessary.

- Does the interpretation provide greater clarification of the intent and application of the legislation to an issue of national significance? If so, incorporate.

Background Information for June 10, 2010, LRIC Minutes

Recruiting – Video Recruiting or Scouting Services

Issue.

Whether an institution may subscribe to a video recruiting or scouting service that does not conform to all of the requirements of Bylaw 13.14.3 if such a service provides only video (no written information or analysis in any medium).

Staff Position.

The staff reviewed Bylaw 13.14.3 (and Proposal No. 2009-56) and concluded that in order for an institution to subscribe to any recruiting or scouting service, including one that only provides video of prospective student-athletes, the service must conform to all of the requirements of the legislation. The staff believes that the legislation is clear and that its position is supported by the proposal's rationale. Although the institution/conference provided information that could have been considered during discussions of the pro and cons of the legislation while the proposal was being considered for adoption, the institution/conference has not presented an interpretive argument that explains why the legislation does not apply to video services.

Prior to the adoption of Proposal No. 2009-56, the legislation was separated by "published" services and "video" services. The legislation was adopted at a time when recruiting or scouting services usually did not include video. Today, it likely is difficult to find a recruiting or scouting service that does not include video. Therefore, Proposal No. 2009-56 was purposefully drafted to encompass services that include or are limited to providing video of prospective student-athletes. This is evident from the fact that the word "published" was eliminated and that paragraph (e) was included as one of the requirements for subscribing to any service that may provide video. Ultimately, the legislation is clear on its face. All recruiting or scouting services, including those that provide only video of prospective student-athletes, must conform to all of the requirements of Bylaw 13.14.3 in order for an institution to subscribe.

The rationale for Proposal No. 2009-56 states, "many of the operators of the recruiting or scouting services are tied directly to teams or events involving highly skilled prospective student-athletes and concerns have been expressed that the service is being used as leverage in the recruiting process." In addition, the rationale addresses the concern "that unless an institution subscribes to particular services, it will be disadvantaged in attempts to recruit prospective student-athletes linked with the recruiting-service operators." The underlying intent of Proposal No. 2009-56 was to require recruiting or scouting services to provide a legitimate service in order for institutions to subscribe and, thereby, to require such services to provide more than access to a prospective student-athlete by way of a subscription fee from the institution. If the legislation is interpreted as allowing a subscription to a service that provides video without individual analysis of the featured prospective student-athletes, then a loophole will exist to allow services, including those tied to particular teams or events, to charge institutions for a product that lacks substance. The staff believes that if the membership wishes to explore creating such a loophole, then it must be accomplished legislatively. In conclusion, the staff believes that an institution may not subscribe to a video recruiting or scouting service that does

not conform to all of the requirements of Bylaw 13.14.3, even if such a service provides only video of prospective student-athletes.

Institution/Conference Position.

See attached.

Applicable Bylaw and Proposals.

Bylaw 13.14.3 - Recruiting or Scouting Services.
An institution may subscribe to a recruiting or scouting service involving prospective student-athletes, provided the institution does not purchase more than one annual subscription to a particular service and the service: *(Adopted: 1/1/02, Revised: 1/16/10)*

(a) Is made available to all institutions desiring to subscribe and at the same fee rate for all subscribers;

(b) Publicly identifies all applicable rates;

(c) Disseminates information (e.g., reports, profiles) about prospective student-athletes at least four times per calendar year;

(d) Publicly identifies the geographical scope of the service (e.g., local, regional, national) and reflects broad-based coverage of the geographical area in the information it disseminates;

(e) Provides individual analysis beyond demographic information or rankings for each prospective student-athlete in the information it disseminates; *(Revised: 4/13/10)*

(f) Provides access to samples or previews of the information it disseminates before to purchase of a subscription; and

(g) Provides video that is restricted to regularly scheduled (regular-season) high school, preparatory school or two-year college contests and for which the institution made no prior arrangements for recording. (Note: This provision is applicable only if the subscription includes video services.)

Proposal Number: 2009-56

Title: Recruiting – Use of Recruiting Funds – Recruiting or Scouting Services – Criteria for Subscription

Intent: To establish additional criteria that must be satisfied in order for an institution to subscribe to a recruiting or scouting service involving prospective student-athletes, as specified.

A. **Bylaws:** Amend 13.1.8, as follows:

13.1.8 Limitations on Number of Evaluations.

[13.1.8.1 through 13.1.8.19 unchanged.]

13.1.8.20 Off-Campus Observation of Recruiting or Scouting Service Video. Off-campus observation of a prospective student-athlete via video made available by a recruiting or scouting service is considered an evaluation activity and is subject to applicable evaluation regulations.

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

13.14.3 Recruiting **or Scouting** Services.

~~*13.14.3.1 Published Recruiting Services.*~~ An institution may subscribe to a ~~*regularly published*~~ **recruiting or** scouting service involving prospective student-athletes, provided ~~*this*~~ **the institution does not purchase more than one annual subscription to a particular service and the** service ~~*is*~~**:**

(a) Is made available to all institutions desiring to subscribe and at the same fee rate for all subscribers**;**

(b) Publicly identifies all applicable rates;

(c) Disseminates information (e.g., reports, profiles) about prospective student-athletes at least four times per calendar year;

(d) Publicly identifies the geographical scope of the service (e.g., local, regional, national) and reflects broad-based coverage of the geographical area in the information it disseminates;

(e) Provides analysis in the information it disseminates beyond demographic information or rankings of prospective student-athletes;

(f) Provides access to samples or previews of the information it disseminates prior to purchase of a subscription; and

(g) Provides video that is restricted to regularly scheduled (regular season) high school, preparatory school or two-year college contests and for which the institution made no prior arrangements for recording. (Note: This provision is applicable only if the subscription includes video services.)

~~*13.14.3.2 Video Services. An institution is permitted to use a video service, provided 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 a particular contest recorded or provided, and the service must be available to all institutions at the same cost. Off-campus observation of a prospective student-athlete via video made available by a scouting service is considered an evaluation activity and is subject to applicable evaluation regulations.*~~

[13.14.3.3 renumbered as 13.14.3.1, unchanged.]

Source: NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee)

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Currently, recruiting or scouting services are only required to meet minimal requirements in order for institutions to subscribe to them. For example, a published recruiting or scouting service only needs to be regularly published and available at the same fee rate for all subscribers. There has been a proliferation of recruiting services, particularly in the sport of men's basketball, that do not provide information consistent with the original intent of the legislation. Many of the operators of the recruiting or scouting services are tied directly to teams or events involving highly skilled prospective student-athletes and concerns have been expressed that the service is being used as leverage in the recruiting process. In some instances, the service merely provides demographic information that is available from other sources or in other instances, no information that would assist in the evaluation of talent. The perception is that unless an institution subscribes to particular services, it will be disadvantaged in attempts to recruit prospective student-athletes linked with the recruiting-service operators. This proposal acknowledges the overall value of recruiting services and protects the integrity of the recruiting process by reinforcing the intent of the original legislation.

Budget Impact: Potential cost savings by eliminating subscriptions to services that provide limited or insufficient information.

Impact on S-A's Time: None.

Position Statement(s):

Football Issues Committee: The committee supports the proposal and agrees with the sponsor's rationale.

Recruiting and Athletics Personnel Issues Cabinet: The cabinet supports the proposal and agrees with the sponsor's rationale. In addition, the cabinet supports the modification made

by the Championships/Sports Management Cabinet to limit each institution to one subscription to each service on an annual basis. The cabinet noted that this would eliminate the current practice by some institutions of paying for multiple subscriptions to the same service in the same year.

Women's Basketball Issues Committee: The committee supports the proposal and agrees with the sponsor's rationale. The committee noted that this legislation would assist in reinforcing the original intent of the legislation by requiring that recruiting or scouting services actually provide information that would assist in the evaluation of talent. The committee also noted that the legislation acknowledges the overall value of recruiting services and would protect the integrity of the recruiting process.

History

Jun 01, 2009: Submit; Submitted for consideration.

Jun 01, 2009: Men's Basketball Issues Committee, Recommends Approval

Jun 25, 2009: Championships/Sports Management Cabinet, Sponsored

Aug 21, 2009: Women's Basketball Issues Committee, Recommends Approval

Sep 02, 2009: Football Issues Committee, Recommends Approval

Sep 16, 2009: Championships/Sports Management Cabinet, Modified the Proposal; Modified to specify that an institution may not purchase more than one annual subscription to a particular recruiting or scouting service.

Sep 22, 2009: Recruiting and Athletics Personnel Issues Cabinet, Recommends Approval

Jan 13, 2010: Leg Council Init Review, Adopted; Pending Possible Board of Directors Review

Jan 16, 2010: Adopted, Override Period; No Action Taken by the Board of Directors

Jan 17, 2010: Adopted, Override Period; Start of Override Period

Mar 17, 2010: Adopted, Override Period; End of Override Period; (Number of Override Request = 1)

Mar 17, 2010: Adopted; Adopted - Final

Background Information for August 26, 2010,

LRIC Minutes

Application of Recruiting Legislation to Prospect-Aged Individuals With No Reasonable Expectation of Participation in Intercollegiate Athletics Due to a Disability or Terminal Illness

Issue: Whether the recruiting legislation applies to a prospect-aged individual who has no reasonable expectation of participating in intercollegiate athletics as a result of a disability or terminal illness, provided the individual is not a relative of a prospective student-athlete being recruited by that institution.

Background: In reviewing the interpretations related to individuals with no reasonable expectation of participating in intercollegiate athletics as a result of a disability or terminal illness, the official interpretation [Reference: 10/22/01, Item No. a] determined institutions could provide clothing, gifts or other tangible items to such individuals provided the recipient is not a relative of a prospective student-athlete being recruited by the institution. More recently, the staff confirmation [Reference: 2/25/10, Item No. a] exempts such individuals from the recruiting publicity restrictions provided they are not a relative of a prospect being recruited by the institution. As the staff considered the two interpretations, it was suggested that the larger interpretive issue - the application of the recruiting legislation to such individuals - be referred to this committee for review.

Staff Position: The staff recommends that the committee recommend to the NCAA Division I Legislative Council that it replace the official interpretation [Reference: 10/22/01, Item No. a] with a new official interpretation to exempt a prospect-aged individual who has no reasonable expectation of participating in intercollegiate athletics as a result of a disability or terminal illness from the application of Bylaw 13, provided he or she is not a relative of a prospective student-athlete being recruited by the institution.

Existing interpretations do not completely exempt such individuals from the recruiting legislation (e.g., allow institutions to make direct financial contributions to a prospective student-athlete or his/her family), but the staff believes that these individuals are not the class of individuals to whom the recruiting legislation was intended to apply. Further, the staff believes that the recruiting legislation is not intended to apply to situations in which the prospect-aged individual's disability or terminal illness means that he or she has no reasonable expectation of participating in intercollegiate athletics, especially situations in which the individual is not a relative of a prospective student-athlete being recruited by the institution looking to provide the benefit.

If the committee believes that this is a legislative issue, as opposed to an interpretive issue, then the staff recommends the committee forward the issue to the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet with a recommendation that the cabinet review the issue and consider whether to propose legislation to exempt a prospect-aged individual who has no reasonable expectation of participating in intercollegiate athletics as a result of a disability or

terminal illness from the application of Bylaw 13, provided he or she is not a relative of a prospective student-athlete being recruited by the institution.

Bylaws and Interpretations:

Bylaw 13.01.1 - Eligibility Effects of Recruiting Violation.
The recruitment of a student-athlete by a member institution or any representative of its athletics interests in violation of the Association's legislation, as acknowledged by the institution or established through the Association's enforcement procedures, shall result in the student-athlete becoming ineligible to represent that institution in intercollegiate athletics. The NCAA Division I Committee on Student-Athlete Reinstatement may restore the eligibility of a student involved in such a violation only when circumstances clearly warrant restoration. A student is responsible for his or her involvement in a violation of NCAA regulations during the student's recruitment, and involvement in a major violation (see Bylaw 19.02.2.2) may cause the student to become permanently ineligible for intercollegiate athletics competition at that institution.

Bylaw 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):

(a) The individual officially registers and enrolls in a minimum full-time program of studies and attends classes in any term of a four-year collegiate institution's regular academic year (excluding summer); or

(b) The individual participates in a regular squad practice or competition at a four-year collegiate institution that occurs before the beginning of any term; or *(Revised: 1/11/89, 1/10/90)*

(c) The individual officially registers and enrolls and attends classes during the summer prior to initial enrollment. *(Adopted: 4/28/05, Revised: 1/17/09)*

Bylaw 13.2.1 - General Regulation.
An institution's staff member or any representative of its athletics interests shall not be involved, directly or indirectly, in making arrangements for or giving or offering to give any financial aid or other benefits to a prospective student-athlete or his or her relatives or friends, other than expressly permitted by NCAA regulations. Receipt of a benefit by prospective a student-athlete or his or her relatives or friends is not a violation of NCAA legislation if it is determined that the same benefit is generally available to the institution's prospective students or their relatives or

friends or to a particular segment of the student body (e.g., international students, minority students) determined on a basis unrelated to athletics ability. *(Revised: 10/28/97, 11/1/00, 3/24/05)*

Bylaw 13.15.1 - Prohibited Expenses.
An institution or a representative of its athletics interests shall not offer, provide or arrange financial assistance, directly or indirectly, to pay (in whole or in part) the costs of the prospective student-athlete's educational or other expenses for any period prior to his or her enrollment or so the prospective student-athlete can obtain a postgraduate education. For violations of Bylaw 13.15 in which the value of the benefit received directly by the prospective student-athlete is $100 or less, the eligibility of the prospective student-athlete shall not be affected conditioned on the prospective student-athlete repaying the value of the benefit to a charity of his or her choice. However, the prospective student-athlete shall remain ineligible from the time the institution has knowledge of receipt of the direct impermissible benefit until the prospective student-athlete repays the benefit. Violations of this bylaw remain institutional violations per NCAA Constitution 2.8.1, and documentation of the prospective student-athlete's repayment shall be forwarded to the enforcement staff. *(Revised: 8/5/04)*

Bylaw 13.15.1.1 - Extent of Prohibition.
The provisions of Bylaw 13.15.1 apply to all prospective student-athletes, including those who have signed a National Letter of Intent or an institutional offer of admission or financial aid.

Offers and Inducement - Exception (I)
Date Published: October 22, 2001
Type: Official Interpretation
Item No.: a

The NCAA Division I Management Council determined that the prohibition set forth in Bylaws 13.2.1 and 13.2.2 regarding offers and inducements to prospective student-athletes would not preclude an institution from providing gifts of clothing, equipment or other tangible items to a prospect-aged individual who has no reasonable expectation of participating in intercollegiate athletics as a result of a disability, handicap or terminal illness, provided the recipient of the gift is not a relative of a prospect being recruited by that institution.

[References: Bylaws 13.2.1 (general regulation) and 13.2.2 (specific prohibitions)]

Recruiting Publicity -- Prospective Student-Athlete Who Has No Reasonable Expectation to Participate (I)
Date Published: February 25, 2010
Type: Staff Interpretation
Item No.: a

The academic and membership affairs staff confirmed that recruiting publicity restrictions do not apply to activities for a prospect-aged individual who has no reasonable expectation of participating in intercollegiate athletics as a result of a disability or terminal illness, provided the individual is not a relative of a prospect being recruited by that institution.

[References: Bylaws 13.10.5 (prospective student-athlete's visit) and 13.10.6 (introduction of prospective student-athlete); and official interpretation (10/22/01, Item No. a)]

Appeal to the Legislative Council

The [redacted] appeals the July 29, 2010, decision of the Legislative Review and Interpretation Committee ("LRIC") to deny [redacted] standing to appeal the Committee on Infractions' ("COI") findings of unethical conduct against then [redacted] assistant football coach [redacted]. The LRIC's decision is illogical, impractical and ultimately indefensible because it bars [redacted] from appealing findings that the COI relied upon to impose penalties against [redacted]. Even if the findings against [redacted] were not relied upon to impose sanctions against [redacted], [redacted] has standing to appeal them because the findings are erroneous, unnecessarily harmful to a former [redacted] employee and damage the reputation and image of the University.

Not only is there no support in the bylaws for a rule prohibiting an institution from appealing findings made against its staff members for which the institution is responsible, the bylaws state unequivocally that an institution has the right to appeal such findings (see Section II-B below). In addition to being contrary to the bylaws, the LRIC's interpretation is also wholly inconsistent with the concept of fair process and existing case precedent. An institution plainly has the right to appeal a finding on an allegation against a coach, where, as here, it was required to and did respond to the allegation both in writing and at the hearing, and where a finding based upon the allegation may form the basis for penalties assessed against the institution. Accordingly, the LRIC's decision should be overturned.

In addition to the substantive flaws in the LRIC's decision, it is procedurally flawed because [redacted] was not allowed to submit information to the LRIC for its consideration as is the normal process. The LRIC decision was made after extensive *ex parte* contacts between the Infractions Appeal Committee ("IAC"), COI and Academic and Membership Affairs staff (and indirectly with LRIC) with no notice to or participation by [redacted] In fact, [redacted] which was never

notified the issue was even under consideration, did not learn of the LRIC's decision until three weeks after it occurred and two months after the IAC first raised the issue. The improper exclusion from this process unfairly deprived [redacted] of the fair process it was entitled to under NCAA rules.

I. FACTUAL BACKGROUND

A. The Notice of Allegations

On September 24, 2009, the enforcement staff issued a Notice of Allegations to [redacted] containing multiple allegations of violations of NCAA legislation in [redacted]'s football, men's basketball and women's tennis programs. A substantial portion of the allegations regarding [redacted]'s football program related to impermissible benefits allegedly provided to former [redacted] student-athlete [redacted] by two would-be agents, [redacted] and [redacted].

Allegation 1(b) alleged that, on at least three occasions, [redacted] knew or should have known that [redacted], [redacted] and [redacted] were engaged in possible violations. Allegation 3 alleged that [redacted] engaged in unethical conduct by providing false and misleading information to [redacted] and the enforcement staff regarding his knowledge of [redacted] and the benefits he provided to [redacted]. Exhibit A. The Notice of Allegations specifically required [redacted] to respond to all of the allegations against [redacted]:

> Please indicate whether this information is substantially correct and whether the institution believes that violations of NCAA legislation occurred. Submit evidence to support your response.

Without objection from the COI, [redacted] responded at length to the allegations in writing and again extensively and for an extended period of time at the COI's hearing held on February

18-20, 2010. [redacted] disagreed with the allegations and denied that [redacted] knew or should have known of the alleged violations or had engaged in unethical conduct.[1]

B. The Report

On June 10, 2010, the COI issued Infractions Report No. [redacted]. In finding B-1-b, the COI found that, "at least by January 8, 2006," [redacted] had knowledge that [redacted] [redacted] and [redacted] "likely were engaged in NCAA violations" based upon a single two minute, twenty-three second phone call between [redacted] and [redacted]. The COI further found that [redacted] engaged in unethical conduct during his September 19, 2006, and February 15, 2008, interviews with the enforcement staff "by providing false and misleading information regarding his knowledge of this telephone call and the NCAA violations associated with it."[2]

The COI found that the sole institutional link to the benefits [redacted] and [redacted] provided to [redacted] was through [redacted]'s alleged knowledge of those benefits. Absent the finding that [redacted] had knowledge that [redacted], [redacted] and [redacted] "likely were engaged in NCAA violations," there is no basis on which to assign any institutional knowledge of [redacted]'s amateurism violations that arise from his receipt of impermissible benefits from [redacted] and [redacted].

Based presumably in part on these findings against [redacted], the COI imposed the most severe penalties on a Division I football program since the Southern Methodist University "death penalty" case in 1987. Until this case, no institution has ever suffered both a two-year post-

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[1] In addition to requiring [redacted] to respond to the [redacted] allegations, the enforcement staff did not indicate that these allegations did not apply to [redacted] or involve potential institutional responsibility.

[2] In its Report, the COI acknowledged that "[t]he institution, the enforcement staff and the assistant football coach were in disagreement regarding the facts of this finding." Report at p. 23. The COI did not take the position that [redacted] lacked standing to argue against the finding.

season ban and a loss of 30 or more scholarships, even where the violations arose directly from the actions of the institution's coaches or staff.

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C. [redacted]'s Appeal to the Infractions Appeals Committee included the [redacted] Findings

university [redacted] timely submitted its Notice of Appeal to the IAC on June 25, 2010, in accordance with NCAA Bylaw 32.10.1. [redacted] indicated that it was appealing finding B-1-b, which was included on the Notice of Appeal the COI provided to [redacted]. The COI expressed no concern that [redacted] could not appeal that finding. After [redacted] submitted its Notice of Appeal, Wendy Walters, acting on behalf of the IAC, contacted the COI in June 2010 regarding [redacted]'s standing to appeal the finding against [redacted]. Exhibit B, Wendy Walters August 26, 2010 letter and attachment. [redacted] was not notified of this contact or that there was any question regarding its standing to appeal. According to Ms. Walters, the COI took the position that [redacted] should not have been able to appeal the findings against [redacted] and that finding B-1-b should not have been included on [redacted]'s Notice of Appeal the COI prepared. Exhibit B. Again, [redacted] was given no notice of the COI's position.

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The IAC, in connection with [redacted]'s appeal, referred the standing issue to the LRIC at some point in July 2010. This standing issue was not raised generally as to all institutions but rather specifically and directly in response to [redacted]'s appeal of the findings against [redacted] Exhibit C, Leeland Zeller September 1, 2010 email and attachment. Ms. Walters notified the COI of this action but failed to notify [redacted]. The IAC submitted its views to the LRIC, and these views were reduced to writing in a document the Academic and Membership Affairs ("AMA") staff prepared and presented to the LRIC. Exhibit C. Without providing [redacted] with notice or the opportunity to be heard, the LRIC determined on July 29, 2010, that [redacted] lacked standing to

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appeal the findings against [redacted]. Exhibit B. Once more, [redacted] was not notified of the LRIC's action.

Unaware that there was any issue regarding its standing to appeal the [redacted] allegations, [redacted] submitted its appeal brief to the IAC on August 10, 2010, which included a full objection to the finding against [redacted] and its impact upon the institution. Although the IAC and COI were given notice of the LRIC's decision at or about the time it was made on July 29, 2010, [redacted] received its first notice of the LRIC's action on August 20, 2010. This appeal followed.[3]

II. ARGUMENT

A. An Institution May Appeal Any Finding That Forms The Basis For Sanctions Imposed Against The Institution.

As evidenced by the COI's inclusion of the finding against [redacted] on the Notice of Appeal form the COI prepared and furnished to [redacted], the COI believed that [redacted] could appeal that finding.[4] [redacted] was required to respond to the COI regarding the allegation concerning [redacted]s conduct in writing and at the COI hearing. Further, although the COI does not explain

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[3] [redacted] requested Ms. Walters to provide all information and documents related to the LRIC's decision of the standing issue, and informed her that it would be asking LRIC for the same information. Exhibit D, [redacted] August 31, 2010 letter to Wendy Walters. On September 1, 2010, the LRIC provided the document attached as Exhibit C. After reviewing this document, [redacted] submitted additional requests for information and documents to the LRIC, and it requested the LRIC to reconvene so that [redacted] could present its position on the issue. Exhibit E, [redacted] September 3, 2010 letter to Leeland Zeller. The LRIC declined to provide additional information or documents and declined to reconvene. Exhibit F, Zeller September 7, 2010 email to [redacted] [redacted] asked the LRIC a second time to reconsider its decision and allow it to participate. Exhibit G, [redacted] September 9, 2010 letter to Zeller. The LRIC denied this request. Exhibit H, Zeller September 10, 2010 Email.

[4] According to Ms. Walters, the COI has indicated in *ex parte* communications that this finding was included on the form as the result of a "mistake." [redacted] filed its Notice of Appeal more than two months ago, and the COI has never informed [redacted] that any such "mistake" was made. [redacted] believes that the COI followed its normal process by affording the institution the opportunity to appeal the findings against [redacted].

the basis for the penalties it imposes, in its Report, the COI made reference to [redacted]'s conduct as giving rise to institutional violations. For example, the Report states "[i]n maintaining institutional control and a rules compliant athletics program, institutions must rely on the efforts of coaches and staff to abide by the rules and to share any information they have regarding potential rules violations. . . . [[redacted]'s] **conduct impeded the institution from fulfilling its responsibilities under NCAA bylaws.**" Report at p. 61 (emphasis added).

The COI also took into account [redacted]'s conduct when it decided that the institution's cooperation did not allow for a reduction in penalties:

> The cooperation the institution demonstrated in this case must be weighed against the conduct and failures of the institution *and* **its personnel** as set forth in **Findings B-1-(b)**, B-6 and B-7. The committee concluded that in light of the serious nature of the violations and the failure of the institution to detect and or prevent them, the institution's cooperation did not warrant relief in the penalties imposed by the committee in this case.

Report at p. 57 (emphasis added).

If, in fact, [redacted], or any other institution, lacks standing to appeal a finding against one of its staff members, that finding may not be used by the COI or IAC to justify the imposition of any penalty against the institution. If the LRIC's decision is upheld in this instance, the IAC should be precluded from even considering, much less relying upon, [redacted]'s conduct in its analysis of whether there was an abuse of discretion by the COI for the penalties levied against [redacted]. Fair process demands no less.

Absent express representations from the COI and IAC that the [redacted] findings were not and cannot be relied upon to assess the penalties imposed against [redacted] there is no basis upon which to deprive [redacted] of its appeal right. The possibility that the findings against [redacted] were used in assessing penalties against [redacted] provides the basis upon which [redacted] has standing to appeal those findings. To hold otherwise would be to deprive an institution of its fundamental

right to appeal adverse findings imposed upon the institution. Such a result is not allowed under any reasonable interpretation of NCAA legislation.

The IAC informed the LRIC that it researched cases from 1995 forward and "was unable to find any case in which a party (individual or institution) was allowed to appeal a finding of a violation or penalty which was not imposed upon that party." Exhibit C, p. 2. This statement is incorrect. In the past, the IAC has permitted an institution to appeal findings of unethical conduct against an individual. In the *University of Alabama* (1995) case, the COI found that the institution's faculty athletics representative violated NCAA standards of ethical conduct by providing false and misleading information to the NCAA eligibility appeals staff. The institution **and** the individual appealed that finding, which the IAC vacated. Had [redacted] been allowed to participate in the LRIC proceeding, it would have presented this case precedent to the LRIC.

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B. NCAA Bylaws State That An Institution May Appeal Any COI Findings.

Bylaws 32.10.1.1 and 32.10.1.2 allow for appeals by institutions and individuals, respectively:

> **32.10.1.1 Appeal By Institution.** The institution may appeal the Committee on Infractions' findings and penalties, corrective actions, requirements and/or other conditions and obligations of membership imposed for violations of NCAA legislation. An institution may not request an in-person hearing before the Infractions Appeals Committee unless the institution has made an in-person appearance before the Committee on Infractions.
>
> **32.10.1.2 Appeal By Involved Individual.** An involved individual may appeal the Committee on Infractions' findings and/or show cause order imposed for violations of NCAA legislation ***in which he or she is named***. An involved individual may not request an in-person hearing before the Infractions Appeals Committee unless the involved individual has made an in-person appearance before the Committee on Infractions.

These bylaws clearly state that institutions have the right to appeal all findings and do not purport to prevent an institution from appealing findings made against an individual member of the institution's staff. Notably, the restrictive language contained in Bylaw 32.10.1.2 that limits an individual's right to appeal only those violations "in which he or she is named" does not appear in Bylaw 32.10.1.1. *See also* Bylaw 19.6.2 (institution has right to appeal COI's findings of major violations and penalties); Bylaw 19.6.3 (individual has right to appeal findings or penalties against that individual); Bylaw 32.6.2 (institution receives notice of **all** allegations while individual receives notice only of allegations in which the individual is named). Under the plain language of the bylaw, the institution's right to appeal extends to **any** finding or penalty imposed for violations of NCAA legislation. Such a right of appeal for the institution is appropriate given that the institution bears responsibility for the actions of its staff members and is thus implicated in all allegations made directly against such staff members. This principle of responsibility is set out in Article 2.1.2 of the NCAA Constitution:

> **2.1.2 Scope of Responsibility.** The institution's responsibility for the conduct of its intercollegiate athletics program includes responsibility for the actions of its staff members and for the actions of any other individual or organization engaged in activities promoting the athletics interests of the institution.

This principle is restated in Article 2.8.1, which provides, in part:

> Members of an institution's staff, student athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

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The LRIC's decision that [redacted] cannot appeal findings related to conduct for which the institution is responsible runs directly contrary to these NCAA principles. The bylaws cannot be contorted to restrict the rights of an institution to appeal findings against an individual for which the institution may be penalized.

III. CONCLUSION

The LRIC's decision was procedurally and substantively flawed. [redacted] was denied the notice to which it was entitled regarding the LRIC's consideration of this issue. The LRIC's determination that [redacted] lacks standing to appeal a finding made against a coach where that finding may have formed the basis for penalties imposed against [redacted] runs contrary to NCAA bylaws, IAC precedent and principles of fundamental fairness as well as any requirement of fair process. Accordingly, [redacted] requests that the Legislative Council reverse the LRIC's July 29, 2010, decision.

Exhibit A

(11) [redacted] 12.3.1.2]

(12) In June 2005, while [redacted] was incarcerated, [redacted] made telephone contact with [redacted], [redacted]'s girlfriend, and requested cash. [redacted] subsequently deposited at least $500 in cash of [redacted]'s funds into [redacted]'s account at the [redacted] Bank located on [redacted] for the young man's personal use. [Bylaw 12.3.1.2]

(13) [redacted] [Bylaw 12.3.1.2]

(14) On October 29 and after attending the institution's home football contest with [redacted], [redacted] and [redacted] (a) provided [redacted], the young man's parents and brother dinner at a Chinese restaurant; (b) purchased approximately $3,000 of clothing for [redacted]; and (c) socialized with [redacted] and [redacted] at a Hollywood area night club. [Bylaw 12.3.1.2]

b. Concerning [redacted]'s knowledge that [redacted], [redacted] and [redacted] were engaged in possible violations:

(1) In March 2005, when [redacted] was in [redacted] to attend the [redacted] birthday party, [redacted] met [redacted] at the [redacted] to check [redacted] into Room No. 477. When [redacted] returned to the room a short time later, [redacted] was in the room with [redacted]. [redacted] introduced [redacted] to [redacted] and noted that [redacted] provided [redacted] his hotel room. [Bylaw 10.1-(d)]

(2) On the night of March 5, while at the [redacted] party, [redacted] and [redacted] engaged in conversation. [redacted] told [redacted] that he was establishing a sports agency and asked if [redacted] could recommend any potential clients. [Bylaw 10.1-(d)]

(3) On January 8, 2006, at 1:34 a.m., [redacted] engaged in a telephone conversation for two minutes and 23 seconds with [redacted]. During the conversation, [redacted] asked [redacted] to intercede with [redacted] and convince the young man to adhere to the agreement for professional representation that [redacted] made with [redacted]. [redacted] also told [redacted] that [redacted] did not intend to

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lose the money that [redacted] had given [redacted] and the young man's parents, and that [redacted] did not want to go public with the matter and implicate the institution. Finally, [redacted] failed to alert the institution's compliance administration of this information. [Bylaws 10.1-(d) and 30.3.5]

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Please indicate whether this information is substantially correct and whether the institution believes that violations of NCAA legislation occurred. Submit evidence to support your response.

[redacted]

3. [NCAA Bylaws 10.1-(d)]

It is alleged that on September 19, 2006, and February 15, 2008, assistant football coach [redacted] violated the principles of ethical-conduct legislation when he knowingly provided false and misleading information to the institution and enforcement staff when questioned about his knowledge of [redacted]. Specifically:

a. Concerning the misleading information, during the September 19, 2006, interview attended by Angie Cretors, NCAA associate director of agent, gambling and amateurism activities; Richard A. Johanningmeier, NCAA associate director of enforcement; [redacted], associate commissioner of the [redacted] Conference; [redacted] athletics compliance; [redacted], general counsel; and [redacted], faculty athletics representative, [redacted] was questioned about former football student-athlete [redacted] and the young man's relationship with [redacted] and the [redacted] Sports Marketing firm. [redacted] denied that [redacted] ever told [redacted] that the young man had a relationship with [redacted] or [redacted]. In an effort to determine if [redacted] had a relationship with [redacted], in response to questions posed by Cretors, [redacted] stated that to his knowledge, he had neither met nor spoken to [redacted].

b. Concerning the false information, during a February 15, 2008, interview attended by Cretors, Johanningmeier, [redacted] and [redacted] from the law firm of [redacted], outside counsel to the institution, and after the investigation revealed that [redacted] had placed telephone calls to [redacted], as well as appeared in a photograph with [redacted], [redacted] was advised that his telephone records indicated that [redacted] had placed calls to [redacted] ([redacted]) on October 29, 2005, at 11:39, 11:52 and 11:56 p.m. In addition, [redacted] was advised that records indicated that he received a two minute and 32-second call from [redacted] on January 8. [redacted], in response to a question posed by Johanningmeier as to why [redacted]'s telephone number appeared on [redacted]'s phone records when [redacted] previously reported that he neither met nor spoke to [redacted], [redacted] denied that he knew [redacted] and had no idea why [redacted]'s telephone number appeared on [redacted]'s phone records. When asked by Johanningmeier how [redacted] had gotten [redacted]'s telephone number, [redacted] stated that he had no idea. [redacted] continued that it

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was obvious that [redacted] called [redacted]'s number but that [redacted] had not been calling [redacted].

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[redacted] was provided with a photograph of [redacted] with three other individuals ([redacted]; friend of both [redacted] and [redacted]; [redacted] and [redacted]) and was asked by Johanningmeier to explain the photograph. [redacted] stated that he has posed for numerous photographs and did not know the other individuals in the photograph. [redacted], when told that the photograph may have been taken on the night of October 29, stated: "I don't know. I, you know, there was some dudes that was with us, not with us, came with us, was staying or whatever, uh, this is my friend ([redacted]). I'm with him, you know, I don't know." [redacted] continued that the photograph was of him and [redacted], and that the other two individuals in the photograph were standing behind them. When asked by Johanningmeier, [redacted] denied that he knew two of the individuals in the photograph.

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Please indicate whether this information is substantially correct and whether the institution believes that violations of NCAA legislation occurred. Submit evidence to support your response.

Exhibit B

P.O. Box 6222
Indianapolis, Indiana 46206
Telephone: 317/917-6222

Shipping/Overnight Address:
1802 Alonzo Watford Sr. Drive
Indianapolis, Indiana 46202

www.ncaa.org

August 26, 2010

VIA ELECTRONIC POSTING

[redacted]

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Re: Infractions Appeals Case of [redacted]

Dear [redacted]:

This letter is a follow-up to our conversation and provides further detail related to the recent decision by the NCAA Division I Legislative Review and Interpretations Committee. The Legislative Review and Interpretations Committee was asked by the NCAA Division I Infractions Appeals Committee to resolve the procedural question of whether NCAA Bylaw 32.10.1 affords an institution the standing to appeal an involved individual's findings of violations and/or penalties imposed in a NCAA Division I Committee on Infractions' report.

The Legislative Review and Interpretations Committee July 29, 2010, decided that an institution has standing to appeal only findings of violations and/or penalties that are imposed against the institution. Similarly, an individual has standing to appeal only findings of violations and penalties imposed against that individual. This decision confirmed that finding of violation (B-1-b) and penalties (C-22, C22-a, C-22-b, C22-c and C22-d) should not have been included on the institution's notice of appeal and may not be appealed by the institution.

However, please be advised, an institution may request that the Infractions Appeals Committee consider the impact any vacation of a finding of violation in the involved individual's appeal should have on the appealed institutional penalties.

Recognizing that the institution was notified of this decision after submission of its written appeal, the institution has been granted a two-week period in which to submit, if desired, a supplement to its written appeal. The due date for the supplement is **September 9, 2010**.

Finally, you requested information regarding the Infractions Appeals Committee's request for review by the Legislative Review and Interpretations Committee on the issue of standing. I have provided a summary of events which lead to the decision made by the Legislative Review and Interpretations Committee. If you have any questions, please feel free to contact me.

Sincerely,

Wendy A. Walters
Director of Membership and Student-Athlete Affairs –
Infractions Appeals Committees

WAW:kas

cc: [redacted]

Summary of Events Leading to NCAA Division I Legislative Review and Interpretations Committee Determination

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1. Notices of appeal for the [redacted] and [redacted] were received which reflected appeals of finding of violation B-1-b and penalties C-22 on both notices. I had a quick conversation with Mark Jones that I would forward the issue of the request for relief from the stay of penalties and my question of two separate appeals with the same finding of violation and penalties to the Infractions Appeals Committee. (approximately June 25, 2010)

2. Given that I was not aware of any procedural changes regarding standing to appeal, I contacted Shep Cooper to confirm that it was an error for the finding of violation and penalties imposed against [redacted] were included on the institution's notice of appeal. He informed me that the items were included in error. (late June 2010)

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3. I forwarded this issue to the NCAA Division I Infractions Appeals Committee for their review and instructions. In July 2010, the Infractions Appeals Committee discussed this issue and determined that it should be forwarded to the NCAA Division I Legislative Review and Interpretations Committee.

4. Once the decision was made by the Infractions Appeals Committee to refer the issue to the Legislative Review and Interpretations Committee, I contacted select NCAA staff, including Shep Cooper, and updated them on this action. (approximately July 26, 2010)

   Interpretative issues referred to the Legislative Review and Interpretations Committee are initially reviewed by the NCAA academic and membership affairs interpretations leadership team. The interpretations leadership team decided that an institution has standing to appeal only the findings of violations and/or penalties that are imposed against the institution. Similarly, an individual has standing to only appeal findings of violations and penalties imposed against that individual.

5. The Legislative Review and Interpretations Committee reviewed the issue July 29, 2010. The committee determined that an institution has standing to appeal only the findings of violations and/or penalties that are imposed against the institution. Similarly, an individual has standing to appeal only findings of violations and penalties imposed against that individual.

   In reaching that decision, the Legislative Review and Interpretations Committee reviewed the legislative history of Bylaw 32.10.1; information regarding the process of the notification of appeal; and all aspects of the issue which included weighing the impact of allowing an institution to appeal an individual's finding of violation or penalty as well as weighing the impact of not allowing an institution to appeal an individual's finding of violation or penalty. As a procedural point, an institution may participate by conference call in the review of an interpretation only when the activity at issue already has occurred

and the interpretive decision could result in an individual or institutional violation. The Legislative Review and Interpretations Committee's decision on this procedural issue would not have resulted in an individual or institutional violation.

6. I provided an update on the Legislative Review and Interpretations Committee's decision to select NCAA staff, including Shep Cooper, July 29, 2010.

7. In early August 2010, I had a conversation regarding the decision with the Infractions Appeals Committee chair.

Exhibit C

From: Zeller, Leeland [mailto:lzeller@ncaa.org]
Sent: Wednesday, September 01, 2010 2:36 PM
To: [redacted]
Cc: Walters, Wendy; [redacted]; Lennon, Kevin; Mallonee, Steve; Holzman, Lynn; Hostetter, Brad; Richardson, Kris
Subject: LRIC Material Related to Appeal

[redacted],

The material that was provided to the LRIC for the issue of whether an institution has standing to appeal a finding of violation or a penalty imposed by the NCAA Division I Committee on Infractions against an individual is attached.

Please note that this issue was presented to the LRIC as a result of a referral from the NCAA Division I Infractions Appeals Committee. The NCAA Division I Committee on Infractions was not consulted and did not submit any information to the LRIC.

In reaching its decision, the LRIC agreed with the staff position as presented in the attached materials.

If you need additional information, please let me know.

Thanks,

Leeland Zeller
Associate Director of Academic and Membership Affairs
National Collegiate Athletic Association
Phone: 317-917-6222
Fax: 317-917-6991

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Exhibit D

August 31, 2010

Wendy A. Walters
Director of Membership and Student-Athlete
Affairs – Infractions Appeals Committees
NCAA
P.O. Box 6222
Indianapolis, Indiana 46206

Re: Infractions Appeals Case of

Dear Ms. Walters:

I am writing in response to your August 26, 2010 letter regarding the appeal filed by the . In your letter, you stated that the Infractions Appeals Committee has given until September 9, 2010 to submit a supplemental brief in response to the Legislative Review and Interpretation Committee's decision that has no standing to appeal the findings of violations and/or penalties related to .

requests the IAC to postpone the September 9 deadline for its supplemental brief. Leeland Zeller of Academic and Membership Affairs has informed that the NCAA recognizes that has standing to appeal the LRIC's decision to the Legislative Committee. intends to exercise its right to appeal the LRIC's decision. The LC will consider 's appeal of the LRIC decision, at the earliest date, during the week of September 13. Thus, under the current deadline established by the IAC, USC would be required to draft and submit a supplemental brief before the LC has decided the appeal. If the LC agrees with and overturns the LRIC's decision so that indeed has standing to appeal the findings, then there will be no need for to file a supplemental brief. The September 8 deadline established by the IAC would require to expend time and money in drafting a supplemental brief that might very well prove to be unnecessary. Common sense and logic dictate that the LC appeal be decided before is required to submit a supplemental brief.

A separate problem faces in filing a supplemental brief with the IAC (as well as appealing the LRIC's decision) is that it has no written description of the issue(s) presented to the LRIC. has been received no documents provided to the LRIC, nor has it received any description of the arguments presented to the LRIC on the standing issue. For example, is interested to know if there was any discussion before the LRIC of the fact was required to respond to the charges against both in its written response and at the Committee on

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Infractions hearing. Similarly, we are interested in knowing whether there was any discussion of the issue of the role the findings against [redacted] played in the COI's imposition of penalties against [redacted], and what, if anything, the COI offered to the LRIC in this regard. Obviously, these are important questions to which [redacted] has been provided no answers. We need all of this information to be afforded a fair opportunity to respond to the IAC. [redacted] will be requesting these same materials from the LRIC, but in the interest of time, if you or the IAC has them, please provide them to me at your earliest convenience.

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With the long holiday weekend ahead, a prompt response is requested. Please let me know if you have any questions. Thank you for your assistance.

Sincerely,

[redacted]

Exhibit E

September 3, 2010

Mr. Leeland Zeller
Associate Director of Academic and Membership Affairs
National Collegiate Athletic Association
P. O. Box. 6222
Indianapolis, Indiana 46206-6222

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RE:

Dear Mr. Zeller:

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Thank you for your September 1 e-mail and attached documents. The requests the September 8 deadline for submission of its appeal to the Legislative Committee ("LC") be postponed. After reviewing the documents you sent, has follow-up questions and requests for information needed to prepare its appeal. needs a reasonable amount of time after receiving any additional information to prepare its appeal and will not be able to do so by September 8. The documents themselves suggest has not received other materials or information that the IAC and perhaps others provided to Academic and Membership Affairs or the Legislative Review and Interpretation Committee's ("LRIC") before the decision was made. is unable to provide its position to the LC until it has received the information requested and has been given a reasonable period of time to consider all relevant materials. After reviewing the documents you provided, we have several questions and requests for additional information:

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1. Did the LRIC issue a formal written decision or otherwise reduce its decision to writing? The only written description of the LRIC we have is Wendy Walters' August 26 letter. If the LRIC decision is set forth in writing elsewhere, please provide these documents.

2. Please provide the names of the persons who participated in or listened to the LRIC conference call while the standing issue was discussed. If there are minutes or a summary of this portion of the conference call, please provide a copy.

3. Please describe in detail what, if any, role the Committee on Infractions ("COI") and Infractions Appeals Committee ("IAC") played in the LRIC process, before, during and after the LRIC conference call.

4. The documents titled "Enforcement Procedures -- Standing to Appeal" and "Enforcement Procedures – Standing to Appeal" are undated, other than a date of July 28, 2010 at the bottom of the last page, and do not identify the author(s). Please tell us when and by whom these documents were prepared.

5. On page 3 of the document, under "Discussion of Penalty," it is not clear whose position is set forth in the paragraph below the heading. Please identify the person or entity whose position is set forth in the "Discussion of Penalty" section, as well as identify the person who wrote this section. The final sentence of this paragraph is written in the first person -- "I think that if an institution wants to support an appeal of a show cause finding of its current employee by appealing that it should be allowed to do so." This language suggests the paragraph was cut and pasted from another document. If this is correct, please provide this other document, as well as all documentation related to or supporting the "Enforcement Procedures -- Standing to Appeal" document.

6. The document is labeled "Supplement No. 1" in the upper right hand corner of the first page. I suspect this means there was a separate supplement for each issue considered by the LRIC during the conference call where it decided the [redacted] standing issue. If I am mistaken, and there were other supplements or documents provided or considered by the LRIC in connection with the [redacted] standing issue, please provide those documents.

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7. In addition to the documents you provided on September 1, [redacted] also requests the LRIC to provide all information about exactly which issues were presented for its consideration and copies of any documents and correspondence submitted to or considered by the LRIC related to the issue.

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[redacted] asks that the September 8 deadline and LC appeal be postponed for another reason. Before proceeding with the appeal of the LRIC decision, [redacted] requests the LRIC to reconvene to allow [redacted] to present its views on why it has standing to appeal the findings against [redacted]. [redacted] intends to appeal the LRIC decision that [redacted] lacks standing to appeal the COI findings against [redacted]. The LRIC's decision could have a significant impact on [redacted]'s pending appeal before the IAC. Given that the IAC and LRIC failed to provide the required notice to [redacted] that this issue was under consideration, basic fairness calls for this action.

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[redacted] learned of the LRIC's decision more than three weeks after it occurred. [redacted] was not afforded the opportunity to participate in any manner in this proceeding and was not even aware the IAC had requested the LRIC to consider the issue of standing or that the LRIC had agreed to do so.

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Ms. Walters provided notice of these issues to [redacted] in an August 20, 2010, telephone call to me. Ms. Walters acknowledged that [redacted] should have been notified much sooner. At my request, Ms. Walters provided a written explanation of the events related to the LRIC decision by letter dated August 26, a copy of which is attached. Ms. Walters confirmed in this letter that, acting on behalf of the IAC, she consulted with the COI in June before the issue of standing was

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submitted to the LRIC and the COI stated it did not believe [redacted] had standing to appeal the [redacted] findings. The IAC notified the COI of the LRIC's decision shortly after it was rendered.

[redacted] did not receive this same notice either before or after the LRIC decision, and as a result, proceeded to draft and submit its appeal brief to the IAC on August 10, 2010, nearly two weeks *after* the LRIC's decision. [redacted] believed (and continues to believe) it has standing to appeal the [redacted] findings because the COI's findings against [redacted] were among the bases for the penalties imposed upon [redacted]. Ms. Walters, speaking on behalf of the IAC, strongly implied the same in her August 26 letter. It is logically inconsistent that [redacted] is now precluded from contesting the findings against [redacted] when it was required to respond in writing to the COI regarding the allegations against [redacted], respond orally to questions from the COI about these allegations during the COI hearing, and penalized based upon those findings. To penalize [redacted] for a coach's actions and then preclude it from contesting the findings against the coach on appeal is fundamentally unfair. [redacted] requests the LRIC to reconsider the standing issue and allow [redacted] the opportunity to present its position to the LRIC both in writing and via conference call. This approach would not delay the appeal unnecessarily and could eliminate the need for an appeal once [redacted] has been provided all pertinent information and understands exactly what happened. Similarly, this approach would not prejudice or harm the IAC or COI.

I understand the NCAA's view is [redacted] had no right to participate in the LRIC proceeding because the issue considered by the LRIC did not result in a finding of a violation against [redacted]. [redacted] disagrees with this reasoning. Under this approach, an institution would *never* have standing to participate in the LRIC process where the issue relates to an *appeal* of a COI decision. When the issue before the LRIC involves an appeal of a COI finding, the LRIC decision cannot result in a finding of a violation against an institution or individual – if the issue involves an appeal, the COI has necessarily already decided that a violation occurred. Without a COI finding of a major violation, there is no appeal. [redacted] submits that the LRIC guidelines make clear that where an institution might be damaged or prejudiced by the LRIC's decision, the institution is allowed to participate in the process. Clearly, that was the situation here, and [redacted] should have received notice and been permitted to present its views.

Under the LRIC's decision, in every situation where a coach chooses not to appeal an adverse finding against him or her, regardless of the reason (e.g., death, lack of money to fund an appeal, or a decision to no longer be a college coach), the COI's finding and resultant penalties affecting the institution, no matter how flawed, cannot be reviewed. [redacted], which has been damaged by the findings against [redacted], respectfully requests the opportunity to present its view on this issue to the LRIC, both in writing and via conference call.

Thank you for your consideration of these requests. Please provide any additional information or documents as soon as possible. We look forward to working with you and appreciate your assistance.

Sincerely,

[redacted]

P.O. Box 6222
Indianapolis, Indiana 46206
Telephone: 317/917-6222

Shipping/Overnight Address:
1802 Alonzo Watford Sr. Drive
Indianapolis, Indiana 46202

www.ncaa.org

August 26, 2010

VIA ELECTRONIC POSTING

[redacted]

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Re: Infractions Appeals Case of [redacted]

Dear [redacted]:

This letter is a follow-up to our conversation and provides further detail related to the recent decision by the NCAA Division I Legislative Review and Interpretations Committee. The Legislative Review and Interpretations Committee was asked by the NCAA Division I Infractions Appeals Committee to resolve the procedural question of whether NCAA Bylaw 32.10.1 affords an institution the standing to appeal an involved individual's findings of violations and/or penalties imposed in a NCAA Division I Committee on Infractions' report.

The Legislative Review and Interpretations Committee July 29, 2010, decided that an institution has standing to appeal only findings of violations and/or penalties that are imposed against the institution. Similarly, an individual has standing to appeal only findings of violations and penalties imposed against that individual. This decision confirmed that finding of violation (B-1-b) and penalties (C-22, C22-a, C-22-b, C22-c and C22-d) should not have been included on the institution's notice of appeal and may not be appealed by the institution.

However, please be advised, an institution may request that the Infractions Appeals Committee consider the impact any vacation of a finding of violation in the involved individual's appeal should have on the appealed institutional penalties.

Recognizing that the institution was notified of this decision after submission of its written appeal, the institution has been granted a two-week period in which to submit, if desired, a supplement to its written appeal. The due date for the supplement is **September 9, 2010**.

Finally, you requested information regarding the Infractions Appeals Committee's request for review by the Legislative Review and Interpretations Committee on the issue of standing. I have provided a summary of events which lead to the decision made by the Legislative Review and Interpretations Committee. If you have any questions, please feel free to contact me.

Sincerely,

Wendy A. Walters
Director of Membership and Student-Athlete Affairs –
Infractions Appeals Committees

WAW:kas

cc: [redacted]

Summary of Events Leading to NCAA Division I Legislative Review and Interpretations Committee Determination

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1. Notices of appeal for the [redacted] and [redacted] were received which reflected appeals of finding of violation B-1-b and penalties C-22 on both notices. I had a quick conversation with Mark Jones that I would forward the issue of the request for relief from the stay of penalties and my question of two separate appeals with the same finding of violation and penalties to the Infractions Appeals Committee. (approximately June 25, 2010)

2. Given that I was not aware of any procedural changes regarding standing to appeal, I contacted Shep Cooper to confirm that it was an error for the finding of violation and penalties imposed against [redacted] were included on the institution's notice of appeal. He informed me that the items were included in error. (late June 2010)

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3. I forwarded this issue to the NCAA Division I Infractions Appeals Committee for their review and instructions. In July 2010, the Infractions Appeals Committee discussed this issue and determined that it should be forwarded to the NCAA Division I Legislative Review and Interpretations Committee.

4. Once the decision was made by the Infractions Appeals Committee to refer the issue to the Legislative Review and Interpretations Committee, I contacted select NCAA staff, including Shep Cooper, and updated them on this action. (approximately July 26, 2010)

   Interpretative issues referred to the Legislative Review and Interpretations Committee are initially reviewed by the NCAA academic and membership affairs interpretations leadership team. The interpretations leadership team decided that an institution has standing to appeal only the findings of violations and/or penalties that are imposed against the institution. Similarly, an individual has standing to only appeal findings of violations and penalties imposed against that individual.

5. The Legislative Review and Interpretations Committee reviewed the issue July 29, 2010. The committee determined that an institution has standing to appeal only the findings of violations and/or penalties that are imposed against the institution. Similarly, an individual has standing to appeal only findings of violations and penalties imposed against that individual.

   In reaching that decision, the Legislative Review and Interpretations Committee reviewed the legislative history of Bylaw 32.10.1; information regarding the process of the notification of appeal; and all aspects of the issue which included weighing the impact of allowing an institution to appeal an individual's finding of violation or penalty as well as weighing the impact of not allowing an institution to appeal an individual's finding of violation or penalty. As a procedural point, an institution may participate by conference call in the review of an interpretation only when the activity at issue already has occurred

and the interpretive decision could result in an individual or institutional violation. The Legislative Review and Interpretations Committee's decision on this procedural issue would not have resulted in an individual or institutional violation.

6. I provided an update on the Legislative Review and Interpretations Committee's decision to select NCAA staff, including Shep Cooper, July 29, 2010.

7. In early August 2010, I had a conversation regarding the decision with the Infractions Appeals Committee chair.

Exhibit F

This and all subsequent redactions refer to the appellant university.

Dear [redacted]

Thank you for your September 3 correspondence, in which you requested additional information and an extension of the September 8 deadline for submission of the [redacted] appeal of the NCAA Division I Legislative Review and Interpretations Committee's (LRIC) recent decision regarding standing to appeal findings and/or penalties imposed by the NCAA Division I Committee on Infraction. The information provided to [redacted] in my September 1 e-mail includes all the information reviewed by the LRIC and all of the information that is relevant and necessary for [redacted] to submit its appeal to the NCAA Division I Legislative Council (LGC).

The interpretive issue, as previously indicated, is whether Bylaw 32.10.1 affords an institution standing to appeal an involved individual's findings of violations and/or penalties imposed by the Committee on Infractions. In making decisions related to interpretive issues, the LRIC and the LGC review the relevant legislation, any relevant official or staff interpretations, relevant legislative history and interpretive arguments for each side of the issue. None of the additional requested information has any bearing on the LGC's potential review of the actual interpretive issue at hand. However, in order to clarify several issues, I will address each of the requests for information that were listed in your September 3 correspondence:

1. The LRIC did not issue a formal written decision.

2. The names of the persons who participated in or listened to the conference call are neither relevant to the interpretive issue nor necessary for [redacted] to formulate its interpretive argument for an appeal. There are no minutes and no summary related to the call.

3. As previously indicated, the Committee on Infractions had no role in the LRIC process. The role of the NCAA Division I Infractions Appeals Committee was provided to you in Wendy Walters' August 26 letter.

4. The date of preparation and the author of the material provided to the LRIC are neither relevant to the interpretive issue nor necessary for [redacted] to formulate its interpretive argument for an appeal.

5. The position set forth in the materials provided to the LRIC under "Discussion of Penalty" and "Discussion of Finding of Violation" represents the position of those members of the Infractions Appeals Committee who believed that the institution should be permitted to appeal the penalty and the finding of violation. The statement that was written in the first person is a statement made by one of the committee members in correspondence with the liaisons to the Infractions Appeals Committee. Any other documentation in which this statement was included is neither relevant to the interpretive issue nor necessary for [redacted] to formulate its interpretive argument for an appeal. Any additional documentation related to or supporting the information provided to the LRIC is neither relevant to the interpretive issue nor necessary for [redacted] to formulate its interpretive argument for an appeal.

6. As stated above, the information previously provided includes all the information reviewed by the LRIC related to the interpretive issue at hand and all of the information that is relevant and necessary for [redacted] to submit an appeal.

7. As stated above, the information previously provided includes all the information reviewed by the LRIC related to the interpretive issue at hand and all of the information that is relevant and necessary for [redacted] to submit an appeal.

[redacted] request that the LRIC reconvene to allow [redacted] to present its arguments is denied. In this case, the LRIC reviewed the relevant legislation, the legislative history and the interpretive arguments on both sides and the committee reached a decision. [redacted] has been provided all the information that was provided to the LRIC. If [redacted] has additional interpretive arguments to present related to the issue, those arguments may be presented to the LGC. As you are aware, the LRIC's policies and procedures state that an institution may participate by conference call in the review of an interpretation when the activity at issue already has occurred and the interpretive decision could result in an individual or institutional violation. In this case, the LRIC's decision related to whether Bylaw 32.10.1 allows an institution to appeal a finding of violation or a penalty imposed by the Committee on Infractions against an individual. Clearly, regardless of the outcome of the committee's decision, the decision would not result in an individual or institutional violation. Therefore, regardless of whether [redacted] had notice of the LRIC's review of the issue, it would not have been permitted to participate on the conference call. The LGC uses the same policy as it relates to participation in appeals of decisions rendered by the LRIC. Therefore, [redacted] may not participate in the appeal to present its position other than through written materials.

In order to provide sufficient time for [redacted] to provide its written appeal to the LGC, the deadline for the submission of the appeal has been extended to Monday, September 13, 2010 at Noon Eastern Time.

Sincerely,

Leeland Zeller
Associate Director of Academic and Membership Affairs
National Collegiate Athletic Association
Phone: 317-917-6222
Fax: 317-917-6991
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Exhibit G

September 9, 2010

Mr. Leeland Zeller
Associate Director of Academic and Membership Affairs
National Collegiate Athletic Association
P. O. Box. 6222
Indianapolis, Indiana 46206-6222

RE: [redacted] university

Dear Mr. Zeller:

university Thank you for your September 7 e-mail. I am writing to explain in greater detail why the [redacted] requested the September 8 deadline be postponed so that the Legislative Committee ("LC") could reconsider the issue of [redacted]'s standing to appeal the findings against [redacted]. When Wendy Walters first informed me of the LRIC's decision, I told her that [redacted] believes the COI imposed penalties against it based in large part upon the findings against [redacted]. Although the COI report is not entirely clear, it contains language suggesting it did consider the findings against [redacted] in assessing penalties against [redacted]. Our position is an institution should be allowed to appeal a finding against its employee, particularly where the finding was considered or formed a basis for institutional penalties. We believe this is particularly true with regard to the [redacted] findings, as those findings provide the only direct institutional knowledge of impermissible benefits received by a student-athlete. In the past, the Infractions Appeals Committee ("IAC") has allowed an institution to appeal a finding against its employee.

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We have reviewed the materials you sent on September 1, and there is nothing in the materials to suggest this argument was presented to or considered by the LRIC. The follow-up questions in my September 4 letter were intended to find out if the LRIC considered this viewpoint (or any others not reflected in the materials). In the materials you provided, the arguments in favor of institutional standing to appeal focus on the fact that penalties against a coach might impact the institution which employs him/her, or that the institution's reputation might be damaged by a finding against a coach. While these arguments certainly are valid, the most compelling reason to allow an institution to appeal findings against a coach does not appear to have been presented to the LRIC – any time an institution is penalized for the conduct of its employee or representative, the institution must have the right to appeal the findings related to

that conduct if it chooses. Otherwise, no matter how flawed a finding might be, the institution would be bound by the finding and resultant penalties unless the individual successfully appeals them. Similarly, the IAC would be bound by the COI's findings against the individual. [redacted] was required to respond in writing to the allegations against [redacted] and to present its position orally and respond to questions during the COI hearing. The COI often penalizes institutions for the conduct of its employees. These facts, as well as the language of the bylaws themselves, support [redacted]'s position that it has standing to appeal the [redacted] findings. None of these arguments was presented to the LRIC.

Surely no one at the NCAA would take the position an institution may be penalized for the conduct of its employee and then be precluded from appealing the issue. This is the result of the LRIC decision. Therefore, in applying the LRIC's decision to the [redacted] appeal, we interpret the decision to mean the COI may not penalize an institution for the conduct of an employee that results in a finding of a violation against the employee, and the IAC may not even consider any information related to [redacted] is assessing whether the penalties against [redacted] were excessive. Perhaps the LRIC and LGC should request the COI to clarify the bases of the penalties against [redacted] before deciding this question, as it is of critical importance in the [redacted] appeal.

In your September 7 email, you stated:

> "Therefore, regardless of whether [redacted] had notice of the LRIC's review of the issue, it would not have been permitted to participate on the conference call. The LGC uses the same policy as it relates to participation in appeals of decisions rendered by the LRIC. Therefore, [redacted] may not participate in the appeal to present its position other than through written materials."

We interpret this to mean the NCAA now acknowledges that [redacted] should have been notified in a timely manner and allowed to participate in writing in the LRIC proceeding, neither of which happened. In asking the LRIC to reconsider its decision before proceeding with the LGC appeal, [redacted] seeks only what every institution is entitled to receive – the opportunity to present its position to the LRIC. [redacted] is more concerned about being allowed to present all of its arguments to the LRIC (and then the IAC) than moving the LGC appeal on an expedited basis.

Thank you for your consideration of these requests.

Sincerely,

[redacted]

Exhibit H

From: Zeller, Leeland [mailto:lzeller@ncaa.org]
Sent: Friday, September 10, 2010 11:34 AM
To: [redacted]
Cc: Cooper, Shep; Walters, Wendy; [redacted]; Lennon, Kevin; Mallonee, Steve; Holzman, Lynn; Hostetter, Brad; Richardson, Kris; Stevenson, Naima
Subject: RE: University of Southern California

Dear Mr. King,

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Thank you for your September 9 correspondence. By way of clarification, the [redacted] has been afforded the opportunity to appeal a decision by the NCAA Division I Legislative Review and Interpretations Committee (LRIC) that applies to all Division I institutions. The interpretive issue was appropriately raised by the NCAA Division I Infractions Appeals Committee (IAC) and was appropriately reviewed the LRIC. In instances in which an NCAA governance entity (e.g., committee) requests that the LRIC review an interpretive issue, there is no requirement that any member institution be notified and offered the opportunity to present interpretive arguments. Further, there is no requirement to allow any institution to appeal the decision rendered by the LRIC in such a situation. If a member institution disagrees with a decision rendered by the LRIC in response to a request made by another NCAA governance entity, the institution's recourse is to request that it's representative to the NCAA Division I Legislative Council (LGC) raise the issue at an LGC meeting or

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to request that its conference or the appropriate governance entity (e.g., cabinet) submit a legislative proposal for review by the entire membership. In the case at hand, the NCAA was not required to inform [redacted] about the LRIC review is not required to allow [redacted] to appeal the LRIC decision to the LGC. A concession has been made in this instance to allow [redacted] to appeal the LRIC's decision because of the institution's pending appeal to the IAC.

The LRIC will not review the interpretive issue again. [redacted] may make any interpretive argument to the LGC related to the interpretive issue regardless of the interpretive arguments that were or were not made to the LRIC.

By way of additional clarification, the LRIC confirmed that an institution has no standing to appeal a finding of a violation or penalty imposed by the NCAA Division I Committee on Infractions against an individual. If you have questions as it relates to arguments that may be presented to the IAC in the institution's appeal of findings that are attached to the institution and penalties that are imposed on the institution, please direct those to the staff liaisons to the IAC.

As a reminder, the deadline for submission of an appeal of the LRIC's decision has been set as Noon Eastern Time on Monday, September 13, 2010. If the institution does not submit its appeal by the deadline, the opportunity to appeal will be forfeited.

Sincerely,

Leeland Zeller
Associate Director of Academic and Membership Affairs
National Collegiate Athletic Association
Phone: 317-917-6222
Fax: 317-917-6991

Please consider the environment before printing this e-mail.

Appeal to the Legislative Council

The [redacted] appeals the July 29, 2010, decision of the Legislative Review and Interpretation Committee ("LRIC") to deny [redacted] standing to appeal the Committee on Infractions' ("COI") findings of unethical conduct against then [redacted] assistant football coach [redacted]. The LRIC's decision is illogical, impractical and ultimately indefensible because it bars [redacted] from appealing findings that the COI relied upon to impose penalties against [redacted]. Even if the findings against [redacted] were not relied upon to impose sanctions against [redacted], [redacted] has standing to appeal them because the findings are erroneous, unnecessarily harmful to a former [redacted] employee and damage the reputation and image of the University.

Not only is there no support in the bylaws for a rule prohibiting an institution from appealing findings made against its staff members for which the institution is responsible, the bylaws state unequivocally that an institution has the right to appeal such findings (see Section II-B below). In addition to being contrary to the bylaws, the LRIC's interpretation is also wholly inconsistent with the concept of fair process and existing case precedent. An institution plainly has the right to appeal a finding on an allegation against a coach, where, as here, it was required to and did respond to the allegation both in writing and at the hearing, and where a finding based upon the allegation may form the basis for penalties assessed against the institution. Accordingly, the LRIC's decision should be overturned.

In addition to the substantive flaws in the LRIC's decision, it is procedurally flawed because [redacted] was not allowed to submit information to the LRIC for its consideration as is the normal process. The LRIC decision was made after extensive *ex parte* contacts between the Infractions Appeal Committee ("IAC"), COI and Academic and Membership Affairs staff (and indirectly with LRIC) with no notice to or participation by [redacted] In fact, [redacted] which was never

notified the issue was even under consideration, did not learn of the LRIC's decision until three weeks after it occurred and two months after the IAC first raised the issue. The improper exclusion from this process unfairly deprived [redacted] of the fair process it was entitled to under NCAA rules.

I. FACTUAL BACKGROUND

A. The Notice of Allegations

On September 24, 2009, the enforcement staff issued a Notice of Allegations to [redacted] containing multiple allegations of violations of NCAA legislation in [redacted]'s football, men's basketball and women's tennis programs. A substantial portion of the allegations regarding [redacted]'s football program related to impermissible benefits allegedly provided to former [redacted] student-athlete [redacted] by two would-be agents, [redacted] and [redacted].

Allegation 1(b) alleged that, on at least three occasions, [redacted] knew or should have known that [redacted], [redacted] and [redacted] were engaged in possible violations. Allegation 3 alleged that [redacted] engaged in unethical conduct by providing false and misleading information to [redacted] and the enforcement staff regarding his knowledge of [redacted] and the benefits he provided to [redacted]. Exhibit A. The Notice of Allegations specifically required [redacted] to respond to all of the allegations against [redacted]:

> Please indicate whether this information is substantially correct and whether the institution believes that violations of NCAA legislation occurred. Submit evidence to support your response.

Without objection from the COI, [redacted] responded at length to the allegations in writing and again extensively and for an extended period of time at the COI's hearing held on February

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18-20, 2010. [redacted] disagreed with the allegations and denied that [redacted] knew or should have known of the alleged violations or had engaged in unethical conduct.[1]

B. The Report

On June 10, 2010, the COI issued Infractions Report No. [redacted]. In finding B-1-b, the COI found that, "at least by January 8, 2006," [redacted] had knowledge that [redacted] [redacted] and [redacted] "likely were engaged in NCAA violations" based upon a single two minute, twenty-three second phone call between [redacted] and [redacted]. The COI further found that [redacted] engaged in unethical conduct during his September 19, 2006, and February 15, 2008, interviews with the enforcement staff "by providing false and misleading information regarding his knowledge of this telephone call and the NCAA violations associated with it."[2]

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The COI found that the sole institutional link to the benefits [redacted] and [redacted] provided to [redacted] was through [redacted]'s alleged knowledge of those benefits. Absent the finding that [redacted] had knowledge that [redacted] [redacted] and [redacted] "likely were engaged in NCAA violations," there is no basis on which to assign any institutional knowledge of [redacted]'s amateurism violations that arise from his receipt of impermissible benefits from [redacted] and [redacted].

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Based presumably in part on these findings against [redacted] the COI imposed the most severe penalties on a Division I football program since the Southern Methodist University "death penalty" case in 1987. Until this case, no institution has ever suffered both a two-year post-

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[1] In addition to requiring [redacted] to respond to the [redacted] allegations, the enforcement staff did not indicate that these allegations did not apply to [redacted] or involve potential institutional responsibility.

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[2] In its Report, the COI acknowledged that "[t]he institution, the enforcement staff and the assistant football coach were in disagreement regarding the facts of this finding." Report at p. 23. The COI did not take the position that [redacted] lacked standing to argue against the finding.

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season ban and a loss of 30 or more scholarships, even where the violations arose directly from the actions of the institution's coaches or staff.

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C. [redacted]'s Appeal to the Infractions Appeals Committee included the [redacted] Findings

university [redacted] timely submitted its Notice of Appeal to the IAC on June 25, 2010, in accordance with NCAA Bylaw 32.10.1. [redacted] indicated that it was appealing finding B-1-b, which was included on the Notice of Appeal the COI provided to [redacted]. The COI expressed no concern that [redacted] could not appeal that finding. After [redacted] submitted its Notice of Appeal, Wendy Walters, acting on behalf of the IAC, contacted the COI in June 2010 regarding [redacted]'s standing to appeal the finding against [redacted]. Exhibit B, Wendy Walters August 26, 2010 letter and attachment. [redacted] was not notified of this contact or that there was any question regarding its standing to appeal. According to Ms. Walters, the COI took the position that [redacted] should not have been able to appeal the findings against [redacted] and that finding B-1-b should not have been included on [redacted]'s Notice of Appeal the COI prepared. Exhibit B. Again, [redacted] was given no notice of the COI's position.

The IAC, in connection with [redacted]'s appeal, referred the standing issue to the LRIC at some point in July 2010. This standing issue was not raised generally as to all institutions but rather specifically and directly in response to [redacted]'s appeal of the findings against [redacted] Exhibit C, Leeland Zeller September 1, 2010 email and attachment. Ms. Walters notified the COI of this action but failed to notify [redacted]. The IAC submitted its views to the LRIC, and these views were reduced to writing in a document the Academic and Membership Affairs ("AMA") staff prepared and presented to the LRIC. Exhibit C. Without providing [redacted] with notice or the opportunity to be heard, the LRIC determined on July 29, 2010, that [redacted] lacked standing to

appeal the findings against [redacted] Exhibit B. Once more, [redacted] was not notified of the LRIC's action.

Unaware that there was any issue regarding its standing to appeal the [redacted] allegations, [redacted] submitted its appeal brief to the IAC on August 10, 2010, which included a full objection to the finding against [redacted] and its impact upon the institution. Although the IAC and COI were given notice of the LRIC's decision at or about the time it was made on July 29, 2010, [redacted] received its first notice of the LRIC's action on August 20, 2010. This appeal followed.[3]

II. ARGUMENT

A. An Institution May Appeal Any Finding That Forms The Basis For Sanctions Imposed Against The Institution.

As evidenced by the COI's inclusion of the finding against [redacted] on the Notice of Appeal form the COI prepared and furnished to [redacted], the COI believed that [redacted] could appeal that finding.[4] [redacted] was required to respond to the COI regarding the allegation concerning [redacted]'s conduct in writing and at the COI hearing. Further, although the COI does not explain

[3] [redacted] requested Ms. Walters to provide all information and documents related to the LRIC's decision of the standing issue, and informed her that it would be asking LRIC for the same information. Exhibit D, [redacted] August 31, 2010 letter to Wendy Walters. On September 1, 2010, the LRIC provided the document attached as Exhibit C. After reviewing this document, [redacted] submitted additional requests for information and documents to the LRIC, and it requested the LRIC to reconvene so that [redacted] could present its position on the issue. Exhibit E, [redacted] September 3, 2010 letter to Leeland Zeller. The LRIC declined to provide additional information or documents and declined to reconvene. Exhibit F, Zeller September 7, 2010 email to [redacted] [redacted] asked the LRIC a second time to reconsider its decision and allow it to participate. Exhibit G, [redacted] September 9, 2010 letter to Zeller. The LRIC denied this request. Exhibit H, Zeller September 10, 2010 Email.

[4] According to Ms. Walters, the COI has indicated in *ex parte* communications that this finding was included on the form as the result of a "mistake." [redacted] filed its Notice of Appeal more than two months ago, and the COI has never informed [redacted] that any such "mistake" was made. [redacted] believes that the COI followed its normal process by affording the institution the opportunity to appeal the findings against [redacted]

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the basis for the penalties it imposes, in its Report, the COI made reference to [redacted]'s conduct as giving rise to institutional violations. For example, the Report states "[i]n maintaining institutional control and a rules compliant athletics program, institutions must rely on the efforts of coaches and staff to abide by the rules and to share any information they have regarding potential rules violations. . . . [AC [redacted]s] **conduct impeded the institution from fulfilling its responsibilities under NCAA bylaws.**" Report at p. 61 (emphasis added).

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The COI also took into account [redacted]'s conduct when it decided that the institution's cooperation did not allow for a reduction in penalties:

> The cooperation the institution demonstrated in this case must be weighed against the conduct and failures of the institution *and* **its personnel** as set forth in **Findings B-1-(b)**, B-6 and B-7. The committee concluded that in light of the serious nature of the violations and the failure of the institution to detect and or prevent them, the institution's cooperation did not warrant relief in the penalties imposed by the committee in this case.

Report at p. 57 (emphasis added).

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If, in fact, [redacted], or any other institution, lacks standing to appeal a finding against one of its staff members, that finding may not be used by the COI or IAC to justify the imposition of any penalty against the institution. If the LRIC's decision is upheld in this instance, the IAC should be precluded from even considering, much less relying upon, [redacted]'s conduct in its analysis of whether there was an abuse of discretion by the COI for the penalties levied against [redacted]. Fair process demands no less.

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Absent express representations from the COI and IAC that the [redacted] findings were not and cannot be relied upon to assess the penalties imposed against [redacted] there is no basis upon which to deprive [redacted] of its appeal right. The possibility that the findings against [redacted] were used in assessing penalties against [redacted] provides the basis upon which [redacted] has standing to appeal those findings. To hold otherwise would be to deprive an institution of its fundamental

right to appeal adverse findings imposed upon the institution. Such a result is not allowed under any reasonable interpretation of NCAA legislation.

The IAC informed the LRIC that it researched cases from 1995 forward and "was unable to find any case in which a party (individual or institution) was allowed to appeal a finding of a violation or penalty which was not imposed upon that party." Exhibit C, p. 2. This statement is incorrect. In the past, the IAC has permitted an institution to appeal findings of unethical conduct against an individual. In the *University of Alabama* (1995) case, the COI found that the institution's faculty athletics representative violated NCAA standards of ethical conduct by providing false and misleading information to the NCAA eligibility appeals staff. The institution **and** the individual appealed that finding, which the IAC vacated. Had [redacted] been allowed to participate in the LRIC proceeding, it would have presented this case precedent to the LRIC.

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B. NCAA Bylaws State That An Institution May Appeal Any COI Findings.

Bylaws 32.10.1.1 and 32.10.1.2 allow for appeals by institutions and individuals, respectively:

> **32.10.1.1 Appeal By Institution.** The institution may appeal the Committee on Infractions' findings and penalties, corrective actions, requirements and/or other conditions and obligations of membership imposed for violations of NCAA legislation. An institution may not request an in-person hearing before the Infractions Appeals Committee unless the institution has made an in-person appearance before the Committee on Infractions.
>
> **32.10.1.2 Appeal By Involved Individual.** An involved individual may appeal the Committee on Infractions' findings and/or show cause order imposed for violations of NCAA legislation ***in which he or she is named.*** An involved individual may not request an in-person hearing before the Infractions Appeals Committee unless the involved individual has made an in-person appearance before the Committee on Infractions.

These bylaws clearly state that institutions have the right to appeal all findings and do not purport to prevent an institution from appealing findings made against an individual member of the institution's staff. Notably, the restrictive language contained in Bylaw 32.10.1.2 that limits an individual's right to appeal only those violations "in which he or she is named" does not appear in Bylaw 32.10.1.1. *See also* Bylaw 19.6.2 (institution has right to appeal COI's findings of major violations and penalties); Bylaw 19.6.3 (individual has right to appeal findings or penalties against that individual); Bylaw 32.6.2 (institution receives notice of **all** allegations while individual receives notice only of allegations in which the individual is named). Under the plain language of the bylaw, the institution's right to appeal extends to **any** finding or penalty imposed for violations of NCAA legislation. Such a right of appeal for the institution is appropriate given that the institution bears responsibility for the actions of its staff members and is thus implicated in all allegations made directly against such staff members. This principle of responsibility is set out in Article 2.1.2 of the NCAA Constitution:

> **2.1.2 Scope of Responsibility.** The institution's responsibility for the conduct of its intercollegiate athletics program includes responsibility for the actions of its staff members and for the actions of any other individual or organization engaged in activities promoting the athletics interests of the institution.

This principle is restated in Article 2.8.1, which provides, in part:

> Members of an institution's staff, student athletes, and other individuals and groups representing the institution's athletics interests shall comply with the applicable Association rules, and the member institution shall be responsible for such compliance.

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The LRIC's decision that [redacted] cannot appeal findings related to conduct for which the institution is responsible runs directly contrary to these NCAA principles. The bylaws cannot be contorted to restrict the rights of an institution to appeal findings against an individual for which the institution may be penalized.

III. CONCLUSION

The LRIC's decision was procedurally and substantively flawed. [redacted] was denied the notice to which it was entitled regarding the LRIC's consideration of this issue. The LRIC's determination that [redacted] lacks standing to appeal a finding made against a coach where that finding may have formed the basis for penalties imposed against [redacted] runs contrary to NCAA bylaws, IAC precedent and principles of fundamental fairness as well as any requirement of fair process. Accordingly, [redacted] requests that the Legislative Council reverse the LRIC's July 29, 2010, decision.

Exhibit A

(11) [redacted] 12.3.1.2]

(12) In June 2005, while [redacted] was incarcerated, [redacted] made telephone contact with [redacted], [redacted]'s girlfriend, and requested cash. [redacted] subsequently deposited at least $500 in cash of [redacted]'s funds into [redacted]'s account at the [redacted] Bank located on [redacted] for the young man's personal use. [Bylaw 12.3.1.2]

(13) [redacted] [Bylaw 12.3.1.2]

(14) On October 29 and after attending the institution's home football contest with [redacted], [redacted] and [redacted] (a) provided [redacted] the young man's parents and brother dinner at a Chinese restaurant; (b) purchased approximately $3,000 of clothing for [redacted]; and (c) socialized with [redacted] and [redacted] at a Hollywood area night club. [Bylaw 12.3.1.2]

b. Concerning [redacted]'s knowledge that [redacted], [redacted] and [redacted] were engaged in possible violations:

(1) In March 2005, when [redacted] was in [redacted] to attend the [redacted] birthday party, [redacted] met [redacted] at the [redacted] to check [redacted] into Room No. 477. When [redacted] returned to the room a short time later, [redacted] was in the room with [redacted]. [redacted] introduced [redacted] to [redacted] and noted that [redacted] provided [redacted] his hotel room. [Bylaw 10.1-(d)]

(2) On the night of March 5, while at the [redacted] party, [redacted] and [redacted] engaged in conversation. [redacted] told [redacted] that he was establishing a sports agency and asked if [redacted] could recommend any potential clients. [Bylaw 10.1-(d)]

(3) On January 8, 2006, at 1:34 a.m., [redacted] engaged in a telephone conversation for two minutes and 23 seconds with [redacted]. During the conversation, [redacted] asked [redacted] to intercede with [redacted] and convince the young man to adhere to the agreement for professional representation that [redacted] made with [redacted]. [redacted] also told [redacted] that [redacted] did not intend to

A-1 SA

lose the money that [redacted] had given [redacted] and the young man's parents, and that [redacted] did not want to go public with the matter and implicate the institution. Finally, [redacted] failed to alert the institution's compliance administration of this information. [Bylaws 10.1-(d) and 30.3.5]

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Please indicate whether this information is substantially correct and whether the institution believes that violations of NCAA legislation occurred. Submit evidence to support your response.

[redacted]

3. [NCAA Bylaws 10.1-(d)]

It is alleged that on September 19, 2006, and February 15, 2008, assistant football coach [redacted] violated the principles of ethical-conduct legislation when he knowingly provided false and misleading information to the institution and enforcement staff when questioned about his knowledge of [redacted]. Specifically:

a. Concerning the misleading information, during the September 19, 2006, interview attended by Angie Cretors, NCAA associate director of agent, gambling and amateurism activities; Richard A. Johanningmeier, NCAA associate director of enforcement; [redacted], associate commissioner of the [redacted] Conference; [redacted] athletics compliance; [redacted], general counsel; and [redacted], faculty athletics representative, [redacted] was questioned about former football student-athlete [redacted] and the young man's relationship with [redacted] and the [redacted] Sports Marketing firm. [redacted] denied that [redacted] ever told [redacted] that the young man had a relationship with [redacted] or [redacted]. In an effort to determine if [redacted] had a relationship with [redacted], in response to questions posed by Cretors, [redacted] stated that to his knowledge, he had neither met nor spoken to [redacted].

b. Concerning the false information, during a February 15, 2008, interview attended by Cretors, Johanningmeier, [redacted] and [redacted] from the law firm of [redacted], outside counsel to the institution, and after the investigation revealed that [redacted] had placed telephone calls to [redacted], as well as appeared in a photograph with [redacted], [redacted] was advised that his telephone records indicated that [redacted] had placed calls to [redacted] ([redacted]) on October 29, 2005, at 11:39, 11:52 and 11:56 p.m. In addition, [redacted] was advised that records indicated that he received a two minute and 32-second call from [redacted] on January 8. [redacted], in response to a question posed by Johanningmeier as to why [redacted]'s telephone number appeared on [redacted]'s phone records when [redacted] previously reported that he neither met nor spoke to [redacted], [redacted] denied that he knew [redacted] and had no idea why [redacted]'s telephone number appeared on [redacted]'s phone records. When asked by Johanningmeier how [redacted] had gotten [redacted]'s telephone number, [redacted] stated that he had no idea. [redacted] continued that it

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was obvious that [redacted] called [redacted]'s number but that [redacted] had not been calling [redacted].

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[redacted] was provided with a photograph of [redacted] with three other individuals ([redacted], friend of both [redacted] and [redacted]; [redacted] and [redacted]) and was asked by Johanningmeier to explain the photograph. [redacted] stated that he has posed for numerous photographs and did not know the other individuals in the photograph. [redacted], when told that the photograph may have been taken on the night of October 29, stated: "I don't know. I, you know, there was some dudes that was with us, not with us, came with us, was staying or whatever, uh, this is my friend ([redacted]). I'm with him, you know, I don't know." [redacted] continued that the photograph was of him and [redacted] and that the other two individuals in the photograph were standing behind them. When asked by Johanningmeier, [redacted] denied that he knew two of the individuals in the photograph.

friend A-2 AC

Please indicate whether this information is substantially correct and whether the institution believes that violations of NCAA legislation occurred. Submit evidence to support your response.

Exhibit B

P.O. Box 6222
Indianapolis, Indiana 46206
Telephone: 317/917-6222

Shipping/Overnight Address:
1802 Alonzo Watford Sr. Drive
Indianapolis, Indiana 46202

www.ncaa.org

August 26, 2010

VIA ELECTRONIC POSTING

[redacted]

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Re: Infractions Appeals Case of [redacted]

Dear [redacted]:

This letter is a follow-up to our conversation and provides further detail related to the recent decision by the NCAA Division I Legislative Review and Interpretations Committee. The Legislative Review and Interpretations Committee was asked by the NCAA Division I Infractions Appeals Committee to resolve the procedural question of whether NCAA Bylaw 32.10.1 affords an institution the standing to appeal an involved individual's findings of violations and/or penalties imposed in a NCAA Division I Committee on Infractions' report.

The Legislative Review and Interpretations Committee July 29, 2010, decided that an institution has standing to appeal only findings of violations and/or penalties that are imposed against the institution. Similarly, an individual has standing to appeal only findings of violations and penalties imposed against that individual. This decision confirmed that finding of violation (B-1-b) and penalties (C-22, C22-a, C-22-b, C22-c and C22-d) should not have been included on the institution's notice of appeal and may not be appealed by the institution.

However, please be advised, an institution may request that the Infractions Appeals Committee consider the impact any vacation of a finding of violation in the involved individual's appeal should have on the appealed institutional penalties.

Recognizing that the institution was notified of this decision after submission of its written appeal, the institution has been granted a two-week period in which to submit, if desired, a supplement to its written appeal. The due date for the supplement is **September 9, 2010**.

Finally, you requested information regarding the Infractions Appeals Committee's request for review by the Legislative Review and Interpretations Committee on the issue of standing. I have provided a summary of events which lead to the decision made by the Legislative Review and Interpretations Committee. If you have any questions, please feel free to contact me.

Sincerely,

Wendy A. Walters
Director of Membership and Student-Athlete Affairs –
Infractions Appeals Committees

WAW:kas

cc: [redacted]

Summary of Events Leading to NCAA Division I Legislative Review and Interpretations Committee Determination

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1. Notices of appeal for the [redacted] and [redacted] were received which reflected appeals of finding of violation B-1-b and penalties C-22 on both notices. I had a quick conversation with Mark Jones that I would forward the issue of the request for relief from the stay of penalties and my question of two separate appeals with the same finding of violation and penalties to the Infractions Appeals Committee. (approximately June 25, 2010)

2. Given that I was not aware of any procedural changes regarding standing to appeal, I contacted Shep Cooper to confirm that it was an error for the finding of violation and penalties imposed against [redacted] were included on the institution's notice of appeal. He informed me that the items were included in error. (late June 2010)

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3. I forwarded this issue to the NCAA Division I Infractions Appeals Committee for their review and instructions. In July 2010, the Infractions Appeals Committee discussed this issue and determined that it should be forwarded to the NCAA Division I Legislative Review and Interpretations Committee.

4. Once the decision was made by the Infractions Appeals Committee to refer the issue to the Legislative Review and Interpretations Committee, I contacted select NCAA staff, including Shep Cooper, and updated them on this action. (approximately July 26, 2010)

   Interpretative issues referred to the Legislative Review and Interpretations Committee are initially reviewed by the NCAA academic and membership affairs interpretations leadership team. The interpretations leadership team decided that an institution has standing to appeal only the findings of violations and/or penalties that are imposed against the institution. Similarly, an individual has standing to only appeal findings of violations and penalties imposed against that individual.

5. The Legislative Review and Interpretations Committee reviewed the issue July 29, 2010. The committee determined that an institution has standing to appeal only the findings of violations and/or penalties that are imposed against the institution. Similarly, an individual has standing to appeal only findings of violations and penalties imposed against that individual.

   In reaching that decision, the Legislative Review and Interpretations Committee reviewed the legislative history of Bylaw 32.10.1; information regarding the process of the notification of appeal; and all aspects of the issue which included weighing the impact of allowing an institution to appeal an individual's finding of violation or penalty as well as weighing the impact of not allowing an institution to appeal an individual's finding of violation or penalty. As a procedural point, an institution may participate by conference call in the review of an interpretation only when the activity at issue already has occurred

and the interpretive decision could result in an individual or institutional violation. The Legislative Review and Interpretations Committee's decision on this procedural issue would not have resulted in an individual or institutional violation.

6. I provided an update on the Legislative Review and Interpretations Committee's decision to select NCAA staff, including Shep Cooper, July 29, 2010.

7. In early August 2010, I had a conversation regarding the decision with the Infractions Appeals Committee chair.

Exhibit C

From: Zeller, Leeland [mailto:lzeller@ncaa.org]
Sent: Wednesday, September 01, 2010 2:36 PM
To: [redacted]
Cc: Walters, Wendy; [redacted]; Lennon, Kevin; Mallonee, Steve; Holzman, Lynn; Hostetter, Brad; Richardson, Kris
Subject: LRIC Material Related to Appeal

[redacted]

The material that was provided to the LRIC for the issue of whether an institution has standing to appeal a finding of violation or a penalty imposed by the NCAA Division I Committee on Infractions against an individual is attached.

Please note that this issue was presented to the LRIC as a result of a referral from the NCAA Division I Infractions Appeals Committee. The NCAA Division I Committee on Infractions was not consulted and did not submit any information to the LRIC.

In reaching its decision, the LRIC agreed with the staff position as presented in the attached materials.

If you need additional information, please let me know.

Thanks,

Leeland Zeller
Associate Director of Academic and Membership Affairs
National Collegiate Athletic Association
Phone: 317-917-6222
Fax: 317-917-6991

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SUPPLEMENT NO. 1

Enforcement Procedures – Standing to Appeal

Issue.

Whether an institution has standing to appeal a finding of violation or a penalty (e.g., a show cause order) imposed by the NCAA Division I Committee on Infractions against an individual (e.g., coach).

Background.

In a Committee on Infractions report, finding of violation (1-b) and a show cause order (penalty C-22) were issued against the assistant football coach. The language of the finding of violation and the penalty are attached.

In infractions appeals cases, the institution's and individual's cases are separate cases. Therefore, separate notice of appeal documents were created by the Committee on Infractions staff – one for the institution and one for the assistant coach. The notice of appeal lists the findings of violation and the penalties that may be appealed by each party. In this case, the notice of appeal for the institution included the finding of violation and the penalty (show cause) of the individual coach. When the notices of appeals (institution and individual) were submitted to the NCAA Division I Infractions Appeals Committee liaison, it was discovered that the institution and the assistant coach were appealing the same finding of violation and penalty. The Infractions Appeals Committee liaison contacted the Committee on Infractions liaison and asked for confirmation that it was an error to include finding of violation 1-b and penalty C-22 on the institution's notice of appeal. The Committee on Infractions liaison confirmed that the finding of violation and the penalty were included on the institution's notice of appeal in error.

When the Infractions Appeals Committee liaison reported this information to the Infractions Appeals Committee, it was suggested that the institution be notified that it did not have standing to appeal those items. Before deciding how to proceed, the committee asked to review the legislation and legislative history. Upon completing their review and concluding that the legislation does not clearly address whether an institution is permitted to appeal a finding of violation or penalty imposed against an individual, the committee agreed to forward the issue to this committee for an interpretation.

Staff Position.

The staff reviewed NCAA Division I Bylaws 32.10.1.1 and 32.10.1.2 and the legislative history of those bylaws and agreed that an institution does not have standing to appeal either a penalty or a finding of violation imposed against an individual. Using this case as an example, the finding of violation is one of unethical conduct. This violation is "attached" only to the individual. Similarly, the penalty, a show-cause order, also is "attached" only to the individual. If the facts of this finding of violation contributed to a violation attached to the institution (e.g., lack of institutional control, failure to monitor), it would be noted in another section of the report and the institution would have an opportunity to appeal through those means.

Further, the staff position is supported by the legislative history regarding appeals and the standing of appealing parties. The history of that legislation shows that the availability of two distinct appeals has evolved and is currently anticipated: (1) An appeal by the institution of findings of violations and penalties imposed on the institution and/or an appeal of the imposed penalties and (2) An appeal by an individual of findings resulting in the imposition of a show cause order on the individual and/or an appeal of the imposed show cause order. A summary of the legislative history is attached.

In previous cases, the Committee on Infractions staff has created notice of appeals which accompanies their report to the institution and the individual. The notice of appeal for each party is designed to only include the findings of violations and penalties that are imposed on that party. Findings of violations and penalties that only affect a party are not included on the notice of appeal. The Infractions Appeals Committee liaison searched cases from 1995 to the present and was unable to find any case in which a party (individual or institution) was allowed to appeal a finding of violation or penalty which was not imposed upon that party. This supports the staff position that the institution does not have standing to appeal a finding of violation or penalty that was imposed on an individual.

As an example, a vacation of records penalty may be imposed on an institution for participation of ineligible student-athletes. Although the institution's coach may be affected (e.g., the coach's overall record would be adjusted), the penalty is not imposed on the coach. Therefore, the coach, even if he or she is considered an involved individual, would have no standing to appeal the finding of violation or the penalty.

Another example is a situation in which a coach is employed by a new institution and has a show cause order imposed on him or her. Even though the new institution may be affected by the restrictions placed on the coach, the new institution does not have standing to appeal the show cause order.

In the present case, the finding of violation and show cause order are imposed against an individual assistant coach, not the institution. Neither the finding of violation nor the penalty is imposed on the institution. Therefore, for the reasons stated above, it is the staff's position that the institution has no standing to appeal finding of violation B-1-b and penalty C-22.

Committee's Position.

Although some members of the Infractions Appeals Committee agree with the staff position, others believe the institution is permitted to appeal the penalty and the finding of violation.

Discussion of Penalty.

The institution should be allowed to appeal this penalty. It is a one year show cause of the assistant coach who remains employed at the university. It not only penalizes the assistant coach but also the institution. The assistant coach is not able to perform full recruiting functions during the year. Thus, he is not able to fulfill fully his job responsibilities and the institution must make adjustments to other staff responsibilities, etc., to have them covered. The institution also is required by the penalty to certify to the NCAA that the penalty is implemented. Thus, due to the penalty, the institution will have continued interactions with the NCAA regarding the assistant coach – a different situation than we would find if the assistant coach no longer were employed by the institution. This penalty also relates to the institution's lack of institutional control. The institution faces the possibility of future discipline of the assistant coach and the outcome of the appeal of this penalty is likely associated with that decision. This could have future implications for the institution in several respects. I think that if an institution wants to support an appeal of a show cause finding of its current employee by appealing that it should be allowed to do so.

Discussion of Finding of Violation.

The institution should be able to appeal this finding. This finding is directly related to the show cause penalty, which some committee members believe impacts not only the assistant coach but also the institution. The institution was involved in the presentation of evidence associated with this finding at the Committee on Infractions hearing. The institution offered an alternative theory for the 2+ minute phone call that was a primary factor in the Committee on Infractions' determination that the assistant coach did not tell the truth. The integrity of the institution also is brought into question.

Applicable Bylaws.

Bylaw 32.10 Appeal Procedure

Bylaw 32.10.1 Notice of Intent to Appeal. A notice of intent to appeal must be presented in writing to the Infractions Appeals Committee not later than 15 calendar days from the date of the public release of the Committee on Infractions' public infractions report. The notice of intent to appeal shall contain a statement identifying the date of the public release of the committee's report and a statement indicating whether the appealing party desires to submit its appeal in writing only or requests an in-person hearing before the Infractions Appeals Committee.
(Revised: 1/16/93, 1/10/95, 4/26/95, 4/24/03, 1/13/08)

Bylaw 32.10.1.1 Appeal by Institution. The institution may appeal the Committee on Infractions' findings and penalties, corrective actions, requirements and/or other conditions and

obligations of membership imposed for violations of NCAA legislation. An institution may not request an in-person hearing before the Infractions Appeals Committee unless the institution has made an in-person appearance before the Committee on Infractions.
(Adopted: 1/13/08)

Bylaw 32.10.1.2 Appeal by Involved Individual. An involved individual may appeal the Committee on Infractions' findings and/or show cause order imposed for violations of NCAA legislation in which he or she is named. An involved individual may not request an in-person hearing before the Infractions Appeals Committee unless the involved individual has made an in-person appearance before the Committee on Infractions. *(Adopted:1/13/08)*

ATTACHMENT A

Enforcement Procedures – Standing to Appeal

Language of the Finding and Penalty.

- Finding of violation: Unethical Conduct; Violations of Amateurism Legislation; Failure to Report Knowledge of NCAA Violations. [NCAA Bylaws 10.1-(d), 12.01.1, 12.1.1, 12.1.2-(a), 12.3.1, 12.3.1.2 and 30.3.5 (2009-10 NCAA Division I Manual)]

  Beginning in October 2004 and continuing until November 2005, two individuals (for the purposes of this report, "agency partners A and B" respectively), were in the process of forming a sports agency and marketing company, in partnership with student-athlete No. 1 and his step-father and mother ("the parents"). In the course of this relationship, agency partners A and B gave student-athlete No. 1 and his parents impermissible benefits in the form of cash, merchandise, an automobile, housing, hotel lodging and transportation. As a result of the receipt of these benefits, student-athlete No. 1 competed for the football team while ineligible. This ineligibility began at least by December 2004 and encompasses the 2005 Orange Bowl game and the entire 2005 football season, including postseason competition. Further, the assistant football coach knew or should have known that student-athlete No. 1 and agency partners A and B were engaged in violations that negatively affected student-athlete No. 1's amateurism status. The assistant football coach provided false and misleading information to the enforcement staff concerning his knowledge of agency partner A's and B's activity and also violated NCAA legislation by signing a document certifying that he had no knowledge of NCAA violations.

  b. At least by January 8, 2006, the assistant football coach had knowledge that student-athlete No. 1 and agency partners A and B likely were engaged in NCAA violations. At 1:34 a.m. he had a telephone conversation for two minutes and 23 seconds with agency partner A during which agency partner A attempted to get the assistant football coach to convince student-athlete No. 1 either to adhere to the agency agreement or reimburse agency partners A and B for money provided to student-athlete No. 1 and his family. Further, during his September 19, 2006, and February 15, 2008, interviews with the enforcement staff, the assistant football coach violated NCAA ethical conduct legislation by providing false and misleading information regarding his knowledge of this telephone call and the NCAA violations associated with it. The assistant football coach failed to alert the institution's compliance staff of this information and later attested falsely, through his signature on a certifying statement, that he had no knowledge of NCAA violations.

- Penalty C-22: In maintaining institutional control and a rules compliant athletics program, institutions must rely on the efforts of coaches and staff to abide by the rules and to share any information they have regarding potential rules violations. The assistant football coach had knowledge that student-athlete No. 1 and agency partners A and B likely were engaged in

NCAA violations. He was not credible in his denials of knowing agency partner A or in his claimed failure to remember a telephone call between him and agency partner A. The assistant football coach failed to report information to the compliance staff regarding potential NCAA violations related to the activities of agency partners A and B. He also attested, falsely, that he had no knowledge of NCAA violations. His conduct impeded the institution from fulfilling its responsibilities under NCAA bylaws. His conduct also resulted in findings that he violated NCAA ethical conduct legislation by providing false and misleading information to the enforcement staff as described in Finding B-1-b and that he violated Bylaw 30.3.5 by signing a document attesting, falsely, that he had no knowledge of NCAA violations involving the institution. **For these reasons, the committee imposes on him a one-year show cause period beginning on June 10, 2010, and running through June 9, 2011, during which he is restricted as follows in his athletically related duties at the institution or any subsequent employing institution:** (Emphasis added)

a. The assistant football coach is prohibited from engaging in any on or off-campus recruiting activities or interactions with prospective student-athletes (or their parents or legal guardians) prior to their first full-time enrollment at any institution at which he is employed and whether or not they have signed a National Letter of Intent, accepted an offer of financial aid, or are recruited by the institution as these are or may be defined in NCAA bylaws. Prohibited activities include, but are not limited to, phone calls and phone conversations; contacts and evaluations as they are or may be defined in NCAA bylaws; electronic transmissions, general correspondence and other recruiting material as they are or may be defined in NCAA bylaws; official and unofficial visit activities; and activities or interactions with prospective student-athletes that are prohibited to a representative of the employing institution's athletics interests.

b. If the assistant football coach is employed at the institution or another member institution at the time of the 2011 NCAA Regional Rules Seminars, then he must attend a rules seminar at his own expense and, within one month provide to the Director - Committees on Infractions a list of the sessions he attended, together with his certification of attendance.

c. Should an institution other than the university employ the assistant football coach while these penalties are in effect, it shall submit a report to the Director - Committees on Infractions not later than 30 days after its first employment of him. The report shall set forth the employing institution's understanding of the above-listed penalties that are in effect at the time of employment and its responsibilities to monitor compliance. Pursuant to Bylaw 19.5.2.2-(1) it may challenge the continued imposition of the above-listed penalties restricting the athletically related duties of the assistant football coach by scheduling an appearance before the Committee on Infractions to show cause why it should not be penalized for failure to comply with the penalties.

d. At the end of the show-cause period imposed on the assistant football coach or upon termination of employment while the show-cause order is in effect, the president of the university or any subsequent employing institution shall provide a letter to the committee affirming that the penalties were complied with during the time of employment. If the president is unable to so affirm, he shall so inform the committee.

ATTACHMENT B

Enforcement Procedures – Standing to Appeal

Legislative History.

Prior to 1979-80, the legislation [Enforcement 5-(b)] only provided an appeal opportunity for the institution. Individuals had no authority to appeal Committee on Infractions' decision. One year later, current and former institutional staff members were provided the opportunity to appeal findings of violations in which they were involved and/or disciplinary action against them. However, the appeal had to be done through the institution (see 1980 Manual and Convention.pdf).

Individuals could not initiate appeals on their own until the 1996-97 academic year. Beginning that year, current and former institutional staff members were provided the opportunity to appeal findings of violations in which they were involved and/or disciplinary action against them without having to appeal through the institution. This concept arose out of a joint meeting of the Infractions Appeals Committee and Committee on Infractions (see 1996 Manual - 1995 Council – 1995 Joint mtg.pdf)

In January 2008, the adoption of PP-2008-7 restructured Bylaw 32.10. It made many changes to the legislation, including expanding the language listing what an institution may appeal to its current wording of "...penalties, corrective actions, requirements and/or other conditions and obligations of membership imposed for violations of NCAA legislation".

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questionable practice, it shall impose an appropriate penalty; or it may recommend to the Council suspension or termination of membership in an appropriate case.

(4) The finding of a violation or questionable practice shall be by majority vote of the members of the committee present and voting. The imposition of a penalty or recommended action shall require the favorable vote of at least three members of the committee.

Section 5. (a) The committee, without prior public announcement, shall be obligated to submit promptly a written report, which sets forth its findings and penalty to be imposed, to the chief executive officer of the member (with copies to those individuals receiving copies of the official inquiry) which has been subject to the official inquiry.

(b) The member then shall have the right to give written notice of appeal of the committee's findings, the penalty, or both, to the Council. To be considered by the Council, the notice of appeal must be received by the NCAA executive director not later than 15 calendar days from the date the member institution received the committee's report. The member's notice of appeal shall contain a statement of the date the committee's report was received by the chief executive officer.

(c) If the notice of appeal is not received within the 15-day period, or if the member determines not to appeal, the action of the committee will be announced promptly by the committee through the NCAA executive office or at any other site determined by the committee. The committee shall forward a report of the case to the Council at the time of public announcement.

(d) If appropriate notice of appeal is received, no public announcement will be made until conclusion of the case by the Council.

(e) Determinations of fact and violations arrived at in the foregoing manner by the committee, or by the Council on appeal, shall be final, binding and conclusive and shall not be subject to further review by the Council or any other authority.

Section 6. (a) The committee shall be obligated to submit a written summary statement to the Council on each case that is subject to appeal, and it shall include:

(1) Violations of NCAA requirements or questionable practices in light of NCAA requirements, as determined by the committee;

(2) A statement of the committee's proposed penalties;

(3) A statement of the origin of the case;

(4) Related factors appropriate for consideration in judgment of the case, and

(5) Disciplinary or corrective actions taken by the institution or conference or any other agency involved in the particular incident.

(b) During an appeal to the Council, the chairman or another member of the committee shall present the committee's report. The member institution, if it desires to be represented before the Council, may challenge the committee's finding of fact or penalty, or both. The Council then shall act upon the member's appeal and may accept the committee's findings and penalty, alter either one or both or make its

own findings and impose a penalty which it believes appropriate.

Section 7. (a) The constitution of the Association provides that disciplinary or corrective actions other than termination or suspension of membership may be effected during the period between annual Conventions by the Committee on Infractions. As a guiding principle, the NCAA penalty should be broad and severe if the violation or violations reflect a general disregard for the governing rules; in those instances in which the violation or violations are isolated and of relative insignificance, then the NCAA penalty shall be specific and limited. Previous violations of NCAA legislation shall be a contributing factor in determining the degree of penalty.

(b) Among the disciplinary measures, singly or in combination, which may be adopted by the committee or Council and imposed against an institution are:

(1) Reprimand and censure;

(2) Probation for one year;

(3) Probation for more than one year;

(4) Ineligibility for one or more National Collegiate Championship events;

(5) Ineligibility for invitational and postseason meets and tournaments;

(6) Ineligibility for any television programs subject to the Association's control or administration;

(7) Ineligibility of the member to vote or its personnel to serve on committees of the Association, or both;

(8) Prohibition against an intercollegiate sports team or teams participating against outside competition for a specified period;

(9) Prohibition against the recruitment of prospective student-athletes for a sport or sports for a specified period;

(10) A reduction in the number of either initial or total financial aid awards (as defined by O.I. 500) which may be awarded during a specified period;

(11) Requirement that an institution which has been represented in an NCAA championship by a student-athlete who was recruited or received improper benefits (which would not necessarily render him ineligible) in violation of NCAA legislation shall return its share of net receipts from such competition in excess of the regular expense reimbursement, or if said funds have not been distributed, they shall be withheld by the NCAA executive director; or individual or team records and performances shall be vacated or stricken; or individual or team awards shall be returned to the Association, or any combination of the preceding penalties;

(12) Requirement that a member institution which has been found in violation show cause why:

(i) A penalty or an additional penalty should not be imposed if, in the opinion of the committee (or Council), it does not take appropriate disciplinary or corrective action against athletic department personnel involved in the infractions case, any other institutional employee if the circumstances warrant or representatives of the institution's athletic interests; or

(ii) A recommendation should not be made to the mem-

member and to the executive officer of the allied conference of which the institution is a member), fully informing the chief executive of the matter under inquiry and requesting cooperation to the end that the facts may be discovered. By this letter, the assistant executive director for enforcement shall call upon the chief executive officer of the member involved for the disclosure of all relevant information and may require the appearance of the chief executive or a designated representative before the committee at a time and place which are mutually convenient, if such appearance is deemed necessary. If a member declines to meet with the committee after having been requested to do so, the member shall not have the right to appeal either the committee's findings of facts and violations or the resultant penalty.

(c) Allegations included in a letter of official inquiry shall be limited to possible violations occurring not earlier than four years before the date the notice of preliminary inquiry is forwarded to the institution, except for allegations involving violations affecting the eligibility of a current student-athlete or in a case in which information is developed to indicate a pattern of willful violations on the part of the institution or individual involved, which began before but continued into the four-year period.

(d) A member which is subject to official inquiry shall be given, upon its request, the opportunity to have representatives appear before the committee.

(e) A member which is subject to official inquiry shall collect all information available to it concerning the allegations set forth in the inquiry. At any appearance before the committee, the member shall have the obligation of providing full information concerning each allegation.

Section 4. (a) If a member appears before the committee to discuss its response to the official inquiry, the hearing shall be directed toward the general scope of the official inquiry but shall not preclude the committee from finding any violation resulting from information developed or discussed during the hearing.

(1) During the hearing, the investigative staff first shall present the information which its investigation has developed.

(2) The member then will present its explanation of the alleged violations and questionable practices and any other arguments or information which it deems appropriate in the committee's consideration of the case.

(3) Any oral or documentary information may be received, but the committee may exclude information which it determines to be irrelevant, immaterial or unduly repetitious.

(4) The committee, at the discretion of any of its members, shall question representatives of the member or the investigative staff, as well as any other persons appearing before it, in order to determine the facts of the case. Further, under the direction of the committee, questions and information may be exchanged between and among all parties participating in the hearing.

(5) The exact procedure to be followed in the conduct of the hearing will be determined by the committee.

(b) After all presentations have been made and the hearing has been concluded, the committee shall excuse all others from the hearing

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and the committee shall make its determinations of fact and violation.

(1) In arriving at its determinations, it may request additional information from any appropriate source, including the member or the investigative staff. In the event new information is requested from either the institution or the investigative staff to assist the committee in arriving at findings of violations, both parties will be afforded an opportunity to be represented at the time such information is provided the committee.

(2) The committee shall base its findings on information presented to it which it determines to be credible, persuasive and of a kind on which reasonably prudent persons rely in the conduct of serious affairs.

(3) If the committee determines that there has been a violation or questionable practice, it shall impose an appropriate penalty; or it may recommend to the Council suspension or termination of membership in an appropriate case.

(4) The finding of a violation or questionable practice shall be by majority vote of the members of the committee present and voting. The imposition of a penalty or recommended action shall require the favorable vote of at least four members of the committee when all six members are present and participating in the hearing and shall require the favorable vote of at least three members of the committee when fewer than six members of the committee are present and participating in the hearing.

Section 5. (a) The committee, without prior public announcement, shall be obligated to submit promptly a written report, which sets forth its findings and penalty to be imposed, to the chief executive officer of the member (with copies to those individuals receiving copies of the official inquiry) which has been subject to the official inquiry.

(b) The member then shall have the right to give written notice of appeal of the committee's findings, the penalty, or both, to the Council. To be considered by the Council, the notice of appeal shall be received by the NCAA executive director not later than 15 calendar days from the date the member institution received the committee's report. The member's notice of appeal shall contain a statement of the date the committee's report was received by the chief executive officer and a statement indicating whether the institution desires to submit its appeal in writing only or whether the institution will be represented before the Council at the time the appeal is considered.

(c) If any current or former institutional staff member participates in a hearing before the Committee on Infractions and is involved in a finding of a violation of ethical conduct or in other findings by the committee resulting in proposed disciplinary action against that individual, the individual shall be given the opportunity by the institution involved in the proceeding to appeal through that institution any of the findings in question to the NCAA Council; further, under such circumstances, the individual and personal legal counsel may appear before the Council at the time it considers the pertinent findings.

(d) If the notice of appeal is not received within the 15-day period, or if the member determines not to appeal, the action of the committee will be announced promptly by the committee through the NCAA

Intent: To provide optional means by which students entering Division III member institutions may qualify for academic honor awards and to establish a standard for granting such awards to continuing students who do not meet the initial qualification standards.

Effective Date: Immediately.

Action: Approved by Division III.

NO. 46 DIVISION III CRITERIA

Bylaws: Amend Article 9, Section 3-(b), page 99, as follows:

[Division III only]

"(b) An institution desiring to be a member of Division III must conduct its regular-season competition **in each sport in which it enters NCAA postseason competition** under eligibility rules at least as stringent as those provisions of Bylaw 4 applicable to members of Division III."

Source: Concordia College, Gustavus Adolphus College, Macalester College, St. John's University (Minnesota), St. Olaf College, College of St. Thomas.

Intent: To permit a Division III member institution to conduct its regular-season competition in a sport under less stringent eligibility rules than those governing NCAA postseason eligibility if the institution does not intend to enter NCAA postseason competition in that sport that year.

Effective Date: August 1, 1980.

Action: Withdrawn.

Enforcement Procedure

NO. 47 PRELIMINARY INQUIRY

Enforcement Procedure: Amend Section 2-(b), page 142, as follows:

[All divisions, common vote]

"(b) The investigative staff, so far as practicable, shall make a thorough investigation of all such charges which are received from responsible sources and are reasonably substantial. The investigative staff may conduct a preliminary inquiry **for a reasonable period of time** to determine whether there is adequate evidence to warrant an official inquiry; and in conducting this inquiry, the services of a field investigator may be used. **During the period of the preliminary inquiry, the investigative staff shall inform the involved institution of the general status of the inquiry not later than six months after the initial notice.**"

Source: NCAA Council.

Intent: To confirm the policy that preliminary inquiries should be completed in a reasonable period of time, and to require the investigative staff to contact the involved institution concerning

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the status of a preliminary inquiry not later than six months after the institution received the initial notice.

Effective Date: Immediately.

Action: Approved.

NO. 48 APPEALS TO COUNCIL

Enforcement Procedure: Amend Section 5, page 144, by adding new paragraph (c), relettering subsequent paragraphs, as follows:

[All divisions, common vote]

"(c) **If any current or former institutional staff member participates in a hearing before the Committee on Infractions and is involved in a finding of a violation of ethical conduct or in other findings by the committee resulting in proposed disciplinary action against him, he shall be given the opportunity by the institution involved in the proceeding to appeal through that institution any of the findings in question to the NCAA Council; further, under such circumstances, the staff member and his legal counsel may appear before the Council at the time it considers the pertinent findings.**"

Source: NCAA Council (Committee on Infractions).

Intent: To assure an appeal opportunity for current or former institutional staff members involved in infractions cases under the circumstances described.

Effective Date: Immediately.

Action: Approved.

NO. 49 COUNCIL APPEAL PROCEDURE

Enforcement Procedure: Amend Section 6, page 145, by adding new paragraphs (c) and (d), as follows:

[All divisions, common vote]

"(c) **The Council shall consider the statements and evidence presented and, at the discretion of any of its members, may question representatives of the member institution or the Committee on Infractions, as well as any other persons appearing before it, in order to determine the facts related to the appeal. Further, under the direction of the Council, questions and information may be exchanged between and among all parties participating in the hearing.**

"(d) **The procedure to be followed in the conduct of the hearing will be determined by the Council; however, the operating policies and procedures governing the determination of the individuals who may participate in the hearing, as well as the policies and procedures defining the Council's standards for consideration of information and determination of findings and penalties, shall be consistent with the established policies and procedures related to these matters which apply to hearings conducted by the Commit-**

risk—we thought those risks would be minimal—of abuse of this practice.

The very nature of the jobs that are available, the examination of that, the hours that could be worked, the wages paid and so forth, pointed out, we think, the uniqueness of Division III schools in their programs. Therefore, I urge support of this proposal.

Kenneth J. Weller (Central College): We are the joint sponsor of this proposal and also of Proposal No. 44. Since I speak on behalf of the athletic directors and the presidents of the Iowa Conference, and since the parliamentarian has ruled that No. 44 will be moot if No. 43 passes, I think it would be appropriate to speak briefly at this time.

Our conference feels very, very strongly that the concept involved in both Nos. 43 and 44 should be adopted. That is the reason we have submitted both of these amendments in an attempt to make sure that it gets passed if at all possible.

We would prefer, however, to pass Proposal No. 44. The reason is that we feel No. 43 will offer a temptation for coaches to misuse the concept of a job in the recruiting of new students. The coach is likely to say to an athlete, "I can't guarantee you a job, but we do have jobs available that I can help you get attached to"; and in so doing create some confusion, I think, and also tend to create some destructive type of recruiting pressure.

Proposal No. 44 is the same as No. 43 except that it does not apply to freshmen. Therefore, we are concerned that the jobs that are being used inequitably, that athletes are frozen out of, are jobs that are typically in the upper-class years. The recruiting violation or the recruiting perversions could well take place only in new students. Therefore, we could accomplish what we seek to do for our upper-class students and avoid the temptation for abuse in the recruiting process by defeating Proposition No. 43 and, therefore, passing Proposition No. 44.

In the straw vote at the round table, it was very clear that if No. 43 is defeated, No. 44 has overwhelming support. Therefore, I would urge the delegates in Division III to vote "no" on No. 43 and, therefore, make No. 44 a relevant proposition that could be voted "yes."

[Proposal No. 43 (pages A-26-27) was approved by Division III.]

[Proposal No. 44 (page A-27) became moot with the adoption of Proposal No. 43.]

Academic Honor Awards

Robert F. Riedel (State University College, Geneseo): I move adoption of Proposal No. 45.

[The motion was seconded.]

The intent is to provide optional means by which students entering Division III member institutions may qualify for academic honor awards and to establish a standard for granting such awards to continuing students who do not meet the initial qualification standards.

I think it is important to emphasize the new option will be available only when a student's high school class rank is unavailable. Now, this

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also clarifies that a student does not qualify for such an award upon entrance and may earn one based upon his college academic achievement.

[Proposal No. 45 (pages A-27-28) was approved by Division III.]

[Proposal No. 46 (page A-28) was withdrawn.]

Preliminary Inquiry

John W. Sawyer (Wake Forest University): On behalf of the Committee on Infractions and at the request of the Council, I move the adoption of Proposal No. 47.

[The motion was seconded.]

This is the first of several proposals illustrating the changing nature of the infractions program, wherein situations arise for the first time or in which we feel that more information should be given to those folks who could be affected by the process.

This particular proposal simply assures an institution that, in the case of a preliminary inquiry, it will receive notification of the progress of the inquiry in a reasonable period of time.

[Proposal No. 47 (pages A-28-29) was approved.]

Appeals to Council

Harry M. Cross (University of Washington): On behalf of the Council and upon the recommendation of the Committee on Infractions, I move adoption of Proposal No. 48.

[The motion was seconded.]

As Jack Sawyer stated in reference to No. 47, this is another of those proposals regarding enforcement procedure. It reflects an identification need.

There are situations where individuals do appear before the Committee on Infractions with the end result that a potential penalty may be imposed upon that individual by the institution. There has not been any clearly identified means by which that individual may appeal the determination, because the appeal is by the institution itself. Of course, there have been times when the institution is not particularly interested in appealing that sort of thing.

This is designed to assure individuals who do participate in the hearing for the Committee on Infractions of the opportunity to have their case reviewed by the Council.

[Proposal No. 48 (page A-29) was approved.]

Council Appeal Procedure

Joseph R. Geraud (University of Wyoming): In behalf of the NCAA Council, I move adoption of Proposal No. 49.

[The motion was seconded.]

This is another in a series of amendments to the enforcement procedures. This particular provision will provide a written description of the manner in which appeals will be handled before the Council and the actions that would be expected of the Council.

The facts found by the hearing officer do not constitute a violation of the Association's rules; or

A procedural error affected the reliability of the infraction that was utilized to support the hearing officer's finding.

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32.9 NOTIFICATION OF COMMITTEE ACTION

32.9.1 Infractions Report. The committee, without prior public announcement, shall be obligated to submit promptly an infractions report, which sets forth its findings and penalty to be imposed, to the chief executive officer of the member institution (with copies to those individuals having copies of the official inquiry) that has been subject to the official inquiry. The following procedures shall apply to the infractions report:

Subsequent to an institutional hearing, the Committee on Infractions shall prepare and approve the final infractions report; *(Revised: 10/12/94)*

The infractions report(s) of the Committee on Infractions and the appropriate appeals committee per 19.3 shall contain a consolidated statement of all penalties, corrective actions, requirements, and other conditions and obligations of membership imposed upon a member institution found in violation of NCAA legislation. The statement of such actions shall include, but not be limited to, the penalties imposed upon the institution, eligibility rules to be applied, applicable executive regulations, the adjustment of individual and team standings in NCAA championship events, and the request for the return of any awards and net receipts received for participation in an NCAA championship; and *(Revised: 10/12/94)*

The committee's infractions report shall be sent to the chief executive officer of the involved institution and any involved individuals under the chair's signature or under the signature of a committee member selected to act for the chair. The report shall be sent by overnight mail service, and the committee's administrator shall confirm receipt by the institution and involved individuals in order that the 15-day appeal period applicable to this report may be established. *(Revised: 10/12/94)*

32.9.2 Release to Media. Once the infractions report has been received by the institution, the report, with names of individuals deleted, shall be made available to the national wire services and other media outlets.

32.9.2.1 Public Comment Prior to Release. The committee's public announcement related to an infractions case shall be made available to the national wire services and other media outlets. In this regard, the involved institution shall be advised of the text of the announcement prior to its release and shall be requested not to comment publicly concerning the case prior to the time the NCAA's public announcement is released.

32.9.2.2 Public Announcement and Comment at Release. The chair or a member of the Committee on Infractions shall make the committee's public announcement related to major infractions when the committee determines that an announcement is warranted in addition to distribution of the written report. *(Adopted: 1/16/93)*

32.10 APPEAL PROCEDURE

32.10.1 Written Notice of Appeal. To be considered by the appropriate appeals committee per 19.3, the member institution's written notice of appeal of the Committee on Infractions' findings (subject to the conditions of 32.10.2) or the penalty, or both, shall be received by the NCAA executive director not later than 15 calendar days from the date of the public release of the committee's report. The member's notice of appeal shall contain a statement of the date of the public release of the committee's report and a statement indicating whether the institution desires to submit its appeal in writing only or whether the institution will be represented before the appropriate appeals committee per 19.3 at the time the appeal is considered. *(Revised: 1/16/93, 1/10/95, 4/26/95)*

32.10.2 Bases for Granting an Appeal. A penalty determined by the Committee on Infractions may be set aside on appeal if the appropriate appeals committee per 19.3 determines that the penalty is excessive or inappropriate based on all the evidence and circumstances. Determinations of fact and violations arrived at by the Committee on Infractions shall not be set aside on appeal, except upon a showing that: *(Revised: 1/10/95)*

The committee's finding clearly is contrary to the evidence presented to the committee;

The facts found by the committee do not constitute a violation of the Association's rules; or

A procedural error affected the reliability of the information that was utilized to support the committee's finding.

32.10.3 Appeal by an Individual Staff Member. Any current or former institutional staff

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member who participates in a hearing before the Committee on Infractions and is involved in a finding of a violation and who exercises the opportunity to appeal any of the findings in question (subject to the conditions of 32.10.2) must submit a written notice of appeal to the NCAA executive director not later than 15 calendar days from the date of the public release of the committee's report. The individual and personal legal counsel may appear before the appropriate appeals committee per 19.3 at the time it considers the pertinent findings. The institution shall be requested to notify its current staff members, and the enforcement staff will notify all other individuals directly, of the appeal opportunity. *(Revised: 1/16/93, 1/10/95, 4/26/95, 1/6/96)*

32.10.4 Report to Infractions Appeals Committee or Division Steering Committee. The committee shall forward a report of the case to the appropriate appeals committee per 19.3 at the time of public announcement. *(Revised: 1/16/93, 1/10/95)*

32.10.5 Committee on Infractions' Response to an Appeal. The Committee on Infractions shall submit a response to the appropriate appeals committee per 19.3 on each case that has been appealed. This response shall be in the form of an expanded infractions report, which will include: *(Revised: 1/16/93, 10/12/94)*

(a) The violations of the NCAA Constitution and bylaws, as determined by the committee; *(Revised: 10/12/94)*

(b) A statement of the committee's proposed penalties;

(c) A statement of the origin of the case;

(d) Related factors appropriate for consideration in judgment of the case;

(e) Disciplinary or corrective actions taken by the institution or conference or any other agency involved in the particular incident;

(f) If appropriate, any additional information that was presented to the committee during its consideration of the case that the Committee on Infractions deems to be relevant to the consideration of the appeal; and *(Adopted: 10/12/94)*

(g) An attachment to the response will be a transcript of any hearing conducted by the Committee on Infractions. *(Adopted: 10/12/94)*

32.10.6 Expanded Infractions Report to Institution and Media. A copy of the Committee on Infractions' expanded infractions report to the appropriate appeals committee per 19.3, (as described in 32.10.5) shall be provided to the institution prior to the time of its appearance before the appropriate appeals committee per 19.3. Any press release regarding the expanded report shall meet the requirements of 32.9.2. *(Revised: 10/18/89, 1/16/93, 4/20/94, 1/10/95)*

32.10.7 New Evidence. If an institution (or involved party) appeals findings of major violations or penalties, a showing of new evidence directly related to the findings in the case that is discovered during the appeals process shall be referred back to the Committee on Infractions for its review (see 19.02.3). *(Adopted: 1/6/96)*

32.11 APPEAL HEARINGS

32.11.1 Hearing Procedures. In its appeal to the appropriate appeals committee per 19.3, the member institution may challenge the Committee on Infractions' findings of fact or penalties, or both, according to the following hearing procedures: *(Revised: 1/16/93, 1/10/95)*

(a) If the institution elects to be represented in person before the appropriate appeals committee per 19.3, the institution shall be permitted a reasonable time to make its oral presentation to supplement the institution's written appeal. The chair or another member of the Committee on Infractions then shall be permitted a reasonable time to present orally the committee's report. The period of time for the presentation by the institution and the Committee on Infractions shall be left to the discretion of the chair of the appropriate appeals committee per 19.3; *(Revised: 1/10/95)*

(b) If the member institution elects to appeal in writing only, the Committee on Infractions' written report shall be considered without an appearance by a committee representative; and

(c) The appropriate appeals committee per 19.3 then shall act upon the member's appeal, by majority vote of the members of the appropriate appeals committee per 19.3 present and voting, and may accept the Committee on Infractions' findings and penalty or alter either one or both. *(Revised: 8/2/91, 1/10/95, 1/6/96)*

32.11.2 Consideration by Infractions Appeals Committee or Division Steering Committee. The appropriate appeals committee per 19.3 shall consider the statements and evidence presented and, at the discretion of any of its members, may question representatives of the

Council Jan 1996 legislation

Effective Date: Immediately.

NO. 3 INFRACTIONS APPEALS COMMITTEE

Intent: To make the length of terms of the members of the Infractions Appeals Committee consistent with the length of terms of the members of the Committee on Infractions.

Bylaws: Amend 19.3.1 by adding new 19.3.1.2, page 345, renumbering subsequent sections, as follows:

[Common provision, all divisions, divided vote]

"19.3.1.2 Term of Office. A member shall serve a three-year term, which shall commence on the first day of September following the member's election. A member may be reappointed but shall not serve more than nine years on the committee."

Source: NCAA Council (Infractions Appeals Committee).

Effective Date: Immediately.

NO. 4 INFRACTIONS APPEALS COMMITTEE -- INSTITUTIONAL STAFF ACCESS

Intent: To specify that current or former institutional staff members may appeal any finding of a violation in which they are involved.

A. Bylaws: Amend 19.7.3, page 350, as follows:

[Dominant provision, all divisions, common vote]

"19.7.3 Appeal by an Institutional Staff Member. If any current or former institutional staff member participates in a hearing before the Committee on Infractions and is involved in a finding of a violation ~~of ethical conduct or in other findings by the committee resulting in proposed disciplinary action~~ against that individual, the individual shall be given the opportunity by the institution involved in the proceeding to appeal through that institution any of the findings in question (subject to the conditions of 32.10.2) to the appropriate appeals committee per 19.3. Under such circumstances, the individual and personal legal counsel may appear before the appeals committee at the time it considers the pertinent findings."

B. Bylaws: Amend 32.10.3, page 465, as follows:

[General provision, all divisions, common vote]

"32.10.3 Appeal by an Individual Staff Member. Any current or former institutional staff member who is involved in a finding of a violation ~~of ethical conduct or in other findings by the committee resulting in proposed disciplinary action against that individual~~ and who exercises the opportunity to appeal any of the findings in question (subject to the conditions of 32.9.2) must submit a written notice of appeal through the member institution to the NCAA executive director not later than 15

Council Jan 1996

calendar days from the date the member institution received the committee's report. The individual and personal legal counsel may appear before the appropriate appeals committee per 19.3 at the time it considers the pertinent findings. The institution shall be requested to notify its current staff members, and the enforcement staff will notify all other individuals directly, of the appeal opportunity."

Source: NCAA Council (Infractions Appeals Committee).

Effective Date: Immediately.

NO. 5 INFRACTIONS APPEALS COMMITTEE -- INSTITUTIONAL STAFF ACCESS

Intent: To specify that current and former institutional staff members have direct access to the Infractions Appeals Committee and are not required to submit an appeal through the member institution.

A. Bylaws: Amend 19.7.3, page 350, as follows:

[Dominant provision, all divisions, common vote]

"19.7.3 Appeal by an Institutional Staff Member. If any current or former institutional staff member participates in a hearing before the Committee on Infractions and is involved in a finding of a violation of ethical conduct or in other findings by the committee resulting in proposed disciplinary action against that individual, the individual shall be given the opportunity ~~by the institution involved in the proceeding~~ to appeal ~~through that institution~~ any of the findings in question (subject to the conditions of 32.10.2) to the appropriate appeals committee per 19.3 Under such circumstances, the individual and personal legal counsel may appear before the appeals committee at the time it considers the pertinent findings."

B. Bylaws: Amend 32.10.3, page 465, as follows:

[General provision, all divisions, common vote]

"32.10.3 Appeal by an Individual Staff Member. Any current or former institutional staff member who is involved in a finding of a violation of ethical conduct or in other findings by the committee resulting in proposed disciplinary action against that individual and who exercises the opportunity to appeal any of the findings in question (subject to the conditions of 32.9.2) must submit a written notice of appeal ~~through the member institution~~ to the NCAA executive director not later than 15 calendar days from the date the member institution received the committee's report. The individual and personal legal counsel may appear before the appropriate appeals committee per 19.3 at the time it considers the pertinent findings. The institution shall be requested to notify its current staff members, and the enforcement staff will notify all other individuals directly, of the appeal opportunity."

Source: NCAA Council (Infractions Appeals Committee).

Effective Date: Immediately.

SUMMARY OF THE JOINT MEETING OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

COMMITTEE ON INFRACTIONS

AND THE

INFRACTIONS APPEALS COMMITTEE

Hyatt Regency Monterey, Monterey, California August 10, 1995

The following items represent the actions taken by the Infractions Appeals Committee after discussion with the Committee on Infractions related to the respective issues:

I. REVIEW OF THE APPEALS PROCESS.

A. Prehearing Time Periods and Procedures.

- Agreed that a form should be developed entitled, "Notice of Appeal" to accompany the Committee on Infractions' report to assist institutions in understanding the bases for appeal and to focus on the specific issue being raised on appeal. Agreed that the form should include the following information:

  1. Bases for appeal;

  2. Notice of appeal;

  3. Specific findings made by and/or penalties imposed by the Committee on Infractions to be reviewed on appeal;

  4. Information regarding prehearing time periods and procedures;

  5. Information regarding the staying of the penalties; and

  6. Information regarding what constitutes the appellate record.

- Agreed to continue the time periods currently established for the institution's (or individual's) and Committee on Infractions' response to the Infractions Appeals Committee. Noted that the length of the time periods (15 days/30 days/30 days/2 weeks/hearing) may affect an institution's sports season in some instances, but acknowledged that the primary importance of the process is to provide ample opportunity for a meaningful appeal.

- Emphasized the importance of scheduling a date and site for the hearing early in the appeals process.

B. Review Of Procedures Used During Infractions Appeals Committee's Hearing.

- Discussed concerns regarding new information raised by the institution (or involved party) at the hearing during the

period for rebuttal; noted that, consistent with other administrative hearing processes, the rebuttal is intended to provide the institution (or involved party) the opportunity to respond to information presented by the Committee on Infractions in support of its findings or penalties; agreed that, in general, new information should not be presented at this stage of the hearing.

C. Telephone Conference to Release Report.

- Agreed that the decision to release the Infractions Appeals Committee's report by telephone conference should be handled on a case-by-case basis.

D. Miscellaneous.

- Agreed that the committee chair should meet with the Divisions II and III vice-presidents (the chairs of the steering committees responsible for handling appeals in the respective divisions regarding appeals procedures).

- Discussed the issue regarding the minimum number of committee members necessary to constitute a quorum for purposes of hearing an in-person appeal. Agreed that a minimum of three committee members must be present to conduct a hearing. Noted that the Committee on Infractions has the authority to substitute former members, if necessary, but noted that such a process is impossible to implement at this time for the Infractions Appeals Committee (i.e., there are no former members of the Infractions Appeals Committee).

- Noted the importance of continuity in the composition of the committee and expressed concern regarding the current length of terms for committee members (i.e., one four-year term). Recommended that the Council sponsor legislation to make the length of an Infractions Appeals Committee member's term consistent with the term for members of the Committee on Infractions (i.e., three-year term, reelection permissible, limit of nine years on committee).

II. SCOPE OF THE INFRACTIONS APPEALS COMMITTEE'S REVIEW.

A. Issues Related On Appeal Not Subject To Review.

- Agreed that issues raised by an institution (or individual) on appeal that do not constitute a bases for review by the Infractions Appeals Committee should be raised by the Committee on Infractions in its response.

B. Issues Related to the Review of the Record of the Committee on Infractions' Hearing.

- Agreed that the record for an appellate review should consist of: (a) the official transcript of the Committee on Infractions' hearing; (b) the institution's notice of appeal and response; (c) the Committee on Infractions' response; (d) the institution's rebuttal; and (e) the case summary developed by the NCAA enforcement staff in preparation for the Committee on Infractions' hearing (to be used for informational purposes only).

- Reviewed issues related to information that was not included as part of the Committee on Infractions' record and determined the following:

  - New Evidence. Agreed that if an institution (or involved party) appeals a finding of major violations or a penalty, a showing of new evidence directly related to the findings in the case that is discovered during the appeals process shall be referred back to the Committee on Infractions for its review. New evidence is defined as, "evidence that could not reasonably be ascertained prior to the Committee on Infractions' hearing." The staff was directed to prepare appropriate legislation to be reviewed by the NCAA Council during its October meeting.

  - Old Evidence. Agreed that evidence that was available or could be reasonably be ascertained prior to the Committee on Infractions' hearing but was not presented before the Committee on Infractions is not reviewable on appeal.

C. Review Of The "Clearly Contrary To The Evidence" Standard.

- Emphasized that the "clearly contrary to the evidence" standard set forth in 32.10.2-(a) as a basis for appeal is a stringent standard. Noted that the Infractions Appeals Committee is neither substituting its judgment for the Committee on Infractions nor retrying the case.

D. Issues Related To The Appeal Of Findings And/Or Penalties.

- Agreed that each sanction (e.g., probationary period, television ban) imposed by the Committee on Infractions is considered a separate appealable penalty and recommended that the language in NCAA Bylaws 19 and 32 should be clarified editorially by the NCAA Legislative Review Committee.

- Determined that if an institution (or involved party) appeals only specific penalties (not findings) imposed by the Committee on Infractions, the committee would consider all of the penalties but confine its decision to the specific penalty (or penalties) raised on appeal. It was noted that only the specific penalties appealed are stayed pending the committee's decision. Further, the stay is automatic.

- If an institution (or involved party) is appealing only a finding imposed by the Committee on Infractions, the penalties are not stayed and remain in full force in effect during the appeals process. Further, the committee will not address the penalties during its review of the appeal.

- Agreed that no strict jurisdictional lines should be applied to handle situations involving institutions (or involved parties) that request Committee on Infractions to modify its decision subsequent to the filing of the appeal.

- Agreed that the provisions of 32.11.1-(c) should be modified to delete the language, "as recommended by the institution."

III. ISSUES RELATED TO INDIVIDUAL STAFF MEMBERS' APPEALS.

- Agreed that an individual staff member's appeal would have no effect on the findings and penalties regarding the staff member's institution.

- Agreed that current or former staff members exercising an opportunity to appeal should not be forced to submit written notice of appeal through the staff member's institution. Directed the staff to prepare legislation to be reviewed by the Council during its October meeting.

- Agreed that current or former staff members should be provided an opportunity to appeal if they are named by the Committee on Infractions in any finding of a violation, including one that does not involve unethical conduct or result in proposed disciplinary action. Noted that the individual must be found to be involved in the violation (as opposed to only being mentioned in a violation). Directed the staff to prepare legislation to be reviewed by the Council during its October meeting.

- Agreed that an individual staff member is deemed to have participated in the Committee on Infractions' hearing, and, thus, is entitled to an appeal, if the individual either appears personally or submits a written response for review during the Committee on Infractions' hearing. Directed the staff to clarify the language in 19.7.3 and 32.10.3 to reflect this interpretation.

- Agreed that the committee, at its discretion, should determine the appropriate involvement of the institution and/or conference during an individual staff member's in-person presentation. Agreed that the institution would receive notice of the individual staff member's response to the Infractions Appeals Committee and could submit a response in writing or request an in-person appearance.

IV. ISSUES RELATED TO STUDENT-ATHLETES.

- Noted that under current legislation, any appeal involving a finding of violations against student-athletes currently are submitted through the institution and any findings that affect the eligibility of an individual student-athlete are handled by the NCAA Eligibility Committee. Agreed to continue to review the issue of permitting student-athletes involved in findings of violations by the Committee on Infractions' direct access to the Infractions Appeals Committee.

- Agreed that student-athletes should be able to use the transfer waiver set forth in 14.8.1.2-(c) without any regard to the appeals process. Requested that this issue be forwarded as an interpretive issue for consideration by the NCAA Interpretations Committee.

V. ROLE OF ENFORCEMENT STAFF.

- Agreed that the enforcement staff should not be present during the in-person presentation made by the institution (or involved party) before the Infractions Appeals Committee.

"TO DO" LIST

[Note: All legislative proposals will be reviewed by the Council at its October meeting.]

1. Contact the Divisions II and III vice-presidents regarding meeting with chair of Infractions Appeals Committee during the Council's October meeting.

2. Prepare legislation to amend terms of members of the Infractions Appeals Committee to be consistent with those of the Committee on Infractions.

3. Forward to the Legislative Review Committee a recommendation to clarify in appropriate provisions of Bylaws 19 and 32 that each sanction imposed by the Committee on Infractions is considered a separate appealable penalty.

4. Develop a "Notice of Appeal" form letter to accompany the Committee on Infractions' report.

5. Create a document that outlines the format of actual hearing.

6. Prepare legislation to amend the provisions of 32.11.1-(c) to delete the reference to "as recommended by the institution."

7. Prepare legislation to be included as new 32.10.7 (with a reference in Bylaw 19) indicating the process for handling newly discovered evidence during the appeals process.

8. Prepare legislation defining newly discovered evidence to be included in 19.02 and new 32.10.7.

9. Prepare legislation to amend 32.10.3 to indicate that current and former institutional staff members have direct access to the Infractions Appeals Committee and are not required to submit such an appeal through the staff member's institution.

10. Prepare legislation to amend 32.10.3 to indicate that former or current institutional staff members may appeal any finding of a violation in which they are involved.

11. Prepare language to clarify that participation by a current or former institutional staff member in a hearing before the Committee on Infractions includes physical presence at hearing or the submission of a written response.

12. Forward to the Interpretations Committee the issue of student-athlete's using the transfer waiver per 14.8.1.2-(c) without regard to the appeals process.

NCAA/08/23/95/SAM:tkm

PP-2008-7: ENFORCEMENT POLICIES AND PROCEDURES -- APPEAL PROCEDURE

Status: Adopted - Final Process Diagram

Intent: To provide the enforcement staff the opportunity to provide information regarding perceived new information, errors, misstatements and omissions during the appeal process; to refine the standard for alterations of penalties on appeal; and to clarify the procedures relating to "new evidence" introduced on appeal.

Administrative: Amend 32.10, as follows:

32.10 APPEAL PROCEDURE

32.10.1 Written Notice of **Intent to** Appeal. ~~*To be considered by the appropriate appeals committee, the member institution's*~~ **A** ~~*written*~~ notice of **intent to** appeal **must be presented in writing to** ~~*of*~~ the **Infractions Appeals** Committee ~~*on Infractions findings (subject to the conditions of Bylaw 32.10.2) or the penalty, or both, shall be received by the NCAA president*~~ not later than 15-calendar days from the date of the public release of the committee's **public infractions** report. The ~~*member's*~~ notice of **intent to**appeal shall contain a statement ~~*of*~~ **identifying** the date of the public release of the committee's report and a statement indicating whether the ~~*institution*~~ **appealing party** desires to submit its appeal in writing only or ~~*whether the institution will be represented*~~ **requests an in-person hearing** before the Infractions Appeals Committee ~~*at the time appeal is considered.*~~

32.10.1.1 Appeal by Institution. The institution may appeal the Committee on Infractions' findings and penalties, corrective actions, requirements and/or other conditions and obligations of membership imposed for violations of NCAA legislation. An institution may not request an in-person hearing before the Infractions Appeals Committee unless the institution has made an in-person appearance before the Committee on Infractions.

32.10.1.2 Appeal by Involved Individual. An involved individual may appeal the Committee on Infractions' findings and/or show cause order imposed for violations of NCAA legislation in which he or she is named. An involved individual may not request an in-person hearing before the Infractions Appeals Committee unless the involved individual has made an in-person appearance before the Committee on Infractions.

~~*32.10.2 Bases for Granting an Appeal. A penalty determined by the Committee on Infractions may be set aside on appeal if the Infractions Appeals Committee determines that the penalty is excessive or inappropriate based on all of the evidence and circumstances. Determinations of fact and violations arrived at by the Committee on Infractions shall not be set aside on appeal, except upon a showing that:*~~

~~*(a) The Committee on Infractions finding clearly is contrary to the evidence presented to the committee;*~~

~~*(b) The facts found by the Committee on Infractions do not constitute a violation of the Association's rules; or*~~

~~*(c) A procedural error affected the reliability of the information that was utilized to support the Committee on Infractions' finding.*~~

~~*32.10.3 Appeal by an Individual Staff Member. Any current or former institutional staff member who participates in an hearing (either in person or through written presentation) before the Committee on Infractions and is involved in a finding of a violation and who exercises the opportunity to appeal any of the findings in question (subject to the conditions of Bylaw 32.10.2) or the committee's decision to issue a show-cause order must submit a written notice of appeal to the NCAA president not later than 15 calendar days from the date of the public release of the committee's report. The individual and personal legal counsel may appear before the Infractions Appeals Committee at the time it considers the pertinent findings. The Committee on Infractions will notify all individuals directly of the appeal opportunity.*~~

[32.10.4 renumbered as 32.9.3, unchanged.]

32.10.~~5~~2 Committee on Infractions' Response to an Appeal. The Committee on Infractions shall submit a response to the Infractions Appeals Committee on each case that has been appealed. This response shall include:

[31.10.5-(a) through 32.10.5-(c) renumbered as 32.10.2-(a) through 32.10.2-(c), unchanged.]

(d) A statement of the committee's ~~*proposed*~~ penalties**, corrective actions, requirements and other conditions and obligations of membership imposed for violations of NCAA legislation**;

[32.10.5-(e) through 32.10.5-(f) renumbered as 32.10.2-(e) through 32.10.2-(f), unchanged.]

(g) ~~*An attachment to the response will be a*~~ **A** transcript of any hearing conducted by the Committee on Infractions **(submitted as an attachment to the response).**

32.10.3 Enforcement Staff Information. The enforcement staff may provide written information to the Infractions Appeals Committee regarding perceived new information, errors, misstatements and omissions relating to the written appeal, Committee on Infractions' response and/or rebuttal documents, as long as any such written information is received by the Infractions Appeals Committee not later than 10-calendar days from the deadline for rebuttal materials as established under the policies and procedures of the Infractions Appeals Committee.

32.10.4 Basis for Granting an Appeal.

32.10.4.1 Penalties. A penalty determined by the Committee on Infractions shall not be set aside on appeal except on a showing by the appealing party that the penalty is excessive such that it constitutes an abuse of discretion.

32.10.45.2 Findings. Findings of violations made by the Committee on Infractions shall not be set aside on appeal, except on a showing by the appealing party that:

(a) A finding is clearly contrary to the evidence presented to the committee;

(b) The facts found by the Committee on Infractions do not constitute a violation of the Association's rules; or

(c) There was a procedural error and but for the error, the Committee on Infractions would not have made the finding of violation.

~~*32.10.6 Response to Institution and Media. A copy of the Committee on Infractions response to the Infractions Appeals Committee (as described in Bylaw 32.10.5) shall be provided to the institution, prior to the time of its appearance before the Infractions Appeals Committee. Any press release regarding the response shall meet the requirements of Bylaw 32.9.2.*~~

32.10.~~7~~**5** New Evidence. **In making a determination pursuant to Bylaw 32.10.4, the Infractions Appeals Committee shall consider only the information contained in the record(s) of proceedings before the Committee on Infractions and the record on appeal.** If an institution or (involved ~~*party)*~~ **individual** ~~*appeals findings of major violations or penalties, a showing of new evidence directly related to the findings in the case that is discovered during the appeals process*~~ **seeks to introduce information during the appeals process that was not presented to the Committee on Infractions for its consideration, the Infractions Appeals Committee shall:**

(a) Determine whether the information is "new evidence" per Bylaw 19.02.3. If the Infractions Appeals Committee determines that the information meets the definition of "new evidence" per Bylaw 19.02.3, the Infractions Appeals Committee, after input from a Committee on Infractions' designee, shall determine whether the "new evidence" could have materially affected any decision made by the Committee on Infractions, and if so, the caseshall be referred back to the Committee on Infractions for its review. **If the information does not meet the definition of "new evidence" per Bylaw 19.02.3 or if the "new evidence" would not have materially affected a decision made by the Committee on Infractions, the information shall not be considered by the Infractions Appeals Committee; and**

(b) Enter findings in the record on appeal regarding all decisions made pursuant to Bylaw 32.10.5-(a).

32.10.6 Infractions Appeals Committee -- Determination of Appeal Procedures. The specific procedures to be followed during the written appeals process will be determined by the Infractions Appeals Committee.

Source: NCAA Division I Committee on Infractions.

Effective Date: Immediate

Proposal Category: Policies and Procedures

Topical Area: Enforcement Policies and Procedures

Rationale: The amendment to the basis for granting an appeal ensures that the deference afforded the NCAA Division I Committee on Infractions regarding penalties, corrective actions, requirements, and other conditions and obligations of membership is parallel and consistent with the deference afforded in the review of findings of fact on appeal. The addition of sharing of documentation provision ensures that the enforcement staff will be afforded the opportunity to provide information to the Infractions Appeals Committee regarding perceived new information, errors, misstatements and omissions. Finally, the amendment to the new evidence standard is intended to make clear that the appeals process cannot be used to pursue a *de novo* review of the facts of the case; that the NCAA Division I Infractions Appeals Committee must make specific findings on the record relating to all determinations relating to "new evidence" presented on appeal; and "if new evidence" is discovered and presented, which could have materially affected a decision made by the Committee on Infractions, the case will be remanded to the Committee on Infractions for its review in light of the new evidence.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

History

Dec 13, 2007: Submit; Submitted for consideration.

Jan 13, 2008: Mgmt Council 1st Review, Approved

Jan 13, 2008: Adopted; Adopted - Final

Exhibit D

August 31, 2010

Wendy A. Walters
Director of Membership and Student-Athlete
Affairs – Infractions Appeals Committees
NCAA
P.O. Box 6222
Indianapolis, Indiana 46206

Re: Infractions Appeals Case of

Dear Ms. Walters:

I am writing in response to your August 26, 2010 letter regarding the appeal filed by the . In your letter, you stated that the Infractions Appeals Committee has given until September 9, 2010 to submit a supplemental brief in response to the Legislative Review and Interpretation Committee's decision that has no standing to appeal the findings of violations and/or penalties related to . requests the IAC to postpone the September 9 deadline for its supplemental brief. Leeland Zeller of Academic and Membership Affairs has informed that the NCAA recognizes that has standing to appeal the LRIC's decision to the Legislative Committee. intends to exercise its right to appeal the LRIC's decision. The LC will consider 's appeal of the LRIC decision, at the earliest date, during the week of September 13. Thus, under the current deadline established by the IAC, would be required to draft and submit a supplemental brief before the LC has decided the appeal. If the LC agrees with and overturns the LRIC's decision so that indeed has standing to appeal the findings, then there will be no need for to file a supplemental brief. The September 8 deadline established by the IAC would require to expend time and money in drafting a supplemental brief that might very well prove to be unnecessary. Common sense and logic dictate that the LC appeal be decided before is required to submit a supplemental brief.

A separate problem faces in filing a supplemental brief with the IAC (as well as appealing the LRIC's decision) is that it has no written description of the issue(s) presented to the LRIC. has been received no documents provided to the LRIC, nor has it received any description of the arguments presented to the LRIC on the standing issue. For example, is interested to know if there was any discussion before the LRIC of the fact was required to respond to the charges against both in its written response and at the Committee on

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Infractions hearing. Similarly, we are interested in knowing whether there was any discussion of the issue of the role the findings against [redacted] played in the COI's imposition of penalties against [redacted], and what, if anything, the COI offered to the LRIC in this regard. Obviously, these are important questions to which [redacted] has been provided no answers. We need all of this information to be afforded a fair opportunity to respond to the IAC. [redacted] will be requesting these same materials from the LRIC, but in the interest of time, if you or the IAC has them, please provide them to me at your earliest convenience.

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With the long holiday weekend ahead, a prompt response is requested. Please let me know if you have any questions. Thank you for your assistance.

Sincerely,

[redacted]

Exhibit E

September 3, 2010

Mr. Leeland Zeller
Associate Director of Academic and Membership Affairs
National Collegiate Athletic Association
P. O. Box. 6222
Indianapolis, Indiana 46206-6222

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RE:

Dear Mr. Zeller:

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Thank you for your September 1 e-mail and attached documents. The requests the September 8 deadline for submission of its appeal to the Legislative Committee ("LC") be postponed. After reviewing the documents you sent, has follow-up questions and requests for information needed to prepare its appeal. needs a reasonable amount of time after receiving any additional information to prepare its appeal and will not be able to do so by September 8. The documents themselves suggest has not received other materials or information that the IAC and perhaps others provided to Academic and Membership Affairs or the Legislative Review and Interpretation Committee's ("LRIC") before the decision was made. is unable to provide its position to the LC until it has received the information requested and has been given a reasonable period of time to consider all relevant materials. After reviewing the documents you provided, we have several questions and requests for additional information:

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1. Did the LRIC issue a formal written decision or otherwise reduce its decision to writing? The only written description of the LRIC we have is Wendy Walters' August 26 letter. If the LRIC decision is set forth in writing elsewhere, please provide these documents.

2. Please provide the names of the persons who participated in or listened to the LRIC conference call while the standing issue was discussed. If there are minutes or a summary of this portion of the conference call, please provide a copy.

3. Please describe in detail what, if any, role the Committee on Infractions ("COI") and Infractions Appeals Committee ("IAC") played in the LRIC process, before, during and after the LRIC conference call.

4. The documents titled "Enforcement Procedures -- Standing to Appeal" and "Enforcement Procedures – Standing to Appeal" are undated, other than a date of July 28, 2010 at the bottom of the last page, and do not identify the author(s). Please tell us when and by whom these documents were prepared.

5. On page 3 of the document, under "Discussion of Penalty," it is not clear whose position is set forth in the paragraph below the heading. Please identify the person or entity whose position is set forth in the "Discussion of Penalty" section, as well as identify the person who wrote this section. The final sentence of this paragraph is written in the first person -- "I think that if an institution wants to support an appeal of a show cause finding of its current employee by appealing that it should be allowed to do so." This language suggests the paragraph was cut and pasted from another document. If this is correct, please provide this other document, as well as all documentation related to or supporting the "Enforcement Procedures -- Standing to Appeal" document.

6. The document is labeled "Supplement No. 1" in the upper right hand corner of the first page. I suspect this means there was a separate supplement for each issue considered by the LRIC during the conference call where it decided the [redacted] standing issue. If I am mistaken, and there were other supplements or documents provided or considered by the LRIC in connection with the [redacted] standing issue, please provide those documents.

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7. In addition to the documents you provided on September 1, [redacted] also requests the LRIC to provide all information about exactly which issues were presented for its consideration and copies of any documents and correspondence submitted to or considered by the LRIC related to the issue.

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[redacted] asks that the September 8 deadline and LC appeal be postponed for another reason. Before proceeding with the appeal of the LRIC decision, [redacted] requests the LRIC to reconvene to allow [redacted] to present its views on why it has standing to appeal the findings against [redacted]. [redacted] intends to appeal the LRIC decision that [redacted] lacks standing to appeal the COI findings against [redacted]. The LRIC's decision could have a significant impact on [redacted]'s pending appeal before the IAC. Given that the IAC and LRIC failed to provide the required notice to [redacted] that this issue was under consideration, basic fairness calls for this action.

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[redacted] learned of the LRIC's decision more than three weeks after it occurred. [redacted] was not afforded the opportunity to participate in any manner in this proceeding and was not even aware the IAC had requested the LRIC to consider the issue of standing or that the LRIC had agreed to do so.

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Ms. Walters provided notice of these issues to [redacted] in an August 20, 2010, telephone call to me. Ms. Walters acknowledged that [redacted] should have been notified much sooner. At my request, Ms. Walters provided a written explanation of the events related to the LRIC decision by letter dated August 26, a copy of which is attached. Ms. Walters confirmed in this letter that, acting on behalf of the IAC, she consulted with the COI in June before the issue of standing was

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submitted to the LRIC and the COI stated it did not believe [redacted] had standing to appeal the [redacted] findings. The IAC notified the COI of the LRIC's decision shortly after it was rendered.

[redacted] did not receive this same notice either before or after the LRIC decision, and as a result, proceeded to draft and submit its appeal brief to the IAC on August 10, 2010, nearly two weeks *after* the LRIC's decision. [redacted] believed (and continues to believe) it has standing to appeal the [redacted] findings because the COI's findings against [redacted] were among the bases for the penalties imposed upon [redacted]. Ms. Walters, speaking on behalf of the IAC, strongly implied the same in her August 26 letter. It is logically inconsistent that [redacted] is now precluded from contesting the findings against [redacted] when it was required to respond in writing to the COI regarding the allegations against [redacted], respond orally to questions from the COI about these allegations during the COI hearing, and penalized based upon those findings. To penalize [redacted] for a coach's actions and then preclude it from contesting the findings against the coach on appeal is fundamentally unfair. [redacted] requests the LRIC to reconsider the standing issue and allow [redacted] the opportunity to present its position to the LRIC both in writing and via conference call. This approach would not delay the appeal unnecessarily and could eliminate the need for an appeal once [redacted] has been provided all pertinent information and understands exactly what happened. Similarly, this approach would not prejudice or harm the IAC or COI.

I understand the NCAA's view is [redacted] had no right to participate in the LRIC proceeding because the issue considered by the LRIC did not result in a finding of a violation against [redacted]. [redacted] disagrees with this reasoning. Under this approach, an institution would *never* have standing to participate in the LRIC process where the issue relates to an *appeal* of a COI decision. When the issue before the LRIC involves an appeal of a COI finding, the LRIC decision cannot result in a finding of a violation against an institution or individual – if the issue involves an appeal, the COI has necessarily already decided that a violation occurred. Without a COI finding of a major violation, there is no appeal. [redacted] submits that the LRIC guidelines make clear that where an institution might be damaged or prejudiced by the LRIC's decision, the institution is allowed to participate in the process. Clearly, that was the situation here, and [redacted] should have received notice and been permitted to present its views.

Under the LRIC's decision, in every situation where a coach chooses not to appeal an adverse finding against him or her, regardless of the reason (e.g., death, lack of money to fund an appeal, or a decision to no longer be a college coach), the COI's finding and resultant penalties affecting the institution, no matter how flawed, cannot be reviewed. [redacted], which has been damaged by the findings against [redacted], respectfully requests the opportunity to present its view on this issue to the LRIC, both in writing and via conference call.

Thank you for your consideration of these requests. Please provide any additional information or documents as soon as possible. We look forward to working with you and appreciate your assistance.

Sincerely,

[redacted]

P.O. Box 6222
Indianapolis, Indiana 46206
Telephone: 317/917-6222

Shipping/Overnight Address:
1802 Alonzo Watford Sr. Drive
Indianapolis, Indiana 46202

www.ncaa.org

August 26, 2010

VIA ELECTRONIC POSTING

[redacted]

university

Re: Infractions Appeals Case of [redacted]

Dear [redacted]:

This letter is a follow-up to our conversation and provides further detail related to the recent decision by the NCAA Division I Legislative Review and Interpretations Committee. The Legislative Review and Interpretations Committee was asked by the NCAA Division I Infractions Appeals Committee to resolve the procedural question of whether NCAA Bylaw 32.10.1 affords an institution the standing to appeal an involved individual's findings of violations and/or penalties imposed in a NCAA Division I Committee on Infractions' report.

The Legislative Review and Interpretations Committee July 29, 2010, decided that an institution has standing to appeal only findings of violations and/or penalties that are imposed against the institution. Similarly, an individual has standing to appeal only findings of violations and penalties imposed against that individual. This decision confirmed that finding of violation (B-1-b) and penalties (C-22, C22-a, C-22-b, C22-c and C22-d) should not have been included on the institution's notice of appeal and may not be appealed by the institution.

However, please be advised, an institution may request that the Infractions Appeals Committee consider the impact any vacation of a finding of violation in the involved individual's appeal should have on the appealed institutional penalties.

Recognizing that the institution was notified of this decision after submission of its written appeal, the institution has been granted a two-week period in which to submit, if desired, a supplement to its written appeal. The due date for the supplement is **September 9, 2010**.

Finally, you requested information regarding the Infractions Appeals Committee's request for review by the Legislative Review and Interpretations Committee on the issue of standing. I have provided a summary of events which lead to the decision made by the Legislative Review and Interpretations Committee. If you have any questions, please feel free to contact me.

Sincerely,

Wendy A. Walters
Director of Membership and Student-Athlete Affairs –
Infractions Appeals Committees

WAW:kas

cc: [redacted]

Summary of Events Leading to NCAA Division I Legislative Review and Interpretations Committee Determination

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1. Notices of appeal for the [redacted] and [redacted] were received which reflected appeals of finding of violation B-1-b and penalties C-22 on both notices. I had a quick conversation with Mark Jones that I would forward the issue of the request for relief from the stay of penalties and my question of two separate appeals with the same finding of violation and penalties to the Infractions Appeals Committee. (approximately June 25, 2010)

2. Given that I was not aware of any procedural changes regarding standing to appeal, I contacted Shep Cooper to confirm that it was an error for the finding of violation and penalties imposed against [redacted] were included on the institution's notice of appeal. He informed me that the items were included in error. (late June 2010)

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3. I forwarded this issue to the NCAA Division I Infractions Appeals Committee for their review and instructions. In July 2010, the Infractions Appeals Committee discussed this issue and determined that it should be forwarded to the NCAA Division I Legislative Review and Interpretations Committee.

4. Once the decision was made by the Infractions Appeals Committee to refer the issue to the Legislative Review and Interpretations Committee, I contacted select NCAA staff, including Shep Cooper, and updated them on this action. (approximately July 26, 2010)

   Interpretative issues referred to the Legislative Review and Interpretations Committee are initially reviewed by the NCAA academic and membership affairs interpretations leadership team. The interpretations leadership team decided that an institution has standing to appeal only the findings of violations and/or penalties that are imposed against the institution. Similarly, an individual has standing to only appeal findings of violations and penalties imposed against that individual.

5. The Legislative Review and Interpretations Committee reviewed the issue July 29, 2010. The committee determined that an institution has standing to appeal only the findings of violations and/or penalties that are imposed against the institution. Similarly, an individual has standing to appeal only findings of violations and penalties imposed against that individual.

   In reaching that decision, the Legislative Review and Interpretations Committee reviewed the legislative history of Bylaw 32.10.1; information regarding the process of the notification of appeal; and all aspects of the issue which included weighing the impact of allowing an institution to appeal an individual's finding of violation or penalty as well as weighing the impact of not allowing an institution to appeal an individual's finding of violation or penalty. As a procedural point, an institution may participate by conference call in the review of an interpretation only when the activity at issue already has occurred

and the interpretive decision could result in an individual or institutional violation. The Legislative Review and Interpretations Committee's decision on this procedural issue would not have resulted in an individual or institutional violation.

6. I provided an update on the Legislative Review and Interpretations Committee's decision to select NCAA staff, including Shep Cooper, July 29, 2010.

7. In early August 2010, I had a conversation regarding the decision with the Infractions Appeals Committee chair.

Exhibit F

Dear [redacted]

This and all subsequent redactions refer to the appellant university.

Thank you for your September 3 correspondence, in which you requested additional information and an extension of the September 8 deadline for submission of the [redacted] appeal of the NCAA Division I Legislative Review and Interpretations Committee's (LRIC) recent decision regarding standing to appeal findings and/or penalties imposed by the NCAA Division I Committee on Infraction. The information provided to [redacted] in my September 1 e-mail includes all the information reviewed by the LRIC and all of the information that is relevant and necessary for [redacted] to submit its appeal to the NCAA Division I Legislative Council (LGC).

The interpretive issue, as previously indicated, is whether Bylaw 32.10.1 affords an institution standing to appeal an involved individual's findings of violations and/or penalties imposed by the Committee on Infractions. In making decisions related to interpretive issues, the LRIC and the LGC review the relevant legislation, any relevant official or staff interpretations, relevant legislative history and interpretive arguments for each side of the issue. None of the additional requested information has any bearing on the LGC's potential review of the actual interpretive issue at hand. However, in order to clarify several issues, I will address each of the requests for information that were listed in your September 3 correspondence:

1. The LRIC did not issue a formal written decision.

2. The names of the persons who participated in or listened to the conference call are neither relevant to the interpretive issue nor necessary for [redacted] to formulate its interpretive argument for an appeal. There are no minutes and no summary related to the call.

3. As previously indicated, the Committee on Infractions had no role in the LRIC process. The role of the NCAA Division I Infractions Appeals Committee was provided to you in Wendy Walters' August 26 letter.

4. The date of preparation and the author of the material provided to the LRIC are neither relevant to the interpretive issue nor necessary for [redacted] to formulate its interpretive argument for an appeal.

5. The position set forth in the materials provided to the LRIC under "Discussion of Penalty" and "Discussion of Finding of Violation" represents the position of those members of the Infractions Appeals Committee who believed that the institution should be permitted to appeal the penalty and the finding of violation. The statement that was written in the first person is a statement made by one of the committee members in correspondence with the liaisons to the Infractions Appeals Committee. Any other documentation in which this statement was included is neither relevant to the interpretive issue nor necessary for [redacted] to formulate its interpretive argument for an appeal. Any additional documentation related to or supporting the information provided to the LRIC is neither relevant to the interpretive issue nor necessary for [redacted] to formulate its interpretive argument for an appeal.

6. As stated above, the information previously provided includes all the information reviewed by the LRIC related to the interpretive issue at hand and all of the information that is relevant and necessary for [redacted] to submit an appeal.

7. As stated above, the information previously provided includes all the information reviewed by the LRIC related to the interpretive issue at hand and all of the information that is relevant and necessary for [redacted] to submit an appeal.

[redacted] request that the LRIC reconvene to allow [redacted] to present its arguments is denied. In this case, the LRIC reviewed the relevant legislation, the legislative history and the interpretive arguments on both sides and the committee reached a decision. [redacted] has been provided all the information that was provided to the LRIC. If [redacted] has additional interpretive arguments to present related to the issue, those arguments may be presented to the LGC. As you are aware, the LRIC's policies and procedures state that an institution may participate by conference call in the review of an interpretation when the activity at issue already has occurred and the interpretive decision could result in an individual or institutional violation. In this case, the LRIC's decision related to whether Bylaw 32.10.1 allows an institution to appeal a finding of violation or a penalty imposed by the Committee on Infractions against an individual. Clearly, regardless of the outcome of the committee's decision, the decision would not result in an individual or institutional violation. Therefore, regardless of whether [redacted] had notice of the LRIC's review of the issue, it would not have been permitted to participate on the conference call. The LGC uses the same policy as it relates to participation in appeals of decisions rendered by the LRIC. Therefore, [redacted] may not participate in the appeal to present its position other than through written materials.

In order to provide sufficient time for [redacted] to provide its written appeal to the LGC, the deadline for the submission of the appeal has been extended to Monday, September 13, 2010 at Noon Eastern Time.

Sincerely,

Leeland Zeller
Associate Director of Academic and Membership Affairs
National Collegiate Athletic Association
Phone: 317-917-6222
Fax: 317-917-6991
☐ Pleaseconsider the environment before printing this e-mail.

Exhibit G

[redacted]

[redacted]

[redacted]

September 9, 2010

Mr. Leeland Zeller
Associate Director of Academic and Membership Affairs
National Collegiate Athletic Association
P. O. Box. 6222
Indianapolis, Indiana 46206-6222

RE: [redacted] university

Dear Mr. Zeller:

university Thank you for your September 7 e-mail. I am writing to explain in greater detail why the [redacted] requested the September 8 deadline be postponed so that the Legislative Committee ("LC") could reconsider the issue of [redacted]'s standing to appeal the findings against [redacted]. When Wendy Walters first informed me of the LRIC's decision, I told her that [redacted] believes the COI imposed penalties against it based in large part upon the findings against [redacted]. Although the COI report is not entirely clear, it contains language suggesting it did consider the findings against [redacted] in assessing penalties against [redacted]. Our position is an institution should be allowed to appeal a finding against its employee, particularly where the finding was considered or formed a basis for institutional penalties. We believe this is particularly true with regard to the [redacted] findings, as those findings provide the only direct institutional knowledge of impermissible benefits received by a student-athlete. In the past, the Infractions Appeals Committee ("IAC") has allowed an institution to appeal a finding against its employee.

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We have reviewed the materials you sent on September 1, and there is nothing in the materials to suggest this argument was presented to or considered by the LRIC. The follow-up questions in my September 4 letter were intended to find out if the LRIC considered this viewpoint (or any others not reflected in the materials). In the materials you provided, the arguments in favor of institutional standing to appeal focus on the fact that penalties against a coach might impact the institution which employs him/her, or that the institution's reputation might be damaged by a finding against a coach. While these arguments certainly are valid, the most compelling reason to allow an institution to appeal findings against a coach does not appear to have been presented to the LRIC – any time an institution is penalized for the conduct of its employee or representative, the institution must have the right to appeal the findings related to

that conduct if it chooses. Otherwise, no matter how flawed a finding might be, the institution would be bound by the finding and resultant penalties unless the individual successfully appeals them. Similarly, the IAC would be bound by the COI's findings against the individual. [redacted] was required to respond in writing to the allegations against [redacted] and to present its position orally and respond to questions during the COI hearing. The COI often penalizes institutions for the conduct of its employees. These facts, as well as the language of the bylaws themselves, support [redacted]'s position that it has standing to appeal the [redacted] findings. None of these arguments was presented to the LRIC.

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Surely no one at the NCAA would take the position an institution may be penalized for the conduct of its employee and then be precluded from appealing the issue. This is the result of the LRIC decision. Therefore, in applying the LRIC's decision to the [redacted] appeal, we interpret the decision to mean the COI may not penalize an institution for the conduct of an employee that results in a finding of a violation against the employee, and the IAC may not even consider any information related to [redacted] is assessing whether the penalties against [redacted] were excessive. Perhaps the LRIC and LGC should request the COI to clarify the bases of the penalties against [redacted] before deciding this question, as it is of critical importance in the [redacted] appeal.

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In your September 7 email, you stated:

"Therefore, regardless of whether [redacted] had notice of the LRIC's review of the issue, it would not have been permitted to participate on the conference call. The LGC uses the same policy as it relates to participation in appeals of decisions rendered by the LRIC. Therefore, [redacted] may not participate in the appeal to present its position other than through written materials."

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We interpret this to mean the NCAA now acknowledges that [redacted] should have been notified in a timely manner and allowed to participate in writing in the LRIC proceeding, neither of which happened. In asking the LRIC to reconsider its decision before proceeding with the LGC appeal, [redacted] seeks only what every institution is entitled to receive – the opportunity to present its position to the LRIC. [redacted] is more concerned about being allowed to present all of its arguments to the LRIC (and then the IAC) than moving the LGC appeal on an expedited basis.

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Thank you for your consideration of these requests.

Sincerely,

[redacted]

Exhibit H

From: Zeller, Leeland [mailto:lzeller@ncaa.org]
Sent: Friday, September 10, 2010 11:34 AM
To: [redacted]
Cc: Cooper, Shep; Walters, Wendy; [redacted] Lennon, Kevin; Mallonee, Steve; Holzman, Lynn; Hostetter, Brad; Richardson, Kris; Stevenson, Naima
Subject: RE: University of Southern California

Dear Mr. King,

university

Thank you for your September 9 correspondence. By way of clarification, the [redacted] has been afforded the opportunity to appeal a decision by the NCAA Division I Legislative Review and Interpretations Committee (LRIC) that applies to all Division I institutions. The interpretive issue was appropriately raised by the NCAA Division I Infractions Appeals Committee (IAC) and was appropriately reviewed the LRIC. In instances in which an NCAA governance entity (e.g., committee) requests that the LRIC review an interpretive issue, there is no requirement that any member institution be notified and offered the opportunity to present interpretive arguments. Further, there is no requirement to allow any institution to appeal the decision rendered by the LRIC in such a situation. If a member institution disagrees with a decision rendered by the LRIC in response to a request made by another NCAA governance entity, the institution's recourse is to request that it's representative to the NCAA Division I Legislative Council (LGC) raise the issue at an LGC meeting or

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to request that its conference or the appropriate governance entity (e.g., cabinet) submit a legislative proposal for review by the entire membership. In the case at hand, the NCAA was not required to inform [redacted] about the LRIC review is not required to allow [redacted] to appeal the LRIC decision to the LGC. A concession has been made in this instance to allow [redacted] to appeal the LRIC's decision because of the institution's pending appeal to the IAC.

The LRIC will not review the interpretive issue again. [redacted] may make any interpretive argument to the LGC related to the interpretive issue regardless of the interpretive arguments that were or were not made to the LRIC.

By way of additional clarification, the LRIC confirmed that an institution has no standing to appeal a finding of a violation or penalty imposed by the NCAA Division I Committee on Infractions against an individual. If you have questions as it relates to arguments that may be presented to the IAC in the institution's appeal of findings that are attached to the institution and penalties that are imposed on the institution, please direct those to the staff liaisons to the IAC.

As a reminder, the deadline for submission of an appeal of the LRIC's decision has been set as Noon Eastern Time on Monday, September 13, 2010. If the institution does not submit its appeal by the deadline, the opportunity to appeal will be forfeited.

Sincerely,

Leeland Zeller
Associate Director of Academic and Membership Affairs
National Collegiate Athletic Association
Phone: 317-917-6222
Fax: 317-917-6991

Please consider the environment before printing this e-mail.

REPORT OF THE NCAA DIVISION I LEGISLATIVE COUNCIL SUBCOMMITTEE FOR LEGISLATIVE RELIEF

ACTION ITEMS.

1. Legislative Action Items.

- **None.**

2. Nonlegislative Items.

- **New Guidelines for Waivers Involving Transfers of Male Student-Athletes Due to Pregnancy/Birth of a Child.**

(1) Recommendation. During its September 21, teleconference, the NCAA Division I Legislative Council Subcommittee for Legislative Relief agreed to establish new guidelines for waivers involving NCAA Bylaw 14.5.5.1 [Attachment]. The recommended guidelines would specify that for waiver requests of Bylaw 14.5.5.1 (four-year college transfers) relief may be provided if: (1) A male student-athlete transfers from one four-year institution to a second four-year institution at the first opportunity after learning of the mother's pregnancy or transfers at the first opportunity after the birth of the child; (2) The male student-athlete will share in the day-to-day responsibilities of caring for the child; and (3) The previous institution supports the waiver request. The subcommittee recommends that the NCAA Division I Legislative Council review and approve the proposed guidelines.

(2) Effective Date. On approval of the Legislative Council.

(3) Rationale. The staff has historically granted waivers of the academic year in residence requirement for male student-athletes who transfer before or after the birth of a child as long as the mother or child is suffering from a documented medical condition associated with the pregnancy or birth. Recently the subcommittee on appeal granted a waiver to allow a male student-athlete to be immediately eligible at the certifying institution after transferring from another four-year institution. The student-athlete transferred as a result of the birth of his child and indicated that he will share in the day-to-day responsibilities in raising the child. Based on this decision, the subcommittee feels guidelines are appropriate to provide sufficient information to the membership regarding relief that may be provided for circumstances involving a male student-athlete who transfers as a result of a pregnancy or birth of a child.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. Male student-athletes who either need or desire to be closer to the mother and child to assist in the responsibilities of raising the child may be immediately eligible for competition in the first year of transfer.

INFORMATIONAL ITEMS.

1. **Waiver Requests Involving Coaches Observing Summer Workouts for Injured Athletes.** During its September 21 teleconference, the subcommittee discussed several specific circumstances related to waiver requests for a coaching staff member to observe an injured student-athlete participating in summer workouts without resulting in a violation of the legislation. The staff recently granted a waiver to allow an institution's pitching coach to provide real time feedback to an injured student-athlete on his pitching mechanics to assist in the student-athlete's rehabilitation. The subcommittee encouraged the staff to continue monitoring such requests and identify possible future requests that could arise in other sports as well. Additionally the subcommittee instructed the staff to continue reviewing such requests on a case-by-case basis and to revisit the issue at a later date if necessary.

2. **Waiver Requests Decided January 11, 2010, through July 31, 2010.** During its September 21 teleconference, the subcommittee received a summary of waiver requests submitted from January 11 through July 31:

   a. Total of 343 cases in Divisions I, II and III.

   b. Staff or subcommittee reviewed 265 Division I cases.

   c. The staff granted 92 cases, including eight that were based on the totality of the circumstances.

   d. Staff denied 79 cases.

   e. The subcommittee affirmed staff denials in 27 of the 30 cases appealed to the subcommittee.

   f. Fourteen waivers involved the graduate student transfer legislation (Bylaw 14.1.9). Twelve were granted and two were denied.

   g. Ninety urgent waivers were received (Divisions I, II and III). Urgent requests are defined as the institution requested the staff issue a decision within one week from the date the case was received.

h. Approximately 20 phone waivers were granted.

i. The subcommittee began discussions on the process used to evaluate waiver requests involving graduate student transfers (Bylaw 14.1.9). The subcommittee requested the staff to formally evaluate the student-athlete's status with the team at the previous institution prior to transfer and noted this is additional information that should be considered in the waiver evaluation. The subcommittee will continue discussions of this topic at the 2011 spring teleconference.

Subcommittee Chair: Peg Hefferan, Wagner College, Northeast Conference
Staff Liaisons: Kelly Brooks, Academic and Membership Affairs
Ryan Hall, Academic and Membership Affairs

ATTACHMENT
SUPPLEMENT NO. 13
DI Legislative Council 10/10

NCAA Division I Legislative Council Subcommittee for Legislative Relief Guidelines for Waiver Requests Involving NCAA Division I Bylaw 14.5.5.1 (Four-Year College Transfers) and Transfers of Male Student-Athletes Due to Pregnancy/Birth of a Child

For waiver requests of NCAA Division I Bylaw 14.5.5.1 (four-year college transfers) involving transfers of male student-athletes from one four-year college to another four-year college due to the pregnancy or birth of a child, the NCAA Division I Legislative Council Subcommittee for Legislative Relief noted relief may be provided if: (1) A male student-athlete transfers from one four-year institution to a second four-year institution at the first opportunity after learning of the mother's pregnancy or transfers at the first opportunity after the birth of the child; (2) The male student-athlete will share in the day-to-day responsibilities of caring for the child; and (3) The previous institution supports the waiver request. (October 2010)

DRAFT

The National Collegiate Athletic Association
September 30, 2010 RH:kh

REPORT OF THE
NCAA DIVISION I COMMITTEE ON ATHLETICS CERTIFICATION
July 21-23, 2010, MEETING

ACTION ITEMS.

1. Legislative Action Items.

- None.

2. Nonlegislative Items.

- None.

INFORMATIONAL ITEMS.

1. Update on NCAA Division I Leadership Council discussions regarding NCAA Division I membership requirements. The Leadership Council completed its study of the Division I membership standards and presented its final report to the NCAA Division I Board of Directors in April 2010. Staff updated the NCAA Division I Committee on Athletics Certification on the discussions of the Leadership Council and the NCAA Division I Administration Cabinet involving athletics certification. The committee confirmed support for a four-year process that would involve a preliminary review in year one (an in-person orientation visit from NCAA staff and conference personnel), a comprehensive compliance review in year two, a self-study and committee review in years three and four. .

2. Working Group Issues.

a. NCAA Operating Principle 1.1 – Written communication provided to institution's governing board. The committee discussed types of written communication provided to institutional governing boards and whether the committee should be more prescriptive of what types of communication are acceptable. The committee reaffirmed its current measurable standard that written communication must be provided to the governing board; however each institution should be permitted to determined the method of communication.

b. Operating Principle 1.1 – Institution's difficulty in requiring the governing board to have policies regarding athletics. The committee agreed to reaffirm its current measurable standard that institutions are required to have specific written policies for its governing board regarding the administration and oversight of athletics.

c. Operating Principle 1.2 – Contracts involving collective bargaining agreements that will be finalized after committee deliberations on certification decisions. The committee discussed types of information institutions may provide to demonstrate they are meeting the measurable standard. The committee determined if the institution is in the process of revising one or more of the documents noted above due its obligation to seek approval from an outside entity (e.g., union), the institution must provide written evidence supporting the planned revision.

d. Operating Principle 1.2 – Clarification of "evaluation of academic performance." The committee clarified that the individual(s) responsible for the "evaluation of academic performance" should be the individual(s) certifying graduation or conferring academic degrees.

e. Operating Principle 2.1 – Individuals involved in the step-by-step sequence of actions taken to certify initial, transfer and continuing eligibility of student-athletes. The committee discussed whether the individual(s) involved in certifying initial, transfer and continuing eligibility should be inside or outside of athletics. Due to the organizational difference of institutions, the committee agreed that the certification of eligibility should not be required to be performed by individuals be external to athletics. However, the committee suggested that individuals external to athletics should be involved in the certification of student-athletes' eligibility and thus should be included as a best practice. Additionally, the committee agreed to amend self-study items language to require institutions to have written policies regarding the certification of student-athletes' eligibility and to also develop corresponding measurable standards.

f. Operating Principle 2.2 – Institutions' reporting of NCAA Division I Academic Progress Rate (APR) Improvement Plans. The committee discussed the type of APR Improvement Plans institutions should be required to report as part of the athletics certification process. The committee agreed that institutions should only be required to report improvement plans that have not been submitted to the NCAA as part of the NCAA Division I Academic Performance Program (i.e., APR between 900-925). Further, the committee agreed to amend the current self-study item and measurable standard to require institutions to only report on the most recent APR Improvement Plan.

g. Operating Principle 3.1 – Exclusion of football as part of the gender-issues analysis. The committee discussed its concern regarding institutions excluding the sport of football when conducting the gender-issues program area analysis and reviewing Equity in Athletics Disclosure Act (EADA) data. The committee agreed to amend the applicable self-study items to include the requirement that institutions must include all male and female NCAA intercollegiate sports programs offered at the institution in its program area analysis.

h. Operating Principle 3.1 – Decline in enrollment as an explanation for partial or noncompletion of a Cycle 2 plan for improvement. The committee discussed whether a response of a decline in institutional enrollment is an acceptable explanation for partial or noncompletion of a Cycle 2 plan for improvement and agreed that a decline in enrollment alone does not substantiate an acceptable explanation for partial or noncompletion of a Cycle 2 plan for improvement. Thus, the committee reaffirmed its current standard and expects institutions to provide a detailed and specific explanation describing the reasons why the institution could not fully implement all or parts of its Cycle 2 plan and describe what alternate steps or modifications were made in response to the circumstances that impacted the existing plan.

i. Operating Principle 3.3 – Grievance and appeals procedures mandated by the NCAA and the affect of NCAA Proposal No. 2009-29. The committee agreed to strengthen the current measurable standard regarding grievance and appeals procedures mandated by the NCAA (financial aid and transfers) to be in accordance with applicable NCAA Division I legislation in NCAA Bylaws 13 and 15.

3. Athletics Certification Initiatives for Low-resource Institutions. Staff provided the committee with an update regarding a pilot program for low-resource institutions. The program will provide additional assistance to help low-resource institutions successfully navigate the athletics certification process. The program is part of an NCAA national office initiative to provide additional services to institutions that may need assistance.

4. Best Practices for Appointing Athletics Certification Liaisons. Recently staff has received questions from the membership regarding the committee's preference as to whether the athletics certification liaison should be a person appointed from inside or outside the athletics department. The committee reviewed the data that indicated 54 percent of ACLs are inside of athletics and 46 percent of athletics certification liaisons are outside of athletics. The committee reaffirmed its position for institutions to have the flexibility to appoint athletics certification liaisons from inside and outside athletics.

5. Student-Athlete Exit-Interview Instrument Template. During its April 2010 meeting, the committee directed staff to create a student-athlete exit-interview instrument template for institutions to use when creating or modifying an existing interview instrument. It is the committee's expectation that posting an exit-interview template on the athletics certification resources webpage will provide a valuable resource to institutions that would like to revise their exit interviews during the athletics certification process. The staff provided the committee with a draft student-athlete exit-interview instrument template for initial review. The committee approved the concept and deferred further review of the template to the student-athlete well-being subcommittee to finalize the document.

6. **Procedures for Institutions Required to Resubmit a Self-study report or Postpone an Evaluation Visit.** The number of institutions required to postpone evaluation visits or resubmit their self-study report has increased. The committee has reviewed self-study reports with numerous and complex issues, missing or incomplete charts and nonsubmission of required documents. The committee approved procedures that provide guidance on how it will review these self-study reports in a manner that maximizes the use of the committee's time and attempts to ensure resources are being administered appropriately. The new guidelines will affect Cycle 3, Class 3 institutions and thereafter. Additionally, the committee expressed its recent concern regarding numerous self-study reports that have been deemed inadequate and whether institutions are demonstrating a lack of commitment to the athletics certification process.

7. **Review of the Cycle 3, Class 3 NCAA Operating Principles 3.1 and 3.2 and corresponding Measurable Standards.** The committee approved revisions to measurable standards and self-study items for Cycle 3, Class 3 Operating Principles 3.1 and 3.2. The revisions will be included in the 2010-11 NCAA Division I Athletics Certification Self-Study Instrument.

8. **Cycle 2 Certification Decisions.** The committee engaged in deliberations regarding the Cycle 2 athletics certification status of four institutions.

9. **Cycle 3 Certification Decisions.** The committee engaged in deliberations regarding the Cycle 3 athletics certification status of three institutions.

Committee chair: Don Pope-Davis, University of Notre Dame, Big East Conference
Staff Liaisons: A. Frank Arredondo, Academic and Membership Affairs
Troy Arthur, Academic and Membership Affairs
D. Kelly Brooks, Academic and Membership Affairs
Mira J. Colman, Academic and Membership Affairs
Charnele Kemper, Academic and Membership Affairs
Abbie Renaker, Academic and Membership Affairs
Danielle Teetzel, Academic and Membership Affairs

REPORT OF THE NCAA DIVISION I STUDENT-ATHLETE ADVISORY COMMITTEE

The NCAA Division I Student-Athlete Advisory Committee (SAAC) submits the following report from its April 11, 2010, teleconference.

KEY ITEMS.

1. **Commercial Activity in Intercollegiate Athletics.** Scott Bearby, NCAA associate general counsel, updated SAAC regarding the continuing analysis of commercial activities in intercollegiate athletics and recent litigation on the topic. Bearby indicated that the SAAC's memo regarding aspects of commercialism related to student-athlete well-being was well received by the Amateurism Cabinet. Bearby discussed potential future action related to commercialism legislation including the distribution of a "best practices" document to institutions and requested additional feedback from SAAC on this topic.

2. **Terms of Service.** SAAC received an update regarding proposed changes to the terms of committee service. Members were informed that service terms will start July 1 each year to align with other cabinets and committees terms. The change will enable new members to begin service by attending an in-person meeting leading up to discussion and review of proposed legislation. This transition will be handled through attrition beginning with those members whose terms expire September 1, 2011, based on Legislative Council's action at its upcoming meeting.

ACTION ITEMS.

Cabinet position selection. SAAC selected Robert Nolte, men's diving student-athlete from Binghamton University, to represent SAAC on the Awards, Benefits, Expenses and Financial Aid Cabinet.

INFORMATIONAL ITEMS.

1. **New Members**.

   a. Logan Roberts, men's track and field student-athlete from Baylor University was introduced as a new member representing the Big 12 Conference.

   b. Susan Lipnickey, Faculty Athletic Representative from Miami University (Ohio), was introduced as the new member from the NCAA Leadership Council.

2. **Guest Speakers.**

   a. Eric McDowell, Chair of the College Sports Information Directors of America (CoSIDA), addressed SAAC regarding ways CoSIDA can assist SAAC with its mission and the benefits of building a relationship with CoSIDA.

   b. Eileen Patton, 2009-10 NCAA Educational Affairs intern, provided information about the 2010 Career in Sports Forum, 2010 Regional Leadership Conference and discussed the new Educational Affairs Grant available to 50 student-athletes in each division.

3. **Season of Competition Waiver – Competition While Eligible**. SAAC was provided several different scenarios involving coaching errors triggering the use of a season of competition. Members provided feedback about whether relief should be provided through the waiver process based on scenarios presented.

4. **Cabinet and Committee Reports**. SAAC was updated regarding Division I and association-wide cabinets and committees on which SAAC members serve.

5. **NCAA Leadership Council**. SAAC was updated regarding the March Leadership Council meeting including discussions related to expansion of the men's basketball championship and cost savings initiatives.

6. **NCAA Legislative Council**. SAAC was updated regarding the Legislative Council's upcoming meeting and its anticipated actions on legislative proposals including Proposal 2009-22 regarding amateurism.

7. **Media Update.** SAAC was updated regarding the media team's initiatives including the positive feedback related to SAAC 's blog and efforts to produce a video for display on Web page.

8. **2010 Gender Equity and Issues Forum**. SAAC was updated regarding the upcoming Gender Equity and Issues Forum which will take place April 25-27 in Chicago, Illinois. Eugene Daniels and Monique Carroll will attend the forum on behalf of SAAC and provide a report in July.

9. **National SAAC Award of Excellence.** SAAC discussed the National SAAC Award of Excellence including how institutions can apply and application deadlines.

10. **National Student-Athlete Day**. SAAC discussed National Student-Athlete Day, which took place April 6, 2010, and mentioned community service projects related to the event.

11. **Cabinet and Committee positions**. SAAC received information regarding future opportunities to represent SAAC on various cabinets and committees. It was noted that training for members serving in these positions will occur during July 2010 in-person meeting.

12. **Attendance.** Attendance for the April meeting is as follows:

Conference	School	Name	Sport	Present
America East Conference	Binghamton University	Robert Nolte	Men's Diving	Yes
Atlantic 10 Conference	University of North Carolina at Charlotte	Darius Law	Men's Track and Field	Yes
Atlantic Coast Conference	Georgia Institute of Technology	D'Andre Bell	Men's Basketball	No
Atlantic Sun Conference	Jacksonville University	Danielle Gray	Women's Basketball	Yes
Big 12 Conference	Baylor University	Logan Roberts	Men's Track and Field	Yes
Big East Conference	Georgetown University	Norah Swanson	Women's Soccer	Yes
Big South Conference	Winthrop University	Matthew Horn	Men's Soccer	Yes
Big Sky Conference	California State University, Sacramento	Anne Morrison	Women's Rowing	Yes
Big Ten Conference	University of Wisconsin, Madison	Nick Fulton	Men's Swimming	Yes
Big West Conference	University of the Pacific	Danielle Neault	Field Hockey	Yes
Colonial Athletic Association	James Madison University	Matthew Goff	Football	Yes
Conference USA	East Carolina University	Jarrett Newby	Men's Track and Field	Yes
Horizon League	Cleveland State University	Audrey Piotrowski	Women's Cross Country	Yes
Ivy Group	Columbia University-Barnard College	Natalia Christenson	Women's Tennis	Yes
Metro Atlantic Athletic Conference	Loyola College	Eryn Crane	Women's Swimming	Yes

Mid-American Conference	Kent State University	Catherine Marosszeky	Women's Soccer	No
Mid-Eastern Athletic Conference	Hampton University	Aminah Charles	Women's Volleyball	Yes
Missouri Valley Conference	Illinois State University	Scott Krapf	Men's Track and Field	Yes
Mountain West Conference	Colorado State University	Eugene Daniels	Football	Yes
Northeast Conference	Fairleigh Dickinson University, Metropolitan	Lauren Chapman	Women's Golf	Yes
Ohio Valley Conference	Jacksonville University	Chelsea Pelletier	Women's Soccer	Yes
Pacific -10 Conference	University of Southern California	Jonathan Hackett	Men's Volleyball	Yes
Patriot League	American University	Zack Solomon	Men's Soccer	Yes
Southeastern Conference	Mississippi State University	DJ Looney	Football	Yes
Southern Conference	Western Carolina University	Kendra Eaton	Women's Basketball	Yes
Southland Conference	Lamar University	William McInnis	Baseball	No
Southwestern Athletic Conference	University of Arkansas, Pine Bluff	Monique Carroll	Women's Volleyball, Track	Yes
The Summit League	Western Illinois University	Eric Anerino	Men's Cross Country/Track	No
Sun Belt Conference	Western Kentucky University	Patrick Jenkins	Men's Cross Country/Track	Yes
West Coast Conference	University of Portland	Natalie Hemphill	Women's Cross Country/Track	Yes
Western Athletic Conference	University of Nevada	Trisha Gibbons	Women's Soccer	Yes

Others:				
Legislative Council	Texas State University – San Marcos, Associate Athletic Director	Tracy Shoemake	Southland Conference	No
Leadership Council	Pepperdine University, Director of Athletics	John Watson	West Coast Conference	No
Leadership Council	Miami University (Ohio), Faculty Athletic Representative	Susan Lipnickey	Mid-American Conference	Yes

13. **Future Meeting Schedule.**

a. July 15-18, 2010, Indianapolis, Indiana.

b. Legislative Webinar, October 3, 2010.

c. November 19-21, 2010, Indianapolis, Indiana.

d. January, 2011, in conjunction with the NCAA Convention, San Antonio, Texas.

Committee Chair: Nick Fulton, University of Wisconsin Madison, Big Ten Conference
Committee Vice-Chair: Scott Krapf, Illinois State University, Missouri Valley Conference
Staff Liaisons: Kelly Groddy, Academic and Membership Affairs
Tim Nevius, Enforcement
Abigail Renaker, Academic and Membership Affairs
Maricela Shukie, Educational Affairs

REPORT OF THE NCAA DIVISION I STUDENT-ATHLETE ADVISORY COMMITTEE JULY 16-18, 2010

***KEY ITEMS*.**

1. **Commercial Activity in Intercollegiate Athletics.** Scott Bearby, NCAA associate general counsel, and Angie Cretors, associate director of agents, gambling and amateurism, updated the committee regarding the continuing analysis of commercial activities in intercollegiate athletics. Bearby indicated that the NCAA Division I Student-Athlete Advisory Committee (Division I SAAC) memo regarding aspects of commercialism related to student-athlete well-being contributed to the forthcoming legislative proposal on the topic. Bearby solicited additional feedback from the committee regarding thoughts on the use of student-athletes in promotional activities and with commercial entities.

2. **Multi-Year Awards**. Kris Richardson, associate director of academic and membership affairs, and Elsa Cole, general counsel, reviewed the current one-year period of award legislation and the concept of multi-year awards. The committee expressed preliminary opposition to multi-year awards in part because it felt such awards would restrict opportunities for student-athletes in equivalency sports to earn larger athletics grants in the future, particularly student-athletes who achieve their peak performance level after their initial award. The committee expressed support for the current legislation because there is an annual opportunity for student-athletes in equivalency sports to increase their award. The committee will seek additional feedback from conference and campus SAACs prior to continuing the discussion at its November meeting.

3. **Recruiting Models**. Jeremiah Carter, associate director of academic and membership affairs, addressed the committee regarding proposed recruiting legislation and solicited feedback from the committee regarding the National Letter of Intent program, official visits, telephone contacts and offers of financial aid.

***ACTION ITEMS*.**

1. **Legislative Items**.

   None.

2. **Nonlegislative Items**.

a. **Selection of NCAA Division I SAAC members**. The Division I SAAC recommends that the Division I Administration Cabinet appoint the following student-athletes as Division I SAAC members:

(1) Big Sky Conference, Brittani Jones, Women's Golf, Montana State University - Bozeman.

(2) Big West Conference, Amanda Sims, Women's Basketball, Long Beach State University.

(3) Horizon League, Cassandra Lloyd, Women's Track, Wright State University.

(4) Metro Atlantic Athletic Conference, Kaitlyn Carew, Women's Swimming, Siena College.

(5) Mid-Eastern Athletic Conference, Carvell Copeland, Baseball, North Carolina A&T State University.

(6) Southern Conference, Chris Everett Jr., Football, Western Carolina University.

(7) Southwestern Athletic Conference, Taylour Smith, Softball, Grambling State University.

b. **Selection of Student-Athletes to NCAA Division I and Association-Wide Committees**. The committee appointed the following student-athletes to specified Association-wide and divisional cabinets and committees:

(1) Committee on Women's Athletics: Patriot League, Zack Solomon, Men's Soccer, American University.

(2) Minority Opportunity and Interests Committee: Atlantic 10 Conference, Darius Law, Men's Track and Field, University of North Carolina at Charlotte.

(3) Sportsmanship and Ethical Conduct Committee: Atlantic Sun Conference, Carolyn Boyd, Softball, Stetson University.

(4) Championships and Sports Management Cabinet: Pacific 10 Conference, Jonathan Hackett, Men's Volleyball, University of Southern California.

(5) Recruiting and Athletics Personnel Issues Cabinet: Mountain West Conference, Eugene Daniels, Football, Colorado State University.

(6) Division I Administration Cabinet: Mid-American Conference, Kaitlyn Vincek, Women's Volleyball, Eastern Michigan University.

(7) Competitive Safeguards and Medical Aspects of Sports Committee: Big South Conference, Matt Horn, Men's Soccer, Winthrop University.

INFORMATIONAL ITEMS.

1. **Guest Speakers**. The committee welcomed the following guest speakers:

a. Kris Richardson, associate director of academic and membership affairs, reviewed proposed financial aid legislation with the committee, including proposals regarding federal and state need-based financial aid, financial aid from outside sources and exemptions for institutional financial aid from team limits, specifically noting these proposals were developed by the NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet (ABEFA) as a means to provide student-athletes further access to financial aid funds that are not countable in their team limits.

b. LuAnn Humphrey, director of enforcement, reviewed the history and progress of the enforcement staff's basketball focus group and discussed the current men's basketball recruiting environment and recent legislation regarding recruitment.

c. Greg Shaheen, senior vice president of basketball and business strategies, discussed expansion of the men's basketball championship, including the NCAA's new contract with Turner Sports and CBS, as well as commercial activities in intercollegiate athletics.

d. Jean Perry, vice president of the Division I Faculty Athletics Representative Association, addressed the committee regarding the role of Faculty Athletics Representatives (FAR) on each campus, communication between student-athletes and FARs and various academic issues including course registration and balancing academic and athletics schedules. The committee provided feedback regarding academic advising, course registration, transportation methods, budget cuts and time devoted to academics.

e. Jaime Fluker, assistant director of education affairs, spoke to the committee regarding the National Student-Athlete Development Forum and the new format of the Regional Leadership Conferences.

f. Andy Louthain, associate director of academic and membership affairs, addressed the committee regarding the NCAA Academic Performance Program, including Academic Progress Rate, Graduation Success Rate and Facilitating Learning and Achieving Graduation program.

2. **Cabinet and Committee Reports**. The committee was updated regarding Division I and association-wide cabinets and committees on which Division I SAAC members serve. Regarding Competitive Safeguards and Medical Aspects of Sports, the committee briefly discussed supplements and banned substances and will continue reviewing the topic going forward.

3. **NCAA Legislative Council**. The committee was updated regarding the Legislative Council's April meeting and action taken on particular legislative proposals related to student-athlete well-being and amateurism, including Proposal 2009-22 regarding participation on a professional team and participation in organized competition prior to initial full-time enrollment.

4. **NCAA Board of Directors**. The committee received an update regarding the Board of Directors April meeting, including the expansion of the men's basketball championship and Division I membership criteria.

5. **Initial Review of 2010-11 Proposed Legislation**. The committee reviewed and began discussion of several proposed legislative items for the 2010-11 legislative cycle. The committee will review these proposals in-depth during its fall webinar. The committee discussed how to provide more support regarding education of legislative proposals to help campus and conference SAAC members better understand the current and proposed legislation. Members were reminded of responsibilities and resources currently available (e.g., conference and campus compliance officials) to assist in education and discussion efforts.

6. **Joint Meeting of Divisional Student-Athlete Advisory Committees**. During the joint meeting of the three divisional SAACs, updates were given from divisional SAACs and from association-wide committees including: the NCAA Committee on Women's Athletics, the NCAA Minority Opportunities and Interests Committee, the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports, Olympic Sports Liaison Committee and the NCAA Sportsmanship and Ethical Conduct Committee. The committees also received presentations from Dave Klossner, director of health and safety, regarding sickle cell testing and concussions; Curtis Holloman, associate director of education affairs, regarding the Student-Athlete Leadership Development Forum; and Tiese Roxbury, assistant director of research, who administered and solicited feedback from student-athletes regarding a student-affairs survey.

7. **Media Team.** The committee was updated regarding the media team's initiatives including the Division I SAAC Facebook, Twitter and new blogsite, which includes a link to resources for prospective student-athletes. The committee discussed the website's target audience, how to improve content and ways to increase visitors to the site.

8. **2010 Gender Equity and Issues Forum**. The committee was updated by Division I SAAC attendees Eugene Daniels and Monique Carroll regarding the Gender Equity and Issues Forum, which took place April 25-27 in Chicago, Illinois.

9. **Division I SAAC Award of Excellence.** The committee announced the latest winners of the Division I SAAC Award of Excellence, including Sacred Heart University and a joint award for Georgetown University, Howard University and George Washington University.

10. **Green Team.** The committee was updated regarding the Green Team's initiatives and supported the suggestion of including a green initiative component to the Division I SAAC Award of Excellence.

11. **Knight Commission**. The committee was updated regarding a conference call with the Knight Commission in which the Division I SAAC chair and vice-chair participated. During that call, the group discussed the most recent report related to the financial state of college athletics.

12. **Division I Service Project**. The committee discussed pursuing an annual service project for Division I and selected a service team to pursue and coordinate discussion of the idea.

13. **Attendance.** Attendance for the July meeting is as follows:

Conference	School	Name	Sport	Present
America East Conference	Binghamton University	Robert Nolte	Men's Diving	Yes
Atlantic 10 Conference	University of North Carolina at Charlotte	Darius Law	Men's Track and Field	Yes
Atlantic Coast Conference	North Carolina State University	CJ Williams	Men's Basketball	Yes
Atlantic Sun Conference	Stetson University	Carolyn Boyd	Softball	Yes
Big 12 Conference	Baylor University	Logan Roberts	Men's Track and Field	Yes
Big East Conference	Georgetown University	Norah Swanson	Women's Soccer	Yes
Big South Conference	Winthrop University	Matthew Horn	Men's Soccer	Yes
Big Sky Conference	California State University, Sacramento	Anne Morrison	Women's Rowing	Yes
Big Ten Conference	University of Wisconsin, Madison	Nick Fulton	Men's Swimming	Yes
Big West Conference	University of the Pacific	Danielle Neault	Field Hockey	Yes
Colonial Athletic Association	James Madison University	Matthew Goff	Football	Yes

Conference	School	Name	Sport	Present
Conference USA	East Carolina University	Jarrett Newby	Men's Track and Field	Yes
Horizon League	Cleveland State University	Audrey Piotrowski	Women's Cross Country	Yes
Ivy Group	Columbia University-Barnard College	Natalia Christenson	Women's Tennis	Yes
Metro Atlantic Athletic Conference	Loyola College	Eryn Crane	Women's Swimming	Yes
Mid-American Conference	Eastern Michigan University	Kaitlyn Vincek	Women's Volleyball	Yes
Mid-Eastern Athletic Conference	Hampton University	Aminah Charles	Women's Volleyball	Yes
Missouri Valley Conference	Illinois State University	Scott Krapf	Men's Track and Field	Yes
Mountain West Conference	Colorado State University	Eugene Daniels	Football	Yes
Northeast Conference	Fairleigh Dickinson University, Metropolitan	Lauren Chapman	Women's Golf	Yes
Ohio Valley Conference	Jacksonville University	Chelsea Pelletier	Women's Soccer	Yes
Pacific -10 Conference	University of Southern California	Jonathan Hackett	Men's Volleyball	Yes
Patriot League	American University	Zack Solomon	Men's Soccer	Yes
Southeastern Conference	Mississippi State University	DJ Looney	Football	Yes
Southern Conference	Western Carolina University	Kendra Eaton	Women's Basketball	Yes
Southland Conference	Northwestern State University	Yaser Elqutub	Football	Yes
Southwestern Athletic Conference	University of Arkansas, Pine Bluff	Monique Carroll	Women's Volleyball/Track	Yes
The Summit League	Western Illinois University	Eric Anerino	Men's Cross Country/Track	Yes
Sun Belt Conference	University of Arkansas, Little Rock	Rachael Maina	Women's Soccer	Yes
West Coast Conference	University of Portland	Natalie Hemphill	Women's Cross Country/Track	Yes

Conference	School	Name	Sport	Present
Western Athletic Conference	University of Hawaii	Jessica Stacy	Women's Swimming	Yes
Others:				
Legislative Council	Texas State University – San Marcos, Associate Athletic Director	Tracy Shoemake	Southland Conference	Yes
Leadership Council	Pepperdine University, Director of Athletics	John Watson	West Coast Conference	No
Leadership Council	Miami University (Ohio), Faculty Athletic Representative	Susan Lipnickey	Mid-American Conference	Yes

13. **Future Meeting Schedule.**

a. Legislative webinar, October 3, 2010.

b. November 19-21, 2010, Indianapolis, Indiana.

c. January 11-15, 2011, in conjunction with the NCAA convention, San Antonio, Texas.

d. Spring teleconference (TBD).

Committee Chair: Nick Fulton, University of Wisconsin Madison, Big Ten Conference
Committee Vice-Chair: Scott Krapf, Illinois State University, Missouri Valley Conference
Staff Liaisons: Kelly Groddy, Academic and Membership Affairs
Tim Nevius, Enforcement
Abigail Renaker, Academic and Membership Affairs
Maricela Shukie, Educational Affairs

REPORT OF THE NCAA DIVISION I COMMITTEE ON STUDENT-ATHLETE REINSTATEMENT May 12-14, 2010, MEETING

KEY ITEMS.

- **Review of NCAA Pre-enrollment Amateurism Guidelines Based on NCAA Division I Proposal No. 2009-22.**

  Due to the NCAA Division I Amateurism Cabinet's position to not apply NCAA Division I Proposal No. 2009-22 retroactively and the intent that the legislation apply uniformly to student-athletes that initially enroll at a collegiate (as opposed to an NCAA) institution in the fall 2010, the NCAA Division I Committee on Student-Athlete Reinstatement concluded it was unable to establish an interim guideline to account for the differing applications of Proposal No. 2009-22 on transfers, incoming freshmen and years of delayed enrollment. The committee additionally noted that the current approved prescribed penalties shall apply to student-athletes who enrolled midterm during the 2009-10 academic year.

ACTION ITEMS.

1. Legislative Items.

- None.

2. Nonlegislative Items.

- None.

INFORMATIONAL ITEMS.

1. Application of Withholding Conditions for Team and Individual Sports. The committee reviewed the history and current application of withholding conditions for team and individual sports. The committee affirmed its current practice of not permitting institutions to withhold student-athletes from exhibition and nonchampionship segment contests in fulfilling reinstatement withholding conditions. The committee noted that in some sports playing in exhibition contests does not trigger the use of a season and, therefore, the importance of these contests have continued to be diminished. Withholding conditions are intended to prevent student-athletes from participating in meaningful competition for which they are otherwise eligible. Based on these factors, the committee affirmed its previous guidance that only contests used for championship selection should be used to fulfill withholding conditions.

2. Review of Extension Requests Under Extenuating Circumstances Analysis. The committee reviewed extension cases processed by the NCAA student-athlete reinstatement staff that do not meet the legislated requirement of more than one denied participation opportunity outside the control of the student-athlete or institution. The staff has considered some extension cases under a more flexible approach using only one year of extraordinary circumstances. The committee determined in such cases the injury or illness must be nonathletically related (outside of athletics) and an extraordinary and unforeseen circumstance. Further, the committee directed the staff to examine the second season in which the student-athlete did not participate. The circumstances that prevented the student-athlete from participation during the second season must be beyond the control of the student-athlete and would not include circumstances in which the student-athlete was a nonqualifier, serving a transfer year in residence or a term(s) for which the student-athlete rendered himself or herself academically ineligible.

3. Employment of Prospective Student-Athletes/No Free or Reduced Admission Privileges' Violations. The committee directed the staff to continue to provide relief from withholding for these violations as well as to continue to require repayment of the impermissible amount associated with the free or reduced admission to institutional camps and clinics.

4. Amateurism Issues.

a. Prize Money. The committee reviewed the different categories in which student-athletes receive prize money impermissibly. The committee reviewed and approved the following guidelines for prize money received prior to initial collegiate enrollment and subsequent to non-NCAA enrollment. For prize money received prior to initial collegiate enrollment in the following amounts: $500 or less = no withholding; greater than $500 - $700 = 10 percent withholding; Greater than $700 - $1,000 = 20 percent withholding; or greater than $1,000 = 30 percent withholding.

In addition, prospective student-athletes must repay the amount of prize money received above expenses per event. For prize money accepted subsequent to enrollment, the committee indicated that individuals who have enrolled at a non-NCAA institution should be viewed similarly to individuals enrolled at an NCAA institution. This includes not providing a withholding or repayment condition for individuals who received less than actual and necessary expenses during the summer vacation period.

b. **Review of Pre-enrollment Amateurism Guidelines Based on Proposal No. 2009-22.** Due to the Amateurism Cabinet's position to not apply Proposal No. 2009-22 retroactively and the intent that the legislation apply uniformly to student-athletes that initially enroll at a collegiate (as opposed to an NCAA) institution in fall 2010, the committee concluded it was unable to establish an interim guideline to account for the differing applications of Proposal No. 2009-22 on transfers, incoming freshmen and years of delayed enrollment. The committee noted additionally that the current approved prescribed penalties shall apply to student-athletes who enrolled mid semester during the 2009-10 academic year.

5. **Violations of NCAA Division I Bylaw 12.1.1.1.3.** The committee determined that student-athletes initially enrolling 2008-09 and thereafter, and who compete prior to receiving amateurism certification, should be withheld on a one-for-two basis for a maximum of 10 percent of a season (i.e., Bylaw 17 maximums for that sport), if the student-athlete is subsequently certified without any conditions or penalties. Further, the committee determined that complete relief from withholding should be provided for practice and competition violations if the student-athlete has completed all necessary requirements as is reasonably expected (e.g., requested final amateurism certification and answered all follow-up questions), and the NCAA Eligibility Center indicates that a certification could have been rendered prior to the first impermissible competition. If complete relief is provided, the committee directed the staff to send a chancellor and president letter.

6. **Participation in Exhibitions and Scrimmages and the Use of a Season of Competition in Team Sports.** The committee renewed its discussion in this area in light of the adoption of Proposal No. 2009-63 (alumni game, fundraising activity or celebrity sports activity), which exempts participation in certain activities from counting as a season of competition, and reviewed possible legislative recommendations related to the use of a season in team sports. Specifically, the committee noted there are a limited number of sports that can take advantage of legislation that permits participation in preseason exhibitions and preseason scrimmages during the initial year of enrollment without triggering a season of competition; however, with the adoption of Proposal No. 2009-63, additional sports may be able to take advantage of the legislation. The committee determined it will allow the new legislation to take affect and possibly revisit the issue in the future.

7. **Season-of-Competition Waivers – Competition While Eligible and the Unintended Use of a Season.** The committee reviewed feedback from the NCAA Division I Student-Athlete Advisory Committee (SAAC) specific to unintended use of a season when the coach and student-athlete discuss the possibility of "redshirting" and the student-athlete subsequently competes in a regular season contest and directed the staff to continue to analyze such circumstances on a case-by-case basis. Further, the committee directed the staff to solicit feedback from additional constituent groups including the NCAA Division I Football Issues Committee and the American Football Coaches Association (AFCA).

8. **NCAA Basketball Focus Group Update.** The Basketball Focus Group provided an update to the committee. Specifically, the committee reviewed the proliferation of tournaments occurring on institution's campuses during quiet periods.

9. **Litigation Update.** The committee received an update from the NCAA Office of General Counsel.

10. **Unethical Conduct Guideline Review.** The committee reviewed and discussed the previously approved guidelines for reinstatement cases that involve unethical conduct. The committee reaffirmed the guidelines and noted that violations of this bylaw are among the most serious violations in which a student-athlete may be involved and the cases generally involve a high degree of student-athlete culpability. Further, the committee directed the staff to add to the factors of analysis whether or not the student-athlete involved other individuals in attempting to conceal information. The committee indicated that, in such situations, the staff should increase the withholding condition based on the increased culpability of the student-athlete.

11. **Institution's Use of Unpublished or Nonbinding Case Precedent on Appeal.** The committee requested the staff to add language to the committee's policies and procedures to more explicitly indicate what type of case precedent is appropriate for consideration on reinstatement appeal calls [e.g., cases searchable on the Legislative Services Database for the Internet (LSDB*i*)]. If an institution introduces information related to an unpublished or archived case not available within the appeal packet (e.g., a newspaper article, blog or other media report), the committee chair has the authority to stop the call so that the committee may review the unpublished or archived case or the committee may review the same after the conclusion of the call to determine its relevance. The committee reaffirmed its policy that such cases may be viewed as supporting documentation only and are not binding on the committee.

12. Review of Division I Committee on Student-Athlete Reinstatement Policies and Procedures. The committee reviewed and approved the revised Policies and Procedures document. The updates included codifying the committee's longtime practice of permitting only committee members to ask questions during an appeal call, unless the chair recognizes otherwise during a specific appeal call.

13. Future Meetings. The committee established the following future meeting dates and location:

a. December 1-3, 2010, Indianapolis.

b. May 3-4, 2011, Indianapolis.

Committee Chair: *Ken White, Western Athletic Conference*
Staff Liaison(s): *Jennifer Henderson, Academic and Membership Affairs*
Jeremiah Carter, Academic and Membership Affairs
Matt Maher, Academic and Membership Affairs

REPORT OF THE NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE APRIL 26-27, 2010, MEETING

***KEY ITEMS*.**

1. **Sixth Year of NCAA Division I Academic Performance Program (APP) Data.** The NCAA Division I Committee on Academic Performance reviewed a summary of the NCAA Division I Academic Progress Rate (APR) data that will be released publicly next month. In the coming weeks the NCAA will announce team APR, public recognition for top performers and APP penalties. Institutions and conference offices will be notified when the release dates are scheduled.

2. **Examination of the APP.** The committee continued its examination of the APP to determine the program's effectiveness in reaching the membership's goals for academic reform. This review will continue through the summer and will include further discussions regarding the APP benchmarks, penalty structures, filters and waiver directives.

***ACTION ITEMS*.**

1. **Legislative Items.**

   - None.

2. **Nonlegislative Items.**

   - None.

***INFORMATIONAL ITEMS*.**

1. **Examination of the APP.** The committee continued its review of the APP and began to address key research issues and questions related to the program's effectiveness. The data presented showed the likelihood of significantly fewer teams below both the 900 and 925 benchmarks by 2010-11. This is due in part to overall academic improvement, as well as changes made to the APR metric over time. In addition to reviewing the effects of the current penalty benchmarks, the committee discussed the effectiveness of the current historical-penalty filters and noted the by-sport comparison and institutional characteristics filters will become irrelevant for the vast majority of teams if the APR benchmarks remain the same. The committee also examined concepts regarding the relationship between the APR and graduation rates and the way both could

be used within the structure of the APP. These topics will be discussed again during the June meeting.

2. **Sixth Year of APP Data.** The committee received a summary of the most-recent APR data submitted by member institutions, which will be available for public review in May or early June.

3. **NCAA Division I Academic Performance Program Supplemental Support Fund (SSF).** The committee supported a request for fiscal year 2011 funding of the SSF in the amount of $950,000 to be allocated from the NCAA Academic Enhancement Fund. Further, the committee noted this request will be reviewed as part of the Association's normal budget process. Since 2007-08, the SSF has supported campus-based initiatives designed to foster student-athlete academic success at limited-resource institutions (e.g., additional staffing, academic support equipment, facility renovations and upgrades). Further, this fund has demonstrated the Association's commitment to a meaningful program that encourages academic achievement and facilitates academic improvement. The committee also directed the staff to provide in April 2011 a detailed, data-driven progress report that will outline the impact of all initiatives funded through the SSF and will provide a qualitative review of institutional progress in implementing APR Improvement Plans. This report should include the latest APR and Graduation Success Rate (GSR) data, which will assist in the measurement and assessment of success of the program against the program's initially established success criteria or revised criteria. In addition, the report should include details on the uses of the grant funding and the connection between the SSF and the institution's APR Improvement Plan. Lastly, the committee directed the staff to ensure that all future SSF requests are directly tied to APR Improvement Plan element(s).

4. **NCAA Division I Football Academic Working Group Report.** The committee reviewed the Football Academic Working Group's final report with a focus on the impact of the report's recommendations on current APP policies and procedures. The group supports the general concept of encouraging graduation within four and a half years to synchronize the end of competitive eligibility with graduation for many football student-athletes. However, the committee noted several complications associated with the working group's recommendation to require football student-athletes to complete nine hours and earn the eligibility point during the fall term in order to be eligible for all games of the subsequent season. Specifically, the committee noted the possible impact to student-athletes attending institutions following quarter-based academic calendars, which will be examined by the NCAA Division I Academic Cabinet in June. Further, the committee noted the need to identify and examine any potential unintended consequences

of this rule change, particularly for upperclassmen who may be considering whether to remain in school or to withdraw to pursue professional opportunities (e.g., loss of eligibility for two to four games could factor into decisions to declare for the NFL draft).

Regarding the recommended changes to APP policies, the committee's initial position is that the credit-hour requirement (i.e., nine-hour requirement) within the working group's recommendation would not be tied to the awarding of the APR eligibility point in the fall term. The committee noted this decision is consistent with current policy, in that, even if the student-athlete fails to meet the new requirement, he still would be eligible for most of the contests that would occur in the next season.

The committee initially does not favor the working group's recommendation to no longer exempt the aid of "0/2" student-athletes who have exhausted eligibility when calculating contemporaneous penalties for NCAA Division I Football Bowl Subdivision teams. The committee noted the minimal potential impact of this policy change. Further, while incoming student-athletes are protected under other APP policies, continuing student-athletes could experience financial aid reductions to accommodate the additional penalties resulting from the removal of the exemption.

Finally, the committee discussed the working group's recommendation to expand the Head Coaches' APR Portfolio to include additional institutional administrators. The committee maintained its position that such information should not be added at this time, given the additional complexities and institutional administrative burden associated with reporting additional information. Once the Head Coaches' APR Portfolio initiative has been fully implemented and evaluated in summer 2011, the committee will revisit the issue.

5. **Evaluation of APR Improvement Plans.** The committee approved a modification to the staff policies for review and evaluation of APR Improvements Plans. As part of its evaluation, the staff will continue to ensure that the plan contains all required elements and will continue to identify the elements of APR Improvement Plans that positively affect a team's APR. However, rather than determining whether a plan is acceptable or unacceptable, the staff's evaluation simply will outline the plan's strengths, weaknesses and opportunities for enhancement for those initiatives that address critical issues identified by the institution in its data analysis. Additionally, for plans considered in APP penalty waivers and requests for SSF, after receiving feedback from the staff, institutions will have a specified time to make revisions. If the institution does not resubmit its plan by the established deadline, the staff/committee will consider the original plan when evaluating a waiver or a request for SSF. Any subsequently submitted plan will not be considered new or different information in the waiver process. These changes to the plan review process will provide member institutions with more meaningful feedback and

avoid delays in the resolution of penalty-waiver decisions and the awarding of SSF grants. It also will allow for more timely feedback to institutions on their APR Improvement Plans.

6. **APR Improvement Plan Deadline Submission Dates and Educational Initiative.** The following dates have been established for APR Improvement Plan updates and implementation reports in 2010-11:

2010-11 Team/Institution Reporting Requirements	Submission Deadline
Teams that received a conditional waiver of penalties in 2009-10 (implementation only)	October 4
Teams with a multiyear APR below 900	November 1
Institutions requesting SSF	November 1
Teams requesting a waiver of penalty	November 1 or with waiver request (whichever is earlier)

The committee also reviewed an educational document drafted to assist member institutions as they develop or revise their APR Improvement Plans. The document is intended to assist in identifying critical issues that have impacted teams' academic performance, steps institutions have used to achieve specific goals and ways to measure success in achieving those desired outcomes. Further, this educational document may serve as a catalyst for campus dialogue and may help foster ideas that lead to successful strategies designed to help improve academic progress rates. Lastly, this document will be posted online on the committee's Web site and will be distributed to the membership though various outlets (e.g., N4A, NACADA).

7. **APR Adjustment Directive.** The committee approved the APR adjustment directive, effective immediately. During its February 2010 meeting, the committee approved amendments to the directive for processing APR adjustment requests for student-athletes who meet the criteria for the missed-term exception, requests for student-athletes who receive a medical-absence waiver and the signature page requirements for all requests and appeals of denied requests. Accordingly, the directive has been updated to reflect these changes. The directive will be posted online so that institutions can prepare for adjustments to be submitted fall 2010.

8. **2009-10 APR and Penalty Reporting Forms.** The NCAA Division I Committee on Academic Performance Subcommittee on Data Collection and Reporting approved the final version of the institutional and public APR and penalty reports to be used during the 2010-11 academic year. The reports are intended to provide institutions with teams' APR, as well as a summary of the teams subject to contemporaneous and/or historical penalties and detailed worksheets explaining how the penalties were calculated.

9. **APP Data Reviews.** The committee received a progress report regarding the selection of 30 institutions for GSR data reviews for the current cycle, which began in early February. The APR data reviews will be conducted June through October and final reports will be issued shortly thereafter.

10. **NCAA Division I Head Coaches' APR Portfolio.** At its February 2009 meeting, the committee determined that any head coach employed between August 1 and July 31 of a given academic year would have the team's APR information from that year displayed on his or her individual page. Since that time, the NCAA staff has received feedback from coaches' associations questioning the use of this date range for displaying of single-year APRs. For instance, a head coach who is hired in April, May or June at the end of a given academic year would be associated with the academic performance of his or her new team for the entire previous academic year. After consideration of options developed by the staff, the committee agreed to maintain the previously adopted plan (i.e., August 1 through July 31) for displaying employment dates for coaches; however, additional context will be provided to the data displayed for each academic year in instances where there has been a coaching change (e.g., asterisk with the date of when the head coach left or was hired by the institution). This modification will indicate that the academic year in question was a "transition year" and will be implemented with this summer's release of the public Web site.

11. **Committee on Academic Performance Policies and Procedures, Penalties Guide and Data Collection Guide.** The committee approved the updated Committee on Academic Performance Policies and Procedures, Penalties Guide and Data Collection Guide. The guides will assist institutions in the 2010-11 data collection process and penalty applications and will be posted on the committee's page on the NCAA Web site at www.ncaa.org. This posting also will satisfy annual reporting requirements specified in NCAA Bylaw 23.

12. **NCAA Division I Committee on Athletics Certification and Committee on Academic Performance Joint Ad Hoc Working Group.** The committee received a report

regarding the NCAA Division I Athletics Certification program, which includes self-study items related to the analysis of APR, GSR and retention data. During its April 2010 meeting, the Committee on Athletics Certification proposed the creation of a joint ad hoc working group between the Committee on Athletics Certification and the Committee on Academic Performance to investigate ways in which these two committees may work together to enhance the graduation rates of student-athletes, to address concerns regarding certification of eligibility, and to support academic reform, specifically in the areas of APR/GSR reporting and implementation of APR Improvement Plans. The committee agreed with this recommendation and representatives from both groups will be identified for service on the ad hoc group.

13. Occasion-Three Historical Penalty Hearing. The committee conducted hearings for two institutions subject to Occasion-Three Historical Penalties.

Committee Chair: *Walter Harrison, University of Hartford, America East Conference*
Committee Liaisons: *Diane Dickman, Academic and Membership Affairs*
Julie Cromer, Academic and Membership Affairs
Kevin Lennon, Academic and Membership Affairs
Todd Petr, Research
Bill Regan, Academic and Membership Affairs

REPORT OF THE NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE JUNE 28-30, 2010, MEETING

***KEY ITEMS*.**

1. **Examination of the NCAA Division I Academic Performance Program (APP).** The NCAA Division I Committee on Academic Performance continued its comprehensive examination of the APP to determine the program's effectiveness in reaching the membership's goals of academic reform. This review will continue through the summer and fall and will include further discussions regarding the NCAA Division I Academic Progress Rate (APR) metric, APP benchmarks, penalty structures, filters and waiver directives.

2. **Joint Meeting with the NCAA Division I Academic Cabinet.** The committee conducted a portion of its meeting with the Academic Cabinet to review the initial-eligibility and two-year college transfer student-athlete standards, in order to formulate recommendations on these key issues. The two groups also discussed outstanding issues regarding the recommendations of the NCAA Division I Football Academic Working Group.

***ACTION ITEMS*.**

1. **Legislative Items.**

   - None.

2. **Nonlegislative Items.**

   - None.

***INFORMATIONAL ITEMS*.**

1. **Examination of the APP.** The committee continued its extensive review of the APP and its examination of the principles and goals tied to the program. The committee agreed in principle to a set of goals and principles that guide the overall purpose of the APP; however, continued discussion will occur to ensure fairness to all institutions, regardless of mission, resources or any other relevant factors. In addition, the committee continued its examination of the relationship between the APR and actual graduation numbers. The committee continued to discuss possible avenues for using both the APR and graduation rates within the APP structure and options for incorporating graduation into the APR

metric. The committee raised a number of questions and issues that require further research and discussion as this examination continues throughout the summer and during the October meeting.

The committee examined the current APP penalty structure and discussed the effectiveness of APP penalties in meeting the goal of improved academic performance and progress toward graduation for student-athletes. Further, the group discussed possible changes to the penalty structure, which could include changes to the levels of and progression to penalties in addition to changes to the types of penalties levied on teams that are underperforming. The committee also continued a discussion regarding appropriate penalty benchmarks based on past changes to the APR calculation, as well as the improvement shown by teams. In addition to the review of the penalty structure and benchmarks, the committee continued its discussion on the appropriateness of each of the current filters in light of any possible adjustments to the penalty structure and benchmarks. The committee also discussed the possible inclusion of new filters to address other issues, such as graduation. These topics will be discussed again during the October meeting.

2. **Public Announcement of Penalties and Rewards and Related Public Relations Efforts.** The committee received a summary of the most recent public release of institutional APRs and APP penalties, which occurred June 9, 2010, and the Elite 88 awards for 2009-10, which was the inaugural year for these awards. As part of this discussion, the committee agreed to publish two lists for football for the public recognition awards effective with the 2009-10 APR data [i.e., one for Football Bowl Subdivision (FBS) and one for Football Championship Subdivision (FCS)]. This change will provide opportunity for each distinct subdivision's football teams to be honored for top academic performance. In addition, this action is in alignment with the NCAA Championships structure. Further, the committee requested the staff to further develop for its consideration at a future meeting a concept to recognize teams who have achieved high enough APRs to receive public recognition for a specified number of years and public recognition for coaches based on long-term team APR performance.

3. **NCAA Division I Football Academic Working Group Report.** In a joint meeting with the Academic Cabinet, the committee reviewed the Football Academic Working Group's final report with a focus on outstanding issues related to the recommendations contained within the working group's report. The two governance bodies support the concept of requiring all football student-athletes to complete nine hours and earn the APR eligibility point during the fall term in order to be eligible for all games of the subsequent season. Football student-athletes failing to meet this requirement would be ineligible for

participation in the first four contests in the following season. The groups also supported the option of reducing this penalty from the first four contests to two contests if the student-athlete earns 27 credit hours by the end of the summer session. Data demonstrate that football student-athletes who earn nine credit hours during the fall earn more APR points during their academic careers and are more likely to graduate and less likely to become an "0/2" student-athlete. Further, requiring 27 credit hours will position the student-athlete for graduation within four and a half years. This, in conjunction with other progress-toward-degree requirements, will ensure that football student-athletes are progressing toward a degree. The groups agreed that first-year student-athletes should be allowed to use credit hours earned at the certifying institution during the summer before initial full-time enrollment and credit hours earned during the summer after the regular academic year to satisfy the 27 credit-hour requirement, but not the nine credit-hour requirement.

To address institutions following quarter-based academic calendars, the committee and cabinet recommended that football student-athletes be required to earn eight quarter hours in the fall term and, for those that fail to satisfy this requirement, be required to earn 40 quarter hours prior to the subsequent fall term in order to reduce the contest penalty. Research indicated the eight quarter-hour requirement generally is equivalent to the nine semester-hour requirement. Further, the 27 semester credit-hour requirement was selected because it positions a student-athlete for graduation in four and a half years. Requiring a football student-athlete at an institution with a quarter-based academic calendar to earn 40 quarter credit hours will position that student-athlete to graduate in an approximately equivalent period of time.

The committee and cabinet did not favor the working group's recommendation to no longer exempt the aid of "0/2" student-athletes who have exhausted eligibility when calculating contemporaneous penalties for FBS teams. The committee and cabinet agreed to take no action at this time regarding the recommendation in light of the committee's continued review of the APP, including the existing penalty structure, penalty-waiver filters and exceptions and cut scores. The two groups agreed that more time must be devoted to the study of time demands on football student-athletes and supported the Academic Cabinet in its effort to develop enhanced academic requirements for two-year college transfers that more accurately reflect the academic preparation most likely to lead to completion of a four-year degree.

4. Proposed Academic and Athletics Development Model for Women's Basketball. The committee reviewed the February 23, 2010, report of the NCAA Division I Women's Basketball Issues Committee and noted the following feedback for the group. The committee observed a noted difference between the women's basketball model and the one developed for men's basketball in that the proposal for women's basketball is

intended for all women's basketball student-athletes, rather than for only those identified as "at-risk." While the committee applauds the intent behind mandatory summer school attendance for all incoming freshman and transfer student-athletes who have signed athletically related financial aid agreements for the following academic year, it noted the financial burden this may place on institutions and potential timing issues for high schools that end in late June/early July and for international student-athletes. Additionally, the committee encouraged the Women's Basketball Issues Committee to consider the other concepts (e.g., definition of a prospective student-athlete) included in the NCAA Division I Men's Basketball Academic Enhancement Group's report to determine their relevance, if any, to women's basketball.

5. **Review of Academic Eligibility Standards for Prospective Student-Athletes.** In a joint meeting with the Academic Cabinet, the two groups discussed issues related to both initial-eligibility standards and two-year college transfer standards. The NCAA research staff provided information that showed the benefits and consequences of the different initial-eligibility standard models in terms of the number of prospective student-athletes that would not have been eligible during the first academic year. In its review of the two-year college transfer standards, the group supported the continued examination of a model that would allow for remediation of academically underprepared prospective student-athletes during the first year of enrollment at the two-year college with no athletics competition permitted. The model would allow a prospective student-athlete to opt into a three-year program that would provide a delay to the start of his or her progress-toward-degree timeline until after the year of remediation. The committee was also supportive of the Academic Cabinet's desire to examine possible changes to two-year college transfer regulations, which could include an increased grade-point average requirement, more specific course requirements and a possible shift away from separate requirements for qualifiers and nonqualifiers. The group noted that the research staff will provide more detailed information related to these possible changes to the Academic Cabinet for its fall meeting.

6. **Academic Data Collection for Two-Year College Transfer Student-Athletes.** The committee approved an extension of the two-year college transfer student-athlete data collection, which is submitted each fall as part of an institution's Academic Performance Census (APC), for two additional APR data cohorts (i.e., 2010-11 and 2011-12) with a reassessment at the end of that time. The two-year extension will provide additional data on the outcomes (e.g., graduation) of two-year college transfers in prior cohorts, which may provide additional insights on the profile of a successful two-year college transfer and to assist with informing future academic policy decisions. This data collection includes the sports of baseball, football and men's and women's basketball.

7. **Review of Occasion-Three Historical Penalty Waivers.** The staff provided a summary of the decisions made by the staff and the committee for Occasion-Three Historical Penalty waivers submitted by institutions during the 2009-10 academic year. The staff made decisions on eight of the 10 waivers submitted, while the committee conducted in-person hearings for two teams. The committee reviewed and discussed the decisions made in the hearings as well as the decisions made by the staff to ensure consistency among all decisions and adherence to the committee's philosophy and directive. The committee also discussed the timing of implementation of Occasion-Three Historical Penalties when a condition placed on an approval is not met and agreed to review the application of these penalties to ensure that the timing is appropriate.

8. **Occasion-Three and -Four Penalty Waivers and Appeals of Waivers.** The committee amended its policies and procedures to reduce the submission timeline for Occasion-Three and -Four Historical Penalty waivers from 21 calendar days to 14 calendar days and reduced the appeals timeline from 21 calendar days to seven calendar days, effective fall 2010. These modifications will simplify the waiver process and make all APP penalty waiver submission and appeal processes consistent, while reducing the amount of time institutions must spend in the penalty waiver phase of the APR process. The committee also provided the staff with the authority to grant extensions of these timelines for institutions requesting additional time to submit a wavier and/or appeal. These requests will be considered on a case-by-case basis and will take into consideration the mitigation presented by the institution for the extension. The committee noted that institutions are aware of team's penalties well in advance of these submission deadlines, generally providing ample time for preparing waiver requests.

9. **Policies and Procedures for APP Data Review Outcomes on Penalties.** The committee amended its policies and procedures to require institutions involved in an APP data review to be advanced to the appropriate level of penalty, if it has been determined that the corrected data would have subjected the team to a penalty or to a different level of penalty than it was previously subject to. In the past, there have been occasions when a team's corrected data positioned the team to be subject to APP penalties when the team was not previously subject to such penalties due to inaccurate APRs. This has created situations in which teams that should have received APP penalties have not received those penalties. This modification provides fairness to the process, while not adding on past penalties that would create an unintended burden on the team. The committee also directed the NCAA Division I Committee of Academic Performance Subcommittee on Appeals to develop a directive to provide guidance to the NCAA staff for the waiver process for institutions facing these circumstances.

10. Policies and Procedures for Institutions that Submit Unusable Data. The committee amended its policies and procedures to create a multistep process to address situations in which institutions submit unusable data either during the APP data submission or the data review process. The first step in the process will involve an on-campus visit by the staff to review the documentation used to certify academic eligibility and to provide the institution with training on best practices for eligibility certification and data submission. In the year following the on-campus visit, the institution will be placed in a probationary period, which may include:

a. Recurring checks between the staff and the institution's certifying officer;

b. Required attendance for institutional representatives at NCAA Regional Rules Seminars and/or participation in APP webinars;

c. Creation of an academic certification and data improvement plan for review by the staff and/or the NCAA Division I Committee on Academic Performance Subcommittee on Data Collection and Reporting;

d. Submission of midyear academic data;

e. Continued ineligibility for postseason competition for all teams;

f. Ineligibility for public recognition of any high-performing teams and NCAA Division I Academic Performance Program Supplemental Support Fund (SSF) monies; and

g. Any additional corrective measures as determined by the Subcommittee on Data Collection and Reporting.

After the one-year probationary period, the NCAA staff will conduct a follow-up visit at the institution to determine if the identified issues have been resolved or not. If it is clear that the institution continues to have systemic issues with eligibility certification and/or data submission, the institution will continue to be subject to the conditions imposed in the probationary year. In addition, institutional representatives, including the institution's president, must participate in a meeting with the full committee in order to explain the continuance of the systemic data issues and the issues uncovered throughout the process would be provided to the NCAA Division I Administration Cabinet for its review as it relates to the institution's active Division I membership status. These amended policies will allow the staff to work cooperatively with the institution earlier in the process to reconcile the APP data while also holding the institution responsible for originally submitting unusable data. It also provides the opportunity for the committee to call on

senior-level institutional representatives to explain why improvements in APP data procedures are not being made.

11. Data Submission and Penalty Application Requirements for an Institution Transitioning its Athletics Program or Team from Division I or Discontinuing a Division I Sport. The committee amended its policies and procedures to include the APP data submission and penalty application requirements for an institution that transitions its athletics program or team from Division I or that discontinues a sport at the Division I level. Within the last year, the staff has been notified of two institutions that intend to transition its athletics program from Division I to Division III. Each situation presented unique circumstances.

Under the new process, once the NCAA staff receives written notification from the institution of its intention to transition its athletics program or team from Division I or to discontinue a sport at the Division I level, the institution/team will no longer be responsible for submitting APP data beginning with the academic year the staff receives notice. In addition, the institution/team will no longer be subject to new APP penalties, but must impose previously earned penalties that apply to the academic years the team/institution continues to compete as a Division I institution/team. The institution/team also will be excluded from any public release of APR and associated penalties, Graduation Success Rate (GSR) and head coaches' information and from the calculation and/or determination of any penalty filters. Further, the institution/team will no longer be eligible for any SSF monies and the public recognition for high academic performance. In addition, the institution/team no longer will submit APR adjustment requests, APP penalty waivers or APR Improvement Plans.

The approved policies also detail the process for instances when a team transitioning from Division I received a conditionally approved APP penalty waiver; when an institution's transition to another division or athletics organization is a multiyear process, and instances when an institution rescinds its decision to transition from Division I. The application of these policies generally shall be effective beginning the academic year the staff receives written notice of the institution's intention to transition from Division I or to discontinue a sport; however, the staff will have flexibility in determining the effective date for each provision based on the timing of receipt of notice.

12. NCAA Division I GSR Data Collection. The Subcommittee on Data Collection and Reporting received a report on the GSR data collection process for submission of data for the 2003-04 cohort, which was due June 1. It was noted that all institutions submitted the requisite data by the prescribed due date and the membership experienced positive results

with the new data collection portal, which used data imported from the APP data collection system for the reporting cohort.

13. **APP Data Reviews**. The Subcommittee on Data Collection and Reporting received an update on the progress of the 62 institutions involved in APP data reviews for the 2010-11 academic year. Twenty-seven of the institutions selected are reviewing GSR data, 31 institutions are reviewing APC and APR data and four institutions are reviewing GSR, APC and APR data. It is anticipated that all data reviews will be completed in the fall.

14. **APP Data Submission Requirements Related to Proposed Division I Membership Requirements.** The Subcommittee on Data Collection and Reporting confirmed that institutions seeking Division I membership under the proposed membership requirements will be required to submit APP data starting from the year in which the institution will be required to be in full compliance with Division I legislation, which will be year one of the four-year process. Under current committee policies, institutions or teams that are multidivisional members, provisional members or in the process of reclassifying to Division I are subject to the APP beginning with the first year in the membership process during which the institution is required to be in compliance with Division I legislation. Also, this timeline will allow the collection of sufficient data to determine if any team is subject to historical penalties, which may be a factor in electing an institution to active Division I membership. In addition, the proposed Division I membership legislation will eliminate provisional and multidivisional membership for new institutions. As such, current provisional and multidivisional institutions will continue to submit APP data under the current timeline and as required for all active Division I institutions and institutions.

15. **Joint Committee on Academic Performance and NCAA Division I Committee on Athletics Certification Subgroup.** The committee received an update on the work of the subgroup, including a timeline for the completion of its work. The subgroup currently is comprised of three Committee on Academic Performance members and three members of the Committee on Athletics Certification. At this time, the staff is developing a draft framework for the subgroup to consider based on the identified focus and goals of the subgroup. The subgroup will conduct its work on scheduled teleconferences starting in July and continue through the fall. It is anticipated that a final report will be submitted to the Committee on Athletics Certification for its consideration in February 2011 and to the Committee on Academic Performance for its consideration in April 2011.

16. June 2010 Knight Commission Report on Intercollegiate Athletics. The committee reviewed the latest report from the Knight Commission on Intercollegiate Athletics, which called for financial and academic reforms in college sports and offered three principles for reform with several related recommendations. The committee noted that several of its initiatives already underway may address recommendations contained within the report.

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Committee Liaisons: *Diane Dickman, Academic and Membership Affairs*
Julie Cromer, Academic and Membership Affairs
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Todd Petr, Research
Bill Regan, Academic and Membership Affairs

Supplement will be available following the NCAA Division I Football Championship Subdivision Governance October teleconference.

REPORT OF THE NCAA COMMITTEE ON WOMEN'S ATHLETICS May 24-25, 2010

ACTION ITEMS.

1. Legislative Action Items.

All divisions

a. Membership—Definitions and Applications—Emerging Sports for Women-- Squash

(1) Recommendation: The Committee on Women's Athletics recommends that the applicable divisional governance bodies sponsor legislation to remove squash from the list of emerging sports for women and to eliminate other specified legislation associated with the sport (e.g., playing and practice season regulations, sports sponsorship minimum contest and participant requirements).

(2) Rationale: The emerging sports for women program began in 1994 as a result of recommendations from the Gender-Equity Task Force. NCAA regulations require that emerging sports for women gain championship status (minimum of 40 varsity-sponsored NCAA programs) within 10 years or show steady progress toward that goal to remain on the emerging sports for women list. Nine sports were on the original list, including squash. In the past 14 years, four of those sports became championship sports (rowing, women's ice hockey, women's water polo and bowling). In 2009, four sports were removed from the list due to not being able to demonstrate steady progress (archery, badminton, synchronized swimming and team handball). In 2009, the number of institutions sponsoring squash as a varsity program was 28 and this number has been constant since 2007. The committee has reached out to the sport contacts on several occasions since 2007 to offer feedback on the sport's 2008 action plan and requested additional information evidencing that there has been any progress made towards the goal of 40 varsity programs. Squash has not been able to meet this requirement. If squash is removed from the list, institutions can still sponsor the sports as varsity and include it in their gender equity efforts. Any sport can pursue renewal to emerging sport status by following committee procedures, including submission of a proposal and 15 letters of institutional commitment.

(3) Estimated Budget Impact: 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.

(4) Student-Athlete Impact: None.

b. Amendment to Emerging Sports for Women Legislative Timetable

(1) Recommendation: The Committee on Women's Athletics recommends the NCAA Constitution 3.2.4.5.2 be amended to remove the "phase in" period for application of NCAA legislation and require that all NCAA legislation be applied at the time of the effective date the sport appears on the emerging sports for women list.

(2) Rationale: Current NCAA legislation allows for a three year phase in period for application of specified NCAA legislation from the date a sport is added to the emerging sports for women list. In recent years, the delay in application of NCAA legislation has resulted in confusion in areas such as amateurism, recruiting and financial aid among institutions contemplating adding the sport once it is established on the list. Eliminating the phase in period for applying legislation to emerging sports for women supports competitive equity among institutions that sponsor the sport and will require that all legislation apply on the effective date the sport is recognized on the emerging sports list. Eliminating the phase in period will also require NCAA legislation (e.g., coaching limitations, financial aid) be in place by the effective date of the sport's addition to the emerging sports list. However, this approach will provide greater transparency and information with regard to budgets and resource allocation. As sports are recommended to be added to the emerging sports for women list, the committee will take into account (with input from the sport's sponsors) how much time may be necessary to develop the applicable legislation and will give careful consideration to the appropriate effective the date the sport would be recognized on the emerging sports for women list.

(4) Estimated Budget Impact: None.

(5) Student-Athlete Impact: None.

2. Nonlegislative Items.

Division I only.

a. Division I Leadership Council representation on the Committee on Women's Athletics

(1) Recommendation: The Committee on Women's Athletics requests that the Division I Leadership Council adopt a policy to ensure appointment of a liaison from the Leadership Council to the Committee on Women's Athletics.

(2) Rationale: The Committee on Women's Athletics is an Association-wide committee responsible for addressing issues critical to the Association and Division I related to the interests of female student-athletes, NCAA women's programs and policies that affect women. Representation from the Division I Leadership Council would reinforce and effectively enhance communication within the structure.

(3) Estimated Budget Impact: None.

(4) Student-Athlete Impact: None.

INFORMATIONAL ITEMS.

1. Committee Appointments. Stan Williamson, director of athletics at Campbell University, was elected to serve as chair of the Committee on Women's Athletics beginning September 2010. Tamica Smith Jones, director of athletics at Clark Atlanta University, was elected to serve as vice-chair. The committee also expressed their gratitude to the following individuals for their service on the committee:

- Faith Shearer, SWA/Associate Director of Athletics, Elon University (Chair);
- Monique Carroll, student-athlete, University of Arkansas, Pine Bluff;
- Jamie Zaninovich, Commissioner, West Coast Conference;
- Patrick Nero, Commissioner, America East Conference; and
- Julie Davis, Director of Athletics, University of Maine, Farmington

2. **Gender Equity and Issues Forum attendance requirement for NCAA provisional or reclassification processes.** The Committee on Women's Athletics request that the Division I Administrative Cabinet along with the Division's II and III Membership Committees consider adding a requirement to the provisional and reclassifying processes that at least one institutional senior level administrative official attend the Gender Equity and Issues Forum during at least one year of the provisional or reclassification process. The committee believes that it is imperative for all NCAA institutions to have a full understanding of the association's gender equity expectations and opportunity to be trained on Title IX and planning best practices. A high ranking member of an institution's administration should attend the Gender Equity and Issues Forum so they can then assist the institution in developing an effective gender equity program.

3. **Emerging Sports for Women Updates**.

   a. Equestrian: The committee reviewed an action plan submitted by representatives of the varsity equestrian community during a conference call with two of the sport contacts. The committee reviewed how it could assist in the development of the sport, as well as ideas for focusing outreach on specific conferences that already had a strong equestrian presence to increase the number of institutions sponsoring the sport. Equestrian remains on the list of emerging sports for women by having demonstrated steady progress and working with the committee to grow sponsorship.

   b. Sand Volleyball: The committee reviewed the results of the Division III survey regarding interest in sponsorship of sand volleyball. The Division I governance structure is working to develop the framework for the sport with proposals relating to recruiting, coach limitations, financial aid and playing and practice seasons for consideration during the 2010-11 legislative cycle. Division II is on schedule for the sport to be effective on the emerging sports for women list as of August 1, 2010.

   c. Triathlon: The committee received an update on the status of triathlon, which is in the process of securing its ten letters of commitment and interest in the sport so it can then present its proposal to the committee.

   d. Publicity for Emerging Sports for Women. The committee recommends that the NCAA website provide more coverage of emerging sports for women and major events occurring within those sports. Increased covered

of emerging sports for women, particularly championship events, will help promote those sports and possibly foster interest in adding the sport at institutions.

4. **Olympic Sports Liaison Committee**. The committee received an update from the NCAA National Office liaison to the Olympic Sports Committee related to its efforts to address endangered sport issues.

5. **Women's Professional Development Opportunities.** The committee received an update on the following programs:

a. **NACWAA.** The committee met with Patti Phillips, the new executive director of National Association of Collegiate Women Athletic Administrators (NACWAA). Phillips reported to the committee about the success of NACWAA programming and the relocation of the NACWAA office to Kansas City, KS. The committee also discussed how NACWAA and the committee could continue to partner together to create educational opportunities for women involved in collegiate athletics.

b. **NCAA Women Coaches Academy**. Celia Slater, director of the Women Coaches Academy, gave a presentation to the committee on current programming being offered as a result of the committee's funding and support. The number of programs has expanded and an additional level of continuing education has been added. The committee's meeting coincided with Dimension II of the Women Coaches Academy, providing the committee members an opportunity to meet with participants and discuss their experiences with the Women Coaches Academy.

c. **Women's Leadership Symposium**. Two events were conducted this spring in Sacramento and Tampa with over 150 attendees. These programs support the committee's effort to bring affordable professional development training to different regions of the country. Next year the NCAA will conduct Symposiums in conjunction with the NCAA Convention in San Antonio and the Division I Women's Lacrosse championship in Long Island, NY. The founders of the program from the Horizon League will conduct training in Indianapolis in 2011.

d. **Gender Equity and Issues Forum.** The committee received a report from staff about the sessions, format and attendance at the most recent Forum in Chicago. The keynote address by Assistant Secretary of the Department of Education was recorded and recently made available to the membership on

the NCAA website. The address and recent Office for Civil Rights (OCR) announcements make clear the OCR intent to dramatically increase its athletics educational and enforcement efforts.

e. **Senior Woman Administrator**. The committee discussed the continuing issues with the position of Senior Woman Administrator (SWA), specifically the lack of definition of duties as well as opportunities for professional development. The NCAA research staff will be sending a survey to all SWA's and Directors of Athletics this summer to explore how the role is perceived and utilized and what efforts may be needed to improve the effectiveness of the designation. The committee also expressed interest in the concept of a Minority Administrator designation; it noted that the designation should go beyond racial minority opportunities to other minority individuals.

6. **Committee on Women's Athletics Subcommittees**. The committee reviewed the reports of the Strategic Planning subcommittee and joint committees with Minority Opportunities and Interest Committee. Bernard Muir volunteered to fill a vacancy on the Ethnic Minority Enhancement Scholarship Selection Committee and Barbara Hannum volunteered to serve on the Leadership Institution for Ethnic Minority Males and Females committee.

7. **LGBT Issues.**

a. **SAAC Referral.** The committee discussed the referral from SAAC for information regarding current resources available for institutions and student-athletes. The committee is supportive of improved online resources for the membership and student-athlete participants that can help establish safe learning and competitive environments for all LGBT participants and professionals.

b. **Transgender student-athlete discussions**. The committee discussed the current NCAA position regarding transgender student-athlete participation. It noted that the national SAAC groups will discuss the topic at their summer meetings, as will the Division III Commissioners.

8. **Woman of the Year Selections.** The committee received an update on the 2010 NCAA Woman of the Year, which included news that a record number of institutional nominations were received. The committee will select the winner during a summer voting process and the 2010 NCAA Woman of the Year gala is scheduled for Sunday, October 17.

9. **Post-season Participation Report.** The committee reviewed the 2009-10 post-season participation opportunities for male (48%) and female student-athletes (52%). It was noted that when recent division I men's bracket expansion opportunities and when the football bowl games and NIT tournament are added to the numbers, the percentage of post-season participation opportunities for men is approximately 15,281 (62%) and women is 9,288 (38 %). The committee discussed the need to look at both the quantity and the quality of championship opportunities. The committee also discussed that some championship opportunities for women, particularly national collegiate championships, are becoming cost prohibitive due to significant travel for competition. The committee recommended the divisional championship committees explore the issue.

10. **Women of Color Symposium Recommendations.** The committee reviewed and discussed the recommendations made by for the Women of Color Symposium and will continue to be supportive of efforts to implement mentoring and training for women of color and improving their opportunities for governance experience.

11. **Title IX Update.** The committee received an overview of the Department of Education's recent announcements about enforcement activity and the rescission of the 2005 Clarification and additional guidance related to third-prong compliance efforts. The committee recommends the staff develop best practices on this topic. The committee also reviewed recent activity by the U.S. Commission on Civil Rights and athletics Title IX court cases.

12. **NCAA Diversity and Gender Professional Development Programming.** The committee received an update from Delise O'Meally regarding the status of the review of diversity and gender initiatives professional development programming. The committee also heard from staff about the possibility of restructuring of the Association's gender and minority interest committee structure in conjunction with the internal review and discussions by the Executive Committee Subcommittee on Gender and Diversity Issues about its own structure. The committee discussed that even though there are many areas of crossover and many opportunities for CWA and MOIC to collaborate, it is necessary that any restructuring maintain an effective avenue for addressing women's participation experience and professional development.

13. **Division I Women's Basketball Issues.** The staff gave the committee an update on trends and topics being addressed by the Division I Women's Basketball Issues Committee.

14. **NCAA Hall of Champions Exhibits**. The committee discussed a letter received by Faith Shearer, chair of CWA from the president of the National Association of Girls and Women in Sport after their national convention in Indianapolis and a visit to the NCAA Hall of Champions. The visitor expressed concern about the absence of information about the history of women's sports prior to sponsorship of women's championships by the NCAA, and the role those student-athletes played in paving a way for current female-student-athletes. The committee will share this issue with members of the NCAA Branding and Communications department, and work with them to see if they have any ideas on how to incorporate the history of women's sport (including women of color) prior to the NCAA in the current exhibits.

15. **Future meeting dates and sites**.

a. September 19-21, 2010, Indianapolis

b. February 23, 2011 via conference call

Committee Chair: *Faith Shearer, Elon University*
Staff Liaison(s): *Karen Morrison, Gender Initiatives*
Lynn Holzman, Academic and Membership Affairs
Brynna Barnhart, Enforcement

REPORT OF THE NCAA COMMITTEE ON WOMEN'S ATHLETICS
September 20-21, 2010

ACTION ITEMS.

1. Legislative Action Items.

- None.

2. Nonlegislative Items.

- None.

INFORMATIONAL ITEMS.

1. New committee members. The committee welcomed Sarah Feyerherm, Washington College (Maryland), Danez Marrable, University of Alabama at Birmingham, Marilyn Moniz-Kaho'ohanohano, University of Hawaii, Manoa, Rick Mazzuto, California State University, Northridge Kathy Jones, Southern Illinois University, Carbondale and Zack Solomon, American University (Division I SAAC representative).

2. Postseason Bowl Sponsorship. The CWA discussed and ultimately objected to the decision to certify GoDaddy.com as an NCAA post season bowl game title sponsor. The committee shared its concerns with NCAA staff (Attachment). The CWA is concerned by the approval of GoDaddy.com as a football bowl sponsor as it does not correlate with espoused NCAA values and the respectful representation of women, particularly women in sport. CWA requests that focused efforts are made to ensure GoDaddy.com's advertisements and activities surrounding the postseason football bowl game will maintain the integrity and image of the NCAA and its student-athletes.

3. NCAA Advertising Policies. The committee recommends the NCAA Executive Committee Subcommittee on Gender and Diversity Issues review and consider directing the divisions to amend the Association's current advertising policies noted in NCAA Division I Bylaw 31.1.14.1 and Divisions II and III Bylaw 31.1.12.1. The current advertising policies of the Association are designed to exclude those advertisements that do not appear to be in the best interest of higher education with NCAA presidential authority to rule in cases where doubt exists. Advertising associated with alcoholic beverages, cigarettes and other tobacco products, professional sports organization or personnel and organizations promoting gambling are expressly prohibited. The committee recommends that the list of expressly prohibited advertisements be expanded to exclude advertisements not in line with the values of higher education, including

but not limited to sexually explicit or suggestive materials, discriminatory content or that content which condones violence. Further, the committee recommends that these policies be included not only as part of advertisers and advertising copy of game programs, broadcasts and telecasts, and other controlled aspects of NCAA championships but, in Division I, as part of the postseason bowl licensing criteria and process. The committee noted that explicitly stating such advertisements are not appropriately associated with NCAA championships or a postseason opportunity is in the best interest of the student-athletes and the Association, and in keeping with the Association's status as an institution of higher education.

4. Emerging Sports for Women Program Updates.

a. Sand Volleyball. The committee received in update on the status of sand volleyball legislation. Specifically, it was noted that the Division I governance structure is working to develop the legislative framework for the sport with legislative proposals under consideration as part of the 2010-11 legislative cycle. The committee reviewed the report of the Division I Legislative Council Sand Volleyball Working Group that was developed to assist in the development of the framework and to provide feedback to the already proposed legislative concepts to the various cabinets and Legislative Council for their consideration. It was noted that the playing rules for sand volleyball are in the final stages of development. Finally, the committee was informed that a survey is being sent to Division III student-athletes and prospective student-athletes to assess the sand volleyball participation interest. The previous Division III survey related to sand volleyball and whether Division III should add it to the emerging sports for women list was targeted at campus administrators only.

b. Other emerging sports for women interest.

i. **Competitive Cheer**. The committee received an update on recent Quinnipiac litigation regarding competitive cheer and its status as a "sport" under the Office for Civil Rights (OCR) definition. There are currently two organizations developing two different competitive models that they believe would meet the OCR definition and consequently garner enough support to be considered as an emerging sport for women. The committee preliminarily discussed potential issues Stunts or Acrobatics and Tumbling could encounter in meeting the requirements to be considered an emerging sport for women, as well as developing associated legislation.

ii. **Triathlon.** Triathlon organizers have completed their proposal, and are currently in the process of collecting ten letters of support. The NCAA communicated

information about the sport to every NCAA institution and conference. The committee discussed various ways to assist the education and communication efforts of triathlon organizers, including presenting to President's Council, Divisions I, II, and III Student-Athlete Advisory Committees, and using former collegiate female student-athletes who have now become professional triathletes.

5. **Review of NCAA Divisions I, II and III Legislative Proposals.** The slate of legislative proposals in all three divisions related to the committee's mission was reviewed. The committee noted the following:

- **Division I Proposal No. 2010-76 Financial Aid – Maximum Institutional Grant-in-Aid Limitations by Sport – Women's Basketball.** The committee opposes Proposal No. 2010-76, which would reduce the annual limit on the number of counters at each institution from 15 to 13. The committee noted overall, women's sports continue to be underfunded and underrepresented. This proposal could potentially decrease the participation opportunities for women in the context of available financial aid and the proposal does not indicate that the grant-in-aid opportunities would be reallocated to other women's sports. Further, based on the data available at this time indicating that not all institutions or even those in the top 50 are providing more than an average of 13 counters, the committee does not believe this measure would directly impact parity or competitive equity in women's basketball.

6. **NCAA Committee Structure -- Restructuring of Executive Committee Subcommittee on Gender and Diversity Committee.**

- Bernard Franklin and Wendy Walters, NCAA staff, presented and the committee reviewed two possible models for restructuring the Executive Committee Subcommittee on Gender and Diversity Subcommittee, the CWA and MOIC. The committee agreed with the importance for involvement by presidents and chancellors in issues relating to gender, minorities, LGBT and disabilities. Further, the committee noted that if a new committee model is pursued, such as having an association-wide Inclusion Committee, the continued representation of student-athletes, faculty athletics representatives and subject matter professionals is important.

7. Lesbian Gay Bisexual and Transgender (LGBT) Issues.

a. **Transgender Student-Athlete Issues**. NCAA staff provided an update on issues surrounding transgender student-athletes. The Division III governance staff has received several requests for resources to help the membership address issues with transgender student-athletes, both from an eligibility standpoint and student-athlete well-being standpoint. The Division III President's Council requested the committee raise awareness of the issues associated with, and identify available resources that address transgendered student-athletes' well being, and to develop a timeline to create NCAA policy on transgendered student-athlete participation. CWA noted that the primary need for resources is to protect student-athlete well-being, with competitive equity issues being a secondary but necessary issue to also be addressed. The national office is creating association wide resources to educate the membership by defining terms, outlining potential issues, and setting forth best practices until a formal policy is created. It was stressed that this is an association wide membership issue, even though the issue was first raised in Division III.

b. CWA discussed the need to build a foundation of educational resources to initiate membership discussion prior to developing a membership wide policy. The committee noted its support of the efforts to address LGBT issues and supported the provision of funding to support the development of a transgender student-athlete participation resource.

c. The committee reviewed a draft website with broader LGBT resources.

8. Task Force on the Impact of Violent Behavior Involving Student-Athletes.

- Becky Ahlgren-Bedics, NCAA staff, provided the committee with a report on the effort to address Impact of Violent Behavior Involving Student-Athletes. The issue was originally referred to the NCAA Committee on Sportsmanship and Ethical Conduct (CSEC) and now includes input from CWA, MOIC, Committee on Competitive Safeguards and Medical Aspects of Sports, and Divisions I, II, and III SAACs. The Executive Committee created an NCAA internal project team consisting of liaisons from each of these committees to organize a summit to discuss the issue of violent behavior involving student-athletes and work to create best practices to be used in the membership. The staff requested that the committee provide the names of any individuals and/or organizations that could serve as a resource on this issue. The committee noted its support for the effort of

the internal project team, the summit, and the need to address the issue of violent behaviors involving student-athletes.

9. Research Issues

a. Campus Climate. Mary Wilfert, NCAA staff, presented a preliminary report on the student-athlete climate study that was conducted by Pennsylvania State University, funded by the NCAA. 8,827 student-athletes from 195 institutions completed the survey. 62% of the survey respondents were women, 37% were men, and 11 respondents identified themselves as transgendered student-athletes. A fuller analysis of the quantitative data will be available in October, and a qualitative analysis will be available in May 2011 after the review of 4,000+ open-ended responses/comments provided by the student-athletes.

Some of the statistics noted included:

i. 84% of the student-athletes reported overall positive or very positive climate on campus and in the athletics department. The percentage decreased as class year increased. Additionally, student-athletes of color and LGBQ student-athletes reported a less positive climate.

ii. 9% reported experiencing harassment. 12% of student-athletes of color reported harassment versus 10% of white student-athletes. 12% of LGBQ student-athletes reported harassment versus 6% of heterosexual student-athletes. For student-athletes of color and heterosexual student-athletes, harassment was most often based on performance, while for LGBQ student-athletes, harassment was most often based on sexual orientation. There was no significant difference in the data when separated by division.

b. Senior Woman Administrator. The NCAA research staff is surveying all senior woman administrators and athletic directors as a follow-up to previous research and to explore how the role is perceived and utilized, and what efforts may be needed to improve the effectiveness of the designation.

10. Division I Women's Basketball Update. The committee received an update from Sue Donohoe, NCAA Staff, regarding the issues being discussed in the women's basketball community. In particular, the efforts of the CCA/NCAA task force regarding issues such as women's basketball officiating were highlighted as well as the Division I academic

and athletic development model. Further, efforts and issues surrounding efforts to increase parity and competitive equity in women's basketball were discussed.

11. **Divisions I, II and III Governance Meeting Updates.** The committee received updates from the Divisions I, II and III summer governance meetings. The Division II Presidents Council suggested moving the management of the removal of emerging sports from the list solely to the committee where it could be handled through non-legislative means. The committee noted the importance of broad membership engagement and participation in the addition and removal of emerging sports for women as the institutions are the entities sponsoring those sports. It was noted that emerging sports for women have an impact on sports sponsorship and revenue distribution issues and, therefore, legislative action by the membership or governance structure is necessary and appropriate. Finally, the committee noted that the necessary legislative actions may be accomplished through the noncontroversial legislation process, at the discretion of each division.

12. **Women's Professional Development Opportunities.** The committee received an update on the following programs:

a. **NCAA Women Coaches Academy**. The NCAA women coaches' academy has served 688 coaches from 17 sports. It has also added regional and national continuing education programs, to increase participation and continue its interaction with graduates. CWA supported the concept of developing a coaches association for academy graduates with the understanding that the organization will supplement rather than distract from sport-specific associations. A recent survey indicated over 80% of academy graduates are still in coaching.

b. **NCAA/NACWAA Institutes.** NACWAA and NCAA are participating in a strategic planning effort to evaluate the current programming offered. The committee suggested using as a model the educational programs in place for developing women as institutional presidents, since there are more female presidents than female athletics directors.

c. **Women's Leadership Symposium**. Recent symposiums, designed to provide two-day professional development to women new to athletics administration and coaching and students interested in athletics careers, were held in Cambridge, MA, Sacramento, CA, Chicago, IL, and Tampa, FL. Future sites include San Antonia, TX January 11-12, 2010, Indianapolis May 5-6, and Long Island, NY May 27-28 in conjunction with the Division I Women's Lacrosse Championship.

d. **Winning Careers in Athletics.** There will be a two day event at the women's Final Four in Indianapolis designed to introduce female undergraduate students to career opportunities in athletics.

e. **Careers in Sports Forum.** Curtis Hollomon, NCAA staff, provided an overview of the most recent careers in sports forum, as well as information on the programming and resources available to student-athletes and institutions.

f. **ADA Mentor Program.** The committee was advised about a new Division II initiative to match female and minority administrators with experienced mentors. The committee looks forward to information about the program's implementation and success.

13. **Committee on Women's Athletics Subcommittees**. The committee appointed the following members to serve on the identified (sub)committees:

a. Marilyn Moniz-Kaho'ohanohano, University of Hawaii, Mano, to serve on the CWA Strategic Planning Subcommittee.

b. Danez Marrabble, University of Alabama at Birmingham, and Rick Mazzuto, California State University, Northridge, to serve on the CWA/MOIC NCAA Matching Grant for Minority Woman selection committee.

14. **NCAA Woman of the Year Selections.** The committee received an update regarding the 2010 NCAA Woman of the Year, including statistics related to the conference nominations and nominee demographics. There were 139 conference/independent nominations and 452 institutional nominees. In order to increase the number of nominations, the committee discussed possibly implementing incentives at the conference level for those conferences that have a nomination from every institution. Additionally, the committee received an update on the plans for this year's award dinner and honoree activities on the weekend of October 16-17, 2010.

15. **Health and Safety Update.** David Klossner, NCAA staff, provided the committee with a health and safety resource sheet, which listed all available NCAA resources, and an update on the recent issues surrounding concussions and sickle cell trait testing. The staff noted the need for more participation in the NCAA injury surveillance program, and reminded the committee there is a free tool that institutions may use to record injuries.

The committee requested information on catastrophic and other injuries in competitive cheer, sideline cheer, and stunting/gymnastics. The committee also requested that more information and resources on nutrition and various eating/exercising disorders be provided to the membership.

16. **Title IX Update.** The committee received an update on Title IX related matters, including issues regarding the equitable scheduling of men and women's contests, and the counting of track participants.

17. **Future meeting dates and sites.**

a. February 23, 2011 via conference call.

b. June 21-23, 2011 in Indianapolis.

c. October, 2011(dates TBD) tentatively at NACWAA Convention in Pittsburgh, PA.

Committee Chair: *Stan Williamson, Campbell University*
Staff Liaison(s): *Karen Morrison, Gender Inclusion*
Lynn Holzman, Academic and Membership Affairs
Brynna Barnhart, Enforcement

ATTACHMENT

NCAA Committee on Women's Athletics Response to Go.Daddy.com Postseason Football Bowl Title Sponsorship

As stated in the NCAA Application for License to Conduct Postseason Football Contest, "because football bowls are licensed by the NCAA and benefit from enabling NCAA bylaws, the public identifies bowls as a part of NCAA football." Further, the application states that postseason football bowls must "promote and administer a postseason football game consistent with the image, integrity and values of the NCAA."

It is with this understanding that the NCAA Committee on Women's Athletics (CWA) objects to the approval of GoDaddy.com as a sponsor of a postseason football bowl. The CWA believes sponsors of the postseason football bowls should be consistent with NCAA values and attributes. The NCAA has previously excluded ads or advertisers "that do not appear to be in the best interests of higher education and student-athletes." However, the majority of the GoDaddy.com advertisements contain sexually suggestive material, most notably with the use of the "GoDaddy Girls." Its advertisements have also been criticized by the media for the "raunchy, Girls-Gone-Wild" style.

While GoDaddy.com has asserted its advertising during the postseason football bowl will be appropriate for the viewing audience, the public already associates GoDaddy.com with the sexually explicit messages portrayed through its previous advertising campaigns. Further, a review of the GoDaddy.com website reveals advertisements, commercials and videos even more suggestive than allowed on television. Not only are GoDaddy.com's advertisements disrespectful to the over 180,000 female student-athletes participating in the NCAA, they also send a message to the over 200,000 male student-athletes that the sexual exploitation of women is acceptable behavior.

The National Collegiate Athletic Association
September 21, 2010 KM/LH/BB:clm

REPORT OF THE NCAA MINORITY OPPORTUNITIES AND INTERESTS COMMITTEE JULY 19-20, 2010, MEETING

***ACTION ITEMS*.**

1. Legislative Items.

- None.

2. Nonlegislative Items.

- **Division I only.**

  - **Division I Leadership Council representation on the Minority Opportunities and Interests Committee.**

    (a) Recommendation. The Minority Opportunities and Interest Committee requests that the Division I Leadership Council adopt a policy to ensure the appointment of a liaison from the Leadership Council to the Minority Opportunities and Interest Committee.

    (b) Rationale. The Minority Opportunities and Interest Committee is an Association-wide committee responsible for focusing on issues regarding the education and well-being of ethnic minority and female student-athletes, as well as the enhancement of opportunities for ethnic minorities and women in coaching, athletics administration, officiating and the NCAA Governance Structure. Representation from the Division I Leadership Council would reinforce and effectively enhance communication within the structure.

    (c) Estimated Budget Impact. None.

    (d) Student-Athlete Impact. None.

***INFORMATIONAL ITEMS*.**

Association-wide.

1. Bylaw 21.2.4 Committees – Association-Wide Committees – General Committees -- Minority Opportunities and Interests Committee – Chancellor or President.

a. Recommendation. The committee examined the current committee composition and agreed that the committee would be enhanced by having the presence of a current president or chancellor serving as a committee member. The addition of a president or chancellor of a member institution would add a global perspective to the committee discussions, particularly on issues of national attention related to issues and concerns focused on ethnic minorities and women. The committee will seek, through the current committee nomination process, to identify a president or chancellor that meets the stated requirements (e.g., division, ethnicity) for the next available committee vacancy. At a future meeting, the committee will explore other avenues to make this a regular component of the committee's composition.

b. Rationale. The presence of a current NCAA president or chancellor serving as a committee member would add a global perspective to the committee, particularly on issues of national attention. In addition, with the increased emphasis of presidential involvement in the NCAA committee structure, the Minority Opportunities and Interests Committee is an ideal place for presidential input and involvement.

c. Estimated Budget Impact. None. This change would not increase the size of the committee. The number of committee members would remain the same.

d. Student-Athlete Impact. None.

2. New Committee Members. The committee welcomed new committee member Jennifer Chow, Division II National SAAC Representative from the California Collegiate Athletic Association, California State Polytechnic University, Pomona and new committee liaison Jay Rossello, NCAA Director of Legal Affairs/Assistant General Counsel.

3. **Review of the Committee on Women's Athletics (CWA) report**. First, the committee was provided with an informational update on proposed bylaw changes regarding Emerging Sports for Women. The committee requests to receive demographic information regarding the participation numbers for women of color in the recognized emerging sports for further discussion at an upcoming meeting. Second, in response to a referral received from the National Student-Athlete Advisory Committee, regarding the availability of Lesbian, Gay, Bisexual and Transgender (LGBT) resources for institutions and student athletes, MOIC is supportive of CWA's efforts to enhance the available online resources for the membership and student-athlete participants to help establish safe learning and competitive environments for all LGBT participants and professionals. Finally, committee members were encouraged to attend the 2010 Women of the Year gala, scheduled for Sunday, October 17.

4. **Review of the Executive Committee Subcommittee on Gender and Diversity report.** The committee received an update from the April 2010 committee meeting. MOIC is supportive of the staff's efforts to monitor championship events held in Arizona to determine any negative impact from the Arizona law. Additionally, it was requested by MOIC that an update of the on-going review of the diversity and gender programs be provided during their next meeting.

5. **National Association of Diversity Officers in Higher Education (NADOHE).** NADOHE serves as the preeminent voice of diversity officers in higher education. The committee was provided with an introduction to the association and has expressed an interest in reaching out to the president of the organization to begin a formal dialogue around obtaining an enhanced knowledge of the organization, its ongoing initiatives and the potential opportunities for future partnerships.

6. **DIII Cross Country Coaches request for MOIC regarding the NCAA Confederate Flag Policy**. A committee discussion was held in response to correspondence received from the DIII U.S. Cross Country Coaches of the U.S. Track and Field Cross Country Coaches Association (USTFCCCA). The DIII Coaches of USTFCCCA expressed their concerns regarding the perceived inequity of the application of the policy on predetermined versus nonpredetermined NCAA selected championship sites.

   A letter from MOIC will be sent to the DIII Coaches of USTFCCCA confirming the application of the policy regarding predetermined versus nonpredetermined sites and affirming the continued support of the policy as it currently stands.

7. **Student Athlete Climate Study update.** The committee reviewed the preliminary report of the Student-Athlete Climate Study (SCAS). The study was initiated to explore the impact of climate on three key outcomes of the intercollegiate student-athlete experience: student-athlete identity, academic and athletic success. Initial funding to support the study was obtained through a grant from the NCAA.

   A request for additional funding to continue analysis of the findings was made to MOIC. While MOIC is supportive of the work that has been done thus far and looks forward to the final findings being presented in early fall of 2010, MOIC is unable to provide additional financial support due to current budget limitations.

8. **2010-11 MOIC Strategic Plan**. The committee continues to make progress towards finalizing its strategic plan. Efforts during this meeting, focused on updating the vision and connecting it to the committee's mission. New objectives and tasks were created to help the committee continue to work towards fulfilling its vision.

9. **2011 Convention Programming.** MOIC recognized the successful diversity programming presented during the 2010 convention. The committee discussed concepts and sessions for the upcoming 2011 NCAA Convention. The Diversity and Inclusion staff will review these recommendations and determine which to use for the upcoming convention. MOIC will be used as a resource as planning efforts continue.

10. **Career in Sports Forum.** The committee received an update regarding the 2010 NCAA Career in Sports Forum conducted by the Educational Affairs staff. Student-athletes with an interest in exploring opportunities for careers in intercollegiate athletics as coaches and administrators were selected for the Forum. MOIC members expressed their willingness to serve as a resource for future forums.

11. **NCAA Coaches Academies.** The committee received an update regarding the 2010 Coaches Academies. During the 2009-10 hiring season, 15 minorities were hired as NCAA head football coaches. The Academies are designed to assist coaches with career advancement strategies, networking and exposure opportunities. In the past two years, 13 participants of the coaching programs have been hired as head coaches.

12. **Faculty Athletics Representatives Association (FARA) Project Team.** The committee was provided an update on the collaboration with the Executive Board of FARA to continue to support efforts to diversify the FARA membership. Efforts are being made to develop strategies and best practices to be shared with key constituents. The committee members serving on the project team will continue to provide updates as activities occur.

13. Competitive Safeguards and Medical Aspects of Sport (CSMAS) Committee Discussion of Sudden Cardiac Arrest in African American Student-Athletes. The committee requested that CSMAS continue to gather research/information on this issue. At its next meeting, the committee plans to review this research/information and recommendations (if any) of the CSMAS.

14. Future Meeting Dates and Sites.

a. September 20-21, 2010, Indianapolis, Indiana.

b. February 8-9, 2011, Indianapolis, Indiana.

Committee Chair: *Dawn Reynolds, University of Miami*
Staff Liaison(s) *Nicole Bracken, Research*
Kimberly Ford, Diversity and Inclusion
Jay Rossello, General Counsel

REPORT OF THE NCAA MINORITY OPPORTUNITIES AND INTERESTS COMMITTEE SEPTEMBER 20-21, 2010, MEETING

ACTION ITEMS.

1. Legislative Items.

- None.

2. Nonlegislative Items.

- None.

INFORMATIONAL ITEMS.

Association-wide.

1. New committee members. The committee welcomed new committee members Irma Garcia, director of athletics, St. Francis College (New York); Jeffrey W. McLeod, Esquire, associate commissioner, Central Intercollegiate Athletic Association; and Darius Law, Division I national Student-Athlete Advisory Committee (SAAC) representative, Atlantic 10 Conference, from the University, of North Carolina at Charlotte. The committee also expressed its gratitude to the following outgoing committee members for their service:

- Virnette House-Browning, executive athletics director, Bradley University.
- Allison Tookes, Associate athletics director, Wayne State University (Michigan).
- Aminah Charles, Division I national SAAC representative, Mid-Eastern Athletic Conference, Hampton University.

2. Introduction to NCAA national office and international interns. The committee members were introduced to the 2010-11 NCAA national office interns and the two South Korean interns participating in the pilot international internship program.

3. Restructuring of the NCAA Executive Committee Subcommittee on Gender and Diversity Issues (ECSGD) and the national office. Staff provided the committee an overview of the recent national office executive staff changes and overall restructuring. Efforts around increasing efficiencies and the elimination of redundancies led to the most recent

staffing changes that affected the NCAA diversity and inclusion and gender initiatives areas and staff. In light of the recent changes affecting the national office, the committee asked that staff provide an update on the impact, if any, the staffing changes may have had on the diversity and gender of the overall national office staff.

The committee also engaged in a discussion on the commonly committee charge and structure of the ECSGD as it relates to that of the Minority Opportunities and Interest Committee (MOIC) and the Committee on Women's Athletics (CWA). The committee was presented with proposed model changes and the rationale for combining the three committees into one to increase effectiveness. The committee will continue to discuss the issues and make a determination to support any future proposed legislative changes which will need to be introduced by July for the 2012 legislative cycle.

4. **MOIC Report.** The committee received an update regarding its July report and actions taken since the last meeting. An NCAA Division I Leadership Council member has been identified to participate in discussions and will be invited to attend the February, 2011 meeting. The request to have a president or chancellor legislated to serve on the committee was moved from an action item to an Association-wide informational request.

5. **Updated committee meeting policies.** The committee was provided with a comprehensive overview of the updated insurance and travel policies of the national office that went into effect September 1.

6. **2011 National Convention diversity and inclusion sessions.** The committee received an overview of the diversity and inclusion proposed sessions for the 2011 NCAA Convention. Sessions scheduled to take place on Wednesday, January 14, include: overcoming adversity - solutions drawn from diverse perspectives, an introduction to the new NCAA Inclusion Framework, followed by the inclusion reception.

7. **Executive Committee Subcommittee on Gender and Diversity Issues Report.** The committee was provided an overview of the ECSGD report from August, which included discussions on membership growth. The committee was also provided with an update on recent activity of the national office with the Hispanic Association of College and Universities, as well as the working committee formed to address issues pertaining to Hispanic and Latino student-athletes, coaches and administrators. The committee has requested that available membership Spanish resources be identified.

8. **National Association of Diversity Officers in Higher Education (NADOHE) update.** The committee was provided an update on the enlightening discussion with the President of NADOHE. The NCAA is a charter member of this policy-based organization. An invitation has been extended to the president of the association to attend the February meeting of MOIC to continue the discussion.

9. **Student-Athlete advisory reports.**

a. **Division I SAAC meeting report.** A summary was provided of the July Division I SAAC report that included the following areas of focus: commercialism, multi-year scholarship awards and recruiting models. The next meeting will focus primarily on reviewing legislation for the next cycle.

b. **Division II SAAC meeting report.** A summary of July Division II SAAC report was provided that included the following highlights: the achievement of the 2010 Make-A-Wish donation goal, discussions on NCAA educational programming, transgender student-athlete issues, future meetings and the new Division II website.

c. **Division III SAAC meeting report.** A summary of July Division III SAAC report was provided that included the areas of focus including: sand volleyball, drug education/drug testing models, transgender student-athlete issues and sports wagering.

10. **Faculty Athletics Representatives Association (FARA) project team.** The committee was provided an update on the progress of the work being done between MOIC and the executive board of FARA.

11. **NCAA funding opportunities.** The committee was provided a supplement that outlined NCAA programming, grants and scholarship resources that are available to NCAA member stakeholders.

12. **Fellows Program update**. The committee was provided an update on the NCAA Fellows Leadership Development Program that provides professional and leadership development to experienced senior level administrators aspiring to become Director of Athletics. Since the program's inception in 1997, 56 individuals have completed the program. All females and ethnic minorities meeting the selection criteria are eligible to apply. The program is currently

undergoing a program redesign to rebrand and enhance the program. Changes being made include the incorporation of a champion's aspect that will pair the selected participants with Presidents engaged in the governance structure. The length of the program will be shortened from 18 to 12 months. The committee suggested changes to the selection criteria of the participants that will be provided to the program administrators.

13. 2010-2012 MOIC strategic plan discussion. Given staffing changes and developments at the national office, as well as potential committee restructuring, the committee decided to postpone any discussions on the strategic plan until the direction of the national office inclusion office was more apparent.

14. NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS). Staff was provided an overview of the roles and responsibilities of the health and safety group within educational affairs. A comprehensive overview was provided on current activity that includes the following: injury surveillance efforts with DATALYS, changes being made to available educational materials for various student-athlete well-being issues (such as concussions, and heat related illnesses), sickle cell trait testing, sudden cardiac arrest issues and related future research efforts and the development of educational resources. Additionally, the committee was updated on the progress in playing rules as a result of the work of the CSMAS.

15. Other Business. A discussion was held regarding the current structure of the in-person meeting schedule. It was noted that the May meeting could be handled via conference call, with the September and February meetings remaining in-person.

16. Future Meeting Dates and Sites.

a. February 8-9, 2011, Indianapolis, Indiana.

b. May 3, 2011 *(tentative conference call)*, time TBD.

c. September 12-13, 2010, Indianapolis, Indiana.

Division II only.

Division II Management Council/Presidents Council Report. An overview was provided on the Division II Council reports and the division's current initiatives: Life in the Balance, which will focus on the non-championship segment as well as exempted contests, division membership growth and related concerns, recognizing the need for managing sickle cell but understanding the extensive costs associated with requiring sickle cell testing, and the launching of a Division II mentoring program between the Division II Athletics Director Association and Division II. There was a discussion on considering future messages the NCAA could develop using student-athletes to impact youth in our communities.

Division III only.

17. **Division III Management Council/Presidents Council Report.** An overview was provided on the Division III Council reports and the division's current initiatives: updated membership response to concerns on costs related to sickle cell testing, considerations being made to involve the position of the vice president for student-athlete affairs into governance discussions. Many positions directly oversee athletics and work with the presidents and would be able to provide a different perspective and increasing presidential involvement and communications to presidents regarding athletics.

18. **Division III Cross Country Coaches request of MOIC regarding the NCAA Confederate Flag**. The committee reviewed the follow up correspondence that was sent regarding the NCAA confederate flag policy request from the Division III cross country coaches.

19. **Division III Senior Minority Officer.** An update was provided to the committee on recent discussions regarding the consideration of a proposed Division III designation of a Senior Minority Administrator. The designated administrator would be recognized within the governance structure similar to that of the senior woman administrator and would not need to be a designated individual within the athletic department. This proposed effort is to assist

in diversifying the Division III committee structure. The committee raised questions regarding whether it was a good practice to consider allowing an administrator not directly involved in the discussions on athletics to participate in the committee structure and make decisions on possible unfamiliar issues. The concerns will be shared with the Division III Management Council, as previously requested.

Committee Chair:	*Dawn Reynolds, University of Miami*
Staff Liaison(s)	*Kimberly Ford, Diversity and Inclusion*
	Nicole Bracken, Research
	Jay Rossello, General Counsel

REPORT OF THE NCAA MINORITY OPPORTUNITIES AND INTERESTS COMMITTEE AND COMMITTEE ON WOMEN'S ATHLETICS SEPTEMBER 20, 2010, MEETING

ACTION ITEMS

1. Legislative Items.

None.

2. Nonlegislative Items.

None.

INFORMATIONAL ITEMS

Association-wide.

1. **Review of the current activities of the Committee on Women's Athletics (CWA) and Minority Opportunities and Interests Committee (MOIC).** CWA provided an update on emerging sports for women's programs and efforts being made to collect data regarding the senior woman administrator role for further discussion. MOIC noted the work presently being done to update its strategic plan and collaborations being established with the National Association of Diversity Officers in Higher Education and the Hispanic Association of College and Universities.

2. **Task force on the impact of violent behavior involving student-athletes.** The committees were provided with an update on the national office's effort to address the impact of violent behavior involving student-athletes. The issue was originally referred to the NCAA Committee on Sportsmanship and Ethical Conduct and input from CWA and MOIC is being requested. The committees provided the following suggestions: request that efforts be made to ensure collaborations with campus student judicial affairs groups; and, because it is not presently known how widespread this issue may be within membership that the NCAA should focus on developing educational resources for coaches, student-athletes and administrators.

3. **Transgender student-athlete participation**. Leah Kareti, NCAA staff, provided the committees with an update on transgender student-athlete issues. The Division III governance staff presently has taken the lead on this matter as it has been addressed at the Presidents Council, Management Council and the Student-Athlete Advisory Committee levels within the division both from an eligibility and student-athlete well-

being standpoint. The Division III Presidents Council has requested that efforts be made to raise awareness of the issues, identify available resources that address transgendered student-athletes' well-being, and to develop a timeline to create an NCAA policy on transgendered student-athlete participation. It was stressed this is an Association-wide membership issue even though the issue was first raised in Division III.

4. **NCAA Matching Grants for the Advancement of Minority Women Coaches update.** Teaera Strum, NCAA staff, provided an update on the NCAA matching grant. Nine organizations received grants during the 2010-11 selection process with funding awarded in the amount of $189,875. There were 12 grant requests received with four first time applicants of which one was selected. The matching grants support opportunities for associations and organizations in their efforts to promote coaching as a profession for minority women; identify, recruit and maintain women in the coaching profession; develop professional development strategies for minority women coaches at all levels; enhance partnerships; and to strategically promote opportunities for minority women coaches.

5. **NCAA Ethnic Minority and Women's Enhancement Postgraduate Scholarship update.** Strum also provided an update on the Ethnic Minority and Women's Enhancement Postgraduate Scholarship for Career in Athletics. The goal of this program is to increase the pool of minority and women candidates obtaining sports-related graduate degrees. The NCAA awards 13 scholarships to ethnic minorities and women college graduates (total of 26) who will be entering their initial year of postgraduate studies. The applicant must be seeking admission or have been accepted into sports administration or another program that will help the applicant obtain a career in intercollegiate athletics such as: athletics administrator, coach, athletic trainer or other career that provides a direct service to intercollegiate athletics. A new leadership student orientation symposium component was added this year to enhance the scholarship program. Applications are now being accepted for the 2011-12 process.

Committee Chairs: *Dawn Reynolds, senior associate director of athletics, University of Miami*
Stan Williamson, director of athletics, Campbell University

Staff Liaisons: *Brynna Barnhart, enforcement*
Nicole Bracken, research
Kimberly Ford, diversity and inclusion
Karen Morrison, gender initiatives
Lynn Holzman, academic and membership affairs
Jay Rossello, legal affairs

REPORT OF THE NCAA COMMITTEE ON SPORTSMANSHIP AND ETHICAL CONDUCT JUNE 2-3, 2010 MEETING

***ACTION ITEMS*.**

- **None.**

***INFORMATIONAL ITEMS*.**

Association-wide.

1. **Ethical Conduct.** The NCAA Committee on Sportsmanship and Ethical Conduct (CSEC) recommends that the NCAA Executive Committee form a task force to address violence involving student-athletes on and off the field. Funds and personnel need to be dedicated to address this issue. The task force should consist of university presidents, athletics administrators, leading experts in the field, student affairs and academic affairs personnel, and student-athletes.

   Based on recently reported acts of violence involving student-athletes and recent inquiries to the national office regarding the NCAA's role and responsibility regarding this subject; the charge of this task force would be to conduct research to determine the extent/scope of student-athlete violence, determine the NCAA's role in addressing this issue, review best practices in related areas and explore educational opportunities around the issue.

   The expected outcomes of this task force are subject to refinement as the work of the task force progresses. However, the primary goal is to conduct an informed, inclusive process resulting in protocol guidelines and recommendations to the membership on how to affect behavioral change regarding violence involving student-athletes.

   Budget required for travel and lodging to attend the task force meeting(s) is dependent on number of task force members external to the NCAA national office staff and number of meetings required to complete the charge (estimated: $15,000).

   Protecting and preserving student-athlete well-being is a fundamental principle of the NCAA and has been emphasized by NCAA president-elect Mark Emmert as continuing to be at the forefront of NCAA priorities. By exploring the extent and scope of student-athlete violence, this task force would be extending that commitment to protect student-athlete well-being.

2. **Negative Cybersportsmanship.** The CSEC recommends conducting research on coaches' and administrators' attitudes, beliefs, behaviors and potential effects of using social media Web sites to taunt, distract, embarrass or offend opponents during NCAA competitions.

A brief, pulse study of student-athletes regarding this topic was conducted in fall 2009. It was concluded that while the majority of student-athletes (80%) did not feel that this kind of behavior from fans or opponents was an issue, or was "just part of the game", qualitative comments implied a potentially more prevalent and concerning issue. Additionally, the CSEC feels that surveying the coaches and administrators may yield a richer scope of the issue.

This initiative will have no financial impact as surveys can be distributed and completed electronically using already-purchased programs.

Actions intended to taunt, distract, embarrass or offend student-athletes can contribute to a negative student-athlete experience during competition. With 20% of student-athletes responding to the original survey stating that the impact of negative cybersportsmanship on them was either of concern or unclear, more research is definitely needed. The addition of coach and administrator perspectives will also allow for the creation of educational materials for the membership and fans around this issue in order to enrich the student-athlete experience.

3. **RESPECT Sportsmanship Initiative.** Building on previous work to promote and inform the membership about the RESPECT campaign, staff has partnered with NCAA branding and special events to activate the logo campaign. Every NCAA championship in 2009-10 received RESPECT signage, public service announcements and RESPECT campaign information in event programs. RESPECT-branded giveaways were distributed to fans at select championship events. A communication was distributed to the membership this spring regarding the RESPECT campaign, including 2,800 e-mails and 2,300 hard copies; the RESPECT website and RESPECT brochure were included in the information.

   Next steps for the RESPECT campaign activation include:

   a. Implementing Phase III of the RESPECT campaign, focusing on sport-specific sportsmanship initiatives to be piloted in the 2010 soccer season.

   b. Discussing volunteer apparel and student-athlete sportsmanship mementos distributed at championships.

   c. Coordinating with conference representation to promote sportsmanship to student-athletes as well as nonstudent-athletes.

   d. Creating RESPECT educational materials to provide guidance for incoming freshmen student-athletes, captains and coaches.

e. Continued partnership with the American Football Coaches Association for the 2010 football season. Options to elevate the campaign for this season were discussed.

4. **Sportsmanship Awards Update.** The nomination process for both the student-athlete and administrator awards was discussed and divisional chairs were selected. The inaugural nomination process for the Bob Frederick Administrator Award will begin September 1, 2010.

5. **Sports Wagering Update.** The committee received an overview of the 2008 NCAA Sports Wagering Study results and the NCAA's new initiatives to educate student-athletes, coaches and athletic department staff about the rules and dangers of sports wagering. The recent litigation concerning the legalization of sports wagering in Delaware and current state and federal legislative proposals to legalize sports wagering were discussed.

6. **Playing Rules Update.** The committee received an overview of playing rules references regarding handshakes and treatment of officials. Safety, sportsmanship and image of the game are typically discussed at every rules meeting. Football approved a taunting and unsportsmanship conduct penalty effective in the 2011 season. In the interest of student-athlete safety, both men's and women's basketball added a stronger penalty for fouls involving players who make contact above the shoulders with a swinging elbow.

7. **Manuals Review.** The committee continues to work with academic and membership affairs to ensure the language in Bylaw 10 of the NCAA manuals is consistent across divisions, where applicable.

Committee Chair: *John Blanchard, University of North Carolina, Chapel Hill, Atlantic Coast Conference*

Staff Liaisons: *Becky Ahlgren-Bedics, educational affairs*
Chance Miller, agents, gambling and amateurism activities
Teresa Smith, championships

2010-6

NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- ELECTION PROCEDURES -- BOARD OF DIRECTORS

Intent: To specify that the NCAA Division I Board of Directors, on the recommendation of the NCAA Division I Administration Cabinet, shall have the authority to elect an institution to active Division I membership status.

A. Constitution: Amend 3, as follows:

3 NCAA Membership

[3.01 through 3.1 unchanged.]

3.2 ACTIVE MEMBERSHIP

[3.2.1 through 3.2.2 unchanged.]

3.2.3 Election Procedures.

3.2.3.1 Application. An institution desiring to become an active member of this Association shall complete a seven-year provisional membership period (see Constitution 3.6 and Bylaw 20.3). After the Administration Cabinet has determined that the institution has met the requirements of provisional membership, its request for active membership will be referred to the ~~*Leadership Council*~~ **Board of Directors** for election.

3.2.3.2 Accreditation and Division Classification. After the Administration Cabinet has determined that the institution is accredited by one of the six regional accrediting agencies, the application shall be considered with regard to requested membership division and sport classification in accordance with Bylaw 20. The application then shall be referred to ~~*Leadership Council*~~ **Board of Directors** for consideration.

3.2.3.3 Election. A favorable vote by two-thirds of the ~~*Leadership Council*~~ **Board of Directors** members present and voting shall elect the applicant to membership effective the following September 1, the beginning of practice in any sport for that fall term or the first day of classes for that fall term, whichever occurs first. When the vote of the ~~*Leadership Council*~~ **Board of Directors** has been completed, the applicant shall be notified.

[3.2.3.4 unchanged.]

[3.2.4 through 3.2.6 unchanged.]

3.3 MEMBER CONFERENCE

[3.3.1 through 3.3.2 unchanged.]

3.3.3 Election Process.

[3.3.3.1 unchanged.]

3.3.3.2 Election. Athletics conferences may be elected as member conferences by a majority vote of the delegates present and voting at an annual Convention or by a majority vote of the ~~*Leadership Council*~~ **Board of Directors**, effective the following September 1.

[3.3.4 through 3.3.6 unchanged.]

[3.4 through 3.5 unchanged.]

3.6 PROVISIONAL MEMBERSHIP

[3.6.1 through 3.6.2 unchanged.]

3.6.3 Election Procedures.

[3.6.3.1 unchanged.]

3.6.3.2 Accreditation and Division Classification. After the Administration Cabinet has determined that the institution meets the Association's requirements of acceptable academic standards (the institution is accredited by one of the six regional accrediting agencies), the application shall be considered with regard to the requested membership division in accordance with Bylaw 20. The application then shall be referred to the ~~*Leadership Council*~~ **Board of Directors** for consideration.

3.6.3.3 Election. A favorable vote by two-thirds of the ~~*Leadership Council*~~ **Board of Directors** members present and voting shall elect the applicant to provisional membership effective the following September 1. When the vote of the ~~*Leadership Council*~~ **Board of Directors** has been completed, the applicant shall be notified.

[3.6.4 unchanged.]

3.6.5 Loss of Provisional Membership.

3.6.5.1 Termination. The membership of any provisional member failing to maintain the academic or athletics standards required for such membership or failing to meet the conditions and obligations of membership may be terminated by a two-thirds vote of the ~~*Leadership Council*~~ **Board of Directors** members present and voting. A notice of intention to terminate membership, stating the grounds on which such a motion will be based, shall be given in writing to the president or chancellor of the member institution.

[3.6.5.2 through 3.6.5.4 unchanged.]

3.6.5.5 Reinstatement of Terminated Member. Any provisional member whose membership is terminated may reapply for membership after a period of one year by a two-thirds vote of the ~~*Leadership Council*~~ **Board of Directors** members present and voting.

[3.7 unchanged.]

B. Constitution: Amend 4.2, as follows:

4.2 DIVISION I BOARD OF DIRECTORS

[4.2.1 through 4.2.1.3 unchanged.]

4.2.2 Duties and Responsibilities. The Board of Directors shall:

[4.2.2-(a) through 4.2.2-(m) unchanged.]

(n) Advise the Executive Committee concerning the employment of the NCAA president and concerning the oversight of his or her employment; ~~*and*~~

(o) Be responsible for the administration, compilation and disclosure of information concerning the Academic Progress Rate (APR) and Academic Performance Census (APC)**; and**

(p) Elect institutions to active Division I membership.

C. 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*~~ **Board of Directors** 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 20.3 unchanged.]

[20.4 through 20.4.4 unchanged.]

20.5 CHANGE OF DIVISION MEMBERSHIP

[20.5.1 unchanged.]

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 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*~~ **Board of Directors** 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 20.5 unchanged.]

Source: NCAA Division I Board of Directors (Leadership Council)

Effective Date: Immediate

Category: Amendment

Topical Area: NCAA Membership

Rationale: This proposal transfers the responsibility of electing institutions to active Division I membership from the NCAA Division I Leadership Council to the Board of Directors. The Leadership Council will still maintain oversight of the membership process and benchmarks; however, the Board of Directors should have the ultimate authority to elect new Division I members. This change is requested as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant agreement 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.

Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

none

History

Aug 03, 2010: Submit; Submitted for consideration.

2010-10

ORGANIZATION -- DIVISION I LEGISLATIVE COUNCIL -- VOTING METHOD -- RESULTS OF ROLL-CALL VOTES

Intent: To specify that roll-call vote results of legislative actions taken by the Legislative Council shall be reported to the membership and shall include a record of each council member's vote; further, to specify that the overall outcomes of votes on other matters shall be reported to the membership, but neither the vote count nor individual votes shall be reported.

Constitution: Amend 4.6, as follows:

4.6 DIVISION I LEGISLATIVE COUNCIL

[4.6.1 through 4.6.3 unchanged.]

4.6.4 Voting Method. The method of voting on issues considered by the Legislative Council shall be by roll call, except for actions taken by the unanimous consent of the members present and voting. Roll-call vote results **of legislative actions** shall be reported to the membership **and shall include a record of each member's vote. The overall outcomes of votes on other matters shall be reported to the membership, but neither the vote count nor individual votes shall be reported.**

[Remainder of 4.6 unchanged.]

Source: NCAA Division I Legislative Council

Effective Date: Immediate

Category: Amendment

Topical Area: Organization

Rationale: This proposal amends the current legislation to reflect the current practice of the Legislative Council to only provide the roll-call voting results taken on legislative actions. Generally, the voting results taken on non-legislative issues, such as appeals of interpretations submitted by the membership or revisions to policies and procedures, have not been included in the council's report in order to maintain the integrity of the process. This change is requested 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.

Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)
none

History
Apr 12, 2010: Submit; Submitted for consideration.

Apr 13, 2010: Legislative Council, Sponsored

2010-23

AMATEURISM -- AMATEUR STATUS -- EXCEPTION FOR PAYMENT BASED ON TEAM PERFORMANCE -- ACTUAL AND NECESSARY EXPENSES -- SPORTS OTHER THAN MEN'S ICE HOCKEY AND SKIING

Intent: In sports other than men's ice hockey and skiing, to specify that before full-time collegiate enrollment, an individual may accept payment based on his or her team's place finish or performance, or given on an incentive basis (e.g., bonus) from a team, provided the combination of such payments and expenses provided to the individual does not exceed his or her actual and necessary expenses to participate on the team.

Bylaws: Amend 12.1.2.4, as follows:

12.1.2.4 Exceptions to Amateurism Rule.

[12.1.2.4.1 through 12.1.2.4.2 unchanged.]

12.1.2.4.3 Exception for Payment Based on Team Performance Before Full-Time Collegiate Enrollment -- Sports Other Than Men's Ice Hockey and Skiing. In sports other than men's ice hockey and skiing, before full-time collegiate enrollment, an individual may accept payment based on his or her team's place finish or performance, or given on an incentive basis (e.g., bonus), provided the combination of such payments and expenses provided to the individual does not exceed his or her actual and necessary expenses to participate on the team. 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).

[12.1.2.4.3 through 12.1.2.4.13 renumbered as 12.1.2.4.4 through 12.1.2.4.14, unchanged.]

Source: NCAA Division I Amateurism Cabinet

Effective Date: Immediate

Category: Amendment

Topical Area: Amateurism

Rationale: With the adoption of Proposal No. 2009-22, as of August 1, 2010, in sports other than men's ice hockey and skiing, prospective student-athletes are permitted to accept payment based on performance (e.g., bonuses) from a professional team, provided such payments do not exceed actual and necessary expenses to participate on the professional team. However, Proposal No. 2009-22 did not address whether the same philosophy should apply to prospective student-athletes who participate on nonprofessional teams (e.g., amateur teams and Olympic or national teams). This proposal would extend the concept to teams other than professional teams and permit a prospective student-athlete to accept actual and necessary expenses in the form of payment based on performance from other types of teams. This change is requested 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 are not likely generated and there does not appear to be a significant impact on existing or proposed legislation.

Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

none

History

Jun 24, 2010: Submit; Submitted for consideration.

Jun 25, 2010: Amateurism Cabinet, Sponsored

Jun 25, 2010: Amateurism Cabinet, Recommends Approval as Noncontroversial Legislation

2010-50

RECRUITING -- BASKETBALL EVENT CERTIFICATION -- WOMEN'S EVENTS AND MEN'S SUMMER EVENTS -- PRICE OF ADMISSION

Intent: In basketball, to specify that in order for a women's event or men's summer event to be certified, the price of admission to the event must be listed on the event certification application and the price must be made available to coaches prior to their arrival at the event.

A. Bylaws: Amend 13.18, as follows:

13.18 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:

[13.18-(a) through 13.18-(o) unchanged.]

(p) The price of event packets **and the price of admission to the event** must be listed on the event certification application and the ~~*price*~~ **prices** must be made available to coaches prior to their arrival at the event; and

[13.18-(q) unchanged.]

B. Bylaws: Amend 13.19, as follows:

13.19 BASKETBALL EVENT CERTIFICATION -- WOMEN'S BASKETBALL

In women's basketball, in order for a 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 prior to the start of the event. An event review form for each event also must be submitted to the NCAA national office not later than three months following the event sessions. The following criteria must be met by each event in order to be certified:

[13.19-(a) through 13.19-(n) unchanged.]

(o) The price of an event packet **and the price of admission to the event** must be listed on the event certification application and the ~~*price*~~ **prices** must be made available to coaches prior to their arrival at the event;

[13.19-(p) through 13.19-(q) unchanged.]

Source: NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee) (Women's Basketball Issues Committee)

Effective Date: May 1, 2011; for events occurring on or after May 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: Current basketball event certification criteria include the requirement that the price of an event packet must be listed on the event certification application and the price must be made available to coaches prior to their arrival at the event. In addition to event packets, operators also often charge admission for coaches to attend the event. Requiring advance notice of the cost of admissions will assist coaches in planning which events to attend. This change is requested 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 are not likely generated and there does not appear to be a significant impact on existing or proposed legislation. Adopting this proposal as noncontroversial legislation will also allow for appropriate notice to event operators as applications are submitted for events occurring on or after May 1, 2011. This proposal was initiated and supported by the Women's Basketball Coaches Association.

Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

none

History

May 03, 2010: Submit; Submitted for consideration.

May 10, 2010: Women's Basketball Issues Committee, Recommends Approval as Noncontroversial Legislation

May 25, 2010: Men's Basketball Issues Committee, Recommends Approval as Noncontroversial Legislation

Jun 16, 2010: Championships/Sports Management Cabinet, Sponsored

Jun 16, 2010: Championships/Sports Management Cabinet, Recommends Approval as Noncontroversial Legislation

2010-106

COMMITTEES -- COMMON COMMITTEES -- COMMITTEES WITH PLAYING RULES AND CHAMPIONSHIPS ADMINISTRATION RESPONSIBILITIES -- WOMEN'S BOWLING COMMITTEE

Intent: To increase the number of members of the Women's Bowling Committee from six to seven, including nonvoting secretary rules editor.

Bylaws: Amend 21.4.2, as follows:

[Common provision, all divisions, divided vote]

21.4.2 Bowling Committee, Women's. The Women's Bowling Committee shall consist of ~~*six*~~ **seven** members, including the secretary rules editor**, who shall be a nonvoting member**.

Source: NCAA Division I Championships/Sports Management Cabinet (Women's Bowling Committee)

Effective Date: Immediate

Category: Amendment

Topical Area: Committees

Rationale: The secretary rules editor was initially included in the Women's Bowling Committee composition because an individual member of the Women's Bowling Committee was designated to serve in that role at the time the position was created. That individual was initially selected as a member and then as secretary rules editor due to extensive knowledge of the sport and familiarity with the rules of other bowling entities. The expertise of the secretary rules editor continues to be a valuable and necessary resource to the committee. The secretary rules editor will continue to attend the annual Women's Bowling Committee meeting and the Women's Bowling Championship. However, as the number of institutions sponsoring women's bowling continues to grow, a larger pool of administrators and coaches from which to draw committee members is now available. Finally, an additional committee position will provide more opportunity for diverse representation on the Women's Bowling Committee. This change is requested 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 are not likely generated and there does not appear to be a significant disagreement or alternative points of view are not likely generated and there does not appear to be a significant impact on existing or proposed legislation.

Budget Impact: $3,065 for expenses for an additional committee member.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)
none

History
Jun 24, 2009: Submit; Submitted for consideration.

Jun 26, 2009: Women's Bowling Committee, Recommends Approval

Sep 16, 2009: Championships/Sports Management Cabinet, Sponsored

Sep 16, 2009: Championships/Sports Management Cabinet, Recommends Approval as Emergency or Noncontroversial Legislation

2010-

RECRUITING -- CONTACTS AND EVALUATIONS -- BASKETBALL EVALUATIONS -- NONINSTITUTIONAL ORGANIZED RECRUITING EVENTS APPROVED, SPONSORED OR CONDUCTED BY A GOVERNING BODY -- EVENT CERTIFICATION

Intent: In basketball, to specify that a noninstitutional organized event that is approved, sponsored or conducted by an applicable state, national or international governing body and is organized and conducted primarily for a recruiting purpose is subject to the basketball event certification program.

Bylaws: Amend 13.1.7.8, as follows:

13.1.7.8 Basketball Evaluations.

[13.1.7.8-(a) through 13.1.7.8-(b) unchanged.]

(c) Coaches' Attendance at Basketball Events. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1 and shall not affect the prospective student-athlete's eligibility.

(1) Men's Basketball. Institutional coaching staff members are restricted during the academic year to attending regularly scheduled high school, preparatory school and two-year college contests/tournaments and practices and regular scholastic activities involving only student-athletes enrolled at the institution at which the regular scholastic activities occur. During the summer evaluation period, a member of an institution's basketball coaching staff may attend institutional basketball camps per Bylaw 13.12.1.1; and noninstitutional organized events (e.g., camps, leagues, tournaments, festivals**, showcases**) that are certified per Bylaw 13.18**, including events that are approved, sponsored or conducted by an applicable state, national or international governing body, but are organized and conducted primarily for a recruiting purpose**. It is permissible for coaches to attend organized team practices in preparation for a certified event only if such practice time has been designated by the organizer as part of the event. The basketball event certification program is not applicable to National Basketball Association (NBA) official predraft camps or noninstitutional organized events that are approved, sponsored or conducted by an applicable state, national or international governing body **and are not organized and conducted primarily for a recruiting purpose** (e.g., intrastate and interstate high school basketball games, state high school all-star games, international competitions and practices associated with such contests).

(2) Women's Basketball. During prescribed evaluation periods, institutional coaching staff members may attend regularly scheduled high school, preparatory school or two-year college contests/tournaments and practices; noninstitutional, nonorganized events (pick-up games); institutional basketball camps per Bylaw 13.12.1.1; and noninstitutional organized events (e.g., camps, leagues, tournaments, festivals**, showcases**) that are

certified per Bylaw 13.19**, including events that are approved, sponsored or conducted by an applicable state, national or international governing body, but are organized and conducted primarily for a recruiting purpose**. It is permissible for coaches to attend organized team practices in preparation for a certified event only if such practice time has been designated by the organizer as part of the event. The basketball event certification program is not applicable to noninstitutional organized events that are approved, sponsored or conducted by an applicable state, national or international governing body **and are not organized and conducted primarily for a recruiting purpose** (e.g., intrastate and interstate high school basketball games, state high school all-star games, international competitions and practices associated with such contests).

Source: NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee) (Women's Basketball Issues Committee)

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Recruiting

Rationale: Currently, the basketball event certification program is not applicable to noninstitutional organized events that are approved, sponsored or conducted by an applicable state, national or international governing body (e.g., intrastate and interstate high school basketball games, state high school all-star games, international competitions and practices associated with such contests). The event certification program was not designed to apply to regular scholastic competitions, all-star games that are either approved, sponsored or conducted by the applicable governing body and international competitions organized and administered by the applicable athletics governing body since such events are not organized primarily for a recruiting purpose. However, recruiting events (e.g., showcases, tryout camps) are being organized and/or approved by scholastic governing bodies (e.g., high school athletics associations) in an effort to provide evaluation opportunities for Division I college coaches. Such events should be subject to the basketball event certification program guidelines. This change is requested 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 are not likely generated and there does not appear to be a significant impact on existing or proposed legislation.

Estimated Budget Impact: None.

Impact on S-A's Time (Academic and/or Athletics): None.

2010-

PLAYING AND PRACTICE SEASONS -- EXCEPTION TO END OF PLAYING SEASON AND ANNUAL EXEMPTIONS -- GRIDIRON CLASSIC

Intent: In football, to eliminate the Gridiron Classic as an exception to the end of the playing season and as an annual contest exemption.

A. Bylaws: Amend 17.9.4.1, as follows:

[Federated provision, FCS only]

17.9.4 End of Playing Season. A member institution's last contest (game or scrimmage) with outside competition in football shall not be played after the second Saturday or Sunday in December, except for the following:

[17.9.4-(a) unchanged.]

(b) Bowl Games, NCAA and NAIA Championships, International Competition, **and** Heritage Bowl ~~*and Gridiron Classic*~~. One postseason game approved by the Championships/Sports Management Cabinet or those games played in the Division I Football Championship; football contests played on a foreign tour certified by the member institution, or the National Association of Intercollegiate Athletics football championships. In championship subdivision football only, a member institution's last contest also may include participation in the Heritage Bowl ~~*or Gridiron Classic*~~.

> ~~*17.9.4.1 Gridiron Classic Restrictions. All members of the Northeast Conference and the Pioneer Football League shall participate in the Division I Football Championship, if eligible and selected for participation, and members of those conferences that participate in the Division I Football Championship also shall not participate in the Gridiron Classic during the same year. The Gridiron Classic may be conducted on the same weekend as the Division I Football Championship, provided there is no conflict in the time of the contests.*~~
>
> [17.9.4.2 through 17.9.4.3 renumbered as 17.9.4.1 through 17.9.4.2, unchanged.]

B. Bylaws: Amend 17.9.5.2, as follows:

[Federated provision, FCS only]

17.9.5.2 Annual Exemptions. The maximum number of football contests shall exclude the following:

[17.9.5.2-(a) through 17.9.5.2-(h) unchanged.]

~~*(i) Gridiron Classic. Participation in the Gridiron Classic held between representatives from the Northeast Conference and the Pioneer Football League;*~~

[17.9.5.2-(j) through 17.9.5.2-(l) relettered as 17.9.5.2-(i) through 17.9.5.2-(k), unchanged.]

Source: NCAA Division I Championships/Sports Management Cabinet

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Due to recent bracket expansion for the NCAA Football Championship, the two conferences that previously sent teams to participate in the Gridiron Classic, the Northeast Conference and Pioneer Football League, will no longer hold the contest. This change is requested 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 are not likely generated and there does not appear to be a significant disagreement or alternative points of view are not likely generated and there does not appear to be a significant impact on existing or proposed legislation.

Estimated Budget Impact: None.

Impact on S-A's Time (Academic and/or Athletics): None.

2010-

INSTITUTIONAL CONTROL -- FINANCIAL DISCLOSURE -- MEN'S BASKETBALL

Intent: In men's basketball, to eliminate the requirement that an institution publicly disclose information regarding fiduciary relationships between the institution and prospective student-athletes' coaches.

Constitution: Amend 6.5, as follows:

~~*6.5 FINANCIAL DISCLOSURE*~~

~~*6.5.1 Men's Basketball. In men's basketball, an institution is required to publicly disclose information regarding financial, contractual or fiduciary relationships between the institution and prospective student-athlete's coaches as it relates to basketball-related activities. Such information must be provided on a form to the NCAA national office by June 15. The information shall include, but is not limited to, the following:*~~

~~*(a) Fees provided by the institution and/or institutional staff member to scholastic and nonscholastic coaches for involvement in speaking engagements or camp employment; and*~~

~~*(b) Game fees provided to noncollegiate club teams that participate on the institution's campus.*~~

~~*An institution that provides erroneous, incomplete or inaccurate information to the national office shall be limited or prohibited from engaging in summer recruiting activities during the July evaluation period. Further, institutional staff members who refuse to furnish information required by Constitution 6.5 or who knowingly furnish the NCAA or the individual's institution false or misleading information may be subject to a charge of unethical conduct.*~~

Source: NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee).

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Institutional Control

Rationale: The financial disclosure legislation was designed to identify potential conflicts of interest in the men's basketball recruiting process by providing "sunshine" on the relationships between institutional staff members and individuals who have access to prospective men's basketball student-athletes. Such information is valuable in determining whether improper activities are occurring. However, the basketball event certification staff experienced difficulty collecting accurate information. As directed by the NCAA president, the staff ceased enforcing the rule as the benefit derived from such data was minimal in relation to the resources expended to collect the information. In January 2006, the Division I Management Council adopted

Proposal No. 2006-1 to eliminate this legislation, but that action was overturned by the Division I Board of Directors in April 2006. Due to a lack of resources, and a reorganization of national office priorities, the data collection was suspended. Thus, the legislation has remained, but not has been enforced, which has created confusion among the membership. This change is requested 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: None.

Impact on S-A's Time (Academic and/or Athletics): None.

2010-

EXECUTIVE REGULATIONS -- DAY OF COMPETITION -- NOON START TIME -- EXCEPTION -- MEN'S GOLF CHAMPIONSHIPS

Intent: In men's golf, to specify that in instances in which the final day of the men's golf championships occurs on a Sunday, competition may begin prior to noon.

Administrative: Amend 31.1.4.4, as follows:

31.1.4.4 Noon Start Time. NCAA competition conducted on Sunday may not begin prior to noon, local time.

[31.1.4.4.1 unchanged.]

31.1.4.4.2 Exception – **Men's Golf Championships and** Women's Rowing Championships. In instances in which the final day of the **men's golf or** women's rowing championships occurs on a Sunday, competition may begin prior to noon.

Source: NCAA Division I Championships/Sports Management Cabinet (Men's Golf Committee).

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Executive Regulations

Rationale: The Men's Golf Championships team match is played on a Sunday and takes a minimum of approximately five hours of favorable weather to ensure completion of each individual match within the team match. With the chance for inclement weather being greater in the afternoon, a permanent exception would ensure that the championship is administered most effectively. The Sunday round would likely begin at 10 a.m. Even though an exception is available on an annual basis for extenuating circumstances (e.g., inclement weather), it would be more beneficial to have a consistent start time each year. This change is requested 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: None.

Impact on S-A's Time (Academic and/or Athletics): Starting the matches earlier on Sunday may allow student-athletes from the two participating teams to return to campus that same day rather than a day later.

2010-

PLAYING AND PRACTICE SEASONS AND RECRUITING -- MANDATORY MEDICAL EXAMINATION -- SICKLE CELL SOLUBILITY TEST -- WRITTEN RELEASE

Intent: To eliminate the ability for an individual to decline and sign a written release for the sickle cell solubility test as part of the required medical examination or evaluation for student-athletes who are beginning their initial season of eligibility and students who are trying out for a team must undergo prior to participation in voluntary summer conditioning or voluntary individual workouts pursuant to the safety exception, practice, competition or out-of-season conditioning activities.

A. Bylaws: Amend 13.11.3, as follows:

13.11.3 Tryout Exceptions.

[13.11.3.1 through 13.11.3.7 unchanged.]

13.11.3.8 Voluntary Summer Conditioning -- Football.

[13.11.3.8.1 through 13.11.3.8.2 unchanged.]

13.11.3.8.3 Mandatory Medical Examinations. Prior to participation in any weight training or conditioning workouts, 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 shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete declines the test and signs a written release*~~. The examination or evaluation must have been administered within six months prior to participation in any weight training or conditioning activity.

13.11.3.9 Voluntary Summer Conditioning -- Basketball. In basketball, a prospective student-athlete may engage in voluntary 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:

[13.11.3.9-(a) through 13.11.3.9-(b) unchanged.]

13.11.3.9.1 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 shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete declines the test and signs a written release*~~. The examination or evaluation must have been administered within six months prior to participation in any weight training or conditioning activity.

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 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.

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 shall include a sickle cell solubility (SST), unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete declines the test and signs a written release*~~. The examination or evaluation must have been administered within six months prior to participation in any weight training or conditioning activity.

13.11.3.11 Safety Exception -- Summer Prior to Initial Full-Time Enrollment at the Certifying Institution. In sports in which the safety exception is applicable in Bylaw 17, a prospective student-athlete who is enrolled in a summer term prior to initial full-time enrollment at the certifying institution may participate in voluntary individual workouts in the presence of the institution's coach an in the institution's regular practice facility when the prospective student-athlete uses equipment related to the sport. The coach may provide safety or skill instruction by may not conduct the individual's workout.

13.11.3.11.1 Mandatory Medical Examination. Prior to participation in any voluntary individual workouts pursuant to the safety exception, 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 shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete declines the test and signs a written*~~

~~*release*~~. The examination or evaluation must have been administered within six months prior to participation in any safety exception activity.

B. Bylaws: Amend 17.1.5, as follows:

17.1.5 Mandatory Medical Examination. Prior to participation in any practice, competition or out-of-season conditioning activities (or in Division I, permissible voluntary summer conditioning in basketball and football or voluntary individual workouts pursuant to the safety exception), student-athletes who are beginning their initial season of eligibility and students who are trying out for a team 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 be administered within six months prior to participation in any practice, competition or out-of-season conditioning activities. In following years, an updated history of the student-athlete's medical condition shall be administered by an institutional medical staff member (e.g., sports medicine staff, team physician) to determine if additional examinations (e.g., physical, cardiovascular, neurological) are required. The updated history must be administered within six months prior to the student-athlete's participation in any practice, competition or out-of-season conditioning activities for the applicable academic year.

17.1.5.1 Sickle Cell Solubility Test. The examination or evaluation of student-athletes who are beginning their initial season of eligibility and students who are trying out for a team shall include a sickle cell solubility test, unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete or student-athlete declines the test and signs a written release*~~.

Source: NCAA Division I Championships/Sports Management Cabinet (Committee on Competitive Safeguards and Medical Aspects of Sports)

Effective Date: August 1, 2011

Proposal Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The NCAA Committee on Competitive Safeguards and Medical Aspects of Sports supported the original legislative proposal that did not allow a student-athlete to decline a sickle cell solubility test through a written release. It is important that athletics departments confirm sickle cell trait status in all student-athletes during the medical examination period prior to athletics participation. The concern is that the current written release option serves as a blanket waiver contrary to the intent of the original proposal. This change is requested 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. However, an immediate effective date may not be practical. Therefore, the

recommendation is that the written release option be eliminated for those examinations that occur in conjunction initial participation in athletics activities on or after August 1, 2011.

Estimated Budget Impact: Estimated to be $5 per test.

Impact on S-A's Time (Academic and/or Athletics): None.

2010-

ELIGIBILITY -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- EXCEPTION -- COOPERATIVE EDUCATIONAL WORK EXPERIENCE

Intent: To permit a student-athlete to represent the certifying institution in intercollegiate athletics while he or she is enrolled in a cooperative educational work experience program (e.g., co-op, internship, practicum, student-teaching) offered by the institution, provided the student is considered to be enrolled in a full-time program of studies, regardless of the credit value of the program; further; to specify that a student who participates in a cooperative educational work experience program that is not a required element of his or her degree program must be enrolled in a minimum of six additional credit hours at the certifying institution during the same term.

A. 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 Cooperative Educational Work Experience Program. A student may represent the certifying institution in intercollegiate athletics while he or she is enrolled in a cooperative educational work experience program (e.g., co-op, internship, practicum, student-teaching) offered by the institution, provided the student is considered to be enrolled in a full-time program of studies, regardless of the credit value of the program. However, a student who participates in a cooperative educational work experience program that is not a required element of his or her degree program must be enrolled in a minimum of six additional credit hours at the certifying institution during the same term.

[14.1.8.2.5 through 14.1.8.2.6 renumbered as 14.1.8.2.6 and 14.1.8.2.7, unchanged.]

Source: NCAA Division I Academics Cabinet

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Eligibility

Rationale: This proposal seeks to incorporate current guidelines that have resulted in the approval of the majority of waivers related to such programs filed over the past three years. The recommendation decreases bureaucracy by allowing institutions that have cooperative educational work experience programs to mange full-time enrollment for practice and competition without the need to request a waiver, while maintaining the applicability of other progress-toward-degree requirements. Additionally, participation in such a program should not create a deficiency of the progress-toward-degree requirements. This change is requested 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 are not likely generated and there does not appear to be a significant impact on existing or proposed legislation.

Estimated Budget Impact: None.

Impact on S-A's Time (Academic and/or Athletics): None.

2010-

PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING-SEASON REGULATIONS -- GENERAL REGULATIONS FOR COMPUTING PLAYING SEASONS APPLICABLE TO ALL SPORTS -- NON-NCAA POSTSEASON CHAMPIONSHIPS PARTICIPATION -- EMERGING SPORTS FOR WOMEN

Intent: To specify that practice and competition for a national governing body championship in an emerging sport for women are exempt from being counted against the institution's declared playing and practice season limitations.

Bylaws: Amend 17.1.7, as follows:

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

[17.1.7-(a) through 17.1.7-(e) unchanged.]

(f) Non-NCAA Postseason Championships Participation. Practice and/or competition in non-NCAA (or non-NAIA) postseason championships (e.g., an invitational tournament scheduled after a conference championship) must be counted against the institution's declared playing-season limitation; except that practice and competition for one postseason championship in each non-NCAA championship sport used for sports sponsorship purposes pursuant to Bylaw 20.9.4.1.1, **practice and competition for a national governing body championship in an emerging sport for women pursuant to Bylaw 20.02.5** and practice and competition for the National Invitational Softball Championship, for the Intercollegiate Rowing Association (IRA) Women's Lightweight Rowing Championship, the National Invitational Volleyball Championship and the USA Gymnastics Collegiate National Championship are exempt from the institution's declared playing-season limitations in those sports;

[17.1.7-(g) unchanged.]

Source:

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Currently, competition in championships in emerging sports for women is not exempt from the playing and practice season regulations for that sport. Due to the uncertainty related to being selected for championships, institutions must account for this time in their playing and practice season and must start their official practice season later than the official starting date to ensure eligibility for participation in the championship. In addition, this proposal is consistent with championships in non-NCAA championship

sports used for sports sponsorship. A review of the legislative history suggests that this change should have been made with the adoption of the emerging sports for women program. This change is requested 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 are not likely generated and there does not appear to be a significant disagreement or alternative points of view are not likely 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 (Academic and/or Athletics): None.

2010-

LEGISLATIVE PROCESS -- OTHER LEGISLATIVE AND AMENDMENT PROCEDURES -- INTERPRETATION PROCESS -- REVIEW OF LEGISLATIVE REVIEW/INTERPRETATIONS COMMITTEE'S DECISION -- APPEAL PROCEDURES

Intent: To eliminate the requirement that all appeals of decisions of the Legislative Review/Interpretations Committee to the Legislative Council occur at Legislative Council meeting immediately following the decision of the committee.

Constitution: Amend 5.4.1.2.2, as follows:

5.4.1.2 Interpretation Process

> [5.4.1.2.1 through 5.4.1.2.1.3 unchanged.]
>
> 5.4.1.2.2 Review of Legislative Review/Interpretations Committee's Decision. The Legislative Council shall review all interpretations issued by the Legislative Review/Interpretations Committee and may approve, reverse or modify such interpretations. A member institution may appeal a decision of the Legislative Review/Interpretations Committee to the Legislative Council ~~*at the Legislative Council meeting immediately following the decision of the committee*~~. The appeal must be submitted in writing by the institution's president or chancellor, faculty athletics representative or director of athletics. The Legislative Council shall establish the procedures for such an appeal. A decision of the Legislative Council is final and no additional appeal opportunity shall exist for a member institution.

Source:

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Legislative Process

Rationale: Currently, a member institution may appeal a decision of the Legislative Review/Interpretations Committee to the Legislative Council at the Legislative Council meeting immediately following the decision of the committee. However, the Legislative Council meets only three times a year. As a result, a long period of time may pass before an appeal is considered. In situations in which there are pending eligibility and/or infractions issues, more timely consideration of an appeal is necessary. This proposal will allow the Legislative Council to establish appropriate policies and procedures related to the timing of appeals. This change is requested 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 are not likely generated and there does not appear to be a significant impact on existing or proposed legislation.

Estimated Budget Impact: None.

Impact on S-A's Time (Academic and/or Athletics): None.

M-2010- RECRUITING -- CONTACTS AND EVALUATIONS -- MEN'S BASKETBALL EVALUATIONS -- FALL CONTACT PERIOD

Intent: In men's basketball, to clarify that evaluations at regularly scheduled high school, preparatory school and two-year college contests/tournaments and practices conducted at sites other than prospective student-athletes' educational institutions are permitted during the fall contact period.

Bylaws: Amend 13.1.7.8, as follows:

13.1.7.8 Basketball Evaluations.

(a) Men's Basketball. In men's basketball, each institution is limited to 130 recruiting-person days (see Bylaw 13.02.8) during the academic year contact and evaluation periods.

> (1) Fall Contact Period. ~~*Evaluations at sites other than prospective student-athletes' educational institutions are prohibited during the fall contact period.*~~ Evaluations of live athletics activities shall be limited to:
>
> (i) Regularly scheduled high school, preparatory school and two-year college contests/tournaments and practices; and
>
> (ii) Regular scholastic activities involving prospective student-athletes enrolled only at the institution at which the regular scholastic activities occur.

[Remainder of 13.1.7.8 unchanged.]

Source: NCAA Division I Legislative Council

Effective Date: Immediate

Proposal Category: Modification of Wording

Topical Area: Recruiting

Rationale: na

Estimated Budget Impact: None.

Impact on Student Athlete's Time (Academic and/or Athletics): na

August 18, 2010

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Association of College Unions International
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Bloomington, Indiana 47404

To the Association of College Unions International Board of Trustees,

This is to acknowledge receipt of your July 30 correspondence regarding NCAA Division I Proposal 2009-100 (Recruiting -- Tryouts -- Nonscholastic Practice, Contest or Event -- Men's Basketball). I want to thank you for sharing your concerns. Lynn Holzman and I will see to it that your comments are shared with the NCAA Division I Legislative Council in October during their initial review of all of the proposals in the 2010-11 legislative cycle. I would like to take this opportunity to provide you some additional information related to the proposal.

The proposal is designed to address a concern specific to men's basketball, that being the proliferation of nonscholastic events that are being organized and operated to assist host institutions with recruiting opportunities. Individual prospects or teams including prospects identified as important to a coaching staff's efforts are receiving travel and room and board expenses to participate in such events. There have been allegations that Division I coaches are being leveraged to assist event operators in arranging for discounted operational costs under the threat that the event operator will take the event (and the participants) to another institution's campus. Regardless of the complicity of the coaching staff, many in the Division I membership have voiced concerns that these events provide the host institutions with a significant recruiting advantage as participants in such events in essence receive a free official visit to the institution's campus.

It is important to note that the proposal is designed to address only men's basketball and does not impact other sports, including women's basketball. Further, there are no plans to expand the proposal to other sports as the concerns that lead to the proposal are specific to the men's basketball culture. In addition, the proposal does not apply to any activities involving individuals who have not reached prospect-age (individuals who have not yet enrolled in seventh grade). Thus, the proposal, as currently written, would not impact local youth camps, other than those specific to men's basketball that include prospect-age participants.

During its April 2009 meeting, the Legislative Council actually deferred action on the proposal and expressed concern regarding the scope of the proposal as currently drafted. The Legislative Council referred the proposal to the NCAA Division I Men's Basketball Issues Committee (MBIC) for further review and feedback. The MBIC discussed the proposal at its May 25th meeting and has offered the following recommendations:

a. The proposal should be modified to specify that an institution shall not host, sponsor or conduct nonscholastic practices and competitions, but continue to permit institutions to host noninstitutional camps, subject to current NCAA rules.

b. Consideration should be given to establishing a definition of camp, applicable to both institutional and noninstitutional camps, to ensure that appropriate instructional elements are present and that the camp is not primarily a competitive activity.

c. Use of institutional facilities for noninstitutional camps should be limited to the summer (June through August).

d. State sponsored multisport events would not be precluded from using institutional facilities for basketball-related events, subject to current NCAA rules.

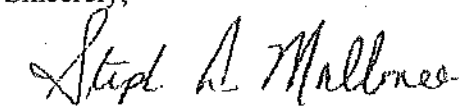
e. The proposal should not distinguish between events conducted on campus by the athletics department and other institutional departments (recreational/intramural departments) as it was designed to address the recruiting advantage gained as a result of prospects being present on and having access/exposure to the institution's campus.

The MBIC recommendations will be forwarded to the Division I Legislative Council for consideration in October and I anticipate that Council will strongly consider modifying the proposal to incorporate many, if not all, of the committee's suggestions. If such modifications occur, the scope of the proposal will be narrowed considerably. For example, youth basketball camps, regardless of the age of the participants, could continue to be conducted at a Division I campus. Basically, the proposal would only preclude Division I institutions from hosting, sponsoring or conducting nonscholastic practices and competitions in the sport of men's basketball. Thus, the impact of the proposal would not be nearly as sweeping as suggested in your letter and, if adopted, likely will not result in a significant programmatic financial impact or massive detrimental impact on institutions or their communities. Having said that, the Division I membership, in particular the Legislative Council, certainly would be receptive to any alternative solutions you may wish to offer that remedy the inappropriate recruiting practices that the proposal is designed to address. Please note that the initial vote on the proposal is scheduled to occur at the Legislative Council's January 2011 meeting

Thank you again for sharing your concerns. I hope this information provides you with a better understanding of the application of Proposal 2009-100 as well as the review process that will

take place prior to the vote in January 2011. If you would like to further discuss any of these issues, please do not hesitate to contact me.

Sincerely,



Stephen A. Mallonee
Managing Director of Academic and Membership Affairs/
Division I Governance Liaison

SAM:jhw

cc: Selected NCAA Staff Members

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AUG 03 2010

July 30, 2010

NCAA Academic and Membership Affairs
P.O. Box 6222
Indianapolis, IN 46206-6222

Attention:
Lynn Holzman, NCAA Director of Academics and Membership Affairs
Steve Mallonee, NCAA Managing Director of Academic and Membership Affairs
Kevin Anderson, Basketball Issues Committee Chair, Director of Athletics at the U.S. Military Academy, Patriot League
Joseph D'Antonio, NCAA Division-I Legislative Council Chair, Associate Commissioner for Governance & Compliance at the Big East Conference

The Association of College Unions International (ACUI) joins the National Intramural-Recreational Sports Association (NIRSA) in asking for more holistic consideration before enacting NCAA Division I Proposal 2009-100, *Recruiting-Tryouts-Nonscholastic Practice, Contest or Event-Men's Basketball.* If instituted, this rule will have detrimental consequences that extend beyond discouraging inappropriate varsity basketball recruitment practices.

ACUI, founded in 1914, has members throughout the United States and the world. As a leader in advancing campus community builders, ACUI supports its members who run college unions including conference facilities, hotels, sports complexes, and retail outlets and the activities that exist within them including programs, entertainment, and student developmental efforts. Many of our members are responsible for coordinating their university's conference services and have specific duties regarding the execution of summer athletic camps.

If this rule is adopted, many of our campuses' operations would experience a significant programmatic financial impact. They rely on the revenue from basketball and other sports-based camps to help balance their budgets and to provide year-round employment for many of their best employees. Losing this vital revenue source will surely affect their ability to continue building a strong campus community.

In fact, this proposal directly opposes our members' community building mission. Such camps are one of the ways campuses develop town-grown relationships, strengthening community with local citizens and businesses. Additionally, participation in these camps is one way of helping youth envision their future as college students. In many areas of the country, these camps would not exist without campus venues. While we understand the problems with recruiting practices, NCAA proposal 2009-10 is not the solution. This sweeping rule is not the most effective way to curb inappropriate recruiting practices, but it is certain to have a massive detrimental effect on institutions and their communities. ACUI urges the NCAA Division I Men's Basketball Issues Committee to reconsider this harmful regulation. We are willing and able to work with the committee to suggest improved alternative solutions.

We can be reached at the ACUI Central Office, 812.245.2284, should you want to discuss any of these issues. Thank you for considering our concerns.

Sincerely,

ACUI Board of Trustees

Meg O'Sullivan
President, ACUI
SUNY Downstate Medical Center

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Sharon Silverstein
Suffolk County Community College–Ammerman

Raymond West
University of La Verne

From: Scott Hirko [mailto:hirkosco@msu.edu]
Sent: Friday, August 20, 2010 5:08 PM
To: Mallonee, Steve; Holzman, Lynn
Subject: Fwd: Task Force for Recreation and Athletics Thought Paper

Steve and Lynn -

Thank you so much for your time and input to help us better understand the issue. ACPA's TFRA has completed its analysis with a cover note below by ACPA President Susan Salvador and Exec Director Greg Roberts. You can access the analysis via the link in the note. If possible, please share with the Legislative Council; we plan to share with our membership, leaders on Division I campuses, and Division I conference commissioners.

Thanks again very much.

Scott

--
Scott Hirko
Instructor, Department of Physical Education & Sport, Central Michigan University
Associate, Communications and Research, Knight Commission on Intercollegiate Athletics
Interim Chair, ACPA Task Force for Recreation & Athletics
PhD candidate, Higher, Adult, and Lifelong Education, Michigan State University
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August 2010

We are writing you in an effort to share some knowledge with relation to the personal development of potential and current college students and student-athletes.

A thought paper has been prepared by American College Personnel Association's (ACPA) Task Force for Recreation and Athletics (TFRA), "a campus student affairs perspective on NCAA Proposal 2009-100." The policy considered by the National Collegiate Athletic Association (NCAA) relates to non-scholastic summer men's basketball camps. The thought paper is intended to enhance the knowledge about the issue by providing holistic and student development perspectives. The document supports the intent of the NCAA's efforts but raises concerns about the Proposal's unintended impact on camp participants and on colleges.

The TFRA analysis does not reflect recent considerations by the NCAA. Over the past few months, the NCAA Men's Basketball Issue Committee recommended changes to the Proposal and allow for summer non-institutional basketball camps, which include "instruction" beyond mere competition.

However, these recommendations do not change the TFRA's analysis. The most recent committee recommendations ask "consideration should be given for the establishment of a definition" of these camps, without defining the camps, without defining "instruction," and without an understanding of the role of practice or competition in the camps. This supports concerns included in the TFRA analysis that a definition of camps and instruction may have an impact on attracting participants, and the resulting potential loss in revenue from facility rental and auxiliary services to many campuses. The recent committee recommendations will lead to questions about which camps meet or do not meet undefined standards, and thus, colleges will question if they comply with NCAA rules. In other words, as stated, the recent committee changes do not address the concerns to currently proposed policy as analyzed in the thought paper. You may access the paper here.

ACPA and the TFRA hope that you will find this information useful to your campus community, and add to your understanding of the NCAA Proposal's potential impact on the wider campus environment outside of men's basketball and outside of the athletic recruiting process. Please feel free to share this with your senior administrative leadership, leaders in campus recreation, your athletics department, and others in higher education.

Thank you,

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Susan Salvador
ACPA President

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Gregory Roberts
Executive Director
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Holzman, Lynn

From: Scott Hirko [hirkosco@msu.edu]
Sent: Monday, June 28, 2010 4:47 PM
To: Mallonee, Steve
Cc: Holzman, Lynn
Subject: Re: status of NCAA D-I Men's Basketball Proposal No. 2009-100

Wonderful - this is very helpful and much appreciated.

Scott
--
Scott Hirko
Associate, Communications and Research
Knight Commission on Intercollegiate Athletics
Interim Chair, ACPA Task Force for Recreation & Athletics
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On Mon, Jun 28, 2010 at 4:45 PM, Mallonee, Steve <smallonee@ncaa.org> wrote:

In this instance, since the original proposal was referred and the feedback will come back to the Legislative Council for consideration in October, the comment should be sent directly to the Legislative Council. Since Lynn Holzman and myself serve as the primary liaisons to the Council, you are free to submit the comments to either one of us [or to Jean Harwell, our assistant] and we will see to it that all comments are included in the Council agenda materials. Thanks.

From: Scott Hirko [mailto:hirkosco@msu.edu]
Sent: Monday, June 28, 2010 4:25 PM
To: Mallonee, Steve

Subject: Re: status of NCAA D-I Men's Basketball Proposal No. 2009-100

Steve,

I'd like to learn where comments from NCAA member institutions and/or conferences should be sent with respect to NCAA D-I Men's Basketball Proposal No. 2009-100. Should they be sent to you and/or to the Committee Chair for consideration?

Thanks very much - it is appreciated.

Scott

On Wed, Jun 23, 2010 at 9:10 AM, Mallonee, Steve <smallonee@ncaa.org> wrote:

Please note that DI Men's Basketball Issues Committee did receive and consider the information from NIRSA. The last paragraph of the committee's comment [highlighted in red below] was added as a result of that review.

Thanks.

From: Scott Hirko [mailto:hirkosco@msu.edu]
Sent: Wednesday, June 23, 2010 8:58 AM
To: Mallonee, Steve; Greg Roberts; Kent Blumenthal; Abe Drabkin
Cc: Holzman, Lynn; Humphrey, LuAnn; Lennon, Kevin; Berst, David; Jernstedt, Tom

Subject: Re: status of NCAA D-I Men's Basketball Proposal No. 2009-100

Steve

Thank you this is extremely helpful information.

I am aware of the specific issues relating to recruiting advantages in men's basketball (only) and agree that they are problematic and need to be addressed. Rather, I've been asked by individuals with a few organizations -- namely ACPA (I serve as Chair of their Task Force for Recreation and Athletics) and by NIRSA -- to provide input about the status of this proposal as well as how to relay input to include some concerns. After reading some of the published information which referred to iHoops, my thought was that other organizations (such as NIRSA or members of ACPA's Task Force for Recreation and Athletics) may also provide useful feedback about how this proposal can be created to address this significant recruiting issue without having an unintended negative impact on students and/or campus recreation.

I believe NIRSA did send a letter to president-elect Mark Emmert and/or Jim Isch, but maybe they should forward it to directly to the committee for consideration and response?

What is useful is the comment that "the Council tends to place more emphasis on comments provided by institutions and conferences" -- this seems to be a good tack for significant or meaningful input. It demonstrates the important understanding that athletics are only one part of the academic mission -- yet, the power of the NCAA and its membership in athletics decision-making may have far reaching consequences into other parts of campus life. These parts of campus need to talk to each other; and this is where NIRSA and/or ACPA come in to play.

I am sharing this correspondence with Kent Blumenthal, Exec Director of NIRSA, and Greg Roberts, Exec Director of ACPA -- I have had long conversations with each about the potential positive and negative outcomes of this proposal... but your input is extremely helpful to understand the status of the committee at this point.

Thanks again -

Scott

On Wed, Jun 23, 2010 at 12:15 AM, Mallonee, Steve <smallonee@ncaa.org> wrote:

I provided you the excerpt from the May 25th DI Men's Basketball Issues Committee meeting..so yes, I did provide you the response to the referral. These comments will be considered by the Legislative Council again in October..I guess I am not sure how the proposal really significantly impacts other parts of campus life and student development...It is important to understand that this proposal was part of group of proposals that were developed by the NCAA Basketball Focus Group as part of an initiative supported by the NCAA Division I Collegiate Commissioners Association and the Division I Board of Directors designed to address serious concerns related to the men's basketball recruiting environment. There have been numerous concerns regarding the recruiting advantages received by institutions that are hosting nonscholastic competitions that in essence are being conducted to provide what is tantamount to a free recruiting campus visit to men's basketball prospects. There have been allegations that some basketball coaches have been improperly involved in some of the arrangements in an effort to obtain a recruiting advantage with some prospects associated with specific event operators . The Basketball Focus Group already has processed violations in this area and the proposal actually is supported in concept by the National Association of Men's Basketball Coaches. There were concerns raised at the Legislative Council meeting regarding the breadth of the proposal so the Council referred it to the DI Men's Basketball Issues Committee for further feedback. The recommendations from the committee would narrow the scope of the proposal. I have heard some concerns that the inability to host these elite level events results in a lost source of revenue for some institutions , but to be candid, the membership has to decide whether those concerns outweigh the issues related to the recruiting environment in men's basketball. It also is important to note that the proposal does not apply to other sports, does not apply to non-prospect age activities and does not apply to multisport events such as state games. As for avenues for comments, iHoops and the AAU I suppose are free to submit comments, but those groups are not really a part of the NCAA governance process and generally have not been active in submitting comments. I am not sure why iHoops would necessarily oppose the proposal as the proposal is consistent with one of their stated goals, that being to impact the recruiting culture in men's basketball. Having said that, we always provide the Council any comment submitted by any outside group, but the Council tends to place more emphasis on comments provided by institutions and conferences. Each multisport conference is represented on the Council and institutions and conferences are aware f those representatives as well as the process for submitting comments directly to the Council for consideration. I hope this information is helpful. I am also happy to further discuss the matter with you if you feel that would be helpful to you. Thanks..

From: Scott Hirko [mailto:hirkosco@msu.edu]
Sent: Tuesday, June 22, 2010 11:21 PM
To: Mallonee, Steve
Cc: Holzman, Lynn
Subject: Re: status of NCAA D-I Men's Basketball Proposal No. 2009-100

Thanks, Steve. This is much appreciated.

My thought is what were those recommendations from the committee on May 25? So, what I read here is the "committee received a referral from the Legislative Council"... but what you provided is not the response to the referral. Am I reading this incorrectly? I am trying to comprehend if this committee will meet again this summer --- as these referral issues are substantive and I am curious as to how they will be communicated. I have received dialogue from a variety of groups and associations about how this proposal may provide significant issues to other parts of campus life and student development, and they may request the opportunity to share their concerns. But, what is the best and most beneficial way to suggest concerns? My thought is is iHoops and AAU were offered the opportunity to at least provide some direct input in this matter, maybe other more direct campus bodies could also share their concerns -- and as equally important, receive direct feedback as to their relative nature of their concerns?

Let me know -- this is very much appreciated!

Scott

On Tue, Jun 22, 2010 at 11:06 PM, Mallonee, Steve <smallonee@ncaa.org> wrote:

The Legislative Council, at its April meeting, referred ProposalNo.2009-100 to the Division I Men's Basketball Issues Committee. The committee met on May 25th and made some recommendations, which will be forwarded back to Legislative Cycle for consideration. The proposal will be placed in the 2010-11 cycle in some form after the Legislative Council considers the committee's recommendations. It will come up for a vote in January 2011. I have provided you the excerpt from the committee's report related to 2009-100..

2. NCAA Proposal No. 2009-100 – Nonscholastic Practices, Contests or Events. The committee received a referral from the Legislative Council regarding Proposal No. 2009-100 and offered the following comments/feedback:

a. The proposal should be modified to specify that an institution shall not host, sponsor or conduct nonscholastic practices and competitions, but continue to permit institutions to host legitimate noninstitutional camps, subject to current NCAA rules.

b. Consideration should be given to establishing a definition of camp, applicable to both institutional and noninstitutional camps, to ensure that appropriate instructional elements are present and that the camp is not primarily a competitive activity.

c. Use of institutional facilities for noninstitutional camps should be limited to the summer (June through August).

d. State sponsored multisport events would not be precluded from using institutional facilities for basketball-related events, subject to current NCAA rules.

The committee did not distinguish between events conducted on campus by the athletics department and other institutional departments (recreational/intramural departments) as the primary concern related to the recruiting advantage gained as a result of prospects being present on and having access/exposure to the institution's campus. It was noted that the proposal does not apply to sports other than men's basketball or to men's basketball events involving only non prospect-age participants.

From: Scott Hirko [mailto:hirkosco@msu.edu]
Sent: Tuesday, June 22, 2010 3:58 PM
To: Holzman, Lynn; Mallonee, Steve
Subject: status of NCAA D-I Men's Basketball Proposal No. 2009-100

Can you provide me a status report of NCAA D-I Men's Basketball Proposal No. 2009-100? This is in relation to restricting basketball camps/clinics on campus. I see it is not listed in the Adopted Proposals and the Override Period for Legislative Actions.

http://www.ncaa.org/wps/portal/ncaahome?WCM_GLOBAL_CONTEXT=/ncaa/ncaa/legislation+and+governance/rules+and+bylaws/legislative+actions+and+issues/division+i/override+period+for+legislative+actions+-+expires+monday%2C+june+28.

I am aware the Legislative Council brought this item up in January and I believe sent it back to the Men's basketball enhancement group... but did it pass that group and/or when would it head back to the NCAA Division I Leadership Council for consideration?

Thank you for your direction and assistance - Scott

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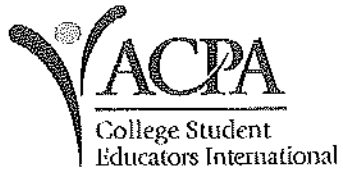

August 2010

This thought paper has been prepared by American College Personnel Association's (ACPA) Task Force for Recreation and Athletics (TFRA), "A campus student affairs perspective on NCAA Proposal 2009-100." The policy considered by the National Collegiate Athletic Association (NCAA) relates to non-scholastic summer men's basketball camps. This thought paper is intended to enhance the knowledge about the issue by providing holistic and student development perspectives. This document supports the intent of the NCAA's efforts but raises concerns about the proposal's unintended impact on camp participants and on colleges.

The TFRA analysis does not reflect recent considerations by the NCAA. Over the past few months, the NCAA Men's Basketball Issue Committee recommended changes to the Proposal and allow for summer non-institutional basketball camps, which include "instruction" beyond mere competition. However, these recommendations do not change the TFRA's analysis. The most recent committee recommendations ask "consideration should be given for the establishment of a definition" of these camps, without defining the camps, without defining "instruction," and without an understanding of the role of practice or competition in the camps. This supports concerns included in the TFRA analysis that a definition of camps and instruction may have an impact on attracting participants, and the resulting potential loss in revenue from facility rental and auxiliary services to many campuses. The recent committee recommendations will lead to questions about which camps meet or do not meet undefined standards, and thus, colleges will question if they comply with NCAA rules. In other words, as stated, the recent committee changes do not address the concerns to currently proposed policy as analyzed in the thought paper.

ACPA and the TFRA hope that you will find this information useful to your campus community, and add to your understanding of the NCAA Proposal's potential impact on the wider campus environment outside of men's basketball and outside of the athletic recruiting process. Please feel free to share this with your senior administrative leadership, leaders in campus recreation, your athletics department, and others in higher education.

Thank you.

Gregory Roberts
Executive Director

Susan Salvador
ACPA President

A CAMPUS STUDENT AFFAIRS PERSPECTIVE ON NCAA PROPOSAL 2009-100

A REPORT BY THE

ACPA TASK FORCE FOR RECREATION & ATHLETICS

ACPA
College Student Educators International

A campus student affairs perspective on NCAA Proposal 2009-100

Scott Hirko, Kim Clark, Mike Fulford, Dennis Byrne, Noel Harmon, Kathleen Hill[1] for the ACPA Task Force for Recreation and Athletics

August 19, 2010

Executive Summary

For many years, organizations external to a college or university have been allowed to use an institution's athletics facilities for summer basketball camps. These "nonscholastic" camps typically attract hundreds to thousands of young men and women between 14 and 18 years old. A small number of the participants of the summer camps are elite athletes and may eventually compete as varsity scholarship athletes at the nation's highest competitive collegiate athletic level, National Collegiate Athletic Association (NCAA) Division I. This document concerns an NCAA Proposal directed at young male basketball players who participate in these camps. While these camps have provided important skill training to participants, they have also become important sources of revenue for institutions. Increasingly, the camps are directed by coaches external to the hosting institution, and those coaches typically do not receive training in developmental issues. The location of some of the more high-profile camps provides a recruiting advantage for the sponsoring institution because it allows these elite male basketball players to play against other elite athletes at some of the best facilities in the nation.

In the past, personnel associated with some of the more high profile camps have provided excessive attention to the financial aspect of basketball. Travel costs for elite participants to participate in these camps are often paid for by camp directors – this allows coaches to evaluate their athletic talents in a peer-to-peer environment. In these cases, educational benefits of college have been downplayed to elite participants. Furthermore, many camp directors demand institutions reduce their fees to host the camps, or they will move their camp to another institution.

To reduce the control of external camps over elite participants and to address difficulties associated with recruiting advantages for institutions hosting camps, NCAA Proposal 2009-100 would make it an NCAA violation if institutions host nonscholastic camps from campus locations or any off-campus location typically associated with its men's basketball practice or competition. However, if adopted, the Proposal would merely move these camps to off-campus locations, thus reducing significant camp revenue to some institutions. In turn, the loss in revenue would deny other learning opportunities (such as through campus recreation) to thousands more tuition-paying, non-athlete students during the regular school year.

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[1] Scott Hirko, Ph.D. Candidate, Michigan State University and Instructor, Department of Physical Education & Sport, Central Michigan University is Interim Chair of ACPA Task Force for Recreation & Athletics (TFRA); Kim Clark, Associate Director, Campus Recreation, University of North Carolina at Greensboro is Vice Chair of TFRA; Mike Fulford, Ph.D., Assistant Director of Housing for the Freshman Experience Program, Georgia Institute of Technology is Chair Elect of TFRA; Denny Byrne, Director of Campus Recreation, University of New Hampshire; Noel Harmon, Ph.D., Senior Program Manager, The Institute for Higher Education Policy; Kathleen Hill, Ph.D. Candidate, The Ohio State University.

The ACPA Task Force for Recreation and Athletics (TFRA) instead proposes that

1. The NCAA redraft its Proposal to consider the more holistic nature of the summer camps on a college campus by focusing on the difficulties associated with the recruiting advantages of elite participants;
2. The NCAA focus on the training and certification process of coaching staff associated with these camps;
3. The NCAA work with student affairs professionals on its member campuses to require training of all men's basketball coaches on relevant student development issues for young men in that age group;
4. The NCAA redesign the mandated one-hour orientation for camp participants to be more balanced by including a more direct engagement with participants about the advantages associated with college attendance and completion.

Introduction

In Spring 2010, the Task Force for Recreation and Athletics (TFRA) was approached by leadership in the American College Personnel Association (ACPA) and the National Intramural Recreation Sports Association (NIRSA) about the potential impact on college campuses from NCAA Proposal 2009-100. Members of the TFRA directorate were asked to provide knowledge from the perspective of student development and how the NCAA Proposal may affect different aspects of the lives of camp participants and college students. As a result, this document seeks to create a more holistic understanding of the Proposal's potential impact on higher education. It is intended to provide a body of knowledge for all TFRA members, ACPA members, and for all involved in American higher education.

The Problem

NCAA Proposal 2009-100 (Appendix A) was developed "to specify that an institution shall not host, sponsor or conduct a nonscholastic basketball practice, contest or event in which men's basketball prospective student-athletes participate on its campus

or at an off-campus facility regularly used by the institution for practice and/or competition by any of the institution's sport programs." The Proposal would make it a violation of NCAA rules for Division I colleges to host a nonscholastic youth men's basketball camp at their facilities. Nonscholastic camps operate at a college's athletics facilities and are directed by organizations external to an institution. This Proposal stems from concerns in men's basketball of recruiting advantages, misguided influence on youth from obscure individuals, institutions unknowingly involved in potential NCAA recruiting violations, and reports of corrupt activity (Parrish, 2010; Peter & Wetzel, 2010; Prisbell, 2009). These issues are significant to Division I athletics, and are growing more serious by the year as demand for athletic success, increased competitiveness, the need for greater revenues, and enhanced media exposure affect the college basketball recruiting process and, in turn, the personal and educational development of talented young basketball players.

While the intentions of this Proposal are good, there are several significant concerns that impact institutions if it is adopted:

- The policy attempts to control other aspects of institutions' missions, beyond the scope of the NCAA's stated purpose[2] as a governing body over athletics;
- The policy is narrow to only one part of campus, and does not address the potentially significant negative consequences to other activities, including recruitment, retention, and affecting student development to a wider population than the Proposal intends; and,

[2] NCAA's Core Purpose: "Our purpose is to govern competition in a fair, safe, equitable and sportsmanlike manner, and to integrate intercollegiate athletics into higher education so that the educational experience of the student-athlete is paramount." Taken from www.ncaa.org.

- The policy impacts students, instead of being directed at the individuals and athletic departments who are creating the stated sense of disadvantage.

Discussion

The individuals at the heart of NCAA Proposal 2009-100 are several hundred young males aged 16, 17, or 18 years old with "elite" basketball skills that appeal to the nation's premier institutions in NCAA's highest competitive league, Division I. Every summer, these talented, elite young men participate with thousands of others in summer nonscholastic basketball camps. The camps provide opportunities to not only improve their basketball skills, but also provide important personal and social developmental opportunities. Student development theories (such as Kegan, Piaget, Vygotsky, or Chickering) articulate the most impressionable time for individuals is during these youthful years – as young men transition into an understanding of social expectations, begin to develop a sense of self, and begin to create their own identity (Astin, 1984; Chickering & Reisser, 1993; Ginsburg & Opper, 1979; Kegan, 1982; Love & Guthrie, 1999).

The elite players represent a very small percentage of the overall students who participate in these camps and eventually attend college without participating in intercollegiate athletics. These small numbers of potential college student-athletes are at risk of having their emotional and intellectual development skewed by improper influence at these camps. There is a concern that parents or high school coaches may be losing their influence over these young students to nonscholastic camp coaches who may persuade these student's college choice decisions for the wrong reasons: basketball and

money. For instance, some of the most elite participants are contacted by camp directors and invited to participate – this helps to elevate the prestige of their camps. Travel costs for many of these elite participants to participate in these camps are often paid by camp directors. With elite participants from around the nation competing against each other in the same summer camp, a peer-to-peer environment is created which allows for college coaches to evaluate the athletic talents of these potential student-athletes, and for the camp directors to influence the participants' personal development as well as participants' college choice. In the end, these camps downplay the educational aspects of higher education and instead prey on the participants' dreams of playing in the NCAA Final Four championship or in the professional National Basketball Association.

However, the current clearinghouse for those who coach in the nonscholastic camps, as stated in the "Rules for Education" on the NCAA's website (NCAA, 2010a) does not provide any education or understanding of student development issues, particularly at the K-12 level. Rather, the Candidate Data Capture System in the Rules of Education (see Appendix B) relates only to an individual's understanding of NCAA regulations, and provides for a subsequent criminal background check. This is a missed opportunity, whereby the NCAA could provide an opportunity to educate coaches and camp administrators about the cognitive processes, emotional and identity development of prospective college students (Chickering & Reisser, 1993; Love & Guthrie, 1999), and the impact of athletics on identity development (Brown, Jackson, et al 2003). Additionally, each summer camp is only required to show a one-hour video as an educational session to athletes; the NCAA website notes that participants often "become disinterested, disruptive and it becomes difficult to get them to attend the required

educational session" (NCAA, 2010b). Student affairs professionals can provide input at local educational sessions or in the creation of such sessions. In addition, student affairs professionals can share their knowledge and expertise with coaches about how to better understand the processes of student development, and in turn, be better able to mentor young students educationally and sociologically, not just physically.

With respect to institutional policy and the NCAA's commitment to create an equal level of competition for all member institutions, many Division I colleges feel they are held hostage by these nonscholastic organizations, which often request reduced costs of facility usage at their institution or they will "take their camp to their competitive rival down the road." Further, those institutions not offered the opportunity to host these camps cry foul because they lose a recruiting advantage to other institutions for the same prized and highly skilled basketball players. The resulting institutional tug-of-war over the same athletically-gifted students is troubling and should be addressed to ensure that the competitive intercollegiate athletic environment is fair for all colleges.

However, the intent of the NCAA Proposal to not allow nonscholastic summer camps on campus will not eliminate the camps; rather, it will move them off campus. This denies opportunity for the vast majority of students, who will not be student-athletes, to gain impressionable experiences of college first-hand, and it further reduces their opportunity for informed college choice. The Proposal also does not eliminate the ability for high-profile coaches to attend camps off-campus and be seen in the stands by potential high-profile players, let alone potentially gain access to them and their families.

There has been a loud and concerning voice from campus recreation and other student affairs professionals about the unintended and potentially significant impact of

NCAA Proposal 2009-100. In particular, the National Intramural Recreational Sports Association (NIRSA) has identified a potential impact of millions of dollars in lost revenue to Division I campus recreation services, which benefit directly from the revenue generated from renting out the facility to community groups in addition to nonscholastic basketball camps. For instance, the Georgia Institute of Technology Campus Recreation Center projects a loss of $66,000 -$70,000 in revenue; at the University of Illinois, an approximate loss of $50,000 to campus recreation and potentially a $3 million loss in revenue to the Champaign region; and, a loss of $70,000 in net revenue to recreation services at Temple University (source: NIRSA; Appendix C). The revenue is derived not only from camp fees, but also from housing, catering, conference services, and other auxiliary services across campus. By extrapolating these few cases to many of the more than 330 Division I campuses across the nation, institutions will need to find millions of dollars from elsewhere to maintain a consistent level of recreational services and community engagement.

It is significant to note that in most cases, campus recreation services do not have the revenue, expertise, nor the personnel to conduct these types of summer men's basketball camps. This is even more the case at smaller Division I campuses which rely on community organizations to conduct these camps. The smaller colleges, therefore, rely on the camps to raise a more significant amount of revenue to support their campus programming for tuition-paying students.

The resulting loss in revenue to campus recreation poses the concern that a policy affecting a small population (potential student-athletes) may have a detrimental impact on a larger population on campus (current and potential recreation participants and members

of the community). Participation numbers demonstrate the contrast between athletics participation and recreation use. In 2007, 5,119 students participated on scholarship in Division I men's basketball and nearly 17,000 participated in varsity men's basketball across all NCAA Divisions (NCAA, 2009). In comparison, 11 million students participated in campus recreation at NIRSA member institutions (Downs & Kerr-Downs Research, 2004; NIRSA, 2010).

Thus, non-athlete students, who far outnumber student-athletes, would be disproportionately affected by these policies through the resulting loss of recreational activities. And, the aforementioned student development theories do not only apply to athletes. They also help us to understand how *all* students develop their own identities and sense of self. Out-of-classroom experiences for *all* students provide an opportunity for personal development through peer relations (Kegan, 1994; King & Magolda, 2005; Love & Guthrie, 1999), and campus recreation provides those opportunities (Artinger & Claphtham, et al 2006; Belch, Gebel, & Mass, 2001; Huesman et al, 2007; Steffes, 2009).

Not only would this Proposal significantly disrupt the town-and-gown, community mission of many higher education institutions, it will likely also have an unintended negative effect on student recruitment, retention, and wellness. Students and parents see themselves more as consumers within the marketplace of higher education, and are more likely than ever to make decisions based on factors beyond the classroom.

- Recruitment: Campus recreation services and their facilities are increasingly viewed by prospective students as important to college choice because of recreation's impact on personal development, wellness, socialization, and enjoyment (Belch, Gebel, & Mass, 2001; Blumenthal, 2009; Lindsey, R. &

Sessoms, E., 2006). The ability of institutions to recruit and retain students has been difficult with higher expectations from students and parents coupled with reductions in revenue from state appropriations and decreasing endowment revenue. Reducing camp revenue to recreation services will make it more difficult for institutions with less financial resources to recruit all students, not just student-athletes.

- Retention: As is well-noted in higher education literature, socialization experiences outside of the classroom are critical to the success of college students – particularly during a student's first year (Tinto, 1993). For those who participate, campus recreation has been found to contribute positively to students' decision to remain at their institution, most significantly among first-year students (Belch, Gebel, & Mass, 2001; Blumenthal, 2009; Huesman et al, 2007). Proposal 2009-100 has the potential to reduce the services and experiences that can be offered to students at a time when sources of revenue (such as these camps) are of utmost importance to their ability to compete in the marketplace of higher education. The lost revenue for small campus recreational budgets will lead to reduced campus services translating into a potential decrease in student retention.
- Wellness and Development: As important as community partnership and student retention, campus recreation programs serve an important role in the development of college students (Astin, 1984; Blumenthal, 2009; CAS, 2010; Steffes, 2009). Demonstrable learning outcomes from engagement in campus recreation activities as identified by the Council for Advancement of Standards in Higher Education include cognitive complexity; knowledge application; humanitarianism; civic

engagement; intra- and inter-personal competence; practical competence; and, academic achievement:

1. Cognitive complexity: The ability to think critically and reflectively in a manner that integrates aspects of emotion, cognition, and identity in an intellectual manner.
2. Knowledge acquisition, integration, and application: The process of understanding knowledge in a range of disciplines, connecting this knowledge to ideas and experiences, and relating and reflecting upon this knowledge in daily life.
3. Humanitarianism: Developing a cultural competency of understanding and appreciating human differences and exhibiting socially responsible behavior.
4. Civic engagement: Exhibiting a commitment to public life through participation in communities of practice.
5. Inter- and intrapersonal competence: Developing the means to realistically appraise personal attributes such as identity, self esteem, confidence, ethics and integrity, and spiritual awareness by setting goals, developing meaningful relationships, collaborating with others, and challenging oneself to work with people who are different.
6. Practical competence: Learning to communicate effectively, become economically self-sufficient and vocationally competent, maintain a healthy lifestyle, prioritize leisure pursuits, and live a purposeful life.

7. Persistence and academic achievement: Managing the college experience to achieve personal and academic success, including degree attainment. (CAS, 2010; Franklin, 2007; Steffes, 2009).

To summarize the point on wellness and development, the potential reduction in funding to campus recreation programs from NCAA Proposal 2009-100 will lead to more students having fewer important opportunities for personal development, multicultural understanding, decision-making, and growth through socialization experiences.

There are additional concerns shared with TFRA about how the elimination of nonscholastic men's basketball camps at colleges may impact the welfare of athletes via financial decisions within athletic departments. Institutions with less affluent athletic departments that rely on nonscholastic camp revenues to fund non-revenue (or Olympic) sports may decide to reduce scholarships (and educational opportunities) or eliminate sport teams altogether. Furthermore, a reduction in nonscholastic camp revenue may affect athletic training staff, with fewer individuals assigned to assist in the health and welfare of athletes during the school year, particularly for non-revenue sports.

Eliminating nonscholastic basketball camps may have an even greater affect on seventh, eighth, or ninth graders. The NCAA defines a prospective men's basketball student-athlete when he begins the seventh grade (NCAA Bylaw 13.11.1.2). There are very few examples where seventh, eighth, or ninth graders are recruited or offered college scholarships. Thus, the Proposal may have a detrimental impact on the social development of 12, 13, or 14 year-old students by not providing an activity to those who

want to participate in the camps recreationally, who want to socialize with their peers, and who may witness their first impressions of college.

Conclusion and Recommendations

With Proposal 2009-100, the NCAA and its institutions are wrestling with the consequences of success – how private individuals take advantage of colleges and an athletics system that wants access to young male basketball players whose dreams are to play in the NCAA Final Four and in the professional National Basketball Association. The NCAA and its Men's Basketball Issues Committee are addressing an important topic in their attempt to reduce the negative influences of nonscholastic summer camps on young men and its disruption to the recruiting process and to competitiveness in men's college basketball.

However, NCAA Proposal 2009-100 as currently proposed reveals a nonscholastic camp process that lacks understanding of the development of youth and fails to consider the wider impact of camps on colleges outside of the athletic arena. The unintended effect of this policy will eliminate personal developmental opportunities for the majority of students participating in the camps who will never play varsity intercollegiate athletics, and potentially hundreds of thousands of college students participating in campus recreation; even though the policy's aim is intended to affect only several hundred potential Division I student-athletes. These nonscholastic camps have an opportunity to educate *all* students, including prospective student-athletes, about the purpose and importance of higher education to their own lives and to their future contributions to society. Furthermore, the loss in revenue to institutions, including

campus recreation programs and other campus auxiliary services, would force campuses to find other sources of funding, potentially from academics or other campus programs. Colleges recognize that recreation opportunities are an important resource in the recruitment, retention, wellness, and development of college students, and a loss of revenue to campus recreation in the current economic climate will create greater challenges for higher education.

Therefore, we recommend:

(1) The NCAA should not eliminate the camps, which will only reduce revenues and move the problems and the students away from campus. Rather, the NCAA should consider the following replacement language for Proposal 2009-100 which reflects the holistic nature of the institutional environment and more closely focuses on the recruiting advantages stated as the rationale for the Proposal:

> "13.11.1.6.1. If an institution hosts, sponsors, or conducts a nonscholastic basketball practice on its campus or at an off-campus facility regularly used by the institution for practice and/or competition by the institution's men's basketball team, prospective men's basketball student-athletes will not be provided any reduced expenses compared to all event participants: this includes reduced event fees, travel, lodging, dining, or other perceived benefits.
>
> 13.11.1.6.2. Any institution which hosts, sponsors, or conducts a nonscholastic basketball practice shall not provide discounted operational costs to the event operator unless the operator is a nonprofit corporation."

(2) NCAA's summer camp coaching certification process include some minimal assessment of understanding the developmental aspects of youth;

(3) Nonscholastic basketball camps on campus put basketball into proper perspective by providing a more enriching educational experience than the current,

minimal one-hour video and instead provide a more intense and comprehensive understanding of the need of higher education to one's future;

(4) Higher education institutions and the NCAA create professional development opportunities for all coaches to have a better understanding of decision-making and identity development of youth. Notably, ACPA membership and student affairs professionals on campuses should be considered as resources for enhancing the educational and cognitive aspects of the camps to all participants;

(5) Each NCAA Division I member institution review NCAA Proposal 2009-100, with leaders in campus recreation and varsity athletics discussing the holistic impact of the Proposal on their campus. Findings should be shared with the leadership structure at each institution, including the President and the President's cabinet. Furthermore, institutional leadership should communicate findings to the institution's NCAA athletic conference, as well as to the NCAA Men's Basketball Issues Committee and the NCAA Leadership Council (Steve Mallonee, smallonee@ncaa.org or Lynn Holzman, lholzman@ncaa.org) for their consideration.

While ACPA's Task Force for Recreation and Athletics supports the intent of NCAA Proposal 2009-100, it recommends a more holistic view of its impact on colleges. As currently written, the Proposal has an unintended impact on thousands of camp participants and tuition-paying students in response to issues relating to a small-number of potential student-athletes. At many campuses, this Proposal will be detrimental to efforts designed to support the personal development of the majority of student camp participants and to many campus recreation users, will impact partnerships between

communities and institutions, will reduce institutional revenue in a difficult economic climate, and will increase challenges for college recruitment and retention.

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APPENDIX A

NCAA PROPOSAL 2009-100

[attached as PDF]

APPENDIX B

Candidate Data Capture System

From: https://screen.lexisnexis.com/pub/l/applicants/ApplicantUI.jsp#0

The only Division I initial eligibility requirement is that an entering freshman must have graduated high school with a 2.0 grade point average.	True	False
* If an entering freshman has not met the NCAA initial eligibility requirements and is deemed to be a nonqualifier, he/ https://screen.lexisnexis.com/pub/l/applicants/ApplicantUI.jsp#0she will not be allowed to receive an athletics scholarship at a Division I institution during the first year in college.	True	False
* In order to determine whether an entering freshman has met NCAA Division I initial eligibility standards, the overall grade point average from high school is considered	True	False
* Once awarded, an institution cannot reduce or cancel an athletics scholarship for any reason.	True	False
* The mother of a prospective student-athlete may receive free transportation to a summer basketball event without jeopardizing the prospective student-athlete has eligibility as long as an NCAA institution does not pay for the transportation.	True	False
* A verbal agreement between a prospective student-athlete and a club coach that the club coach will represent the prospective student-athlete in all matters relating to basketball will jeopardize the prospective student-athlete has NCAA eligibility.	True	False
* A prospect-aged team can be sponsored by or receive funding from an individual who is employed by a sports agent as long as the financial contributions do not come directly from the agent.	True	False
* High-school or junior-college coaches that have already undergone a background check as part of their employment are not required to complete the NCAA coaches' approval process.	True	False
* A boy's club team participating in an NCAA certified men's event can have an unlimited number of out-of-state residents on the team.	True	False

* International athletes are permitted to cross the country borders to participate on a team if the foreign team is closer to the prospect's residence than the local national team. ○ True ○ False

Candidate Data Capture System

ACKNOWLEDGEMENT

Under NCAA guidelines, an affirmative answer to any question in this section of the application or the existence of a proscribed offense on a certified criminal record may result in a denial of approval for participation in coaching activities during an NCAA-certified event or the operation of an NCAA-certified event or league.

A prior criminal record, depending on the level of crime, may result in your disqualification for a credential. Failure to disclose your record on this application WILL disqualify you from receiving and/or maintaining a credential for a period of up to 5 years. The NCAA certification staff will conduct a criminal history check to verify the accuracy of the criminal history disclosure submitted with an application.

You will not receive approval until your application and criminal background check have been reviewed and approved by the NCAA Certification Staff.

Criteria for Review: A credential for coach in an NCAA-certified event or operate an NCAA-certified event or league may be withheld, suspended or revoked for any conviction, adjudication or term of probation or parole imposed if you have ever, as an adult or a juvenile, been convicted, adjudicated or placed on term of probation or parole for any felony-level crime or offense.

Offenses Committed Subsequent to Receipt of Credential : If a credential for coach in an NCAA-certified event or operate an NCAA-certified event or league was previously granted or is pending, and the applicant is subsequently indicted or charged for any crime not known at the time the previous application was submitted, the applicant must immediately notify NCAA Certification Staff. The prior approval or pending application will automatically be suspended, pending resolution of the indictment or charge. Provided that the applicant has notified the NCAA Certification Staff of the pending adjudication(s), a conviction, adjudication or term of probation imposed under any new indictment or charge, the amended application shall then be reviewed consistent with the criteria set forth in the Criteria for Review section above.

However, if the applicant knew or should have known about the existence of an indictment, charge, conviction, adjudication, term of probation or parole at the time any application for a credential was submitted to the NCAA, but failed to make a full disclosure of the required information, the approval for participation in coaching or operating activities during a men ;s or women ;s NCAA-certified event may be withheld,

suspended, or revoked for a period of up to five years.

Notice of Banning Approvals for individuals who fail to cooperate OR participate in an NCAA violation

The NCAA has recently adopted a policy whereby individuals issued an NCAA participant approval number could be adversely affected if the individual fails to cooperate with the NCAA staff and Eligibility Center staff in an inquiry relating to possible NCAA rules violations beyond the basketball certification rules and policies. Additionally, individuals who violate NCAA legislation could also be affected.

As with the other approval guidelines, if an individual fails to cooperate with the NCAA staff in an inquiry or is an involved participant in a violation of NCAA legislation, his or her approval status could be revoked or denied for up to a five-year period, and there would be no appeal rights for such an action.

* Have you ever been previously placed on probation, dismissed, expelled, suspended or refused participation in a youth program?

○ Yes ○ No

* Are you an individual or employed by an agency involved in the marketing of any individual's athletics reputation or ability (including an employee of an agent or anyone associated with an agent in his or her capacity of marketing any individual's athletics reputation or ability)?

○ Yes ○ No

* Does your team receive financial support from any representatives of an NCAA member institution's athletics interests that is assisting or has assisted in the recruiting process?

○ Yes ○ No

* I acknowledge the information I am submitting is correct to my knowledge

○ Yes ○ No

APPENDIX C

Potential impact on individual campuses (source: NIRSA)

[attached as PDF]

NCAA DI Legislative Proposals

Proposal Number: 2009-100

Title: RECRUITING -- TRYOUTS -- NONSCHOLASTIC PRACTICE, CONTEST OR EVENT -- MEN'S BASKETBALL

Intent: In men's basketball, to specify that an institution shall not host, sponsor or conduct a nonscholastic basketball practice, contest or event in which men's basketball prospective student-athletes participate on its campus or at an off-campus facility regularly used by the institution for practice and/or competition by any of the institution's sport programs.

Bylaws: Amend 13.11, as follows:

13.11 TRYOUTS

13.11.1 Prohibited Activities. A member institution, on its campus or elsewhere, shall not conduct (or have conducted on its behalf) any physical activity (e.g., practice session or test/tryout) at which one or more prospective student-athletes (as defined in Bylaws 13.11.1.1 and 13.11.1.2) reveal, demonstrate or display their athletics abilities in any sport except as provided in Bylaws 13.11.2 and 13.11.3.

[13.11.1.1 through 13.11.1.5, unchanged.]

13.11.1.6 Nonscholastic Practice, Contest or Event -- Men's Basketball. An institution shall not host, sponsor or conduct a nonscholastic basketball practice, contest or event in which men's basketball prospective student-athletes participate on its campus or at an off-campus facility regularly used by the institution for practice and/or competition by any of the institution's sport programs.

[13.11.1.6 through 13.11.1.7 renumbered as 13.11.1.7 through 13.11.1.8, unchanged.]

[Remainder of 13.11 unchanged.]

Source: NCAA Division I Board of Directors

Effective Date: Immediate; a contract signed before October 29, 2009 may be honored.

Category: Amendment

Topical Area: Recruiting

Rationale: There has been a proliferation of nonscholastic events held on Division I campuses during quiet periods, specifically during the months of May and June. Generally, these events are being planned and operated in an attempt to assist institutions with recruiting opportunities. Travel and lodging expenses are routinely provided free of charge for those prospective student-athletes or teams identified as important to the coaching staff's recruiting efforts, and funds and/or services provided by institutions and boosters are sometimes used to pay these expenses. Reluctant college coaches are being leveraged to help the event operator arrange for discounted operational costs (e.g., facility fees) under the threat that the event operator will take the event (and all of the prospective student-athletes) to another institution's campus. Regardless of the level of complicity or involvement of the coaching staff, these events provide a significant recruiting advantage for the institution that hosts the events.

Budget Impact: Potential for lost revenue for use of facilities by outside entities.

Impact on S-A's Time: None.

Position Statement(s)

Recruiting and Athletics Personnel Issues Cabinet: The cabinet acknowledged the potential recruiting advantages gained by institutions that host nonscholastic practices or events, but expressed concern that the proposal would

eliminate the opportunity for many institutions' auxiliary departments (e.g., recreation and athletics departments) to generate revenue by conducting such events on campus.

History

Oct 28, 2009: Submit; Submitted for consideration.

Oct 29, 2009: Board of Directors, Sponsored

Jan 14, 2010: Leg Council Init Review, Forwarded for Membership Comment

Jan 17, 2010: Comment Period; Start of Comment Period

Feb 04, 2010: Recruiting and Athletics Personnel Issues Cabinet, No Formal Position

Mar 17, 2010: Comment Period; End of Comment Period; (Official Comment Totals: Support = 1, Oppose = 13, Abstain = 0)

Apr 13, 2010: Leg Council Final Review, Referred (referred proposal to Men's Basketball Issues Committee); The proposal remains in the legislative process and will be considered again in the 2010-11 legislative cycle. If the proposal is adopted, as noted in the effective date, a contract signed before October 29, 2009 may be honored. If the legislation is adopted, actions contrary to the legislation that are taken pursuant to contracts signed on or after October 29, 2009 will result in violations.

ADDENDUM

NCAA Proposal No. 2009-100
Examples at NIRSA Member Division I Schools

Georgia Tech (GT)

The potential negative impact of NCAA Division I Proposal No. 2009-100 on Georgia Tech is between $66,000-70,000/year in lost revenue. GT depends on this revenue to deliver programs and services to the greater student body. With state cuts any reduction in this outside revenue would mean staff positions lost. GT conducts several external basketball tournaments, camps and clinics at the Georgia Tech Recreation Center. In early May 2010, GT hosted a very large tournament produced by a group called Celtic Basketball. The tournament was a 2.5 day program. GT also has an ongoing contract with Converse to open the Georgia Tech Recreation Center on a regular basis to the local community for informal play, or for an occasional program by professional athletes who are endorsed by Converse. These are just two of several groups that rent GT courts. This revenue was built into the GT business plan before construction of the new recreational sports facility (2004). Another concern is that the proposed NCAA rule will spread to other NCAA-sponsored sports such as swimming, which would kill the revenue generated by pools. Large major facilities such as GT's were constructed in part because of the benefits Aquatic Centers bring by exposing thousands of potential students to university campuses via large group swim meets.

University of Illinois at Urbana-Champaign (U of I)

[The following information was submitted on behalf of Big Ten Campus Recreation Directors]

NCAA Proposal No. 2009-100 will have a negative financial impact on various University of Illinois at Urbana-Champaign (U of I) campus recreation operations, similar to negative financial impacts realized at the other Big Ten schools. As is the case at a majority of Big Ten schools, collegiate recreational sports programs are separate from Athletics. Given the size of U of I operations, facilities are used extensively for camps (internal and external to the campus), tournaments, and clinics. At the U of I alone, rental revenues contribute approximately $50,000 to the recreational sports operating budget each year. Given the economic recession, revenue from these activities is critical to U of I's Campus Recreation operation, which does not cross over into any aspect of the Athletic budget. In terms of the local community, the U of I campus works very closely with the local Visitor and Sports Bureau. Not only does U of I financially benefit, but there is a benefit as well to local hotel/motels and food operations within the city. These events also positively impact jobs within the greater U of I community. Jayne DeLuce of the Champaign Visitors Bureau estimates that any campus tournament can increase revenue to the city by up to $3 million dollars.

University of Alabama (UA)

The University of Alabama has voiced departmental and University-wide concern with the potentially negative impact that NCAA Division I Proposal No. 2009-100 would have on many campus operations. Specific to UA, an adverse economic impact would be felt within operations such as:

- University Recreation Summer Camps Facility Rental Revenue
- Food Service Revenue
- Housing and Summer Conference Housing Revenue
- Auxiliary and Support Services such as parking, transportation, and meeting room rental revenue

The adverse impact to University Recreation alone would be in excess of an estimated $10,000 in revenue reduction from a loss of camp activity within men's basketball. Additional losses would accrue if this was extended to women's basketball operations.

Beyond the immediate economic impact of these considerations, summer basketball camp activity is a major catalyst for recruitment of future students to UA. While the number is not known exactly, student admissions to UA are obviously related to the basketball camps conducted each year on campus (team and individual). In a state such as Alabama, exposure to campus facilities, housing, and food service is an essential recruitment tool to many students who may otherwise not visit UA's campus.

Temple University (Temple)

If NCAA Division I Proposal No. 2009-100 is adopted, the negative impact on Temple University's Department of Campus Recreation would be as follows:

- Loss of over $70,000 in net revenue in a fiscal year. These funds are recycled back into the delivery of Temple's recreational sports program for Temple's students.
- Loss of upwards of 500 part-time and/or work-study student staff hours afforded to student recreational sports staff in support of AAU and travel basketball tournaments hosted by Temple in Student Recreation facilities during late spring and summer months.
- Loss of one internship position afforded to an undergrad student in Sports and Recreation Management that Temple typically has each summer to assist with coordination of external facility rentals associated with basketball tournaments.
- Loss of approximately $12,000 in revenue typically collected by Temple Sport Clubs for their service in providing concessions at the tournaments and other events. These events are used as fundraisers by sport clubs and serve to augment their budgets, while offsetting "out-of-pocket" club dues. Income from the events is critical in the overall operation of many sport clubs.

Oregon State University (OSU)

Oregon State University, like many other institutions of higher education, has a Recreational Sports Department that generates revenue by renting facilities for a variety of activities to reduce dependence on Student Incidental Fees. This includes rentals for nonscholastic events, such as youth basketball activity, which generates about $5,000 for OSU alone, as well as youth soccer, tennis, lacrosse, boys' rugby, and cheerleading. OSU is very supportive of these activities because it brings prospective students to the OSU campus and introduces them to OSU and a higher education environment. Research shows that most college-bound high school students select a college they have visited at some time in the past, and OSU's University Advancement and Enrollment Management programs are very concerned about the negative impact of NCAA Proposal No. 2009-100. Currently, OSU brings over 2,000 individuals to campus through facility rental activities, and OSU expects that number to increase to over 5,000 students in the near future. Restricting these events would negatively impact OSU's ability to recruit students. OSU generates over $20,000 a year through these activities, and upon completion of two capital projects [outdoor field complex and Field House renovation], OSU predicts a three-fold increase in rental revenue – upwards to $60,000-70,000 annually. The loss of this projected revenue could increase Student Incidental Fees and the overall cost of education. Other auxiliaries at OSU would also lose substantial revenue through reduced use of housing, dining, bookstore sales, and Memorial Union Food Service activity, especially through summer camp programs. OSU is very much in opposition to the NCAA Division I Proposal No. 2009-100.

Oklahoma State University (OSU)

Athletic camps comprise the majority of Oklahoma State University's summer conference programs. OSU relies on athletic camps to fund summer operations, which allows OSU to host a number of smaller academic-oriented camps. Revenues include, for example, approximately $248,000 in housing fees and approximately $221,000 in dining fees collected in 2009 from 28 athletic camps (including cheer camps that are mostly sponsored by Athletics). This year, OSU has 22 athletic camps scheduled (including cheer camps) with estimated housing and dining revenues at $176,494 and $99,475 respectively. Without these revenues from athletic camps it would not be feasible for OSU to host the smaller non-athletic camps, and it would be more cost effective for OSU to close completely for the summer. This would have a negative impact on housing revenues, summer employment for students, academic enrichment programs, and athletic development opportunities for thousands of youth in Oklahoma. Banning some or all athletic camps would hurt tens of thousands of youth and college students nationwide. It does not seem reasonable to enact a policy that will damage so many when the [NCAA] goal is to curtail the activities of a handful of athletes and coaches. Furthermore, it seems that banning universities from hosting basketball or other athletic camps will simply push these programs into the hands of private, for-profit camps where the NCAA would have no authority to provide oversight.

University of Denver (DU)

Each spring, the University of Denver hosts an annual youth basketball tournament, the Hoyt Brawner Memorial Basketball Tournament, which just celebrated its 36th anniversary. The tournament includes 88 youth basketball teams from the Denver area and over 2,000 spectators. Additionally, the tournament provides an opportunity for varsity basketball student athletes and club sports athletes to gain work and volunteer experience while exposing their programs to tournament participants, coaches, and spectators. If NCAA Division I Proposal No. 2009-100 is adopted, the Hoyt Brawner Memorial Basketball Tournament would not be a possibility on the DU campus. In its current format, the tournament provides annual net revenue of approximately $28,000. If the tournament was to move off campus, this amount would be significantly reduced because of facility rental fees at local gymnasiums. Additionally, teams would lose the opportunity and excitement of competing on a college campus in Division I practice facilities. Currently, the Hoyt Brawner Memorial Tournament not only serves as a premiere basketball event in the Denver area, but also an opportunity for members of the Denver community to experience and visit the DU campus.

Miami (Ohio) University (Miami)

Miami University in Ohio believes that NCAA Proposal No 2009-100 will have an adverse affect on university summer rentals:

1. Potential revenue loss
    a. Rental of recreational facilities - campus
    b. Housing/dining/food services - campus
    c. Community entities – restaurants, hotels, amenities
2. A great many programs already established:
    a. Miami's outreach to the local community
    b. Regional programs
    c. Diminished potential for prospective students to visit the Miami campus in their formative years

Potential Lost Revenue = $ 530.00 per day in Gym Rental
$ 35.00 per day in housing
$ 20.50 per day in dining
$ 585.50 potential loss/day

3/day camps=$1,756.50 potential loss
5/day camps=$2,927.50 potential loss

Using an established formula to measure the economic impact on the community:

Unique Visitors	Athlete/Part	Spectators	Meals	Lodging	Total
EVENT Day 1	458	650	$ 28,000	$ 29,000	$ 57,900
EVENT – Day 2	467	650	$ 29,000	$ 29,000	$ 58,000
EVENT – Day 3	368	500	$ 22,500	$ 0	$ 22,500
Totals	1,293	1,800	$ 79,200	$ 58,000	$138,400

National Intramural-Recreation Sports Association
NIRSA National Center • 4185 SW Research Way • Corvallis, OR 97333-1067
Tel: (541) 766-8211 • **Fax:** (541) 766-8284 • **Email:** nirsa@nirsa.org • **Web:** www.nirsa.org

August 16, 2010

President Waded Cruzado
Montana State University
P.O. Box 172420
Bozeman, MT 59717-2420

Re: Concern about NCAA Division I Men's Basketball Proposal No. 2009-100

Dear President Waded Cruzado,

I am writing to express the National Intramural-Recreational Sports Association's (NIRSA) strong opposition to NCAA Division I Men's Basketball Proposal No. 2009-100.

If adopted, the proposed NCAA rule would ban all nonscholastic basketball practices, clinics, tournaments, and summer camps for prospective student-athletes on Division I (D-I) college campuses. Our research suggests that such a ban would be intrusive, overreaching, and may harm your university—financially and otherwise. NIRSA is joined in opposing the Proposal by the student-oriented associations ACPA, ACUI, ACUHO-I, and ACCED-I and we urge you to oppose it, too. Ultimately, it will be you or your colleagues, the university presidents of NCAA D-I member schools, who will vote on NCAA Proposal No. 2009-100.

NIRSA's concerns about this proposal are a reflection of our members' concerns. Our organization is the leading resource for professional and student development, education, and research in collegiate recreational sports. Founded in 1950, our nonprofit association represents nearly 3,800 individual members and 650 colleges and universities. 77% of all NCAA D-I campuses are NIRSA member institutions (266 schools in total). Our members serve an estimated 5.5 million non-varsity college students each year through collegiate recreational sports programs.

NIRSA expressed many of our concerns to the NCAA in a May 19, 2010 letter. Indirectly, we heard that some of our concerns were discussed in a meeting of the NCAA Men's Basketball Issues Committee; however, NCAA Proposal 2009-100 exists unaltered, and remains under consideration. We don't know precisely when the NCAA proposal will come up for a vote by the NCAA D-I Legislative Council, but it may be soon.

The list of NIRSA's concerns about the NCAA Division I Proposal No. 2009-100 ban of all nonscholastic basketball practices, tournaments, clinics, and summer camps for prospective student-athletes on Division I (D-I) college campuses is extensive:

1. **The ban will cut off a vital non-tuition, non-student fee revenue stream.**
According to the *Knight Commission Report on Intercollegiate Athletics*, released June 17, 2010, "almost all" colleges and universities lose money on varsity athletics programs, causing athletics programs to "rely on allocations from general university funds, fees imposed on the entire student body, and state appropriations to meet funding gaps" (*Restoring the Balance* 6). However, approximately 75% of all collegiate recreational sports programs in the U.S. are housed within student affairs, not athletics.

   The proposed ban comes at a time when many of these colleges are also experiencing reduced funding due to the current economic downturn. Many institutions have come to count on tournaments, clinics, and camps to provide the revenue needed to supplement tuition and fee-based support for year-round recreational sports, student affairs, residential life, auxiliary services, conferences, and other events. With D-I Men's Basketball Proposal 2009-100, the NCAA seems to not account for the different goals and objectives of student affairs-related programs.

2. **The ban is regressive in nature.**
Instead of tackling the NCAA's problem of unfair recruiting practices by individual men's basketball coaches, the ban will penalize 'other' schools for running legitimate programs, consistent with achieving their institutional mission and goals. NIRSA Member Institutions host these events attempting to provide educational opportunities for the participants, not in the hopes of gaining "a significant recruiting advantage for [their] institution." The real problem of unfair recruiting practices may be traced to coaches who lack the moral fiber to abide by rules and ethical standards of recruiting. It would be more prudent and less intrusive for the NCAA to make those who break their rules more accountable, before the NCAA begins to regulate other areas of campus life, beyond athletics.

3. **The ban will eliminate unique student recruitment opportunities by restricting an institution's ability to brand and promote its university and campus recreational sports programs and facilities to the next generation of college students and their parents.**

4. **The ban will reduce your institution's opportunities to recruit and train basketball officials.**
From emerging officials to 20 year veterans, basketball camps have consistently been used as a recruiting ground for officials, including student officials for campus intramural events. Some athletic conferences (e.g. ACC, Big Ten, ECAC, etc.) send their officials supervisors to these camps to recruit new talent for their respective athletic conference. The ban would all but decimate these proving grounds by entirely eliminating the forum.

5. **The ban will penalize <u>all</u> male middle school and high school student basketball athletes, not just NCAA-defined 'prospective student athletes,' from participating in camps and events at your campus.**

6. **The ban may eliminate co-ed basketball camps and events.**
   Opportunities for women and girls to participate in basketball events and legitimate basketball camps may diminish (even though the ban only nominally targets Men's Basketball), since many of these events operate in conjunction with men and boys basketball programs.

7. **The ban will negatively impact collegiate recreational sports departments that have relationships with community organizations such as YMCA, Boys Club, AAU, and other youth-based organizations that rent university facilities for basketball-related events.**

8. **The ban will eliminate valuable recreation and sports experiences for middle and high school children who will never compete at a varsity level.**
   Because a "prospective student-athlete" as defined by the NCAA can be applied to an individual who has started the seventh grade, the proposed rule has the unreasonable result of prohibiting boys as young as twelve from participating in summer basketball camps at Division I campuses (NCAA Bylaw 13.11.1.2).

9. **The ban will disproportionately reduce opportunities for minority students from middle schools and high schools from visiting a college campus, perhaps for the first time.**

10. **The ban will reduce opportunities for university-community ('town-and-gown') cooperation and collaboration.**

11. **The ban <u>will not impede</u> college coaches from attending, viewing, or otherwise participating in off-campus non-scholastic men's basketball events.**
    By banning these events from taking place on university campuses, the NCAA would be reducing oversight of student-athlete recruiting practices, not improving it. Allowing these events to continue on the University campus will ensure that such events remain open to scrutiny from campus compliance officials. Forcing these events into the private sector, however, will restrict the NCAA's access to events and leave oversight in the hands of event organizers.

12. **The ban will interfere with NIRSA's ability to recruit university campuses to host NIRSA's Intramural National Campus Championship Series (NCCS) National Basketball Championships.**
    Men and women non-varsity student-athletes from nearly all NIRSA Member Institutions, including community and junior colleges, participate in the NCCS National Basketball Championships (the 2010 NCCS National Basketball Championships was won by a community college team). The Championships are invariably held at a NCAA D-I school that is a NIRSA member institution. Since the NCAA definition of a 'prospective student athlete' includes community and junior college students, NIRSA may lose access to its Division I member schools that fear NCAA sanctions for hosting a nonscholastic basketball tournament involving "prospective student-athletes."

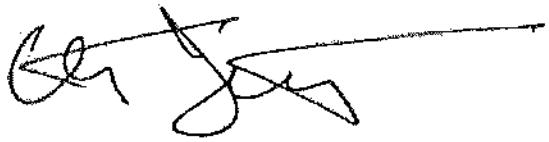
13. **Lastly, legal counsel has advised that the ban will likely violate federal anti-trust laws because the proposed legislation will only allow Division II and Division III institutions to compete for hosting these established basketball events.**
The rule would affect the way NCAA member institutions compete with one another to host events and rent facilities; therefore, it would be analyzed under the Rule of Reason. Pursuant to this analysis, Proposal No. 2009-100 would have an adverse effect on competition by decreasing output, quality, and consumer preference. Moreover, the rationale provided by NCAA in support of the proposed rule does not provide a pro-competitive justification.

Specific examples of the negative impact of the rule on NIRSA member Division I colleges and universities are enclosed.

For all of the reasons discussed in this letter, NIRSA urges the NCAA, and the University Presidents who make up the Association, to actively reject Division I Men's Basketball Proposal No. 2009-100.

Thank you for your consideration.

Sincerely,



Kent J. Blumenthal, Ph.D., CAE, CRSS
Executive Director

Encl.: Examples of the impact of Proposal 2009-100 on NIRSA D-1 Schools.

cc: Allen Yarnell, Chief Administrator, Student Affairs/ Student Life
Steve Erickson, Director, Department of Campus Recreation
Dr. Mark Emmert, NCAA President-elect & President, University of Washington
Dr. Jim Isch, NCAA Interim President (w/encl.)
Mr. Kevin Anderson, Chair, NCAA Div. I Men's Basketball Issues Committee (w/encl.)
Mr. Joseph D'Antonio, Chair, NCAA Legislative Council (w/encl.)
NIRSA Board of Directors (via electronic facsimile, w/encl.)
O'Donnell, Clark, Crew, LLP (via electronic facsimile, w/encl.)

SUPPLEMENT NO. 25-a
DI Legislative Council 10/10

LEGISLATION

NCAA DIVISION I PUBLICATION OF PROPOSED LEGISLATION

2010-11 Legislative Cycle

August 13, 2010

THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
P.O. Box 6222
Indianapolis, Indiana 46206-6222
317/917-6222
ncaa.org
August 2010

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

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Publication of Proposed Legislation for the 2010-11 Legislative Cycle

This publication presents all proposed amendments to the NCAA legislation that were properly sponsored for the 2010-11 legislative cycle 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:

NCAA Membership

Organization

Legislative Process

Personnel

Amateurism

Recruiting

Eligibility

Financial Aid

Awards, Benefits and Expenses

Playing and Practice Seasons

Division Membership

Committees

Executive Regulations

2010-11 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, 2010: Cabinet and Committee Review. Applicable proposals forwarded to the appropriate governance entity for discussion and comment.

July 15 through October 26, 2010: Sponsor Modification/Alternative Proposal Period. From July 15 through October 26 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 germane to 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.

October 18-19, 2010: The NCAA Division I Legislative Council Meeting.

November 15, 2010: Deadline for online posting of NCAA Division I Official Notice to the NCAA Web site. The Official Notice lists all pending legislative proposals (including alternative proposals) whether sponsored by conferences, cabinets, the Legislative Council or the Board of Directors.

January 12-15, 2011: NCAA Convention.

January 12-13, 2011: Legislative Council initial consideration of legislation.

January 15, 2011: NCAA Division I Board of Directors meeting.

January 16 through March 16, 2010: 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 or defeated by the Board of Directors at their January 2011 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 membership review 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 11-12, 2011: Legislative Council second consideration of legislation.

April 28, 2011: Board of Directors meeting.

April 29-June 27, 2011: 60-Day Override Period.

PROPOSALS SUBMITTED FOR THE 2010-11 LEGISLATIVE CYCLE

[Note: In the following proposals, those letters and words that appear in ~~*italics and strikethrough*~~ are to be deleted and those letters and words that appear in **bold** face and are underlined are to be added. Some proposals may be considered in October 2010 as emergency or noncontroversial. All other proposals are for consideration in January and April 2011.]

No. 2010-6 NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- ELECTION PROCEDURES -- BOARD OF DIRECTORS

Intent: To specify that the NCAA Division I Board of Directors, on the recommendation of the NCAA Division I Administration Cabinet, shall have the authority to elect an institution to active Division I membership status.

A. Constitution: Amend 3, as follows:

3 NCAA Membership

[3.01 through 3.1 unchanged.]

3.2 ACTIVE MEMBERSHIP

[3.2.1 through 3.2.2 unchanged.]

3.2.3 Election Procedures.

3.2.3.1 Application. An institution desiring to become an active member of this Association shall complete a seven-year provisional membership period (see Constitution 3.6 and Bylaw 20.3). After the Administration Cabinet has determined that the institution has met the requirements of provisional membership, its request for active membership will be referred to the ~~*Leadership Council*~~ **Board of Directors** for election.

3.2.3.2 Accreditation and Division Classification. After the Administration Cabinet has determined that the institution is accredited by one of the six regional accrediting agencies, the application shall be considered with regard to requested membership division and sport classification in accordance with Bylaw 20. The application then shall be referred to ~~*Leadership Council*~~ **Board of Directors** for consideration.

3.2.3.3 Election. A favorable vote by two-thirds of the ~~*Leadership Council*~~ **Board of Directors** members present and voting shall elect the applicant to membership effective the following September 1, the beginning of practice in any sport for that fall term or the first day of classes for that fall term, whichever occurs first. When the vote of the ~~*Leadership Council*~~ **Board of Directors** has been completed, the applicant shall be notified.

[3.2.3.4 unchanged.]

[3.2.4 through 3.2.6 unchanged.]

3.3 MEMBER CONFERENCE

[3.3.1 through 3.3.2 unchanged.]

3.3.3 Election Process.

[3.3.3.1 unchanged.]

3.3.3.2 Election. Athletics conferences may be elected as member conferences by a majority vote of the delegates present and voting at an annual Convention or by a majority vote of the ~~*Leadership Council*~~ **Board of Directors**, effective the following September 1.

[3.3.4 through 3.3.6 unchanged.]

[3.4 through 3.5 unchanged.]

3.6 PROVISIONAL MEMBERSHIP

[3.6.1 through 3.6.2 unchanged.]

3.6.3 Election Procedures.

[3.6.3.1 unchanged.]

3.6.3.2 Accreditation and Division Classification. After the Administration Cabinet has determined that the institution meets the Association's requirements of acceptable academic standards (the institution is accredited by one of the six regional accrediting agencies), the application shall be considered with regard to the requested membership division in accordance with Bylaw 20. The application then shall be referred to the ~~*Leadership Council*~~ **Board of Directors** for consideration.

3.6.3.3 Election. A favorable vote by two-thirds of the ~~*Leadership Council*~~ **Board of Directors** members present and voting shall elect the applicant to provisional membership effective the following September 1. When the vote of the ~~*Leadership Council*~~ **Board of Directors** has been completed, the applicant shall be notified.

[3.6.4 unchanged.]

3.6.5 Loss of Provisional Membership.

3.6.5.1 Termination. The membership of any provisional member failing to maintain the academic or athletics standards required for such membership or failing to meet the conditions and obligations of membership may be terminated by a two-thirds vote of the ~~*Leadership Council*~~ **Board of Directors** members present and voting. A notice of intention to terminate membership, stating the grounds on which such a motion will be based, shall be given in writing to the president or chancellor of the member institution.

[3.6.5.2 through 3.6.5.4 unchanged.]

3.6.5.5 Reinstatement of Terminated Member. Any provisional member whose membership is terminated may reapply for membership after a period of one year by a two-thirds vote of the ~~*Leadership Council*~~ **Board of Directors** members present and voting.

[3.7 unchanged.]

B. Constitution: Amend 4.2, as follows:

4.2 DIVISION I BOARD OF DIRECTORS

[4.2.1 through 4.2.1.3 unchanged.]

4.2.2 Duties and Responsibilities. The Board of Directors shall:

[4.2.2-(a) through 4.2.2-(m) unchanged.]

(n) Advise the Executive Committee concerning the employment of the NCAA president and concerning the oversight of his or her employment; ~~*and*~~

(o) Be responsible for the administration, compilation and disclosure of information concerning the Academic Progress Rate (APR) and Academic Performance Census (APC)**; and**

(p) Elect institutions to active Division I membership.

C. 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*~~ **Board of Directors** 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 20.3 unchanged.]

[20.4 through 20.4.4 unchanged.]

20.5 CHANGE OF DIVISION MEMBERSHIP

[20.5.1 unchanged.]

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 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*~~ **Board of Directors** 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 20.5 unchanged.]

Source: NCAA Division I Board of Directors (Leadership Council)

Effective Date: Immediate

Category: Amendment

Topical Area: NCAA Membership

Rationale: This proposal transfers the responsibility of electing institutions to active Division I membership from the NCAA Division I Leadership Council to the Board of Directors. The Leadership Council will still maintain oversight of the membership process and benchmarks; however, the Board of Directors should have the ultimate authority to elect new Division I members. This change is requested as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant agreement 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: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Aug 03, 2010 Submit Submitted for consideration.

No. 2010-7 NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- APPLICATION OF RULES TO ALL RECOGNIZED VARSITY SPORTS -- ELIMINATION OF EMERGING SPORTS TIMETABLE

Intent: To eliminate the timetable for application of legislation to emerging sports for women.

A. Constitution: Amend 3.2.4.5, as follows:

3.2.4.5 Application of Rules to All Recognized Varsity Sports. The constitution, bylaws and other legislation of this Association, unless otherwise specified therein, shall apply to all teams in sports recognized by the member institution as varsity intercollegiate sports and that involve all-male teams, mixed teams of males and females, and all-female teams. To be recognized as a varsity sport, the following conditions must be met:

(a) The sport shall be one in which the Association conducts championships, except as provided in Bylaw 20.9.4.1.1 or an emerging sport for women per Bylaw 20.02.5 ~~*(see timetable in Constitution 3.2.4.5.2 for application of legislation to emerging sports for women)*~~;

[3.2.4.5-(b) through 3.2.4.5-(e) unchanged.]

[3.2.4.5.1 unchanged.]

~~*3.2.4.5.2 Emerging Sports Timetable. The following timetable shall govern the application of legislation to emerging sports for women. The timetable applies beginning with the year the Association identifies a sport as an emerging sport (see Bylaw 20.02.5):*~~

~~*(a) Year One -- Recruiting legislation (see Bylaw 13), financial aid (see Bylaw 15.5.3.1) and minimum contests and participants requirements for sports sponsorship (see Bylaw 20.9.4.3) applicable to emerging sports programs.*~~

~~*(b) Year Two -- Amateurism legislation (see Bylaw 12.01.5) seasons of competition legislation (see Bylaw 14.01.4.1) and awards and benefits legislation (see Bylaw 16) applicable to emerging sports programs.*~~

~~*(c) Year Three and thereafter -- Institutions must be in full compliance with all remaining NCAA legislation.*~~

B. Bylaws: Amend 12.01, as follows:

12.01 GENERAL PRINCIPLES

[12.01.1 through 12.01.4 unchanged.]

~~*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.*~~

C. Bylaws: Amend 13.01, as follows:

13.01 GENERAL PRINCIPLES

[13.01.1 through 13.01.4 unchanged.]

~~*13.01.5 Compliance with Legislation for Emerging Sports. Beginning with the first 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 recruiting legislation set forth in Bylaw 13.*~~

[13.01.6 renumbered as 13.01.5, unchanged.]

D. Bylaws: Amend 14.01, as follows:

14.01 GENERAL PRINCIPLES

[14.01.1 through 14.01.3 unchanged.]

~~*14.01.4 Compliance with Legislation for Emerging Sports.*~~

~~*14.01.4.1 Seasons of Competition. 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 seasons-of-competition legislation set forth in Bylaw 14.2.*~~

~~*14.01.4.2 Initial, Continuing and General Eligibility Requirements. Beginning with the third year of the Association's identification of an emerging sport for women (see Bylaw 20.02.5), the institution shall fully comply in that program with all applicable initial, continuing and general eligibility legislation set forth in Bylaw 14.*~~

E. Bylaws: Amend 15.01, as follows:

15.01 GENERAL PRINCIPLES

[15.01.1 through 15.01.8 unchanged.]

~~*15.01.9 Compliance with Legislation for Emerging Sports. Beginning with the first 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 recruiting legislation set forth in Bylaw 15.*~~

F. Bylaws: Amend 16.01, as follows:

16.01 GENERAL PRINCIPLES

[16.01.1 unchanged.]

~~*16.01.2 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 16.*~~

Source: NCAA Division I Legislative Council (Administrative Committee) (Committee on Women's Athletics)

Effective Date: August 1, 2011; applicable to sports added to the list of emerging sports for women on or after August 1, 2011.

Category: Amendment

Topical Area: NCAA Membership

Rationale: Currently, the emerging sport timetable provides a three-year "phase-in" period for the application of specified legislation from the date a sport is added to the list of emerging sports for women. In recent years, the delay in application of legislation has resulted in confusion in areas such as amateurism, recruiting and financial aid among institutions contemplating adding the sport once it is established on the list. Eliminating the phase-in period supports competitive equity among institutions that sponsor an emerging sport. Eliminating the "phase-in" period will also require legislation (e.g., coaching limitations, financial aid) to be in place by the effective date of the sport's addition to the emerging sports list. This approach will provide greater transparency and information with regard to budgets and allocation of resources. As sports are recommended to be added to the list of emerging sports for women, the Committee on Women's Athletics will take into account (with input from those making the recommendation) how much time may be necessary to develop the applicable legislation and will give careful consideration to the appropriate effective date.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

May 24, 2010 Submit Submitted for consideration.

May 25, 2010 Committee on Women's Athletics, Recommends Approval

Jun 09, 2010 Legislative Council Administrative Committee, Sponsored

No. 2010-8 NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- DRUG TESTING PROGRAM -- DESIGNATION OF ATHLETICS DEPARTMENT RESOURCE AND EDUCATION RELATED TO BANNED DRUGS AND NUTRITIONAL SUPPLEMENTS

Intent: To specify that an institution shall designate an individual (or individuals) as the athletics department resource for questions related to NCAA banned drugs and the use of nutritional supplements; further, to specify that an institution shall educate athletics department staff members who have regular interaction with student-athletes that: (1) the NCAA maintains a list of banned drugs; (2) any nutritional supplement use may present risks to a student-athlete's health and eligibility; and (3) questions regarding NCAA banned drugs and the use of nutritional supplements should be referred to the institution's designated department resource individual (or

individuals).

Constitution: Amend 3.2.4.7, as follows:

3.2.4.7 Drug-Testing Program and Consent Form. An active member shall administer annually, a drug-testing consent form for each student-athlete (per Bylaw 12.02.5) pursuant to Bylaw 14.1.4 and shall ensure compliance with the following elements of the NCAA Drug Testing Program:

[3.2.4.7-(a) through 3.2.4.7-(d) unchanged.]

(e) Notify student-athletes who have been randomly selected for drug testing according to the timeline specified by The National Center for Drug Free Sport;~~*and*~~

(f) Respond to additional requests for assistance in administering the NCAA drug-testing program as specified by The National Center for Drug Free Sport**;**

(g) Designate an individual (or individuals) as the athletics department resource for questions related to NCAA banned drugs and the use of nutritional supplements; and

(h) Educate athletics department staff members who have regular interaction with student-athletes that:

(1) The NCAA maintains a list of banned drugs;

(2) Any nutritional supplement use may present risks to a student-athlete's health and eligibility; and

(3) Questions regarding NCAA banned drugs and the use of nutritional supplements should be referred to the institution's designated athletics department resource individual (or individuals).

Source: NCAA Division I Championships/Sports Management Cabinet (Committee on Competitive Safeguards and Medical Aspects of Sports)

Effective Date: August 1, 2011

Category: Amendment

Topical Area: NCAA Membership

Rationale: In some drug-test appeal cases heard by the Committee on Competitive Safeguards and Medical Aspects of Sports, student-athletes have provided mitigation for a positive test by noting that an athletics department staff member approved their use of a supplement or medication that contained NCAA banned substances. Current NCAA rules require that institutions educate student-athletes about NCAA banned drugs and the products that may contain them. The rules also hold student-athletes responsible for anything they ingest that may contain a banned drug. Further, NCAA policy advises student-athletes to check with appropriate athletics staff prior to ingesting any supplement or medication. To facilitate this policy, institutions should be required to identify an educated resource and should ensure that staff members who regularly interact with student-athletes are educated on this topic. Failure to follow these steps would result in an institutional violation. This proposal creates a framework for a process that would minimize or eliminate improper advice to student-athletes regarding nutritional supplements and banned substances. Student-athlete health, safety and eligibility will be better protected if athletics

department staff members are educated regarding NCAA drug policies and provide proper advice to student-athletes.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 07, 2009 Cabinet / Committee, Recommends Approval

Sep 16, 2009 Cabinet / Committee, Sponsored

Jun 05, 2010 Submit Submitted for consideration.

No. 2010-9 NCAA MEMBERSHIP -- ACTIVE OR CONFERENCE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- USE OF A STUDENT-ATHLETE'S NAME OR LIKENESS -- CONTRACTS AND COMMERCIAL AGREEMENTS -- WRITTEN POLICIES

Intent: To specify that institutions and conferences shall include language in all licensing, marketing, sponsorship, advertising, broadcast and other commercial agreements that outlines a commercial entity's obligation to comply with NCAA legislation, interpretations and policies on the use of a student-athlete's name or likeness; further, that each institution and conference shall maintain written policies for its licensing, marketing, sponsorship, advertising, broadcast and other commercial agreements, which shall be made available for examination upon request by an NCAA staff member or an authorized representative of the NCAA.

A. Constitution: Amend 3.2.4, as follows:

3.2 ACTIVE MEMBERSHIP

[3.2.1 through 3.2.3 unchanged.]

3.2.4 Conditions and Obligations of Membership.

[3.2.4.1 through 3.2.4.16 unchanged.]

3.2.4.17 Use of a Student-Athlete's Name and Likeness.

3.2.4.17.1 Contracts and Commercial Agreements. For agreements that may involve the use of a student-athlete's name or likeness, an institution shall include language in all licensing, marketing, sponsorship, advertising, broadcast and other commercial agreements that outlines the commercial entity's obligation to comply with relevant NCAA legislation, interpretations and policies on the use of a student-athlete's name or likeness.

3.2.4.17.2 Written Policies. An institution shall maintain written policies for its licensing, marketing, sponsorship, advertising, broadcast and other commercial agreements that may involve the use of a student-athlete's name or likeness. Such

policies shall be made available for examination on request by an NCAA staff member or an authorized representative of the NCAA.

B. Constitution: Amend 3.3, as follows:

3.3 MEMBER CONFERENCE

[3.3.1 through 3.3.3 unchanged.]

3.3.4 Conditions and Obligations of Membership.

[3.3.4.1 through 3.3.4.5 unchanged.]

3.3.4.6 Use of a Student-Athlete's Name or Likeness.

3.3.4.6.1 Contracts and Commercial Agreements. For agreements that may involve the use of a student-athlete's name or likeness, a conference shall include language in all licensing, marketing, sponsorship, advertising, broadcast and other commercial agreements that outline the commercial entity's obligation to comply with relevant NCAA legislation, interpretations and policies on the use of a student-athlete's name or likeness.

3.3.4.6.2 Written Policies. A conference shall maintain written policies for its licensing, marketing, sponsorship, advertising, broadcast and other commercial agreements that may involve the use of a student-athlete's name or likeness. Such policies shall be made available for examination on request by an NCAA staff member or an authorized representative of the NCAA.

[Remainder of 3.3 unchanged.]

Source: NCAA Division I Amateurism Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: NCAA Membership

Rationale: This proposal is a result of the work of the NCAA Task Force on Commercial Activity in Division I Intercollegiate Athletics. This legislation, in concert with the other concepts put forth by the task force, will help to achieve the balance in intercollegiate athletics that is needed with regard to commercial activities and the use of student-athletes' names and likenesses. The requirements that institutions and conferences maintain contractual language in all commercial agreements and that written policies be established that outline the institution's, the conference's and the corporate entity's obligation to comply with NCAA legislation, interpretations, and policies will help to minimize the potential negative exploitation of student-athletes and their names and likenesses. Further, the availability of an institution's and conference's written policies will allow various groups, including the Amateurism Cabinet, to evaluate trends and to ensure consistency with NCAA legislation, policies, interpretations and best practices among all Division I institutions.

Estimated Budget Impact: Minimal.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Feb 25, 2010 Submit Submitted for consideration.

Jun 25, 2010 Amateurism Cabinet, Sponsored

Organization

No. 2010-10 ORGANIZATION -- DIVISION I LEGISLATIVE COUNCIL -- VOTING METHOD -- RESULTS OF ROLL-CALL VOTES

Intent: To specify that roll-call vote results of legislative actions taken by the Legislative Council shall be reported to the membership and shall include a record of each council member's vote; further, to specify that the overall outcomes of votes on other matters shall be reported to the membership, but neither the vote count nor individual votes shall be reported.

Constitution: Amend 4.6, as follows:

4.6 DIVISION I LEGISLATIVE COUNCIL

[4.6.1 through 4.6.3 unchanged.]

4.6.4 Voting Method. The method of voting on issues considered by the Legislative Council shall be by roll call, except for actions taken by the unanimous consent of the members present and voting. Roll-call vote results **of legislative actions** shall be reported to the membership **and shall include a record of each member's vote. The overall outcomes of votes on other matters shall be reported to the membership, but neither the vote count nor individual votes shall be reported.**

[Remainder of 4.6 unchanged.]

Source: NCAA Division I Legislative Council

Effective Date: Immediate

Category: Amendment

Topical Area: Organization

Rationale: This proposal amends the current legislation to reflect the current practice of the Legislative Council to only provide the roll-call voting results taken on legislative actions. Generally, the voting results taken on non-legislative issues, such as appeals of interpretations submitted by the membership or revisions to policies and procedures, have not been included in the council's report in order to maintain the integrity of the process. This change is requested 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: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Apr 12, 2010 Submit Submitted for consideration.

Apr 13, 2010 Legislative Council, Sponsored

Legislative Authority and Process

No. 2010-11 LEGISLATIVE PROCESS -- DEFINITIONS AND APPLICATIONS -- LEGISLATIVE PROVISIONS -- FOOTBALL CHAMPIONSHIP SUBDIVISION DOMINANT PROVISIONS

Intent: To establish a "Football Championship Subdivision Dominant" legislative provision category, which shall be defined as a regulation that applies only to the Football Championship Subdivision and requires a two-thirds majority vote for adoption or to be amended pursuant to the established legislative process.

Constitution: Amend 5.02, as follows:

[Federated provision, FCS only]

5.02 DEFINITIONS AND APPLICATIONS

5.02.1 Legislative (Constitution and Bylaw) Provisions.

[5.02.1.1 through 5.02.1.4 unchanged.]

5.02.1.5 Football Championship Subdivision Dominant. A Football Championship Subdivision dominant provision is a regulation that applies only to the Football Championship Subdivision and is of sufficient importance to the subdivision that it requires a two-thirds majority vote for adoption or to be amended pursuant to the legislative process set forth in Constitution 5.3. Football Championship Subdivision dominant provisions are identified by the initialization FCSD.

[To establish the voting line of Constitution 5.02.1.5 as Football Championship Subdivision dominant (FCSD).]

Source: NCAA Division I Board of Directors (Division I Presidential Advisory Group) (Leadership Council)

Effective Date: Immediate

Category: Amendment

Topical Area: Legislative Authority and Process

Rationale: Football Championship Subdivision commissioners support taking steps to ensure that the subdivision is preserved by preventing initiatives that would either diminish or escalate the level of commitment required to participate in the subdivision and its playoffs and agree a super-majority voting provision would build some protection of the current model into the legislative process.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Aug 03, 2010 Submit Submitted for consideration.

No. 2010-12 LEGISLATIVE PROCESS -- AMENDMENT PROCESS -- MEMBERSHIP OVERRIDE OF LEGISLATIVE CHANGES -- LEGISLATIVE COUNCIL OR BOARD OF DIRECTORS REVIEW -- OVERRIDE VOTING

Intent: To eliminate the requirement that the override voting process on actions taken by the Legislative Council or the Board of Directors must occur at the annual Convention of the Association.

Constitution: Amend 5.3.2.3, as follows:

5.3.2.3 Membership Override of Legislative Changes. The membership may override the adoption of legislation by the Legislative Council or the Board of Directors or the defeat of legislation by the Board of Directors. Notification of the adoption of legislation by the Legislative Council or the Board of Directors or the defeat of legislation by the Board of Directors shall be provided to the membership within 15 days of the date of the Board of Directors meeting on which the adoption or defeat became final.

[5.3.2.3.1 through 5.3.2.3.2.1 unchanged.]

5.3.2.3.3 Legislative Council or Board of Directors Review. Once the required number of override requests has been received, the Legislative Council or the Board of Directors will review its legislative decision. If the decision is not changed, a vote by the active members shall take place ~~*at the next annual Convention of the Association*~~ **in accordance with policies and procedures established by the Administration Cabinet**.

5.3.2.3.4 Five-Eighths Majority Vote. At least a five-eighths majority vote of the active members ~~*present and*~~ voting shall be required to override the legislative action taken by the Legislative Council or the Board of Directors. The vote shall be based on the principle of one institution, one vote and all override votes shall be taken with recorded roll calls.

[5.3.2.4 through 5.3.8.2 unchanged.]

5.3.9 Special Voting Requirements.

[5.3.9.1 through 5.3.9.3 unchanged.]

5.3.9.4 Override. The membership may override (rescind) the adoption of legislation by the Legislative Council or the Board of Directors or the defeat of legislation by the Board of Directors. At least a five-eighths majority of the active members ~~*present and*~~ voting shall be required to override the legislative action taken.

[5.3.9.5 unchanged.]

Source: NCAA Division I Administration Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Legislative Authority and Process

Rationale: This proposal will result in reduced costs for institutions by not requiring the override vote to occur at the annual Convention of the Association. Further, this change will provide the opportunity for a more accurate representation of the "one institution/one vote" principle.

Estimated Budget Impact: Elimination of costs related to attending the Convention for an override vote.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Aug 11, 2010 Submit Submitted for consideration.

Personnel

No. 2009-19-A PERSONNEL -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- WOMEN'S SAND VOLLEYBALL AND WOMEN'S VOLLEYBALL

Intent: To specify that an institution that sponsors only women's sand volleyball shall have a limit of two coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time; further, to specify that an institution that sponsors women's sand volleyball and women's volleyball shall have a limit of four coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time.

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
Sand Volleyball, Women's (Without Women's Volleyball)	**2**	**2**

Sport	Limit on Number of Coaches	Limit on Off-Campus Recruiters
Sand Volleyball, Women's (With Women's Volleyball)	**4**	**2**
Volleyball, Women's **(Without Women's Sand Volleyball)**	3	2
Volleyball, Women's (With Women's Sand Volleyball)	**4**	**2**

[All other sports unchanged.]

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Personnel

Rationale: This proposal reflects an increase of one to the current women's volleyball countable coach maximum limitations if an institution sponsors both women's volleyball and women's sand volleyball. Due to an overlap in the women's volleyball championship segment and women's sand volleyball nonchampionship segment, and vice versa, this increase is necessary to allow coaches to have an appropriate work/life balance and to provide an opportunity for women's sand volleyball student-athletes who do not participate in women's volleyball to work with their coaches during the fall nonchampionship segment. Further, a maximum limit of two coaches for institutions sponsoring only women's sand volleyball is appropriate to coach and manage the anticipated squad size of 10 to 14 student-athletes. Finally, these concepts include the input and examination of this issue by the American Volleyball Coaches Association in developing and recommending this proposal.

Estimated Budget Impact: Costs associated with hiring additional countable coaches and costs related to off-campus recruiting if an institution does not sponsor women's volleyball, but will sponsor women's sand volleyball.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 08, 2009 Submit Submitted for consideration.

Jun 09, 2009 Recruiting and Athletics Personnel Issues Cabinet, Sponsored

Oct 19, 2009 Proposal renumbered as Proposal No. 2009-19-A. An alternative is Proposal No. 2009-19-B.

Jan 13, 2010 Leg Council Init Review, Forwarded for Membership Comment

Jan 17, 2010 Comment Period Start of Comment Period

Mar 17, 2010 Comment Period End of Comment Period; (Official Comment Totals: Support = 0, Oppose = 2, Abstain = 0)

Apr 13, 2010 Leg Council Final Review, Tabled With the delay to the effective date for the addition of women's sand volleyball to the list of emerging sports for women, current proposals and any new concepts related to the sport will be considered in the 2010-11 legislative cycle.

No. 2009-19-B PERSONNEL -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- WOMEN'S SAND VOLLEYBALL

Intent: In women's sand volleyball, to specify that the limit on the number of coaches who may be employed is two and the limit on the number of coaches who may contact or evaluate prospective student-athletes off campus at any one time is two.

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
Sand Volleyball, Women's	**2**	**2**

[All other sports unchanged.]

Source: NCAA Division I Legislative Council

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Personnel

Rationale: NCAA Proposal No. 2009-19-A would permit an institution that sponsors women's volleyball and women's sand volleyball to hire one additional coach who could work with both sports. Concern has been expressed that such a model would provide an advantage for institutions that sponsor both sports over those that only sponsor women's volleyball. Pursuant to this alternative proposal (Proposal No. 2009-19-B), if a coach were to coach both sports or serve as an off-campus recruiter for both sports, he or she would count toward the limit on the number of coaches in each sport.

Estimated Budget Impact: Costs associated with hiring additional countable coaches and costs related to off-campus recruiting.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Oct 19, 2009 Submit Submitted for consideration.

Oct 19, 2009 Legislative Council, Sponsored Sponsored as an alternative to Proposal No. 2009-19-A.

Jan 13, 2010 Leg Council Init Review, Forwarded for Membership Comment

Jan 17, 2010 Comment Period Start of Comment Period

Mar 17, 2010 Comment Period End of Comment Period; (Official Comment Totals: Support = 0, Oppose = 1, Abstain = 0)

Apr 13, 2010 Leg Council Final Review, Tabled With the delay to the effective date for the addition of women's sand volleyball to the list of emerging sports for women, current proposals and any new concepts related to the sport will be considered in the 2010-11 legislative cycle.

No. 2010-14 PERSONNEL -- DEFINITIONS AND APPLICATIONS -- GRADUATE ASSISTANT COACH -- BOWL SUBDIVISION FOOTBALL AND WOMEN'S ROWING -- INCIDENTAL EXPENSES AT NCAA CHAMPIONSHIPS AND LICENSED BOWL GAMES

Intent: In bowl subdivision football and women's rowing, to permit a graduate assistant coach to receive cash to cover unitemized incidental expenses during travel and practice for NCAA championship events or licensed postseason bowl contests in accordance with the parameters by which student-athletes may receive such expenses.

Bylaws: Amend 11.01.3, as follows:

[Federated provision, FBS and Division I, divided vote]

11.01.3 Coach, Graduate Assistant -- Bowl Subdivision Football and Women's Rowing.

[11.01.3-(a) through 11.01.3-(f) unchanged.]

(g) The individual may receive cash to cover unitemized incidental expenses during travel and practice for NCAA championship events or licensed postseason bowl contests in accordance with the parameters by which student-athletes may receive such expenses pursuant to Bylaw 16.8.1.6.

[11.01.3-(g) through 11.01.3-(h) relettered as 11.01.3-(h) through 11.01.3-(i), unchanged.]

Source: Atlantic Coast Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Personnel

Rationale: Graduate assistant coaches in football and women's rowing are specifically limited by legislation regarding compensation and benefits they may receive from an institution. These

individuals are students, but the legislation relating to student-athletes does not always apply to them. Similarly, although they are coaches, the legislation that applies to full-time coaches does not always apply to them either. Under current legislation, all squad members may receive $20 per day to use for unitemized incidental expenses during NCAA championship events or postseason bowl contests. Other institutional staff members may receive additional stipends from the institution for incidental expenses during such events. Graduate assistant coaches may be the only members of a travel party who are not provided additional funds to cover incidental expenses. Due to the fact that the legislation limits the number of graduate assistant coaches, the additional cost of providing these individuals with the incidental expense money is minimal.

Estimated Budget Impact: $20 per day per coach for applicable events.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal. The committee agrees with the sponsor that the ability to receive such funds is appropriate given the financial support opportunities for student-athletes and coaches participating in postseason bowl games.

Women's Rowing Committee: The committee supports the proposal. The committee believes this change would be appropriate since, currently, the graduate assistant coach is the only person typically in the travel party not able to receive such funds.

History:

Jul 13, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Recommends Approval

Sep 07, 2010 Women's Rowing Committee, Recommends Approval

No. 2010-15 PERSONNEL -- COMPENSATION AND REMUNERATION -- INCOME IN ADDITION TO INSTITUTIONAL SALARY -- CONSULTANT FOR OR ENDORSEMENT OF NONINSTITUTIONAL ATHLETICS EVENTS INVOLVING PROSPECTIVE STUDENT-ATHLETES

Intent: To specify that an athletics department staff member may not serve as a consultant for a noninstitutional athletics event that primarily involves prospective student-athletes and may not endorse or promote such an event in any way, including permitting the use of his or her name, picture or quotations.

Bylaws: Amend 11.3.2, as follows:

11.3.2 Income in Addition to Institutional Salary.

[11.3.2.1 through 11.3.2.6 unchanged.]

11.3.2.7 Consultant for or Endorsement of Noninstitutional Athletics Events Involving Prospective Student-Athletes. An athletics department staff member may not serve as a consultant for a noninstitutional athletics event that primarily involves prospective

student-athletes and may not endorse or promote such an event in any way, including permitting the use of his or her name, picture or quotations.

Source: NCAA Division I Championship/Sports Management Cabinet (Men's Basketball Issues Committee) (Women's Basketball Issues Committee)

Effective Date: Immediate

Category: Amendment

Topical Area: Personnel

Rationale: Current legislation precludes athletics department staff members from endorsing, serving as consultants for or participating on advisory panels for any recruiting or scouting service involving prospective student-athletes and prohibits institutional coaching staff members from promoting a noninstitutional camp or clinic. Current legislation, however, does not preclude athletics department staff members from endorsing, serving as a consultant for or promoting a noninstitutional athletics event primarily involving prospective student-athletes. Often, these athletics events are conducted by recruiting or scouting services and are designed to provide evaluation opportunities of prospective student-athletes. In order to minimize any potential recruiting advantage and to promote equity in the recruitment of prospective student-athletes, athletics department staff members should be precluded from any involvement in endorsing, promoting or serving as a consultant for a noninstitutional athletics event primarily involving prospective student-athletes. In addition, this prohibition will eliminate a perception that institutions receive a recruiting advantage if a coach or other athletics department staff member is involved in any way with such events.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal. The committee notes that while there may not be a significant number of such events in high school football, they do appear to be increasing in number and it would be appropriate to include such a prohibition given similar prohibitions regarding recruiting services and camps.

History:

May 03, 2010 Submit Submitted for consideration.

May 11, 2010 Women's Basketball Issues Committee, Recommends Approval

May 25, 2010 Men's Basketball Issues Committee, Recommends Approval

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

Aug 24, 2010 Football Issues Committee, Recommends Approval

No. 2010-16 PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- BASKETBALL -- LIMIT OF ONE

Intent: In basketball, to specify that there shall be a limit of one noncoaching staff member (one in men's basketball and one in women's basketball) whose responsibilities are specific to basketball and who works directly for the basketball program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff and managers who work exclusively for the men's or women's basketball program are exempt from the application of this limitation.

Bylaws: Amend 11.7.1.1.1.1, as follows:

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 video 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.

11.7.1.1.1.1.1 Exception -- Noncoaching Staff Member with Sport-Specific Responsibilities. A noncoaching staff member with sport-specific responsibilities (e.g., director of operations, administrative assistant) may participate in organized activities involving only the coaching staff or may perform administrative duties (e.g., attend meetings involving coaching activities, analyze video of the institution's or an opponent's team, track statistics during practice or competition). However, such an individual is prohibited from participating in instructional activities with student-athletes and any on-court or on-field activities (e.g., assist with drills, throw batting practice), and is prohibited from participating with or observing student-athletes in the staff member's sport who are engaged in nonorganized voluntary athletically related activities (e.g., pick-up games).

11.7.1.1.1.1.1.1 Limitation on the Number of Noncoaching Staff with Sport-Specific Responsibilities -- Men's Basketball. In men's basketball, there shall be a limit of one noncoaching staff member whose responsibilities are specific to men's basketball and who works directly for the men's basketball program who may be employed (either on a salaried or a volunteer basis) by the institution. Clerical staff and managers who work exclusively for the men's basketball program are exempt from the application of this limitation.

11.7.1.1.1.1.1.2 Limitation on the Number of Noncoaching Staff with Sport-Specific Responsibilities -- Women's Basketball. In women's basketball, there shall be a limit of one noncoaching staff member whose responsibilities are specific to women's basketball and who works directly for the women's basketball program who may be employed (either on a salaried or a volunteer basis) by the institution. Clerical staff and managers who work exclusively for the women's basketball program are exempt from the application of this limitation.

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

Effective Date: August 1, 2012

Category: Amendment

Topical Area: Personnel

Rationale: The membership and the Board of Directors have expressed significant concern regarding the proliferation of noncoaching staff members with sport-specific responsibilities and its impact on competitive equity. In a membership survey regarding noncoaching staff members, 88 percent of respondents favored a limit of one to three noncoaching staff members in men's basketball and eighty-nine percent of respondents favored a limit of one to three in women's basketball. The limit of one was the option most favored by the directors of athletics surveyed for both sports. One is an appropriate and practical limit in consideration of the number of noncoaching staff with sport-specific responsibilities currently employed by basketball programs. Some common examples of individuals who would be included in the proposed numerical limitations include, but are not limited to, directors of operations, video coordinators, quality control personnel, directors of player development and directors of community relations. Individuals who may report to another unit or department within the department of athletics or outside the department of athletics, such as sports information directors, academic advisors, athletic trainers, equipment managers and marketing staff, would not be included in the proposed numerical limitations, even if these individuals have basketball-specific responsibilities.

Estimated Budget Impact: Variable. Potential cost savings based on the current number of noncoaching staff with sport-specific responsibilities currently employed by an institution.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 08, 2010 Submit Submitted for consideration.

Jun 09, 2010 Recruiting and Athletics Personnel Issues Cabinet, Sponsored

No. 2010-17 PERSONNEL -- LIMITATIONS ON THE NUMBER OF COACHES -- FOOTBALL BOWL SUBDIVISION -- FOUR GRADUATE ASSISTANT COACHES

Intent: In bowl subdivision football, to increase, from two to four, the limit on graduate assistant coaches.

Bylaws: Amend 11.7.2, as follows:

[Federated provision, FBS only]

11.7.2 Football Bowl Subdivision. There shall be a limit of one head coach, nine assistant coaches and ~~*two*~~ **four** graduate assistant coaches who may be employed by an institution in bowl subdivision football.

Source: Big East Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Personnel

Rationale: Current legislation requires that in order for a graduate assistant coach to be appointed, he or she must have either received his or her first baccalaureate degree or has exhausted athletics eligibility (whichever occurs later) within the previous seven years. It is now more likely that the graduate-assistant coach position will once again allow a recent graduate to be involved in coaching activities while continuing what should be the primary pursuit of the position -- a postgraduate education. This proposal is intended to establish two additional opportunities for individuals to advance their educational and career pursuits, while also possibly providing additional minority coaching opportunities.

Estimated Budget Impact: The cost to fund two additional graduate assistant coach positions.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal, contingent on Proposal Nos. 2010-17, 2010-18 and 2010-19 each being adopted for bowl subdivision football and that the effective dates are all amended to August 1, 2012 for consistency in application.

History:

Jul 12, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Supports in Part

No. 2010-18 PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES --BOWL SUBDIVISION FOOTBALL -- LIMIT OF FOUR

Intent: In bowl subdivision football, to specify that there shall be a limit of four noncoaching staff members whose responsibilities are specific to bowl subdivision football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff and managers who work exclusively for the football program are exempt from the application of this limitation.

Bylaws: Amend 11.7.2, as follows:

[Federated provisions, FBS only]

11.7.2 Football Bowl Subdivision. There shall be a limit of one head coach, nine assistant coaches and two graduate assistant coaches who may be employed by an institution in bowl subdivision football. **In addition, there shall be a limit of four noncoaching staff members whose responsibilities are specific to bowl subdivision football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution. Clerical staff and managers who work exclusively for the football program are exempt from the application of this limitation.**

[Remainder of 11.7.2 unchanged.]

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

Effective Date: August 1, 2012

Category: Amendment

Topical Area: Personnel

Rationale: The membership and the Board of Directors have expressed significant concern regarding the proliferation of noncoaching staff members with sport-specific responsibilities and its impact on competitive equity. In a membership survey regarding noncoaching staff members, 88 percent of respondents favored a limit of one to six noncoaching staff members in bowl subdivision football. The limit of four was the option most favored by the directors of athletics surveyed. Four is an appropriate and practical limit in consideration of the number of noncoaching staff with sport-specific responsibilities currently employed by bowl subdivision football programs. Some common examples of individuals who would be included in the proposed numerical limitations include, but are not limited to, directors of operations, video coordinators, quality control personnel, directors of player development and directors of community relations. Individuals who may report to another unit or department within the department of athletics or outside the department of athletics, such as sports information directors, academic advisors, athletic trainers, equipment managers and marketing staff, would not be included in the proposed numerical limitations, even if these individuals have football-specific responsibilities.

Estimated Budget Impact: Variable. Potential cost savings based on the current number of noncoaching staff with sport-specific responsibilities currently employed by an institution.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal, contingent on Proposal Nos. 2010-17, 2010-18 and 2010-19 each being adopted for bowl subdivision football and that the effective dates are all amended to August 1, 2012 for consistency in application. The committee would be supportive of a modification to this proposal to either not include video coordinators or to increase the limit to five, including video coordinators. The committee noted the critical role video coordinators play in football and that the limitation of four noncoaching staff members may unduly limit the video support personnel necessary in football.

History:

Jun 08, 2010 Submit Submitted for consideration.

Jun 09, 2010 Recruiting and Athletics Personnel Issues Cabinet, Sponsored

Aug 24, 2010 Football Issues Committee, Supports in Part

No. 2010-19 PERSONNEL -- LIMITATION ON THE NUMBER AND DUTIES OF COACHES -- FOOTBALL BOWL SUBDIVISION -- WEIGHT OR STRENGTH COACH -- LIMIT OF FIVE

Intent: In bowl subdivision football, to specify that not more than five weight or strength coaches are permitted to work with a football program in any capacity, including all workouts (required or voluntary), practices and game-related activities.

Bylaws: Amend 11.7.2, as follows:

[Federated provision, FBS only]

11.7.2 Football Bowl Subdivision. There shall be a limit of one head coach, nine assistant coaches and two graduate assistant coaches who may be employed by an institution in bowl subdivision football.

11.7.2.1 Exceptions to Number Limits. No individual other than coaches designated to fill the coaching categories set forth in Bylaw 11.7.2 may participate in any manner in the coaching of the intercollegiate team of a member institution during any football game, practice or other organized activity, with the following exceptions

11.7.2.1.1 Weight or Strength Coach. A weight (strength and conditioning) coach may conduct flexibility, warm-up and physical conditioning activities prior to any game and prior to or during any practice or other organized activities without being included in the limitations on number of coaches. **Not more than five weight or strength coaches are permitted to work with a football program in any capacity, including all workouts (required and voluntary), practices and game-related activities.**

[Remainder of 11.7.2 unchanged.]

Source: Big East Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Personnel

Rationale: The NCAA Division I Recruiting and Athletics Personnel Issues Cabinet recently concluded that it is necessary to establish limitations on the number of noncoaching staff members with sport specific responsibilities in football. Recently, the membership and the NCAA Division I Board of Directors have expressed concern regarding the proliferation of these individuals and the impact on competitive equity within the sport. Similar competitive equity concerns exist as it relates to the use of weight or strength coaches. Accordingly, whether during the academic year or during the summer, there should be a limit on the total number of weight or strength coaches who are permitted to work with the football program, even if the weight or strength coaches perform duties on a department-wide basis.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal, contingent on Proposal Nos. 2010-17, 2010-18 and 2010-19 each being adopted for bowl subdivision football and that the effective dates are all amended to August 1, 2012 for consistency in application.

History:

Jul 13, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Supports in Part

No. 2010-20 PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- CHAMPIONSHIP SUBDIVISION FOOTBALL -- LIMIT OF TWO

Intent: In championship subdivision football, to specify that there shall be a limit of two noncoaching staff members whose responsibilities are specific to championship subdivision football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution; further to specify that clerical staff and managers who work exclusively for the football program are exempt from the application of this limitation.

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. **In addition, there shall be a limit of two noncoaching staff members whose responsibilities are specific to championship subdivision football and work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution. Clerical staff and managers who work exclusively for the football program are exempt from the application of this limitation.**

[Remainder of 11.7.3 unchanged.]

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

Effective Date: August 1, 2012

Category: Amendment

Topical Area: Personnel

Rationale: The membership and the Board of Directors have expressed significant concern regarding the proliferation of noncoaching staff members with sport-specific responsibilities and its impact on competitive equity. In a membership survey regarding noncoaching staff members, 88 percent of respondents favored a limit of one to six noncoaching staff members in championship subdivision football. The limit of two was the option most favored by the directors of athletics surveyed. Two is an appropriate and practical limit in consideration of the number of noncoaching staff with sport-specific responsibilities currently employed by championship subdivision football

programs. Some common examples of individuals who would be included in the proposed numerical limitations include, but are not limited to, directors of operations, video coordinators, quality control personnel, directors of player development and directors of community relations. Individuals who may report to another unit or department within the department of athletics or outside the department of athletics, such as sports information directors, academic advisors, athletic trainers, equipment managers and marketing staff, would not be included in the proposed numerical limitations, even if these individuals have football-specific responsibilities.

Estimated Budget Impact: Variable. Potential cost savings based on the current number of noncoaching staff with sport-specific responsibilities currently employed by an institution.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee opposes the proposal. The committee believes that a limit of two is too low and that a limit of three or four such individuals is more appropriate in championship subdivision football.

History:

Jun 08, 2010 Submit Submitted for consideration.

Jun 09, 2010 Recruiting and Athletics Personnel Issues Cabinet, Sponsored

Aug 24, 2010 Football Issues Committee, Recommends Defeat

No. 2010-21 PERSONNEL -- LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME -- EXCEPTION -- SPORTS OTHER THAN BASKETBALL -- JUNE, JULY AND AUGUST

Intent: In sports other than basketball, to specify that during June, July and August, 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 the permissible number of off-campus recruiters in the particular sport engage in 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 does 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 unchanged.]

11.7.4.3.2 Exception -- Sports Other Than Basketball -- June, July and August. In sports other than basketball, during June, July and August, a replaced coach is not required to

return to the institution's campus before engaging in additional recruiting activities, provided no more than the permissible number of off-campus recruiters in the particular sport engage in off-campus recruiting activities each day (see Bylaw 11.7.4).

Source: Big 12 Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Personnel

Rationale: Consistent with the value-based legislation that was adopted in 2009 for basketball, other sports can benefit from similar legislation. It should be noted that when the NCAA Division I Championships/Sports Management Cabinet considered the proposal for basketball, it also discussed whether the proposal should be expanded to other time periods and other sports to provide flexibility and possible cost savings in travel expenses. Given the positive application of the legislation to basketball, the exception should be extended to other sports during June, July and August.

Estimated Budget Impact: Potential decrease in recruiting travel expenses.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 30, 2010 Submit Submitted for consideration.

No. 2010-22 PERSONNEL -- LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME -- EXCEPTION -- BASEBALL -- JUNE, JULY AND AUGUST

Intent: In baseball, to specify that during June, July and August, 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 two 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 does 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 unchanged.]

11.7.4.3.2 Exception -- Baseball -- June, July and August. In baseball, during June, July and August, a replaced coach is not required to return to the institution's campus before

engaging in additional recruiting activities, provided no more than two coaches engage in off-campus recruiting activities each day.

Source: Atlantic Coast Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Personnel

Rationale: Baseball programs, much like basketball programs, use multiple staff members to evaluate and recruit during the months of June, July and August. Often, the coaching staff is trying to evaluate prospective student-athletes in many different areas of the country and within a short amount of time. This exception could result in a significant amount of time and cost savings for baseball programs.

Estimated Budget Impact: Cost savings by not requiring coaches to travel back to campus before continuing to recruit.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Baseball Committee: The committee supports the proposal and the practical flexibility it offers.

History:

Jul 14, 2010 Submit Submitted for consideration.

Aug 26, 2010 Baseball Committee, Recommends Approval

Amateurism

No. 2010-23 AMATEURISM -- AMATEUR STATUS -- EXCEPTION FOR PAYMENT BASED ON TEAM PERFORMANCE -- ACTUAL AND NECESSARY EXPENSES -- SPORTS OTHER THAN MEN'S ICE HOCKEY AND SKIING

Intent: In sports other than men's ice hockey and skiing, to specify that before full-time collegiate enrollment, an individual may accept payment based on his or her team's place finish or performance, or given on an incentive basis (e.g., bonus) from a team, provided the combination of such payments and expenses provided to the individual does not exceed his or her actual and necessary expenses to participate on the team.

Bylaws: Amend 12.1.2.4, as follows:

12.1.2.4 Exceptions to Amateurism Rule.

[12.1.2.4.1 through 12.1.2.4.2 unchanged.]

12.1.2.4.3 Exception for Payment Based on Team Performance Before Full-Time Collegiate Enrollment -- Sports Other Than Men's Ice Hockey and Skiing. In sports other than men's ice hockey and skiing, before full-time collegiate enrollment, an individual may accept payment based on his or her team's place finish or performance, or given on

an incentive basis (e.g., bonus), provided the combination of such payments and expenses provided to the individual does not exceed his or her actual and necessary expenses to participate on the team. 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).

[12.1.2.4.3 through 12.1.2.4.13 renumbered as 12.1.2.4.4 through 12.1.2.4.14, unchanged.]

Source: NCAA Division I Amateurism Cabinet

Effective Date: Immediate

Category: Amendment

Topical Area: Amateurism

Rationale: With the adoption of Proposal No. 2009-22, as of August 1, 2010, in sports other than men's ice hockey and skiing, prospective student-athletes are permitted to accept payment based on performance (e.g., bonuses) from a professional team, provided such payments do not exceed actual and necessary expenses to participate on the professional team. However, Proposal No. 2009-22 did not address whether the same philosophy should apply to prospective student-athletes who participate on nonprofessional teams (e.g., amateur teams and Olympic or national teams). This proposal would extend the concept to teams other than professional teams and permit a prospective student-athlete to accept actual and necessary expenses in the form of payment based on performance from other types of teams. This change is requested 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 are not likely 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 (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 24, 2010 Submit Submitted for consideration.

Jun 25, 2010 Amateurism Cabinet, Sponsored

Jun 25, 2010 Amateurism Cabinet, Recommends Approval as Noncontroversial Legislation

No. 2010-24 AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- PROFESSIONAL BASKETBALL DRAFT -- FOUR-YEAR COLLEGE STUDENT-ATHLETE -- MEN'S BASKETBALL

Intent: In men's basketball, to specify that the date by which a student-athlete must request that his name be removed from a professional league's draft list in order to retain his eligibility shall be the day before the first day of the spring National Letter of Intent signing period for the applicable year.

Bylaws: Amend 12.2.4.2.1.1, as follows:

12.2.4.2.1.1 Men's Basketball. In men's basketball, an enrolled student-athlete may enter a professional league's draft one time during his collegiate career without jeopardizing eligibility in that sport, provided:

(a) The student-athlete requests that his name be removed from the draft list and declares his intent to resume intercollegiate participation no later than the end of ~~*May 8 of the year in which the draft will occur*~~ **the day before the first day of the spring National Letter of Intent signing period for the applicable year**;

[12.2.4.2.1.1-(b) through 12.2.4.2.1.1-(c) unchanged.]

Source: Atlantic Coast Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Amateurism

Rationale: Before the adoption of the current rule, student-athletes had approximately 50 days to decide whether to remain in the draft and tryouts with NBA teams could occur only in the last 20 days. During that period, collegiate head coaches were often in limbo regarding the status of their rosters for the upcoming season. Further, student-athletes typically spent a large part of that time away from campus training for pre-draft workouts, which resulted in academic concerns. The current legislation reduced the problem by setting the withdrawal deadline May 8, which is 40 days earlier than the previous withdrawal deadline but still 22 days after the first day of the National Letter of Intent late signing period for men's basketball in April. This year, NBA teams did not spend money to have workouts with student-athletes until the withdrawal deadline passed. By moving the withdrawal deadline, coaches will have flexibility to address roster issues at the beginning of the spring signing period while viable prospects are still available. Evaluations by professional scouts and others during preseason practices, regular season games and postseason games should provide student-athletes with adequate information to credibly determine NBA draft status.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 14, 2010 Submit Submitted for consideration.

No. 2010-25 AMATEURISM AND AWARDS, BENEFITS AND EXPENSES -- USE OF AGENTS -- BENEFITS, GIFTS AND SERVICES -- CAREER COUNSELING AND INTERNSHIP/ JOB PLACEMENT SERVICES

Intent: To permit a student-athlete to use career counseling and internship/job placement services available exclusively to student-athletes, provided the student-athlete is not placed in a position in which the student-athlete uses his or her athletics ability.

A. Bylaws: Amend 12.3, as follows:

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 through 12.3.1.2 unchanged.]

12.3.1.3 Exception -- Career Counseling and Internship/Job Placement Services. A student-athlete may use career counseling and internship/job placement services available exclusively to student-athletes, provided the student-athlete is not placed in a position in which the student-athlete uses his or her athletics ability.

[Remainder of 12.3 unchanged.]

B. Bylaws: Amend 16.11, as follows:

16.11 BENEFITS, GIFTS AND SERVICES

16.11.1 Permissible.

16.11.1.1 General Rule. Receipt of a benefit (including otherwise prohibited extra benefits per Bylaw 16.11.2) by student-athletes, their relatives or friends is not a violation of NCAA rules if it is demonstrated that the same benefit is generally available to the institution's students and their relatives or friends.

[16.11.1.2 through 16.11.1.14 unchanged.]

16.11.1.15 Career Counseling and Internship/Job Placement Services. A student-athlete may use career counseling and internship/job placement services available exclusively to student-athletes, provided the student-athlete is not placed in a position in which the student-athlete uses his or her athletics ability.

Source: Big East Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Amateurism

Rationale: There are many companies willing to provide job placement services exclusively to student-athletes. Such companies could help to provide a career advantage to student-athletes by assisting them in finding internships and employment. Current legislation and interpretations do not allow student-athletes to benefit from the services that are exclusive to student-athletes until after their eligibility has been exhausted. Many student-athletes are disadvantaged by the

legislation, and particularly senior students-athletes in spring sports who have playing seasons that end in May and June. This proposal would allow student-athletes to work with all job placement companies before exhausting their eligibility as long as the internship/job in which the student-athlete is placed does not involve the use of the student-athlete's athletics ability.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 25, 2010 Submit Submitted for consideration.

No. 2010-26 AMATEURISM -- PROMOTIONAL ACTIVITIES -- USE OF A STUDENT-ATHLETE'S NAME OR LIKENESS

Intent: To revise the regulations related to use of a student-athlete's name or likeness for promotions, advertisements and media activities, as specified.

A. Bylaws: Amend 12.02, as follows:

12.02 DEFINITIONS AND APPLICATIONS

[12.02.1 unchanged.]

12.02.2 Likeness. Likeness includes an individual's image, photograph, likeness (whether actual, simulated, photographic, computer-generated, rendered, caricature or otherwise), voice (whether speaking, rapping, singing, altered or otherwise), personality, biographical information and/or other personal identification.

12.02.3 Name. Name includes an individual's name, nickname, sobriquet, signature (whether actual, simulated, photographic, computer-generated, rendered, caricature or otherwise) and/or other personal identification.

[12.02.2 through 12.02.5 renumbered as 12.02.4 through 12.02.7]

B. Bylaws: Amend 12.5.1, as follows:

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 noninstitutional charitable, educational or nonprofit agency may use a student-athlete's name, ~~*picture*~~ **likeness** 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:

(a) The ~~*student-athlete receives written approval to participate from the*~~ **promotional activity must be approved in writing by the institution's** 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;

(b) The student-athlete and an authorized representative of the charitable, educational or nonprofit agency must sign a release statement granting permission to use his or her name, likeness or appearance in a manner consistent with the requirements of this sections;

(~~b~~**c**) The ~~*specific*~~ **promotional** activity ~~*or project in which the student-athlete participates does not*~~ **may** involve co-sponsorship, ~~*advertisement or promotion*~~ by a commercial ~~*agency*~~ **entity, as approved by the institution, subject to the following conditions:** ~~*other than through the reproduction of the sponsoring company's officially registered regular trademark or log on printed materials such as pictures, posters or calendars. The company's emblem, name, address and telephone number may be included with the trademark or logo. Personal names, messages and slogans (other than an officially registered trademark) are prohibited;*~~

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

(2) There is no indication in the makeup, wording or action of the co-sponsorship that the student-athlete endorses or is directly promoting the use of a product or service of the commercial entity.

~~*(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 trademark or logo also appears on the item;*~~

(d) The student-athlete ~~*does*~~ **shall** not miss class;

~~*(e) All money's derived from the activity or project go directly to the member institution, member conference or the charitable, educational or nonprofit agency;*~~

(~~*f*~~**e**) 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; **and**

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

(~~*h*~~**f**) Any commercial items with names, **or** 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*~~ **by** the member institution at which the student-athlete is enrolled, the institution's conference, institutionally controlled (owned and operated) outlets **or other institutionally authorized entities (subject to Bylaw 12.5.1.4)** or outlets controlled by the charitable, educational or nonprofit organization (e.g., location of the charitable or educational organization, site charitable event during the event). Items that included 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*~~

~~*(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.*~~

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

12.5.1.1.2 Promotions Involving Commercial Locations/Sponsors. A member institution, a member conference or a charitable, educational or nonprofit organization may use the appearance, name or ~~*picture*~~ **likeness** of an enrolled student-athlete to promote ~~*generally*~~ its ~~*fundraising*~~ activities at the location of a commercial establishment, ~~*provided the commercial establishment is not*~~ **which may be** a co-sponsor of the ~~*event*~~ **activity, provided** ~~*and*~~ the student-athlete does not **directly** promote the sale of a commercial product **or service** in conjunction with the~~*fundraising*~~ activity. ~~*A commercial establishment would become a co-sponsor 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.*~~

[12.5.1.1.3 through 12.5.1.1.4 unchanged.]

12.5.1.4 ~~*Congratulatory*~~ Advertisement **or Promotion**. ~~*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 included a reproduction of the product with which the business is associated or any other item or description identifying the business or service other than its name or trademark;*~~

~~*(c) 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 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 official interpretations.*~~

An advertisement or promotion by a commercial entity may include a student-athlete's name or likeness (e.g., competition video footage, competition photographs), provided the following conditions are met:

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

(b) The student-athlete has signed a release statement granting permission to use his or her name or likeness in a manner consistent with the requirements of this section;

(c) The student-athlete does not miss class;

(d) The advertisement or promotion identifies (e.g., via graphics, voice over, text) the commercial entity's affiliation with the institution, conference or the NCAA (e.g., entity is the official sponsor of the institution or event);

(e) There is no indication in the makeup, wording or action of the advertisement or promotion that the student-athlete endorses or is directly promoting the use of a product or service of the commercial entity;

(f) If a student-athlete's name is used in the advertisement or promotion, a reference to the student-athlete's institution must be used immediately before or after his or her name; and

(g) The advertisement or promotion does not involve alcoholic beverages, tobacco products or an organization that is involved with or promotes gambling.

12.5.1.4.1 Effect of Violation. A violation of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, the student-athlete's eligibility shall not be affected.

[12.5.1.5 through 12.5.1.6 unchanged.]

~~*12.5.1.7 Promotion by Third Party of Highlight Film, Video 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 video or an institutional or conference media guide that contains the names and pictures of enrolled student-athletes only if:*~~

~~*(a) The institution specifically designates any agency that is authorized to receive orders for the film, video or media guide;*~~

~~*(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*~~

~~*(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 through 12.5.1.9 renumbered as 12.5.1.7 through 12.5.1.8, unchanged.]

C. Bylaws: Amend 12.5.2, as follows:

12.5.2 Nonpermissible.

12.5.2.1 Advertisement and Promotions Subsequent to Enrollment. 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*~~ **likeness** to advertise, recommend or promote ~~*directly*~~ the sale or use of a commercial product or service of any kind, **except as permitted in Bylaws 12.5.1.1 and 12.5.1.4,** or

[Remainder of 12.5.2.1 unchanged.]

12.5.2.2 Use of a Student-Athlete's Name or ~~*Picture*~~ **Likeness** ~~*without Knowledge or Permission*~~. If a student-athlete's name or ~~*picture*~~ **likeness** appears on commercial items (e.g., T-shirts, sweatshirts, serving trays, playing cards, posters) or is used to **advertise or** promote a commercial product **or service** sold by an individual or agency ~~*without the student-athlete's knowledge or permission*~~ **in a manner contrary to the requirements of Bylaw 12.5.1.4**, 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.

~~*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.*~~

[12.5.2.4 unchanged.]

D. Bylaws: Amend 12.5.3, as follows:

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.*~~

~~*(b)*~~ ~~***Outside the Playing Season.*** *Outside the playing season, a*~~ **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*~~ **he or she** does not receive any remuneration for such appearance or participation **and he or she is not portrayed in a manner as promoting or directly endorsing the sale or use of a commercial product or service**. ~~*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. **A student-athlete participating in media activities 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.**

12.5.3.1 Use of a Student-Athlete's Name of Likeness by a Media Entity in Conjunction with Coverage of Intercollegiate Competition and Other Activities. A media entity, or its authorized distributor, may include a student-athlete's name or likeness in its coverage and promotion of intercollegiate competition and other activities incidental to his or her participation in intercollegiate athletics, provided the student-athlete is not portrayed in a manner as promoting or directly endorsing the sale or use of a commercial product or service. A media entity may feature a student-athlete's name or likeness in the course of its journalistic coverage of news (and the promotions of such coverage) related to the student-athlete or his or her institution or conference or the NCAA.

Source: NCAA Division I Amateurism Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Amateurism

Rationale: This proposal is a result of the work of the NCAA Task Force on Commercial Activity in Division I Intercollegiate Athletics. This legislation will help to achieve the balance in intercollegiate athletics that is needed with regard to commercial activities and the use of student-athlete's names or likeness. This 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. This proposal provides an institution, conference or the NCAA flexibility in developing relationships with commercial entities that benefit athletics programs, while maintaining the principle prohibiting commercial exploitation of student-athletes. The Amateurism Cabinet will continue to evaluate and monitor issues related to commercialism and the use of student-athletes' names and likenesses and will continue to make policy or legislative recommendations related to such uses. The NCAA Academic and Membership Affairs staff and the Legislative Review and Interpretations Committee will continue to provide interpretations related to student-athlete amateurism. The governance structure ultimately serves as a check on the consistency of such interpretations.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Feb 25, 2010 Submit Submitted for consideration.

Jun 25, 2010 Amateurism Cabinet, Sponsored

No. 2009-39 RECRUITING -- LIMITATIONS ON NUMBER OF EVALUATIONS -- EVALUATION DAYS -- WOMEN'S SAND VOLLEYBALL

Intent: To specify that an institution that sponsors only women's sand volleyball or sponsors both women's volleyball and women's sand volleyball is limited to 100 evaluation days (measured August 1 through July 31); further, to specify that if an institution sponsors both women's volleyball and women's sand volleyball, a coach's involvement outside a volleyball contact or evaluation period with a local sports club (volleyball or sand volleyball) per Bylaw 13.11.2.3 shall count toward the limit.

Bylaws: Amend 13.1.8, as follows:

13.1.8 Limitations on Number of Evaluations.

[13.1.8.1 through 13.1.8.12 unchanged.]

13.1.8.13 Evaluation Days -- Women's Sand Volleyball. An institution that sponsors only women's sand volleyball or sponsors both women's volleyball and women's sand volleyball is limited to 100 evaluation days (measured August 1 through July 31) per Bylaw 13.02.6.2. If an institution sponsors both women's volleyball and women's sand volleyball, a coach's involvement outside a volleyball contact or evaluation period with a local sports club (volleyball or sand volleyball) per Bylaw 13.11.2.3 shall count toward the limit.

[13.1.8.13 through 13.1.8.20 renumbered as 13.1.8.14 through 13.1.8.21, unchanged.]

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Recruiting

Rationale: This proposal will provide institutions that sponsor both women's volleyball and women's sand volleyball with 20 additional evaluation days. It is expected that in the initial years of sponsorship, a large number of women's sand volleyball participants will also be women's volleyball participants. Due to the currently limited opportunities to evaluate prospective student-athletes competing in sand volleyball events, it is reasonable to expect that the evaluations for women's sand volleyball prospective student-athletes will be conducted during women's volleyball competition. These same challenges will be faced by institutions that sponsor only women's sand volleyball. Therefore, a limit of 100 evaluation days is also appropriate for such institutions, rather than an unlimited number as suggested by the American Volleyball Coaches Association. Finally, the number of permissible evaluation days shall remain at 80 for institutions that sponsor only women's volleyball.

Estimated Budget Impact: Additional costs associated with increase in number of permissible evaluation days for institutions that sponsor women's sand volleyball.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 09, 2009 Recruiting and Athletics Personnel Issues Cabinet, Sponsored

Jul 16, 2009 Submit Submitted for consideration.

Jan 13, 2010 Leg Council Init Review, Forwarded for Membership Comment

Jan 17, 2010 Comment Period Start of Comment Period

Mar 17, 2010 Comment Period End of Comment Period; (Official Comment Totals: Support = 0, Oppose = 1, Abstain = 0)

Apr 13, 2010 Leg Council Final Review, Tabled With the delay to the effective date for the addition of women's sand volleyball to the list of emerging sports for women, current proposals and any new concepts related to the sport will be considered in the 2010-11 legislative cycle.

No. 2009-100 RECRUITING -- TRYOUTS -- NONSCHOLASTIC PRACTICE, CONTEST OR EVENT -- MEN'S BASKETBALL

Intent: In men's basketball, to specify that an institution shall not host, sponsor or conduct a nonscholastic basketball practice, contest or event in which men's basketball prospective student-athletes participate on its campus or at an off-campus facility regularly used by the institution for practice and/or competition by any of the institution's sport programs.

Bylaws: Amend 13.11, as follows:

13.11 TRYOUTS

13.11.1 Prohibited Activities. A member institution, on its campus or elsewhere, shall not conduct (or have conducted on its behalf) any physical activity (e.g., practice session or test/tryout) at which one or more prospective student-athletes (as defined in Bylaws 13.11.1.1 and 13.11.1.2) reveal, demonstrate or display their athletics abilities in any sport except as provided in Bylaws 13.11.2 and 13.11.3.

[13.11.1.1 through 13.11.1.5, unchanged.]

13.11.1.6 Nonscholastic Practice, Contest or Event -- Men's Basketball. An institution shall not host, sponsor or conduct a nonscholastic basketball practice, contest or event in which men's basketball prospective student-athletes participate on its campus or at an off-campus facility regularly used by the institution for practice and/or competition by any of the institution's sport programs.

[13.11.1.6 through 13.11.1.7 renumbered as 13.11.1.7 through 13.11.1.8, unchanged.]

[Remainder of 13.11 unchanged.]

Source: NCAA Division I Board of Directors

Effective Date: Immediate; a contract signed before October 29, 2009 may be honored.

Category: Amendment

Topical Area: Recruiting

Rationale: There has been a proliferation of nonscholastic events held on Division I campuses during quiet periods, specifically during the months of May and June. Generally, these events are being planned and operated in an attempt to assist institutions with recruiting opportunities. Travel and lodging expenses are routinely provided free of charge for those prospective student-athletes or teams identified as important to the coaching staff's recruiting efforts, and funds and/or services provided by institutions and boosters are sometimes used to pay these expenses. Reluctant college coaches are being leveraged to help the event operator arrange for discounted operational costs (e.g., facility fees) under the threat that the event operator will take the event (and all of the prospective student-athletes) to another institution's campus. Regardless of the level of complicity or involvement of the coaching staff, these events provide a significant recruiting advantage for the institution that hosts the events.

Estimated Budget Impact: Potential for lost revenue for use of facilities by outside entities.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Recruiting and Athletics Personnel Issues Cabinet: The cabinet acknowledged the potential recruiting advantages gained by institutions that host nonscholastic practices or events, but expressed concern that the proposal would eliminate the opportunity for many institutions' auxiliary departments (e.g., recreation and athletics departments) to generate revenue by conducting such events on campus.

History:

Oct 28, 2009 Submit Submitted for consideration.

Oct 29, 2009 Board of Directors, Sponsored

Jan 14, 2010 Leg Council Init Review, Forwarded for Membership Comment

Jan 17, 2010 Comment Period Start of Comment Period

Feb 04, 2010 Recruiting and Athletics Personnel Issues Cabinet, No Formal Position

Mar 17, 2010 Comment Period End of Comment Period; (Official Comment Totals: Support = 1, Oppose = 13, Abstain = 0)

Apr 13, 2010 Leg Council Final Review, Referred;(referred proposal to Men's Basketball Issues Committee) The proposal remains in the legislative process and will be considered again in the 2010-11 legislative cycle. If the proposal is adopted, as noted in the effective date, a contract signed before October 29, 2009 may be honored. If the legislation is adopted, actions contrary to the legislation that are taken pursuant to contracts signed on or after October 29, 2009 will result in violations.

No. 2010-27 RECRUITING -- CONTACTS AND TELEPHONE CALLS -- TIME PERIOD FOR OFF-CAMPUS CONTACTS AND TELEPHONE CALLS

Intent: To permit off-campus recruiting contacts with and telephone calls to a prospective student-athlete (or his or her relatives or legal guardians) on or after July 1 following completion of his or her junior year in high school, or the opening day of classes of his or her senior year in high school (as designated by the high school), whichever is earlier.

A. Bylaws: Amend 13.1.1, as follows:

13.1.1 Contactable Individuals.

13.1.1.1 Time Period for Off-Campus Contacts -- General Rule. Off-campus recruiting contacts shall not be made with an individual (or his or her relatives or legal guardians) before July 1 following the completion of his or her junior year in high school (July 7 after the junior year in high school in women's ice hockey and July 15 after the junior year in high school in women's gymnastics)**, or the opening day of classes of his or her senior year in high school (as designated by the high school), whichever is earlier**. U.S. service academy exceptions to this provision are set forth in Bylaw 13.16.1.

[Remainder of 13.1.1 unchanged.]

B. Bylaws: Amend 13.1.3, as follows:

13.1.3 Telephone Calls.

13.1.3.1 Time Period for Telephone Calls -- General Rule. Telephone calls to an individual (or his or her relatives or legal guardians) may not be made before July 1 following the completion of his or her junior year in high school (subject to the exceptions below)**, or the opening day of classes of his or her senior year in high school (as designated by the high school), whichever is earlier**; thereafter, staff members shall not make such telephone calls more than once per week.

[Remainder of 13.1.3 unchanged.]

Source: Southeastern Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Prospective student-athletes complete coursework at various types of educational institutions (e.g., foreign, domestic, traditional, home school, Internet, correspondence). These institutions have varying academic calendars, with some students not completing their junior year of high school until after July 1. This results in a period of time during which it is not permissible for a coaching staff member to initiate telephone contact or have in-person off-campus contact with a prospective student-athlete, even though he or she may be a senior. There are current interpretive exceptions for a prospective student-athlete who is on an accelerated path to graduation, if he or she is designated as a senior by the educational institution. However, a prospective student-athlete who attends a school that follows a nontraditional academic calendar is not afforded the same exception.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 14, 2010 Submit Submitted for consideration.

No. 2010-28 RECRUITING -- CONTACTS AND EVALUATIONS -- HEAD COACH RESTRICTIONS -- BOWL SUBDIVISION FOOTBALL - ELIMINATION OF RESTRICTIONS ON ASSISTANT COACH PUBLICLY DESIGNATED AS NEXT HEAD COACH

Intent: In bowl subdivision football, to eliminate the restriction that specifies that an institution's assistant coach who has been publicly designated by the institution to become the next head coach shall be subject to the recruiting restrictions applicable to the institution's head coach.

A. Bylaws: Amend 13.1.2.6, as follows:

[Federated provision, FBS only]

13.1.2.6 Head Coach Restrictions -- Bowl Subdivision Football.

~~*13.1.2.6.1 Assistant Coach Publicly Designated as Institution's Next Head Coach. An institution's assistant coach has been publicly designated by the institution to become its next head coach shall be subject to the recruiting restrictions applicable to the institution's head coach.*~~

[13.1.2.6.2 renumbered as 13.1.2.6.1, unchanged.]

B. Bylaws: Amend 13.1.7.4.1, as follows:

[Federated provision, FBS only]

13.1.7.4.1 Head Coach Restriction -- Spring Evaluation Period. In bowl subdivision football, during the April 15 through May 31 evaluation period, the head coach ~~*[and any assistant coach who has been publicly designated by the institution to become the next head coach (see Bylaw 13.1.2.6.1)]*~~ 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.

Source: Big 12 Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: The designation of an assistant coach as the next head coach may occur several years before the departure of the current head coach. Under the current rule, such a designation prohibits the assistant coach from fully performing his duties during the spring evaluation period and other periods of time. Such restrictions come with unintended consequences, such as the delegation of additional duties to other coaching staff members. Whether an institution chooses to designate a head coach in waiting is not a issue of national significance. Therefore, legislation restricting the activities of a head coach in waiting is neither necessary nor appropriate.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee opposes the proposal. The committee notes that the current legislation was adopted in 2009 and that there appears to be no significant reason for eliminating it.

History:

Jul 02, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Recommends Defeat

No. 2010-29 RECRUITING -- CONTACTS AND EVALUATIONS -- HEAD COACH RESTRICTIONS -- ASSISTANT COACH PUBLICLY DESIGNATED AS NEXT HEAD COACH -- BOWL SUBDIVISION FOOTBALL -- APPLICATION TO PRIOR DESIGNATIONS

Intent: In bowl subdivision football, to specify that an assistant coach who was publicly designated before August 14, 2009, by the institution to become its next head coach is not subject to the recruiting restrictions applicable to the institution's head coach.

Bylaws: Amend 13.1.2.6.1, as follows:

[Federated provision, FBS only]

13.1.2.6.1 Assistant Coach Publicly Designated as Institution's Next Head Coach. An institution's assistant coach who ~~*has been*~~ **was** publicly designated **on or after August 14, 2009,** by the institution to become its next head coach shall be subject to the recruiting restrictions applicable to the institution's head coach. **An assistant coach who was publicly designated before August 14, 2009, by the institution to become its next head coach is not subject to the recruiting restrictions applicable to the institution's head coach.**

Source: Atlantic Coast Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: With the adoption of NCAA Proposal No. 2009-31, an assistant coach who had been publicly designated by an institution to become its next head coach is now subject to the recruiting restrictions applicable to the head coach. Institutions that designated a "head coach-in-waiting" before August 14, 2009, did not anticipate that such a legislative action would, effectively, result in them being placed in a recruiting disadvantage by limiting the recruiting activities of the assistant coach. To avoid these unfair effects, this proposal specifies that those coaches who were designated as the next head coach prior to August 14, 2009, would be permitted to continue to recruit as assistant coaches. Institutions that publicly designate an assistant coach as the next head coach after August 14, 2009, would be subject to the head coach recruiting restrictions since those institutions would have an opportunity to evaluate the consequences of such a designation. This proposal, at its core, is strictly about fundamental fairness and notice.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee took no formal position.

History:

Jul 13, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, No Formal Position

No. 2010-30 RECRUITING -- TELEPHONE CALLS -- TIME PERIOD FOR TELEPHONE CALLS -- SPORTS OTHER THAN FOOTBALL

Intent: In sports other than football, to specify that an institution may make one telephone call per month to an individual (or the individual's relatives or legal guardians) on or after June 15 at the conclusion of the individual's sophomore year in high school through July 31 after the individual's junior year in high school, two telephone calls per week beginning August 1 prior to the individual's senior year in high school, and one telephone call per week to a two-year or four-year college prospective student-athlete (or the prospective student-athlete's relatives or legal guardians); further, in sports other than football for which a defined recruiting calendar applies, to specify that during a contact period that occurs on or after August 1 before an individual's senior year in high school, telephone calls may be made at the institution's discretion.

Bylaws: Amend 13.1.3, as follows:

13.1.3 Telephone Calls.

13.1.3.1 Time Period for Telephone Calls -- ~~*General Rule*~~ **Sports Other Than Football**. ~~*Telephone*~~ **In sports other than football, telephone** calls to an individual (or his or her relatives or legal guardians) may not be made before ~~*July 1 following the completion of his or her junior*~~ **June 15 of the individual's sophomore** year in high school ~~*(subject to the exceptions below); thereafter, staff members shall not make such telephone calls more than once per week*~~. **Thereafter, an institution may make telephone calls to an individual (or the individual's relatives or legal guardians) as follows:**

(a) One telephone call per month on or after June 15 of the individual's sophomore year in high school through July 31 following the individual's junior year in high school.

(b) Two telephone calls per week beginning August 1 prior to the individual's senior year in high school.

(c) One telephone call per week to a two-year or four-year college prospective student-athlete (or the prospective student-athlete's relatives or legal guardians).

(d) In sports for which a defined recruiting calendar applies (see Bylaw 13.17), during a contact period that occurs on or after August 1 before an individual's senior year in high school, telephone calls may be made at the institution's discretion.

~~*13.1.3.1.1 Exception -- Baseball, Cross Country/Track and Field, Men's Lacrosse, Women's Lacrosse, Softball and Women's Volleyball. In baseball, cross country/track and field, men's lacrosse, women's lacrosse, softball and women's volleyball, telephone calls to an individual (or his or her relatives or legal guardians) may not be made before July 1 following the completion of his or her junior year in high school. Thereafter, such telephone calls shall be limited to once per week outside a contact period, but may be made at the institution's discretion during a contact period.*~~

~~*13.1.3.1.2 Exception -- Football. In football, one telephone call to an individual (or the individual's relatives or legal guardians) may be made from April 15 through May 31 of the individual's junior year in high school. Additional telephone calls to an individual (or the individual's relatives or legal guardians) may not be made before September 1 of the beginning of the individual's senior year in high school. Thereafter, such telephone contact is limited to once per week outside a contact period, but may be made at the institution's discretion during a contact period.*~~

~~*13.1.3.1.3 Exception -- Men's Basketball. In men's basketball, an institution is permitted to make one telephone call per month to an individual (or the individual's relatives or legal guardians) on or after June 15 of the individual's sophomore year in high school through July 31 of the individual's junior year in high school. Thereafter, outside a contact period, an institution is permitted to make two telephone calls per week to an individual (or the individual's relatives or legal guardians) beginning August 1 before the individual's senior year in high school. Outside a contact period, an institution is permitted to make one telephone call per week to a two-year or four-year college prospective student-athlete (or the prospective student-athlete's relatives or legal guardians). During a contact period that occurs after August 1 prior to an individual's senior year in high school, telephone calls may be made at the institution's discretion.*~~

~~*13.1.3.1.4 Exception -- Women's Basketball. In women's basketball, telephone calls may be made to an individual (or the individual's relatives or legal guardians) as follows:*~~

~~*(a) One telephone call during the month of April of the individual's junior year in high school on or after the Thursday after the conclusion of the NCAA Division I Women's Final Four.*~~

~~*(b) One telephone call during the month of May of the individual's junior year in high school.*~~

~~*(c) One telephone call on or after June 1 through June 20 of the individual's junior year in high school.*~~

~~*(d) One telephone call on or after June 21 through June 30 of the individual's junior year in high school.*~~

~~*(e) Three telephone calls during the month of July following the individual's junior year in high school, with not more than one telephone call per week [see Bylaw 13.1.6.2.2-(c)].*~~

~~*(f) Thereafter, one telephone call per week outside a contact period and unlimited telephone calls during a contact period.*~~

13.1.3.1~~*.3.1*~~ Additional Restrictions -- Additional Communication With a Parent or Legal Guardian Who Serves on Staff of a Nonscholastic Team **--** **Women's Basketball**. ~~*An*~~ **In women's basketball, an** institution may not have any additional communication with a parent or legal guardian of a prospective student-athlete who serves on the staff of his or her daughter's nonscholastic team unless the parent or legal guardian also serves as a head coach of his or her daughter's scholastic team and the additional communication is unrelated to recruitment of his or her daughter.

13.1.3.~~*1.3*~~.2 Additional Restrictions -- July Evaluation Periods **-- Women's Basketball**. In women's basketball, during the July evaluation periods, all communication with a prospective student-athlete, the prospective student-athlete's relatives or legal guardians, the prospective student-athlete's coach or any individual associated with the prospective student-athlete as a result of the prospective student-athlete's participation in basketball, directly or indirectly, is prohibited.

13.1.3~~*.1.3*~~.2.1 Exception -- Communication After National Letter of Intent Signing or Other Written Commitment **-- Women's Basketball**. In women's basketball, an institution may communicate with a prospective student-athlete (or the prospective student-athlete's relatives, legal guardians or coach) during the July evaluation periods, provided the prospective student-athlete has graduated from high school and signed a National Letter of Intent with the institution. For an institution not using the National Letter of Intent in women's basketball or for those prospective student-athlete's not eligible to sign the National Letter of Intent, communication may occur during the July evaluation periods, provided the prospective student-athlete has graduated from high school and signed the institution's written offer of admission and/or financial aid.

~~*13.1.3.1.5 Exception -- Men's Ice Hockey. In men's ice hockey, an institution is permitted to make one telephone call per month to an individual (or the individual's relatives or legal guardians) on or after June 15 at the conclusion of the individual's sophomore year in high school through July 31 after the individual's junior year in high school. An institution is permitted to make one telephone call per week to an individual (or the individual's relatives or legal guardians) beginning August 1 following completion of the individual's junior year in high school.*~~

~~*13.1.3.1.6 Exception -- Women's Ice Hockey. In women's ice hockey, an institution is permitted to make one telephone call to an individual (or the individual's relatives or guardians) who is a resident of a foreign country on or after July 7 through July 31 following the completion of the individual's sophomore year in high school. An institution is permitted to make one telephone call per week to an individual (or the individual's relatives or legal guardians) beginning July 7 following completion of the individual junior year in high school.*~~

[13.1.3.1.7 through 13.1.3.1.8 unchanged.]

13.1.3.2 Time Period for Telephone Calls -- Football. In football, telephone calls to an individual (or his or her relatives or legal guardians) may not be made before April 15 of the individual's junior year in high school. One telephone call to an individual (or the individual's relatives or legal guardians) may be made from April 15 through May 31 of the individual's junior year in high school. Additional telephone calls to an individual (or the individual's relatives or legal guardians) may not be made before September 1 of the beginning of the individual's senior year in high school. Thereafter, such telephone contact is limited to once per week outside a contact period, but may be at the institution's discretion during a contact period.

[Remainder 13.1.3 unchanged.]

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: This proposal applies the current telephone call rule in men's basketball to all sports other than football. Based on the examination of the current recruiting model and feedback received from the membership, this proposal will help to bring uniformity to the telephone calls legislation. The proposal excludes football due to the fact that the current legislation is specific to the spring evaluation period. This legislative change will provide the opportunity, in most sports, for communication on a limited basis with prospective student-athletes at an earlier time. Such communication may be used to better assess a prospective student-athlete's academic preparedness and provide guidance regarding his or her high school academic curriculum. Such access would assist both institutions and prospective student-athletes in making sound recruiting evaluations and decisions. With the introduction of legislative proposals restricting verbal offers of athletics aid until July 1 following the completion of an individual's junior year in high school, additional opportunities are necessary to assist in developing a relationship between a coach and a prospective student-athlete and for a coach to obtain key information about a prospective student-athlete prior to making any verbal or written offers of financial aid.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 08, 2010 Submit Submitted for consideration.

Jun 09, 2010 Recruiting and Athletics Personnel Issues Cabinet, Sponsored

No. 2010-31 PERSONNEL AND RECRUITING -- RECRUITING COORDINATION FUNCTIONS -- CONTACTS, TELEPHONE CALLS AND RECRUITING MATERIALS -- EXCEPTIONS -- COMMUNICATION AFTER COMMITMENT

Intent: To specify that the restrictions on the forms and frequency of communication between institutional administrators or coaching staff members and a prospective student-athlete (or prospective student athlete's relatives or legal guardians) shall no longer apply beginning the calendar day after: (1) the prospective student-athlete signs a National Letter of Intent (NLI) or, for an institution not using the NLI in a particular sport, or for a prospective student-athlete not eligible to sign an NLI (e.g., four-year college transfer), a signed acceptance of a written offer of admission and/or financial aid agreement; or (2) the institution receives a financial deposit in response to the institution's offer of admission.

A. Bylaws: Amend 11.7.1.2, as follows:

11.7.1.2 Recruiting Coordination Functions. The following recruiting coordination functions (except related routine clerical tasks) must be performed by the head coach or one or more of the assistant coaches who count toward the numerical limitations in Bylaw 11.7.4:

(a) Activities involving athletics evaluations and/or selection of prospective student-athletes; and

(b) Making telephone calls to or receiving telephone calls from prospective student-athletes (or prospective student-athletes' parents, legal guardians or coaches).

[11.7.2.1 unchanged.]

11.7.2.2 Exceptions -- Noncoaching Staff Members and Noncountable Coaches.

[11.7.1.2.2-(a) unchanged.]

(b) After Receipt of Financial Deposit. ~~*On or after May 1 of a prospective student-athlete's senior year in high school, a*~~ **A** noncoaching institutional staff member or a coach who does not count toward the numerical limitations on head and assistant coaches in Bylaw 11.7.4 may perform the functions set forth in Bylaw 11.7.1.2-(b)~~*, provided*~~ **after the calendar day on which** the institution ~~*has received*~~ **receives** a financial deposit in response to the institution's offer of admission.

[11.7.2.2-(c) and 11.7.1.2.2-(d) unchanged.]

B. Bylaws: Amend 13.02.5.4.2, as follows:

13.02.5.4.2 Exception -- Unofficial Visit During Dead Period After ~~*National Letter of Intent Signing or Other Written*~~ Commitment. ~~*A prospective student-athlete who has signed a National Letter of Intent (NLI) is permitted to make an unofficial visit during a dead period to the institution with which he or she has signed the NLI. For an institution not using the NLI in a particular sport, or for a prospective student-athlete who is not eligible to sign the NLI (e.g., four-year college transfer), a prospective student-athlete is permitted to make an unofficial visit during a dead period, provided he or she has signed the institution's written offer of admission or financial aid, or the institution has received a financial deposit from the prospective student-athlete in response to an offer of admission.*~~ **A prospective student-athlete is permitted to make an unofficial visit during a dead period beginning the calendar day after one of the following events occurs:**

(a) The prospective student-athlete signs a National Letter of Intent (NLI) or, for an institution not using the NLI in a particular sport, or a prospective student-athlete not eligible to sign an NLI (e.g., four-year college transfer), a signed acceptance of a written offer of admission and/or financial aid agreement; or

(b) The institution receives a financial deposit in response to the institution's offer of admission.

C. Bylaws: Amend 13.1.3, as follows:

13.1.3 Telephone Calls.

13.1.3.1 Time Period for Telephone Calls -- General Rule. Telephone calls to an individual (or his or her relatives or legal guardians) may not be made before July 1 following the completion of his or her junior year in high school (subject to the exceptions below); thereafter, staff members shall not make such telephone calls more than once per week.

[13.1.3.1.1 through 13.1.3.1.3 unchanged.]

13.1.3.1.4 Exception -- Women's Basketball. In women's basketball, telephone calls may be to an individual (or the individual's relatives or legal guardians) as follows:

[13.1.3.1.4-(a) through 13.1.3.1.4-(f) unchanged.]

[13.1.3.1.4.1 unchanged.]

13.1.3.1.4.2 Additional Restrictions -- July Evaluation Periods. In women's basketball, during the July evaluation periods, all communication with a prospective student-athlete, the prospective student-athlete's relatives or legal guardians, the prospective student-athlete's coach or any individual associated with the prospective student-athlete as a result of the prospective student-athlete's participation in basketball, directly or indirectly, s prohibited.

13.1.3.1.4.2.1 Exception -- Communication ~~*After National Letter of Intent Signing or Other Written*~~ Commitment. In women's basketball, an institution may communicate with a prospective student-athlete (or the prospective student-athlete's relatives, legal guardians or coach) during the July evaluation periods, provided the ~~*prospective student-athlete has graduated from high school and signed a National Letter of Intent with the institution. For an institution not using the National Letter of Intent in women's basketball or for those prospective student-athletes not eligible to sign the National Letter of Intent, communication may occur during the July evaluation periods, provided the prospective student-athlete has graduated from high school and signed the institution's written offer of admission and/or financial aid.*~~ **communication does not occur until the calendar day after one of the following events occurs:**

(a) The prospective student-athlete signs a National Letter of Intent (NLI) or, for an institution not using the NLI in a particular sport, or for a prospective student-athlete not eligible to sign an NLI (e.g., four-year college transfer), a signed acceptance of a written offer of admission and/or financial aid agreement; or

(b) The institution receives a financial deposit in response to the institution's offer of admission.

[13.1.3.1.5 through 13.1.3.1.8 unchanged.]

[13.1.3.2 unchanged.]

13.1.3.3 Exceptions.

[13.1.3.3.1 through 13.1.3.3.2 unchanged.]

13.1.3.3.3 Telephone Calls ~~*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, there shall be no limit on the number of telephone calls by the institution with which the prospective student-athlete has signed. 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 number of telephone calls to a prospective student-athlete or the prospective student-athlete's relatives 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.*~~ **There shall be no limit on the number of telephone calls by the institution to a prospective student-athlete (or prospective student-athlete's relatives or legal guardians) beginning the calendar day after one of the following events occur:**

(a) The prospective student-athlete signs a National Letter of Intent (NLI) or, for an institution not using the NLI in a particular sport, or for a prospective student-athlete not eligible to sign an NLI (e.g., four-year college transfer), a signed acceptance of a written offer of admission and/or financial aid agreement; or

(b) The institution receives a financial deposit in response to the institution's offer of admission.

~~*13.1.3.3.4 Telephone Calls After Receipt of Financial Deposit. On or after May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the number of telephone calls by an institution to the prospective student-athlete, provided the institution has received a financial deposit in response to the institution's offer of admission.*~~

[13.1.3.3.5 renumbered as 13.1.3.3.4, unchanged.]

13.1.3.4 Permissible Callers.

13.1.3.4.1 Institutional Coaching Staff Members -- General Rule. All telephone calls made to and received from a prospective student-athlete (or the prospective student-athlete's parents, legal guardians or coaches) must be made and received by the head coach or one or more of the assistant coaches who count toward the numerical limitations in Bylaw 11.7.4 (see Bylaw 11.7.1.2). In bowl subdivision football and women's rowing, such telephone calls also may be made and received by a graduate assistant coach, provided the coach has successfully completed the coaches' certification examination per Bylaw 11.5.1.1.

[13.1.3.4.1.1 unchanged.]

13.1.3.4.1.2 Additional Exceptions -- Noncoaching Staff Members and Noncountable Coaches **-- After Commitment**.

~~*(a) 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, a noncoaching institutional staff member or a coach who does not count toward the numerical limitations on head and assistant coaches in Bylaw 11.7.4 may make telephone calls to or receive telephone calls from the prospective student-athlete (or the prospective student-athlete's parents or legal guardians). 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), a noncoaching institutional staff member or a coach who does not count toward the numerical limitations in Bylaw 11.7.4 may make telephone calls to or receive telephone calls from a prospective student-athlete (or the prospective student-athlete's parents or legal guardians) after the calendar day on which the prospective student-athlete signs the institution's written offer of admission and/or financial aid.*~~

~~*(b) After Receipt of Financial Deposit. On or after May 1 of a prospective student-athlete's senior year in high school, a noncoaching institutional staff member or a coach who does not count toward the numerical limitations on head and assistant coaches in Bylaw 11.7.4 may make telephone calls to or receive telephone calls from the prospective student-athlete, provided the institution has received a financial deposit in response to the institution's offer of admission.*~~

A noncoaching institutional staff member or a coach who does not count toward the numerical limitations on head and assistant coaches in Bylaw 11.7.4 may make telephone calls to or receive telephone calls from the prospective student-athlete (or the prospective student-athlete's relatives or legal guardians) beginning the calendar day after one of the following events occurs:

(a) The prospective student-athlete signs a National Letter of Intent (NLI) or, for an institution not using the NLI in a particular sport, or for a prospective student-athlete not eligible to sign a NLI (e.g., four-year college transfer), a signed acceptance of a written offer of admission and/or financial aid agreement; or

(b) The institution receives a financial deposit in response to the institution's offer of admission.

D. Bylaws: Amend 13.1.5, as follows:

13.1.5 Contacts.

[13.1.5.1 through 13.1.5.3 unchanged.]

13.1.5.4 Women's Basketball. In women's basketball, during the academic year, each institution shall be limited to five recruiting opportunities (contacts and evaluations combined) per prospective student-athlete; however, during the prospective student-athlete's senior year, the institution is limited to not more than three in-person, off-campus contacts (see Bylaw 13.1.5.5). Women's basketball staff members shall not exceed 100 recruiting-person days during the academic year contact and evaluation periods.

[13.1.5.4.1 unchanged.]

13.1.5.4.2 Additional Restrictions -- July Evaluation Periods. In women's basketball, during the July evaluation periods, all communication with a prospective student-athlete, the prospective student-athlete's relatives or legal guardians, the prospective student-athlete's coach or any individual associated with the prospective student-athlete as a result of the prospective student-athlete's participation in basketball, directly or indirectly, is prohibited.

13.1.5.4.2 Exception -- Communication After Commitment. In women's basketball, an institution may communicate with a prospective student-athlete (or the prospective student-athlete's relatives, legal guardians or coach) during the July evaluation periods, provided the communication does not occur until the calendar day after one of the following events occurs:

(a) The prospective student-athlete signs a National Letter of Intent (NLI) or for an institution not using the NLI in a particular sport, or for a prospective student-athlete not eligible to sign an NLI (e.g., four-year college transfer), a signed acceptance of a written offer of admission and/or financial aid agreement; or

(b) The institution receives a financial deposit in response to the institution's offer of admission.

[13.1.5.5 through 13.1.5.7 unchanged.]

13.1.5.8 Contacts After ~~*National Letter of Intent Signing or Other Written*~~ Commitment ~~*-- Sports Other Than Women's Basketball and Football. In sports other than women's basketball and football, after the calendar day on which a prospective student-athlete signs a National Letter of Intent, there shall be no limit on the number of contacts by the institution with which the prospective student-athlete has signed. For an institution not using the National Letter of Intent in a particular sport, there shall be no limit on the number of contacts with the prospective student-athlete or the prospective student-athlete's relatives or legal guardians by that institution after the calendar day of the prospective student-athlete's signed acceptance of the institution's written offer of admission and/or financial aid*~~. **There shall be no limit on the number of contacts by the institution with a prospective student-athlete (or prospective student-athlete's relatives or legal guardians) beginning the calendar day after one of the following events occurs:**

(1) The prospective student-athlete signs a National Letter of Intent (NLI) or, for an institution not using the NLI in a particular sport, or for a prospective student-athlete not eligible to sign an NLI (e.g., four-year college transfer), a signed acceptance of a written offer of admission and/or financial aid agreement; or

(2) The institution receives a financial deposit in response to the institution's offer of admission.

13.1.5.8.1 Exceptions. ~~*However, the*~~ **The** following conditions continue to apply:

(a) Any contact at the prospective student-athlete's educational institution in men's basketball shall be confined to the permissible contact period and shall not exceed one visit per week;

(b) In football, contact at the prospective student-athlete's educational institution shall be confined to the permissible contact period and the spring evaluation period (see Bylaw 13.17.4). Contact at the educational institution during the contact shall not

exceed one visit per week. A visit to the educational institution during the spring evaluation period that only includes contact with a signed prospective student-athlete shall be considered one of the institution's two permissible days at the institution (see Bylaw 13.1.7.9.2);

(~~*b*~~**c**) No in-person, off-campus contact may be made during a "dead period;"

(~~*c*~~**d**) No on- or off-campus contact (including correspondence and telephone calls) may be made by a representative of the institution's athletics interests except those involving permissible pre-enrollment activities (e.g., a discussion of summer employment arrangements); and

(~~*d*~~**e**) Contact at the site of a prospective student-athlete's competition shall continue to be governed by the provisions of Bylaw 13.1.6.2. Note: Contact with the prospective student-athlete's relatives or legal guardians at the site of the prospective student-athlete's competition shall be permitted (see Bylaw 13.1.6.2.2).

~~*13.1.5.8.1 Contacts After National Letter of Intent Signing or Other Commitment -- Women's Basketball. In women's basketball, after the calendar day on which the prospective student-athlete signs the National Letter of Intent (NLI), there shall be no limit on the number of contacts by the institution with which the prospective student-athlete has signed. For an institution not using the NLI in women's basketball or for those prospective student-athletes not eligible to sign the NLI (e.g., four-year college transfer), there shall be no limit on the number of contacts with the prospective student-athlete or the prospective student-athlete's relatives or legal guardians by that institution after the calendar day of the prospective student-athlete's signed acceptance of the institution's written offer of admission and/or financial aid. However, the following conditions continue to apply:*~~

~~*(a) No in-person, on- or off-campus contact may be made during a "dead period;"*~~

~~*(b) No on- or off-campus contact (including correspondence and telephone calls) may be made by a representative of the institution's athletics interests except those involving permissible pre-enrollment activities (e.g., discussion of summer employment arrangements); and*~~

~~*(c) Contact at the site of a prospective student-athlete's competition shall continue to be governed by the provisions of Bylaw 13.1.6.2. Note: Contact with the prospective student-athlete's relatives or legal guardians at the site of the prospective student-athlete's competition shall be permitted (see Bylaw 13.1.6.2.2).*~~

~~*13.1.5.8.2 Contacts After National Letter of Intent Signing or Other Written Commitment -- Football. In football, after the calendar day on which a prospective student-athlete signs a National Letter of Intent, there shall be no limit on the number of contacts by the institution with which the prospective student-athlete has signed. For an institution not using the National Letter of Intent in football, there shall be no limit on the number of contacts with the prospective student-athlete or the prospective student-athlete's relatives or legal guardians by that institution after the calendar day of the prospective student-athlete's signed acceptance of the institution's written offer of admission and/or financial aid. However, the following conditions continue to apply:*~~

~~*(a) Contact at the prospective student-athlete's educational institution shall be confined to the permissible contact period and the spring evaluation period (see Bylaw 13.17.4). Contact at the educational institution during the contact period shall not exceed one visit per week. A visit to the educational institution during the spring evaluation period that only includes contact with a signed prospective student-athlete shall be considered one of the institution's two permissible days at that institution (see Bylaw 13.1.7.9.2);*~~

~~*(b) No in-person, on- or off-campus contact may be made during a "dead period;"*~~

~~*(c) No on- or off-campus contact (including correspondence and telephone calls) may be made by a representative of the institution's athletics interests except those involving permissible pre-enrollment activities (e.g., discussion of summer employment arrangements); and*~~

~~*(d) Contact at the site of a prospective student-athlete's competition shall continue to be governed by the provisions of Bylaw 13.1.6.2. Note: Contact with the prospective student-athlete's relatives or legal guardians at the site of the prospective student-athlete's competition shall be permitted.*~~

[13.1.5.8.3 renumbered as 13.1.5.8.2, unchanged.]

[Remainder of 13.1.5 unchanged.]

E. Bylaws: Amend 13.4.1, as follows:

13.4.1 Recruiting Materials. In sports other than men's basketball and men's ice hockey, a member institution shall not provide recruiting materials, including general correspondence related to athletics, to an individual (or his or her parents or legal guardians) until September 1 at the beginning of his or her junior year in high school. In men's basketball and men's ice hockey, an institution shall not provide recruiting materials, including general correspondence related to athletics, to an individual (or his or her parents or legal guardians) until June 15 at the conclusion of his or her sophomore year in high school.

[13.4.1.1 unchanged.]

13.4.1.2 Electronic Transmissions. Electronically transmitted correspondence that may be sent to a prospective student-athlete (or the prospective student-athlete's parents or legal guardians) is limited to electronic mail and facsimiles. (See Bylaw 13.1.6.2.) All other forms of electronically transmitted correspondence (e.g., Instant Messenger, text messaging) are prohibited. Color attachments may be included with electronic mail correspondence sent to a prospective student-athlete, provided the attachment only includes information that is not created for recruiting purposes, except for items that are specifically permitted as printed recruiting materials (e.g., questionnaires) and a media guide. In addition, attachments shall not include any animation, audio or video clips and there shall be no cost (e.g., subscription fee) associated with sending the item attached to the electronic mail correspondence.

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, 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. 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.*~~ **There shall be no limit on the forms of electronically transmitted correspondence sent to a prospective student-athlete (or prospective student-athlete's relatives or legal guardians) beginning the calendar day after one of the following events occurs:**

(a) The prospective student-athlete signs a National Letter of Intent (NLI) or, for an institution not using the NLI in a particular sport, or for a prospective student-athlete not eligible to sign a NLI (e.g., four-year college transfer), a signed acceptance of a written offer of admission and/or financial aid agreement; or

(b) The institution receives a financial deposit in response to the institution's offer of admission.

~~*13.4.1.2.2 Exception -- Electronic Transmissions After Receipt of Financial Deposit. On or after May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete, provided the institution has received a financial deposit in response to the institution's offer of admission.*~~

[13.4.1.2.3 renumbered as 13.4.1.2.2, unchanged.]

[Remainder of 13.4.1 unchanged.]

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: This proposal reflects the membership's increased comfort level with and gradual move toward deregulation of communication after the generally recognized conclusion of the recruiting process.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal.

History:

Jun 08, 2010 Submit Submitted for consideration.

Jun 09, 2010 Recruiting and Athletics Personnel Issues Cabinet, Sponsored

Aug 24, 2010 Football Issues Committee, Recommends Approval

No. 2010-32 RECRUITING -- TELEPHONE CALLS AND ELECTRONIC TRANSMISSIONS -- AFTER WRITTEN COMMITMENT OR RECEIPT OF FINANCIAL DEPOSIT -- ON OR AFTER SECOND WEDNESDAY OF NOVEMBER

Intent: To specify that on or after the second Wednesday of November of a prospective student-athlete's senior year in high school, there shall be no limit on the number of telephone calls by an institution to the prospective student-athlete and there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete, provided the prospective student-athlete has signed the institution's written offer of admission and/or financial aid or the institution has received a financial deposit in response to the institution's offer of admission.

A. Bylaws: Amend 13.1.3.3.4, as follows:

13.1.3.3.4 Telephone Calls After **Written Commitment or** Receipt of Financial Deposit. On or after ~~*May 1*~~ **the second Wednesday of November** of a prospective student-athlete's senior year in high school, there shall be no limit on the number of telephone calls by an institution to the prospective student-athlete, provided **the prospective student-athlete has signed the institution's written offer of admission and/or financial aid or** the institution has received a financial deposit in response to the institution's offer of admission.

B. Bylaws: Amend 13.4.1.2.2, as follows:

13.4.1.2.2 Exception -- Electronic Transmissions After **Written Commitment or** Receipt of Financial Deposit. On or after ~~*May 1*~~ **the second Wednesday of November** of a prospective student-athlete's senior year in high school, there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete, provided **the prospective student-athlete has signed the institution's written offer of admission and/or financial aid or** the institution has received a financial deposit in response to the institution's offer of admission.

Source: Big 12 Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: This proposal is intended to establish some consistency in the application of restrictions on communication with a prospective student-athlete after he or she has committed to an institution. Currently, an institution may make an unlimited number of telephone calls to a prospective student-athlete and use unlimited forms of electronic correspondence, if he or she has signed a National Letter of Intent (NLI). A signed acceptance of an institution's offer of financial aid or admission or submission of a financial deposit in response to an offer of admission demonstrates a commitment to enroll at the institution. The same flexibility in the legislation regarding communication with a prospective student-athlete who has signed an NLI should apply to a prospective student-athlete who has signed an offer of admission or financial aid, or has submitted a financial deposit in response to an offer of admission. Establishing the second

Wednesday of November of a prospective student-athlete's senior year as the date on which the exceptions begin apply is reasonable. That date is consistent with the early NLI signing period. Finally, this proposal provides reasonable flexibility, which has been a general trend with recruiting legislation in recent years.

Estimated Budget Impact: Minimal.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 12, 2010 Submit Submitted for consideration.

No. 2010-33 RECRUITING -- CONTACTS AND EVALUATIONS -- RECRUITING OPPORTUNITIES -- WOMEN'S BASKETBALL -- SEVEN OPPORTUNITIES

Intent: In women's basketball, to increase, from five to seven, the number of recruiting opportunities (contacts and evaluations).

A. Bylaws: Amend 13.1.5.4, as follows:

13.1.5.4 Women's Basketball. In women's basketball, during the academic year, each institution shall be limited to ~~*five*~~ **seven** recruiting opportunities (contacts and evaluations combined) per prospective student-athlete; however, during the prospective student-athlete's senior year, the institution is limited to not more than three in-person, off-campus contacts (see Bylaw 13.1.5.5). Women's basketball staff members shall not exceed 100 recruiting-person days during the academic year contact and evaluation periods.

B. Bylaws: Amend 13.1.7.6, as follows:

13.1.7.6 Limitations on Number of Evaluations -- Women's Basketball. In women's basketball, each institution shall be limited to ~~*five*~~ **seven** recruiting opportunities (contacts and evaluations combined) during the academic year per prospective student-athlete; however, during the prospective student-athlete's senior year, the institution is limited to not more than three in-person, off-campus contacts (see Bylaws 13.1.5.4 and 13.1.5.5). Women's basketball staff members shall not exceed 100 recruiting-person days during the academic year contact and evaluation periods.

C. Bylaws: Amend 13.1.7.8, as follows:

13.1.7.8 Basketball Evaluations.

[13.1.7.8-(a) unchanged.]

(b) Women's Basketball. In women's basketball, each institution is limited to ~~*five*~~ **seven** recruiting opportunities (contacts and evaluations combined) per prospective student-athlete (see Bylaw 13.1.5.5). Women's basketball staff members shall not exceed 100 recruiting-person days during the academic year contact and evaluation periods.

[Remainder of 13.1.7.8 unchanged.]

Source: NCAA Division I Championships/Sports Management Cabinet (Women's Basketball Issues Committee)

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: This proposal promotes equity among sports by allowing women's basketball the same number of recruiting opportunities afforded to coaches in all other sports (except football). The number of recruiting-person days will not increase as a result of this recommendation. The Women's Basketball Coaches Association supports and has requested this legislative change.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

May 03, 2010 Submit Submitted for consideration.

May 11, 2010 Women's Basketball Issues Committee, Recommends Approval

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

No. 2010-34 RECRUITING -- CONTACTS AND EVALUATIONS -- MEN'S BASKETBALL EVALUATIONS -- CERTIFIED NONSCHOLASTIC EVENTS DURING APRIL CONTACT PERIOD

Intent: In men's basketball, to specify that a coaching staff member may evaluate prospective student-athletes at certified nonscholastic events on Saturdays and Sundays during the April contact period.

A. Bylaws: Amend 13.1.6.2.2, as follows:

13.1.6.2.2 Additional Restrictions -- Men's and Women's Basketball. In men's and women's basketball, the following additional restrictions shall apply:

(a) In men's basketball, contact shall not be made with a prospective student-athlete at any basketball event during the academic year that is not part of a prospective student-athlete's normal high school, preparatory school or two-year college season, ~~or~~ any event that is not approved, sanctioned, sponsored or conducted by the applicable state high school or two-year college association, National Federation of State High School Associations or the National Junior College Athletic Association**, or any nonscholastic event that occurs on a Saturday and/or Sunday of the April contact period that is not certified per Bylaw 13.18**.

[Remainder of 13.1.6.2.2 unchanged.]

B. Bylaws: Amend 13.1.7.8, as follows:

13.1.7.8 Basketball Evaluations.

(a) Men's Basketball. In men's basketball, each institution is limited to 130 recruiting-person days (see Bylaw 13.02.8) during the academic year contact and evaluation periods.

[13.1.7.8-(a)-(1) and 13.1.7.8-(a)-(2) unchanged.]

(3) March and April Contact Periods. ~~*Evaluations at nonscholastic events are prohibited during these periods.*~~ Evaluations of live athletics activities during these periods shall be limited to:

(i) Regularly scheduled high school, preparatory school and two-year college contests/ tournaments and practices; ~~*and*~~

(ii) Regular scholastic activities involving prospective student-athletes enrolled only at the institution at which the regular scholastic activities occur~~.~~ **; and**

(iii) Nonscholastic events certified per Bylaw 13.18 that occur on a Saturday and/or Sunday of the April contact period.

[13.1.7.7.8-(a)-(4) and 13.1.7.8-(a)-(5) unchanged.]

[13.1.7.8-(b) unchanged.]

(c) Coaches' Attendance at Basketball Events. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1 and shall not affect the prospective student-athlete's eligibility.

(1) Men's Basketball. Institutional coaching staff members are restricted during the academic year to attending regularly scheduled high school, preparatory school and two-year college contests/tournaments and practices**,** ~~*and*~~ regular scholastic activities involving student-athletes enrolled only at the institution at which the regular scholastic activities occur **and nonscholastic events certified per Bylaw 13.18 that occur on a Saturday and/or Sunday of the April contact period**. During the summer evaluation period, a member of an institution's basketball coaching staff may attend institutional basketball camps per Bylaw 13.12.1.1; and noninstitutional organized events (e.g., camps, leagues, tournaments, festivals) that are certified per Bylaw 13.18. It is permissible for coaches to attend organized team practices in preparation for a certified event only if such practice time has been designated by the organizer as part of the event. The basketball event certification program is not applicable to National Basketball Association (NBA) official predraft camps or noninstitutional organized events that are approved, sponsored or conducted by an applicable state, national or international governing body (e.g., intrastate and interstate high school basketball games, state high school all-star games, international competitions and practices associated with such contests).

[13.1.7.8-(c)-(2) unchanged.]

C. Bylaws: Amend 13.18, as follows:

13.18 ~~*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:

[13.18-(a) through 13.18-(q) unchanged.]

Source: Pacific-10 Conference and Big East Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: Nonscholastic basketball events continue to be held in April, despite current restrictions that preclude men's basketball coaches from attending. Permitting evaluations on Saturdays and Sundays during the contact period in April would allow coaches to observe high-caliber prospective student-athletes in competition against each other. Such circumstances will provide opportunities for coaches to make more effective talent evaluations at a reduced cost. In addition, permitting coaches to evaluate prospective student-athletes at April nonscholastic certified events would also help to reduce recruiting costs. By restricting evaluations to only Saturdays and Sundays, prospective student-athletes will be less likely to miss a significant amount of class time in order to participate. The requirement that the nonscholastic events must be certified will provide appropriate standards and safeguards.

Estimated Budget Impact: The proposal may provide greater efficiencies and; therefore, cost savings in recruiting. Resources for the national office to certify additional nonscholastic events.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 13, 2010 Submit Submitted for consideration.

No. 2010-35 RECRUITING -- BASKETBALL EVALUATIONS -- WOMEN'S BASKETBALL -- NONSCHOLASTIC EVALUATIONS DURING ACADEMIC YEAR -- NATIONAL STANDARDIZED TESTING WEEKENDS

Intent: In women's basketball, to specify that evaluations at nonscholastic events during the academic year evaluation period shall not occur during any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered; further, to specify that if such a test is administered on a date that conflicts with the fall nonscholastic evaluation weekend, evaluations at nonscholastic events shall be permissible during the first full weekend (including Friday, Saturday and Sunday) of the fall/winter evaluation period; and that if such a test is administered on a date that conflicts with the spring nonscholastic evaluation weekend, the five day evaluation period in April shall shift to the second Friday following the initial date of the spring National Letter of Intent signing period through the following Tuesday.

A. Bylaws: Amend 13.1.7.8, as follows:

13.1.7.8 Basketball Evaluations.

[13.1.7.87-(a) unchanged.]

(b) Women's Basketball. In women's basketball, each institution is limited to five recruiting opportunities (contacts and evaluations combined) per prospective student-athlete (see Bylaw 13.1.5.5). Women's basketball staff members shall not exceed 100 recruiting-person days during the academic year contact and evaluation periods.

(1) Academic Year Evaluation Period. Evaluations of live athletics activities during the academic year may occur at regularly scheduled high school, preparatory school and two-year college contests/tournaments and practices; and pick-up games and open gyms. Evaluations at nonscholastic events during the women's basketball prospective student-athlete's academic year shall only occur during the last full weekend (including Friday, Saturday and Sunday) of the fall contact period and the Friday, Saturday and Sunday of the spring evaluation period.

(i) National Standardized Testing Weekends. Evaluations at nonscholastic events during the academic year evaluation period shall not occur during any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered. If the PSAT, SAT, PLAN or ACT is administered on a date that conflicts with the fall nonscholastic evaluation weekend, evaluations at nonscholastic events shall be permissible during the first full weekend (including Friday, Saturday and Sunday) of the fall/winter evaluation period. If the PSAT, SAT, PLAN or ACT is administered on a date that conflicts with the spring nonscholastic evaluation weekend, the five day evaluation period in April shall shift to the second Friday following the initial date of the spring National Letter of Intent signing period through the following Tuesday.

(2) If the PSAT, SAT, PLAN or ACT is administered on a date that conflicts with the fall nonscholastic evaluation weekend, evaluations at nonscholastic events shall be permissible during the first full weekend (including Friday, Saturday and Sunday) of the fall/winter evaluation period.

[13.17.3-(c) through 13.17.3-(e) unchanged.]

B. Bylaws: Amend 13.17.3, as follows:

13.17.3 Women's Basketball. The following recruiting periods shall apply to women's basketball:

[13.17.3-(a) unchanged.]

(b) September 16 through October 6 **[except for (1) and (2) below]**:

(c) Friday of the week that includes the initial date of the spring signing of the National Letter of Intent through the following Tuesday **[except for (1) and (2) below]**:

Contact Evaluation Period

(1) Evaluations at nonscholastic events shall not occur during any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered.

(2) If the PSAT, SAT, PLAN or ACT is administered on a date that conflicts with the spring nonscholastic evaluation weekend, the five-day evaluation period shall shift to the second Friday following the initial date of the spring National Letter of Intent signing period through the following Tuesday.

(g) Wednesday of the week following the initial date for the spring signing of the Q u i e t National Letter of Intent through July 5 **[except when Bylaw 13.17.3-(f)-(2)** Period **applies]**:

[Remainder of 13.17.3 unchanged.]

Source: NCAA Division I Championships/Sports Management Cabinet (Women's Basketball Issues Committee)

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: The current women's basketball recruiting calendar permits evaluations at nonscholastic events during the prospective student-athlete's academic year during the last full weekend (including Friday, Saturday and Sunday) of the fall contact period and the Friday, Saturday and Sunday of the spring evaluation period. There have been instances in which these designated time periods have conflicted with national standardized testing dates and, in some instances, resulted in prospective student-athletes facing undue pressure to forego taking a standardized test in order to participate in a nonscholastic event. If a national standardized testing date occurs during a weekend when it is permissible to evaluate prospective student-athletes participating in nonscholastic events in the fall, designating the following weekend as the nonscholastic evaluation weekend is a simple and appropriate solution. Similarly, if a conflict occurs in the spring, it is appropriate to shift the five evaluation days (which include the nonscholastic weekend) in April to the following week. This solution maintains the same amount of nonscholastic evaluation opportunities during the academic year. Finally, Proposal No. 2009-36 was withdrawn from the 2009-10 legislative cycle so this concept could be further developed as represented in this proposal. The WBCA initiated and supports this legislative change.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

May 10, 2010 Submit Submitted for consideration.

May 11, 2010 Women's Basketball Issues Committee, Recommends Approval

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

No. 2010-36 RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- OTHER EVALUATION EVENTS -- CHAMPIONSHIP SUBDIVISION FOOTBALL

Intent: In championship subdivision football, to specify that an institutional staff member may attend a recruiting event in which information (e.g., athletics or academic credentials, highlight or combine videos) related to prospective student-athletes is presented or otherwise made available.

Bylaws: Amend 13.1.7.9, as follows:

[Federated provision, FCS only]

13.1.7.9 Football Evaluations.

[13.1.7.9.1 through 13.1.7.9.4 unchanged.]

13.1.7.9.5 Scholastic and Nonscholastic Activities -- Championship Subdivision Football. In championship subdivision football, live athletics evaluations may be conducted at scholastic or nonscholastic athletics activities, provided there is no institutional involvement in arranging or directing such activities. An institutional staff member ~~*shall not*~~ **may** attend a recruiting event (other than a permissible live athletics event) 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: Southern Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation, which precludes an institutional staff member from attending a recruiting event in which information (e.g., athletics or academic credentials, highlight or combine videos) related to prospective student-athletes is presented or otherwise made available, makes it difficult to effectively evaluate prospective student-athletes in a cost-effective manner. Championship subdivision institutions can be more efficient in their management of recruiting resources if they are able to evaluate prospective student-athletes from multiple educational institutions in a single location (e.g., high school recruiting fair conducted in a metropolitan area).

Estimated Budget Impact: Potential for more efficient use of institutional recruiting resources.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal. The committee notes that such recruiting events/fairs often occur the day before athletics events that FCS coaches are already permitted to attend the athletics events.

History:

Jul 14, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Recommends Approval

No. 2010-37 RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- OTHER EVALUATION EVENTS ORGANIZED OR SANCTIONED SCHOLASTIC ATHLETICS ASSOCIATION -- CHAMPIONSHIP SUBDIVISION FOOTBALL

Intent: In championship subdivision football, to specify that a coach may attend a recruiting event in which information (e.g., athletics or academic credentials, highlight or combine video) related to prospective student-athletes is presented or otherwise made available, provided the event is organized or sanctioned by the applicable state high school athletics association, state preparatory school association or state or national junior college athletics association.

Bylaws: Amend 13.1.7.9, as follows:

[Federated provision, FCS only]

13.1.7.9 Football Evaluations.

[13.1.7.9.1 through 13.1.7.9.4 unchanged.]

13.1.7.9.5 Scholastic and Nonscholastic Activities -- Championship Subdivision Football. In championship subdivision football, live athletics evaluations may be conducted at scholastic or nonscholastic athletics activities, provided there is no institutional involvement in arranging or directing such activities. An institutional staff member ~~*shall not*~~ **may** attend a recruiting event (other than a permissible live athletics event) in which information (e.g., athletics or academic credentials, highlight or combine video) related to prospective student-athletes is presented or otherwise made available**, provided the event is organized or sanctioned by the applicable state high school athletics association, state preparatory school association or state or national junior college athletics association.**

Source: Northeast Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: The issues related to attendance at recruiting events that led to the adoption of the current legislation are associated primarily with Football Bowl Subdivision recruiting. The current legislation, which limits evaluations of football prospective student-athletes to live athletics events, makes it difficult to efficiently evaluate championship subdivision-level football prospective student-athletes. Institutions can be more efficient in their management of recruiting resources if they are able to receive information that allows for the evaluation prospective student-athletes in central locations. Furthermore, mandating these events that are sanctioned or organized by a high school athletic association prohibits private entities from profiting off of such recruiting events.

Estimated Budget Impact: May reduce budgets by allowing institutional recruiting resources to be used more efficiently.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal. The committee prefers the adoption of Proposal No. 2010-36 over Proposal No. 2010-37.

History:

Jul 01, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Recommends Approval

No. 2010-38 RECRUITING -- RECRUITING MATERIALS -- ATHLETICS PUBLICATIONS -- NO MEDIA GUIDES TO PROSPECTIVE STUDENT-ATHLETES VIA DIGITAL STORAGE DEVICE OR E-MAIL

Intent: To prohibit an institution from providing a media guide to a prospective student-athlete via digital media storage device or as an attachment to electronic mail.

Bylaws: Amend 13.4.1, as follows:

13.4.1 Recruiting Materials. In sports other than men's basketball and men's ice hockey, a member institution shall not provide recruiting materials, including general correspondence related to athletics, to an individual (or his or her parents or legal guardians) until September 1 at the beginning of his or her junior year in high school. In men's basketball and men's ice hockey, an institution shall not provide recruiting materials, including general correspondence related to athletics, to an individual (or his or her parents or legal guardians) until June 15 at the conclusion of his or her sophomore year in high school.

[13.4.1.1 unchanged.]

13.4.1.1.2 Athletics Publication. An institution may produce a printed media guide; however, an institution shall not provide a printed media guide or any other printed athletics publication not listed in Bylaw 13.4.1.1 to a prospective student-athlete, his or her parents or legal guardians, the prospective student-athlete's educational institution or any individual involved in the coaching of a prospective student-athlete. It is not permissible to make a printed media guide or any other printed athletics publication not listed in Bylaw 13.4.1.1 available free of charge to a prospective student-athlete, his or her parents or legal guardians, the prospective student-athlete's educational institution or any individual involved in the coaching of a prospective student-athlete, even if such publications are available to other members of the general public free of charge. An institution may not create a printed portfolio of information (e.g., pictures) to be used in the recruiting process. ~~*An institution may provide a media guide to a prospective student-athlete via a digital media storage device (e.g., compact disc, flash drive).*~~

[13.4.1.1.2.1 unchanged.]

13.4.1.2 Electronic Transmissions. Electronically transmitted correspondence that may be sent to a prospective student-athlete (or the prospective student-athlete's parents or legal guardians) is limited to electronic mail and facsimiles. (See Bylaw 13.1.6.2.) All other forms of electronically transmitted correspondence (e.g., Instant Messenger, text messaging) are prohibited. Color attachments may be included with electronic mail correspondence sent to a prospective student-athlete, provided the attachment only includes information that is not created for recruiting purposes, except for items that are specifically permitted as printed recruiting materials (e.g., questionnaires) ~~*and a media guide*~~. In addition, attachments shall not include any animation, audio or video clips and there shall be no cost (e.g., subscription fee) associated with sending the item attached to the electronic mail correspondence

[Remainder of 13.4.1 unchanged.]

Source: Southeastern Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: The overarching purpose of NCAA Proposal No. 2009-42 was to remove media guides from the recruiting process. Permitting media guides to be provided directly to a prospective student-athlete via electronic media maintains pressure to produce a media guide with a recruiting focus, rather than producing a guide that meets the needs of the media. Therefore, eliminating the electronic media guide exception will return these guides to their originally intended purpose, which is to provide information to the media.

Estimated Budget Impact: Savings in costs of media storage devices, postage and media staff production time

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 14, 2010 Submit Submitted for consideration.

No. 2010-39 RECRUITING -- RECRUITING MATERIALS -- MEDIA GUIDES AND VIDEO/AUDIO MATERIALS -- METHODS OF DELIVERY TO PROSPECTIVE STUDENT-ATHLETES

Intent: To specify that an institution may provide a media guide and permissible video or audio material to a prospective student-athlete via an electronic mail hyperlink, an electronic mail attachment or an electronic media storage device (e.g., compact disc, flash drive); further, to specify that an institution is limited to providing a media guide or video or audio material to a prospective student-athlete via electronic media storage device one time.

Bylaws: Amend 13.4.1, as follows:

13.4.1 Recruiting Materials. In sports other than men's basketball and men's ice hockey, a member institution shall not provide recruiting materials, including general correspondence related to athletics, to an individual (or his or her parents or legal guardians) until September 1 at the beginning of his or her junior year in high school. In men's basketball and men's ice hockey, an institution shall not provide recruiting materials, including general correspondence related to athletics, to an individual (or his or her parents or legal guardians) until June 15 at the conclusion of his or her sophomore year in high school.

[13.4.1.1 unchanged.]

[13.4.1.1.1 unchanged.]

13.4.1.1.2 Athletics Publication. An institution may produce a printed media guide; however, an institution shall not provide a printed media guide or any other printed athletics publication not listed in Bylaw 13.4.1.1 to a prospective student-athlete, his or her parents or legal guardians, the prospective student-athlete's educational institution or any individual involved in the coaching of a prospective student-athlete. It is not permissible to make a printed media guide or any other printed athletics publication not listed in Bylaw 13.4.1.1 available free of

charge to a prospective student-athlete, his or her parents or legal guardians, the prospective student-athlete's educational institution or any individual involved in the coaching of a prospective student-athlete, even if such publications are available to other members of the general public free of charge. An institution may not create a printed portfolio of information (e.g., pictures) to be used in the recruiting process. An institution may provide a media guide to a prospective student-athlete via **an electronic mail hyperlink, an electronic mail attachment or** a digital media storage device (e.g., compact disc, flash drive). **An institution is limited to providing a media guide to a prospective student-athlete via electronic media storage device one time.**

[13.4.1.1.2.1 unchanged.]

13.4.1.2 Electronic Transmissions. Electronically transmitted correspondence that may be sent to a prospective student-athlete (or the prospective student-athlete's parents or legal guardians) is limited to electronic mail and facsimiles. (See Bylaw 13.1.6.2.) All other forms of electronically transmitted correspondence (e.g., Instant Messenger, text messaging) are prohibited. Color attachments may be included with electronic mail correspondence sent to a prospective student-athlete, provided the attachment only includes information that is not created for recruiting purposes, except for items that are specifically permitted as printed recruiting materials (e.g., questionnaires) and ~~*a*~~ **an electronic** media guide**, and video and audio materials as permitted in Bylaw 13.4.1.5**. ~~*In addition,*~~ **Other** attachments shall not include any animation, audio or video clips and there shall be no cost (e.g., subscription fee) associated with sending the item attached to the electronic mail correspondence.

[13.4.1.2.1 through 13.4.1.2.3 unchanged.]

[13.4.1.3 through 13.4.1.4 unchanged.]

13.4.1.5 Video/Audio Materials. An institution may not produce video or audio materials to show to, play for or provide to a prospective student-athlete except as specified in this section. **Permissible video or audio material may be provided to a prospective student-athlete via an electronic mail hyperlink, an electronic mail attachment or an electronic media storage device (e.g., compact disc, flash drive). An institution is limited to providing video or audio material to a prospective student-athlete via electronic media storage device one time.**

[Remainder of 13.4.1 unchanged.]

Source: Ivy Group

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation allows institutions to send an unlimited number of storage devices containing video materials to prospective student-athletes but prohibits such video materials from being sent as attachments to electronic mail. Sending video materials via electronic mail is a more cost-efficient means of delivering these materials. Furthermore, the limitation on electronic media storage devices would reduce costs.

Estimated Budget Impact: Will reduce the cost of sending video and other materials to prospective student-athletes.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 15, 2010 Submit Submitted for consideration.

No. 2010-40 RECRUITING -- OFFICIAL (PAID) VISIT -- LIMITATIONS ON OFFICIAL VISITS -- NO VISIT AFTER NATIONAL LETTER OF INTENT OR OTHER WRITTEN COMMITMENT

Intent: To specify that after signing a National Letter of Intent, a prospective student-athlete shall not make an official visit to the institution with which he or she has signed; further, to specify that 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), the prospective student-athlete shall not make an official visit to the institution after he or she has signed the institution's written offer of admission and/or financial aid.

Bylaws: Amend 13.6.2, as follows:

13.6.2 Limitations on Official Visits.

[13.6.2.1 through 13.6.2.6 unchanged.]

13.6.2.7 After Signing National Letter of Intent or Other Written Commitment. After signing a National Letter of Intent, a prospective student-athlete shall not make an official visit to the institution with which he or she has signed. 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), the prospective student-athlete shall not make an official visit to the institution after he or she has signed the institution's written offer of admission and/or financial aid.

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: The primary purpose of an official visit is to provide the prospective student-athlete and the institution an appropriate time and venue to evaluate one another as part of the recruiting process. Once a prospective student-athlete has signed a National Letter of Intent (NLI) or, for those institutions not using the NLI or for prospective student-athletes not eligible to sign, accepted a written offer of admission or financial aid, the recruiting process has concluded. Therefore, an official visit after a prospective student-athlete has signed with an institution is an unnecessary evaluation. A prospective student-athlete who has signed a National Letter of Intent or other written commitment would still be permitted to make an unofficial visit to the institution.

Estimated Budget Impact: Potential cost savings for institutions.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee opposes the proposal. While the use of official visits after signing may not occur frequently in football, the committee notes that a multi-sport prospective student-athlete may be so occupied by his winter sport that he may not have an opportunity to make an official visit until after the signing date.

History:

Jun 08, 2010 Submit Submitted for consideration.

Jun 09, 2010 Recruiting and Athletics Personnel Issues Cabinet, Sponsored

Aug 24, 2010 Football Issues Committee, Recommends Defeat

No. 2010-41 RECRUITING -- UNOFFICIAL (NONPAID) VISIT -- ENTERTAINMENT/TICKETS -- GENERAL RESTRICTIONS -- NONTRADITIONAL FAMILY

Intent: To specify that if a prospective student-athlete is a member of a nontraditional family (e.g., divorce, separation), an institution may provide up to two additional complimentary admissions to the prospective student-athlete in order to accommodate the parents accompanying the prospective student-athlete (e.g., stepparents) to attend a home athletics event during an unofficial visit.

Bylaws: Amend 13.7.2.1, as follows:

13.7.2.1 General Restrictions. During an unofficial visit, the institution may not pay any expenses or provide any entertainment except a maximum of three complimentary admissions (issued only through a pass list) to a home athletics event at any facility within a 30-mile radius of a member institution's main campus in which the institution's intercollegiate team practices or competes. Such complimentary admissions are for the exclusive use of the prospective student-athlete and those persons accompanying the prospective student-athlete on the visit and must be issued on an individual-game basis. Such admissions may provide seating only in the general seating area of the facility used for conducting the event. Providing seating during the conduct of the event (including intermission) for the prospective student-athlete or the prospective student-athlete's parents (or legal guardians) or spouse in the facility's press box, special seating box(es) or bench area is specifically prohibited.

13.7.2.1.1 Exception -- Nontraditional Family. If a prospective student-athlete is a member of a nontraditional family (e.g., divorce, separation), the institution may provide up to two additional complimentary admissions to the prospective student-athlete in order to accommodate the parents accompanying the prospective student-athlete (e.g., stepparents) to attend a home athletics event.

[13.7.2.1.1. through 13.7.2.1.7 renumbered 13.7.2.1.2 through 13.7.2.1.8, unchanged.]

Source: Sun Belt Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: This proposal is intended to make complimentary admissions for unofficial visits consistent with complimentary admissions for official visits. It is difficult to anticipate every family situation that may exist. This proposal would provide institutions the flexibility needed to exercise common sense when dealing with each individual prospective student-athlete to accommodate his or her family situation.

Estimated Budget Impact: Increased cost of complimentary admissions provided to a limited number of prospective student-athletes.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 15, 2010 Submit Submitted for consideration.

No. 2010-42 RECRUITING -- LETTER-OF-INTENT PROGRAMS, FINANCIAL AID AGREEMENTS -- REQUIREMENTS FOR VERBAL OFFER OF ATHLETICALLY RELATED FINANCIAL AID

Intent: To specify that an institution shall not make a verbal offer of athletically related financial aid to an individual, directly or indirectly, before July 1 following his or her junior year in high school; further, to specify that an institution must have a high school transcript (official or unofficial) on file that includes the results of the individual's first five semesters or seven quarters of high school enrollment before extending a verbal offer of financial aid.

Bylaws: Amend 13.9, as follows:

13.9 LETTER-OF-INTENT PROGRAMS, FINANCIAL AID AGREEMENTS**, OFFERS OF FINANCIAL AID**

13.9.1 Requirements for Verbal Offer of Athletically Related Financial Aid. An institution may make a verbal offer of athletically related financial aid to an individual, subject to the following requirements:

(a) Such an offer shall not be made to the individual, directly or indirectly, before July 1 following the individual's junior year in high school; and

(b) The institution must have a copy of the individual's high school transcript (official or unofficial) on file that includes the results of the individual's first five semesters or seven quarters of high school enrollment.

13.9.~~1~~**2** Requirements for **Written** Offer of Athletically Related Financial Aid. 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:

[13.9.1-(a) through 13.9.1-(c) renumbered as 13.9.2-(a) through 13.9.2-(c), unchanged.]

[13.9.2 through 13.9.3 renumbered as 13.9.3 through 13.9.4, unchanged.]

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: This proposal addresses the growing concern expressed by the Board of Directors and feedback from the Division I membership regarding coaches making verbal offers of financial aid to individuals who have not yet produced an academic history indicating admissibility to a collegiate institution. There is a need for increased opportunities to tie recruiting activities to academic evaluations, particularly prior to offers of financial aid being issued by an institution. The requirement for a five-semester or seven-quarter high school transcript provides a reasonable time period to assess a prospective student-athlete's academic profile prior to making any verbal offer of athletically related financial aid. Further, a specific date (July 1 after the junior year) will relieve potential pressure on high school personnel to provide the most updated transcript immediately on completion of an academic term.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee opposes the proposal. The committee expressed concern regarding the July 1 date not aligning effectively with the summer schedule of institutional camps and unofficial visits and the permissible telephone call date for football (i.e., September 1 -- two months after the July 1 opportunity to make verbal offers of aid).

History:

Jun 08, 2010 Submit Submitted for consideration.

Jun 09, 2010 Recruiting and Athletics Personnel Issues Cabinet, Sponsored

Aug 24, 2010 Football Issues Committee, Recommends Defeat

No. 2010-43 RECRUITING -- TRYOUTS -- PROHIBITED ACTIVITIES -- COMPETITION AGAINST PROSPECTIVE STUDENT-ATHLETES -- BOWL SUBDIVISION FOOTBALL -- SERVICE ACADEMY EXCEPTION

Intent: In bowl subdivision football, to specify that a national service academy's subvarsity team may compete against a two-year college team, a high school team or a preparatory school team, provided no payment or other inducement (e.g., guarantee) is provided to such a team and no recruiting activities occur with members of such a team in conjunction with the competition.

Bylaws: Amend 13.11.1, as follows:

[Federated provision, FBS only]

13.11.1 Prohibited Activities. A member institution, on its campus or elsewhere, shall not conduct (or have conducted on its behalf) any physical activity (e.g., practice session or test/tryout) at which one or more prospective student-athletes (as defined in Bylaws 13.11.1.1 and 13.11.1.2) reveal, demonstrate or display their athletics abilities in any sport except as provided in Bylaws 13.11.2 and 13.11.3.

[13.11.1.1 through 13.11.1.3 unchanged.]

13.11.1.4 Competition Against Prospective Student-Athletes -- Bowl Subdivision Football. In bowl subdivision football, an institution's varsity and subvarsity intercollegiate teams shall not compete against any team that includes prospective student-athletes.

13.11.1.4.1 Exception -- National Service Academy Subvarsity Team. A national service academy's subvarsity team may compete against a two-year college team, a high school team or a preparatory school team, provided no payment or other inducement (e.g., guarantee) is provided to such a team and no recruiting activities occur with members of such a team in conjunction with the competition.

[Remainder of 13.11.1 unchanged.]

Source: NCAA Division I Recruiting and Athletics Personnel Issues Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation (adopted in January 2010) prohibits FBS varsity and subvarsity teams from competing against any team that includes prospective student-athletes. This proposal recognizes and addresses the recruiting advantage concerns addressed by the current legislation while preserving the participation opportunities afforded by junior varsity competition at the service academies. The service academies are somewhat unique in that "redshirting" is not a viable option. The service academies are structured around a congressionally approved eight-semester program. All service academy students are expected to complete their undergraduate degree in four years and then serve on active duty in the armed forces. Consequently, service academy student-athletes have four years (as opposed to five) in which to complete their eligibility. Many service academy football student-athletes participate on a subvarsity team for one year and on the varsity team for three years. If not for this subvarsity opportunity, most of them would graduate and begin active duty service after using only three years of eligibility. Subvarsity competition against teams that include prospective student-athletes is necessary in order to have a viable schedule. Such contests should be permitted as long as there is no payment (or other inducement) or recruiting activity in conjunction with these contests.

Estimated Budget Impact: None when compared to legislation prior to Proposal No. 2009-49; increase in costs compared to current prohibition.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal. The committee believes that this proposal would establish an appropriate exception to legislation adopted last year.

History:

Jun 01, 2010 Submit Submitted for consideration.

Jun 09, 2010 Recruiting and Athletics Personnel Issues Cabinet, Sponsored

Aug 24, 2010 Football Issues Committee, Recommends Approval

No. 2010-44 RECRUITING -- TRYOUTS -- TRYOUT EVENTS -- PROHIBITION ON HOSTING, SPONSORING OR CONDUCTING NONINSTITUTIONAL INSTRUCTIONAL EVENTS -- FOOTBALL

Intent: In football, to specify that an institution or conference shall not host, sponsor or conduct a noninstitutional camp, clinic, group workout or combine event, at any location, that provides instruction to prospective student-athletes.

Bylaws: Amend 13.11.1.8, as follows:

[Federated provision, FBS and FCS, divided vote]

13.11.1.8 Tryout Events. A member institution or conference may not host, sponsor or conduct a tryout camp, clinic, group workout or combine (e.g., combination of athletics skill tests or activities) devoted to agility, flexibility, speed or strength tests for prospective student-athletes at any location. An institution or conference shall not host, sponsor or conduct any portion (e.g., instructional clinic) of an event that also includes agility, flexibility, speed or strength tests for prospective student-athletes that are conducted at a separate location. In sports other than football, a member institution's staff members may only attend (subject to sport-specific restrictions) such an event sponsored by an outside organization if the event occurs off the institution's campus and is open to all institutions (see Bylaws 13.1.7.9.4 and 13.1.7.9.5).

13.11.1.8.1 Noninstitutional Instructional Camp, Clinic, Group Workout or Combine Event -- Football. In football, an institution or conference shall not host, sponsor or conduct a noninstitutional camp, clinic, group workout or combine event, at any location, that provides instruction to prospective student-athletes.

Source: Big East Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: Current legislation prohibits institutions and conferences from hosting, sponsoring or conducting a tryout camp, clinic, group workout or combine devoted to agility, flexibility, speed and strength tests for prospective student-athletes at any location. In the sport of football,

noninstitutional entities have been able to circumvent this legislation by holding "instructional camps" at member institutions. Institutions that have the resources to host these instructional camps are gaining a distinct recruiting advantage over institutions that are not able to do so. This proposal would eliminate the recruiting advantage that is currently being gained by institutions that are able to host noninstitutional instructional camps.

Estimated Budget Impact: Institutions may lose revenue as a result of not being able to host these types of events.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The FBS committee members support the proposal. The FCS committee members oppose the proposal. The FCS committee members note that the recruiting concerns in FBS are less pronounced in FCS and that such events may provide well-needed funding for FCS institutions hosting such events.

History:

Jul 13, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Recommends Approval

No. 2010-45 RECRUITING AND PLAYING AND PRACTICE SEASONS -- TRYOUT EXCEPTIONS AND OUT-OF-SEASON RESTRICTIONS -- RECOGNIZED TRAINING AND DEVELOPMENT PROGRAMS

Intent: To specify that in order for an athletics department staff member or coach to participate in state, regional, national and international training programs involving prospective student-athletes, the staff member must be selected by the applicable governing body and the participants are selected by an authority or a committee of the applicable governing body that is not limited to athletics department staff members affiliated with one institution; further, to specify that Olympic and national team development programs may involve a coach and current student-athletes from the same institution, provided (in addition to existing criteria) a committee or other authority of the national governing body, which is not limited to coaches affiliated with one particular institution, selects the involved participants and the national governing body funds the program.

A. Bylaws: Amend 13.11.3.3, as follows:

13.11.3.3 State, Regional, National or International Training Programs. Participation by an institution's athletics department staff member in recognized state, regional, national or international training programs or competition organized and administered by the applicable governing body ~~*or athletics authority*~~ shall not be considered tryouts, **provided the athletics department staff member is selected by the applicable governing body and the participants are selected by an authority or a committee of the applicable governing body that is not limited to athletics department staff members affiliated with one institution.** A member institution's coaching staff member may not participate only in noncoaching activities (e.g., consultant, on-site coordinator, participant selection), except as provided in Bylaws

13.11.3.3.1, 13.11.3.3.2 and 13.11.3.3.3.

B. Bylaws: Amend 17.2.8.1.2.2, as follows:

17.2.8.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

C. Bylaws: Amend 17.4.8.1.2.2, as follows:

17.4.8.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

D. Bylaws: Amend 17.5.8.1.2.2, as follows:

17.5.8.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

E. Bylaws: Amend 17.6.9.1.2.2, as follows:

17.6.9.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

F. Bylaws: Amend 17.7.9.1.2.2, as follows:

17.7.9.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

G. Bylaws: Amend 17.8.8.1.2.2, as follows:

17.8.8.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

H. Bylaws: Amend 17.10.8.1.2.2, as follows:

17.10.8.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

I. Bylaws: Amend 17.11.9.1.2.2, as follows:

17.11.9.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

J. Bylaws: Amend 17.12.8.1.2.2, as follows:

17.12.8.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

K. Bylaws: Amend 17.13.8.1.2.2, as follows:

17.13.8.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

L. Bylaws: Amend 17.14.9.1.2.2, as follows:

17.14.9.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

M. Bylaws: Amend 17.15.9.1.2.2, as follows:

17.15.9.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

N. Bylaws: Amend 17.16.8.1.2.2, as follows:

17.16.8.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

O. Bylaws: Amend 17.18.9.1.2.2, as follows:

17.18.9.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

P. Bylaws: Amend 17.19.8.1.2.2, as follows:

17.19.8.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

Q. Bylaws: Amend 17.20.8.1.2.2, as follows:

17.20.8.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

R. Bylaws: Amend 17.21.8.1.2.2, as follows:

17.21.8.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

S. Bylaws: Amend 17.22.9.1.2.2, as follows:

17.22.9.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

T. Bylaws: Amend 17.23.8.1.2.2, as follows:

17.23.8.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

U. Bylaws: Amend 17.24.9.1.2.2, as follows:

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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

V. Bylaws: Amend 17.25.13.1.2.2, as follows:

17.25.13.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

W. Bylaws: Amend 17.26.9.1.2.2, as follows:

17.26.9.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

X. Bylaws: Amend 17.27.9.1.2.2, as follows:

17.27.9.1.2.2 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*~~ **A committee or other authority of the** NGB**, which is not limited to coaches affiliated with one particular institution,** ~~*or the selected coaches select*~~ **selects** the involved participants~~.~~**; and**

(d) The NGB funds the program.

Source: Ivy Group

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Current NCAA rules appropriately permit college coaches to coach Olympic and national teams, including Olympic and national development teams; however, the parameters under which coaches may work with prospective student-athletes and current student-athletes as part of these development teams need to be more narrowly defined so as not to permit circumvention of the tryout and playing and practice season restrictions.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 15, 2010 Submit Submitted for consideration.

No. 2010-46 RECRUITING -- TRYOUTS -- TRYOUT EXCEPTIONS -- HIGH SCHOOL, PREPARATORY-SCHOOL AND TWO-YEAR COLLEGE CONTESTS -- CONDUCTED BY INSTITUTION OR SPONSORED WITH AN OUTSIDE ORGANIZATION

Intent: To revise the requirements by which a high school, preparatory school or two-year college athletics contest or match, conducted by a member institution or sponsored jointly with an outside organization and held on the campus of a member institution, shall not be considered a tryout, as specified.

Bylaws: Amend 13.11.3, as follows:

13.11.3 Tryout Exceptions.

[13.11.3.1 through 13.11.3.3 unchanged.]

13.11.3.4 High School, Preparatory School and Two-Year College Contests. ~~*Regularly scheduled high*~~ **High** school, preparatory school and two-year-college athletics contests or matches, conducted by a member institution or sponsored jointly with an outside organization and held on the campus of a member institution, shall not be considered tryouts, provided the following conditions are met [see Bylaw 13.2.2-(c) for restrictions related to the provision of awards at such contests]:

(a) **Team Sports.**

(1) The opportunity to participate in the event is not limited to specific ~~*prospective student-athletes or*~~ educational institutions and all ~~*individual prospective student-athletes or*~~ educational institutions in a specific geographical area are eligible to compete (limited only by number, by institutional classification or on the basis of some objective standard of performance);

~~*(b)*~~ **(2)** The event ~~*appears on the schedules of prospective student-athletes'*~~ **occurs during the season in which the** educational institutions **may compete pursuant to the rules of the local, state, or national authority governing the sports programs of the educational institutions, which must be confirmed in writing by the head coach of each participating team**; ~~*and*~~

~~*(c)*~~ **(3) Each participant represents his or her educational institution in the event (no nonscholastic team representation); and** ~~*The event is conducted by a national sports federation of which the NCAA is a member or it has been approved prior to the season by the appropriate state or national authority.*~~

(4) No financial compensation (e.g., transportation, expenses, guarantee, percentage of income) from the event may be provided to the educational institutions.

(b) Individual Sports.

(1) The opportunity to participate in the event is not limited to specific prospective student-athletes or educational institutions and all individual prospective student-athletes or educational institutions in a specific geographical area are eligible to compete (limited only by number, by institutional classification or on the basis of some objective standard of performance);

(2) A participant may compete as an individual or may represent his or her educational institution or a nonscholastic team;

(3) The event has been approved by the applicable state or national governing body; and

(4) No financial compensation (e.g., transportation expenses, guarantee, percentage of income) from the event may be provided to an individual, educational institution or nonscholastic team.

~~*13.11.3.5 High School, Preparatory School and Two-Year College Practice and Competition. The regular or emergency use of a member institution's facilities by a high school, preparatory school or two-year college athletics team for its normal practice activities (conducted solely by its coaches) or for regularly scheduled high school, preparatory school or two-year college contests (conducted solely by those participating institutions) shall not be considered tryouts, provided the following conditions are met:*~~

~~*(a) The competition is approved by the appropriate state or national authority; and*~~

~~*(b) The member institution and representatives of its athletics interests are not involved in any way in the invitation or selection of participating schools or individuals.*~~

[13.11.3.6 through 13.11.3.11 renumbered as 13.11.3.5 through 13.11.3.10, unchanged.]

Source: Big 12 Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: The legislation related to hosting high school, preparatory school, or two-year college contests and practices has remained largely unchanged for decades. The current legislation includes requirements (e.g., competition must appear on each institution's schedule) that are difficult to monitor or confirm for many sports. The requirement that such competition be approved by a state or local governing body is not applied in a consistent manner and is more appropriately a concern left to the involved educational institutions. The cultures and concerns of team versus individual sports are different and should be addressed separately. Unattached competition and representation of nonscholastic teams would be permitted in individual sports. For team sports, educational institutions could only participate at times when they are allowed to do so by the applicable state or national authority. Bylaw 13.11.3.5 is unnecessary because Bylaw 13.11.3.2 already addresses the issue of activities occurring on an institution's campus when the activities are conducted by individuals other than athletics staff or boosters.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 29, 2010 Submit Submitted for consideration.

No. 2010-47 RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING OR SCOUTING SERVICES -- VIDEO-ONLY SERVICES

Intent: To specify that an institution is permitted to use or subscribe to a video service that only provides video of prospective student-athletes and does not provide information about or analysis of prospective student-athletes, subject to the criteria that permits an institution to subscribe to a recruiting or scouting service, except that the video-only service is not required to disseminate information about prospective student-athletes at least four times a year and is not required to provide individual analysis for each prospective student-athlete in the information it disseminates.

Bylaws: Amend 13.14.3, as follows:

13.14.3 Recruiting or Scouting Services. An institution may subscribe to a recruiting or scouting service involving prospective student-athletes, provided the institution does not purchase more than one annual subscription to a particular service and the service:

[13.14.3-(a) through 13.14.3-(g) unchanged.]

13.14.3.1 Video-Only Services. An institution is permitted to use or subscribe to a video service that only provides video of prospective student-athletes and does not provide

information about or analysis of prospective student-athletes. Use of or a subscription to such a service is subject to the provisions of Bylaw 13.14.3, except for subsections (c) and (e).

[13.4.3.1 renumbered as 13.14.3.2, unchanged.]

Source: Southeastern Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Prior to the adoption of the current recruiting or scouting services legislation, it was permissible for an institution to subscribe to a video-only service. Video-only services typically provide a cost and time-effective method for obtaining video of prospective student-athletes. Such services are not the recruiting services that were operating outside of the intent of the legislation as described in the rationale of Proposal No. 2009-56. Most video-only services now merely provide a way for institutions to obtain video of high school contests over the Internet without the mailing costs and time-consuming preparation needed to request film from high school coaches. However, current legislation does not allow an institution to subscribe to an online video-only service, which appears to be an unintended consequence.

Estimated Budget Impact: Costs associated with use of or subscription to video-only services.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal. The committee agrees that this is a worthwhile exception to the current legislation.

History:

Jul 14, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Recommends Approval

No. 2010-48 RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING OR SCOUTING SERVICES -- LIST OF PERMISSIBLE RECRUITING SERVICES -- MEN'S BASKETBALL

Intent: In men's basketball, to specify that the NCAA national office shall publish a list, on a quarterly basis, of men's basketball recruiting or scouting services deemed to meet the required standards for subscription.

Bylaws: Amend 13.14.3, as follows:

13.14.3 Recruiting or Scouting Services. An institution may subscribe to a recruiting or scouting service involving prospective student-athletes, provided the institution does not purchase more than one annual subscription to a particular service and the service:

[13.14.3-(a) through 13.14.3-(g) unchanged.]

13.14.3.1 List of Permissible Recruiting Services -- Men's Basketball. The NCAA national office shall publish a list, on a quarterly basis, of men's basketball recruiting or scouting services deemed to meet the standards of Bylaw 13.14.3.

[13.14.3.1 renumbered as 13.14.2, unchanged.]

Source: Southeastern Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: The NCAA Men's Basketball Focus Group has engaged in research related to numerous recruiting services, and it would benefit all Division I member institutions to have access to the results of the NCAA's research regarding recruiting or scouting services that fulfill the provisions of NCAA Bylaw 13.4.3. Further, access to a list of permissible services would eliminate the costs associated with multiple institutions conducting their own research into recruiting or scouting services. An additional benefit would be the reduction of problems with questionable recruiting services and efficiencies due to anticipated reduction in the number of subscriptions to recruiting services.

Estimated Budget Impact: Anticipated cost savings for institutions due to reduced research and fewer subscriptions to recruiting services. Operational and logistical costs for national office.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 14, 2010 Submit Submitted for consideration.

No. 2010-49 RECRUITING -- RECRUITING CALENDARS -- MEN'S BASKETBALL -- APRIL CONTACT PERIOD

Intent: In men's basketball, to revise the recruiting calendar by extending the contact period in April by nine days, but designating the weekends in April after the Division I Men's Basketball Championship as quiet periods.

Bylaws: Amend 13.17.2, as follows:

13.17.2 Men's Basketball. The following recruiting periods shall apply to men's basketball:

[13.17.2-(a) through 13.17.2-(f) unchanged.]

(g) Noon on the Thursday immediately after the NCAA Division I Men's Basketball Championship game through ~~*seven*~~ **16** days following the initial date for the spring signing of the National Letter of Intent [except for (1) **and (2)** below]:	Contact Period
(1) Monday through Thursday of the week that includes the initial date for the spring signing of the National Letter of Intent:	Dead Period
(2) Saturdays and Sundays that occur prior to May 1:	**Quiet Period**
(h) The ~~*eighth*~~ **17th** day after the initial date for the spring signing of the National Letter of Intent through July 5 [except for (1) below]:	Quiet Period

[Remainder of 13.17.2 unchanged.]

Source: Atlantic 10 Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Recruiting

Rationale: Currently, the April contact period provides a limited number of days in which evaluations are permissible. Men's basketball coaches generally do not engage in evaluation activities on Saturdays and Sundays since classes are not in session and many prospective student-athletes are traveling with their nonscholastic teams. In addition, there are several days that are part of quiet or dead periods that occur on weekdays -- days during which it is customary for regular scholastic activities to occur. This proposal would change the current recruiting calendar by designating three or four weekend days as quiet periods (depending on the year) and by adding seven weekdays to the contact period. The likely result of this change will be that more college coaches will be able to engage in contacts and evaluations at scholastic institutions in April. This change would provide opportunities for coaches to evaluate prospective student-athletes in regular scholastic activities and potentially strengthen the role of scholastic administrators (e.g., high school coaches, teachers and principals) in the men's basketball recruiting process.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 15, 2010 Submit Submitted for consideration.

No. 2010-50 RECRUITING -- BASKETBALL EVENT CERTIFICATION -- WOMEN'S EVENTS AND MEN'S SUMMER EVENTS -- PRICE OF ADMISSION

Intent: In basketball, to specify that in order for a women's event or men's summer event to be certified, the price of admission to the event must be listed on the event certification application and the price must be made available to coaches prior to their arrival at the event.

A. Bylaws: Amend 13.18, as follows:

13.18 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:

[13.18-(a) through 13.18-(o) unchanged.]

(p) The price of event packets **and the price of admission to the event** must be listed on the event certification application and the ~~*price*~~ **prices** must be made available to coaches prior to their arrival at the event; and

[13.18-(q) unchanged.]

B. Bylaws: Amend 13.19, as follows:

13.19 BASKETBALL EVENT CERTIFICATION -- WOMEN'S BASKETBALL

In women's basketball, in order for a 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 prior to the start of the event. An event review form for each event also must be submitted to the NCAA national office not later than three months following the event sessions. The following criteria must be met by each event in order to be certified:

[13.19-(a) through 13.19-(n) unchanged.]

(o) The price of an event packet **and the price of admission to the event** must be listed on the event certification application and the ~~*price*~~ **prices** must be made available to coaches prior to their arrival at the event;

[13.19-(p) through 13.19-(q) unchanged.]

Source: NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee) (Women's Basketball Issues Committee)

Effective Date: May 1, 2011; for events occurring on or after May 1, 2011

Category: Amendment

Topical Area: Recruiting

Rationale: Current basketball event certification criteria include the requirement that the price of an event packet must be listed on the event certification application and the price must be made available to coaches prior to their arrival at the event. In addition to event packets, operators also

often charge admission for coaches to attend the event. Requiring advance notice of the cost of admissions will assist coaches in planning which events to attend. This change is requested 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 are not likely generated and there does not appear to be a significant impact on existing or proposed legislation. Adopting this proposal as noncontroversial legislation will also allow for appropriate notice to event operators as applications are submitted for events occurring on or after May 1, 2011. This proposal was initiated and supported by the Women's Basketball Coaches Association.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

May 03, 2010 Submit Submitted for consideration.

May 10, 2010 Women's Basketball Issues Committee, Recommends Approval as Noncontroversial Legislation

May 25, 2010 Men's Basketball Issues Committee, Recommends Approval as Noncontroversial Legislation

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

Jun 16, 2010 Championships/Sports Management Cabinet, Recommends Approval as Noncontroversial Legislation

Eligibility

No. 2010-51 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/virtual courses, independent study or any other course or credit that is not earned in a face-to-face classroom environment with regular interaction between the instructor and the student) offered by the certifying the institution may be used to satisfy the full-time enrollment requirement for competition, provided 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 the term time.*~~ **Nontraditional Courses. Enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet/virtual courses, independent study or any other course or credit that is not earned in a face-to-face classroom environment with regular interaction 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) The course is available to any student at the institution;

(b) The institution considers enrollment in the course as regular course enrollment for all students;

(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; and

(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.

~~*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 Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Eligibility

Rationale: In light of the prevalence and acceptance of nontraditional courses throughout post-secondary education, it is appropriate to update the legislation regarding the various methods of course delivery and whether such courses may be used toward the full-time enrollment requirement for competition. This proposal provides the opportunity for student-athletes to use nontraditional coursework, but also recognizes the potential for academic misconduct and provides safeguards against misuse to meet eligibility requirements. In general, a student-athlete should be provided similar access to nontraditional courses as all students at his or her institution in order to fulfill the full-time enrollment requirements, provided the institution considers enrollment in such a course as regular course enrollment for all students. Finally, this proposal respects institutional discretion and authority in setting course content and curriculum, and relies on institutional integrity and scrutiny with regard to the delivery of nontraditional courses.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 28, 2010 Submit Submitted for consideration.

Jun 29, 2010 Academics Cabinet, Sponsored

No. 2010-52 ELIGIBILITY -- GRADUATE STUDENT/POSTBACCALAUREATE PARTICIPATION -- ONE-TIME TRANSFER EXCEPTION -- FINAL YEAR OF ELIGIBILITY -- NONRENEWAL OF ATHLETICS AID AT PREVIOUS INSTITUTION -- BASEBALL, BASKETBALL, FOOTBALL AND MEN'S ICE HOCKEY

Intent: In baseball, basketball, football and men's ice hockey, to permit a student-athlete who is enrolled in a graduate or professional school of an institution other than the institution from which he or she previously received a baccalaureate degree to participate in intercollegiate athletics, provided the student-athlete meets the conditions of the one-time transfer exception (other than the sport restrictions), has one season of competition remaining and the student-athlete's previous institution did not renew his or her athletically related financial aid for the following academic year.

Bylaws: Amend 14.1.9.1, as follows:

[Federated provision, FBS, FCS and all other sports, divided vote]

14.1.9 Graduate Student/Postbaccalaureate Participation. A student-athlete who is enrolled in a graduate or professional school of the same institution from which he or she previously received a baccalaureate degree, a student-athlete who is enrolled and seeking a second baccalaureate or equivalent degree at the same institution, or a student-athlete who has graduated and is continuing as a full-time student at the same institution while taking course work that would lead to the equivalent of another major or degree as defined and documented by the institution, may participate in intercollegiate athletics, provided the student has eligibility remaining and such participation occurs within the applicable five-year period set forth in Bylaw 14.2 (see Bylaw 14.1.8.2.1.4).

14.1.9.1 One-Time Transfer Exception. A graduate student who is enrolled in a graduate or professional school of an institution other than the institution from which he or she previously received a baccalaureate degree may participate in intercollegiate athletics if the student fulfills the conditions of the one-time transfer exception set forth in Bylaw 14.5.5.2.10 and has eligibility remaining per Bylaw 14.2. **A graduate student who does not meet the one-time transfer exception due to the restrictions of Bylaw 14.5.5.2.10-(a) shall qualify for this exception, provided:**

(a) The student fulfills the remaining conditions of Bylaw 14.5.5.2.10;

(b) The student has one season of competition remaining; and

(c) The student's previous institution did not renew his or her athletically related financial aid for the following academic year.

[Remainder of 14.1.9 unchanged.]

Source: Mountain West Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Eligibility

Rationale: In baseball, basketball, football or men's ice hockey, if a student-athlete's athletically related financial aid is not renewed for his or her final season of eligibility, the student-athlete's options are limited. In many cases, if the student-athlete's aid is not renewed, he or she will also be cut from the team. Therefore, the student-athlete would not be able to participate in intercollegiate athletics even if he or she chose to remain at the institution without receiving athletically related financial aid. In addition, if the student-athlete has only one year remaining in his or her five-year period of eligibility, he or she would not be eligible to compete at another Division I institution. This proposal provides a student-athlete in such a situation with the opportunity to transfer and be immediately eligible for competition at another Division I institution, provided he or she has graduated and is enrolled in the certifying institution's graduate or professional school. The requirement of graduation and enrollment in a graduate or professional school provides an appropriate threshold for access to this exception.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Baseball Committee: The committee supports the proposal.

Football Issues Committee: The committee supports the proposal. The committee is supportive of this attempt to provide flexibility to football student-athletes in such situations.

History:

Jul 14, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Recommends Approval

Aug 26, 2010 Baseball Committee, Recommends Approval

No. 2010-53 ELIGIBILITY -- SEASONS OF COMPETITION: FIVE YEAR RULE -- DELAYED ENROLLMENT -- SEASONS OF COMPETITION -- SPORTS OTHER THAN MEN'S ICE HOCKEY AND SKIING -- EXCEPTION -- NATIONAL/INTERNATIONAL COMPETITION

Intent: In sports other than men's ice hockey and skiing, to exempt a prospective student-athlete's participation in organized national/international competition from the application of the delayed enrollment, seasons of competition legislation for a maximum of one year after his or her first opportunity to enroll following the one-year time period after his or her high school graduation date or the graduation date of his or her class, whichever occurs earlier, as specified.

A. Bylaws: Amend 14.2.3.2, as follows:

14.2.3.2 Delayed Enrollment -- Seasons of Competition.

14.2.3.2.1 Sports Other than Men's Ice Hockey and Skiing. In sports other than men's ice hockey and skiing, a student-athlete who does not enroll in a collegiate institution as a full-time student in a regular academic term during a one-year time period after his or her high school graduation date or the graduation date of his or her 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 and based on the prescribed educational path in the student-athlete's country), whichever occurs earlier, shall be subject to the following:

[14.2.3.2.1-(a) through 14.2.3.2.1-(b) unchanged.]

14.2.3.2.1.1 Exception -- National/International Competition. For a maximum of one year after a prospective student-athlete's first opportunity to enroll full time in a collegiate institution following the one-year time period after his or her high school graduation date or the graduation date of his or her class, whichever occurs earlier, participation in the following organized national/international competition is exempt from application of Bylaw 14.2.3.2.1:

(a) Official Olympic Games, Pan American Games, World Championships, World Cup, World University Games competition;

(b) Officially recognized competition from which participants may directly qualify for final tryouts for a national team that will participate in the Olympic Games, Pan American Game, World Championships, World Cup or World University Games and final tryout competition from which participants are selected for such teams; or

(c) Official competition involving a national team sponsored by the appropriate national governing body of the U.S. Olympic Committee (or, for student-athletes representing another nation, the equivalent organization of that nation).

[14.2.3.2.1.1 through 14.2.3.2.1.2 renumbered as 14.2.3.2.1.2 through 14.2.3.2.1.3 unchanged.]

B. Bylaws: Amend 14.2.3.2.1, as follows:

14.2.3.2.1 Matriculation After 20th Birthday -- Tennis. In tennis, a student who is eligible under Bylaw 14.2.3.2, but who participates in organized tennis events after his or her 20th birthday and before full-time enrollment at the certifying institution shall be subject to the following:

[14.2.3.2.1-(a) through 14.2.3.2.1-(b) unchanged.]

14.2.3.2.~~2~~**1.1** Exception -- Olympic Games, Pan American Games, World Championships, World Cup and World University Games Participation. Participation in the Olympic Games, Pan American Games, World Championships, World Cup and World University Games is exempt from application of ~~*Bylaws 14.2.3.2 and*~~ **Bylaw** 14.2.3.2.1.

Source: NCAA Division I Amateurism Cabinet

Effective Date: August 1. 2011; applicable to student-athletes who initially enroll full time in a collegiate institution on or after August 1, 2011.

Category: Amendment

Topical Area: Eligibility

Rationale: During the review of Proposal No. 2009-22 during the 2009-10 legislative cycle, concerns were raised related to its application to training, tryouts and competition related to national teams and international competition. Currently, the legislation includes an exception that exempts participation in the Olympic Games, Pan American Games, World Championships, World Cup and World University Games, but does not exempt participation in tryout events, competition involving a national team or qualifying competition for such international events. Therefore, if tryout events or qualifying events occur after a prospective student-athlete's first opportunity to enroll, he or she must make a difficult choice related to pursuing the Olympics (or other international competition) and whether to enroll full time in college. This proposal would allow prospective student-athletes to continue with training, tryout competition and qualifying competition without concern about using an intercollegiate season of competition.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 24, 2010 Submit Submitted for consideration.

Jun 25, 2010 Amateurism Cabinet, Sponsored

No. 2010-54 ELIGIBILITY -- SEASONS OF COMPETITION: FIVE-YEAR RULE -- HARDSHIP WAIVER -- FIRST HALF OF PLAYING SEASON CALCULATION -- TENNIS

Intent: In tennis, to specify that the first half of the season calculation is based on the number of days in the season that concludes with the NCAA championship, as declared by the institution, between the first date of competition used by any individual on the team after the conclusion of the institution's fall term and the last date of competition used by any individual on the team at the end of the declared playing season.

Bylaws: Amend 14.2.4.3, as follows:

14.2.4.3 Criteria for Administration of Hardship Waiver.

[14.2.4.3.1 through 14.2.4.3.3 unchanged.]

14.2.4.3.4 First-Half-of-Season Calculation.

[14.2.4.3.4.1 unchanged.]

14.2.4.3.4.2 Individual Sports **Other Than Tennis**. In individual sports **other than tennis**, the first half of the season calculation is based on the number of days in the season that concludes with the NCAA championship, as declared by the institution, between the first date of competition used by any individual on the team and the last date of competition used by any individual on the team at the end of the declared playing season, including a conference

championship and any regular-season competition scheduled after the conference championship (e.g., "last chance" meet). Any break in the declared season shall not be counted (e.g., institutional vacation period in which no practice or competition occurs). The total number of days in the championship season shall be divided by two in order to determine the first half of the season. A fractional portion of a day shall be rounded up to the next whole number.

14.2.4.3.4.3 Tennis. In tennis, the first half of the season calculation is based on the number of days in the season that concludes with the NCAA championship, as declared by the institution, between the first date of competition used by any individual on the team after the conclusion of the institution's fall term and the last date of competition used by any individual on the team at the end of the declared playing season, including a conference championship and any regular-season competition scheduled after the conference championship. Any break in the declared season shall not be counted (e.g., institutional vacation period in which no practice or competition occurs). The total number of days shall be divided by two in order to determine the first half of the season. A fractional portion of a day shall be rounded up to the next whole number.

Source: Southeastern Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Eligibility

Rationale: Tennis is one of a few spring championship sports in which fall competition is used to determine participants in the NCAA championship. Thus, in tennis, the first half of the season ends in late January or early February, while in other spring championship sports, the first half of the season ends approximately one month later. This proposal would make the calculation in tennis more consistent with other spring championship sports.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 14, 2010 Submit Submitted for consideration.

No. 2010-55 ELIGIBILITY -- INITIAL ELIGIBILITY -- COMMON PROVISIONS -- DIVISION I AND DIVISION II

Intent: To change the voting line for bylaws related to initial eligibility from federated to common for Division I and Division II, as specified.

A. Bylaws: Amend 14.3.1.2, as follows:

[Common provision, Division I and Division II, divided vote]

[To change voting line in Bylaws 14.3.1.2, 14.3.1.2.2 and 14.3.1.2.4 through 14.3.1.2.8 from federated to common (#)]

14.3.1.2 Core-Curriculum Requirements. For purposes of meeting the core-curriculum requirement to establish eligibility at a member institution, a "core course" must meet all of the following criteria:

(a) A course must be a recognized academic course and qualify for high school graduation credit in one or a combination of the following areas: English, mathematics, natural/physical science, social science, foreign language or nondoctrinal religion/philosophy;

(b) A course must be considered college preparatory by the high school. College preparatory is defined for these purposes as any course that prepares a student academically to enter a four-year collegiate institution upon graduation from high school;

(c) A mathematics course must be at the level of Algebra I or a higher-level mathematics course;

(d) A course must be taught by a qualified instructor as defined by the appropriate academic authority (e.g., high school, school district or state agency with authority of such matters); and

(e) A course must be taught at or above the high school's regular academic level (remedial, special education or compensatory courses shall not be considered core courses). However, the prohibition against the use of remedial or compensatory courses is not applicable to courses designed for students with education-impacting disabilities (see Bylaw 14.3.1.2.1.2).

[14.3.1.2.1 unchanged.]

14.3.1.2.2 Nontraditional Courses. Courses taught via the Internet, distance learning, independent study, individualized instruction, correspondence, and courses taught by similar means may be used to satisfy NCAA core-course requirements if all of the following conditions are satisfied:

(a) The course meets all requirements for a core course as defined in Bylaw 14.3.1.2;

(b) The instructor and the student have ongoing access to one another for purposes of teaching, evaluating and providing assistance to the student throughout the duration of the course;

(c) The instructor and the student have regular interaction with one another for purposes of teaching, evaluating and providing assistance to the student throughout the duration of the course;

(d) The student's work (e.g., exams, papers, assignments) is available for evaluation and validation;

(e) Evaluation of the student's work is conducted by the appropriate academic authorities in accordance with the high school's established academic policies;

(f) The course includes a defined time period for completion; and

(g) The course is acceptable for any student and is placed on the high school transcript.

[14.3.1.2.3 unchanged.]

14.3.1.2.4 English as a Second Language Course. It is permissible to use an advanced-level English as a Second Language (ESL) course to satisfy core-curriculum requirements, provided it is reviewed through the NCAA Initial-Eligibility Waiver process. Other ESL courses taught in disciplines other than English (e.g., social studies) may satisfy a core-course requirement, provided they are qualitatively and quantitatively the same as the comparison course in the regular-course offering.

14.3.1.2.5 Courses for Students with Education-Impacting Disabilities. High school courses for students with education-impacting disabilities may be used to fulfill the core-curriculum requirements, even if such courses appear to be taught at a level below the high school's regular academic instructional level (e.g., special education courses), if the high school principal submits a written statement to the NCAA Eligibility Center indicating that the courses are substantially comparable, quantitatively and qualitatively, to similar core course offerings in that academic discipline and the courses appear on the high school's list of approved core courses. Students with education-impacting disabilities still must complete the required core courses and achieve the minimum required grade-point average in the core curriculum. The fact that the title of a course includes a designation such as "remedial," "special education," "special needs," or other similar titles used for courses designed for students with education-impacting disabilities does not, in and of itself, disqualify a course from satisfying core-curriculum requirements.

14.3.1.2.6 Grade Value of Core Courses. The following grade values are to be used in determining a student's grade-point average in the core courses: A = 4 quality points, B = 3 quality points, C = 2 quality points, D = 1 quality point. In determining the core-curriculum grade-point average, each grade earned in a course (including all numerical grades) must be converted to this 4.000 scale on an individual-course basis. Pluses or minuses within a grade level shall not receive greater or lesser quality points. A school's normal practice of weighting honors or advanced courses may be used to compute the quality points awarded in those courses and the cumulative grade-point average, provided a written statement verifying the grading policy accompanies the prospective student-athlete's official grade transcript. An honors or advanced course shall receive no greater than 1.000 additional quality point (e.g., A=5.000). In calculating the grade in a weighted honors or advanced course, if a high school does not assign quality points to its courses, quality points shall be added to each course before calculating the student's grade-point average and not added to a student's cumulative core-course grade-point average. The core-curriculum grade-point average may be calculated using the student's 16 best grades from courses that meet the distribution requirements of the core curriculum. Additional core courses (beyond the 16 required) may be used to meet the core-curriculum grade-point average, provided the distribution requirements are met.

14.3.1.2.7 Pass-Fail Grades. Courses that are awarded pass-fail grades may be used to satisfy core-curriculum requirements. The NCAA Eligibility Center shall assign the course the lowest passing grade that the high school assigns for a pass-fail course.

14.3.1.2.8 Repeat Courses. A repeated course may be used only once to satisfy core-curriculum requirements. The best grade in that course may be used to calculate the grade-point average in the core curriculum.

B. Bylaws: Amend 14.3.1.3, as follows:

[Common provision, Division I and Division II, divided vote]

[To change the voting line in Bylaws 14.3.1.3 and 14.3.1.3.2 through 14.3.1.3.4 from federated to common (#)]

14.3.1.3 Test-Score Requirements. The minimum required SAT or ACT score (see Bylaw 14.3.1.1) must be achieved under national testing conditions on a national testing date [no residual (campus) testing, or regional testing dates] except that a state-administered ACT may be used to meet the test-score requirement.

[14.3.1.3.1 unchanged.]

14.3.1.3.2 Combined Test Scores. For students using the SAT examination, the highest scores achieved on the critical reading and mathematics sections of the SAT from two different national testing dates may be combined in determining whether the student has met the minimum test-score requirements. For students using the ACT examination, the highest scores achieved on the individual subtests of the ACT from more than one national testing date or state-administered examination may be combined in determining whether the student's sum score has met the minimum test-score requirement.

14.3.1.3.3 Nonstandard Test Administration. Students with education-impacting disabilities may use scores achieved during a nonstandard administration of the SAT or ACT. A student who takes a nonstandard SAT or ACT still must achieve the minimum required test score; however, the test is not required to be administered on a national testing date.

14.3.1.3.4 Test-Score Report. The minimum SAT or ACT score(s) used for initial-eligibility purposes must be provided to the NCAA Eligibility Center by the appropriate testing agency through an official test-score report.

Source: NCAA Division I Academics Cabinet

Effective Date: Immediate

Category: Amendment

Topical Area: Eligibility

Rationale: Federation of the Association has successfully provided Divisions I and II the opportunity to amend initial-eligibility legislation deemed most appropriate for each division (e.g., core-course distribution, test-score and grade-point average requirements and core-course time limitation). However, there are portions of the initial-eligibility legislation that traditionally have and practically should remain consistent for the two divisions. Designating these bylaws as common provisions will provide consistency for prospective student-athletes and high school coaches and administrators to understand initial-eligibility legislation and how courses completed by the prospective student-athlete will be used to certify eligibility. A consistent standard also will assist the NCAA Eligibility Center in more efficiently determining whether a particular student-athlete has fulfilled each division's initial-eligibility requirements. If the divisions have different legislation, the

NCAA Eligibility Center is required to apply different standards to the same course. This may result in two core-course lists for each high school, leading to duplicative work for the NCAA Eligibility Center and confusion for prospective student-athletes. However, the autonomy of each division to establish its own initial-eligibility requirements (e.g., number of core courses, minimum grade-point average and standardized test score) will be maintained under this proposal. [Note: NCAA Bylaw 14.3.1.2.2 will not be designated as common unless Division II also adopts a proposal currently active in its legislative cycle.]

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 28, 2010 Submit Submitted for consideration.

Jun 29, 2010 Academics Cabinet, Sponsored

No. 2010-56 ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE-CURRICULUM TIME LIMITATION -- LEAVING EXAMINATIONS

Intent: To specify that the eligibility of an international prospective student-athlete whose prescribed educational path culminates with a leaving examination shall be determined based on the leaving examination, regardless of a delay in graduation or completion of the leaving examination.

Bylaws: Amend 14.3.1.2.1, as follows:

14.3.1.2.1 Core-Curriculum Time Limitation. A prospective student-athlete must complete his or her core-curriculum requirements not later than the high school graduation date of the prospective student-athlete's class [as determined by the first year of enrollment in high school (ninth grade) or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility]. Graduation from high school or secondary school shall be based on the prospective student-athlete's prescribed educational path in his or her country. **The eligibility of an international student-athlete whose prescribed educational path culminates with a leaving examination (e.g., General Certificate of Secondary Education, Baccalaureat, Slutbetyg) shall be determined based on the leaving examination, regardless of a delay in graduation or completion of the leaving examination.**

[14.3.1.2.1.1 through 14.3.1.2.1.2 unchanged.]

Source: NCAA Division I Academics Cabinet (International Student Records Committee)

Effective Date: August 1, 2011; applicable to student-athletes who initially enroll full time in a collegiate institution on or after August 1, 2011.

Category: Amendment

Topical Area: Eligibility

Rationale: The eligibility of prospective student-athletes from examination-based countries should be certified using grades from the leaving examination, rather than transcripts, regardless of any delay in graduation or in taking the leaving exams. This approach recognizes the unique nature of the educational paths in examination-based countries and gives deference to the educational policies of such countries. A consistent approach for all prospective student-athletes from a particular country is the most appropriate means of certifying eligibility. In addition, transcripts can be difficult to obtain and often are unofficial documents which cannot be used for initial-eligibility certification. Using official leaving examinations will ease the administrative burden on prospective student-athletes, member institutions and the NCAA Eligibility Center. Further, individuals who complete their leaving exams during the normal timeframe for students in their educational system will still be permitted to complete one additional core course after graduation since they will not graduate on time. Finally, it should be noted that a prospective student-athlete who delays completion of the leaving examination (and also engages in organized competition prior to initial full-time enrollment) will be charged with seasons of competition under the delayed enrollment legislation, as the individual's anticipated date of graduation will not be changed for purposes of certifying competition prior to initial full-time collegiate enrollment.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 28, 2010 Submit Submitted for consideration.

Jun 29, 2010 Academics Cabinet, Sponsored

No. 2010-57 ELIGIBILITY -- FRESHMAN AND TRANSFER ACADEMIC REQUIREMENTS -- PARTICIPATION PRIOR TO CERTIFICATION -- RECRUITED STUDENT-ATHLETE -- 21-DAY PERIOD

Intent: To increase the temporary certification period for a recruited student-athlete from 14 days to 21 days.

A. Bylaws: Amend 14.3.5.1.1, as follows:

14.3.5.1.1 Temporary Certification, Recruited Student-Athlete. If a recruited student-athlete reports for athletics participation before his or her qualification status has been certified, the student may practice, but not compete, during a ~~*14*~~ **21**-day period, provided the student meets all other requirements to be eligible to practice. An institution shall not provide athletically related financial aid to the student during this period. After the ~~*14*~~ **21**-day period, the student shall have established minimum requirements as a qualifier (as certified by the NCAA Eligibility Center) to continue practicing or to compete and receive athletically related financial aid.

B. Bylaws: Amend 14.5.4.5.6.1, as follows:

14.5.4.5.6.1 Temporary Certification, Recruited Two-Year College Transfer. If a recruited two-year college transfer student reports for athletics participation before the student's high school or two-

year college academic record has been certified, the student may practice, but not compete, during a ~~*14*~~ **21**-day period, provided the student meets all other requirements to be eligible to practice. An institution shall not provide athletically related financial aid to the student during this period. After the ~~*14*~~ **21**-day period, the student shall have established minimum requirements as a transfer student to continue practicing or to compete and receive athletically related financial aid.

Source: Atlantic Coast Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Eligibility

Rationale: During peak times at the NCAA Eligibility Center (e.g., late summer, late winter) there is enormous pressure to process a large number of cases for competition and practice. Extending the certification period would alleviate some of the pressure to certify student-athletes for practice activities while allowing them to focus their efforts on certifying student-athletes for competition. Also, during the winter break period, the NCAA Eligibility Center is closed for a period of time (usually one business week, which equals nine certification days) while a student-athlete's 14-day certification clock continues to run. Additionally, institutions that start classes more than 14 days after the start of preseason practice must cease providing expenses incidental to participation when the 14-day period expires. Such a situation creates a financial burden on the student-athlete and raises concerns related to the student-athlete's well-being. The situation forces the student-athlete to either return home or remain in the locale of the institution at his or her own expense. It should be noted that this proposal is only intended to extend the certification period from 14 days to 21 days and student-athletes would continue to be prohibited from competing and/or receiving institutional athletically related financial aid until certified as a qualifier.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 13, 2010 Submit Submitted for consideration.

No. 2010-58 ELIGIBILITY, FINANCIAL AID AND PLAYING AND PRACTICE SEASONS -- SUMMER ACADEMIC PREPARATION AND COLLEGE ACCLIMATIZATION -- MEN'S BASKETBALL

Intent: In men's basketball, to establish a summer academic preparation and college acclimatization model, as specified.

A. Constitution: Amend 3.2.4, as follows:

3.2.4 Conditions and Obligations of Membership.

[3.2.4.1 through 3.2.4.16 unchanged.]

3.2.4.17 Academic Assessment -- Men's Basketball.

3.2.4.17.1 Assessment of Student-Athletes Receiving Athletically Related Financial Aid. In men's basketball, an active member shall assess all incoming student-athletes (including transfer student-athletes) who have signed the institution's written offer of athletically related financial aid for the following academic year to identify those who require enrollment in summer school prior to initial full-time enrollment at the certifying institution. The assessment shall be based on criteria defined by the institution and shall include an assessment of learning skills. In following years, the institution shall re-evaluate all continuing student-athletes who will receive athletically related financial aid in the following academic year using institutionally defined criteria to identify student-athletes who should be encouraged to enroll in summer school. (See Bylaws 15.2.8.1.2.5 and 15.2.8.1.4.1.)

3.2.4.17.1.1 Exception -- No Summer Session. An institution that does not offer summer session classes is not required to assess incoming or continuing student-athletes.

3.2.4.17.2 Assessment of Student-Athletes -- Institution That Does Not Award Athletics Aid or Awards Only Need-Based Athletics Aid. In men's basketball, an institution that does not award athletically related financial aid or an institution that awards athletically related financial aid based solely on demonstrated financial need, as determined for all students by the institution's financial aid office using methodologies that conform to federal, state and written institutional guidelines (including institutional financial aid that is considered athletically related financial aid based on the intervention of athletics department staff), shall assess all recruited incoming student-athletes (including transfer student-athletes) in order to identify those that require enrollment in summer school prior to initial full-time enrollment at the certifying institution and in order to conduct athletics development activities pursuant to Bylaw 17.1.6.2.1.1.3. The assessment shall be based on criteria defined by the institution and shall include an assessment of learning skills. In following years, the institution shall re-evaluate all continuing recruited student-athletes using institutionally defined criteria to identify student-athletes who should be encouraged to enroll in summer school. (See Bylaws 15.2.8.1.2.5 and 15.2.8.1.4.1.)

3.2.4.17.2.1 Exception -- No Summer Session. An institution that does not offer summer session classes is not required to assess incoming or continuing student-athletes.

B. Bylaws: Amend 13.02.12, as follows:

13.02.12 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):

[13.02.12-(a) through 13.02.12-(c) unchanged.]

[13.02.12.1 through 13.02.12.2 unchanged.]

13.02.12.3 Exception -- Men's Basketball. In men's basketball, a recruited prospective student-athlete (including a transfer prospective student-athlete) who has signed the institution's written offer of financial aid for the following academic year shall be considered a student-athlete at the point in which he attends a class for which he is registered and enrolled in the institution's summer term prior to his initial full-time enrollment at the institution.

C. Bylaws: Amend 14.4.3, as follows:

14.4.3 Eligibility for Competition.

14.4.3.1 Fulfillment of Credit-Hour Requirements. Eligibility for competition shall be determined based on satisfactory completion of at least:

[14.4.3.1-(a) through 14.4.3.1-(c) unchanged.]

[14.4.3.1.1 through 14.4.3.1.2 unchanged.]

14.4.3.1.3 Summer School Requirements -- Men's Basketball. In men's basketball, an incoming student-athlete (including a transfer student-athlete) who attends summer school prior to initial full-time enrollment at the certifying institution and engages in summer athletics development activities (see Bylaw 17.1.6.2.1.1.3) shall successfully complete a minimum of three credit hours of acceptable degree credit (other than physical education activity courses) toward any of the institution's degree programs in order to be eligible to compete in his first regular term of full-time enrollment. Remedial, tutorial and noncredit courses may be used to satisfy this requirement, provided the courses are considered by the institution to be prerequisites for specific courses acceptable for any degree program and are given the same academic weight as other courses offered by the institution. A continuing student-athlete who attends summer school and who engages in summer athletics development activities (see Bylaw 17.1.6.2.1.1.3) shall successfully complete a minimum of six credit hours in order to be eligible to compete in the first term of the following academic year.

D. Bylaws: Amend 15.2.8, as follows:

15.2.8 Summer Financial Aid. Summer financial aid may be awarded only to attend the awarding institution's summer term, summer school or summer-orientation program, provided the following conditions are met:

[15.2.8-(a) through 15.2.8-(c) unchanged.]

15.2.8.1 General Stipulations. A student-athlete who is eligible for institutional financial aid during the summer is not required to be enrolled in a minimum full-time program of studies. However, the student-athlete may not receive financial aid that exceeds the cost of attendance in that summer term. A student-athlete may receive institutional financial aid based on athletics ability (per Bylaw 15.02.4.1), outside financial aid for which athletics participation is a major criterion (per Bylaw 15.2.6.4) and educational expenses awarded (per Bylaw 15.2.6.5) up to the value of a full grant-in-aid, plus any other financial aid unrelated to athletics ability up to cost of

attendance. (See Bylaws 15.01.6.1, 15.01.6.2, 16.3, 16.4 and 16.12.)

[15.2.8.1.1 unchanged.]

15.2.8.1.2 Enrolled Student-Athletes. After initial full-time enrollment during a regular academic year, a student-athlete shall not receive athletically related financial aid to attend the certifying institution's summer term or summer school unless the student-athlete received such athletically related aid from the certifying institution during the student-athlete's previous academic year at that institution. Further, such aid may be awarded only in proportion to the amount of athletically related financial aid received by the student-athlete during the student-athlete's previous academic year at the certifying institution, except that this proportionality restriction shall not apply to a student-athlete who has exhausted his or her eligibility and is enrolled in a summer program of studies that will permit the student-athlete to complete his or her degree requirements.

[15.2.8.1.2.1 through 15.2.8.1.2.4 unchanged.]

15.2.8.1.2.5 Required Financial Aid -- Men's Basketball. Each year, the institution shall assess all continuing men's basketball student-athletes who will receive athletically related financial aid in the following academic year using institutionally defined criteria to identify those who should attend summer school. Student-athletes who are not on schedule to graduate in five years from initial full-time enrollment shall be strongly encouraged to attend summer school. The institution shall provide a full athletics grant-in-aid to a student-athlete who is identified through the assessment and chooses to attend, provided he is enrolled in a minimum of six credit hours.

15.2.8.1.2.5.1 Exception -- No Athletically Related Aid or Need-Based Athletically Related Aid. An institution that does not award athletically related financial aid or an institution that awards athletically related financial aid based solely on demonstrated financial need, as determined for all students by the institution's financial aid office using methodologies that conform to federal, state and written institutional guidelines (including institutional financial aid that is considered athletically related financial aid based on the intervention of athletics department staff), is not required to award athletically related financial aid to student-athletes who attend summer school.

[15.2.8.1.3 unchanged.]

15.2.8.1.4 Prior to Initial, Full-Time Enrollment at the Certifying Institution -- Athletics Aid. The following conditions apply to the awarding of athletically related financial aid to a prospective student-athlete (including a prospective student-athlete not certified by the NCAA Eligibility Center as a qualifier) to attend an institution in the summer prior to the prospective student's initial, full-time enrollment at the certifying institution (see also Bylaw 13.02.11.1):

[15.2.8.1.4-(a) through 15.2.8.1.4-(e) unchanged.]

15.2.8.1.4.1 Required Financial Aid -- Men's Basketball. In men's basketball, a student-athlete who is required to attend summer school based on the institution's academic assessment (see Constitution 3.2.4.17) shall receive a full athletics grant-in-aid. Such a student-athlete shall enroll in a minimum of six credit hours (other than physical education activity courses) of acceptable degree credit toward any of the

institution's degree programs and shall receive learning skills education. Remedial, tutorial and noncredit courses may be used to satisfy this requirement, provided the courses are considered by the institution to be prerequisites for specific courses acceptable for any degree program and are given the same academic weight as other courses offered by the institution.

15.2.8.1.4.1.1 Exception -- No Athletically Related Aid or Need-Based Athletically Related Aid. An institution that does not award athletically related financial aid or an institution that awards athletically related financial aid based solely on demonstrated financial need, as determined for all students by the institution's financial aid office using methodologies that conform to federal, state and written institutional guidelines (including institutional financial aid that is considered athletically related financial aid based on the intervention of athletics department staff), is not required to award athletically related financial aid to student-athletes who attend summer school.

E. Bylaws: Amend 17.1.6.2.1, as follows:

17.1.6.2.1 Institutional Vacation Period and Summer.

17.1.6.2.1.1 Sports Other than Championship Subdivision Football. In sports other than championship subdivision football, a student-athlete may not participate in any countable athletically related activities outside the playing season during any institutional vacation period and/or summer. Strength and conditioning coaches who are not countable coaches and who perform such duties on a department-wide basis may design and conduct specific workout programs for student-athletes, provided such workouts are voluntary and conducted at the request of the student-athlete.

[17.1.6.2.1.1.1 through 17.1.6.2.1.1.2 unchanged.]

17.1.6.2.1.1.3 Athletics Development Activities -- Men's Basketball. In men's basketball, an institution may designate eight weeks of the summer during which incoming and continuing student-athletes who are enrolled in and attending summer school (in a minimum of six credit hours) may engage in required weight-training, conditioning and skill-related instruction. A student-athlete's participation in such activities per Bylaw 17.02.1 shall be limited to a maximum of eight hours per week with not more than two hours per week spent on skill-related workouts.

17.1.6.2.1.1.3.1 No Athletically Related Aid or Need-Based Athletically Related Aid. A student-athlete who attends an institution that does not award athletically related financial aid or an institution that awards athletically related financial aid based solely on demonstrated financial need, as determined for all students by the institution's financial aid office using methodologies that conform to federal, state and written institutional guidelines (including institutional financial aid that is considered athletically related financial aid based on the intervention of athletics department staff), may participate in athletics development activities pursuant to Bylaw 17.1.6.2.1.1.3, provided the institution awards all the institutional financial aid (e.g., need-based aid) for which the student-athlete qualifies.

[17.1.6.2.1.2 unchanged.]

Source: NCAA Division I Board of Directors (Men's Basketball Academic Enhancement Group).

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Eligibility

Rationale: Data indicates that student-athletes who undergo early institutional academic and learning assessments and receive the necessary additional academic support or attend additional summer school sessions are more likely to graduate within a five-year period. Further, both academically at-risk and high achieving student-athletes who enroll in summer school, particularly early in their academic careers, tend to experience enhanced academic success during their collegiate enrollment. This proposal recognizes the importance of the accrued academic benefits of summer school attendance and that retention problems drive a low Academic Progress Rate. The development of an institutional connection is a critically important factor in retaining students. Summer bridge programs have been shown to be particularly effective in this regard. Given the critical importance of the relationship between coach and student-athlete, it is fair to consider that enhancing that relationship will also enhance the connection that a student-athlete feels toward the institution. This proposal will provide opportunities for both academic and athletic improvement, which will, in turn, contribute to greater retention of student-athletes. Allowing limited athletically related activities in a structured environment will not significantly impact competitive equity, but it will prove beneficial in establishing stronger relationships and enhancing the student-athlete's bond to the institution. (For more information, please see the final report of the Division I Men's Basketball Academic Enhancement Group.)

Estimated Budget Impact: Will vary among institutions.

Impact on Student-Athlete's Time (Academic and/or Athletics): Minimal as compared to the current model.

Position Statement(s)

History:

Jul 21, 2010 Submit Submitted for consideration.

No. 2010-59 ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- FULFILLMENT OF CREDIT HOUR REQUIREMENTS -- FALL TERM ACADEMIC REQUIREMENT FOR FUTURE COMPETITION -- FOOTBALL

Intent: In football, to specify that a student-athlete who does not successfully complete nine-semester hours or eight-quarter hours of academic credit during the fall term and earn the Academic Progress Rate eligibility point for the fall term shall not be eligible to compete in the first four contests against outside competition in the following playing season; further, to specify that the student-athlete may regain eligibility to compete in the third and fourth contests of that season, provided he or she successfully completes at least 27-semester hours or 40-quarter hours of academic credit before the beginning of the next fall term.

Bylaws: Amend 14.4.3.1, as follows:

[Federated provision, FBS and FCS, divided vote]

14.4.3.1 Fulfillment of Credit-Hour Requirements. Eligibility for competition shall be determined based on satisfactory completion of at least:

[14.4.3.1-(a) through 14.4.3.1-(c) unchanged.]

[14.4.3.1.1 through 14.4.3.1.5 unchanged.]

14.4.3.1.6 Additional Requirements -- Football. In football, a student-athlete who is a member of the institution's football team and who does not successfully complete at least nine-semester hours or eight-quarter hours of academic credit during the fall term and earn the Academic Progress Rate eligibility point for the fall term shall not be eligible to compete in the first four contests against outside competition in the following playing season.

14.4.3.1.6.1 Regaining Eligibility for Two Contests. A student-athlete who is ineligible, pursuant to Bylaw 14.4.3.1.6, to compete in the first four contests of a playing season against outside competition may regain eligibility to compete in third and fourth contests of that season, provided he or she successfully completes at least 27-semester hours or 40-quarter hours of academic credit before the beginning of the next fall term. A student-athlete in his or her initial year of full-time collegiate enrollment at the certifying institution may use credit hours earned at the certifying institution during the summer prior to initial full-time enrollment and credit hours earned during the summer following the regular academic year to satisfy the 27-semester/40-quarter credit-hour requirement.

[14.4.3.1.6 through 14.4.3.1.7 renumbered as 14.4.3.1.7 through 14.4.3.1.8, unchanged.]

Source: NCAA Division I Board of Directors (Football Academic Working Group)

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Eligibility

Rationale: Through extensive review of data, the Football Academic Working Group noted the Academic Progress Rate (APR) issues in football tend to be due to eligibility. The most recent eligibility APR for football (939.7) is the lowest of all Division I sports and is approximately seven points lower than the retention APR for football (946.8). Data indicate that football student-athletes lose a significant number of eligibility points during the fall term. In addition, data demonstrate that a football student-athlete who earns nine credit hours during the fall term earns more APR points during his academic career, is more likely to graduate and is less likely to become an "0/2" student-athlete. These provisions will help ensure that football student-athletes are progressing toward a degree. Maintaining some ineligibility for contests during the subsequent fall term is important to facilitate the cultural change needed to ensure that football student-athletes earn at least nine credit hours during the fall and use the summer to progress toward earlier graduation rather than using the summer to regain eligibility for the fall. In addition, increasing the academic requirements for the fall will address the time demands issue by requiring football student-athletes and coaches to prioritize time for academics.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee opposes the proposal. The committee believes that the APR in football is making adequate improvement and that existing legislation and policies will sufficiently provide for continued APR improvement. The committee expressed concern that such requirements may lead to student-athletes being steered to less rigorous degree programs just to remain eligible for competition. In addition, committee notes that while a similar rule has been successful in baseball, baseball student-athletes typically have one term of enrollment (fall) to get acclimated to college before their in-season academic requirements go into effect (spring).

History:

Aug 03, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Recommends Defeat

No. 2010-60 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/virtual courses, independent study or any other course or credit that is not earned in a face-to-face classroom environment with regular interaction between the instructor and the student) completed at an institution other than the certifying institution, may be used to meet credit-hour and percentage-of-degree requirements, provided 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 Institution. Correspondence, extension and credit by examination courses taken from an 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.*~~ **Nontraditional Courses from Another Institution. Nontraditional courses (e.g., distance-learning, correspondence, extension, Internet/virtual courses, independent study or any other course or credit that is not earned in a face-to-face classroom environment with regular interaction between the instructor and the student) completed at an 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) The course is available to any student at the certifying institution;

(b) The certifying institution considers enrollment in the course as regular course enrollment for all students; and

(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.

[14.4.3.4.3.1 through 14.4.3.4.3.2 unchanged.]

[14.4.3.4.4 through 14.4.3.4.7 unchanged.]

~~*14.4.3.4.8 Distance Learning Courses. Credit hours earned via distance learning may be used to meet all progress-toward degree requirements provided:*~~

~~*(a) Evaluation of student's work is conducted by the appropriate academic authorities in accordance with the institution's established academic policies; and*~~

~~*(b) The course is available to any student at the certifying institution and is reflected on the certifying institution's transcript.*~~

[14.4.3.4.9 through 14.4.3.4.10 unchanged.]

Source: NCAA Division I Academics Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Eligibility

Rationale: In light of the prevalence and acceptance of nontraditional courses throughout post-secondary education, it is appropriate to update the legislation regarding the various methods of course delivery and whether such courses may be used toward progress-toward-degree requirements for competition. This proposal provides the opportunity for student-athletes to use nontraditional coursework, but also recognizes the potential for academic misconduct and provides safeguards against misuse to meet eligibility requirements. In general, a student-athlete should be provided similar access to nontraditional courses as all students at his or her institution in order to fulfill the full-time enrollment requirements, provided the institution considers enrollment in such a course as regular course enrollment for all students. Finally, this proposal respects institutional discretion and authority in setting course content and curriculum, and relies on institutional integrity and scrutiny with regard to the delivery of nontraditional courses.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): May allow for more favorable/convenient schedules.

Position Statement(s)

History:

Jun 28, 2010 Submit Submitted for consideration.

Jun 29, 2010 Academics Cabinet, Sponsored

No. 2009-70 FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S SAND VOLLEYBALL

Intent: In sand volleyball, to establish the maximum equivalency and counter limitations, as specified.

Bylaws: Amend 15.5, as follows:

15.5 MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT

[15.5.1 through 15.5.7 unchanged]

15.5.8 Women's Sand Volleyball Limitations.

15.5.8.1 Institutions That Sponsor Women's Sand Volleyball and Women's Volleyball. If an institution sponsors women's sand volleyball and women's volleyball, the annual limit on the value of financial aid awards (equivalencies) provided to counters and the annual limit on the total number of counters in women's sand volleyball shall be:

(a) During the 2011-12 academic year, three equivalencies and 14 counters;

(b) During the 2012-13 academic year, four equivalencies and 14 counters;

(c) During the 2013-14 academic year, five equivalencies and 14 counters; and

(d) During the 2014-15 academic year and thereafter, six equivalencies and 14 counters.

15.5.8.2 Institutions That Sponsor Women's Sand Volleyball but Do Not Sponsor Women's Volleyball. If an institution does not sponsor women's volleyball, there shall be an annual limit of eight on the value of financial aid awards (equivalencies) provided to counters and an annual limit of 14 on the total number of counters in women's sand volleyball.

[15.5.8 through 15.5.12 renumbered as 15.5.9 through 15.5.13, unchanged.]

Source: NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Financial Aid

Rationale: Limiting the equivalencies to six among 14 total counters is appropriate based on the anticipated playing rules for women's sand volleyball, which would permit five two-person units to compete as a team in competition. It is anticipated that during the sport's emergence, there will be a high number of student-athletes who will participate in both women's volleyball and women's sand volleyball. Limiting the total number of counters will assist in maintaining competitive balance. Based on the information provided to the NCAA Committee on Women's Athletics related to the current women's sand volleyball participation numbers, these financial aid limits provide appropriate financial aid opportunities as the sport develops as an NCAA sport. Further, eight equivalencies for women's sand volleyball is appropriate for institutions that do not sponsor women's volleyball because the concerns regarding the number of student-athletes who

participate in both sports do not exist at those institutions. Finally, it should be noted that pursuant to the application of the multisport participant legislation, a counter in women's sand volleyball who also practices or competes in women's volleyball shall be a counter in women's volleyball.

Estimated Budget Impact: Will vary by sponsorship and amount of financial aid offered within the limitations.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 11, 2009 Awards, Benefits, Expenses and Financial Aid Cabinet, Sponsored

Jul 16, 2009 Submit Submitted for consideration.

Jan 13, 2010 Leg Council Init Review, Forwarded for Membership Comment

Jan 17, 2010 Comment Period Start of Comment Period

Mar 17, 2010 Comment Period End of Comment Period; (Official Comment Totals: Support = 0, Oppose = 2, Abstain = 0)

Apr 13, 2010 Leg Council Final Review, Tabled With the delay to the effective date for the addition of women's sand volleyball to the list of emerging sports for women, current proposals and any new concepts related to the sport will be considered in the 2010-11 legislative cycle.

No. 2010-61 FINANCIAL AID -- GENERAL PRINCIPLES -- ELIGIBILITY OF STUDENT-ATHLETES FOR INSTITUTIONAL FINANCIAL AID -- EXCEPTION -- PART TIME ENROLLMENT AFTER EXHAUSTED ELIGIBILITY

Intent: To specify that an institution may provide financial aid to a student-athlete who has exhausted eligibility in his or her sport and is enrolled in less than a minimum full-time program of studies, provided the student-athlete is carrying for credit the courses necessary to complete degree requirements, or the student-athlete is carrying for credit all the degree-applicable courses necessary to complete his or her degree requirements that are offered by the institution during that term.

Bylaws: Amend 15.01.5, as follows:

15.01.5 Eligibility of Student-Athletes for Institutional Financial Aid. A student-athlete must meet applicable NCAA (see Bylaw 14), conference and institutional regulations to be eligible for institutional financial aid. If these regulations are met, the student-athlete may be awarded institutional financial aid during any term in which a student-athlete is in regular attendance [was enrolled initially in a minimum full-time program of studies as defined by the certifying institution during that term (see Bylaw 14.1.8.2.1.3 for final term exception and Bylaw 15.2.8 for summer-term exception)] under the following circumstances:

[15.01.5-(a) through 15.01.5-(d), unchanged.]

[Note: See Bylaw 13.1.1.3 for the financial aid implications in the prohibition against contacting student-athletes of another four-year collegiate institution without permission of that institution's athletics director. See Bylaw 14.5.5.4 for financial aid implications related to the academic eligibility of four-year college transfers.]

15.01.5.1 Exception -- Part-Time Enrollment after Exhausted Eligibility. An institution may provide financial aid to a student-athlete who has exhausted eligibility in his or her sport and is enrolled in less than a minimum full-time program of studies, provided:

(a) The student-athlete is carrying for credit the courses necessary to complete degree requirements; or

(b) The student-athlete is carrying for credit all the degree-applicable courses necessary to complete his or her degree requirements that are offered by the institution during that term.

[15.01.5.1 renumbered as 15.01.5.2, unchanged.]

Source: NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: Current legislation requires a student-athlete to begin a term as a full-time student in order to receive athletically related financial aid. A student-athlete who is in his or her final term of a degree program may receive financial aid without being enrolled full time, provided he or she is carrying for credit the courses necessary to complete degree requirements. However, the exception does not account for situations in which a student-athlete who has exhausted intercollegiate eligibility is unable to enroll in all courses necessary to earn his or her degree in a single academic term due to limited course availability and/or degree-sequencing issues. This legislative change promotes student-athlete well-being by providing an additional opportunity for a student-athlete to receive athletics aid to earn his or her degree without requiring initial full-time enrollment during a term. Since this proposal only applies to student-athletes who have exhausted athletics eligibility, there are no competitive-equity concerns related to practice or competition while enrolled less than full time for one or more terms. Finally, this proposal would reduce bureaucracy by eliminating the need for an institution to go through the procedure of having a student-athlete unnecessarily enroll as a full-time student and/or submitting a waiver request.

Estimated Budget Impact: Potential for less financial aid required for a student-athlete to complete his or her degree.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 01, 2010 Submit Submitted for consideration.

Jun 02, 2010 Awards, Benefits, Expenses and Financial Aid Cabinet, Sponsored

No. 2010-62 FINANCIAL AID -- DEFINITIONS AND APPLICATIONS -- EXEMPTED INSTITUTIONAL FINANCIAL AID -- FEDERAL NEED-BASED FINANCIAL AID

Intent: To specify that federal government grants awarded based on a student's demonstrated financial need are considered exempted institutional financial aid and are not counted in determining the institution's financial aid limitations, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient.

Bylaws: Amend 15.02.4.3, as follows:

15.02.4.3 Exempted Institutional Financial Aid. The following institutional financial aid is exempt and is not counted in determining the institution's financial aid limitations:

(a) An honorary award for outstanding academic achievement or an established institutional research grant that meets the criteria set forth in Bylaw 15.02.6 (and must be included in determining if the student-athlete's cost of attendance has been met); ~~*and*~~

(b) A postgraduate scholarship awarded by an institution in accordance with Bylaw 16.1.4.1.1**; and**

(c) Federal government grants awarded based on a student's demonstrated financial need [e.g., Supplemental Educational Opportunities Grant (SEOG)], regardless of whether the institution is responsible for selecting the recipient of determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient.

Source: NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: Currently, selected federal government grants are exempted from team and individual limit calculations. However, not all federal need-based aid [e.g., Supplemental Educational Opportunities Grant (SEOG)] is exempted from the calculation of maximum team financial aid limits. All federal government grants awarded based on a student's demonstrated financial need should be exempted from counting toward the maximum team financial aid limits. The aid would continue to count against the individual limit. This legislation would have a positive impact on student-athlete well-being by permitting additional sources of aid for the financially neediest students to be exempted from team financial aid limits and eliminating situations in which student-athletes are required to choose between accepting athletics aid of federal need-based aid. Safeguards (e.g., defined awarding criteria for all candidates, predetermined federal methodologies for calculating students with financial need, audits) are already in place for determining the recipients of federal need-based aid, thus minimizing the potential for abuse. Finally, this change would reduce bureaucracy for NCAA compliance monitoring and financial aid offices.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 01, 2010 Submit Submitted for consideration.

Jun 02, 2010 Awards, Benefits, Expenses and Financial Aid Cabinet, Sponsored

No. 2010-63 FINANCIAL AID -- DEFINITIONS AND APPLICATIONS -- EXEMPTED INSTITUTIONAL FINANCIAL AID -- STATE NEED-BASED FINANCIAL AID

Intent: To specify that state government grants awarded based on a student's demonstrated financial need, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient is not included in determining the institution's financial aid limitations, provided the aid is administered in accordance with the federal methodology for determining a student's financial need and has no relationship to athletics ability; however, such aid is not exempt in determining a student-athlete's counter status for purposes of applying the football or basketball, varsity competition legislation.

Bylaws: Amend 15.02.4.3, as follows:

15.02.4.3 Exempted Institutional Financial Aid. The following institutional financial aid is exempt and is not counted in determining the institution's financial aid limitations:

(a) An honorary award for outstanding academic achievement or an established institutional research grant that meets the criteria set forth in Bylaw 15.02.6 (and must be included in determining if the student-athlete's cost of attendance has been met); ~~*and*~~

(b) A postgraduate scholarship awarded by an institution in accordance with Bylaw 16.1.4.1.1~~.~~**; and**

(c) State government grants awarded based on a student's demonstrated financial need, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient, provided the aid is administered in accordance with the federal methodology for determining a student's financial need and has no relationship to athletics ability. However, such aid is not exempt for purposes of determining a football or basketball student-athlete's counter status pursuant to Bylaw 15.5.1.2.

Source: NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: All state aid based on a student's demonstrated financial need (regardless of whether the aid is administered by an institution) should be exempt from counting toward a team's maximum

financial aid limits, provided the aid is administered in accordance with the federal methodology for determining a student's financial need and has no relationship to athletics ability. The aid would continue to count against the individual limit. This proposal does not change the current application for determining a football or basketball student-athlete's counter status pursuant to the football or basketball, varsity competition legislation. This change would have a positive impact on student-athlete well-being by permitting additional sources of aid to be exempt from team financial aid limits and eliminating situations in which student-athletes are required to choose between accepting athletics aid or state need-based aid. The potential for abuse is minimized through the use of safeguards already in place to determine the recipients of state need-based aid and the requirement that the aid is administered in accordance with the federal methodology for determining a student's financial need and has no relationship to athletics ability. Finally, this change reduces bureaucracy for NCAA compliance monitoring and financial aid offices.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 01, 2010 Submit Submitted for consideration.

Jun 02, 2010 Awards, Benefits, Expenses and Financial Aid Cabinet, Sponsored

No. 2010-64 FINANCIAL AID -- DEFINITIONS AND APPLICATIONS -- EXEMPTED INSTITUTIONAL FINANCIAL AID -- STATE MERIT-BASED FINANCIAL AID

Intent: To specify that state government merit-based grants are considered exempted institutional financial aid and are not counted in determining the institution's financial aid limitations, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient, provided the aid is awarded consistent with the criteria of the legislative requirements of an academic honor award or institutional academic scholarship and has no relationship to athletics ability; however, such aid is not exempt in determining a student-athlete's counter status for purposes of applying the football or basketball, varsity competition legislation.

Bylaws: Amend 15.02.4.3, as follows:

15.02.4.3 Exempted Institutional Financial Aid. The following institutional financial aid is exempt and is not counted in determining the institution's financial aid limitations:

(a) An honorary award for outstanding academic achievement or an established institutional research grant that meets the criteria set forth in Bylaw 15.02.6 (and must be included in determining if the student-athlete's cost of attendance has been met); ~~*and*~~

(b) A postgraduate scholarship awarded by an institution in accordance with Bylaw 16.1.4.1.1~~.~~**;** **and**

(c) State government merit-based grants, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient, provided the aid is awarded consistent with the criteria of Bylaws 15.5.3.2.2.1, 15.5.3.2.2.2 or 15.5.3.2.2.3 and has no relationship to athletics ability. However, such aid is not exempt for purposes of determining a football or basketball student-athlete's counter status pursuant to Bylaw 15.5.1.2.

Source: NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: Currently, if a student-athlete who is a counter also receives a merit-based state scholarship that is administered by the institution, the scholarship must count against the team limit, regardless of the awarding criteria. This proposal would allow such aid to be exempted from counting against team limits if the awarding criteria satisfy the legislative requirements for an academic honor award or institutional academic scholarship and have no relationship to athletics ability. The aid would continue to count against the individual limit. This proposal does not change the current application for determining a football or basketball student-athlete's counter status pursuant to the football or basketball, varsity competition legislation. This change would have a positive impact on student-athlete well-being by permitting additional sources of aid to be exempt from team financial aid limits and eliminating situations in which student-athletes are required to choose between accepting athletics aid or state merit-based aid. Finally, permitting an institution to exempt an award that is provided in a manner consistent with institutional policies does not create additional NCAA rules bureaucracy for financial aid offices, but rather ensures some safeguards are in place to minimize the potential for abuse.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 01, 2010 Submit Submitted for consideration.

Jun 02, 2010 Awards, Benefits, Expenses and Financial Aid Cabinet, Sponsored

No. 2010-65 FINANCIAL AID -- DEFINITIONS AND APPLICATIONS -- RECRUITED STUDENT-ATHLETE

Intent: To establish a definition of "recruited student-athlete" for purposes of Bylaw 15, as specified.

A. Bylaws: Amend 15.02, as follows:

15.02 DEFINITIONS AND APPLICATIONS

[15.02.1 through 15.02.3.1 unchanged.]

15.02.4 Financial Aid. "Financial aid" is funds provided to student-athletes from various sources to pay or assist in paying their cost of education at the institution. As used in NCAA legislation, "financial aid" includes all institutional financial aid and other permissible financial aid as set forth below. (See Bylaws 15.01.6.1, 15.01.6.2, 16.2, 16.3 and 16.4.)

15.02.4.1 Institutional Financial Aid. The following sources of financial aid are considered to be institutional financial aid:

[15.02.4.1-(a) through 15.02.4.1-(b) unchanged.]

(c) For the student-athlete recruited by the institution **(per Bylaw 15.02.8)**, financial aid awarded through an established and continuing outside program (e.g., National Football Foundation) for the recognition of outstanding high school graduates in which athletics participation may be a major criterion, as outlined in Bylaw 15.2.6.4. This aid counts against an institution's sport-by-sport financial aid limitations and also against the individual's full-grant-in-aid limit.

15.02.4.2 Other Permissible Financial Aid. The following sources of financial aid are also permitted:

[15.02.4.2-(a) through 15.02.4.2-(c) unchanged.]

(d) For the student-athlete not recruited by the institution **(per Bylaw 15.02.8)**, financial aid awarded through an established and continuing outside program (e.g., National Football Foundation) for the recognition of outstanding high school graduates, in which athletics participation may be a major criterion, as outlined in Bylaw 15.2.6.4. This aid does not count against an institution's sport-by-sport financial aid limitations but does count against the individual's full-grant-in-aid limit; and

[15.02.4.2-(e) unchanged.]

[15.02.4.3 through 15.02.4.5 unchanged.]

[15.02.5 through 15.02.7 unchanged.]

15.02.8 Recruited Student-Athlete. For purposes of Bylaw 15, a recruited student-athlete is a student-athlete who:

(a) Was provided an official visit to the institution's campus;

(b) Had an arranged, in-person, off-campus encounter with a member of the institution's coaching staff (including a coach's arranged, in-person, off-campus encounter with the prospective student-athlete or the prospective student-athlete's parents, relatives or legal guardians); or

(c) Was issued a National Letter of Intent or a written offer of athletically related financial aid by the institution for a regular academic term.

B. Bylaws: Amend 15.1.3, as follows:

15.1.3 Recruited Student-Athlete Receiving Institutional Financial Aid. Unearned financial aid (excluding loans) administered by an institution to an athletically recruited student **(per Bylaw**

15.02.8) is subject to the limitations set forth in Bylaw 15.1. Such aid is considered to be athletically related financial aid unless the faculty athletics representative and the director of financial aid certify that the aid was granted without regard in any degree to athletics ability (see Bylaw 15.5.1.1).

C. Bylaws: Amend 15.2.6.4, as follows:

15.2.6.4 Athletics Participation as a Major Criterion. A student-athlete may receive financial aid through an established and continuing program for the recognition of outstanding high school graduates, provided the following conditions are met:

[15.2.6.4-(a) through 15.2.6.4-(f) unchanged.]

(g) If the recipient is recruited **(per Bylaw 15.02.8)**, the recipient is considered a counter per Bylaw 15.5.1, and the amount is applied to the maximum awards limitations of Bylaw 15.5 for the sport in question; and

[15.2.6.4-(h) unchanged.]

[Remainder of 15.2.6.4 unchanged.]

D. Bylaws: Amend 15.2.8.1.3, as follows:

15.2.8.1.3 Prior to Initial, Full-Time Collegiate Enrollment -- Institutional Nonathletics Aid. The following conditions apply to the awarding of institutional nonathletics financial aid to a prospective student-athlete to attend an institution in the summer prior to the prospective student-athlete's initial, full-time collegiate enrollment:

[15.2.8.1.3-(a) unchanged.]

(b) The recipient, if recruited **(per Bylaw 15.02.8)**, is subject to NCAA transfer provisions pursuant to Bylaw 14.5.2-(h);

[15.2.8.1.3-(c) through 15.2.8.1.3-(d) unchanged.]

E. Bylaws: Amend 15.2.8.1.4, as follows:

15.2.8.1.4 Prior to Initial, Full-Time Enrollment at the Certifying Institution -- Athletics Aid. The following conditions apply to the awarding of athletically related financial aid to a prospective student-athlete (including a prospective student-athlete not certified by the NCAA Eligibility Center as a qualifier) to attend an institution in the summer prior to the prospective student's initial, full-time enrollment at the certifying institution (see also Bylaw 13.02.12.1):

[15.2.8.1.4-(a) through 15.2.8.1.4-(b) unchanged.]

(c) The recipient, if recruited **(per Bylaw 15.02.8)**, is subject to NCAA transfer provisions pursuant to Bylaw 14.5.2-(h), unless admission to the institution as a full-time student is denied;

[Remainder of 15.2.8.1.4 unchanged.]

F. Bylaws: Amend 15.5.1, as follows:

15.5.1 Counters. A student-athlete shall be a counter and included in the maximum awards limitations set forth in this bylaw under the following conditions:

[15.5.1-(a) unchanged.]

(b) Athletics Participation as a Major Criterion. A recruited student-athlete **(per Bylaw 15.02.8)** who receives outside financial aid for which athletics participation is a major criterion (see Bylaw 15.2.6.4) shall become a counter for the year during which the student-athlete receives the aid; or

[15.5.1-(c) unchanged.]

15.5.1.1 No Athletics Aid -- Certification Required. A student-athlete **[**(except for a recruited football or basketball student-athlete **(per Bylaw 15.02.8)]** who does not receive athletically related financial aid per Bylaw 15.5.1-(a) through Bylaw 15.5.1-(c) but receives institutional financial aid (as set forth in Bylaw 15.02.4.1) shall not be a counter if the faculty athletics representative and the director of financial aid that the student-athlete's financial aid have certified was granted without regard in any degree to athletics ability. The certification shall be kept on file in the office of the athletics director.

15.5.1.2 Football or Basketball, Varsity Competition. In football or basketball, a student-athlete who was recruited **(see Bylaw 15.02.8)** by the awarding institution and who receives institutional financial aid (as set forth in Bylaw 15.02.4.1) granted without regard in any degree to athletics ability does not have to be counted until the student-athlete engages in varsity intercollegiate competition (as opposed to freshman, B-team, subvarsity, intramural or club competition) in those sports. For this provision to be applicable, there shall be on file in the office of the athletics director certification by the faculty athletics representative, the admissions officer and the chair of the financial aid committee that the student's admission and financial aid were granted without regard in any degree to athletics ability.

15.5.1.2.1 Exception -- Receipt of Institutional Academic Aid Only. In football or basketball, a student-athlete who was recruited by the awarding institution **(see Bylaw 15.02.8)** and whose only source of institutional financial aid is academic aid based solely on the recipient's academic record at the certifying institution, awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution, may compete without counting in the institution's financial aid team limits, provided he or she has completed at least one academic year of full-time enrollment at the certifying institution and has achieved a cumulative grade-point average of at least 3.300 (on a 4.000 scale) at the certifying institution.

[Remainder of 15.5.1 unchanged.]

G. Bylaws: Amend 15.5.6.3, as follows:

15.5.6.3 Initial Counters -- Football (Also see Bylaw 15.02.3.1).

15.5.6.3.1 Recruited Student-Athlete Entering in Fall Term, Aided in First Year. A student-athlete recruited **(see Bylaw 15.02.8)** by the awarding institution who enters in the fall term and receives institutional financial aid (based in any degree on athletics ability) during the first academic year in residence shall be an initial counter for that year in football. Therefore, such aid shall not be awarded if the institution has reached its limit on the number of initial counters prior to the award of institutional financial aid to the student-athlete.

15.5.6.3.2 Recruited Student-Athlete Entering After Fall Term, Aided in First Year. A student-athlete recruited **(per Bylaw 15.02.8)** by the awarding institution who enters after the first term of the academic year and immediately receives institutional financial aid (based in any degree on athletics ability) shall be an initial counter for either the current academic year (if the institution's annual limit has not been reached) or the next academic year. The student-athlete shall be included in the institution's total counter limit during the academic year in which the aid was first received.

15.5.6.3.3 Recruited Student-Athlete, Aid Received After First Year. A recruited student-athlete **(per Bylaw 15.02.8)** (including a student-athlete who was not a qualifier) in football who first receives athletically related financial aid after the student-athlete's first academic year in residence shall be an initial counter for that academic year in which the aid is first received, if such aid is received during the fall term. However, such a student-athlete who first receives athletically related financial aid in the second or third term of an academic year may be considered an initial counter during the academic year in which aid was first received or the next academic year. In either case, the student-athlete shall be included in the institution's total counter limit during the academic year in which the aid was first received.

15.5.6.3.4 Nonrecruited Student-Athlete Receiving Institutional Financial Aid. A student-athlete not recruited **(per Bylaw 15.02.8)** by the institution who receives institutional financial aid (based in any degree on athletics ability) after beginning football practice becomes a counter but need not be counted as an initial counter until the next academic year if the institution has reached its initial limit for the year in question. However, the student-athlete shall be considered in the total counter limit for the academic year in which the aid was first received.

[15.5.6.3.5 through 15.5.6.3.6 unchanged.]

15.5.6.3.7 Recruited Student-Athlete, Varsity Competition. In accordance with Bylaw 15.5.1.2, a recruited student-athlete **(per Bylaw 15.02.8)** receiving institutional financial aid certified as having been granted without regard in any degree to athletics ability becomes an initial counter in the first academic year in which the student-athlete competes on the varsity level. (See Bylaw 15.5.1.2.2).

[Remainder of 15.5.6.3 unchanged.]

H. Bylaws: Amend 15.5.9, as follows:

15.5.9 Multi-Sport Participants.

15.5.9.1 Football. In football, a counter who was recruited **(per Bylaw 15.02.8)** and/or offered financial aid to participate in football and who participates (practices or competes) in football and one or more sports (including basketball) shall be counted in football. A counter who was not recruited **(per Bylaw 15.02.8)** and/or offered financial aid to participate in football and who competes in football and one or more sports (including basketball) shall be counted in football.

[15.5.9.1.1 through 15.5.9.7 unchanged.]

15.5.9.7.1 Requirement to Qualify as Multiple-Sport Athlete. To be considered a multiple-sport athlete under this section, an individual must meet all of the following requirements:

[15.5.9.7.1-(a) through 15.5.9.7.1-(c) unchanged.]

(d) If a recruited student-athlete **(per Bylaw 15.02.8)**, the individual shall have been earnestly recruited to participate in the sport in which financial aid is counted (the institution recruiting the student-athlete shall have a reasonable basis to believe that the student-athlete is capable of participating in the institution's varsity intercollegiate program in that sport, including documentation of a record of previous participation in organized competition in the sport that supports the student-athlete's potential to participate in that sport in varsity intercollegiate competition).

Source: NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: The Division I Recruiting and Athletics Personnel Issues Cabinet discussed the current definition of a "recruited" prospective student-athlete (Bylaw 13.02.12.1) and considered how it impacts the current financial aid model. Although RAPIC acknowledged that the current definition of recruited status may detrimentally impact an individual's ability to accept financial aid, the impact that any modifications would have on other areas of legislation (e.g., eligibility and transfer status) led Recruiting and Athletics Personnel Issues Cabinet to suggest that the Awards, Benefits, Expenses and Financial Aid Cabinet address the financial aid issues by proposing an alternative definition of a counter that is not tied to the definition of a recruited student-athlete set forth in Bylaw 13. The proposed definition retains several of the items that currently result in a prospective student-athlete being considered a recruited student-athlete for purposes of Bylaw 13, but does not include any reference to telephone calls.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 01, 2010 Submit Submitted for consideration.

Jun 02, 2010 Awards, Benefits, Expenses and Financial Aid Cabinet, Sponsored

No. 2010-66 FINANCIAL AID AND AWARDS, BENEFITS AND EXPENSES -- TRAINING-TABLE MEALS -- ONE MEAL PER DAY -- STUDENT-ATHLETES NOT RECEIVING FULL BOARD

Intent: To permit an institution to provide one training-table meal per day to a student-athlete who does not receive athletically related institutional financial aid that covers the full cost of board; further, to specify that the provision of the one training-table meal per day to such a student-athlete shall not be considered financial aid.

A. Bylaws: Amend 15.2.2.1.6, as follows:

15.2.2 Room and Board. An institution may provide a student-athlete financial aid that includes the cost of room and board, based on the official allowance for a room as listed in the institution's official publication (e.g., catalog) and a board allowance that consists of three meals per day, even if the institution's maximum permissible award allowance for all students represents a lesser cost figure.

[15.2.2.1 through 15.2.2.1.5 unchanged.]

15.2.2.1.6 Training-Table Meals. The cost of meals provided on the institution's training table shall be deducted from a student-athlete's board allowance, even if the student-athlete is not receiving a full grant-in-aid. In determining the cost figure to be deducted, the institution may use the actual meal costs listed in the institution's catalog or the average meal costs of its student-athletes living on campus.

15.2.2.1.6.1 Exception -- Student-Athlete Who Receives Less Than Full Board. An institution may provide one training-table meal per day to a student-athlete who does not receive athletically related financial aid that covers the full cost of board. The provision of the one training-table meal per day to such a student-athlete shall not be considered financial aid.

[15.2.2.1.7 unchanged.]

B. 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-(b) unchanged.]

(c) Training Table Meals. An institution may provide only one training table meal per day to a student-athlete during the academic year on those days when regular institutional dining facilities are open (see Bylaw 15.2.2.1.6). A student-athlete who does not receive institutional athletically related financial aid covering the full cost of board, including a walk-on or partial scholarship recipient, may ~~*purchase*~~ **receive** one training table meal per day**.** ~~*at the same rate that the institution deducts from the board allowance of student-athletes who receive athletically related financial aid covering board costs pursuant to Bylaw 15.2.2.1.6*~~ **The provision of the one training-table meal per day to such a student-athlete shall not be considered financial aid**;

[16.5.2-(d) through 16.5.2-(h) unchanged.]

Source: Big East Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: Under current legislation, a student-athlete who does not receive institutional athletically related financial aid covering the full cost of board may only eat a training meal with his or her team if the student-athlete purchases the meal. Many student-athletes are not able to afford the meal. As a result, these student-athletes often feel as though they are not part of the team, even though they participating in other team-related activities. In the spirit of student-athlete well-being,

an institution should be allowed to provide these student-athletes with one training table meal per day without the provision of the meal being considered financial aid and changing the student-athlete's counter status.

Estimated Budget Impact: Will vary at each institution depending on the number of student-athletes eligible to receive the benefit.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 13, 2010 Submit Submitted for consideration.

No. 2010-67 FINANCIAL AID -- GOVERNMENT GRANTS -- EXEMPTED GOVERNMENT GRANTS -- EXEMPTED INSTITUTIONAL FINANCIAL AID -- POST-9/11 G.I. BILL

Intent: To exempt benefits received by student-athletes under the Post-9/11 G.I. Bill, including payments made by the Department of Veterans Affairs pursuant to the Yellow Ribbon G.I. Education Enhancement Program, from counting toward a student-athlete's individual limit; further, to specify that matching payments made by the Department of Veterans Affairs pursuant to the Yellow Ribbon G.I. Education Enhancement Program are not counted in determining the institution's financial aid limitations.

A. Bylaws: Amend 15.02.4.3, as follows:

15.02.4.3 Exempted Institutional Financial Aid. The following institutional financial aid is exempt and is not counted in determining the institution's financial aid limitations:

(a) An honorary award for outstanding academic achievement or an established institutional research grant that meets the criteria set forth in Bylaw 15.02.6 (and must be included in determining if the student-athlete's cost of attendance has been met); ~~*and*~~

(b) A postgraduate scholarship awarded by an institution in accordance with Bylaw 16.1.4.1.1**; and**

(c) Matching payments made by the Department of Veterans Affairs pursuant to the Yellow Ribbon G.I. Education Enhancement Program [see Bylaw 15.2.5.1-(e)].

B. Bylaws: Amend 15.2.5, as follows:

15.2.5 Government Grants. Government grants for educational purposes shall be included when determining the permissible amount of the cost of attendance for a student-athlete, except for those listed in Bylaw 15.2.5.1.

15.2.5.1 Exempted Government Grants. The following government grants for educational purposes shall not be included when determining the permissible amount of the cost of attendance of a student-athlete:

[15.2.5.1-(b) through 15.2.5.1-(d) unchanged.]

(e) Post-9/11 G.I. Bill. Benefits received under the Post-9/11 G.I. Bill, including matching payments made by the Department of Veterans Affairs pursuant to the Yellow Ribbon G.I. Education Enhancement Program. [Contributions made by the institution pursuant to the Yellow Ribbon Program are institutional financial aid (see Bylaws 15.02.4.1 and 15.02.4.3)];

[15.2.5.1-(e) through 15.2.5.1-(j) relettered as 15.2.5.1-(f) through 15.2.5.1-(k), unchanged.]

Source: NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: The Post-9/11 G.I. Bill provides financial support for education and housing to individuals with at least 90 days of aggregate service on or after September 11, 2001, or individuals discharged with a service-connected disability after 30 days. The program pays tuition based on the highest in-state tuition charged by an educational institution in the state where the educational institution is located. The Yellow Ribbon Program is a provision of the Post-9/11 G.I. Bill that allows institutions to voluntarily enter into an agreement with Veterans Affairs to fund tuition expenses that exceed the highest public in-state undergraduate tuition rate. The institution may contribute up to 50 percent of those expenses and Veterans Affairs will match that amount. This proposal supports student-athlete well-being by providing additional opportunities for a student-athlete to receive financial aid that does not count toward his or her individual limit. A blanket waiver was granted in March 2010 by the Legislative Council Subcommittee for Legislative Relief to exempt, through the 2010-11 academic year, Post-9/11 G.I. Bill funds from counting toward a student-athlete's individual limit. A blanket waiver was granted in June to exempt the Veterans Affairs funded portion of the Yellow Ribbon Program for the 2010-11 academic year.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Feb 22, 2010 Submit Submitted for consideration.

Feb 23, 2010 Awards, Benefits, Expenses and Financial Aid Cabinet, Sponsored

Jun 02, 2010 Awards, Benefits, Expenses and Financial Aid Cabinet, Modified the Proposal Modified to include payments by the Departement of Veterans Affairs pursuant to the Yellow Ribbon G.I. Education Enhancement Program as exempt from the individual limit.

No. 2010-68 FINANCIAL AID -- ELEMENTS OF FINANCIAL AID -- FINANCIAL AID FROM OUTSIDE SOURCES -- UNRELATED TO ATHLETICS ABILITY -- ESTABLISHED FAMILY FRIEND

Intent: To specify that a student-athlete may receive financial aid from an established family friend, provided specified conditions are met.

A. Bylaws: Amend 15.01.3, as follows:

15.01.3 Financial Aid Not Administered by Institution. Any student who receives financial aid other than that administered by the student-athlete's institution shall not be eligible for intercollegiate athletics competition, unless it is specifically approved under the Association's rules of amateurism (see Bylaw 12) or the aid is:

[15.01.3-(a) unchanged.]

(b) Received from an established family friend under the conditions listed in Bylaw 15.2.6.2;

[15.01.3-(b) through 15.02.3-(d) relettered as 15.01.3-(c) through 15.01.3-(e), unchanged.]

B. Bylaws: Amend 15.02.4.2, as follows:

15.02.4.2 Other Permissible Financial Aid. The following sources of financial aid are also permitted:

[15.02.4.1 unchanged.]

(b) Financial aid received from an established family friend as outlined in Bylaw 15.2.6.2. Such aid counts against the institution's sport-by-sport financial aid limitations and also against the individual's cost of attendance;

[15.02.4.1-(b) through 15.02.4.1-(c) relettered as 15.02.4.1-(c) through 15.02.4.1-(d), unchanged.]

C. Bylaws: Amend 15.2.6, as follows:

15.2.6 Financial Aid From Outside Sources.

15.2.6.1 Parents and Legal Guardians. A student-athlete may receive financial aid from anyone upon whom the student-athlete is naturally or legally dependent.

[15.2.6.1.1 unchanged.]

15.2.6.2 Established Family Friend. A student-athlete may receive financial aid from an established family friend, provided:

(a) The individual providing the financial aid is not considered a representative of the institution's athletics interests;

(b) The individual providing the financial aid is not an agent;

(c) The relationship between the individual providing the financial aid and the student-athlete (or his or her family) existed before the student-athlete became a prospective student-athlete and before the initiation of his or her recruitment by the institution;

(d) The relationship between the individual providing the financial aid and the student-athlete (or his or her family) existed before any status achieved as a result of his or her athletics ability or reputation; and

(e) The recipient is considered a counter per Bylaw 15.5.1, and the amount of financial aid received is applied to the maximum limitations of Bylaw 15.5 for the applicable sport.

[15.2.6.2 through 15.2.6.5 renumbered as 15.2.6.3 through 15.2.6.6, unchanged.]

D. Bylaws: Amend 15.5.1, as follows:

15.5.1 Counters. A student-athlete shall be a counter and included in the maximum awards limitations set forth in this bylaw under the following conditions:

[15.5.1-(a) unchanged.]

(b) Financial Aid From an Established Family Friend. A student-athlete who receives financial aid from an established family friend (see Bylaw 15.2.6.2) shall become a counter for the year during which the student-athlete receives the financial aid;

[15.5.1-(b) through 15.5.1-(c) relettered as 15.5.1-(c) through 15.5.1-(d), unchanged.]

[Remainder of 15.5.1 unchanged.]

Source: Ivy Group

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: Current NCAA legislation permits student-athletes to accept financial assistance for educational expenses from those upon whom the student-athlete is naturally or legally dependent, but restricts such assistance from family friends. Given non-traditional family situations and the fact that many students struggle to cover college costs, it is reasonable to permit others closely affiliated with the family, even if not related, to provide financial assistance. This legislation specifies parameters that would permit such assistance, provided the person has a longstanding relationship with the family that is unrelated to the student's participation in athletics or recruitment by the institution, and the aid counts toward individual and institutional financial aid limits.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 15, 2010 Submit Submitted for consideration.

No. 2010-69 FINANCIAL AID -- FINANCIAL AID FROM OUTSIDE SOURCES -- FINANCIAL AID FROM AN ESTABLISHED AND CONTINUING PROGRAM

Intent: To specify that a student-athlete may receive financial aid through an established and continuing program to aid students, provided: (a) the recipient's choice of institutions is not

restricted by the donor of the aid; (b) there is no direct connection between the donor and the student-athlete's institution; and (c) if the total value of the aid received by the student-athlete exceeds ten percent of the value of the institution's full grant-in-aid, documentation of the aid received by the student-athlete must be kept on file with the institution's conference office.

A. Bylaws: Amend 15.01.3, as follows:

15.01.3 Financial Aid Not Administered by Institution. Any student who receives financial aid other than that administered by the student-athlete's institution shall not be eligible for intercollegiate athletics competition, unless it is specifically approved under the Association's rules of amateurism (see Bylaw 12) or the aid is:

[15.01.3-(a) unchanged.]

(b) Awarded solely on bases having no relationship to athletics ability; **or**

(c) Awarded through an established and continuing program to aid students, ~~*of which athletics participation shall not be the major criterion (e.g., National Merit Scholarship),*~~ under the conditions listed in Bylaw 15.2.6.3~~*; or*~~

~~*(d) Awarded through an established and continuing program for recognition of outstanding high school graduates, of which athletics participation may be a major criterion (e.g., honorary high school award), under the conditions listed in Bylaw 15.2.6.4*~~.

B. Bylaws: Amend 15.02.4.1, as follows:

15.02.4.1 Institutional Financial Aid. The following sources of financial aid are considered to be institutional financial aid:

[15.02.4.1-(a) unchanged.]

(b) Aid from government or private sources for which the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient.~~*;and*~~

~~*(c) For the student-athlete recruited by the institution, financial aid awarded through an established and continuing outside program (e.g., National Football Foundation) for the recognition of outstanding high school graduates in which athletics participation may be a major criterion, as outlined in Bylaw 15.2.6.4. This aid counts against an institution's sport-by-sport financial aid limitations and also against the individual's full-grant-in-aid limit.*~~

C. Bylaws: Amend 15.02.4.2, as follows:

15.02.4.2 Other Permissible Financial Aid. The following sources of financial aid are also permitted:

[15.02.4.2-(a) through 15.02.4.2-(b) unchanged.]

(c) Financial aid awarded through an established and continuing outside program ~~*(e.g., National Merit Scholar) in which athletics participation is not the major criterion,*~~ as outlined in Bylaw 15.2.6.3, ~~*and which does not count against an institution's sport-by-sport financial aid limitations*~~; **and**

~~*(d) For the student-athlete not recruited by the institution, financial aid awarded through an established and continuing outside program (e.g., National Football Foundation) for the recognition of outstanding high school graduates, in which athletics participation may be a major criterion, as outlined in Bylaw 15.2.6.4. This aid does not count against an institution's sport-by-sport financial aid limitations but does count against the individual's full-grant-in-aid limit; and*~~

(~~*e*~~**d**) Educational expenses awarded by the U.S. Olympic Committee, which count against an institution's sport-by-sport financial aid limitations and against the individual's full-grant-in-aid limit.

D. Bylaws: Amend 15.1, as follows:

15.1 MAXIMUM LIMIT ON FINANCIAL AID -- INDIVIDUAL. A student-athlete shall not be eligible to participate in intercollegiate athletics if he or she receives financial aid that exceeds the value of the cost of attendance as defined in Bylaw 15.02.2. A student-athlete may receive institutional financial aid based on athletics ability (per Bylaw 15.02.4.1)~~*, outside financial aid for which athletics participation is a major criterion (per Bylaw 15.2.6.4)*~~ and educational expenses awarded per Bylaw 15.2.6.~~*5*~~**4** up to the value of a full grant-in-aid, plus any other financial aid unrelated to athletics ability up to the cost of attendance. (See Bylaw 15.01.6.1, 15.01.6.2, 16.3, 16.4 and 16.12.)

[Remainder of 15.1 unchanged.]

E. Bylaws: Amend 15.2.6, as follows:

15.2.6 Financial Aid From Outside Sources.

[15.2.6.1 through 15.2.6.2 unchanged.]

15.2.6.3 Financial Aid From an Established and Continuing Program. A student-athlete may receive financial aid through an established and continuing program to aid students, provided:

(a) The recipient's choice of institutions is not restricted by the donor of the aid;

(b) There is no direct connection between the donor and the student-athlete's institution; and

(c) If the total value of the aid received by the student-athlete exceeds ten percent of the value of the institution's full grant-in-aid, documentation of the aid received by the student-athlete must be kept on file with the institution's conference office.

~~*15.2.6.2.1 Athletics Participation or Achievement as Part of Extracurricular Activities. A scholarship administered outside the institution that permits an applicant to include athletics participation or achievements as part of the application process may not be awarded under the provisions of Bylaw 15.2.6.2*~~

~~*15.2.6.2.1.1 Exception -- Certification of Outside Aid Unrelated to Athletics Ability. A student-athlete may receive as an outside financial aid award unrelated to athletics ability per Bylaw 15.2.6.2 any aid for which he or she included athletics participation on the application form provided:*~~

~~(a) The application form for the award did not request the applicant list athletics participation, achievements, extracurricular activities or any other category in which athletics may be relevant (e.g., honors); and~~

~~(b) The awarding agency verifies that it does not consider athletics participation in selecting the recipient for the award.~~

~~15.2.6.3 Athletics Participation Not Major Criterion. A student-athlete may receive financial aid through an established and continuing program to aid students, provided the following conditions are met:~~

~~(a) The award shall be made on the basis of the recipient's past performance and overall record, as measured by established criteria of which athletics participation is not the major criterion;~~

~~(b) Disbursement of the aid may be through the awarding agency for the recipient's educational expenses, provided the aid is awarded prior to the recipient's initial enrollment at a member institution, and the awarding agency provides written notification of the award to the institution. After enrollment at a member institution, disbursement of the aid shall be through the institution for the recipient's educational expenses while attending the institution. A violation of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, the violation shall not affect the student-athlete's eligibility, provided the student-athlete deposits the aid with the institution and the aid does not result in an overaward of financial aid to the student-athlete; and~~

~~(c) The recipient's choice of institutions shall not be restricted to a single designated institution or conference by the donor of the aid.~~

~~15.2.6.4 Athletics Participation as a Major Criterion. A student-athlete may receive financial aid through an established and continuing program for the recognition of outstanding high school graduates, provided the following conditions are met:~~

~~(a) The award shall be made on the basis of the recipient's past performance and overall record, as measured by established criteria of which athletics participation may be a major criterion;~~

~~(b) Disbursement of the aid may be through the awarding agency for the recipient's educational expenses, provided the aid is awarded prior to the recipient's initial enrollment at a member institution and the awarding agency provides written notification of the award to the institution. After enrollment at a member institution, disbursement of the aid shall be through the institution for the recipient's educational expenses while attending the institution. A violation of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, the violation shall not affect the student-athlete's eligibility, provided the student-athlete deposits the aid with the institution and the aid does not result in an overaward of financial aid to the student-~~athlete;

~~(c) The recipient's choice of institutions shall not be restricted by the donor of the aid;~~

~~(d) The awarding individual or organization and the donor of the aid shall not be representatives of the athletics interests or an athletics booster group of a member institution;~~

~~(e) The value of the award alone or in combination with other athletically related financial aid shall not exceed the value of a full grant-in-aid or the value of the award in combination with~~

~~*nonathletically related financial aid shall not exceed the value of the student-athlete's cost of attendance;*~~

~~*(f) The award may be provided to the recipient on only one occasion;*~~

~~*(g) If the recipient is recruited, the recipient is considered a counter per Bylaw 15.5.1, and the amount is applied to the maximum awards limitations of Bylaw 15.5 for the sport in question; and*~~

~~*(h) The award is not received from an outside sports team or organization that conducts a competitive sports program by a member of that team.*~~

~~*15.2.4.6.1 Award Limited to Athletes. If an individual is considered for a financial aid award only if the individual is a participant in athletics, the provisions of Bylaw 15.2.6.4 shall be applicable.*~~

~~*15.2.6.4.2 Eligibility Effects of Improper Aid from Outside Organization. It is not permissible for a student-athlete to receive financial aid, directly or indirectly, from a source outside the institution (e.g., a foreign government, a sports association, a high school booster club) for expenses related to attendance at a member institution, if the award of such financial aid is based in any degree upon the recipient's athletics ability, except as permitted in Bylaws 15.2.6.3 and 15.2.6.4. Receipt of financial aid from such a source renders the student-athlete ineligible for all intercollegiate athletics participation.*~~

[15.2.6.5 renumbered as 15.2.6.4, unchanged.]

Source: NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: Current financial aid legislation outlines various types of outside sources of financial aid and places various restrictions on the receipt of such aid. This change specifies that if specific conditions are satisfied, aid awarded by an established and continuing program, regardless of the type of outside award or the student-athlete's recruitment status, would be exempt from counting toward the team's maximum financial aid limits. This promotes student-athlete well-being by permitting additional sources of aid to be exempt from the team financial aid limits and requiring fewer student-athletes to have to choose between accepting athletics aid or outside awards. Additionally, it reduces the bureaucracy with monitoring and researching outside awards by simplifying the review for compliance and financial aid offices. The ten percent limitation is appropriate because in cases in which the total value of such awards exceeds this limit, institutions and conferences should be aware of which student-athletes receive these awards in order to limit any abuse of the legislation. Finally, such outside scholarships would still be included when determining a student-athlete's individual financial aid limit and no changes would be made to the current legislative requirement that the outside aid must be awarded through an established and continuing award program.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 01, 2010 Submit Submitted for consideration.

Jun 02, 2010 Awards, Benefits, Expenses and Financial Aid Cabinet, Sponsored

No. 2010-70 FINANCIAL AID -- SUMMER FINANCIAL AID -- ENROLLED STUDENT-ATHLETES -- EXCEPTION FOR FIRST-TIME RECIPIENT IN THE NEXT ACADEMIC YEAR

Intent: To specify that a student-athlete who has not received athletically related aid from the certifying institution during a previous academic year may receive athletically related financial aid to attend the institution's summer term or summer school, provided the student-athlete has been awarded athletically related financial aid for the following academic year and the aid is awarded only in proportion to the amount of athletically related financial aid the student will receive for the following academic year.

Bylaws: Amend 15.2.8, as follows:

15.2.8.1.2 Enrolled Student-Athletes. After initial full-time enrollment during a regular academic year, a student-athlete shall not receive athletically related financial aid to attend the certifying institution's summer term or summer school unless the student-athlete received such athletically related aid from the certifying institution during the student-athlete's previous academic year at that institution. Further, such aid may be awarded only in proportion to the amount of athletically related financial aid received by the student-athlete during the student-athlete's previous academic year at the certifying institution, except that this proportionality restriction shall not apply to a student-athlete who has exhausted his or her eligibility and is enrolled in a summer program of studies that will permit the student-athlete to complete his or her degree requirements.

[15.2.8.1.2.1 through 15.2.8.1.2.4 unchanged.]

15.2.8.1.2.5 Exception for First-Time Recipient in the Next Academic Year. A student-athlete who has not received athletically related aid from the certifying institution during a previous academic year may receive athletically related financial aid to attend the institution's summer term or summer school under the following conditions:

(a) The student-athlete has been awarded athletically related financial aid for the following academic year; and

(b) The aid is awarded only in proportion to the amount of athletically related financial aid the student will receive for the following academic year.

Source: Southeastern Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: This proposal will provide institutions greater flexibility in the awarding of summer school financial aid and will allow student-athletes to use summer school as a time to advance their academic pursuits. The receipt of athletically related aid in the summer should not be solely contingent on the amount of athletics aid received during the preceding academic year. It is permissible to award financial aid to prospective student-athletes for the summer prior to initial full-time enrollment. This legislation would extend the same principle to enrolled student-athletes, but with the additional requirements that the student-athlete must be eligible for the aid, he or she must have been awarded aid for the next academic year and that the summer aid must be proportionate to the aid he or she will receive in the next academic year. The receipt of aid in the following year would trigger counter status. Given increasingly stringent progress-toward-degree requirements, more student-athletes need to attend summer school to maintain eligibility. This change would only impact a handful of student-athletes -- those who will receive aid for the next academic year without having received it in prior years.

Estimated Budget Impact: Minimal.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 14, 2010 Submit Submitted for consideration.

No. 2010-71 FINANCIAL AID -- TERMS AND CONDITIONS -- PERIOD OF INSTITUTIONAL AWARD -- ONE-YEAR PERIOD -- EXCEPTIONS -- GRADUATED DURING PREVIOUS ACADEMIC YEAR AND WILL EXHAUST ELIGIBILITY DURING THE FOLLOWING FALL TERM

Intent: To specify that a student-athlete who graduated during the previous academic year (including summer) and will exhaust his or her athletics eligibility during the following fall term may be awarded athletically related financial aid for less than one academic year.

Bylaws: Amend 15.3.3.1, as follows:

15.3.3.1 One-Year Period. If a student's athletics ability is considered in any degree in awarding financial aid, such aid shall neither be awarded for a period in excess of one academic year nor for a period less than one academic year (see Bylaw 15.01.5).

15.3.3.1.1 Exceptions. An institution may award athletically related financial aid to a student-athlete for a period of less than one academic year only under the following circumstances:

[15.3.3.1.1-(a) through 15.3.3.1.1-(b) unchanged.]

(c) Graduated During Previous Academic Year and Will Exhaust Eligibility During the Following Fall Term. A student-athlete who graduated during the previous academic year (including summer) and will exhaust his or her athletics eligibility during the following fall term may be awarded athletically related financial aid for less than one academic

year.

[15.3.3.1.1-(c) through 15.3.3.1.1-(d) relettered as 15.3.3.1.1-(d) through 15.3.3.1.1-(e), unchanged.]

[Remainder of 15.3.3.1 unchanged.]

Source: NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: Under current legislation, if an institution offers athletics aid to a student-athlete with eligibility remaining, it must provide a one-year athletics-aid agreement to the student-athlete even if the student-athlete has graduated and will exhaust his or her eligibility during the first term of the academic year. In many cases, a student-athlete who graduates during the previous academic year and exhausts his or her eligibility during the fall term of the next academic year may attend classes at the beginning of the spring or winter term in order to obtain athletics aid, but exert minimal effort in academic work in order to focus on training for a professional career. Permitting an institution to determine, on a case-by-case basis, whether to provide athletics aid for less than one year to a student-athlete in this situation could encourage continued academic engagement after athletics eligibility has been exhausted. An institution would still be permitted to use its discretion to decide whether to renew a student-athlete's athletics aid for the remainder of the academic year.

Estimated Budget Impact: Potential cost savings based on permissibility of awarding athletics aid for less than one full academic year.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal.

History:

Jun 01, 2010 Submit Submitted for consideration.

Jun 02, 2010 Awards, Benefits, Expenses and Financial Aid Cabinet, Sponsored

Aug 24, 2010 Football Issues Committee, Recommends Approval

No. 2010-72 FINANCIAL AID -- TERMS AND CONDITIONS OF AWARDING INSTITUTIONAL FINANCIAL AID -- REDUCTION OR CANCELLATION PERMITTED -- RELEASE OF OBLIGATION TO PROVIDE ATHLETICALLY RELATED FINANCIAL AID

Intent: To specify that before becoming a counter for an academic year, if a prospective student-athlete or student-athlete is awarded institutional financial aid unrelated to athletics that is of equal or greater value than his or her signed award of athletically related financial aid, the prospective

student-athlete or student-athlete may, on his or her initiative, release the institution of its obligation to provide the athletically related financial aid.

Bylaws: Amend 15.3.4.2, as follows:

15.3.4.2 Reduction or Cancellation Permitted. Institutional financial aid based in any degree on athletics ability may be reduced or canceled during the period of the award if the recipient:

[15.3.4.2-(a) through 15.3.4.2-(d) unchanged.]

[15.3.4.2.1 through 15.3.4.2.4 unchanged.]

15.3.4.2.5 Release of Obligation to Provide Athletically Related Financial Aid. Before becoming a counter for an academic year, if a prospective student-athlete or student-athlete is awarded institutional financial aid unrelated to athletics that is of equal or greater value than his or her signed award of athletically related financial aid, the prospective student-athlete or student-athlete may, on his or her initiative, release the institution of its obligation to provide the athletically related financial aid.

Source: NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: In most cases, a prospective student-athlete will sign an athletically related financial aid agreement before being admitted to an institution and before a determination is made related to the amount of nonathletically related financial aid for which he or she is eligible. Oftentimes, a prospective student-athlete is eligible for as much or more nonathletically related financial aid as he or she is scheduled to receive in the form of an athletics scholarship. However, in most cases, the prospective student-athlete is unable to accept the nonathletically related aid due to the team limit. Currently, once a student-athlete signs an athletically related financial aid agreement, it may not be reduced or canceled until the conclusion of the period of the award, unless a legislated justification is satisfied. However, an institution may include nonathletically related conditions in the agreement and those conditions may serve as the basis to permissibly reduce or cancel the athletics aid. Accordingly, the only current permissible way for a replacement to occur is if a nonathletically related condition is included in the financial aid agreement. This change will permit a student-athlete to accept the financial aid package that is most beneficial to financing the cost of his or her college education.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 01, 2010 Submit Submitted for consideration.

Jun 02, 2010 Awards, Benefits, Expenses and Financial Aid Cabinet, Sponsored

No. 2010-73 FINANCIAL AID -- COUNTERS AND EQUIVALENCY COMPUTATIONS -- REQUIRED GRADE-POINT AVERAGE TO QUALIFY FOR EXEMPTIONS OF COUNTER STATUS AND COUNTABLE INSTITUTIONAL AID -- REDUCTION FROM 3.300 TO 3.000

Intent: To reduce the necessary cumulative transferable grade-point to exempt institutional financial aid awarded to transfer student-athletes (and the grade-point average at the certifying institution for renewals) and institutional academic scholarships based solely on the recipient's academic record at the certifying institution from team limits from 3.300 to 3.000; further, in football and basketball, to reduce the necessary cumulative grade-point average at the certifying institution to meet the "institutional academic aid only" exception to counter status from 3.300 to 3.000.

A. Bylaws: Amend 15.5.1, as follows:

15.5.1 Counters. A student-athlete shall be a counter and included in the maximum awards limitations set forth in this bylaw under the following conditions:

[15.5.1-(a) through 15.5.1-(c) unchanged.]

[15.5.1.1 unchanged.]

15.5.1.2 Football or Basketball, Varsity Competition. Football or basketball, a student-athlete who was recruited by the awarding institution and who receives institutional financial aid (as set forth in Bylaw 15.02.4.1) granted without regard in any degree to athletics ability does not have to be counted until the student-athlete engages in varsity intercollegiate competition (as opposed to freshman, B-team, subvarsity, intramural or club competition) in those sports. For this provision to be applicable, there shall be on file in the office of the athletics director certification by the faculty athletics representative, the admissions officer and the chair of the financial aid committee that the student's admission and financial aid were granted without regard in any degree to athletics ability.

[15.5.1.2.1 unchanged.]

15.5.1.2.2 Exception -- Receipt of Institutional Academic Aid Only. In football or basketball, a student-athlete who was recruited by the awarding institution and whose only source of institutional financial aid is academic aid based solely on the recipient's academic record at the certifying institution, awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution, may compete without counting in the institution's financial aid team limits, provided he or she has completed at least one academic year of full-time enrollment at the certifying institution and has achieved a cumulative grade-point average of at least ~~*3.300*~~ **3.000** (on a 4.000 scale) at the certifying institution.

[Remainder of 15.5.1 unchanged.]

B. Bylaws: Amend 15.5.3.2, as follows:

15.5.3.2 Equivalency Computations. In equivalency sports, each institutional financial aid award (per Bylaw 15.02.4.1) to a counter shall be computed as follows:

[15.5.3.2-(a) through 15.5.3.2-(c) unchanged.]

[15.5.3.2.1 unchanged.]

15.5.3.2.2 Expectations.

[15.5.3.2.2.1 unchanged.]

15.5.3.2.2.2 Academic Honors Awards -- Transfer Students. Academic honor awards that are part of an institution's normal arrangements for academic scholarships, either based solely on the recipient's cumulative academic record from all collegiate institutions previously attended or based on the recipient's high school record and cumulative academic record from all collegiate institutions previously attended, awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution, may be exempted from a team's equivalency computation, provided the recipient achieved a cumulative transferable grade-point average of at least ~~*3.300*~~ **3.000** (based on a maximum of 4.000).

[15.5.3.2.2.2.1 unchanged.]

15.5.3.2.2.2.2 Renewals. The renewal of an academic honor award (per Bylaw 15.5.3.2.2.2) may be exempted from an institution's equivalency computation provided:

(a) The recipient achieves a cumulative grade-point average of at least ~~*3.300*~~ **3.000** (based on a maximum of 4.000) at the certifying institution; and

(b) The recipient meets all NCAA, conference and institutional progress-toward-degree requirements.

15.5.3.2.2.3 Institutional Academic Scholarships. Institutional academic scholarships that are part of an institution's normal arrangements for academic scholarships, based solely on the recipient's academic record at the certifying institution, awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution, are exempt from an institution's equivalency computation, provided the recipient has completed at least one academic year of full-time enrollment at the certifying institution and has achieved a cumulative grade-point average of at least ~~*3.300*~~ **3.000** (on a 4.000 scale) at the certifying institution.

[15.5.3.2.3 unchanged.]

Source: NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: Reducing the required grade-point average to exempt institutional financial aid from team limits would have a positive impact on student-athlete well-being by permitting additional sources of aid to be exempt from the team financial aid limits, thereby requiring fewer student-athletes to have to choose between accepting athletics aid or academic aid/scholarships from their institution. It would also make the cumulative grade-point average needed to exempt academic aid based on the student-athlete's academic record in college consistent for three separate exemptions (renewal of award based on high school record, transfer award and institutional academic scholarships) and

maintain a national standard for such exemptions. Furthermore, this change would address concerns that, in some instances, the general student population has the opportunity to receive these awards while a student-athlete who is a counter may be permitted to receive the award only if the team has room in its maximum financial aid limitation. Finally, these awards/scholarships will continue to be included when determining a student-athlete's individual limit.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 01, 2010 Submit Submitted for consideration.

Jun 02, 2010 Awards, Benefits, Expenses and Financial Aid Cabinet, Sponsored

No. 2010-74 FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- EXECUTED FINANCIAL AID AWARDS AND WRITTEN OFFERS EXCEEDING MAXIMUM ALLOWABLE AWARDS -- BASEBALL

Intent: In baseball, to specify that for an ensuing academic year, the combination of executed athletically related financial aid awards and outstanding written offers of athletically related financial aid to prospective student-athletes and student-athletes shall not exceed the maximum number of permissible awards by more than one equivalency; further, to specify that the overage may be divided among not more than two individuals (student-athletes or prospective student-athletes).

Bylaws: Amend 15.5.1.10, as follows:

15.5.1.10 Offers Exceeding Maximum Allowable Awards **-- Sports Other Than Baseball**. ~~*An*~~ **In sports other than baseball, an** institution may offer more than the maximum number of permissible awards in a sport (per Bylaw 15.5) in anticipation that not all of the offers will be accepted, but the institution shall not exceed the awards limitation in the sport in question.

[15.5.1.10.1 unchanged.]

15.5.1.11 Executed Financial Aid Awards and Written Offers Exceeding Maximum Allowable Awards -- Baseball. In baseball, for an ensuing academic year, the combination of executed athletically related financial aid awards and outstanding written offers of athletically related financial aid (per Bylaw 15.3.2.3) to prospective student-athletes and student-athletes shall not exceed the maximum number of permissible awards (see Bylaw 15.5.4) by more than one equivalency. The overage may be divided among not more than two individuals (student-athletes or prospective student-athletes).

Source: Big Ten Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: Although several academic enhancement legislative changes have had the effect of improving APR rates in baseball, at least one undesirable attribute of a culture that prioritized competition above academics remains. Some institutions continue to excessively over-sign and stockpile prospective student-athletes on the basis of their athletics ability. When it becomes apparent to such an institution that it will be in an over-award situation, a student-athlete (current or prospective) is left with the choice to either attend the institution with which he committed and forgo participating in athletics, or pursue another educational option (e.g., junior college) in order to continue playing. The practice of over-signing is inconsistent with the principle of student-athlete well-being. This proposal would require institutions to become more selective in offering athletics aid. It would encourage institutional personnel to better assess a prospective student-athlete's academic and admission qualifications, as well as the individual's level of commitment to attending a Division I institution instead of turning professional or pursuing other educational options. Permitting excess offers on a very limited basis will allow institutions to hedge against offers that may not be accepted. This proposal would curb excessive over-signing while still providing an appropriate level of flexibility.

Estimated Budget Impact: Possible reduction in costs associated with offering to (and signing) fewer prospective student-athletes.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Baseball Committee: The committee opposes the proposal. The committee notes that baseball, possibly more than any other sport, needs the flexibility to ?over sign? prospective student-athletes because of the unique challenges presented by a professional baseball draft system that does not require individuals to officially declare to be drafted, as well as the ability of high school prospects and third-year student-athletes to be drafted and still opt to enroll in college.

History:

Jul 08, 2010 Submit Submitted for consideration.

Aug 26, 2010 Baseball Committee, Recommends Defeat

No. 2010-75 FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- EQUIVALENCY COMPUTATIONS -- CALCULATION OF BOOKS

Intent: To increase the financial aid equivalency figure for calculation purposes for books from $400 to $800; further, to specify that if a student-athlete receives any portion of a book allowance, $800 shall be used in the numerator and denominator of the equivalency calculation.

Bylaws: Amend 15.5.3.2.1, as follows:

15.5.3.2.1 Additional Requirements. The following additional requirements shall apply to equivalency computations:

[15.5.3.2.1-(a) through 15.5.3.2.1-(b) unchanged.]

(c) Books shall count for calculation purposes as $~~*400*~~ **800** in the denominator. If a student-athlete receives **any portion of** a ~~*full*~~ book allowance for the academic year, the institution must use $~~*400*~~ **800** in the denominator and numerator for books, regardless of the actual cost of the books. ~~*If a student-athlete receives less than the full book allowance, the institution must determine the fraction of book aid and must use the appropriate numerator based on the $400 denominator to reflect the fraction of the book allowance actually received.*~~

Source: Atlantic Coast Conference and Conference USA

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Financial Aid

Rationale: The equivalency figure for books was increased from $200 to $400 in 1996. Since then, the cost for books has significantly increased. The proposed increase will provide a more accurate approximation for the current cost of books. The individual equivalency computation would decrease for those student-athletes who do not receive aid to cover books, but are awarded financial aid in significant dollar amounts or aid that covers other components of a full-grant-in-aid. As a result, additional aid could be awarded within the equivalency limits without adversely affecting budgets. If aid is awarded to student-athletes for books, the figure used for the equivalency computation would increase slightly; however, such an effect across an entire team would be inconsequential, except in limited circumstances, such as situations in which several books-only scholarships are awarded. However, $800 is closer to the actual amount that is spent on books and this proposal could provide the opportunity to provide additional athletically related financial aid to deserving student-athletes.

Estimated Budget Impact: As institutions are currently paying the actual amount for books, this change would not have a significant budgetary impact.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 13, 2010 Submit Submitted for consideration.

No. 2010-76 FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S BASKETBALL

Intent: In women's basketball, to reduce the annual limit on the number of counters at each institution from 15 to 13.

Bylaws: Amend 15.5.5.2, as follows:

15.5.5.2 Women's Basketball. There shall be an annual limit of ~~*15*~~ **13** on the total number of counters in women's basketball at each institution.

Source: Metro Atlantic Athletic Conference

Effective Date: August 1, 2012

Category: Amendment

Topical Area: Financial Aid

Rationale: In 2009, the number of women's basketball counters was 13.08, as taken from the 2008-09 Equity in Athletics Data Analysis report, including student-athletes only. This data indicates that, on average, the maximum number of counters is not annually awarded and, thus, a reduction could provide an institution the opportunity to re-allocate these resources for women's basketball summer school needs or to other women's sports. A reduction in counters could effectively influence the current upward trend in women's basketball transfer rates, resulting in a positive impact on the women's basketball NCAA Division I Academic Progress Rate. Additionally, a reduction in counters may redistribute the available talent pool; thus, increasing parity within women's basketball.

Estimated Budget Impact: Possible re-allocation of funds.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 13, 2010 Submit Submitted for consideration.

No. 2010-77 FINANCIAL AID AND DIVISION MEMBERSHIP -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATION -- FOOTBALL CHAMPIONSHIP SUBDIVISION DOMINANT PROVISIONS

Intent: To change the voting line of NCAA Bylaw 15.5.6.2 from federated (FCS) to Football Championship Subdivision dominant (FCSD) and to change the voting line of Bylaw 20.9.8 and its subsections from federated (FCS) to Football Championship Subdivision (FCSD).

A. Bylaws: Amend 15.5.6.2, as follows:

[Federated provision, FCS only]

[To change the voting line in Bylaw 15.5.6.2 from federated (FCS) to Football Championship Subdivision dominant (FCSD).]

15.5.6.2 Championship Subdivision Football. There shall be an annual limit of 30 on the number of initial counters (per Bylaw 15.02.3.1), an annual limit of 63 on the value of financial aid awards (equivalencies) to counters, and an annual limit of 85 on the total number of counters (including initial counters) in football at each football championship subdivision institution.

B. Bylaws: Amend 20.9.8, as follows:

[Federated provisions, FCS only]

[To change the voting line in Bylaw 20.9.8 and its subsequent subsections from federated (FCS) to Football Championship Subdivision dominant (FCSD)].

20.9.8 Football Championship Subdivision Requirements. An institution classified as a Football Championship Subdivision member shall meet the additional requirements listed below.

20.9.8.1 Sports Sponsorship. The institution shall sponsor in Division I a minimum of:

(a) Seven varsity intercollegiate sports, including football, based on the minimum requirements of Bylaws 20.9.4 and 20.9.4.3 and involving all-male teams or mixed teams of males and females, and seven varsity intercollegiate sports (of which a maximum of two emerging sports per Bylaw 20.02.5 may be utilized) based on the minimum requirements of Bylaws 20.9.4 and 20.9.4.3 and involving all-female teams, subject to the waiver provision in Bylaw 20.9.4.2, or

(b) Six varsity intercollegiate sports, including football, based on the minimum requirements of Bylaws 20.9.4 and 20.9.4.3 and involving all-male teams or mixed teams of males and females, and eight varsity intercollegiate sports (of which a maximum of two emerging sports per Bylaw 20.02.5 may be utilized) based on the minimum requirements of Bylaws 20.9.4 and 20.9.4.3 and involving all-female teams, subject to the waiver provision in Bylaw 20.9.4.2.

20.9.8.2 Football Scheduling Requirement. The institution shall schedule and play more than 50 percent of its football games against Football Bowl Subdivision or Football Championship Subdivision members.

20.9.8.2.1 Membership Classification of Opponents. In determining whether an institution meets the scheduling criteria of the Football Championship Subdivision, each opponent shall be counted as it was classified on September 1 of the academic year involved.

20.9.8.2.1.1 Reclassifying Opponents. A reclassifying institution shall be counted as a Football Championship Subdivision opponent in the year the reclassifying institution must comply with Football Championship Subdivision scheduling requirements (year two of the reclassifying process).

20.9.8.2.1.2 Provisional Membership Opponents. A Football Championship Subdivision provisional institution shall be counted as a Football Championship Subdivision opponent in the year the provision institution must comply with Football Championship Subdivision scheduling requirements (year two of the provisional process).

20.9.8.2.1.3 Waiver. The Football Championship Subdivision Governance Committee, by a two-thirds majority of its members present and voting, may grant a waiver of the provisions of Bylaw 20.9.8.2.1 in cases of reclassification of an opponent when there is an enforceable game contract, executed in writing, or in the case of similar contractual problems.

20.9.8.2.2 Canceled Games. A canceled game shall not be counted toward meeting the football championship subdivision scheduling criterion unless the Football Championship Subdivision Governance Committee, by a two-thirds majority of its members present and voting, approves a waiver of the criterion in a situation in which:

(a) The member institution can document that it had scheduled (for that academic year) the appropriate minimum percentage of contests of the football championship subdivision, under

enforceable game contracts executed in writing;

(b) An opponent canceled a game that it had contracted to play that academic year; and

(c) Despite a good-faith effort, the institution was unable to re-arrange its schedule to play the appropriate percentage of contests with football championship subdivision members.

20.9.8.2.3 Alaska, Hawaii or Puerto Rico. Games playing in Alaska, Hawaii or Puerto Rico shall not be counted for purposes of meeting the subdivision's scheduling requirements if such games are exempt from counting toward the playing-season limitations.

20.9.8.2.4 Geographical Waiver -- Football Championship Subdivision. The Football Championship Subdivision Governance Committee, by two-thirds majority of its members present and voting, may waive the provisions of Bylaw 20.9.8.2 for a Football Championship Subdivision institution that does not offer athletically related financial aid in football, or which offers fewer than 20 percent of the maximum allowable number of scholarships in the Football Championship Subdivision and was classified in Division II prior to September 1993, if it is determined that fewer than six other Championship Subdivision Football programs exist within a 500-mile radius of the institution's campus that do not offer athletically related financial aid in football or which offer fewer than 20 percent of the maximum allowable number of scholarships in the football championship subdivision and were classified Division II prior to September 1993. An institution must calculate the percentage based upon the amount of athletically related financial aid by its student-athletes, as opposed to including all institutional aid.

Source: NCAA Division I Board of Directors (Division I Presidential Advisory Group) (Leadership Council)

Effective Date: Immediate

Category: Amendment

Topical Area: Financial Aid

Rationale: Football Championship Subdivision commissioners support taking steps to ensure that the subdivision is preserved by preventing initiatives that would either diminish or escalate the level of commitment required to participate in the subdivision and its playoffs and agree a super-majority voting provision would build some protection of the current model into the legislative process.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal.

History:

Aug 03, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Recommends Approval

No. 2010-78 FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS -- FOOTBALL LIMITATIONS -- INITIAL COUNTERS -- MIDYEAR REPLACEMENT -- OPTION TO COUNT INITIAL YEAR OF AWARD

Intent: In football, to specify that an initial counter who replaces a midyear graduate may be counted against the initial limit for the year in which the aid is awarded (if the institution's annual limit has not been reached) or for the following academic year.

Bylaws: Amend 15.5.6, as follows:

[Federated provision, FBS and FCS, divided vote]

15.5.6 Football Limitations.

[15.5.6.1 through 15.5.6.2 unchanged.]

15.5.6.3 Initial Counters -- Football (Also see Bylaw 15.02.3.1).

[15.5.6.3.1 through 15.5.6.3.4 unchanged.]

15.5.6.3.5 Midyear Replacement. A counter who graduates at midyear or who graduates during the previous academic year (including summer) may be replaced by an initial counter, who shall be counted against the initial limit **either for the year in which the aid is awarded (if the institution's annual limit has not been reached) or** for the following academic year, or by a student-athlete who was an initial counter in a previous academic year and is returning to the institution after time spent on active duty in the armed services or on an official religious mission. In bowl subdivision football, an institution may use the midyear replacement exception only if it previously has provided financial aid during that academic year to the maximum number of overall counters (85 total counters). In championship subdivision football, an institution may use the midyear replacement exception only if it previously has provided financial aid during that academic year that equals the maximum number of overall equivalencies or overall counters.

[15.5.6.3.6 through 15.5.6.3.9 unchanged.]

[15.5.6.4 unchanged.]

Source: Southeastern Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Financial Aid

Rationale: Currently, a counter who graduates at midyear may be replaced by an initial counter with such aid counting as an initial award for the following academic year. This proposal would allow the initial award to count either for the year in which the aid was awarded or the following year. If a football student-athlete graduates and is replaced at midyear, the institution should be permitted to have the option of counting the initial counter in that year or in the next year, provided the institution has not reached its limit on number of initial counters for the year in which the aid is initially awarded.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal. The committee notes the flexibility this offers institutions in maximizing the distribution of financial aid to student-athletes.

History:

Jul 14, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Recommends Approval

Awards, Benefits and Expenses

No. 2010-79 AWARDS, BENEFITS AND EXPENSES -- PERMISSIBLE EXPENSES FOR STUDENT-ATHLETE'S FRIENDS AND RELATIVES -- COMPLIMENTARY ADMISSIONS TO INSTITUTIONAL AWARDS BANQUETS -- ONE-TIME EXCEPTION -- PARENTS/LEGAL GUARDIANS

Intent: To specify that, on one occasion during the final academic year of a student-athlete's athletics eligibility, an institution may provide complimentary admissions for the student-athlete's parents or legal guardians to attend an institutional awards banquet at which the student-athlete is being honored.

Bylaws: Amend 16.6.1.6, as follows:

16.6.1.6 Complimentary Admissions to Institutional Awards Banquets. An institution may provide complimentary admissions to an institutional awards banquet for the spouse and children of any student-athlete being honored at the banquet.

16.6.1.6.1 One-Time Exception -- Parents or Legal Guardians. On one occasion during the final academic year of a student-athlete's athletics eligibility, an institution may provide complimentary admissions for the student-athlete's parents or legal guardians to attend an institutional awards banquet at which the student-athlete is being honored.

Source: Southeastern Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Awards, Benefits and Expenses

Rationale: On some occasions, the parents or legal guardians of a student-athlete are not able to be present during an institutional awards banquet due to the cost of admission. This proposal would create a one-time exception intended to permit an institution to provide a student-athlete's parents or legal guardians with complimentary admissions to attend an institutional awards banquet at the conclusion of the student-athlete's eligibility.

Estimated Budget Impact: Costs (e.g., meals) related to an institutional awards banquet provided to parents of senior student-athletes.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 14, 2010 Submit Submitted for consideration.

No. 2010-80 AWARDS, BENEFITS AND EXPENSES -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE -- SWIMMING AND DIVING -- EXCEPTION FOR PLATFORM DIVING

Intent: In swimming and diving, to specify that if an institution does not have access to a diving platform within the mileage limitations of Bylaw 16.8.1.1, the institution may provide expenses for diving practice sessions at a site located outside the mileage limitations that includes a diving platform.

Bylaws: Amend 16.8.1.1, as follows:

16.8.1.1 Practice. Expenses may be paid for practice sessions only if they are associated with an away-from-home contest or conducted at a site located within the member institution's state or, if outside that state, no more than 100 miles from the institution's campus. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1 and shall not affect the student-athlete's eligibility.

[16.8.1.1.1 through 16.8.1.1.3 unchanged.]

16.8.1.1.4 Swimming and Diving -- Exception. In swimming and diving, if an institution does not have access to a diving platform within the mileage limitations of Bylaw 16.8.1.1, the institution may provide expenses for diving practice sessions at a site located outside the mileage limitations that includes a diving platform.

[16.8.1.1.4 renumbered as 16.8.1.1.5, unchanged.]

Source: Western Athletic Conference

Effective Date: Immediate

Category: Amendment

Topical Area: Awards, Benefits and Expenses

Rationale: Since platform diving is a significantly different activity than springboard diving, the opportunity to practice is critical for the safety and well-being of student-athletes who are on the diving team. The increase in height when a diver moves from springboard to platform diving is considerable and the danger involved in the activity increases substantially. It is neither realistic nor safe to ask a student-athlete to dive from a five meter, seven meter or ten meter platform during competition without having had an opportunity to practice on several occasions before the meet. Institutions that do not have diving platforms within their state or, if outside the state, within

100 miles from the institution's campus are unable to provide a safe platform diving experience for their student-athletes without this exception or an annual legislative relief waiver. Waivers of this bylaw have been granted in the past; however, this legislation, if adopted, would eliminate the need for an annual waiver.

Estimated Budget Impact: Increased expenses for institutions that use this exception.

Impact on Student-Athlete's Time (Academic and/or Athletics): No missed class time is permitted for practice activities. Travel time beyond the current limitation provides a potential time for study.

Position Statement(s)

History:

Jul 08, 2010 Submit Submitted for consideration.

No. 2010-81 AWARDS, BENEFITS AND EXPENSES -- PERMISSIBLE EXPENSES PROVIDED BY THE INSTITUTION FOR COMPETITION -- TRAVEL SQUAD LIMITS

Intent: To establish travel squad limits for regular season, away-from-home competition, including exhibitions/scrimmages, nonchampionship segment competition and conference championships and neutral site competitions, as specified.

Bylaws: Amend 16.8.1.2, as follows:

16.8.1.2 Competition While Representing Institution. An institution may provide actual and necessary travel expenses (e.g., transportation, lodging and meals) to a student-athlete for participation in athletics competition, provided the student-athlete is representing the institution (competes in the uniform of the institution) and is eligible for intercollegiate competition. Violations of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, they shall not affect the student-athlete's eligibility. Such competition includes:

[16.8.1.2-(a) through 16.8.1.2-(f) unchanged.]

[16.8.1.2.1 unchanged.]

[16.8.1.2.1.1 through 16.8.1.2.1.2 unchanged.]

16.8.1.2.2 Travel Squad Limits. The travel squad limits listed below shall apply, subject to the following provisions:

(a) Only student-athletes included as part of the travel squad shall be eligible to participate in away-from-home competition;

(b) The limits apply to all regular season, away-from-home competition, including exhibitions/scrimmages, nonchampionship segment competition and conference championships. In addition, the limits apply to neutral-site competitions, regardless of which institution is designated as the "home" team;

(c) The limits do not apply to the home team for competition conducted at an off-campus venue normally used by the institution for home competition; and

(d) If an institution's student-athletes compete at more than one location on the same date, the number of student-athletes participating in all away-from-home competition on that date shall not exceed the travel squad limit in that sport.

Sport	Squad Limit
Baseball	28
Basketball	15
Bowling, Women's	6
Cross Country	12
Equestrian, Women's	20
Fencing	12
Field Hockey	24
Football	70
Golf	6
Gymnastics	15
Ice Hockey	24
Lacrosse	24
Rifle	7
Rowing, Women's	60
Rugby, Women's	32
Skiing	15
Soccer	24
Softball	20
Squash, Women's	11
Swimming and Diving*	26
Tennis	9
Track and Field (Indoor and Outdoor)	34
Volleyball	16
Water Polo	16
Wrestling	15

***Swimmers count as one and divers count as one-half.**

[16.8.1.2.2 through 16.8.1.2.3 renumbered as 16.8.1.2.3 through 16.8.1.2.4, unchanged.]

Source: Big Ten Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Awards, Benefits and Expenses

Rationale: Economic pressures have caused athletics programs to examine expenditures in all areas. Establishing travel squad limits for regular-season competition has been identified as an area in which cost savings could be achieved. The proposed limits are designed to serve as a cost containment mechanism, while not placing visiting teams at a competitive disadvantage.

Estimated Budget Impact: Cost savings for institutions that currently exceed these limits.

Impact on Student-Athlete's Time (Academic and/or Athletics): For institutions that currently exceed these limits, there would be a reduction in time commitment for those student-athletes who would not travel as a result of the squad-size limits.

Position Statement(s)

Baseball Committee: The committee opposes the proposal. The committee notes that with legislated squad limits of 35 student-athletes, it is important for teams to be able to take those non-scholarship student-athletes above the limit of 27 individuals to some non-conference away games, particularly those that occur during early season spring trips, as a way to keep such student-athletes fully engaged in the program.

Football Issues Committee: The committee opposes the proposal. The committee notes that several conferences already have their own travel squad limitations and that such decisions are best left to conferences to manage, particularly given the concerns regarding competitive inequity for traveling teams with fewer available student-athletes than home teams.

Men's Lacrosse Committee: The committee strongly opposes the proposal. The squad size for the NCAA championship is 32. With such a small proposed number for lacrosse, not only would teams struggle to play in a competitive manner, they could barely conduct a meaningful practice. The average squad size is significantly larger and the game is played with greater numbers to permit certain offenses and defenses. Consequently, to limit the squad size would dramatically and detrimentally change the sport.

Men's and Women's Rifle Committee: The committee opposes the proposal. This proposal fails to consider team sizes, range sizes, and normal travel squad sizes. This will have a negative impact on participation in rifle. A limit of seven members on the traveling squad is absolutely not adequate. Quite a few teams travel with two five-member squads to matches. Furthermore, many schools try to save money all season to allow more team members to attend conference championships. Finally, the proposed limit could drop participation to a level to cause some marginal programs to be dropped by their schools.

Men's and Women's Skiing Committee: The committee opposes the proposal. The committee recommends that the sponsor modify the limit to 28 student-athletes for skiing. Currently, up to seven skiers per gender per discipline may score "NCAA qualification points." There are two events per gender per discipline. Therefore, the maximum should be seven male Alpine student-athletes, seven female Alpine student-athletes, seven Nordic male student-athletes and seven female Nordic student-athletes to reach the total of 28. In addition, the regular season typically only includes five or six meets, of which an institution may host one per year. Unlike sports that compete in single contests, skiing meets are held with numerous institutions at the same time at the same site and are, obviously, weather dependent. Therefore, the window to get in significant

practice and complete regular season competitions is relatively small. Regular season meets are what coaches use to determine which student-athletes are the best skiers and, ultimately, who will be representing the institution at the NCAA championships. Consequently, each member of the team needs a chance to perform. Limiting the number to 15 student-athletes who may travel to an event would have a severe impact on the way collegiate skiing operates.

Women's Lacrosse Committee: The committee strongly opposes the proposal. With such a small proposed number for lacrosse, not only would teams struggle to play in a competitive manner, they could barely conduct a meaningful practice. The average squad size is significantly larger and the game is played with greater numbers to permit certain offenses and defenses. Consequently, to limit the squad size would dramatically and detrimentally change the sport.

History:

Jul 06, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Recommends Defeat

Aug 26, 2010 Baseball Committee, Recommends Defeat

Sep 01, 2010 Men's and Women's Skiing Committee, Recommends Defeat

Sep 02, 2010 Men's and Women's Rifle Committee, Recommends Defeat

Sep 07, 2010 Men's Lacrosse Committee, Recommends Defeat

Sep 07, 2010 Women's Lacrosse Committee, Recommends Defeat

No. 2010-82 AWARDS, BENEFITS AND EXPENSES -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- TRAVEL TO NCAA CHAMPIONSHIPS, NATIONAL GOVERNING BODY CHAMPIONSHIPS IN EMERGING SPORTS AND POSTSEASON BOWL GAMES DURING VACATION PERIOD -- EXCEPTIONS AND INCIDENTAL EXPENSES

Intent: To specify that if an student-athlete does not use team travel to NCAA championships, NGB championships in emerging sports and postseason bowl games during a vacation period, the institution may only provide actual and necessary transportation costs for the student-athlete to travel from: campus to the event site and back to campus; campus to the student-athlete's home and back to campus; or the student-athlete's home to the event site and back home; further, to specify that reimbursement for automobile mileage shall not exceed the rate provided to institutional staff members and shall be limited to not more than 400 miles one-way; finally, to increase, from $20 to $55, the amount of money that an institution may provide to each member of the squad to cover unitemized incidental expenses during travel and practice for such events.

A. Bylaws: Amend 16.8.1.5, as follows:

16.8.1.5 Travel to NCAA Championships, NGB Championships in Emerging Sports and Postseason Bowl Games during Vacation Period.

16.8.1.5.1 General Rule. The institution may provide team transportation for a student-athlete to travel from campus to the site of an NCAA championship, NGB championship in an emerging

sport or a postseason bowl game and back to campus.

16.8.1.5.1.1 Exceptions.

(a) Student-Athlete Does Not Use Team Transportation. The institution may provide (in lieu of team transportation) the ~~*greater of the*~~ **actual and necessary** transportation costs for the student-athlete to travel from:

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

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

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

(b) Student-Athlete Uses "Leg" of Team Transportation. An institution that provides one "leg" of actual team transportation (campus to the event site or from the event site back to campus) ~~*must deduct the value of*~~ **may only provide the actual and necessary costs for** the ~~*actual transportation costs of that*~~ "leg" ~~*from the allowance provided the student-athlete in (a) above*~~ **in which he or she does not use team travel.**

[16.8.1.5.1.1-(c) unchanged.]

(d) Mileage Limitations. Reimbursement for automobile mileage shall not exceed the rate provided to institutional staff members and shall be limited to not more than 400 miles one way.

B. Bylaws: Amend 16.8.1.6, as follows:

16.8.1.6 Incidental Expenses at NCAA Championships, NGB Championships in Emerging Sports and Licensed Bowl Games. An institution may provide $~~*20*~~ **55** per day to each member of the squad to cover unitemized incidental expenses during travel and practice for NCAA championship events or NGB championship events in emerging sports, during a period limited to the maximum number of days of per diem allowed for the involved championship, or, for licensed postseason bowl contests, for a period not to exceed 10 days. The $~~*20*~~ **55** per day may be provided only after the institution's team departs for or reports to the site of the championship or postseason bowl contest.

[16.8.1.6.1 unchanged.]

Source: Southeastern Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Awards, Benefits and Expenses

Rationale: Current legislation allows a student-athlete to travel individually to championships and bowl games and receive the transportation costs of the greatest of the three possible routes (campus-event-campus, campus-home-campus, or home-event-home) regardless of which route is actually used. It has become common practice for institutions to provide student-athletes the highest of these rates. As a result, a student-athlete traveling individually receives money not available to individuals using team travel. Student-athletes who attend institutions that are not close to major airports are less likely to be able to take advantage of individual travel. Shifting the

source of the transportation costs to an enhanced incidental expense allowance removes the incentive to travel individually, while not penalizing those choosing to do so. In addition, student-athletes who participate in bowl games are often denied a meaningful stay at home during the holidays. With bowl games moving later into January, student-athletes are faced with the prospect of traveling home twice for shorter periods during the winter break. Institutions should be allowed to continue to provide expenses for one of these trips as an incidental expense associated with competition in a bowl game if the student-athlete has personally paid for one trip home.

Estimated Budget Impact: Potential cost savings for institutions through a more efficient method of providing travel for student-athletes.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal. The committee supports the effort to reduce unnecessary costs for institutions while still meeting the financial needs of student-athletes.

History:

Jul 14, 2010 Submit Submitted for consideration.

Aug 24, 2010 Football Issues Committee, Recommends Approval

No. 2010-83 AWARDS, BENEFITS AND EXPENSES -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- NONPERMISSIBLE -- LODGING IN CONJUNCTION WITH A REGULAR-SEASON HOME CONTEST -- CHAMPIONSHIP SUBDIVISION FOOTBALL

Intent: In championship subdivision football, to specify that an institution shall not provide lodging (e.g., hotel, motel) to any student-athlete in conjunction with a regular-season home contest.

Bylaws: Amend 16.8, as follows:

[Federated provision, FCS only]

16.8 EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION

[16.8.1 unchanged.]

16.8.2 Nonpermissible.

[16.8.2.1 through 16.8.2.5 unchanged.]

16.8.2.6 Lodging in Conjunction with a Regular-Season Home Contest -- Championship Subdivision Football. In championship subdivision football, an institution shall not provide lodging (e.g., hotel, motel) to any student-athlete in conjunction with a regular-season home contest.

Source: NCAA Division I Championships/Sports Management Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Awards, Benefits and Expenses

Rationale: Currently, institutions may provide off-campus housing for their football teams at local hotels the evening prior to a home game. Precluding such lodging will result in a substantial cost savings. Institutions will no longer incur the lodging expenses, the cost of transporting the team to and from the hotel and venue, and other hotel related expenses for game day preparation, including the use of meeting rooms.

Estimated Budget Impact: Projected saving of $140,000 to $150,000 per year.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

Football Issues Committee: The committee supports the proposal.

History:

Jun 15, 2010 Submit Submitted for consideration.

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

Aug 24, 2010 Football Issues Committee, Recommends Approval

No. 2010-84 AWARDS, BENEFITS AND EXPENSES -- PARTICIPATION AWARDS -- MAXIMUM VALUE OF AWARD -- INCREASE TO MAXIMUM VALUES

Intent: To increase the limitation on the maximum value of the annual participation award for a senior by $100 and to increase the limitation on the maximum value for all other participation awards by $50, as specified.

Bylaws: Amend Figure 16-1, as follows:

FIGURE 16-1
Participation of Awards

Type of Award	Maximum Value of Award	Number of Times Award May Be Received	Permissible Awarding Agencies	Maximum Number of Permissible Awarding Agencies
Annual Participation -- Underclassmen	$~~175~~ **225**	Once per year per sport	Institution	1

Annual Participation -- Senior	$~~325~~ **425**	Once per year per sport	Institution	1
Special Event Participation				
• Participation in postseason conference championship contest or tournament	$~~325~~ **375***	Once per event	• Institution • Management of event (may include conference office)	2
• Participation in postseason NCAA championship contest or tournament	Institution -- $~~325~~ **375** NCAA -- No limit	Once per event	• Institution • NCAA	2
• Participation in all-star game or postseason bowl	$~~350~~ **400** (Institution) $~~500~~ **550** (Management of event)	Once per event	• Institution • Management of event	2
• Participation in other established meets, tournaments and featured individual competition	$~~350~~ **400***	Once per event	• Institution • Management of event	2

* The combined value of all awards received for participation in this type of event from the institution and the management of the event may not exceed the published value.

Source: Southeastern Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Awards, Benefits and Expenses

Rationale: The proposed award limits have not been adjusted for inflation since 2003. Due to inflation, it is becoming increasingly difficult to purchase the same or similar types of awards from year to year. Based on Statistical Abstracts of the United States (2009), an item that cost $325 in 2003 cost $378.16 in 2009. Most member institutions award senior class rings to their student-athletes. The main raw material that is used in these rings is gold. When the maximum award value limitations were amended in 2003, the value of gold was around $350/oz. In 2010 the value of gold is above $1150/oz. This cost is ultimately passed on to member institutions who are still

trying to purchase awards within the 2003 limitations. This proposal will allow institutions to purchase the same or similar awards for its student-athletes.

Estimated Budget Impact: Potential increase commensurate with increase in award value limitations.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 14, 2010 Submit Submitted for consideration.

Playing and Practice Seasons

No. 2009-83 PLAYING AND PRACTICE SEASONS AND DIVISION MEMBERSHIP -- REGULATIONS FOR PLAYING SEASON AND MINIMUM CONTEST REQUIREMENTS FOR SPORTS SPONSORSHIP -- WOMEN'S SAND VOLLEYBALL

Intent: In women's sand volleyball, to establish the playing and practice season and the minimum number of contests necessary for sports sponsorship purposes, as specified.

A. Bylaws: Amend 17, as follows:

17 PLAYING AND PRACTICE SEASONS

[17.01 through 17.16 unchanged.]

17.17 SAND VOLLEYBALL, WOMEN'S

Regulations for computing the women's sand volleyball playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

17.17.1 Length of Playing Season. The length of an institution's playing season in women's sand volleyball 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 days off per Bylaw 17.1.6.4 and official vacation, holiday and final-examination periods during which no practice or competition shall occur.

17.17.1.1 Women's Volleyball Student-Athletes Participating in Women's Sand Volleyball. Women's volleyball student-athletes listed as participants for women's sand volleyball must participate fully in women's sand volleyball practices. If student-athletes are practicing women's volleyball skills unrelated to women's sand volleyball, such practices must be counted in the institution's established segment in women's volleyball.

17.17.2 Preseason Practice. An institution shall not commence practice sessions in women's sand volleyball prior to September 7 or the institution's first day of classes for the fall term, whichever is earlier.

17.17.3 First Contest. An institution shall not pay its first contest (game or scrimmage) with outside competition in women's sand volleyball prior to the following dates:

(a) Nonchampionship Segment. September 7 or the institution's first day of classes for the fall term, whichever is earlier.

(b) Championship Segment. The first Thursday in March (see Figure 17-2).

17.17.4 End of Playing Season. An institution shall conclude all practice and competition (games and scrimmages) in women's sand volleyball by the Sunday immediately following the Thursday that is eight weeks after the first Thursday in March (see Figure 17-2).

17.17.5 Number of Dates of Competition.

17.17.5.1 Maximum Limitations -- Institutional. An institution shall limit its total playing schedule with outside competition in women's sand volleyball during the institution's women's sand volleyball playing season to 18 dates of competition during the segment in which the NCAA championship is conducted and four during another segment, except for those dates of competition excluded under Bylaws 17.17.5.3 and 17.17.5.4.

17.17.5.1.1 In-Season Foreign Competition. An institution may play one or more of its countable dates of competition in women's sand volleyball 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 17.29), the institution may not engage in such in-season foreign competition more than once every four years.

17.17.5.2 Maximum Limitations -- Student-Athlete. An individual student-athlete may participate each academic year in not more than 18 dates of competition in women's sand volleyball during the segment in which the NCAA championship is conducted and four during another segment. This limitation includes those dates of competition in which the student-athlete 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.

17.17.5.3 Annual Exemptions. The maximum number of dates of competition in women's sand volleyball shall exclude the following:

(a) Conference Championship. Competition in one conference championship tournament or playoff in women's sand volleyball;

(b) Season-Ending Championship Tournament. Competition in one of the recognized national intercollegiate championship events in women's sand volleyball (e.g., National Collegiate Sand Championships). A season-ending tournament involves competition after the end of the regular season between teams that are not identified until the close of the regular season;

(c) Alumni Game. One date of competition each year against an alumni team of the institution;

(d) Foreign Team in the United States. One date of competition each year with a foreign opponent in the United States played in the facility in which the institution regularly plays its home dates of competition.

(e) Hawaii, Alaska or Puerto Rico. Any dates of competition played in Hawaii, Alaska or Puerto Rico, respectively, either against or under the sponsorship of an active Division I institution located in Hawaii, Alaska or Puerto Rico, by an institution located inside these locales;

(f) Fundraising Activity. Any women's sand volleyball activities in which student-athletes from more than one of the institution's athletics teams participate (or in individual sports per Bylaw 17.02.12.2, in which team members of that sport participate) with and against alumni and friends of the institution, the purpose of which is to raise funds to benefit the institution's athletics or other programs, provided the student-athletes do not miss class as a result of their participation (see Bylaw 12.5.1.1);

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

(1) The student-athlete does not miss class 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.

(h) U.S. National Team. One date of competition against any team as selected and designated by the appropriate national governing body for women's sand volleyball as a U.S. national team.

17.17.5.4 Once-in-Four-Years Exemption -- Foreign Tour. An institution may not exempt more than one foreign tour from its maximum number of dates of competition in women's sand volleyball during any academic year and may not repeat participation in a foreign tour within a four-year period. The tour shall be conducted by the institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.29).

17.17.6 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 17.17.1 except as permitted in Bylaw 17.1.6.2.

17.17.6.1 Summer Practice. Practice that is organized or financially supported by an 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 practices and competition facilities by student-athletes engaged in voluntary athletically related activities in their sport.

17.17.7 Camps and Clinics. There are no limits on the number of student-athletes in women's sand volleyball 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.

17.17.8 Other Restrictions.

17.17.8.1 Noncollegiate, Amateur Competition.

17.17.8.1.1 During Academic Year. A student-athlete in women's sand volleyball who participates during the academic year as a member of any outside women's sand volleyball team in any noncollegiate, amateur competition (e.g., tournament play, exhibition games or other activity) except while representing the institution in intercollegiate women's sand volleyball competition shall be ineligible for intercollegiate women's sand volleyball competition unless eligibility is restored by the Committee on Student-Athlete Reinstatement (see Bylaw 14.7.3 for exceptions).

17.17.8.1.1.1 Vacation-Period Exception. A student-athlete in women's sand volleyball 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. The number of student-athletes from any one institution shall not exceed two.

17.17.8.1.2 Out of Season. An institution may permit not more than two student-athletes with eligibility remaining in intercollegiate women's sand volleyball to practice or compete out of season on an outside, amateur women's sand volleyball team (competition on an outside team permitted only during the summer, except as provided in Bylaws 17.17.8.1.1.1 and 17.17.8.1.1.2).

17.17.8.1.2.1 Involvement of Coaching Staff. No member of the coaching staff of an institution may be involved in any capacity (e.g., coach, official, player or league/team administrator) at any time (during the academic year, vacation periods and summer) with an outside team that involves any student-athlete with eligibility remaining from the institution's women's sand volleyball team except as provided under Bylaws 14.7.3, 17.1.1.1 and 17.29.

17.17.8.1.2.2 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 a 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.

17.17.8.2 Equipment Issue, Squad Pictures. No limitations.

[17.18 through 17.30 unchanged.]

B. 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
Sand Volleyball, Women's	**8**

[All other sports unchanged.]

(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.)

[20.9.4.3.1 through 20.9.4.3.5 unchanged.]

20.9.4.3.6 Contests vs. Club Teams. A contest against a collegiate institution's club team may not be counted toward meeting minimum-contest requirements. However, a member is not precluded from scheduling club teams.

20.9.4.3.6.1 Exception -- Women's Sand Volleyball. One dual, one-day contest against a collegiate institution's club team per year may count toward meeting minimum-contest requirements. A multi-opponent tournament (see Bylaw 20.9.4.3.8) may count toward meeting minimum-contest requirements if not more than 40 percent of the participating teams are club teams affiliated with four-year collegiate institutions.

[20.9.4.3.7 unchanged.]

20.9.4.3.8 Women's Sand Volleyball. The following additional criteria shall apply to women's sand volleyball:

(a) No less than three of the minimum eight contests shall be dual, one-day competitions in which five two-person teams compete (institution versus institution on a single day on which no other competition occurs); and

(b) The remaining number of minimum contests shall be dual, one-day competitions in which five two-person teams compete or multi-opponent competitions. For a tournament to qualify as a contest, it must culminate in the determination of a winner based on the performance of each institution's five, two-person teams.

[20.9.4.3.8 renumbered as 20.9.4.3.9, unchanged.]

Source: Sun Belt Conference

Effective Date: August 1, 2010

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Legislative proposals governing financial aid, recruiting, and personnel for the emerging sport of sand volleyball have already been sponsored by the appropriate cabinets. In order to complete the legislation for the sport, recommendations regarding the playing and practice season need to be considered during the legislative cycle in order to give institutions a comprehensive view of how the sport will be implemented.

Estimated Budget Impact: Based on institutional sponsorship of the sport.

Impact on Student-Athlete's Time (Academic and/or Athletics): Based on institutional sponsorship of the sport.

Position Statement(s)

Administration Cabinet: The cabinet supports section B of the proposal (the section of the proposal related to Division I membership requirements, of which the cabinet maintains oversight). The cabinet noted that the minimum eight contest requirement for sports sponsorship purposes may require adjustment if the maximum limitation of 16 contests set forth in the proposal is modified.

Championships/Sports Management Cabinet: Based on the sponsor's modification (see history section), the cabinet supports the proposal.

History:

Jul 14, 2009 Submit Submitted for consideration.

Sep 16, 2009 Administration Cabinet, Recommends Approval

Sep 16, 2009 Championships/Sports Management Cabinet, Recommends Defeat

Sep 16, 2009 Championships/Sports Management Cabinet, Recommends Modification The cabinet recommends that the sponsor modify the proposal as follows: (1) Limit the championship segment playing season to eight weeks beginning with the first Thursday in March. The cabinet intends this season to include the weekend following the Thursday that is eight weeks from the first Thursday in March; and (2) Limit the number of dates of competitions to 18, regardless of the segment in which the date of competition is conducted. The recommendation would not establish a separate limit for championship and nonchampionship segments. The cabinet would support the proposal if it were modified as recommended. If the sponsor chooses not to modify the proposal, the cabinet will sponsor an alternative proposal.

Oct 07, 2009 Sponsor modified the proposal to limit the championship segment playing season to eight weeks plus the following weekend, beginning on the first Thursday in March and to specify that the maximum number of dates of competition shall be 18 (as opposed to 16 previously).

Oct 07, 2009 Championships/Sports Management Cabinet, Recommends Approval Based on the sponsor's modification.

Jan 14, 2010 Leg Council Init Review, Forwarded for Membership Comment

Jan 17, 2010 Comment Period Start of Comment Period

Mar 17, 2010 Comment Period End of Comment Period

Apr 13, 2010 Leg Council Final Review, Tabled With the delay to the effective date for the addition of women's sand volleyball to the list of emerging sports for women, current proposals and any new concepts related to the sport will be considered in the 2010-11 legislative cycle.

No. 2010-85 PLAYING AND PRACTICE SEASONS AND RECRUITING -- VOLUNTARY WORKOUTS -- STRENGTH AND CONDITIONING COACH FIRST AID/CPR CERTIFICATION AND AUTHORITY OF SPORTS MEDICINE STAFF -- SPORTS OTHER THAN FOOTBALL

Intent: In sports other than football, to specify that a strength and conditioning coach who conducts voluntary weight-training or conditioning activities is required to maintain certification in first aid and cardiopulmonary resuscitation; further, to specify that if a member of the institution's sports medicine staff (e.g., athletic trainer, physician) is present during voluntary conditioning activities conducted by a strength and conditioning coach, the sports medicine staff member must be empowered with the unchallengeable authority to cancel or modify the workout for health and safety reasons, as he or she deems appropriate.

A. Bylaws: Amend 13.11.3, as follows:

13.11.3 Tryout Exceptions.

[13.11.3.1 through 13.11.3.8 unchanged.]

13.11.3.9 Voluntary Summer Conditioning -- Basketball. In 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 retrieval basis), provided he or she:

[13.11.3.9-(a) through 13.11.3.9-(b) unchanged.]

[13.11.3.9.1 unchanged.]

13.11.3.9.2 Strength and Conditioning Coach First Aid/CPR Certification and Authority of Sports Medicine Staff. A strength and conditioning coach who conducts voluntary weight-training or conditioning activities is required to maintain certification in first aid and cardiopulmonary resuscitation. If a member of the institution's sports medicine staff (e.g., athletic trainer, physician) is present during voluntary conditioning activities conducted by a strength and conditioning coach, the sports medicine staff member must be empowered with the unchallengeable authority to cancel or modify the workout for health and safety reasons, as he or she deems appropriate.

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 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.

[13.11.3.10.1 unchanged.]

13.11.3.10.2 Strength and Conditioning Coach First Aid/CPR Certification and Authority of Sports Medicine Staff. A strength and conditioning coach who conducts voluntary weight-training or conditioning activities is required to maintain certification in first aid and cardiopulmonary resuscitation. If a member of the institution's sports medicine staff (e.g., athletic trainer, physician) is present during voluntary conditioning activities

conducted by a strength and conditioning coach, the sports medicine staff member must be empowered with the unchallengeable authority to cancel or modify the workout for health and safety reasons, as he or she deems appropriate.

[13.11.3.11 unchanged.]

B. Bylaws: Amend 17.1.6.2.1, as follows:

17.1.6.2.1 Institutional Vacation Period and Summer.

17.1.6.2.1.1 Sports Other Than Championship Subdivision Football. In sports other than championship subdivision football, a student-athlete may not participate in any countable athletically related activities outside the playing season during any institutional vacation period and/or summer. Strength and conditioning coaches who are not countable coaches and who perform such duties on a department-wide basis may design and conduct specific workout programs for student-athletes, provided such workouts are voluntary and conducted at the request of the student-athlete.

[17.16.2.1.1.1 through 17.1.6.2.1.1.2 unchanged.]

17.1.6.2.1.1.3 Strength and Conditioning Coach First Aid/CPR Certification and Authority of Sports Medicine Staff -- Sports Other Than Football. A strength and conditioning coach who conducts voluntary weight-training or conditioning activities is required to maintain certification in first aid and cardiopulmonary resuscitation. If a member of the institution's sports medicine staff (e.g., athletic trainer, physician) is present during voluntary conditioning activities conducted by a strength and conditioning coach, the sports medicine staff member must be empowered with the unchallengeable authority to cancel or modify the workout for health and safety reasons, as he or she deems appropriate.

Source: NCAA Division I Championships/Sports Management Cabinet (Committee on Competitive Safeguards and Medical Aspects of Sports)

Effective Date: May 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Since the summer conditioning legislation was adopted for football, other sports have added voluntary workout opportunities, but have not added similar certification requirements for strength and conditioning coaches. The same requirements should be applicable to all sports. Requiring strength and conditioning coaches to be certified in cardiopulmonary resuscitation and first aid results in better preparation for an emergency response. Further, although the current legislation does not require the attendance of sports medicine staff (e.g., athletic trainer, physician) at the voluntary workouts in sports other than football, if sports medicine staff members are present during such workouts, they should have the same authority as they do during football workouts, namely, the unchallengeable authority to cancel or modify the workout for health and safety reasons.

Estimated Budget Impact: Potential cost of first aid and CPR certification.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 07, 2009 Committee on Competitive Safeguards and Medical Aspects of Sports, Recommends Approval

Sep 16, 2009 Championships/Sports Management Cabinet, Sponsored

Jun 30, 2010 Submit Submitted for consideration.

No. 2010-86 PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING SEASON REGULATIONS -- NO MISSED CLASS TIME IN CONJUNCTION WITH NONCHAMPIONSHIP SEGMENT COMPETITION -- BASEBALL, CROSS COUNTRY, FIELD HOCKEY, LACROSSE, SOCCER AND VOLLEYBALL

Intent: In baseball, men's and women's cross country (without indoor or outdoor track and field), field hockey, men's and women's lacrosse, men's and women's soccer, and men's and women's volleyball, to specify that no class time shall be missed in conjunction with competition during the nonchampionship segment, including activities associated with such competition (e.g., travel and other pregame or postgame activities).

Bylaws: Amend 17.1.6.6, as follows:

17.1.6.6 Additional Restrictions.

17.1.6.6.1 No Class Time Missed in Conjunction with Nonchampionship Segment Competition -- Baseball, Cross Country, Field Hockey, Lacrosse, Soccer and Volleyball. In baseball, cross country (for institutions without indoor or outdoor track and field), field hockey, lacrosse, soccer and volleyball, no class time shall be missed in conjunction with nonchampionship segment competition, including activities associated with such competition (e.g., travel and other pregame or postgame activities).

17.1.6.6.1.1 Exception -- Institution Located in Hawaii. The provisions of Bylaw 17.1.6.6.1 do not apply to an active Division I member institution located in Hawaii.

[17.1.6.6.1 through 17.1.6.6.3 renumbered as 17.1.6.6.2 through 17.1.6.6.4, unchanged.]

Source: NCAA Division I Championships/Sports Management Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Eliminating missed class time in conjunction with competition held in the nonchampionship segment would lessen unnecessary athletically related time demands on student-athletes, thus providing increased opportunities to enjoy the college experience and to improve academic performance.

Estimated Budget Impact: Potential for savings in travel costs.

Impact on Student-Athlete's Time (Academic and/or Athletics): Student-athletes would be provided more time to focus on academics and be involved in campus activities.

Position Statement(s)

Baseball Committee: The committee supports the proposal.

Men's Lacrosse Committee: The committee supports the legislation but would like to see some geographic consideration afforded to institutions that do not have a potential opponent within a significant number of miles.

Women's Lacrosse Committee: The committee opposes the proposal. Lacrosse is a sport that has grown but is not necessarily spread throughout the country. This could result in an advantage to institutions in the Mid-Atlantic region. Teams in other regions may experience problems finding opponents. Strength of schedule is a factor in the NCAA selection process to determine at-large bids and teams would not have the ability to schedule appropriately. Historically, women's lacrosse student-athletes have done very well managing their time and producing strong academic records. Missed class time has not been a factor in their ability to prioritize academics.

History:

Jun 15, 2010 Submit Submitted for consideration.

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

Aug 26, 2010 Baseball Committee, Recommends Approval

Sep 07, 2010 Men's Lacrosse Committee, Recommends Approval

Sep 07, 2010 Women's Lacrosse Committee, Recommends Defeat

No. 2010-87 PLAYING AND PRACTICE SEASONS -- NONCHAMPIONSHIP SEGMENT -- TRAVEL RESTRICTIONS -- CROSS COUNTRY, FIELD HOCKEY, SOCCER, SOFTBALL AND VOLLEYBALL -- HAWAII OR ALASKA EXCEPTION -- ONCE IN FOUR YEARS

Intent: In men's and women's cross country (for institutions without indoor or outdoor track and field), field hockey, men's and women's soccer, softball and men's and women's volleyball, to specify that, once every four years, an institution may use any form of transportation for travel to Hawaii or Alaska for nonchampionship segment competition against an active member institution located in Hawaii or Alaska.

A. Bylaws: Amend 17.5.5.1.1, as follows:

17.5.5.1.1 Exception -- Cross Country Without Indoor or Outdoor Track and Field. An institution that sponsors men's or women's cross country but does not sponsor indoor or outdoor track and field shall limit its total playing schedule with outside competition during the cross country playing season to seven dates of competition during the segment in which the NCAA championship is conducted and five dates of competition during another segment. Travel to competition in the nonchampionship segment shall be restricted to ground transportation, unless there are no

Division I institutions that sponsor the sport located within 400 miles of the institution.

17.5.5.1.1.1 Hawaii or Alaska Exception -- Nonchampionship Segment Travel. Once every four years, an institution may use any form of transportation for travel to Hawaii or Alaska for nonchampionship segment competition against an active member institution located in Hawaii or Alaska.

B. Bylaws: Amend 17.8.5.1, as follows:

17.8.5.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition during the institution's field hockey playing season in any one year to 20 contests during the segment in which the NCAA championship is conducted and five dates of competition during another segment, except for those contests or dates of competition excluded under Bylaws 17.8.5.3 and 17.8.5.4. Travel to competition in the nonchampionship segment shall be restricted to ground transportation, unless there are no Division I institutions that sponsor the sport located within 400 miles of the institution.

17.8.5.1.1 Hawaii or Alaska Exception -- Nonchampionship Segment Travel. Once every four years, an institution may use any form of transportation for travel to Hawaii or Alaska for nonchampionship competition against an active member institution located in Hawaii or Alaska.

C. Bylaws: Amend 17.19.5.1, as follows:

17.19.5.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in soccer during the institution's soccer playing season in any one year to 20 contests during the segment in which the NCAA championship is conducted and five dates of competition during another segment, except for those contests and/or dates of competition excluded under Bylaws 17.19.5.3 and 17.19.5.4. Travel to competition in the nonchampionship segment shall be restricted to ground transportation, unless there are no Division I institutions that sponsor the sport located within 400 miles of the institution.

17.9.5.1.1 Hawaii or Alaska Exception -- Nonchampionship Segment Travel. Once every four years, an institution may use any form of transportation for travel to Hawaii or Alaska for nonchampionship segment competition against an active member institution located in Hawaii or Alaska.

D. Bylaws: Amend 17.20.5.1, as follows:

17.20.5.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in softball during the institution's softball playing season to 56 contests (games and scrimmages) during the segment in which the NCAA championship is conducted and eight contests (games and scrimmages) during the nonchampionship segment, except for those contests excluded under Bylaws 17.20.5.3 and 17.20.5.4. No class time shall be missed for competition during the nonchampionship segment, including activities associated with competition (e.g., travel and other pregame or postgame activities) conducted during the nonchampionship segment. Travel to competition in the nonchampionship segment shall be restricted to ground transportation, unless there are no Division I institutions that sponsor the sport located within 400 miles of the institution.

17.20.5.1.1 Hawaii or Alaska Exception -- Nonchampionship Segment Travel. Once every four years, an institution may use any form of transportation for travel to Hawaii or Alaska for nonchampionship segment competition against an active member institution located in Hawaii or Alaska.

E. Bylaws: Amend 17.25.7.1, as follows:

17.25.7.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in women's volleyball during the institution's women's volleyball playing season to 28 dates of competition during the segment in which the NCAA championship is conducted and four during another segment, except for those dates of competition excluded under Bylaws 17.25.9 and 17.25.10. Travel to competition in the nonchampionship segment shall be restricted to ground transportation, unless there are no Division I institutions that sponsor the sport located within 400 miles of the institution.

17.25.7.1.1 Hawaii or Alaska Exception -- Nonchampionship Segment Travel. Once every four years, an institution may use any form of transportation for travel to Hawaii or Alaska for nonchampionship segment competition against an active member institution located in Hawaii or Alaska.

F. Bylaws: Amend 17.25.8.1, as follows:

17.25.8.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in men's volleyball during the institution's men's volleyball playing season to not more than 28 dates of competition during the segment in which the NCAA championship is conducted and not more than four dates of competition during another segment, except for those dates of competition excluded under Bylaws 17.25.9 and 17.25.10. Travel to competition in the nonchampionship segment shall be restricted to ground transportation, unless there are no Division I institutions that sponsor the sport located within 400 miles of the institution.

17.25.8.1.1 Hawaii or Alaska Exception-- Nonchampionship Segment Travel. Once every four years, an institution may use any form of transportation for travel to Hawaii or Alaska for nonchampionship segment competition against an active member institution located in Hawaii or Alaska.

Source: Western Athletic Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The current transportation restriction in the nonchampionship segment for certain sports includes an exception for a geographically isolated institution to travel at its discretion for competition in the nonchampionship segment. The legislation essentially requires that institutions located in Hawaii and Alaska must travel for all nonchampionship segment competition against Division I institutions, unless there is another Division I institution that qualifies for the exception. This proposal would allow any Division I institution to travel to Hawaii or Alaska for nonchampionship competition once every four years. The application of the once-in-four-years

exception would be the same as the application of the once-in-four-yours exception for institutional foreign tours. The exception reduces the travel burden on institutions in Hawaii and Alaska and it puts a reasonable limitation on the number of times any particular institution may use the exception.

Estimated Budget Impact: Additional travel costs for institutions that choose to schedule competition in Hawaii or Alaska; however, cost savings due to less travel for institutions located in Hawaii or Alaska.

Impact on Student-Athlete's Time (Academic and/or Athletics): Additional time away from campus and potential for additional missed class time for institutions that choose to schedule competition in Hawaii or Alaska; however, may result in additional time on campus and less missed class time for student-athletes at institutions located in Hawaii or Alaska.

Position Statement(s)

Women's Volleyball Committee: The committee supports the proposal.

History:

Jul 15, 2010 Submit Submitted for consideration.

Sep 01, 2010 Women's Volleyball Committee, Recommends Approval

No. 2010-88 PLAYING AND PRACTICE SEASONS -- NONCHAMPIONSHIP SEGMENT -- CROSS COUNTRY, FIELD HOCKEY, WOMEN'S LACROSSE, SOCCER, SOFTBALL AND VOLLEYBALL -- TWO DATES OF COMPETITION -- ONE AWAY-FROM HOME DATE

Intent: In men's and women's cross country, field hockey, women's lacrosse, men's and women's soccer, softball, and men's and women's volleyball, to specify that an institution is limited to two dates of competition during the nonchampionship segment, of which only one date may be an away-from-home date of competition.

A. Bylaws: Amend 17.5.5.1.1, as follows:

17.5.5.1.1 Exception -- Cross Country Without Indoor or Outdoor Track and Field. An institution that sponsors men's or women's cross country but does not sponsor indoor or outdoor track and field shall limit its total playing schedule without outside competition during the cross country playing season to seven dates of competition during the segment in which the NCAA championship is conducted and ~~*five*~~ **two** dates of competition during another segment. **An institution is limited to one away-from-home competition during the nonchampionship segment.** Travel to competition in the nonchampionship segment shall be restricted to ground transportation, unless there are no Division I institutions that sponsor the sport located within 400 miles of the institution.

B. Bylaws: Amend 17.8.5.1, as follows:

17.8.5.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition during the institution's field hockey playing season in any one year to 20 contests during the segment in which the NCAA championship is conducted and

~~*five*~~ **two** dates of competition during another segment, except for those contests or dates of competition excluded under Bylaw 17.8.5.3 and 17.8.5.4. **An institution is limited to one away-from-home date of competition during the nonchampionship segment.** Travel to competition in the nonchampionship segment shall be restricted to ground transportation, unless there are no Division I institutions that sponsor the sport located within 400 miles of the institution.

C. Bylaws: Amend 17.13.5.1, as follows:

17.13.5.1. Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in lacrosse during the institution's lacrosse playing season to 17 dates of competition in men's lacrosse and 17 dates of competition during the segment in which the NCAA championship is conducted and ~~*five*~~ **two** dates of competition during another segment in women's lacrosse, except for those dates of competition excluded under Bylaws 17.13.5.3 and 17.13.5.4. **In women's lacrosse, an institution is limited to one away-from-home competition during the nonchampionship segment.**

D. Bylaws: Amend 17.19.5.1, as follows:

17.19.5.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in soccer during the institution's soccer playing season in any one year to 20 contests during the segment in which the NCAA championship is conducted and ~~*five*~~ **two** dates of competition during another segment, except for those contest and/or dates of competition excluded under Bylaws 17.19.5.3 and 17.19.5.4. **An institution is limited to one away-from-home date of competition during the nonchampionship segment.** Travel to competition in the nonchampionship segment shall be restricted to ground transportation, unless there a no Division I institutions that sponsor the sport located within 400 miles of the institution.

E. Bylaws: Amend 17.20.5.1, as follows:

17.20.5.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in softball during the institution's softball playing season to 56 contests (games and scrimmages) during the segment in which the NCAA championship is conducted and ~~*eight contests (games and scrimmages)*~~ **two dates of competition** during the nonchampionship segment, except for those contests excluded under Bylaws 17.20.5.3 and 17.20.5.4. No class time shall be missed for competition during the nonchampionship segment, including activities associated with competition (e.g., travel and other pregame or postgame activities) conducted during the nonchampionship segment. **An institution is limited to one away-from-home competition during the nonchampionship segment.** Travel to competition in the nonchampionship segment shall be restricted to ground transportation, unless there is no Division I institutions that sponsor the sport located within 400 miles of the institution.

F. Bylaws: Amend 17.25.7.1, as follows:

17.25.7.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in women's volleyball during the institution's women's volleyball playing season to 28 dates of competition during the segment in which the NCAA championship segment is conducted and ~~*four*~~ **two** during another segment, except for those dates of competition excluded under Bylaws 17.25.9 and 17.25.10. **An institution is limited to one away-from-home competition during the nonchampionship segment.** Travel to

competition in the nonchampionship segment shall be restricted to ground transportation, unless there are no Division I institutions that sponsor the sport located within 400 miles of the institution.

G. Bylaws: Amend 17.25.8.1, as follows:

17.25.8.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in men's volleyball during the institution's men's volleyball playing season to not more than 28 dates of competition during the segment in which the NCAA championship is conducted and not more than ~~*four*~~ **two** dates of competition during another segment, except for those dates of competition excluded under Bylaws 17.25.9 and 17.25.10. **An institution is limited to one away-from-home date of competition during the nonchampionship segment.** Travel to competition in the nonchampionship segment shall be restricted to ground transportation, unless there are no Division I institutions that sponsor the sport located within 400 miles of the institution.

Source: Big Ten Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Economic pressures have caused athletics programs to examine expenditures in all areas. Competition during the nonchampionship segment has consistently been identified as an area in which cost savings could be achieved. Recently adopted legislation in cross country, field hockey, soccer, softball, and volleyball requires the use of ground transportation for competition during the nonchampionship segment unless there is no Division I program within 400 miles of campus. While the current legislation should result in some cost savings, there is the potential for the ground-transportation requirement to impact missed class time. Softball is currently the only sport that has a restriction on missed class time during the nonchampionship segment. Allowing only two dates of competition during the nonchampionship segment (with a maximum of one away-from-home date of competition) would achieve additional cost savings and would minimize missed class time while still preserving competitive opportunities for the identified sports.

Estimated Budget Impact: With over 1,300 teams impacted, the aggregate reduction would result in several thousand fewer dates of competition during the nontraditional season, which would result in meaningful cost savings for institutions.

Impact on Student-Athlete's Time (Academic and/or Athletics): Reduction in time spent traveling to and participating in competitions during the nontraditional season and possible reduction in missed class time.

Position Statement(s)

Women's Lacrosse Committee: The committee opposes the proposal. The nonchampionship segment is important to the sport as it relates to preparation and game experience. Limiting competitions would diminish the overall student-athlete experience.

History:

Jun 25, 2010 Submit Submitted for consideration.

Sep 07, 2010 Women's Lacrosse Committee, Recommends Defeat

No. 2010-89 PLAYING AND PRACTICE SEASONS -- BASKETBALL -- LOCATION OF QUALIFYING REGULAR-SEASON MULTIPLE-TEAM EVENT -- THE BAHAMAS

Intent: In basketball, to specify that a qualifying regular-season multiple-team event may occur in the Commonwealth of The Bahamas.

Bylaws: Amend 17.3.5.1.1, as follows:

17.3.5.1.1 Qualifying Regular-Season Multiple-Team Event. A qualifying regular-season multiple-team event is one in which:

(a) The event is sponsored by the NCAA, an active or affiliated member or a member conference of the Association and must take place in **the Commonwealth of The Bahamas,** Canada, Mexico or the United States or one of its territories;

[17.3.5.1.1-(b) through 17.3.5.1.1-(d) unchanged.]

[17.3.5.1.1.1 unchanged.]

Source: Conference USA and Southeastern Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Special events make a significant contribution to the growth and popularity of college basketball and provide opportunities for programs to compete in a tournament setting, often at neutral venues and frequently during vacation periods. This proposal maintains the original intent of a qualifying regular-season multiple-team event by limiting participation to one team per conference and one appearance per institution every four years while allowing more student-athletes the opportunity to participate. The legislation would have no adverse impact on a student-athlete's academic responsibilities as the proposal does not increase the overall number of contests. Further, an event in this locale is closer to the United States (e.g., 55 miles from Freeport to the U.S. coast, 179 miles from Nassau to the U.S. coast) than existing basketball tournaments in Mexico or U.S. territories in the region and is easily accessible from several major airports. This proposal would provide additional opportunities for basketball student-athletes to participate in qualifying regular-season multiple team events and is consistent with the addition of Canada and Mexico to the permissible locations, which occurred in 2007.

Estimated Budget Impact: Dependent on costs and potential guarantee from an event operator.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 29, 2010 Submit Submitted for consideration.

No. 2010-90 PLAYING AND PRACTICE SEASONS -- WOMEN'S BOWLING -- PRESEASON PRACTICE AND FIRST DATE OF COMPETITION -- OCTOBER 1

Intent: In women's bowling, to specify that an institution shall not commence practice sessions or engage in its first date of competition with outside competition prior to October 1.

A. Bylaws: Amend 17.4.2, as follows:

17.4.2 Preseason Practice. A member institution shall not commence practice sessions in bowling prior to ~~*September 7 or the institution's first day of classes for the fall term, whichever is earlier*~~ **October 1**.

B. Bylaws: Amend 17.4.3, as follows:

17.4.3 First Date of Competition. A member institution shall not engage in its first date of competition (game or scrimmage) with outside competition in bowling prior to ~~*September 7 or the institution's first day of classes for the fall term, whichever is earlier*~~ **October 1**.

Source: Northeast Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: This proposal would standardize the first permissible dates of preseason practice and competition, and it would minimize the pressure to begin the season early in the academic year.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): May reduce the length of the preseason practice period.

Position Statement(s)

History:

Jul 15, 2010 Submit Submitted for consideration.

No. 2010-91 PLAYING AND PRACTICE SEASONS -- WOMEN'S BOWLING -- NUMBER OF DATES OF COMPETITION

Intent: In women's bowling, to specify that an institution shall limit its total playing schedule with outside competition to, and that an individual student-athlete may participate in, each academic year, 32 dates of competition; further, to include all dates of competition of a tournament in the maximum limitation.

Bylaws: Amend 17.4.5, as follows:

17.4.5 Number of Dates of Competition.

17.4.5.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in bowling during the institution's bowling playing season to ~~*26*~~ **32** dates of competition (games and scrimmages) ~~*(including not more than 10 tournaments that are counted as single dates of competition)*~~, except for those dates of competition excluded under Bylaws 17.4.5.3 and 17.4.5.4 (see Bylaw 20.9.4.3 for minimum contests and participants requirements).

[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 ~~*26*~~ **32** dates of competition in bowling ~~*(including not more than 10 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).

[Remainder of 17.4.5 unchanged.]

Source: Northeast Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Under current legislation, institutions and student-athletes may participate in as many as 46 dates of competition due to the tournament provision, which permits institutions to count up to 10 three-day tournaments as single dates of competition (i.e., 10 x 3 = 30 plus 16 additional dates of competition = 46 total). By eliminating the tournament provision, this amendment standardizes the total dates of competition for institutions and student-athletes and also reduces the total dates of competition for institutions and student-athletes by as many as 14 dates.

Estimated Budget Impact: Potential cost savings due to decrease in dates of competition.

Impact on Student-Athlete's Time (Academic and/or Athletics): Limits the dates of competition in which student-athletes may participate and reduces travel and missed class time.

Position Statement(s)

History:

Jul 15, 2010 Submit Submitted for consideration.

No. 2010-92 PLAYING AND PRACTICE SEASONS -- CHAMPIONSHIP SUBDIVISION FOOTBALL -- PRESEASON PRACTICE -- LIMIT ON NUMBER OF PARTICIPANTS

Intent: In championship subdivision football, to increase the number of participants who may engage in practice activities prior to the institution's first day of classes or the institution's first contest, whichever is earlier, from 90 to 95.

Bylaws: Amend 17.9.2.1.3, as follows:

[Federated provision, FCS only]

17.9.2.1.3 Limit on Number of Participants -- Championship Subdivision Football. In championship subdivision football, there shall be a limit of ~~*90*~~ **95** 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.

Source: NCAA Division I Championships/Sports Management Cabinet (Football Issues Committee)

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: In the Football Bowl Subdivision (FBS), there is 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. Football Championship Subdivision (FCS) institutions are limited to 90 participants during this same period of time. Allowing FCS teams to have five additional student-athletes in preseason football would reduce the gap between FCS and FBS programs, which has become increasingly important as FCS teams schedule more FBS teams to start the competitive season. Additional student-athletes also would help ensure that teams do not lose quality practice experiences as a result of student-athletes being unable to practice due to injuries.

Estimated Budget Impact: Costs of additional meals and lodging for five student-athletes, at the institution's discretion. Estimated to be $250 per day for institutions that add five student-athletes as participants in preseason practice.

Impact on Student-Athlete's Time (Academic and/or Athletics): Time related to preseason practice for five additional student-athletes.

Position Statement(s)

History:

Apr 21, 2010 Submit Submitted for consideration.

Apr 23, 2010 Football Issues Committee, Recommends Approval

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

No. 2010-93 PLAYING AND PRACTICE SEASONS -- RIFLE -- DATES OF COMPETITION -- MULTIPLE-DAY CONTESTS

Intent: In rifle, to specify that an institution that participates in a match that exceeds one day in duration may count the multiple-day contest as a single date of competition; further, to specify that if student-athlete fires more than one score for either smallbore rifle or air rifle during a multiple-day contest, such participation will result in a second date of competition for the institution.

Bylaws: Amend 17.14.5, as follows:

17.14.5 Number of Dates of Competition.

17.4.5.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in rifle during the permissible rifle playing season to 13 dates of competition except for those dates of competition excluded under Bylaws 17.14.5.3 and 17.14.5.4 (see Bylaw 20.9.4.3 for minimum contests and participants requirements).

17.4.5.1.1 Competition That Exceeds One Day. An institution that participates in a match that exceeds one day in duration may count the multiple-day contest as a single date of competition. However, if student-athlete fires more than one score for either smallbore rifle or air rifle during a multiple-day contests, such participation will result in a second date of competition for the institution.

[Remainder of 17.4.5 unchanged.]

Source: Mid-American Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Due to the high cost of transportation and lodging, there has been some desire expressed in the collegiate rifle community to change the definition of a date of competition to permit one contest that occurs over multiple days to count as a single date of competition. Further, due to range limitations and the requirement that competition be "shoulder-to-shoulder" with an opponent, oftentimes, a host institution is required to participate in a match on each day of a multiday tournament, while other participating institutions may not be required to do so. In these multiday contests, each institution ends up with one score and each student-athlete competes only once; therefore, this change will not affect a student-athlete's dates of competition. This proposal would add a provision to rifle that is similar to provisions in other sports, such as tennis and track and field. Ultimately, this proposal will allow institutions to sponsor tournaments that occur over multiple days and permit institutions to accumulate up to three countable contests for sports sponsorship purposes (e.g., quadrangular meet scored against each institution) while making only one road trip and using only one date of competition.

Estimated Budget Impact: Costs savings by allowing institutions to host multiple day events, will count as only one date of competition.

Impact on Student-Athlete's Time (Academic and/or Athletics): Possible reduction in missed class time for participating student-athletes.

Position Statement(s)

Men's and Women's Rifle Committee: The committee supports the proposal and agrees with the sponsor's rationale.

History:

Jul 15, 2010 Submit Submitted for consideration.

Sep 02, 2010 Men's and Women's Rifle Committee, Recommends Approval

No. 2010-94 PLAYING AND PRACTICE SEASONS -- MEN'S SOCCER -- FIRST CONTEST OR DATE OF COMPETITION -- 12-WEEK SEASON

Intent: In men'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 Friday prior to the 12th weekend prior to the start of the applicable Division I soccer championship, except that an alumni contest may be played the previous weekend.

Bylaws: Amend 17.19.3, as follows:

17.19.3 First Contest or Date of Competition. An institution shall not play its first contest or engage in its first date of competition (game) with outside competition prior to the ~~*following dates:*~~

~~*(a) Women's Soccer -- The*~~ Friday prior to the 12th weekend prior to the start of the **applicable** NCAA Division I ~~*Women's*~~ soccer championship (see Figure 17-2), except that an alumni contest may be played the previous weekend.

~~*(b) Men's Soccer -- September 1 or the preceding Friday if September 1 falls on a Saturday, Sunday or Monday (see Figure 17-2), except that an alumni contest may be played the weekend prior to September 1 if September 1 does not fall on a Saturday, Sunday or Monday.*~~

Source: Pacific-10 Conference and Atlantic Coast Conference

Effective Date: August 1, 2011

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 2009, resulting in a consistent 12-week season every year. By making the men's soccer regular season 12 weeks every year this proposal would make the length of the men's soccer season consistent with women's soccer. Further, it would provide more consistency for scheduling purposes and it would eliminate the need for some mid-week games, which allow for more rest and recovery time for the student-athlete and, potentially, less missed class time.

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 (Academic and/or Athletics): No additional time demands on student-athletes because the total playing season in men's soccer would continue to be limited to 132 days.

Position Statement(s)

History:

Jul 13, 2010 Submit Submitted for consideration.

No. 2010-95 PLAYING AND PRACTICE SEASONS -- FIRST CONTEST OR DATE OF COMPETITION -- CROSS COUNTRY AND SOCCER -- 10-WEEK CROSS COUNTRY SEASON AND 11-WEEK SOCCER SEASON

Intent: In cross country, to specify that an institution shall not play its first contest or engage in its first date of competition (game or scrimmage) with outside competition prior to the Friday before the 10th weekend before the weekend of the NCAA Division I cross country regional competition; further, in 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 Friday before the 11th weekend before the start of the applicable NCAA Division I Soccer Championship.

A. Bylaws: Amend 17.5.3, as follows:

17.5.3 First Date of Competition. A member institution shall not engage in its first date of competition (game or scrimmage) with outside competition in cross country prior to ~~*September 1 or the preceding Friday if September 1 falls on a Saturday, Sunday or Monday*~~ **the Friday before the 10th weekend before the weekend of NCAA Division I regional cross country competition** (see Figure 17-2).

B. Bylaws: Amend 17.19.3, as follows:

17.19.3 First Contest or Date of Competition. An 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 ~~*12th*~~ **11th** weekend 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.

(b) Men's Soccer -- ~~*September 1 or the preceding Friday if September 1 falls on a Saturday, Sunday or Monday*~~ **The Friday before the 11th weekend before the start of the NCAA Division I Men's Soccer Championship** (see Figure 17-2), except that an alumni contest may be played the **previous** weekend ~~*prior to September 1 if September 1 does not fall on a Saturday, Sunday or Monday.*~~

Source: Big Ten Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Reducing the length of the season in certain sports has been identified as an area in which cost savings could be achieved. As recent as the 2006-07 academic year, men's and women's soccer began their seasons by counting back 11 weekends before the beginning of the NCAA championship. This proposal would return to that method of establishing the length of the regular season, and in doing so, reduce costs associated with bringing student-athletes to campus prior to the beginning of the academic year. It should be noted that field hockey, like soccer, is allowed 20 regular-season contests and currently begins the season by counting back 11 weekends prior to the NCAA championship. The first date of competition in cross country is currently tied to September 1 rather the number of weeks before the NCAA championships. Establishing a regular season based on 10 weekends prior to the NCAA regional competition would bring consistency to the length of the regular season, and in some years, eliminate a full week from the length of the season, which would result in cost savings. A 10-weekend season should provide an appropriate opportunity for institutions and student-athletes to use the maximum of seven dates of competition.

Estimated Budget Impact: The potential for cost savings would be particularly significant in women's soccer (307 institutions), which currently has a 12-week season. Cross country (624 institutions) would be similarly impacted if the first date of competition were moved back by at least a week, thereby moving back first practice dates. Men's soccer (198 institutions) would see less of an impact as its season is roughly 11 weeks, but depending on the calendar, occasionally has a 12-weekend season.

Impact on Student-Athlete's Time (Academic and/or Athletics): Reduction in time commitments with the shorter seasons in the impacted sports.

Position Statement(s)

History:

Jun 25, 2010 Submit Submitted for consideration.

No. 2010-96 PLAYING AND PRACTICE SEASONS -- WOMEN'S VOLLEYBALL -- PRESEASON PRACTICE -- 21 UNITS

Intent: In women's volleyball, to reduce, from 29 to 21, the number of units used to determine the start of preseason practice.

Bylaws: Amend 17.25.2, as follows:

17.25.2 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*~~ **21** units (see Bylaw 17.02.11) prior to the first scheduled intercollegiate contest (excluding the early alumni match) orSeptember 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. An institution may not begin practice in its segment in which the NCAA championship is not conducted until January 1.

Source: Big Ten Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: In 1989, legislation was adopted to allow football and women's volleyball to begin preseason practice using a method that included counting back 29 units from the first contest. In 1991, the same concept was adopted for every other fall sport, but the counting was based on 21 units. In 2003, the football preseason was redefined as part of a comprehensive health and safety-based initiative to regulate football-related activities throughout the entire calendar year, and counting is now based on 40 units. Consequently, women's volleyball is the only fall sport that begins preseason practice based on 29 units. Reducing the number of units in women's volleyball from 29 to 21 aligns women's volleyball with every other fall sport (excluding football, which has unique acclimatization needs), and would result in meaningful cost savings.

Estimated Budget Impact: Cost savings due to a shorter preseason period. Example: ($70 per day per student-athlete) x (14 student-athletes) x (4 days) = $3,920; $3,920 x 316 institutions = $1,238.720.

Impact on Student-Athlete's Time (Academic and/or Athletics): Reduces the length of time a student-athlete is required to be on campus for preseason practice.

Position Statement(s)

History:

Jun 25, 2010 Submit Submitted for consideration.

No. 2010-97 PLAYING AND PRACTICE SEASONS AND ELIGIBILITY -- WRESTLING -- FIRST DATE OF PRACTICE AND COMPETITION -- NO OUTSIDE COMPETITION BEFORE NOVEMBER 1

Intent: In wrestling, to specify that an institution shall not commence practice sessions prior to October 10 and shall not engage in its first date of competition with outside competition prior to November 1; further, to specify that a student-athlete shall not participate in outside competition (on a team or as an individual) between the beginning of the institution's academic year and November 1.

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 Exception **-- Sports Other Than Wrestling.** ~~A~~ **In sports other than wrestling, 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. The number of student-athletes from any one institution shall not exceed the applicable limits set forth in Bylaw 17.29.2.

14.7.1.2 Exception -- Wrestling. In wrestling, 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, except a vacation period that occurs between the beginning of the institution's academic year and November 1. The number of student-athletes from any one institution shall not exceed the applicable limits set forth in Bylaw 17.29.2.

[14.7.1.2 through 14.7.1.4 renumbered as 14.7.1.3 through 14.7.1.5, unchanged.]

14.7.1.~~5~~**6** Competition as Individual/Not Representing Institution. It is permissible for a student-athlete to participate in outside competition as an individual during the academic year in the student-athlete's sport, as long as the student-athlete represents only himself or herself in the competition and does not engage in such competition as a member of or receive expenses from an outside team.

14.7.1.6.1 Exception -- No Competition Before November 1 -- Wrestling. In wrestling, a student-athlete shall not participate in outside competition as an individual between the beginning of the institution's academic year and November 1.

[14.7.1.6 renumbered as 14.7.1.7, unchanged.]

B. Bylaws: Amend 17.27, as follows:

17.27 WRESTLING

Regulations for computing the wrestling playing season are set forth in Bylaw 17.1. (See Figure 17-1 and 17-2.)

[17.27.1 unchanged.]

17.27.2 Preseason Practice. A member institution shall not commence practice sessions in wrestling prior to ~~*September 7 or the institution's first day of classes for the fall term, whichever is earlier*~~ **October 10**.

17.27.3 First Date of Competition. A member institution shall not engage in its first date of competition (game or scrimmage) with outside competition in wrestling prior to ~~*September 7 or the institution's first day of classes for the fall term, whichever is earlier*~~ **November 1**.

[17.27.4 through 17.27.8 unchanged.]

17.27.9 Other Restrictions.

17.27.9.1 Noncollegiate, Amateur Competition.

17.27.9.1.1 During Academic Year. A student-athlete in wrestling who participates during the academic year as a member of any outside wrestling team in any noncollegiate, amateur competition (e.g., team invitational meets, exhibition meets or other activity) except while representing the institution in intercollegiate wrestling competition shall be ineligible for intercollegiate wrestling competition unless eligibility is restored by the Committee on Student-

Athlete Reinstatement (see Bylaw 14.7.3 for exceptions).

17.27.9.1.1.1 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**, except a vacation period that occurs between the beginning of the institution's academic year and November 1**. The number of student-athletes from any one institution shall not exceed five.

Source: NCAA Division I Championships/Sports Management Cabinet (Wrestling Committee)

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Establishing later start dates for practice and competition will shorten the wrestling season, benefiting the sport and student-athletes by providing more time for academic pursuits. In addition, the reduction in the length of the season, coupled with the restriction on outside competition between the beginning of the academic year and November 1, may aid in improving the Academic Progress Rate scores of wrestling programs.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): Increased time for student-athletes to focus on academic pursuits.

Position Statement(s)

History:

Apr 12, 2010 Submit Submitted for consideration.

Apr 15, 2010 Wrestling Committee, Recommends Approval

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

No. 2010-98 PLAYING AND PRACTICE SEASONS -- WRESTLING -- NUMBER OF DATES OF COMPETITION -- ANNUAL EXEMPTIONS -- NATIONAL WRESTLING COACHES ASSOCIATION NATIONAL DUALS

Intent: In wrestling, to specify that the National Wrestling Coaches Association (NWCA) National Duals shall be exempted from the maximum number of dates of competition.

Bylaws: Amend 17.27.5.3, as follows:

17.27.5.3 Annual Exemptions. The maximum number of dates of competition in wrestling shall exclude the following:

[17.27.5.3-(a) through 17.27.5.3-(g) unchanged.]

(h) U.S. National Team. One date of competition against any team as selected and designated by the appropriate national governing body for wrestling as a U.S. national team (e.g., "Under-21" U.S. national team); ~~*and*~~

(i) NWCA All-Star Meet. One date of competition in wrestling each year in the National Wrestling Coaches Association (NWCA) all-star meet-**;and**

(j) NWCA National Duals. Competition in the National Wrestling Coaches Association (NWCA) National Duals.

Source: NCAA Division I Championships/Sports Management Cabinet (Wrestling Committee)

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: This exemption helps to place greater emphasis on dual meet competition. Institutions do not know if they will participate in the NWCA National Duals at the time they establish their schedules because invitations to the NWCA National Duals are provided only one month in advance of the event. Exempting the event will allow a student-athlete to compete in this prestigious event if invited, even if the institution or individual is already scheduled to compete in the maximum 16 dates of competition.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): Potential for an increase in the number of dates of competition in which a student-athlete may participate.

Position Statement(s)

History:

Apr 12, 2010 Submit Submitted for consideration.

Apr 15, 2010 Wrestling Committee, Recommends Approval

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

No. 2010-99 PLAYING AND PRACTICE SEASONS -- FOREIGN TOURS AND COMPETITION -- NO INSTITUTIONAL OR CONFERENCE FOREIGN TOURS

Intent: To specify that an institution or conference shall not sponsor or participate in a foreign tour; further, to specify that competition in a U.S. territory shall be restricted to once every four years on one trip during the prescribed playing season.

A. Bylaws: Amend 13.11.1.3, as follows:

13.11.1.3 Competition Against Prospective Student-Athletes -- Sports Other Than Football. In sports other than football, an institution's varsity intercollegiate team may compete against a two-year college team but may not compete against a high school or preparatory school team. An institution's varsity team may not participate in a contest against an outside team (e.g.,

nonscholastic team) that includes high school prospective student-athletes except for ~~*permissible contests while on a foreign tour,*~~ exempted contests against a foreign team in the United States and the U.S. national team. In individual sports, it is permissible for an institution's varsity team and an outside team that includes prospective student-athletes to participate in the same open event, provided the event either involves no team scoring or the event uses team scoring such that the institution's varsity team and the outside team are in separate scoring categories. Subvarsity teams are not bound by this prohibition.

B. Bylaws: Amend 14.2.3, as follows:

14.2.3 Criteria for Determining Season of Competition.

[14.2.3.1 through 14.2.3.5 unchanged.]

~~*14.2.3.6 Foreign Tour Competition. A student-athlete who did not compete during the institution's season just completed and who represents the institution in a certified foreign tour after that intercollegiate season and prior to the start of the next academic year shall not be charged with a season of eligibility (see Bylaw 17.29.1.4).*~~

C. Bylaws: Amend 14.2.4.3, as follows:

14.2.4.3 Criteria for Administration of Hardship Waiver.

[14.2.4.3.1 through 14.2.4.3.6 unchanged.]

~~*14.2.4.3.7 Foreign-Tour Competition. A student-athlete who qualifies for a hardship for the previous academic year would not use a season of competition if the student-athlete represents the institution on a certified foreign tour during the summer-vacation period at the conclusion of that academic year.*~~

D. Bylaws: Amend 16.8.1, as follows:

16.8.1 Permissible. The permissible expenses for practice and competition that an institution may provide a student-athlete are defined in the following subsections. (See Bylaw 16.9 for expenses that may be provided by individuals or organizations other than the institution.)

[16.8.1.1 through 16.8.1.7 unchanged.]

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

[16.8.1.9 renumbered as 16.8.1.8, unchanged.]

E. Bylaws: Amend 16.11.1.12, as follows:

16.11.1.12 Miscellaneous Benefits. An institution may provide or arrange for the following benefits for a student-athlete:

~~*(a) The use of a return ticket at any time after the conclusion of a foreign tour;*~~

[16.11.1.12-(b) through 16.11.1.12-(h) relettered as 16.11.1.12-(a) through 16.11.1.12-(g), unchanged.]

F. Bylaws: Amend 17.1.7, as follows:

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

[17.1.7-(a) through 17.1.7-(f) unchanged.]

~~*(g) Foreign Tours. Participation by a member institution on a certified foreign tour (see Bylaw 17.29) need not be included within the institution's declared playing season limitation in the sport.*~~

[17.1.7.1 unchanged.]

G. Bylaws: Amend 17.2, as follows:

17.2 BASEBALL. Regulations for computing the baseball playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.2.1 through 17.2.4 unchanged.]

17.2.5 Number of Contests.

[17.2.5.1 unchanged.]

17.2.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may play one or more of its countable contests in baseball in one or more foreign countries **or U.S. territories** 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 17.29),*~~ the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.2.5.2 through 17.2.5.3 unchanged.]

~~*17.2.5.4 Once-in-Four-Years Exemption -- Foreign Tour. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 17.29.*~~

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 per Bylaw 17.2.1, except as permitted in Bylaw 17.1.6.2

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

[Remainder of 17.2 unchanged.]

H. Bylaws: Amend 17.3, as follows:

17.3 BASKETBALL. Regulations for computing the basketball playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.3.1 through 17.3.4 unchanged.]

17.3.5 Number of Contests.

[17.3.5.1 unchanged.]

[17.3.5.1.1 unchanged.]

17.3.5.1.2 In-Season Foreign **or U.S. Territory** Competition. A member institution may play one or more of its countable contests in basketball in one or more foreign countries **or U.S. territories** 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 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.3.5.2 through 17.3.5.3 unchanged.]

~~*17.3.5.4 Foreign Tour. The games played on a foreign basketball tour shall be excluded from the maximum number of contests, provided the tour is conducted in accordance with the procedures set forth in Bylaw 17.29.*~~

17.3.6 Out-of-Season Athletically Related Activities. In basketball, student-athletes and members of the coaching staff shall not engage in countable athletically related activities outside the institution's playing season except as permitted in Bylaw 17.1.6.2.

17.3.6.1 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.

[Remainder of 17.3 unchanged.]

I. Bylaws: Amend 17.4, as follows:

17.4 BOWLING, WOMEN'S. Regulations for computing the bowling playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.4.1 through 17.4.4 unchanged.]

17.4.5 Number of Dates of Competition.

[17.4.5.1 unchanged.]

17.4.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable dates of competition in bowling in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in season foreign*~~ competition more than once every four years.

[17.4.5.2 through 17.4.5.3 unchanged.]

~~*17.4.5.4 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 17.29*~~

17.4.6 Out-of-Season Athletically Related Financial 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 17.4.1 except as permitted in Bylaw 17.1.6.2.

17.4.6.1 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.

[Remainder of 17.4 unchanged.]

J. Bylaws: Amend 17.5, as follows:

17.5 CROSS COUNTRY. Regulations for computing the cross country playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.5.1 through 17.5.4 unchanged.]

17.5.5 Number of Dates of Competition.

[17.5.5.1 unchanged.]

17.5.5.1.1 unchanged.]

17.5.5.1.2 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable dates of competition in cross country in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years

[17.5.5.2 through 17.5.5.3 unchanged.]

~~*17.5.5.4 Once-In-Four Years Exemption. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 17.29.*~~

17.5.6 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 17.5.1 except as permitted in Bylaw 17.1.6.2

17.5.6.1 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.

[Remainder of 17.5 unchanged.]

K. Bylaws: Amend 17.6, as follows:

17.6 EQUESTRIAN, WOMEN'S. Regulations for computing the equestrian playing season set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.6.1 through 17.6.4 unchanged.]

17.6.5 Number of Dates of Competition.

[17.6.5.1 unchanged.]

17.6.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable dates of competition in equestrian in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such in-season foreign competition more than once every four years.

[17.6.5.2 through 17.6.5.3 unchanged.]

~~*17.6.5.4 Foreign Tour. The dates of competition in equestrian 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 17.29.*~~

17.6.6 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 17.6.1 except as permitted in Bylaw 17.1.6.2.

17.6.6.1 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.

[Remainder of 17.6 unchanged.]

L. Bylaws: Amend 17.7, as follows:

17.7 FENCING. Regulations for computing the fencing playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.7.1 through 17.7.4 unchanged.]

17.7.5 Number of Dates of Competition.

[17.7.5.1 unchanged.]

17.7.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable dates of competition in fencing in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.7.5.1.2 unchanged.]

[17.7.5.2 unchanged.]

~~*17.7.5.3 Once-in-Four-Years Exemption Foreign Tour. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (also see Bylaw 17.29.*~~

17.7.6 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff at the student-athlete's institution shall not engage in countable athletically related activities (see Bylaw 17.02.1) outside the institution's declared playing season per Bylaw 17.7.1 except as permitted in Bylaw 17.1.6.2.

17.7.6.1 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.

[Remainder of 17.7 unchanged.]

M. Bylaws: Amend 17.8, as follows:

17.8 FIELD HOCKEY. Regulations for computing the field hockey playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.8.1 through 17.8.4 unchanged.]

17.8.5 Number of Contests and Dates of Competition.

[17.8.5.1 unchanged.]

17.8.5.1.1 In-Season Foreign Tour **or U.S. Territory** Competition. A member institution may play one or more of its countable field hockey contests or dates of competition in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for contests or dates of competition played in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.8.5.2 through 17.8.5.3 unchanged.]

~~*17.8.5.4 Once-in-Four-Years Exemption Foreign Tour. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.29).*~~

17.8.6 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 17.8.1 except as permitted in Bylaw 17.1.6.2.

17.8.6.1 Summer Practice. Field hockey 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.

[Remainder of 17.8 unchanged.]

N. Bylaws: Amend 17.9, as follows:

17.9 FOOTBALL. Regulations for computing the football playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.9.1 through 17.9.3]

17.9.4 A member institution's last contest (game or scrimmage) with outside competition in football shall not be played after the second Saturday or Sunday in December, except for the following:

[17.9.4-(a) unchanged.]

(b) Bowl Games, NCAA and NAIA Championships, ~~*International Competition*~~, Heritage Bowl and Gridiron Classic**.** One postseason game approved by the Championships/Sports Management Cabinet or those games played in the Division I Football Championship; ~~*football contests played on a foreign tour certified by the member institution*~~, or the National Association of Intercollegiate Athletics football championships. In championship subdivision football only, a member institution's last contest also may include participation in the Heritage Bowl or Gridiron Classic.

[17.9.4.1 through 17.9.4.3 unchanged.]

17.9.5 Number of Contests.

[17.9.5.1 unchanged.]

17.9.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may play one or more of its countable contests in football in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for contests played in Canada, Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.9.5.1.2 unchanged.]

17.9.5.2 Annual Exemptions. The maximum number of football contests shall exclude the following:

[17.9.5.2-(a) through 17.9.5.2-(i) unchanged.]

~~*(j) Foreign Tour. The football games played 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 17.29);*~~

[17.9.2.2-(k) through 17.9.5.2-(l) relettered as 17.9.2.2-(j) through 17.9.5.2-(k) unchanged.]

17.9.6 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff shall not engage in countable athletically related activities outside the playing season, except as set forth in this bylaw (Bylaw 17.1.6.2).

[17.9.6.1 through 17.9.6.4 unchanged.]

17.9.6.6 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.

[Remainder of 17.9 unchanged.]

O. Bylaws: Amend 17.10, as follows:

17.10 GOLF. Regulations for computing the golf playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.10.1 through 17.10.4 unchanged.]

17.10.5 Number of Dates of Competition.

[17.10.5.1 unchanged.]

[17.10.5.1.1 through 7.10.5.1.2 unchanged.]

17.10.5.1.3 In-Season Foreign **or U.S. Territory** Competition. A member institution may play one or more of its countable dates of competition in golf in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.10.5.1.4 unchanged.]

[17.10.5.2 unchanged.]

~~*17.10.5.3 Once-in-Four-Years Exemption – Foreign Tour. An institution may exempt a foreign tour from its 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 17.29).*~~

17.10.6 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 17.10.1 except as permitted in Bylaw 17.1.6.2.

17.10.6.1 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.

[Remainder of 17.10 unchanged.]

P. Bylaws: Amend 17.11, as follows:

17.11 GYMNASTICS. Regulations for computing the gymnastics playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.11.1 through 17.11.4 unchanged.]

17.11.5 Number of Dates of Competition.

[17.11.5.1 unchanged.]

17.11.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable gymnastics dates of competition in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.11.5.1.2 unchanged.]

[17.11.5.2 unchanged.]

~~*17.11.5.3 Once-in-Four-Years Exception -- Foreign Tour. The contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.29).*~~

17.11.6 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff at the student-athlete's institution shall not engage in countable athletically related activities (see Bylaw 17.02.1) outside the institution's declared playing season per Bylaw 17.11.1 except as permitted in Bylaw 17.1.6.2.

17.11.6.1 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.

[Remainder of 17.11 unchanged.]

Q. Bylaws: Amend 17.12, as follows:

17.12 ICE HOCKEY. Regulations for computing the ice hockey playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.12.1 through 17.12.4 unchanged.]

17.12.5 Number of Contests.

[17.12.5.1 unchanged.]

17.12.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may play one or more of its countable contests in ice hockey in one or more foreign countries **or U.S. territories** 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 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.12.5.2 through 17.12.5.3 unchanged.]

~~*17.12.5.4 Once-in-Four-Years Exemption -- Foreign Tour. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.29).*~~

17.12.6 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 17.12.1 except as permitted in Bylaw 17.1.6.2.

17.12.6.1 Summer Practice. Ice hockey 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.

[Remainder of 17.12 unchanged.]

R. Bylaws: Amend 17.13, as follows:

17.13 LACROSSE. Regulations for computing the lacrosse playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.13.1 through 17.13.4 unchanged.]

17.13.5 Number and Dates of Competition.

[17.13.5.1 unchanged.]

17.13.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable dates of competition in lacrosse in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for dates of competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.13.5.2 through 17.13.5.3 unchanged.]

~~*17.13.5.4 Once-in-Four-Years Exemption -- Foreign Tour. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.29).*~~

17.13.6 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 17.13.1 except as permitted in Bylaw 17.1.6.2.

17.13.6.1 Summer Practice. Lacrosse 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.

[Remainder of 17.13 unchanged.]

S. Bylaws: Amend 17.14, as follows:

17.14 RIFLE. Regulations for computing the rifle playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.14.1 through 17.14.4 unchanged.]

17.14.5 Number of Dates of Competition.

[17.14.5.1 unchanged.]

17.14.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable dates of competition in rifle in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.14.5.2 through 17.14.5.3 unchanged.]

~~*17.14.5.4 Once-in-Four-Years Exemption -- Foreign Tour. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.29).*~~

17.14.6 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff at the student-athlete's institution shall not engage in countable athletically related activities (see Bylaw 17.02.1) outside the institution's declared playing season per Bylaws 17.14.1 except as permitted in Bylaw 17.1.6.2.

17.14.6.1 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.

[Remainder of 17.14 unchanged.]

T. Bylaws: Amend 17.15, as follows:

17.15 ROWING, WOMEN'S. Regulations for computing the rowing playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.) The following regulations apply independently to open and lightweight rowing programs.

[17.15.1 through 17.15.4 unchanged.]

17.15.5 Number of Dates of Competition.

[17.15.5.1 unchanged.]

17.15.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable dates of competition in rowing in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.15.5.2 through 17.15.5.3 unchanged.]

~~*17.15.5.4 Foreign Tour. The dates of competition in rowing 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 17.29).*~~

17.15.6 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 17.15.1 except as permitted in Bylaw 17.1.6.2.

17.15.6.1 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.

[Remainder of 17.15 unchanged.]

U. Bylaws: Amend 17.16, as follows:

17.16 RUGBY, WOMEN'S. Regulations for computing the rugby playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.16.1 through 17.16.4 unchanged.]

17.16.5 Number of Contests.

[17.16.5.1 unchanged.]

[17.16.5.1.1 unchanged.]

17.16.5.1.2 In-Season Foreign or U.S. Territory Competition. A member institution may play one or more of its countable contests in women's rugby in one or more foreign countries **or U.S. territories** 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 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.16.5.2 through 17.16.5.3 unchanged.]

~~*17.16.5.4 Foreign Tour. An institution may exempt the contests played 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 17.29).*~~

17.16.6 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 17.16.1 except as permitted in Bylaw 17.1.6.2.

17.16.6.1 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.

[Remainder of 17.16 unchanged.]

V. Bylaws: Amend 17.18, as follows:

17.18 SKIING. Regulations for computing the skiing playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.18.1 through 17.18.4 unchanged.]

17.18.5 Number of Dates of Competition.

[17.18.5.1 unchanged.]

[17.18.5.1.1 unchanged.]

17.18.5.1.2 In-Season Foreign or U.S. Territories Competition. A member institution may engage in one or more of its countable dates of competition in skiing in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.18.5.2 through 17.18.5.3 unchanged.]

~~*17.18.5.4 Once-in-Four-Years Related Activities. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.29).*~~

17.18.6 Out-of Season Athletically Related Activities. Student-athletes and members of the coaching staff at the student-athlete's institution shall not engage in countable athletically related activities (see Bylaw 17.02.1) outside the institution's declared playing season per Bylaw 17.18.1 except as permitted in Bylaw 17.1.6.2.

17.18.6.1 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.

[Remainder of 17.18 unchanged.]

W. Bylaws: Amend 17.19, as follows:

17.19 SOCCER. Regulations for computing the soccer playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.19.1 through 17.19.4 unchanged.]

17.19.5 Number of Contests and Dates of Competition.

[17.19.5.1 unchanged.]

17.19.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may play one or more of its countable contests in soccer in one or more foreign countries **or U.S. territories** 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 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.19.5.2 through 17.19.5.3 unchanged.]

~~*17.19.5.4 Once-in-Four-Years Exemption -- Foreign Tour. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.29).*~~

17.19.6 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 17.19.1 except as permitted in Bylaw 17.1.6.2.

17.19.6.1 Summer Practice. Soccer 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.

[Remainder of 17.19 unchanged.]

X. Bylaws: Amend 17.20, as follows:

17.20 SOFTBALL. Regulations for computing the softball playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.20.1 through 17.20.4 unchanged.]

17.20.5 Number of Contests.

[17.20.5.1 unchanged.]

[17.20.5.1.1 unchanged.]

17.20.5.1.2 In-Season Foreign **or U.S. Territory** Competition. A member institution may play one or more of its countable contests in softball in one or more foreign countries **or U.S. territories** 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 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.20.5.2 through 17.20.5.3 unchanged.]

~~*17.20.5.4 Once-in-Four-Years Exemption -- Foreign Tour. An institution may exempt those softball games played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 17.29, from its maximum number of softball contests during any academic year.*~~

17.20.6 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 17.20.1 except as permitted in Bylaw 17.1.6.2.

17.20.6.1 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.

[Remainder of 17.20 unchanged.]

Y. Bylaws: Amend 17.21, as follows:

17.21 SQUASH, WOMEN'S. Regulations for computing the squash playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.21.1 through 17.21.4 unchanged.]

17.21.5 Number of Dates of Competition.

[17.21.5.1 unchanged.]

17.21.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable dates of competition in squash in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.21.5.2 through 17.21.5.3 unchanged.]

~~*17.21.5.4 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 17.29).*~~

17.21.6 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 17.21.1 except as permitted in Bylaw 17.1.6.2.

17.21.6.1 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.

[Remainder of 17.21 unchanged.]

Z. Bylaws: Amend 17.22, as follows:

17.22 SWIMMING AND DIVING. Regulations for computing the swimming and diving playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.22.1 through 17.22.4 unchanged.]

17.22.5 Number of Dates of Competition.

[17.22.5.1 unchanged.]

17.22.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable dates of competition in swimming and diving in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see*~~

~~*Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.22.5.2 through 17.22.5.3 unchanged.]

~~*17.22.5.4 Once-in-Four-Years Exemption -- Foreign Tour. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.29).*~~

17.22.6 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 17.22.1 except as permitted in Bylaw 17.1.6.2.

17.22.6.1 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.

[Remainder of 17.22 unchanged.]

AA. Bylaws: Amend 17.23, as follows:

17.23 TENNIS. Regulations for computing the tennis playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.23.1 through 17.23.4 unchanged.]

17.23.5 Number of Dates of Competition.

[17.23.5.1 unchanged.]

[17.23.5.1.1 through 17.23.5.1.3 unchanged.]

17.23.5.1.4 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable dates of competition in tennis in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years

[17.23.5.2 through 17.23.5.3 unchanged.]

~~*17.23.5.4 Once-in-Four-Years Exemption -- Foreign Tour. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.29).*~~

17.23.6 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 17.23.1 except, as permitted in Bylaw 17.1.6.2.

17.23.6.1 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.

[Remainder of 17.23 unchanged.]

BB. Bylaws: Amend 17.24, as follows:

17.24 TRACK AND FIELD, INDOOR/OUTDOOR. Regulations for computing the indoor/outdoor track and field playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.24.1 through 17.24.4 unchanged.]

[17.24.5.1 unchanged.]

[17.24.5.1.1 unchanged.]

17.24.5.1.2 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable dates of competition in indoor and outdoor track and field in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.24.5.2 through 17.24.5.3 unchanged.]

~~*17.24.5.4 Once-in-Four-Years Exemption -- Foreign Tour. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.29).*~~

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 Bylaw 17.1.6.2.

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.

[Remainder of 17.24 unchanged.]

CC. Bylaws: Amend 17.25, as follows:

17.25 VOLLEYBALL. Regulations for computing the volleyball playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.25.1 through 17.25.6 unchanged.]

17.25.7 Number of Dates of Competition.

[17.25.7.1 unchanged.]

17.25.7.1.1 In-Season Foreign **or U.S. Territory** Competition -- Women. A member institution may play one or more of its countable dates of competition in women's volleyball in one or more foreign countries **or U.S. territories** 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 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.25.7.2 unchanged.]

17.25.8 Number of Dates of Competition -- Men.

[17.25.8.1 unchanged.]

17.25.8.1.1 In-Season Foreign **or U.S. Territory** Competition -- Men. A member institution may play one or more of its countable dates of competition in men's volleyball in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for those contests played in Canada and Mexico ~~*or on a certified foreign tour (see Bylaw 17.29)*~~, the institution may not engage in such ~~*in-season foreign*~~ competition more than once every four years.

[17.25.8.2 unchanged.]

[17.25.9 unchanged.]

~~*17.25.10 Once in Four Years Exemption -- Foreign Tour. An institution may not exempt more than one foreign tour from its maximum number of dates of competition in volleyball during any academic year and may not repeat participation in a foreign tour within a four-year period. The tour shall be conducted by the member institution in accordance with the procedures set forth in Bylaw 17.29.*~~

17.25.~~*11*~~**10** 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 Bylaw 17.1.6.2.

17.25.~~*11*~~**10**.1 Summer Practice. Volleyball 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.

[17.25.12 through 17.25.13 renumbered as 17.25.11 through 17.25.12, unchanged.]

DD. Bylaws: Amend 17.26, as follows:

17.26 WATER POLO. Regulations for computing the men's and women's water polo playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.26.1 through 17.26.4 unchanged.]

17.26.5 Number of Dates of Competition.

[17.26.5.1 unchanged.]

17.26.5.1.1 In-Season Foreign **or U.S. Territory** Competition. A member institution may play one or more of its countable dates of competition in water polo in one or more foreign countries **or U.S. territories** 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*~~

~~17.29)~~, the institution may not engage in such ~~in-season foreign~~ competition more than once every four years.

[17.26.5.2 through 17.26.5.3 unchanged.]

~~17.26.5.4 Once-in-Four-Years Exemption -- Foreign Tour. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.29).~~

17.26.6 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 17.26.1 except as permitted in Bylaw 17.1.6.2.

17.26.6.1 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.

[Remainder of 17.26 unchanged.]

EE. Bylaws: Amend 17.27, as follows:

17.27 WRESTLING. Regulations for computing the wrestling playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.27.1 through 17.27.4 unchanged.]

17.27.5 Number of Dates of Competition.

[17.27.5.1 unchanged.]

[17.27.5.1.1 unchanged.]

17.27.5.1.2 In-Season Foreign **or U.S. Territory** Competition. A member institution may engage in one or more of its countable dates of competition in wrestling in one or more foreign countries **or U.S. territories** on one trip during the prescribed playing season. However, except for competition in Canada and Mexico ~~or on a certified foreign tour (see Bylaw 17.29)~~, the institution may not engage in such ~~in-season foreign~~ competition more than once every four years.

17.27.5.2 through 17.27.5.3 unchanged.]

~~17.27.5.4 Once-in-Four-Years Exemption -- Foreign Tour. An institution may exempt the contests played on a foreign tour, provided the tour is conducted by the member institution in accordance with the procedures set forth in Bylaw 17.29.~~

17.27.6 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 17.27.1 except as permitted in Bylaw 17.1.6.2.

17.27.6.1 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

[Remainder of 17.27 unchanged.]

FF. Bylaws: Amend 17.29, as follows:

17.29 FOREIGN TOURS

17.29.1 ~~*Institutionally*~~ **Institutional or Conference** ~~*Certified*~~ Tours. A member institution **or conference** ~~*may*~~ **shall not sponsor or** participate in ~~*competition in any sport on*~~ **a** foreign ~~*tours*~~ **tour**. ~~*The institution must certify in writing that the conditions set forth in this section are met and must maintain the certification on file in the athletics department.*~~

[17.29.1.1 unchanged.]

~~*17.29.1.2 Timing of Tour. A tour may only be scheduled during the summer vacation period between the institution's spring and fall terms or during 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.*~~

~~*17.29.1.2.1 Summer Vacation Period. A foreign tour taken during the summer vacation period shall be considered to have occurred during the academic year after the summer for purposes of Bylaw 17.*~~

~~*17.29.1.2.2 Prohibition Prior to Championship Segment. In sports in which separate dates are specified for the first permissible date of practice and the first permissible date of competition for the championship segment (e.g., women's volleyball, basketball, baseball), an institution may not engage in a foreign tour during the period beginning 30 days prior to the first permissible practice date until the first permissible date for a contest or date of competition in the championship segment in the applicable sport. In sports in which the same date is specified for the first permissible date of practice and the first permissible date of competition (e.g., gymnastics, lacrosse, swimming and diving), an institution may not engage in a foreign tour for a period of 30 days prior to the first day of the institution's declared playing and practice season (first permissible date of practice or competition) for the championship segment in the applicable sport.*~~

~~*17.29.1.3 Time Lapse Between Tours. An institution shall not engage in a foreign tour in each sport more than once every four years. In basketball, a student-athlete shall not participate in more than one foreign tour for a particular institution.*~~

~~*17.29.1.4 Eligibility of Student Athletes. The eligibility of student-athletes on the tour shall be governed by the following (see Bylaw 14.2.3.6):*~~

~~*(a) If the tour takes place during the summer, the student-athletes shall have been eligible for intercollegiate competition during the previous academic year or shall have been enrolled at the institution as a full-time student during the previous academic year and have established by the beginning of the tour that he or she is eligible for competition during the academic year*~~

~~*immediately following the tour; or*~~

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

~~*17.29.1.4.1 Incoming Student Participation. It is permissible for an eligible incoming student-athlete to represent the institution on a foreign tour that begins after the permissible starting practice date in the sport involved or after the first day of classes of his or her first regular term at the institution. An incoming student-athlete (freshman or transfer) may participate in practice sessions conducted in preparation for a foreign tour only if such practice sessions occur either.*~~

~~*(a) On or after the first permissible practice date in the involved sport; or*~~

~~*(b) On or after the first day of classes of the student-athlete's first regular academic term at the institution.*~~

~~*17.29.1.4.1.1 Exception-- Basketball. In basketball, it is permissible for an incoming student-athlete (freshman or transfer) to represent the institution on a foreign tour that occurs during the summer prior to his or her initial full-time enrollment at the certifying institution and participate in practice prior to departure for the foreign tour pursuant to Bylaw 30.7.7, provided the following conditions are met:*~~

~~*(a) He or she has earned at least three hours of acceptable degree credit (toward any of the institution's degree programs) during the summer term at the certifying institution; and*~~

~~*(b) He or she is eligible to represent the institution in intercollegiate competition during the academic year immediately following the tour.*~~

~~*17.29.1.4.1.1.1 Exception for Practice Prior to Departure -- Basketball. In basketball, if an incoming student-athlete's eligibility pursuant to Bylaw 17.29.1.4.1.1-(a) is pending (e.g., course in progress, grades not posted), he or she may participate in practice, provided he or she is enrolled in a summer course that will fulfill the requirement or has completed such a course and the posting of a grade for the course is pending. If an incoming freshman student-athlete's initial academic eligibility qualification status has not been certified, he or she may participate in practice pursuant to Bylaw 14.3.5.1. If an incoming transfer student-athlete's academic record has not been certified, he or she may participate in practice pursuant to Bylaw 14.5.4.5.6.*~~

~~*17.29.1.5 Practice Limitation. Not more than 10 days of practice are permitted prior to departure. Practice is prohibited outside the playing season one week prior to the beginning of the institution's final examination period for the applicable regular academic term through the conclusion of the final examination period.*~~

~~*17.29.1.6 Maximum Number of Contests/Competition Dates. A team shall be limited to a maximum of three football games, 10 basketball games, or 10 contests or dates of competition in any other sport during and as part of the tour.*~~

~~*17.29.1.7 Opponents. The team shall not compete during the tour against other American teams (colleges or other U.S. teams) other than teams composed of U.S. armed forces personnel stationed at U.S. military bases in foreign countries.*~~

~~*17.29.1.7.1 Exception -- Women's Rowing. It is permissible for rowing teams representing NCAA member institutions to compete against each other as part of the Henley Royal Regatta.*~~

~~*17.29.1.8 Football Postseason Opportunity. A foreign football tour shall be considered that institution's postseason opportunity for that season, the accounting period to commence with the start of the institution's normal beginning of fall football practice.*~~

~~*17.29.1.9 Per Diem. An institution may provide a student-athlete $20 cash per day to cover unitemized incidental expenses incurred in connection with a foreign tour in his or her particular sport. This expense allowance may be provided each day of the tour, up to a maximum of 21 days.*~~

~~*17.29.1.10 Passports. An institution may purchase passports for its student-athletes that are required for travel in connection with a foreign tour, and student-athletes may retain ownership of such passports. The institution also may provide student-athletes with reasonable local transportation to obtain such passports.*~~

17.29.2 Outside-Team Tours. An outside team that includes student-athletes from more than one member institution may participate in international competition in any sport on a foreign tour. However, any such outside team ~~*that includes*~~ **shall not include** more than the following number of student-athletes from the same member institution ~~*must be certified by the institution in accordance with procedures set forth in Bylaw 17.29.1*~~.

Baseball	4	Gymnastics	2	Softball	4
Basketball	2	Ice Hockey	4	Swimming and Diving	5
Cross Country	2	Lacrosse	5	Tennis	2
Fencing	4	Rifle	2	Track and Field	7
Field Hockey	5	Women's Rowing	4	Volleyball	2
Football	5	Skiing	4	Water Polo	4
Golf	2	Soccer	5	Wrestling	5

~~*17.29.2.1 Institutional Foreign Tour Limitations. A member institution shall be charged with its foreign-tour opportunity in a sport and its once-in-four-years limitation if the institution is represented by more than the number of student-athletes specified under Bylaw 17.29.2 on an outside team participating in a foreign tour in that sport.*~~

Source: Big Ten Conference

Effective Date: Immediate; a contract signed before August 13, 2010, may be honored.

Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: Economic pressures have caused athletics programs to examine expenditures in all areas. Foreign tours have consistently been identified as an area in which cost savings could be achieved. While visiting foreign nations is a part of the learning experience, foreign tours are viewed by many institutions as less of a cultural opportunity and more of an additional opportunity to get a "head start" on the ensuing season. Saving the costs associated with such tours seems to be logical in these difficult economic times.

Estimated Budget Impact: Potential for significant cost savings.

Impact on Student-Athlete's Time (Academic and/or Athletics): Reduction on time demands of student-athletes.

Position Statement(s)

Men's Lacrosse Committee: The committee opposes the proposal. The committee believes that whether to engage in a foreign tour and expend the necessary funds for such tours is an institutional decision. The current rule that limits foreign tours to once every four years is an appropriate limitation.

History:

Jun 28, 2010 Submit Submitted for consideration.

Sep 07, 2010 Men's Lacrosse Committee, Recommends Defeat

Division Membership

No. 2010-100 DIVISION MEMBERSHIP -- ELIMINATION OF PROVISIONAL AND MULTIDIVISIONAL MEMBERSHIP -- RECLASSIFICATION PROCESS AND MULTI-SPORT CONFERENCE REQUIREMENTS

Intent: To eliminate provisional and multidivisional membership, as specified, further to establish a four-year process for an institution that wishes to reclassify membership from Division II to Division I.

A. Constitution: Amend 3, as follows:

3 NCAA Membership

3.01 GENERAL PRINCIPLES

3.01.1 Class of Membership. ~~*The NCAA*~~ **Division I** offers ~~*five*~~ **four** classes of membership: active, conference, affiliated, **and** corresponding ~~*and provisional*~~. Eligibility for and method of election to membership, obligations and conditions for continuing membership, voting rights and other membership privileges for each class are defined in this article.

[3.01.2 through 3.01.4 unchanged.]

3.02 DEFINITIONS AND APPLICATIONS

[3.02.1 through 3.02.2 unchanged.]

3.02.3 Membership Categories.

3.02.3.1 Active Member. An active member is a four-year college or university ~~*or a two year upper level collegiate institution*~~ that is accredited by the appropriate regional accrediting agency and duly elected to active membership under the provisions of this article (see Constitution 3.2.3). Active members have the right to compete in NCAA championships, to vote on legislation and other issues before the Association, and to enjoy other privileges of membership designated in the constitution and bylaws of the Association.

[3.02.3.1.1 unchanged.]

~~*3.02.3.2 Provisional Member. A provisional member is a four year college or university or a two-year upper level collegiate institution that is accredited by the appropriate regional accrediting agency and that has applied for active membership in the Association. Provisional membership is a prerequisite for active membership in the Association. The institution shall be elected to provisional membership under the provisions of this article (see Constitution 3.6.3). Provisional members shall receive all publications and mailings received by active members in addition to other privileges designated in the constitution and bylaws of the Association. Provisional membership is limited to a seven year period.*~~

[3.02.3.3 through 3.02.3.4 renumbered as 3.02.3.2 through 3.02.3.3, unchanged.]

3.02.3.~~5~~**4** Corresponding Member. A corresponding member is an institution, a nonprofit organization or a conference that is not eligible for active, ~~*provisional,*~~ conference or affiliated membership and desires to receive membership publications and mailings. A corresponding member duly elected under the provisions of this article (see Constitution 3.5.3) receives all publications and mailings received by the general NCAA membership and is not otherwise entitled to any membership privileges (see Constitution 3.5.2).

3.1 ELIGIBILITY FOR MEMBERSHIP

3.1.1 General. Membership is available to colleges, universities, athletics conferences or associations and other groups that are related to intercollegiate athletics; that are accredited by one of six regional accrediting agencies and that are located in the United States, its territories or possessions. Such institution or organizations must accept and observe the principles set forth in the constitution and bylaws of the Association. ~~*For a four year period beginning August 9, 2007, no institution may begin the Division I provisional or reclassification membership process (including the exploratory process), no institution shall be permitted to seek classification or reclassification in the Football Championship Subdivision, and no new single sport or multisport conference shall be elected to Division I conference membership.*~~

[3.1.2 unchanged.]

3.2 ACTIVE MEMBERSHIP

3.2.1 Eligibility Requirements.

3.2.1.1 Types of Institutions. Active membership is available to four-year colleges and universities ~~*and two year upper level collegiate institutions,*~~ accredited by the appropriate regional accrediting agency and duly elected to active membership under the provisions of Constitution 3.2.3.

[3.2.1.2 through 3.2.1.3 unchanged.]

~~*3.2.1.4 Compliance Requirement. The institution shall be in compliance with Constitution 3.2.1.2, 3.2.1.3 and Bylaw 20.9.3 at the time it makes application for active membership.*~~

[3.2.2 unchanged.]

3.2.3 Election Procedures.

3.2.3.1 ~~*Application*~~ **Completion of Reclassification Process**. An institution desiring to become an active member of ~~*this Association*~~ **Division I** shall complete a ~~*seven year provisional membership*~~ ***reclassification*** period (see ~~*Constitution 3.6 and*~~ Bylaw ~~*20.3*~~ **20.5**). After the Administration Cabinet has determined that the institution has met the requirements of ~~*provisional membership*~~ **reclassification**, its request for active membership will be referred to the Leadership Council for election.

3.2.3.2 Accreditation ~~*and Division Classification*~~. After the Administration Cabinet has determined that the institution is accredited by one of the six regional accrediting agencies, the application ~~*shall be considered with regard to requested membership division and sport classification in accordance with Bylaw 20. The application then*~~ shall be referred to the Leadership Council for consideration.

3.2.3.3 Election. A favorable vote by two-thirds of the Leadership Council members present and voting shall elect the applicant to membership effective the following ~~*September*~~ **August** 1, ~~*the beginning of practice in any sport for that fall term or the first day of classes for that fall term, whichever occurs first.*~~ When the vote of the Leadership Council has been completed, the applicant shall be notified.

3.2.3.4 Resignation and Re-election to Membership. If an institution resigns its **Division I** membership and subsequently applies to re-establish its **Division I** membership, the institution shall complete the ~~*provisional membership*~~ **reclassification** process (see ~~*Constitution 3.6 and*~~ Bylaw ~~*20.3*~~ **20.5**) before becoming eligible for re-election as an active member.

[3.2.4 through 3.2.6 unchanged.]

3.3 MEMBER CONFERENCE

3.3.1 Eligibility. ~~*(See Constitution 3.1.1.)*~~

3.3.1.1 Competitive and Legislative Body. A member conference shall be both a competitive and a legislative body on the conference level (see Constitution 3.02.1 and 3.02.2).

[3.3.1.1 renumbered as 3.3.1.2, unchanged.]

3.3.1.~~*2*~~**3** Composition of Conference. All of the members of the conference shall be active members of **Division I or be engaged in the reclassification process pursuant to Bylaw 20.5** ~~*this Association, except that a conference with 40 or more members may qualify as a member conference if 90 percent of its member institutions are active members of the Association. A conference may retain its membership even if it includes institutions that have been provisional members of the Association for at least one year.*~~

3.3.2 Privileges.

[3.3.2.1 unchanged.]

3.3.2.3 Voting Rights. Only those member conferences that meet the criteria ~~*listed below*~~ **of Bylaw 20.02.6** shall be permitted to vote on issues before the Association.

~~*3.3.2.2.1 Competitive and Legislative Body. The member conference shall be both a competitive and a legislative body on the conference level (see Constitution 3.02.1 and 3.02.2).*~~

~~*3.3.2.2.2 Minimum Size and Division Status.*~~

~~*3.3.2.2.2.1 Full Voting Privileges. The member conference shall be composed of at least six members in a single division in order to be eligible for full voting privileges, including voting on federated bylaws (those bylaws that may be amended by one or more divisions acting separately).*~~

~~*3.3.2.2.2.2 Partial Voting Privileges. Those member conferences with at least six members but without a minimum of six members in a single division shall be permitted to vote on all dominant or common provisions (those provisions that apply to all three divisions of the Association). On these common provisions, the conference shall vote in the division in which the majority of its membership is classified. In the event that its membership is divided evenly between two divisions, the Executive Committee shall determine its voting division. Such conferences shall not vote on federated provisions (those provisions that may be amended by one or more divisions acting separately).*~~

~~*3.3.2.2.3 Four Sport/Three Season Requirement. The member conference shall conduct conference competition in at least four sports for men, with at least one in each season, for the conference to vote on issues related solely to men's programs and four sports for women, with at least one in each season for the conference to vote on issues related solely to women's programs. A season-ending tournament or round robin regular season play in a sport shall satisfy the conference competition requirement for that sport.*~~

3.3.2.2.~~*4*~~**1** Football Issues. ~~*In addition to meeting the requirements of Constitution 3.3.2.2.3 for men's and/or women's sports, conference*~~ **Conference** championship competition shall be conducted in football in order for the conferences to vote on issues pertaining only to football.

[3.3.2.3 unchanged.]

3.3.3 Election Procedures.

3.3.3.1 Application. An athletics conference desiring to become a member conference shall make application on a form available from the national office by June 1 for membership effective ~~*September*~~ **August** 1 of the following academic year. A check in the appropriate amount for annual dues (see Constitution 3.~~7~~**6**.2) shall accompany the application. Should the applicant fail election, the dues paid shall be refunded.

3.3.3.2 Election. Athletics conferences may be elected as member conferences by a majority vote of the delegates present and voting at an annual Convention or by a majority vote of the Leadership Council, effective the following ~~*September*~~ **August** 1.

3.3.4 Conditions and Obligations of Membership.

[3.3.4.1 through 3.3.4.3 unchanged.]

~~*3.3.4.4 Composition of Conference. The member conference shall maintain a membership of institutions that are active members of this Association, except that a conference with 40 or more members may continue to qualify as a member conference if 90 percent of its member institutions are active members of the Association.*~~

3.3.4.4 Officiating. A multisport conference shall provide oversight of the officiating programs for selecting, training and assigning officials for its men's and women's basketball programs.

3.3.4.5 Compliance Program. A multisport conference shall have a comprehensive compliance program.

[3.3.4.5 renumbered as 3.3.4.6, unchanged.]

3.3.5 Loss of Member -- Conference Status.

[3.3.5.1 unchanged.]

~~*3.3.5.2 Ineligible Conference Member Institution. If any member of an athletics conference is found to be ineligible for active membership in this Association, such conference shall be ineligible for conference membership and its membership terminated, unless the conference has 40 or more members and at least 90 percent of said conference members are active members of the Association.*~~

[3.3.5.3 through 3.3.5.5 renumbered as 3.3.5.2 through 3.3.5.4, unchanged.]

[3.3.6 unchanged.]

[3.4 unchanged.]

3.5 CORRESPONDING MEMBERSHIP

3.5.1 Eligibility. Corresponding membership is available to duly elected institutions, conferences and nonprofit organizations that are not eligible for active, ~~*provisional,*~~ conference or affiliated membership but wish to receive the Association's membership publications and mailings.

[3.5.2 through 3.5.6.1 unchanged.]

~~*3.6 PROVISIONAL MEMBERSHIP*~~

~~*3.6.1 Eligibility*~~

~~*3.6.1.1 Types of Institutions. Provisional membership is available to four-year colleges and universities and two-year upper-level collegiate institutions, accredited by the appropriate regional accrediting agency and duly elected to provisional membership under the provisions of Constitution 3.6.3.*~~

~~*3.6.2 Privileges and Voting Rights.*~~

~~*3.6.2.1 Provisional Members. Provisional members shall receive all publications and mailings received by active members of the Association from the time of application, shall be entitled to be represented by one nonvoting delegate at any Convention of the Association and shall have such other privileges as may be accorded by the bylaws of the Association. A copy of NCAA Champion magazine shall be sent to each member of the NCAA.*~~

~~*3.6.2.2 Use of Association's Registered Marks. A provisional member may use the registered marks of the Association (the Association's name, logo or other insignia) only in accordance with guidelines established by the Executive Committee.*~~

~~*3.6.3 Election Procedures.*~~

~~*3.6.3.1 Application. An institution desiring to become a provisional member of this Association shall submit an application available from the national office not later than June 1 prior to the academic year that the institution begins its one-year exploratory period in the provisional membership process. A fee in the amount of $25,000 shall accompany the application. If the applicant fails to qualify for active membership, the fee shall be refunded, less any expenditure for educational costs related to the membership process. In addition, a check in the appropriate amount for annual dues (see the current annual dues for active members per Constitution 3.7.2) also shall accompany the application. Should the applicant fail to qualify academically or fail election, the dues paid shall be refunded.*~~

~~*3.6.3.2 Accreditation and Division Classification. After the Administration Cabinet has determined that the institution meets the Association's requirement of acceptable academic standards (the institution is accredited by one of the six regional accrediting agencies), the application shall be considered with regard to the requested membership division in accordance with Bylaw 20. The application then shall be referred to the Leadership Council for consideration.*~~

~~*3.6.3.3 Election. A favorable vote by two-thirds of the Leadership Council members present and voting shall elect the applicant to provisional membership effective the following September 1. When the vote of the Leadership Council has been completed, the applicant shall be notified.*~~

~~*3.6.4 Conditions and Obligations of Membership. The conditions and obligations applicable to provisional members are set forth in Bylaw 20.3.*~~

~~*3.6.5 Loss of Provisional Membership.*~~

~~*3.6.5.1 Termination. The membership of any provisional member failing to maintain the academic or athletics standards required for such membership or failing to meet the conditions and obligations of membership may be terminated by a two-thirds vote of the Leadership Council members present and voting. A notice of intention to terminate membership, stating the grounds on which such a motion will be based, shall be given in writing to the president or chancellor of the member institution.*~~

~~*3.6.5.2 Cessation of Rights and Privileges. All rights and privileges of the provisional member shall cease on any termination of provisional membership.*~~

~~*3.6.5.3 Noncompliance. If a provisional member, during its compliance period, no longer meets the requirements of the constitution, bylaws and other legislation of this Association, it shall be reclassified immediately as a corresponding member.*~~

~~*3.6.5.4 Discipline of Member Conference. During the provisional member's compliance period, disciplinary or corrective actions other than termination of membership may be effected on a member conference that contains provisional members that fail to fulfill conditions and obligations of provisional membership.*~~

~~*3.6.5.5 Reinstatement of Terminated Member. Any provisional member whose membership is terminated may reapply for membership after a period of one year by a two-thirds vote of the Leadership Council members present and voting.*~~

3.~~7~~**6** DUES OF MEMBERS

3.~~7~~**6**.1 Determination of Dues. The annual dues of the various classes of membership shall be recommended to the membership by the Executive Committee.

3.~~7~~**6**.2 Current Annual Dues. The annual dues for various classes of membership shall be:

Active Members~~*~~	$1,800.00
Member Conferences	$900.00
Affiliated Members	$225.00
Corresponding Members	$225.00

~~**See Constitution 3.6.3.1 for provisional membership.*~~

3.~~7~~**6**.3 Payment Deadline. Dues are payable September 1 of each year. A member shall not be permitted to vote at a Convention of the Association if its dues are not paid for that year. To be eligible to compete in NCAA championships, dues shall be paid in accordance with Bylaw 31.2.1.2. Membership is terminated if a member fails to pay dues for one year (see Constitution 3.2.5.3, 3.3.5.3, 3.4.5.2 and 3.5.5.2).

B. Constitution: Amend 5.1.3, as follows:

5.1.3 Annual or Special Convention Delegates.

[5.1.3.1 through 5.1.3.1.2 unchanged.]

5.1.3.2 Corresponding~~,~~ **and** Affiliated ~~*and Provisional*~~ Delegates. Each corresponding~~,~~ **and** affiliated ~~*and provisional*~~ member shall be entitled to one accredited delegate without voting privilege.

[5.1.3.3 through 5.1.3.4 unchanged.]

5.1.3.5 Delegate Participation in Conventions and Meetings.

5.1.3.5.1 Active Delegate. Privileges of the floor and the right to active participation in the business proceedings of any annual or special Convention of the Association is accorded to the following:

[5.1.3.5.1-(a) unchanged.]

(b) The single accredited delegate authorized in Constitution 5.1.3.1.2 to represent a member conference without voting privileges or in Constitution 5.1.3.2 to represent an affiliated~~,~~ **or** corresponding ~~*or provisional member*~~;

[5.1.3.5.1-(c) through 5.1.3.5.1-(d) unchanged.]

[5.1.3.5.2 unchanged.]

C. Bylaws: Amend 20, as follows:

20 Division Membership.

[20.01 unchanged.]

20.02 DEFINITIONS AND APPLICATIONS

20.02.1 Multidivision Classification. Multidivision classification is the ~~*procedure*~~ **classification** in which ~~*a member institution may petition to have*~~ a ~~*certain*~~ sport ~~*or sports*~~ **is** classified in a division other than the division in which ~~*it*~~ **an institution** holds membership (see Bylaw 20.4).

[20.02.2 unchanged.]

~~*20.02.3 Provisional Membership. Provisional membership is a prerequisite for active membership. The standard provisional membership process requires a seven-year period before becoming eligible for active membership.*~~

[20.02.4 through 20.02.6 renumbered as 20.02.3 through 20.02.5, unchanged.]

20.02.6 Multisport Conference. A Division I multisport conference shall satisfy the requirements of this section.

20.02.6.1 Minimum Number of Members. A multisport conference shall be composed of at least seven active Division I members. The member conference shall include at least seven active Division I members that sponsor both men's and women's basketball.

20.02.6.2 Sports Sponsorship. A multisport conference shall satisfy the following requirements:

(a) The conference shall sponsor a minimum of 12 Division I sports;

(b) The conference shall sponsor a minimum of six men's sports, one of which shall be men's basketball. In addition to men's basketball, the conference shall sponsor football or two other men's team sports. A minimum of seven members shall sponsor men's basketball. A minimum of six members shall sponsor five other sports, including football or two additional men's team sports; and

(c) The conference shall sponsor a minimum of six women's sports, one of which shall be women's basketball. In addition to women's basketball, the conference shall sponsor two other women's team sports. A minimum of seven members shall sponsor women's basketball. A minimum of six members shall sponsor five other sports, including two additional women's team sports; (or a minimum of five members for an emerging sport for women).

20.02.6.3 Regular Season Conference Competition. Multisport conference members shall participate in regular-season conference competition, subject to the following requirements:

(a) Basketball teams shall participate in a regular season conference schedule of a double round robin, in-season competition, or a minimum of 14 regular season conference contests;

(b) In football or in a minimum of two men's team sports other than men's basketball [as required in Bylaw 20.02.6.2-(b)], teams shall compete in a minimum regular season

conference schedule of five contests. A minimum of five regular season conference contests must be hosted by one of the two competing teams at its home venue; and

(c) In a minimum of two women's team sports other than women's basketball (as required in Bylaw 20.02.6.2), teams shall compete in a minimum regular season conference schedule of five contests. A minimum of five regular season conference contests must be hosted by one of the two competing teams at its home venue.

20.02.6.4 Continuity. A multisport conference shall establish continuity. To establish continuity, a multisport conference must meet the requirements of Bylaw 20.02.6.1. In addition, the conference must meet the requirements of Bylaws 20.02.6.2 and 20.02.6.3 for a period of eight consecutive years.

~~*20.1 DETERMINATION OF DIVISIONS*~~

~~*20.1.1 Designation of Division by Active and Provisional Members. Each active and provisional member institution shall be designated as a member of Division I, Division II or Division III for certain legislative and competitive purposes.*~~

~~*20.1.1.1 Men's and Women's Programs in Different Divisions. An institution shall not classify its women's athletics program in a division other than the institution's membership division, unless its women's program was so classified prior to January 11, 1991; further, for those institutions so classified, the Executive Committee, by a two-thirds majority of its members present and voting, may permit the institution's women's athletics program to be classified in a division other than its membership division, provided it determines every three years that unusual circumstances warrant such action.*~~

~~*20.1.1.2 Bowl Subdivision and NCAA Championship Subdivision Football. In football, Division I shall be divided into the Bowl Subdivision and the NCAA Championship Subdivision.*~~

~~*20.1.1.3 Multidivision Classification. A member may request classification and eligibility in more than one division in accordance with provisions permitting multidivision classification, eligibility and voting (see Bylaw 20.4).*~~

~~*20.1.2 Designation of Division by Member Conference. Each member conference shall determine the membership division it desires for legislative and/or competitive purposes. When designating the division, at least 50 percent or a minimum of 25 of the conference's institutions must hold membership in that division. The Executive Committee shall determine the membership division of a member conference not meeting these criteria.*~~

~~*[20.2 unchanged.]*~~

~~*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.*~~

~~*20.3.1.1 Exploratory Period. An exploratory period will begin from the time the prospective institution's provisional membership application has been approved until the following*~~

~~*September 1. During the exploratory period, a provisional member shall receive all publications and mailings received by active member of the Association. In addition, during the exploratory period, the institution is required to satisfy the following:*~~

~~*(a) Attendance at an orientation session conducted at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the orientation session and regional compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Compliance with all minimum sport sponsorship and financial aid membership requirements; and*~~

~~*(c) Submit a formal confirmation of its intent to become an active Division I member and present a basic strategic plan that addresses the Division I philosophy statement (see Bylaw 20.9) and certification operating principles (see Bylaw 22.2) not later than June 1.*~~

~~*20.3.1.1.1 Application of Infractions and Reinstatement Processes. During the exploratory period, a provisional member shall not be subject to the NCAA enforcement and student-athlete reinstatement processes.*~~

~~*20.3.1.2 First Year. During the first year of provisional membership, an institution is required to satisfy the following requirements:*~~

~~*(a) Attendance at an orientation session conducted by the NCAA national office staff related to basic Division I operating rules and membership requirements. Institutional representatives required to attend the orientation session are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Attendance at the NCAA Convention and at least one regional compliance seminar conducted by the NCAA or a member conference. Institutional representatives required to attend the NCAA Convention and regional compliance seminar are the chancellor or president (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Fulfillment of other selected NCAA requirements set forth in Constitution 3 and 6 (e.g., faculty athletics representative, student-athlete advisory committee) at the beginning of the first year of provisional membership; and*~~

~~*(d) Submit an annual report by June 1 with an updated strategic plan that addresses the Division I philosophy statement and certification operating principles.*~~

~~*20.3.1.2.1 Application of Infractions and Reinstatement Processes. During the first year of provisional membership, an institution shall not be subject to the NCAA enforcement and student-athlete reinstatement processes.*~~

~~*20.3.1.3 Second Year. During the second year of provisional membership, an institution shall satisfy the following requirements:*~~

~~*(a) Full compliance with all Division I legislation and membership requirements (see Bylaw 20.9) at the beginning of the second year of provisional membership;*~~

~~*(b) Attendance at an orientation session conducted by the NCAA staff related to the application of Division I legislation to various issues impacting Division I. Institutional representatives required to attend the orientation session are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Attendance at the NCAA Convention and at least one regional compliance seminar conducted by the NCAA or a member conference. Institutional representatives required to attend the NCAA Convention and regional compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(d) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and*~~

~~*(e) Submit an annual report and updated strategic plan by June 1 based on feedback received from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

~~*20.3.1.4 Third Year. During the third year of provisional membership, an institution shall satisfy the following requirements:*~~

~~*(a) Attendance at a meeting conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Attendance at the NCAA Convention and at least one regional compliance seminar conducted by the NCAA or a member conference. Institutional representatives required to attend the NCAA Convention and regional compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Engage in a compliance review conducted by the national office staff;*~~

~~*(d) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and*~~

~~(c) Submit an annual report and updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.~~

~~20.3.1.5 Fourth Year. During the fourth year of provisional membership, an institution shall satisfy the following requirements:~~

~~(a) Attendance at a meeting conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;~~

~~(b) Attendance at one regional compliance seminar conducted by the NCAA or a member conference. Institutional representatives required to attend the regional compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;~~

~~(c) Attendance by appropriate institutional representatives at the NCAA Gender Equity Issues Forum and an NCAA Diversity Workshop;~~

~~(d) Completion of an NCAA certification orientation;~~

~~(e) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and~~

~~(f) Submit an annual report and updated strategic plan by June 1 based on the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.~~

~~20.3.1.6 Fifth Year. During the fifth year of provisional membership, an institution shall satisfy the following requirements:~~

~~(a) Attendance at a meeting conducted at the NCAA Convention to discuss impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;~~

~~(b) Attendance at one regional compliance seminar conducted by the NCAA or a member conference. Institutional representatives required to attend the regional compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;~~

~~(c) Successfully complete an NCAA athletics certification self-study and evaluation visit;~~

~~(d) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and~~

~~*(c) Submit an annual report and updated strategic plan by June 1 based on the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

~~*20.3.1.7 Sixth Year. During the sixth year of provisional membership, an institution shall satisfy the following requirements:*~~

~~*(a) Attend a meeting conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and*~~

~~*(c) Submit an annual report and updated strategic plan by June 1 based on the previous plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

20.4 MULTIDIVISION CLASSIFICATION**/RECLASSIFICATION OF FOOTBALL SUBDIVISION**

20.4.1 Multidivision Classification ~~*Options*~~. ~~*A member institution may have a sport classified in a division other than the one in which it is a member only in the following circumstances: (See Constitution 3.1.1).*~~

~~*20.4.1.1 Division I Member. A member of Division I may petition to be classified in football in the Bowl Subdivision or the NCAA Championship Subdivision.*~~ **A member of Division II or Division III may have a sport classified in Division I, provided the sport was so classified during the 2010-11 academic year. Such a classification shall continue until the institution fails to conduct the sport in Division I in any following academic year.**

~~*20.4.1.2 Divisions II and III Members -- Classification of a Sport in Division I. A member of Division II or Division III may petition to be classified in Division I in any one men's sport, other than football or basketball, and in any one women's sport, other than basketball, and in any single sport in which the only NCAA championships opportunity is the National Collegiate Championship. In addition, a member of Division II may be classified in Division I in a sport in which there is a Division I and a Division III championship, but no Division II championship.*~~

~~*20.4.1.3 Women's Multidivision Classification Limitation. A member institution that has its women's program classified in a division other than its membership division (per Bylaw 20.1.1.1) shall not be eligible to petition for the multidivision-classification opportunities available to a women's program that is classified in the same division as the institution's men's program.*~~

~~*20.4.1.4 National Collegiate Championship. A member institution may petition to be classified in a division other than its membership division in a single sport in which the only NCAA championships opportunity is a National Collegiate Championship for which all divisions are eligible.*~~

~~*20.4.2 Requesting Multidivision Classification.*~~

~~*20.4.2.1 Deadline for Submission of Approved Form. When petitioning for multidivision classification, a member shall submit its request to the Administration Cabinet on a form approved by the cabinet. The form must be received in the national office (by mail or electronic transmission) not later than June 1 preceding the year in which the institution will begin complying with the applicable division or subdivision criteria. The application forms shall be accompanied by a $5,000 fee and a strategic plan that addresses the Division I philosophy statement (see Bylaw 20.9) and certification operating principles (see Bylaw 22.2). Any form received after June 1 shall be postmarked not later than May 25. If the institution fails to qualify for active membership, the application fee shall be refunded, less any expenditure for educational costs related to the membership process.*~~

20.4.2 Football Subdivision Reclassification Options. A member of Division I may petition to be classified in football in the Bowl Subdivision or the NCAA Championship Subdivision.

20.4.2.1~~.1~~ Reclassification from Football Championship Subdivision to Football Bowl Subdivision -- Notification Requirement. The chancellor or president from a Football Championship Subdivision institution that intends to petition for reclassification to the Football Bowl Subdivision, per Bylaw 20.4.2, shall submit to the NCAA president written notice of the institution's intention to reclassify. The notice shall be received in the national office (by mail or electronic transmission) not later than June 1 two years prior to the September 1 when the institution intends to reclassify to the Football Bowl Subdivision. **Before a Football Championship Subdivision institution may be reclassified to the Football Bowl Subdivision, the institution must receive a bona fide invitation for membership in a Football Bowl Subdivision conference.**

20.4.2.2 Compliance with Criteria. If the member has met all applicable division membership criteria of this article (other than scheduling requirements during the first year of reclassification) and has complied for the two years preceding June 1 with all other bylaw requirements as they pertain to ~~*the sport in question (other than the Division III financial aid requirements set forth in Division III Bylaw 15.4, except that athletically related financial aid may not be awarded to incoming freshmen or transfer students)*~~ **the Football Bowl Subdivision**, the member shall be eligible for participation in the ~~*division in that sport*~~ **Football Bowl Subdivision** effective the ~~*September*~~ **August** 1 that the institution selects as its effective date.

20.4.2.2.1 ~~*Additional*~~ **Reclassification** Requirements.

20.4.2.2.1.1 First Year. During the first year of reclassification, an institution shall satisfy the following requirements:

(a) Attend an orientation session conducted by the national office staff related to the application of ~~*Division I or*~~ Football Bowl Subdivision membership requirements. Institutional representatives required to attend the orientation session are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics representative and the senior compliance administrator; and

(b) Submit an annual report and ~~*updated*~~ strategic plan by June 1 at the end of the first academic year ~~*based on feedback received from the previous year's report.*~~

(c) Report all violations to the Administration Cabinet as part of the required annual report.

20.4.2.2.1.2 Second Year. During the second year of reclassification, an institution shall satisfy the following requirements:

(a) Full compliance with all ~~*Division I or*~~ Football Bowl Subdivision legislation and membership requirements; ~~*and*~~

(b) Submit an annual report and updated strategic plan confirming compliance with all ~~*Division I or*~~ Football Bowl Subdivision legislation and membership requirements**; and**

(c) Report all violations to the Administration Cabinet as part of the required annual report.

20.4.2.2.1.3 Compliance Review Requirement. The institution must engage in a compliance review (at the institution's expense) during the ~~*multidivision*~~ reclassification period. The review must be conducted by an authority outside the athletics department (e.g., multisport conference, outside consultant), subject to approval by the Administration Cabinet. A copy of the report of the compliance review must be kept on file at the institution and a copy must be submitted to the Administration Cabinet.

~~*20.4.2.2.1.4 Application of Infractions and Reinstatement Process. During the reclassification process, an institution:*~~

~~*(a) Shall process institutional and individual violations in the particular sport through the Division I enforcement and student-athlete reinstatement processes;*~~

~~*(b) Shall be subject to any and all sanctions for violations of Division I legislation; and*~~

~~*(c) Shall report all violations to the Administration Cabinet as part of the required annual report.*~~

20.4.3 Championships Eligibility. ~~*To be eligible for the NCAA championship in the sport in the new division on the effective September 1, the institution shall comply with all championships eligibility requirements, as prescribed by Bylaw 31, and otherwise shall be eligible for participation in that championship. In addition, a member of Division II or Division III that has been approved for classification in one sport in Division I shall comply with the championships eligibility provisions of Bylaw 18.4.2.2.*~~

~~*20.4.3.1 Championships Eligibility.*~~ A member of Division I that has forwarded to the national office written notice of its intention to change its football membership classification from Championship Subdivision to Bowl Subdivision per Bylaw 20.4.2**.1** no longer shall be eligible for participation in the Division I Football Championship.

[20.4.4, unchanged.]

20.5 CHANGE OF DIVISION MEMBERSHIP

20.5.1 **Eligibility for** Reclassification ~~*Options*~~. A ~~*member institution may request a change of division membership according to the provisions of this section. A member of Division I may*~~

~~*petition to change its membership to Division II or Division III, and a*~~ member of Division II may petition to change its membership to ~~*either*~~ Division I ~~*or Division III*~~. ~~*(See Constitution 3.1.1.)*~~ **subject to the following prerequisites:**

(a) The institution shall have been an active Division II member for the preceding five years;

(b) The institution shall be in compliance with all Division I minimum sports sponsorship and financial aid membership requirements; and

(c) The institution shall have received a bona fide offer of membership by an active Division I multisport conference.

20.5.2 Requesting Reclassification. **In order to petition to change its membership to Division I, the institution and its sponsoring conference shall complete an application and submit it to the Administration Cabinet on a form approved by the cabinet.**

20.5.2.1 Deadline for Submission of ~~*Petition*~~ **Application**. ~~*When petitioning for a change of division membership, a member shall notify the Administration Cabinet on an application approved by the cabinet.*~~ The application shall be received in the national office (by mail or electronic transmission) not later than June 1 prior to the academic year ~~*that*~~ **in which** the institution ~~*begins*~~ **is seeking to begin** its ~~*one-year exploratory period in*~~ **first year of** the reclassification process. Any application received after that date shall be postmarked not later than May 25. ~~*A fee of $15,000 shall accompany the application. If the applicant fails to qualify for active membership, the application fee shall be refunded, less any expenditure for educational costs related to the membership process.*~~

20.5.2.2 Application Fee. A fee shall accompany the application. The amount of the fee shall be determined each year based on the estimated annual average value of direct benefits through distributions and championships made available to Division I members. If an institution withdraws from the reclassification process, the application fee shall be refunded to the institution on a prorated basis -- 75 percent through year one, 50 percent through year two, 30 percent through year three and no refund thereafter.

20.5.2.3 Initial Strategic Plan. The institution's application shall include an initial strategic plan that addresses the Division I philosophy statement (see Bylaw 20.9) and the athletics certification operating principles (see Bylaw 22.2). The initial strategic plan must be approved by the sponsoring conference.

20.5.2.4 Notification of Infractions Matters. The institution's application shall include notification whether it is, at the time of application, involved in an investigation of potential rules violations, an infractions case or is on probation for rules violations.

20.5.2.~~*2*~~**5** Compliance with Criteria. **The Administration Cabinet shall monitor the institution's progress and compliance with the criteria of the reclassification process. The cabinet shall have the authority to deny advancement to the next year of the process if it determines that deficiencies warrant a requirement that the institution repeat a particular year.** If the ~~*member*~~ **institution** has met all ~~*applicable membership*~~ **the reclassification** 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 Administration Cabinet shall refer** the ~~*member*~~ **institution's request for active Division I membership** ~~*shall be transferred to the new division effective the September 1 that the institution selects as its effective date*~~ **to the Leadership Council for election effective August 1 following such election**. 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 (APP). **An institution shall not be elected to active membership in Division I if it is subject to an APP historical penalty.**

~~*20.5.2.2.1 Exploratory Year. During the exploratory year, an institution that has petitioned for a change of division or subdivision membership shall satisfy the following requirements:*~~

~~*(a) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Attendance at an orientation session conducted by the national office staff related to basic Division I membership requirements. Institutional representatives required to attend the orientation session are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Compliance with all minimum sport sponsorship and financial aid membership requirements; and*~~

~~*(d) Submit a formal confirmation of its intent to reclassify to Division I and a skeleton strategic plan that addresses the Division I philosophy statement (see Bylaw 20.9) and athletics certification operating principles (see Bylaw 22.2) by June 1. During the exploratory year, an institution that has petitioned for a change of division shall start receiving all NCAA mailings relating to the new division.*~~

~~*20.5.2.2.1.1 Application of Infractions and Reinstatement Processes. During the exploratory year, a Division II member reclassifying to Division I shall continue to process institutional and individual student-athlete violations through the Division II enforcement and student-athlete reinstatement processes.*~~

20.5.2.~~*2*~~**5**.~~*2*~~**1** First Year. During the first year of reclassification, an institution shall satisfy the following requirements:

~~*(a) Compliance with all minimum contests and participation requirements for sports sponsorship as set forth in Bylaw 20.9.4.3;*~~

~~*(b) Submit a strategic plan based on feedback from the previous plan;*~~

~~*(c) Apply all Division I legislation except scheduling requirements and continuing eligibility requirements (e.g., progress-toward-degree, five-year rule) for student-athletes who are completing their final season of competition and were enrolled at the institution at least one*~~

~~*year prior to the institution's petition for exploratory membership;*~~

~~*(d) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(e) Attendance at an orientation session conducted by the national office related to the application of Division I legislation and issues impacting Division I. Institutional representatives required to attend the orientation session are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(f) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and*~~

~~*(g) Submit an annual report and updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

(a) Attendance at an orientation session conducted by the national office staff related to basic Division I operating rules and membership requirements. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(b) Attendance at the NCAA Convention Division I Issues Forum and Business Session. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(c) Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president [or an individual appointed by the chancellor or president with executive status at the institution], the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(d) Apply all Division I legislation, except scheduling requirements and continuing eligibility requirements (e.g., progress-toward-degree, five year rule) for student-athletes who are completing their final season of competition and were enrolled at the institution at least one year prior to the institution entering year one of the reclassification process;

(e) Completion of a preliminary NCAA athletics certification orientation, which shall require attendance by representatives from the sponsoring conference.

(f) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and

(g) Submit an annual report and a strategic plan by June 1. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice whether it is involved in an investigation of potential rules violations, an infractions case or is on probation for rules violations.

20.5.2.~~2~~**5**.~~3~~**2** Second Year. During the second year of reclassification, an institution shall satisfy the following requirements:

~~*(a) Full compliance with all Division I legislation and membership requirements;*~~

~~*(b) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Attendance at a meeting to be conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(d) Completion of a compliance review conducted by the national office and submission of a report with an institutional response to findings;*~~

~~*(e) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and*~~

~~*(f) Submit an annual report and updated strategic plan by June 1 based on feedback received from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

(a) Full compliance with all Division I legislation and membership requirements;

(b) Attendance at the NCAA Convention Division I Issues Forum and Business Session. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(c) Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(d) Completion of a compliance review conducted by the national office and submission of a report with an institutional response to the findings and recommendations;

(e) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and

(f) Submit an annual report and an updated strategic plan by June 1 based on feedback related to the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice whether it is involved in an investigation of potential rules violations, an infractions case or is on probation for rules violations.

20.5.2.~~2~~**5**.~~4~~**3** Third Year. During the third year of reclassification, an institution shall satisfy the following requirements:

~~*(a) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Attendance at a meeting to be conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Completion of an NCAA athletics certification orientation;*~~

~~*(d) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and*~~

~~*(e) Submit an annual report and updated strategic plan by June 1 based on feedback received from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

(a) Attendance at the NCAA Convention Division I Issues Forum and Business Session. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(b) Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(c) Completion of an NCAA athletics certification orientation;

(d) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and

(e) Submit an annual report and an updated strategic plan by June 1 based on feedback related to the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice whether it is involved in an investigation of potential rules violations, an infractions case or is on probation for rules violations.

20.5.2.~~2~~**5**.~~5~~**4** Fourth Year. During the fourth year of reclassification, an institution shall satisfy the following requirements:

~~*(a) Successfully complete an NCAA athletics certification self-study and evaluation visit;*~~

~~*(b) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Attendance at a meeting conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the annual meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(d) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and*~~

~~*(e) Submit an annual report and updated strategic plan by June 1 based on feedback received from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

(a) Successfully complete an NCAA athletics certification self-study and evaluation visit;

(b) Attendance at the NCAA Convention Division I Issues Forum and Business Session. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(c) Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president [or an individual appointed by the chancellor or president with executive status at the institution], the director of athletics, the senior woman administrator, the faculty athletics

representative and the senior compliance administrator;

(d) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and

(e) Submit an annual report and an updated strategic plan by June 1 based on feedback related to the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice whether it is involved in an investigation of potential rules violations, an infractions case or is on probation for rules violations.

20.5.3 Athletics Certification Progress Report. The institution shall submit a report to the Committee on Athletics Certification regarding the progress of any plans for improvement (as recommended by the committee) not later than the conclusion of its second year of active Division I membership.

20.5.4 Timing of Monetary Distributions. The institution shall qualify to begin receiving revenue distributions related to sports sponsorship and grants-in-aid after three calendar years as an active Division I member. The institution shall qualify to receive the Student-Athlete Opportunity, Special Assistance and Academic Enhancement Funds, and basketball grant funds, as determined by its sponsoring conference, beginning with its first year of active membership.

20.5.~~3~~**5** Championships Eligibility. To be eligible for NCAA championships in ~~*the new division*~~ **Division I as of** the effective ~~*September*~~ **August** 1, the institution shall comply with all championships eligibility requirements, as prescribed by Bylaw 31, and otherwise shall be eligible for participation in those championships. In addition, a member of Division I shall comply with the provisions of Bylaw 18.4.2.2.

20.7 DIVISION LEGISLATION

20.7.1 Applicable Legislation. A member institution shall observe the applicable legislation and requirements of its membership division. However, if the institution is eligible to participate in a sport in ~~*another division*~~ **Division I** (see Bylaw 20.4 for multidivision-classification privileges), it shall apply the rules of ~~*the other division*~~ **Division I** that govern the sport in question.

[20.7.1.1 unchanged.]

20.7.1.2 Division III Application. A Division III member institution that has a sport classified in Division I must apply the rules of both divisions, or the more stringent rule if both divisions have a rule concerning the same issue except that in either instance, the Division III institution may apply the Division I playing and practice season regulations of Bylaw 17 in the Division I sport.

20.7.1.2.1 Waivers. If a member institution conducts a men's or women's sport that was classified in Division I during the 1982-83 academic year, the Administration Cabinet, by a two-thirds majority of its members present and voting, may approve waivers of the application of the Division III regulations to such a sport. ~~*This provision also applies to such an institution that later reclassifies a sport for the opposite gender to Division I. This waiver*~~

~~*provision is subject to the following additional conditions:*~~

~~*(a) The opportunity is available only to an institution that obtained the waiver prior to January 1, 2004, and used it during the 2002-03 academic year; and*~~

~~*(b) An institution that obtained a waiver for a sport for one gender prior to January 1, 2004, and used it during the 2002-03 academic year, may later request that the waiver be applied to a sport for the other gender only on the approval of the Administration Cabinet, by a two-thirds majority vote of its members present and voting. The institution must demonstrate that it is necessary to do so to attain gender equity within the program.*~~

[20.8 unchanged.]

20.9 DIVISION I MEMBERSHIP REQUIREMENTS

[20.9.1 through 20.9.4 unchanged.]

20.9.5 Scheduling -- Sports Other Than Football, Basketball, Men's Swimming and Diving and Men's Indoor and Outdoor Track and Field.

20.9.5.1 Scheduling Requirement. In sports other than football, basketball, men's swimming and diving and men's indoor and outdoor track and field that a member institution uses to meet the Division I sports sponsorship criteria, an institution shall schedule and play 100 percent of its contests against Division I opponents to meet the minimum number of contests specified in Bylaw 20.9.4.3. The institution shall schedule and play at least 50 percent of its contests beyond the number specified in Bylaw 20.9.4.3 against Division I opponents.

[20.9.5.1.1 through 20.9.5.1.4 unchanged.]

~~*20.9.5.1.5 Provisional Member Opponents. A Division I provisional institution shall be counted as a Division I opponent in the year the Division I provisional institution must comply with Division I scheduling requirements (year two of the provisional process).*~~

[20.9.5.1.6 renumbered as 20.9.5.1.5, unchanged.]

20.9.6 Basketball Scheduling.

20.9.6.1 Four-Game Limit. An institution may schedule and play not more than four basketball games in an academic year against institutions that are not members of Division I.

~~*20.9.6.1.1 Two-Game Limit for Provisional Members. A provisional member shall schedule and play not more than two basketball games in an academic year against institutions that are not members of Division I. A provisional member is required to apply scheduling criteria beginning with year two of the provisional process.*~~

~~*20.9.6.1.1.1 Alaska, Hawaii or Puerto Rico. Contests played in Alaska, Hawaii or Puerto Rico shall not be counted for purposes of meeting the division's scheduling requirement if such games are exempt from counting toward the playing season limitations.*~~

20.9.6.2 One-Third of Men's Contests in Home Arena. An active **or reclassifying** member ~~*or a provisional member*~~ must play at least one-third of its regular-season men's basketball contests in the arena regularly used for the institution's home games. ~~*A provisional member is required to apply scheduling criteria beginning with year two of the provisional process.*~~

[20.9.6.2.1 unchanged.]

20.9.6.3 Counting Contests.

20.9.6.3.1 Membership Classification of Opponents. In determining whether an institution meets the scheduling criteria, each opponent shall be counted as it was classified on September 1 of the academic year involved.

[20.9.6.3.1.1 unchanged.]

~~*20.9.6.3.1.2 Provisional Member Opponents. A Division I provisional institution shall be counted as a Division I opponent in the year the Division I provisional institution must comply with Division I scheduling requirements (year two of the provisional process).*~~

[20.9.6.3.1.3 renumbered as 20.9.6.3.1.2, unchanged.]

[20.9.7 unchanged.]

20.9.8 Football Championship Subdivision Requirements. An institution classified as a Football Championship Subdivision member shall meet the additional requirements listed below.

[20.9.8.1 unchanged.]

20.9.8.2 Football Scheduling Requirement. The institution shall schedule and play more than 50 percent of its football games against Football Bowl Subdivision or Football Championship Subdivision members.

20.9.8.2.1 Membership Classification of Opponents. In determining whether an institution meets the scheduling criteria of the Football Championship Subdivision, each opponent shall be counted as it was classified on September 1 of the academic year involved.

[20.9.8.2.1.1 unchanged.]

~~*20.9.8.2.1.2 Provisional Member Opponents. A Football Championship Subdivision provisional institution shall be counted as a Football Championship Subdivision opponent in the year the provisional institution must comply with Football Championship Subdivision scheduling requirements (year two of the provisional process).*~~

[20.9.8.2.1.3 renumbered as 20.9.8.2.1.2, unchanged.]

[20.9.8.2.2 through 20.9.8.2.4 unchanged.]

Source: NCAA Division I Board of Directors (Leadership Council)

Effective Date: Immediate

Category: Amendment

Topical Area: Division Membership

Rationale: This proposal is the result of a three-year examination of the impact of membership migration and development of reasonable philosophical expectations and legislative requirements for membership in Division I. The legislation is designed to better prepare prospective new members for a move to Division I. The resulting structure will ensure that reclassifying members are committed to the Division I philosophy and operating principles. In addition, this legislation will

increase the likelihood that such institutions will operate successful, competitive programs at the Division I level.

Estimated Budget Impact: Will vary based on the number of institutions that seek reclassification.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Aug 11, 2010 Submit Submitted for consideration.

No. 2010-101 DIVISION MEMBERSHIP -- DEFINITIONS AND APPLICATIONS -- EMERGING SPORTS FOR WOMEN -- REMOVAL OF SQUASH

Intent: To remove squash as an emerging sport for women and to eliminate other specified legislation associated with the sport (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 align="center">Limit on Off-Campus Recruiters

~~*Squash, Women's*~~ ~~*2*~~ ~~*2*~~

[All other sports unchanged.]

B. 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:

~~*Squash*~~ ~~*12*~~

[All other sports unchanged.]

C. 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 unchanged.]

17.02.12.2 Individual Sports. The following are classified as individual sports for purposes of this bylaw:

~~*Squash Women's*~~

[All other sports unchanged.]

D. Bylaws: Amend 17.21, as follows:

~~*17.21 SQUASH, WOMEN'S. Regulations for computing the squash playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)*~~

~~*17.21.1 Length of Playing Season. The length of an institution's playing season in squash 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.*~~

~~*17.21.2 Preseason Practice. A member institution shall not commence practice sessions in squash prior to September 7 or the institution's first day of classes for the fall term, whichever is earlier.*~~

~~*17.21.3 First Date of Competition. A member institution shall not engage in its first date of competition (game or scrimmage) with outside competition in squash prior to September 7 or the institution's first day of classes for the fall term, whichever is earlier.*~~

~~*17.21.4 End of Regular Season. A member institution shall conclude all practice and competition (meets and practice meets) in each segment in squash by the last date of final examinations for the regular academic year at the institution.*~~

~~*17.21.5 Number of Dates of Competition.*~~

~~*17.21.5.1 Maximum Limitations. A member institution shall limit its total playing schedule with outside competition in squash during the institution's playing season to 15 dates of competition (including not more than three tournaments that are counted as single dates of competition), except for those dates of competition excluded under Bylaws 17.21.5.3 and 17.21.5.4 (see Bylaw 20.9.4.3 for minimum contests and participants requirements).*~~

~~*17.21.5.1.1 In-Season Foreign Competition. A member institution may engage in one or more of its countable dates of competition in squash 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 17.29), the institution may not engage in such in-season foreign competition more than once every four years.*~~

~~*17.21.5.2 Maximum Limitations. An individual student-athlete may participate in each academic year in 15 dates of competition in squash (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).*~~

~~*17.21.5.3 Annual Exemptions. The maximum number of dates of competition in squash shall exclude the following:*~~

~~(a) Conference Championship. Competition in one conference championship meet in squash;~~

~~(b) National Governing Body Championship. Competition in the squash national governing body championship;~~

~~(c) Alumni Meet. One date of competition each year against an alumni team of the institution;~~

~~(d) Foreign Team in the 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 located outside the area in question;~~

~~(f) Fundraising Activity. Any squash 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 squash team who participate in local celebrity squash activities 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~~

~~17.21.5.4 Once In Four Years Exemption. 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 17.29).~~

~~17.21.6 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 17.21.1 except as permitted in Bylaw 17.1.6.2.~~

~~17.21.6.1 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.~~

~~17.21.6.1.1 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.~~

~~17.21.7 Camps and Clinics. There are no limits on the number of student-athletes in squash 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.~~

~~*17.21.8 Other Restrictions.*~~

~~*17.21.8.1 Noncollegiate, Amateur Competition.*~~

~~*17.21.8.1.1 During Academic Year. A student-athlete in squash 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).*~~

~~*17.21.8.1.1.1 Violation 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.*~~

~~*17.21.8.1.2 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 17.21.8.1.1.1).*~~

~~*17.21.8.1.2.1 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 17.29.*~~

~~*17.21.8.1.2.2 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 development program;*~~

~~*(b) The NGB selects coaches involved in the developmental program; and*~~

~~*(c) The NGB or the selected coaches select the involved participants.*~~

~~*17.21.8.2 Equipment Issue, Squad Pictures, No Limitations.*~~

E. 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):

[20.02.5-(a) unchanged.]

(b) Individual Sports: equestrian ~~*and squash*~~.

F. 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:

Individual Sports	Minimum Contests	Minimum Participants
~~*Women's Squash*~~	~~*8*~~	~~*9*~~

[All other sports unchanged.]

(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 Legislative Council (Administrative Committee) (Committee on Women's Athletics)

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Division Membership

Rationale: The emerging sports for women program began in 1994 as a result of recommendations from the NCAA Gender-Equity Task Force. NCAA regulations require that emerging sports for women gain championship status (minimum of 40 varsity-sponsored NCAA programs) within 10 years or show steady progress toward that goal to remain on the emerging sports for women list. Nine sports were on the original list, including squash. In the past 14 years, four of those sports became championship sports (rowing, ice hockey, water polo and bowling). In 2009, four sports were removed from the list due to a lack of steady progress toward championship status (archery, badminton, synchronized swimming and team handball). In 2009, the number of institutions sponsoring squash as a varsity program was 28 and this number has been constant since 2007. Squash has not been able to demonstrate progress being made toward the goal of 40 varsity programs. If squash is removed from the list, institutions may still sponsor the sport as varsity and include it in their gender-equity efforts. (A waiver would be required to use the sport to satisfy sport sponsorship requirements.) Any sport may pursue renewal to emerging sport status by following the required procedures, including submission of a proposal and 15 letters of institutional commitment.

Estimated Budget Impact: Impact on institutional budget if the sport has been used for revenue distribution purposes.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

May 24, 2010 Submit Submitted for consideration.

May 25, 2010 Committee on Women's Athletics, Recommends Approval

No. 2010-102 DIVISION MEMBERSHIP -- ELIGIBILITY FOR NATIONAL COLLEGIATE CHAMPIONSHIPS -- ELIMINATION OF TWO-THIRDS MAJORITY ELIGIBILITY REQUIREMENT

Intent: To eliminate the requirement that, in those sports in which two-thirds or more of the institutions sponsoring the sport are members of the same division, an institution is required to meet that division's and its own division's institutional and individual eligibility requirements (or the more stringent rule if both divisions' rules address the same issue).

Bylaws: Amend 20.8.1, as follows:

[Common provision, all divisions, divided vote]

20.8.1 Eligibility for National Collegiate Championships. Separate championships in each division are not sponsored in the following sports:

Women's bowling	Men's and women's rifle
Men's and women's fencing	Men's and women's skiing
Men's gymnastics	Men's volleyball
Women's gymnastics	Men's water polo
Women's ice hockey	Women's water polo

An active member institution in good standing, regardless of division, is eligible for the National Collegiate Championships if a division championship in the respective sport is not offered in its division. Such an institution ~~*normally*~~ is required to meet only the institutional and individual eligibility requirements of its division that govern the sport in question. ~~*However, in those sports in which two-thirds or more of the institutions sponsoring the sport are members of the same division, an institution participating in the championship is required to meet that division's and its own division's institutional and individual eligibility requirements (or the more stringent rule if both divisions' rules address the same issue).*~~

Source: NCAA Division I Championships/Sports Management Cabinet

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Division Membership

Rationale: In determining eligibility for National Collegiate Championships, if two-thirds or more of the institutions sponsoring a sport are members of a particular division, members of other divisions that sponsor the sport are required to certify student-athletes using the rules of the majority division. If Division I or II is the majority division, incoming student-athletes in Division III must be certified by the NCAA Eligibility Center and all continuing students-athletes must be certified in accordance with Division I progress-toward-degree regulations. Currently, at least two-

thirds of the institutions that sponsor three national collegiate championship sports [men's gymnastics, women's gymnastics and women's ice hockey (Divisions I and II only)] are Division I members. It is possible that Division III institutions will comprise at least two-thirds of the institutions that sponsor men's volleyball in the near future, which would require Divisions I and II members to follow Division III rules, including the prohibition on awarding athletically related financial aid. This proposal recognizes that it is not appropriate to require student-athletes from one division to meet requirements that were designed to apply to student-athletes of another division. This proposal would permit institutions to determine the eligibility of student-athletes for championships based on the requirements for their particular division.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 29, 2010 Submit Submitted for consideration.

No. 2010-103 DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- SPORTS SPONSORSHIP -- MINIMUM CONTESTS FOR SPORTS SPONSORSHIP -- SWIMMING AND DIVING

Intent: In swimming and diving, to reduce, from 10 to six, the minimum number of contests required to satisfy sports-sponsorship 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:

Individual Sports	Minimum Contests	Minimum Participants
Swimming and Diving	~~*10*~~ **6**	11

[All other sports unchanged.]

(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.)

[Remainder of 20.9.4.3 unchanged.]

Source: Southeastern Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Division Membership

Rationale: As scheduling practices have changed and participation in multi-team invitational swimming and diving meets has increased, it has become increasingly difficult to schedule 10 or more contests. Reducing the required minimum to six will provide needed flexibility in scheduling, while still maintaining a significant commitment to support a swimming and diving program.

Estimated Budget Impact: May result in reduced costs due to fewer contests.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jul 14, 2010 Submit Submitted for consideration.

No. 2010-104 DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- SCHEDULING REQUIREMENTS -- WRESTLING

Intent: In wrestling, to specify that an institution shall schedule and play at least 50 percent (as opposed to 100 percent) of its contests against Division I opponents to satisfy the minimum number of contests specified to meet sports sponsorship criteria.

Bylaws: Amend 20.9.5.1, as follows:

20.9.5.1 Scheduling Requirement. In sports other than football, basketball, men's swimming and diving**,** ~~*and*~~ men's indoor and outdoor track and field **and wrestling** that a member institution uses to meet the Division I sports sponsorship criteria, an institution shall schedule and play 100 percent of its contests against Division I opponents to meet the minimum number of contests specified in Bylaw 20.9.4.3. The institution shall schedule and play at least 50 percent of its contests beyond the number specified in Bylaw 20.9.4.3 against Division I opponents.

20.9.5.1.1 Men's Swimming and Diving**,** ~~*and*~~ Men's Indoor and Outdoor Track and Field **and Wrestling**. In men's swimming and diving**,** ~~*and*~~ men's indoor and outdoor track and field **and wrestling**, an institution shall schedule and play at least 50 percent of its contests against Division I opponents to satisfy the minimum number of contests specified in Bylaw 20.9.4.3.

[Remainder of 20.9.5.1 unchanged.]

Source: NCAA Division I Championships/Competition Cabinet (Wrestling Committee)

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Division Membership

Rationale: Current legislation requires an institution to schedule and play 100 percent of its wrestling contests against Division I opponents to meet the minimum number of contests legislation (13 wrestling contests with a minimum of seven student-athletes). Beyond this minimum number of

contests, an institution shall schedule and play at least 50 percent of its wrestling contests against Division I opponents. A current exception specifies that, in men's swimming and diving and men's indoor and outdoor track and field, an institution shall schedule and play at least 50 percent of its contests against Division I opponents to satisfy the minimum number of contests specified to meet sports sponsorship criteria. The addition of wrestling to this exception will ease the budgetary burden many sponsoring institutions face when scheduling wrestling contests. In many regions of the country, nearby institutions are classified in a different division or are members of the National Association of Intercollegiate Athletics. Specifically, institutions will have the ability to schedule contests against nearby institutions, regardless of their division or organizational affiliation, in order to decrease travel costs. Furthermore, this change would provide many institutions the budgetary relief needed to maintain sponsorship of wrestling.

Estimated Budget Impact: Varies. May decrease travel costs in some cases.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Apr 12, 2010 Submit Submitted for consideration.

Apr 15, 2010 Wrestling Committee, Recommends Approval

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

No. 2010-105 DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- BASKETBALL SCHEDULING -- ONE-THIRD OF CONTESTS IN HOME ARENA -- WOMEN'S BASKETBALL

Intent: In women's basketball, to specify that an active or provisional member must play at least one-third of its regular-season basketball contests in the arena regularly used for the institution's home games.

Bylaws: Amend 20.9.6, as follows:

20.9.6 Basketball Scheduling.

[20.9.6.1 unchanged.]

20.9.6.2 One-Third of ~~*Men's*~~ Contests in Home Arena. An active member or a provisional member must play at least one-third of its regular-season ~~*men's*~~ basketball contests in the arena regularly used for the institution's home games. A provisional member is required to apply scheduling criteria beginning with year two of the provisional process.

[20.9.6.3 unchanged.]

Source: NCAA Division I Championships/Sports Management Cabinet (Women's Basketball Issues Committee)

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Division Membership

Rationale: There has been an increase in the number of women's basketball teams that receive guaranteed payments to play a large number of away-from-home contests before their conference schedule begins. As a result, student-athletes are missing additional classes. Requiring each institution to have a minimum number of home contests will result in competitive balance. Further, this provision currently exists for men's basketball. It is appropriate for women's basketball to have the same scheduling requirements associated with Division I membership. Finally, this proposal was initiated and supported by the Women's Basketball Coaches Association.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): Potential for student-athletes at affected institutions to miss fewer classes.

Position Statement(s)

History:

May 03, 2010 Submit Submitted for consideration.

May 11, 2010 Women's Basketball Issues Committee, Recommends Approval

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

Committees

No. 2010-106 COMMITTEES -- COMMON COMMITTEES -- COMMITTEES WITH PLAYING RULES AND CHAMPIONSHIPS ADMINISTRATION RESPONSIBILITIES -- WOMEN'S BOWLING COMMITTEE

Intent: To increase the number of members of the Women's Bowling Committee from six to seven, including nonvoting secretary rules editor.

Bylaws: Amend 21.4.2, as follows:

[Common provision, all divisions, divided vote]

21.4.2 Bowling Committee, Women's. The Women's Bowling Committee shall consist of ~~*six*~~ **seven** members, including the secretary rules editor**, who shall be a nonvoting member**.

Source: NCAA Division I Championships/Sports Management Cabinet (Women's Bowling Committee)

Effective Date: Immediate

Category: Amendment

Topical Area: Committees

Rationale: The secretary rules editor was initially included in the Women's Bowling Committee composition because an individual member of the Women's Bowling Committee was designated to serve in that role at the time the position was created. That individual was initially selected as a member and then as secretary rules editor due to extensive knowledge of the sport and familiarity with the rules of other bowling entities. The expertise of the secretary rules editor continues to be a valuable and necessary resource to the committee. The secretary rules editor will continue to attend the annual Women's Bowling Committee meeting and the Women's Bowling Championship. However, as the number of institutions sponsoring women's bowling continues to grow, a larger pool of administrators and coaches from which to draw committee members is now available. Finally, an additional committee position will provide more opportunity for diverse representation on the Women's Bowling Committee. This change is requested 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 are not likely generated and there does not appear to be a significant disagreement or alternative points of view are not likely generated and there does not appear to be a significant impact on existing or proposed legislation.

Estimated Budget Impact: $3,065 for expenses for an additional committee member.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 24, 2009 Submit Submitted for consideration.

Jun 26, 2009 Women's Bowling Committee, Recommends Approval

Sep 16, 2009 Championships/Sports Management Cabinet, Sponsored

Sep 16, 2009 Championships/Sports Management Cabinet, Recommends Approval as Emergency or Noncontroversial Legislation

No. 2010-107 COMMITTEES -- DIVISION I CABINETS AND COMMITTEES -- MEN'S SOCCER COMMITTEE -- NOT MORE THAN TWO MEMBERS FROM THE SAME REGION

Intent: To specify that not more than two members of the men's soccer committee may be appointed from the same region.

Bylaws: Amend 21.7.5.5.5.3.19, as follows:

21.7.5.5.5.3.19 Men's Soccer Committee. The Men's Soccer Committee shall consist of 10 members, including one member from each of the eight Division I men's soccer regions and two members selected at large. **Not more than two members may be appointed from the same region.** Six members shall be representatives from Football Bowl Subdivision institutions, and four members shall be representatives from Football Championship and Division I Subdivision institutions.

Source: NCAA Division I Championships/Sports Management Cabinet (Men's Soccer Committee)

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Committees

Rationale: With approximately sixty percent of the membership sponsoring men's soccer, precluding more than two men's soccer committee members from serving from the same region will help to maintain balanced representation among the eight regions.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Feb 08, 2010 Submit Submitted for consideration.

Feb 10, 2010 Men's Soccer Committee, Recommends Approval

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

Executive Regulations

No. 2010-108 EXECUTIVE REGULATIONS -- ADMINISTRATION OF NCAA CHAMPIONSHIPS -- SITES AND DATES -- NONREVENUE CHAMPIONSHIPS SITE ASSIGNMENT

Intent: To specify that in championships that do not generate revenue and for which only 25 percent of the bracket is seeded, seeded teams shall have the opportunity to host preliminary rounds and that conference opponents shall be avoided in the first two rounds of the championship.

Administrative: Amend 31.1.3, as follows:

31.1.3 Sites and Dates. The governing sports committees recommend to the Championships/Sports Management Cabinet the sites and dates for all NCAA championships.

[31.1.3.1 unchanged.]

31.1.3.2 Site Selection. The governing sports committees shall evaluate prospective sites for NCAA championships in terms of the specific criteria approved by the Championships/Sports Management Cabinet. The division championships committees may assign specific priorities to these criteria for their respective championships. These shall be specified in the appropriate championships handbooks. A governing sports committee that desires to use additional criteria shall obtain Championships/Sports Management Cabinet approval before doing so.

[31.1.3.2.1 through 31.1.3.2.4 unchanged.]

31.1.3.2.5 Nonrevenue Championships Site Assignment. In championships that do not generate revenue **and for which only 25 percent of the bracket is seeded**, ~~*pairings shall be based primarily on the teams' geographical proximity to one another, regardless of their region, in order to avoid air travel in preliminary rounds whenever possible. Teams' seeding relative to one another may be taken into consideration when establishing pairings if such a pairing does not result in air travel that otherwise could be avoided. The Championships/*~~

~~*Sports Management Cabinet shall have the authority to modify its working principles related to the championship site assignment on a case-by-case basis*~~ **seeded teams shall have the opportunity to host preliminary rounds. Conference opponents shall be avoided in the first two rounds of the championship**.

[31.1.3.3 unchanged.]

Source: Pacific-10 Conference

Effective Date: August 1, 2011

Category: Amendment

Topical Area: Executive Regulations

Rationale: In sports in which championships do not generate revenue, current policies give preference to seeded teams for hosting preliminary rounds at non-predetermined sites only insofar as such bracketing does not create additional air travel. As a result, geographically-isolated institutions rarely, if ever, get the opportunity (and the advantages) of hosting NCAA championship competition. Such a policy is unfair to those institutions, their student-athletes and their fans. In addition, the policy of avoiding first and second round conference match-ups, which is in place for some championships, should be extended to all sports. In geographically-isolated areas, the closest institutions are likely other conference members, making the bracket less fair and diminishing the student-athlete experience for those participants who compete against conference opponents in the early rounds. Beyond the seeded teams, geography would still be taken into account when creating the brackets. These changes would give sports committees more flexibility and enable them to maintain the integrity of the bracket to a much greater degree. Funding for this change could be allocated from the increased revenues from the new NCAA television agreement. Greater integrity of the championship brackets seems a most appropriate use of these funds and aligns with NCAA principle of competitive equity.

Estimated Budget Impact: Could significantly increase travel costs primarily in softball, volleyball and tennis. Five or six additional flights per sport (at $25,000 per flight) would be needed to permit all seeded teams to host, which is estimated to increase the Association budget by $300,000 to cover volleyball and softball.

Impact on Student-Athlete's Time (Academic and/or Athletics): Could potentially require more travel and missed class time for student-athletes to participate in NCAA preliminary-round competitions by geographically isolated institutions.

Position Statement(s)

History:

Jul 14, 2010 Submit Submitted for consideration.

No. 2010-109 EXECUTIVE REGULATIONS -- ADMINISTRATION OF NCAA CHAMPIONSHIPS -- RESTRICTED ADVERTISING AND SPONSORSHIP ACTIVITIES -- PROFESSIONAL SPORTS ORGANIZATIONS OR TEAMS

Intent: To eliminate the prohibition on sponsorship of NCAA championship activities or promotions by professional sports organizations or teams.

A. Bylaws: Amend 12.6.1.1, as follows:

12.6.1.1 To Intercollegiate Event. A professional sports organization may not serve as a financial sponsor of intercollegiate competition**, other than NCAA championship 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.

[12.6.1.1.1 unchanged.]

B. Administrative: Amend 31.1.14, as follows:

31.1.14 Restricted Advertising and Sponsorship Activities. The following activities are restricted when they occur in conjunction with NCAA championships. Other restrictions are set forth in the championships handbooks.

31.1.14.1 Advertising. Advertising policies of the Association are designed to exclude those advertisements that do not appear to be in the best interests of higher education. The NCAA president shall have the authority to rule in cases where doubt exists concerning acceptable advertisers and advertising copy of game programs, broadcasts and telecasts of NCAA championships; however, the following expressly are prohibited:

[31.1.14.1-(a), unchanged.]

(b) Cigarettes and other tobacco products; **and**

~~*(c) Professional sports organizations or personnel (except as specified in the championships handbooks) in games other than licensed postseason football games; and*~~

[31.1.14.1-(d) relettered as 31.1.14.1-(c) , unchanged.]

[31.1.14.1.1 unchanged.]

31.1.14.1.2 Sponsorships. A championships activity or promotion may not be sponsored by liquor, tobacco, beer or wine companies ~~*or by professional sports organizations or teams*~~ at any time.

Source: NCAA Division I Championships/Sports Management Cabinet

Effective Date: Immediate

Category: Amendment

Topical Area: Executive Regulations

Rationale: Current NCAA regulations specify that a championships activity or promotion may not be sponsored by professional sports organizations or teams at any time. This regulation can limit the opportunities for the NCAA staff and/or local organizing committee, host institution and/or conference that administers a championship event in promoting the NCAA championship or related activities. Professional sports teams have been interested in advertising the NCAA championship through their promotional channels (e.g., e-mail to season-ticket holders, team website, newsletters), during their contests (e.g., public address announcements, video/message

boards, promotional booth) or with their media partners. The NCAA president authorized a waiver for the 2009-10 and 2010-11 academic years to permit the NCAA staff, local organizing committees, host institutions and/or conferences to partner with professional sports organizations to promote championships in all sports other than football and men's basketball. This change would permit the NCAA staff responsible for administering championship activities and promotions to make judgments about the appropriate involvement of professional sports organizations. Partnering with professional sports organizations can help to increase exposure and fan interest for NCAA championships without compromising the Association's principle of amateurism.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Position Statement(s)

History:

Jun 01, 2010 Submit Submitted for consideration.

Jun 16, 2010 Championships/Sports Management Cabinet, Sponsored

NCAA Division I 2010-11 Legislative Proposals
Points to Consider

(Updated: September 27, 2010)

NCAA Proposal No. 2009-19-A:
Title: Personnel -- Limitations on Number of Coaches and Off-Campus Recruiters -- Women's Sand Volleyball and Women's Volleyball

- Competitive equity concerns between institutions that sponsor both sports and institutions that only sponsor one – 3 verus 4.
- Increased costs for hiring an additional coach.
- Consider work/life balance for coaches.
- AVCA assisted with proposal development.

Proposal No. 2019-B
Title: Personnel -- Limitations on Number of Coaches and Off-Campus Recruiters -- Women's Sand Volleyball

- Institutions that sponsor both sports will not gain competitive advantage in number of coaches over those that sponsor only one sport.
- Not required to hire additional coaches in order to sponsor sport.
- Consider implementation of sand volleyball recruiting calendar since there may be separate coaching limits for each sport.

Proposal No. 2009-39
Title: Recruiting -- Limitations on Number of Evaluations -- Evaluation Days -- Women's Sand Volleyball

- Addresses potential competitive or recruiting advantages for institutions that sponsor both sports if limits are separate for coaching and evaluation days.
- Consider change to current recruiting calendar to establish May as an evaluation period for sand volleyball events only.
- No way to ensure that institutions that sponsor both sports will use the additional 20 evaluation days for recruiting sand volleyball prospective student-athletes.
- What is the appropriate number of evaluation days?
- Involvement with local sports club outside contact or evaluation period counts toward limit.
- AVCA recommended unlimited evaluations days.
- Institutions without sand volleyball limited to 80 evaluation days.

Proposal No. 2009-70
Title: Financial Aid -- Maximum Institutional Grant-In-Aid Limitations by Sport -- Women's Sand Volleyball

- Competition would be five two-person units.
- Likely crossover with women's volleyball in the early years.
- Attempts to address competitive balance with women's volleyball.
- May need to adjust after a few years.

Proposal No. 2009-83
Title: Playing and Practice Seasons and Division Membership -- Regulations for Playing Season and Minimum Contest Requirements for Sports Sponsorship -- Women's Sand Volleyball

- The Collegiate Commissioners Association of Compliance Administrators working group supported the minimum contest requirements (i.e., eight) necessary for sports sponsorship recommended in section B.
- The proposed minimum contest requirement of eight appears appropriate to establish sand volleyball as a sport and is based on trends in the number and dates of competition completed at the club level.

Proposal No. 2009-100
Title: Recruiting -- Tryouts -- Nonscholastic Practice, Contest or Event -- Men's Basketball

- Referred to the NCAA Division I Men's Basketball Issues Committee.
- How does this fit with the NCAA Basketball Focus Group (BFG) legislation?
- Application to all sports?
- Intended to eliminate recruiting advantages.
- Potential loss of revenue.
- If adopted, actions contrary to the legislation that are taken pursuant to contracts signed on or after October 29, 2009 will result in violations.

Proposal No. 2010-6
Title: NCAA Membership -- Active Membership -- Election Procedures -- Board of Directors

- NCAA Division I Leadership Council currently has this responsibility.
- Leadership Council will still maintain oversight over membership processes and benchmarks.
- Since joining Division I results in significant status and privileges (e.g., financial benefits, increased program exposure), election to the active divisional membership status should be vested with the NCAA Division I Board of Directors, the Division I presidential body.
- Recommended as noncontroversial legislation.

Proposal No. 2010-7
Title: NCAA Membership -- Active Membership -- Conditions and Obligations of Membership -- Application of Rules to All Recognized Varsity Sports -- Elimination of Emerging Sports Timetable

- Current timetable is a three-year "phase-in" period for the application of specified legislation from the date sport is added to the list of emerging sports for women.
- The "phase-in" period for applying legislation has created some confusion among institutions contemplating sponsorship of the sport once it is added to the emerging sport list.
- Supports competitive equity among institutions that sponsor an emerging sport.
- NCAA regulations governing the operation of the new emerging sport (e.g., recruiting, amateurism and playing seasons) must be in place prior to the effective date for adding the sport to the list of emerging sports.
- The proposal will provide greater transparency and information related to budgets and allocation of resources.
- Similar legislation being considered in Division II and Division III.

Proposal No. 2010-8
Title: NCAA Membership -- Active Membership -- Conditions and Obligations of Membership -- Drug Testing Program -- Designation of Athletics Department Resource and Education Related to Banned Drugs and Nutritional Supplements

- In some drug-test appeal cases, student-athletes have provided mitigation for a positive test by noting that an athletics department staff member approved their use of a supplement or medication that contained NCAA banned substances.

- Current NCAA rules require that institutions educate student-athletes about NCAA banned drugs and the products that may contain them.
- Intended to ensure that staff members who regularly interact with student-athletes are educated.
- Failure to follow these steps would result in an institutional violation.
- How often does the institution need to educate?
- Legislative versus best practices?

Proposal No. 2010-9
Title: NCAA Membership -- Active or Conference Membership -- Conditions and Obligations of Membership -- Use of a Student-Athlete's Name or Likeness -- Contracts and Commercial Agreements -- Written Policies

- From the Task Force on Commercial Activities.
- Prevents negative exploitation of student-athletes.
- Policy can be requested in order to verify policy is in place.
- Failure to include required language in contracts and commercial agreements will result in institutional violation.

Proposal No. 2010-10
Title: Organization -- Division I Legislative Council -- Voting Method -- Results of Roll-Call Votes

- Proposal reflects current practice.
- Maintains the integrity of the process.
- Nonlegislative actions include hearing appeals of interpretations and approving waiver policies and procedures.
- Recommended as noncontroversial legislation.

Proposal No. 2010-11
Title: Legislative Process -- Definitions and Applications -- Legislative Provisions -- Football Championship Subdivision Dominant Provisions

- NCAA Division I Football Championship Subdivision Governance (FCS) only.
- Creates a supermajority voting provision for FCS items.

Proposal No. 2010-12

Title: Legislative Process -- Amendment Process -- Membership Override of Legislative Changes -- Legislative Council or Board of Directors Review -- Override Voting

- Cost-savings initiative.
- Conduct of override votes will be determined by the NCAA Division I Administration Cabinet.
- Provides opportunity for a more accurate representation of the "one institution/one vote" principle.
- Many attended convention solely for the override vote.
- May affect Division I attendance at Convention.

Proposal No. 2010-14

Title: Personnel -- Definitions and Applications -- Graduate Assistant Coach -- Bowl Subdivision Football and Women's Rowing -- Incidental Expenses at NCAA Championships and Licensed Bowl Games

- Football Bowl Subdivision (FBS) and Division I, divided vote.
- Currently, graduate assistant coaches must pay own incidental expenses.
- Student-athletes currently provided $20 per day for up to 10 days.
- Additional costs will be minimal since there is a limit on the number of graduate assistant coaches.

Proposal No. 2010-15

Title: Personnel -- Compensation And Remuneration -- Income in Addition to Institutional Salary -- Consultant For or Endorsement of Noninstitutional Athletics Events Involving Prospective Student-Athletes

- To minimize recruiting advantages.
- What does "primarily involves prospective student-athletes" mean?
- Would still be permissible for staff to consult or endorse noninstitutional camps and clinics, pursuant to NCAA Bylaw 13.12.2.3.

Proposal No. 2010-16
Title: Personnel -- Limitations on the Number and Duties of Coaches -- Noncoaching Staff with Sport-Specific Responsibilities -- Basketball -- Limit of One

- Intended to address concern regarding the proliferation of noncoaching staff members with sport-specific responsibilities and its impact on competitive equity.
- The work of noncoaching staff members frees up time for the head coach to do other things.
- What is the appropriate percentage of responsibilities?
  - 100 percent?
  - More than 50 percent?
- Potential cost savings.
- Basketball may use noncoaching staff members differently than football.
- Limit does not include those who report to another department (e.g., academic advisor, trainer, SID) even though responsibilities are specific to basketball.
- Noncoaching basketball-specific positions provide opportunities to develop new coaches.

Proposal No. 2010-17
Title: Personnel -- Limitations on the Number of Coaches -- Football Bowl Subdivision -- Four Graduate Assistant Coaches

- FBS only.
- Intended to create two additional opportunities for individuals to obtain a postgraduate education and pursue career goals.
- May add coaching opportunities for minorities.
- Will be increasing costs during a time when institutions are trying to save money and to reduce costs.

Proposal No. 2010-18
Title: Personnel -- Limitations on the Number and Duties of Coaches -- Noncoaching Staff with Sport-Specific Responsibilities --Bowl Subdivision Football -- Limit of Four

- FBS only.
- Intended to address concern regarding the proliferation of noncoaching staff members with sport-specific responsibilities and its impact on competitive equity.
- The work of noncoaching staff members frees up time for the head coach to do other things.

- What is the appropriate percentage of responsibilities?
  - 100 percent?
  - More than 50 percent?
- Potential cost savings.
- Limit does not include those that report to another department (e.g., academic advisor, trainer, SID) even though responsibilities are specific to football.

Proposal No. 2010-19
Title: Personnel -- Limitation on the Number and Duties of Coaches -- Football Bowl Subdivision -- Weight or Strength Coach -- Limit of Five

- FBS only.
- Issue related to competitive equity.
- Potential health and safety issue.
- Potential cost-savings.

Proposal No. 2010-20
Title: Personnel -- Limitations on the Number and Duties of Coaches -- Noncoaching Staff with Sport-Specific Responsibilities -- Championship Subdivision Football -- Limit of Two

- FCS only.
- Intended to address concern regarding the proliferation of noncoaching staff members with sport-specific responsibilities and its impact on competitive equity.
- The work of noncoaching staff members frees up time for the head coach.
- What is the appropriate percentage of responsibilities?
  - 100 percent?
  - More than 50 percent?
- Potential cost savings.
- Limit does not include those that report to another department (e.g., academic advisor, trainer, SID) even though responsibilities are specific to football.

Proposal No. 2010-21
Title: Personnel -- Limitations on Number of Off-Campus Recruiters at Any One Time -- Exception -- Sports Other Than Basketball -- June, July And August

- Some sports compete into June.
- Cost-savings initiative.

- Would be able to use the general rule (Bylaw 11.7.4.3) or this exception.
- Would there be conflicts with institutional camps?

Proposal No. 2010-22
Title: Personnel -- Limitations on Number of Off-Campus Recruiters at Any One Time -- Exception -- Baseball -- June, July And August

- Potential scheduling conflicts as the baseball season extends into June for most institutions.
- Cost-savings initiative.
- Would be able to use the general rule (Bylaw 11.7.4.3) or this exception.
- Would there be conflicts with institutional camps?

Proposal No. 2010-23
Title: Amateurism -- Amateur Status -- Exception for Payment Based on Team Performance -- Actual and Necessary Expenses -- Sports Other Than Men's Ice Hockey and Skiing

- Based on the team's receipt of payment for place finish or performance.
- Extends concept in Proposal No. 2009-22 to nonprofessional teams (e.g., Olympic or national teams, amateur teams).
- Recommended as noncontroversial legislation.

Proposal No. 2010-24
Title: Amateurism -- Involvement with Professional Teams -- Professional Basketball Draft -- Four-Year College Student-Athlete -- Men's Basketball

- Currently must withdraw name by May 8.
- Reduces uncertainty as to who will be coming back next year and would assist coaches in roster planning.
- Will force student-athletes to make a decision earlier.
- Earlier date may create distractions at the end of the regular season.
- Effective date: Immediate if adopted in January?

Proposal No. 2010-25
Title: Amateurism and Awards, Benefits and Expenses -- Use of Agents -- Benefits, Gifts and Services -- Career Counseling and Internship/Job Placement Services

- Promotes student-athlete well-being.
- Currently cannot use student-athlete exclusive services until eligibility is exhausted.
- Use of service not exclusive to student-athletes is currently permitted.

Proposal No. 2010-26
Title: Amateurism -- Promotional Activities -- Use of a Student-Athlete's Name or Likeness

- From the Task Force on Commercial Activities.
- Prevents negative exploitation of student-athletes.
- Defines "name" and "likeness."
- Companion to Proposal No. 2010-9.
- Balances commercial activity with use of student-athlete name and likeness.
- Student-athlete still may not promote a commercial product or service.

Proposal No. 2010-27
Title: Recruiting -- Contacts and Telephone Calls -- Time Period for Off-Campus Contacts and Telephone Calls

- Takes into consideration prospects on nontraditional academic calendars and international systems.
- Contacts and telephone calls may occur earlier than July 1 based on when senior year begins.

Proposal No. 2010-28
Title: Recruiting -- Contacts and Evaluations -- Head Coach Restrictions -- Bowl Subdivision Football - Elimination of Restrictions on Assistant Coach Publicly Designated as Next Head Coach

- FBS only.
- Legislation changed in previous cycle (January 2010).
- The designation of an assistant coach as the next head coach may occur several years before the departure of the current head coach.

- No real burden with the delegation of additional duties to other coaching staff members.

Proposal No. 2010-29
Title: Recruiting -- Contacts and Evaluations -- Head Coach Restrictions -- Assistant Coach Publicly Designated as Next Head Coach -- Bowl Subdivision Football -- Application to Prior Designations

- FBS only.
- Legislation changed in previous cycle (January 2010).
- Potential recruiting advantage for institutions that have designated their next head coach before August 14, 2009?

Proposal No. 2010-30
Title: Recruiting -- Telephone Calls -- Time Period for Telephone Calls -- Sports Other Than Football

- First affects the summer of 2011.
- Applies current men's basketball rule to all sports other than football.
- Earlier access to prospects facilitates sound recruiting decisions.
- Not tied to date of verbal and written offers.
- Football not included due to specific to spring evaluation period.

Proposal 2010-31
Title: Personnel and Recruiting -- Recruiting Coordination Functions -- Contacts, Telephone Calls and Recruiting Materials -- Exceptions -- Communication After Commitment

- Deregulates communications after prospect has committed.
- End of the recruiting process.
- Gives financial deposit in response to an admissions offer the same standing as National Letter of Intent (NLI).
    - Would allow unlimited contact prior to signing of NLI or other written commitment.

Proposal No. 2010-32
Title: Recruiting -- Telephone Calls and Electronic Transmissions -- After Written Commitment or Receipt of Financial Deposit -- On or After Second Wednesday of November

- Concepts similar to Proposal No. 2010-31.
- Gives financial deposit in response to an admissions offer the same standing as NLI.
- Gives institutions flexibility.
- Second Wednesday of November lines up with early signing period.
  - Would allow unlimited communication prior to signing of NLI or other written commitment.
- Specific to communication and not contacts.

Proposal No. 2010-33
Title: Recruiting -- Contacts and Evaluations -- Recruiting Opportunities -- Women's Basketball -- Seven Opportunities

- Similar proposal was defeated in 2007 (Proposal No. 2006-34) and withdrawn in 2008 (Proposal No. 2007-38).
- Support work/life balance for coaches?
- Five recruiting opportunities sufficient?
- Promotes equity among sports.
- Does not increase the number of recruiting in-person days.
- Supported and requested by the Woman's Basketball Coaches Association (WBCA).

Proposal No. 2010-34
Title: Recruiting -- Contacts and Evaluations -- Men's Basketball Evaluations -- Certified Nonscholastic Events during April Contact Period

- Presented as a cost-savings initiative.
- Prospects will miss less class.
- Current legislation was intended to get away from the nonscholastic environment.
- Undoing some of the work of the Recruiting and Access Committee (Proposal No. 2004-119-B).
- Similar proposal was defeated in 2008 (Proposal No. 2007-41).
- Need to consider coach work/life balance.

Proposal No. 2010-35
Title: Recruiting -- Basketball Evaluations -- Women's Basketball -- Nonscholastic Evaluations during Academic Year -- National Standardized Testing Weekends

- Similar proposal was withdrawn in 2009 (Proposal No. 2009-36).
- Maintains the same amount of evaluation days.
- First conflict with be in April 2013.
- Prospects feel pressure to compete in events rather than taking the standardized test.
- Initiated and supported by the WBCA.

Proposal No. 2010-36
Title: Recruiting -- Football Evaluations -- Scholastic and Nonscholastic Activities -- Other Evaluation Events -- Championship Subdivision Football

- FCS only.
- More efficient and a cost-savings for FCS.
- Legislation was changed in previous cycle (Proposal No. 2008-20-A).
- Original issues were in FBS.
- Moves evaluations away from live athletic activities.
- Inviting back nonscholastic influences in the recruiting process.
- Proposal No. 2010-37 requires that recruiting events be sanctioned by athletics association.

Proposal No. 2010-37
Title: Recruiting -- Football Evaluations -- Scholastic and Nonscholastic Activities -- Other Evaluation Events Organized or Sanctioned Scholastic Athletics Association -- Championship Subdivision Football

- FCS only.
- More efficient and a cost-savings for FCS.
- Legislation was changed in previous cycle (Proposal No. 2008-20-A).
- Original issues were in FBS.
- Moves evaluations away from live athletic activities.
- Proposal No. 2010-36 does not require that recruiting events be certified by athletics association.
- Athletic associations may feel pressure by nonscholastic entities to sanction their event.

Proposal No. 2010-38
Title: Recruiting -- Recruiting Materials -- Athletics Publications -- No Media Guides to Prospective Student-Athletes via Digital Storage Device or E-Mail

- Intent is to remove media guides from the recruiting process.
- Institutions feel compelled to produce media guides for recruiting purposes, rather than to meet the needs of the media.
- Potential cost-savings (e.g., costs of media storage devices, postage, and media staff production time).
- NCAA Division I Legislative Council previously considered this concept, but it was defeated.

Proposal No. 2010-39
Title: Recruiting -- Recruiting Materials -- Media Guides and Video/Audio Materials -- Methods of Delivery to Prospective Student-Athletes

- Cost-savings to institutions.
- Are institutions sending multiple storage devices to prospects?
- Limit of one storage device per prospect.

Proposal No. 2010-40
Title: Recruiting -- Official (Paid) Visit -- Limitations on Official Visits -- No Visit after National Letter of Intent or Other Written Commitment

- Once NLI is signed, recruiting process is over.
- Should this apply to post-high school visits?
- Potential cost savings.
- Unofficial visits still permitted.
- Official visits are often used to meet with academic advisors, setting up class schedules, orientation activities and physical exams.

Proposal No. 2010-41
Title: Recruiting -- Unofficial (Nonpaid) Visit -- Entertainment/Tickets -- General Restrictions -- Nontraditional Family

- Would make it consistent with official visits (Proposal No. 2007-50-B).
- Was it intended to include any individual with child-rearing duties?
- Is "nontraditional" too vague?

- Provides flexibility.
- Other options:
  - Extend to all "family" members (defined broadly).
  - Increase permissible number of complimentary admissions to five.

Proposal No. 2010-42
Title: Recruiting -- Letter-of-Intent Programs, Financial Aid Agreements -- Requirements for Verbal Offer of Athletically Related Financial Aid

- Need to tie academic evaluations to financial aid offers.
- Issue with prospects committing while in junior high.
- Not tied to telephone calls in order for coaches to have time to make informed recruiting decisions.
- High schools have from January to July 1 to provide transcripts.

Proposal No. 2010-43
Title: Recruiting -- Tryouts -- Prohibited Activities -- Competition Against Prospective Student-Athletes -- Bowl Subdivision Football -- Service Academy Exception

- FBS only.
- "Redshirting" is not a viable option at service academies. All service academy students are expected to complete their undergraduate degree in four years and then serve on active duty in the armed forces.
- Many service academy football student-athletes participate on a subvarsity team for one year and on the varsity team for three years.
- Legislation was changed in previous cycle (Proposal No. 2009-49).

Proposal No. 2010-44
Title: Recruiting -- Tryouts -- Tryout Events -- Prohibition on Hosting, Sponsoring or Conducting Noninstitutional Instructional Events – Football

- Intended to address concern related to hosts gaining recruiting advantage.
- Potential loss of revenue for host institutions.
- Football only.
- Potential antitrust legal concerns.
- Is this an issue of national significance?

Proposal No. 2010-45
Title: Recruiting and Playing and Practice Seasons -- Tryout Exceptions and Out of Season Restrictions -- Recognized Training and Development Programs

- Intended to address concerns related to training programs.
  - Increases involvement of applicable governing body.
  - Involvement of more than just institution's coach.
- Applies consistent standards for all sports.

Proposal No. 2010-46
Title: Recruiting -- Tryouts -- Tryout Exceptions -- High School, Preparatory-School and Two-Year College Contests -- Conducted by Institution or Sponsored with an Outside Organization

- Current legislation viewed as somewhat outdated.
- Would establish separate standards for team and individual sports.
- Intended to simplify the application of the legislation.
  - Is confirmation by coaches necessary?
  - Is approval by a governing body necessary?

Proposal No. 2010-47
Title: Recruiting -- Use of Recruiting Funds -- Recruiting or Scouting Services – Video-Only Services

- Potential cost and time savings.
- Minimal competitive advantage.
- Current restriction viewed as unintended consequence of recruiting/scouting service legislation (Proposal No. 2009-56).
- Such services do not provide analysis of prospects.

Proposal No. 2010-48
Title: Recruiting -- Use of Recruiting Funds -- Recruiting or Scouting Services -- List of Permissible Recruiting Services -- Men's Basketball

- Potential legal concerns.
  - Perception of and impact on services not listed.
  - Inconsistent information provided.
- Intended to remove burden from institutions.
- Would result in additional costs to the national office.

- NCAA Division I Men's Basketball Issues Committee (MBIC) opposed.
  - Institutions should make more responsible decisions as to the number of services to which they subscribe.
  - Current legislation was not designed to require a clearinghouse.

Proposal No. 2010-49
Title: Recruiting -- Recruiting Calendars -- Men's Basketball -- April Contact Period

- Intended to provide more evaluation opportunities at educational institutions.
- Does not increase recruiting person days.
- Would it add distractions for prospects?
- Emphasizes scholastic evaluations.

Proposal No. 2010-50
Title: Recruiting -- Basketball Event Certification -- Women's Events and Men's Summer Events -- Price of Admission

- Will help coaches to plan which events to attend.
- Information was already being requested by the basketball certification staff.
- Initiated and supported by the WBCA.
- Recommended as noncontroversial legislation.

Proposal No. 2010-51
Title: Eligibility -- General Eligibility Requirements -- Full-Time Enrollment -- Requirement for Competition -- Nontraditional Courses

- Similar proposal was defeated in 2009 (Proposal No. 2008-32-A).
- Provides flexibility and institutional autonomy.

Proposal No. 2010-52
Title: Eligibility -- Graduate Student/Postbaccalaureate Participation -- One-Time Transfer Exception -- Final Year of Eligibility -- Nonrenewal of Athletics Aid at Previous Institution -- Baseball, Basketball, Football and Men's Ice Hockey

- Promotes student-athlete well-being.
- Potential decrease in the number of legislative relief waivers.
- Intended to address situations in which a student-athlete wanted to continue at previous institution, but his or her aid was not renewed.

Proposal No. 2010-53
Title: Eligibility -- Seasons of Competition: Five Year Rule -- Delayed Enrollment -- Seasons of Competition -- Sports Other Than Men's Ice Hockey and Skiing -- Exception -- National/International Competition

- Competitive and recruiting equity concerns versus Olympic/national/international movement considerations.
- Provides an additional year following the current grace year for delayed enrollment and seasons of competition.
- Student-athletes may feel pressure to choose between enrolling full time at a collegiate institution or to continue with training, tryout competition, and qualifying competition.

Proposal No. 2010-54
Title: Eligibility -- Seasons of Competition: Five-Year Rule -- Hardship Waiver -- First Half of Playing Season Calculation – Tennis

- Changes the first half of the season calculation.
- May apply retroactively if the student-athlete is still in his or her five-year period of eligibility.
- Calculation is currently consistent for all individual sports.
- Consider change to championships selection instead?
  - Golf has similar issue.

Proposal No. 2010-55
Title: Eligibility -- Initial Eligibility -- Common Provisions -- Division I and Division I

- Allows the NCAA Eligibility Center to be more efficient.
- Each division will still maintain autonomy to establish its own initial-eligibility requirements (e.g., number of core courses, minimum grade-point average and standardized test score).
- Decreases flexibility in making changes to the legislation.

Proposal No. 2010-56
Title: Eligibility -- Freshman Academic Requirements -- Core-Curriculum Time Limitation -- Leaving Examinations

- Waiver process is available if a prospect is negatively affected.
- Does not affect amateurism.

- Recognizes unique nature of examination-based countries.
- Treats all prospects from the same country the same, regardless of delay.
- Transcripts are difficult to obtain.
- Eases administrative burden on the NCAA Eligibility Center.
- Prospects who delay high school graduation will not be permitted to complete one additional core course following high school graduation.
- Is this a widespread problem?

Proposal No. 2010-57
Title: Eligibility -- Freshman and Transfer Academic Requirements -- Participation Prior to Certification -- Recruited Student-Athlete -- 21-Day Period

- Currently 14 consecutive days.
- Is seven additional days appropriate?
- Intended to address issues with workload at the NCAA Eligibility Center during peak times.
- Promotes student-athlete well-being.

Proposal No. 2010-58
Title: Eligibility, Financial Aid and Playing and Practice Seasons -- Summer Academic Preparation and College Acclimatization -- Men's Basketball

- Intended to address NCAA Division I Academic Progress Rate (APR) retention issues.
- Early assessments and interventions will improve graduation.
- Enhance student-athlete's connection to the institution.
- Athletics access intended to address retention concerns.
- Resources and competitive equity concerns.
- Is three/six credit hours enough to place the student-athlete on track for graduation in five years?
- Are the credit hour requirements appropriate for quarter institutions?
- Potential conflicts with additional core-course following high school graduation legislation as prospects completing the additional core course may not be able to enroll in summer school.

Proposal No. 2010-59
Title: Eligibility -- Progress-Toward-Degree Requirements -- Eligibility for Competition -- Fulfillment of Credit Hour Requirements -- Fall Term Academic Requirement For Future Competition -- Football

- FBS and FCS, divided vote.
- Football has the lowest APR eligibility rates.
- Many lose the eligibility point during the fall term, while competing.
- Football student-athlete who earns nine credit hours during the fall term earns more APR points during his academic career, is more likely to graduate and is less likely to become an "0/2" student-athlete.
- 27 semester/40 quarters hours put the student-athlete on a four-and-a half years graduation track.
- Currently, many use the summer to regain eligibility.
- Intended to facilitate a cultural change.
- First eligibility requirement that is tied to the awarding of APR points.

Proposal No. 2010-60
Title: Eligibility -- Progress-Toward-Degree Requirements -- Regulations for Administration of Progress Toward Degree -- Nontraditional Courses

- Similar proposal was defeated in 2009 (Proposal No. 2008-35-A).
- Provides flexibility and institutional autonomy.

Proposal No. 2010-61
Title: Financial Aid -- General Principles -- Eligibility of Student-Athletes for Institutional Financial Aid -- Exception -- Part Time Enrollment After Exhausted Eligibility

- Promotes student-athlete well-being.
- Minimal competitive equity as proposal only relates to student-athletes who have exhausted eligibility.
- Potential cost-savings as institutions will not have to pay for courses in order for the student-athlete to be a full-time student and to be enrolled in courses not needed for graduation.
- Student-athletes may be taking class seats away from students in classes they do not need to graduate.
- No requirement that the student-athlete has to graduate following the term.

Proposal No. 2010-62
Title: Financial Aid -- Definitions and Applications -- Exempted Institutional Financial Aid -- Federal Need-Based Financial Aid

- Would still count in individual limits.
- Promotes student-athlete well-being, especially for those in financial need.
- Safeguards are already in place to prevent abuse.
- Reduces compliance monitoring.
- Similar proposal related to state need-based aid (Proposal No. 2010-63).

Proposal No. 2010-63
Title: Financial Aid -- Definitions and Applications -- Exempted Institutional Financial Aid -- State Need-Based Financial Aid

- Would still count in individual limits.
- Promotes student-athlete well-being, especially for those in financial need.
- Safeguards are already in place to prevent abuse.
- Reduces compliance monitoring.
- Why not exempt for counter status for basketball and football varsity competition?
- Similar proposal related to federal need-based aid (Proposal No. 2010-62).

Proposal No. 2010-64
Title: Financial Aid -- Definitions and Applications -- Exempted Institutional Financial Aid -- State Merit-Based Financial Aid

- Would still count in individual limits.
- Promotes student-athlete well-being, especially for those in financial need.
- Reduces compliance monitoring.
- Why not exempt for counter status for basketball and football varsity competition?

Proposal No. 2010-65
Title: Financial Aid -- Definitions and Applications -- Recruited Student-Athlete

- Is there a need to have two separate definitions?
- Will this affect the definition of the APR cohort for institutions that use recruited status to define its cohort?
- More difficult to become a counter.

Proposal No. 2010-66
Title: Financial Aid and Awards, Benefits and Expenses -- Training-Table Meals -- One Meal per Day -- Student-Athletes Not Receiving Full Board

- Similar proposal was defeated in 2007 (Proposal No. 2006-71).
- Institutions may feel pressure to provide training-table meals.
- Potential to increase costs based on the number of student-athletes.
- Intended to promote team unity.

Proposal No. 2010-67
Title: Financial Aid -- Government Grants -- Exempted Government Grants -- Exempted Institutional Financial Aid -- Post-9/11 G.I. Bill

- Blanket waiver approved through the 2010-11 academic year.
- Promotes student-athlete well-being.

Proposal No. 2010-68

Title: Financial Aid -- Elements of Financial Aid -- Financial Aid from Outside Sources -- Unrelated to Athletics Ability -- Established Family Friend

- Potentially more restrictive than current application.
- Takes into consideration nontraditional family structures.
- Parameters will prevent abuse.
- Is it too vague?

Proposal No. 2010-69
Title: Financial Aid -- Financial Aid from Outside Sources -- Financial Aid from an Established and Continuing Program

- Promotes student-athlete well being – student-athlete does not have to choose between outside aid and athletics aid.
- Still included in individual limit.
- Reduces compliance monitoring.
- Deregulates outside aid legislation.

Proposal No. 2010-70
Title: Financial Aid -- Summer Financial Aid -- Enrolled Student-Athletes -- Exception for First-Time Recipient in the Next Academic Year

- Help student-athletes to get ahead academically.
- Using it to help student-athletes remain eligible.
- May increase costs based on the number of student-athletes.
- Will student-athletes feel compelled to stay on campus during the summer?
- Consider immediate effective date.

Proposal No. 2010-71
Title: Financial Aid -- Terms and Conditions -- Period of Institutional Award -- One-Year Period -- Exceptions -- Graduated During Previous Academic Year and Will Exhaust Eligibility During the Following Fall Term

- Institution can decide to award athletics aid for the rest of the year.
- Mainly affects fall sports.
- Potential cost savings.
- May affect quarter institutions differently.
- Is another exception watering down the intent of the original legislation?
- Is this necessary? Currently, non-athletics reasons may be placed into the financial aid agreement.

Proposal No. 2010-72
Title: Financial Aid -- Terms and Conditions of Awarding Institutional Financial Aid -- Reduction or Cancellation Permitted -- Release of Obligation to Provide Athletically Related Financial Aid

- Many times, student-athletes are eligible for more nonathletics aid than athletics aid.
- Promotes student-athlete well-being as it allows the student-athlete to accept the financial package that is most beneficial to finance the student-athlete's education.
- In its practical application, student-athletes may not be aware that they are eligible for nonathletics aid until contacted by financial aid or athletics office.
- If the student-athlete relinquishes his or her athletics aid for the current year but athletics aid is not offered for the following academic year, there is no appeals process for the student-athlete.
- Does this encourage oversigning?
- Student-athlete is getting equal or greater than the amount of the original award – no reduction.
- Eliminates the need to put contingency in financial aid agreements.

Proposal No. 2010-73
Title: Financial Aid -- Counters and Equivalency Computations -- Required Grade-Point Average to Qualify for Exemptions of Counter Status and Countable Institutional Aid -- Reduction from 3.300 To 3.000

- Promotes student-athlete well-being.
- Student-athletes will not have to choose between accepting athletics aid or academic scholarships.
- Makes the standard consistent with three other financial aid exemptions (renewal of award based on high school record, transfer award, and institutional academic scholarships).
- Will still be included in the student-athlete's individual limit.

Proposal No. 2010-74
Title: Financial Aid -- Maximum Institutional Grant-In-Aid Limitations by Sport -- Executed Financial Aid Awards and Written Offers Exceeding Maximum Allowable Awards – Baseball

- Intended to discourage over-signing.
- Promotes student-athlete well-being.
- Emphasizes better recruitment and assessments.
- Reduces flexibility for institution in uncertain situations.

Proposal No. 2010-75
Title: Financial Aid -- Maximum Institutional Grant-In-Aid Limitations by Sport -- Equivalency Computations -- Calculation of Books

- Last change was in 1996.
- Will have differing effect based on whether books is an element of grants-in-aid.
- Is $800 the appropriate figure?

Proposal No. 2010-76
Title: Financial Aid -- Maximum Institutional Grant-In-Aid Limitations by Sport -- Women's Basketball

- Most institutions do not award the maximum (average of 13.08 in 2009).
- Could reallocate funds to women's basketball summer school or other women's sports.
- Potential increase in transfer rates and improved APRs.

- Increase parity as the talent pool is spread out.
- Would make it the same as men's basketball.
- Delayed effective date provides institutions with notice.
- Reduces scholarship opportunities for female student-athletes.

Proposal No. 2010-77
Title: Financial Aid and Division Membership -- Maximum Institutional Grant-In-Aid Limitation -- Football Championship Subdivision Dominant Provisions

- FCS only.
- Creates a supermajority voting provision for FCS items.
- Works in conjunction with Proposal No. 2010-11.
- Helps to preserve the stability of the subdivision by requiring membership and financial aid initiatives that could diminish or escalate the level of commitment to be approved by a super-majority.

Proposal No. 2010-78
Title: Financial Aid -- Maximum Institutional Grant-In-Aid Limitations -- Football Limitations -- Initial Counters -- Midyear Replacement -- Option to Count in Initial Year of Award

- FBS and FCS, divided vote.
- Provides flexibility.
- Contrary to intent of original rule?
- Potential issues with an immediate effective date?

Proposal No. 2010-79
Title: Awards, Benefits and Expenses -- Permissible Expenses for Student-Athlete's Friends and Relatives -- Complimentary Admissions to Institutional Awards Banquets -- One-Time Exception -- Parents/Legal Guardians

- Current legislation permits the student-athlete's spouse and children to receive complimentary admissions.
- Should consider consistency among the legislation when referencing parents and legal guardians and take into account nontraditional family structures.
- Promotes student-athlete well-being.

Proposal No. 2010-80
Title: Awards, Benefits and Expenses -- Expenses Provided by the Institution for Practice -- Swimming and Diving -- Exception for Platform Diving

- Safety issue as some institutions do not having a diving platform.
- Waivers have been granted.

Proposal No. 2010-81
Title: Awards, Benefits and Expenses -- Permissible Expenses Provided by the Institution for Competition -- Travel Squad Limits

- Cost-savings initiative.
- Does not include coaches and nonstudent-athletes.
- Exception to the home team at an off-campus venue normally used by the team.

Proposal No. 2010-82
Title: Awards, Benefits and Expenses -- Expenses Provided by the Institution for Practice and Competition -- Travel to NCAA Championships, NGB Championships in Emerging Sports and Postseason Bowl Games During Vacation Period -- Exceptions and Incidental Expenses

- Why was $55 chosen as the proposed per diem rate?
- Student-athletes are making money by travelling individually to championships.
- Competitive equity issue?
- Student-athletes go home twice due to later bowl games.

Proposal No. 2010-83
Title: Awards, Benefits and Expenses -- Expenses Provided by the Institution for Practice and Competition -- Nonpermissible -- Lodging in Conjunction with a Regular-Season Home Contest -- Championship Subdivision Football

- FCS only.
- Limited to regular season contests only.
- Intended as a cost-savings measure and to more fully integrate student-athletes with the student body.
- Potential savings of $140,000 to $150,000 per institution.
- Why not for all sports?

- Rationale for providing such housing is to remove student-athletes from distractions on campus (particularly on Friday or Saturday nights), which supports student-athlete well-being.
- Similar proposal in the 2009-10 legislative cycle (Proposal No. 2009-73), which applied to all sports, was withdrawn by the sponsor.

Proposal No. 2010-84
Title: Awards, Benefits and Expenses -- Participation Awards -- Maximum Value of Award -- Increase to Maximum Values

- Current award limits have not been adjusted for inflation since 2003.
- Value of gold has increased significantly since 2003 ($350/oz versus $1150/oz). This is the primary raw material in rings.
- Not all institutions purchase rings as awards for their senior student-athletes.

Proposal No. 2010-85
Title: Playing and Practice Seasons and Recruiting -- Voluntary Workouts -- Strength and Conditioning Coach First Aid/CPR Certification and Authority of Sports Medicine Staff -- Sports Other Than Football

- Promotes health and safety of student-athletes.
- Sports medicine staff not required to be present at voluntary workouts.
- Why not all coaches, especially in those sports with a safety exception?

Proposal No. 2010-86

Title: Playing and Practice Seasons -- General Playing Season Regulations -- No Missed Class Time in Conjunction with Nonchampionship Segment Competition -- Baseball, Cross Country, Field Hockey, Lacrosse, Soccer and Volleyball

- Emphasizes importance of academics.
- Potential costs savings for travel.
- Softball already has missed class time provision.

Proposal No. 2010-87
Title: Playing and Practice Seasons -- Nonchampionship Segment -- Travel Restrictions -- Cross Country, Field Hockey, Soccer, Softball and Volleyball -- Hawaii or Alaska Exception -- Once in Four Years

- Current exceptions exist for departure/return restrictions, contest exemptions, qualifying regular-season multiple-team event, and the start of playing and practice seasons.
- Cost savings for institutions located in Hawaii and Alaska.
- Increased costs for those travelling to Hawaii and Alaska.

Proposal No. 2010-88
Title: Playing and Practice Seasons -- Nonchampionship Segment -- Cross Country, Field Hockey, Women's Lacrosse, Soccer, Softball and Volleyball -- Two Dates of Competition -- One Away-From Home Date

- Presented as a cost-savings initiative.
- Diminishing the student-athlete experience.
- Minimize missed class time.
- Competition is not used for championship selection.

Proposal No. 2010-89
Title: Playing and Practice Seasons -- Basketball -- Location of Qualifying Regular-Season Multiple-Team Event -- The Bahamas

- Opportunity to grow the sport abroad.
- Does not increase the overall number of contests.
- Still limited to one team per conference every four years.
- For many institutions, the Bahamas is closer in proximity than locations in Canada and Mexico.
- Will this lead to other locations in future years?

Proposal No. 2010-90
Title: Playing and Practice Seasons -- Women's Bowling -- Preseason Practice and First Date of Competition -- October 1

- Currently September 1 or the first day of class, whichever is earlier.
- May reduce the length of the preseason practice period.
- Establishes a consistent start date for practice and competition for all institutions.

Proposal No. 2010-91
Title: Playing and Practice Seasons -- Women's Bowling -- Number of Dates of Competition

- Potential for less missed class time and cost savings.
- May diminish the student-athlete experience.
- Softball took similar action (Proposal No. 2006-89) to reduce time demands on student-athletes.
- Standardizes the total dates of competition for institutions and student-athletes.

Proposal No. 2010-92
Title: Playing and Practice Seasons -- Championship Subdivision Football -- Preseason Practice -- Limit on Number of Participants

- FCS only.
- Current limit is 90.
- Estimated $250 a day per institution for meals and lodging.
- Helps to maintain quality practice experiences as student-athletes become unable to practice.
- Will increase costs during a time when institutions are trying to save money and to reduce costs.
- Why was 95 chosen?
- Are there Title IX and gender equity concerns?

Proposal No. 2010-93
Title: Playing and Practice Seasons -- Rifle -- Dates of Competition -- Multiple-Day Contests

- Potential decrease in costs and missed class time.
- Permits one competition that occurs over multiple days to count as a single date of competition.
- Similar provision in tennis and track and field.
- Allows participating institutions to accumulate countable contests for sports sponsorship in one road trip and use one date of competition.

Proposal No. 2010-94
Title: Playing and Practice Seasons -- Men's Soccer -- First Contest or Date of Competition -- 12-Week Season

- Makes the length of the men's season consistent with women's soccer.
- Last change was in 2007.
- Total playing season would still be limited to 132 days.
- Eliminates need for midweek games, resulting in less missed class time.

Proposal No. 2010-95
Title: Playing and Practice Seasons -- First Contest or Date of Competition -- Cross Country and Soccer -- 10-Week Cross Country Season and 11-Week Soccer Season

- Cost-savings initiative.
- Why only soccer and cross-country?
- Similar proposal for soccer (Proposal No. 2008-55-B) was defeated in 2009.
- Would still be limited to 21 practice units in the preseason period.
- Diminishes the student-athlete experience?
- Potential health and safety issue as student-athletes are competing in the same number of contests in a shorter period of time.
- Potential for more missed class time due to scheduling compression.

Proposal No. 2010-96
Title: Playing and Practice Seasons -- Women's Volleyball -- Preseason Practice -- 21 Units

- Currently 29 units.
- Women's volleyball is the only fall sport, except football, that begins preseason practice based on 29 units.
- Cost-savings initiative.
- Does not impact the first date of competition.

Proposal No. 2010-97
Title: Playing and Practice Seasons and Eligibility -- Wrestling -- First Date of Practice and Competition -- No Outside Competition Before November 1

- Shortens the season so that student-athletes may focus on academics.
- May diminish the student-athlete experience.

Proposal No. 2010-98
Title: Playing and Practice Seasons -- Wrestling -- Number of Dates of Competition -- Annual Exemptions -- National Wrestling Coaches Association National Duals

- Invitations are sent one month prior to the event.
- Prestigious wrestling event that occurs annually in January (January 8-9, 2011).

Proposal No. 2010-99
Title: Playing and Practice Seasons -- Foreign Tours and Competition -- No Institutional or Conference Foreign Tours

- Similar proposal (Proposal No. 2003-67) was defeated in 2007 and withdrawn by the sponsor (Proposal No. 2009-87) in 2009.
- Do foreign tours still serve their original purpose?
- Presented as a cost-savings initiative.

Proposal No. 2010-100
Title: Division Membership -- Elimination of Provisional and Multidivisional Membership -- Reclassification Process and Multi-Sport Conference Requirements

- Leadership Council has been examining membership requirements for three years.
- Will ensure that institutions are prepared for Division I.
- Must spend five years in Division II.
- Defines requirements for a multisport conference.
- FCS can still reclassify to FBS.
- Must have an invitation from a conference.
- Administration Cabinet will oversee the process.
- Greater conference involvement.
- Time period for reclassification is shortened by one year compared to the current process, thus ensuring that no group of student-athletes will be forgo the opportunity to participate in an NCAA Division I championship at least once during their five year eligibility period.
- Proposal requires some level of demonstrated stability after being elected to Division I status before becoming eligible for some of the Division I financial benefits (e.g., revenue distribution).

Proposal No. 2010-101

Title: Division Membership – Definitions and Applications -- Emerging Sports for Women -- Removal of Squash

- In 2009, four sports were removed from the list due to a lack of steady progress toward championship status (archery, badminton, synchronized swimming and team handball).
- In 2009, the number of institutions sponsoring squash as a varsity program was 28 and this number has been constant since 2007.
- Squash has not been able to demonstrate progress being made toward the goal of 40 varsity programs.
- Similar legislation being considered in Division II and Division III.
- If removed from the list of emerging sports, institutions may still sponsor the sport at the club level and there are waiver opportunities, if necessary, to use the sport to meet Division I sports sponsorship requirements.

Proposal No. 2010-102

Title: Division Membership -- Eligibility for National Collegiate Championships -- Elimination of Two-Thirds Majority Eligibility Requirement

- Common provision.
- Student-athletes should follow the rules of the division of which their institution is a member.
- The current rule has created some confusion in application as greater federation among divisions has occurred.
- Institutions competing against each other in the same National Collegiate Championship will be using different sets of rules (e.g., eligibility, financial aid, playing seasons).
- Division II sponsorship is nearing two-thirds of all members that sponsor men's volleyball. If that were currently to occur, all Division I institutions would have to apply Division II rules in the sport.

Proposal No. 2010-103

Title: Division Membership -- Division I Membership Requirements -- Sports Sponsorship -- Minimum Contests for Sports Sponsorship -- Swimming and Diving

- Average number of countable contests in 2009-10 for men's swimming was 14.90.

- Average number of countable contests in 2009-10 for women's swimming was 15.60.
- Projected average number of countable contests in 2010-11 for men's swimming is 14.71.
- Projected average number of countable contests in 2010-11 for women's swimming is 14.99.
- Invitational meets with a single score for each of the participating institutions has replaced the dual/quadrangular meet format, thus making it more difficult to meet the minimum contest requirements in swimming and diving.
- Reduction in minimum contests from 10 to six provides institutions with greater scheduling flexibility, but is the proposed reduction consistent with the number of meets that should be sponsored at the Division I level?
- Does the proposed minimum of six meets diminish the student-athlete experience as an institution could meet such minimums by sponsoring two quadrangular meets over two weekends?

Proposal No. 2010-104
Title: Division Membership -- Division I Membership Requirements -- Scheduling Requirements -- Wrestling

- Same proposal (Proposal No. 2007-100) was defeated due to "sunset" provision.
- Will this change the student-athlete's competitive experience?
- Similar exception currently exists in the sports of men's swimming and diving and men's indoor/outdoor track and field.
- Proposal is designed to ease budgetary concerns (and possible discontinuation of the sport) as it is difficult in many regions of the country to schedule contests since there are fewer Division I institutions that sponsor the sport.

Proposal No. 2010—105
Title: Division Membership -- Division I Membership Requirements -- Basketball Scheduling -- One-Third of Contests in Home Arena -- Women's Basketball

- Is there data to support the assertion of missed class time?
- Proposal is designed to promote competitive balance and is identical to the current men's basketball rule.
- Proposal is designed to address concerns regarding the increasing number of teams that receive guaranteed payments to play away-from-home contests before the conference schedule, thereby causing student-athletes to miss significant class time.

Proposal No. 2010-106
Title: Committees -- Common Committees -- Committees with Playing Rules and Championships Administration Responsibilities -- Women's Bowling Committee

- Increases the committee by one member.
- Provide more opportunity for committee service.
- Expertise of the secretary rules editor is still a necessary resource.
- Provides greater opportunities for service and diversity as the sport of bowling continues to experience growth in sponsorship numbers.
- Recommended as noncontroversial legislation.

Proposal No. 2010-107
Title: Committees -- Division I Cabinets and Committees -- Men's Soccer Committee -- Not More Than Two Members from the Same Region

- Would be consistent with NCAA Division I Women's Soccer Committee.
- Intended to maintain balanced representation among the eight soccer regions.

Proposal No. 2010-108
Title: Executive Regulations -- Administration of NCAA Championships -- Sites and Dates -- Nonrevenue Championships Site Assignment

- Gives schools in remote areas the opportunity to host preliminary rounds and to have a home-court advantage.
- Currently, seeded teams can host provided air travel is not used.
- Increases in costs and missed class time.
- Intended to enhance the student-athlete experience.

Proposal No. 2010-109
Title: Executive Regulations -- Administration of NCAA Championships -- Restricted Advertising and Sponsorship Activities -- Professional Sports Organizations or Teams

- Waiver is currently in effect.
- Extend to regular season competition?
- Currently opportunities are limited to promote NCAA Championships.
- Similar legislation being proposed in Division II and Division III.

2010-11 NCAA Division I Legislative Proposals
Question and Answer Document

(Updated: September 20, 2010)

This document contains questions and answers to assist the NCAA membership in its understanding of select proposals in the 2010-11 legislative cycle.

NCAA Proposal No. 2009-19-A Personnel -- Limitations on Number of Coaches and Off-Campus Recruiters -- Women's Sand Volleyball and Women's Volleyball

Question: For an institution that sponsors both women's volleyball and women's sand volleyball, how many coaches may work with both sports?

Answer: For such an institution, the total number of coaches who may work with both programs is four. Each institution may determine how many of the four coaches will work with each sport. For example, one coach may work exclusively as a women's sand volleyball coach, one may work exclusively as a women's volleyball coach and two coaches may work with both sports. Another institution may choose to have all four coaches' work with both sports to varying degrees.

Proposal No. 2019-B Personnel -- Limitations on Number of Coaches and Off-Campus Recruiters -- Women's Sand Volleyball

Question: If an institution sponsors both sports and has two separate staffs as proposed in Proposal No. 2009-19 B, which individual would be responsible for negotiating practice time when seasons overlap or which court volleyball student-athletes participate on the sand volleyball team or vice versa?

Answer: These types of decisions would need to be made by the director of athletics and/or coaches at each institution.

Question: May an institution appoint a director of operations for women's sand volleyball or women's volleyball if the individual is a countable coach in the other sport?

Answer: Yes, provided the individual does not engage in any coaching activities or off-campus recruiting activities in the sport in which he or she is not designated as a countable coach. The individual would not be permitted to report back to the coaching staff, in the sport in which he or she serves as director of operations, any information regarding observations of prospective student-athletes while engaged in off-campus recruiting for the sport in which he or she is a countable coach.

Proposal No. 2009-70 Financial Aid -- Maximum Institutional Grant-In-Aid Limitations by Sport -- Women's Sand Volleyball

Question: Why were the women's sand volleyball's equivalency and counter limits in Proposal No. 2009-70 chosen?

Answer: As stated in the rationale for Proposal No. 2009-70, limiting the number of women's sand volleyball equivalencies to six among 14 total counters is appropriate based on the anticipated playing rules for women's sand volleyball. Those rules would permit five two-person units to compete as a team in competition. During the sport's emergence, it is anticipated that there will be a high number of student-athletes who will participate in both women's volleyball and women's sand volleyball. Further, limiting the total number of counters will assist in maintaining competitive balance. Based on the information provided to the NCAA Committee on Women's Athletics related to the current women's sand volleyball participation numbers, these financial aid limits provide appropriate financial aid opportunities as the sport develops as an NCAA sport. Finally, eight equivalencies for women's sand volleyball is appropriate for institutions that do not sponsor women's volleyball because the concerns regarding the number of student-athletes who participate in both sports do not exist at those institutions.

Question: What is a counter?

Answer: A "counter" is an individual who is receiving institutional financial aid that is countable against the aid limitations in a sport. The most common way a student-athlete becomes a counter is by receiving financial aid based in any degree on athletics ability (i.e., athletics aid). Recruited student-athletes also become counters if they receive outside financial aid for which athletics participation is a major criterion. More information about counters is available in NCAA Bylaw 15.5.1.

A student-athlete who is a counter is counted against the aid limitations for the sport in which she participates. For student-athletes who participate in multiple sports, the multisport participants legislation (Bylaw 15.5.9) determines the sport aid limitation against which the student-athlete's aid must be counted. The multisport participant legislation specifies that a counter who practices or competes in women's volleyball and one or more other sports (other than basketball) shall be counted in women's volleyball. Therefore, a student-athlete who receives athletics aid and is on the roster for women's sand volleyball, but practices or competes in women's volleyball is a counter for women's volleyball and does not affect the maximum team financial aid limit for women's sand volleyball.

Example: Counter Participating in Women's Volleyball and Receiving Athletics Aid from Women's Sand Volleyball.

Beach University sponsors women's volleyball and women's sand volleyball. The women's volleyball team has awarded 12 athletics grants-in-aid for 2011-12, leaving room for no additional counters. The university's women's sand volleyball program has awarded athletics grants-in-aid totaling 2.50 equivalencies to six individuals. Those six individuals are the women's sand volleyball team's only counters, and none of them receive any additional countable financial aid. One of those individuals, Sandy, signed a 2011-12 athletics financial aid agreement for 50 percent of a full athletics grant-in-aid (0.50 equivalency).

During the 2011 fall term, Sandy practices with the university's women's volleyball team. The multisport participants legislation requires Sandy to be considered a counter for the women's volleyball program. Consequently, the women's volleyball program has exceeded its permissible number of counters by one. However, once Sandy becomes a counter for the women's volleyball program, she is no longer a counter for the women's sand volleyball program. Therefore, the equivalency total for women's sand volleyball is reduced to 2.00, and its number of counters is reduced to five. This is true even if Sandy practices or competes for the women's sand volleyball program in the same academic year.

Question: How is athletics aid awarded in head-count sports and in equivalency sports?

Answer: Women's volleyball is a head-count sport. That means each student-athlete who is a counter in that sport counts against its maximum of 12 counters. This is true regardless of the amount of countable aid the student-athlete receives.

In contrast, women's sand volleyball is an equivalency sport with a maximum of 14 counters. That means each student-athlete who is a counter in that sport counts as one of the permissible 14 counters, but only counts against the team's maximum financial aid limit based on the amount of countable financial aid the student-athlete receives. Once a student-athlete becomes a counter in an equivalency sport, the institution must count all institutional aid that individual receives for room, board, books, tuition and fees up to the value of a full grant-in-aid when determining the amount that counts toward the team's financial aid limit. Information for calculating a student-athlete's equivalency is located in Bylaw 15.5.3.2.

Example: Effect of Awarding Athletics Aid – Women's Volleyball versus Women's Sand Volleyball.

Hardcourt University is finalizing its plans for offering athletics grants-in-aid for 2011-12. It already has awarded 10 full grants-in-aid to members of its women's volleyball team and 1.25 equivalencies to seven members of its women's sand volleyball team. There are three students under consideration for offers of athletics

aid – Amy, Beth and Cindy. The women's volleyball coaches are considering offering Amy a full grant-in-aid, offering Beth tuition and fees and offering Cindy books. At Hardcourt, the value of a full grant-in-aid is distributed as follows:

Award	Percentage of a Full Grant-in-Aid	Equivalency
Tuition/Fees	50%	0.50
Room	25%	0.25
Board	23%	0.23
Books	2%	0.02
Full Grant-in-Aid	**100%**	**1.00**

If the offers are accepted by all three students, what effect will that have on the women's volleyball team's financial aid limit? How does that differ from the effect on the women's sand volleyball team's financial aid limits?

Student-Athlete	Offer of Athletics Aid	Equivalency	Effect on Women's Volleyball	Effect on Women's Sand Volleyball	
				Counters	Equivalencies
Amy	Full Grant-in-Aid	1.00	+1 Counter	+1 Counter	+1.00
Beth	Tuition/Fees	0.50	+1 Counter	+1 Counter	+0.50
Cindy	Books	0.02	+1 Counter	+1 Counter	+0.02
Totals					
Women's Volleyball			13 Counters		
Women's Sand Volleyball				10 Counters	2.77

Note that regardless of the sport in which the students participate, that sport's number of counters will increase by three. For women's volleyball, this would cause the team to exceed its limit of 12 counters by one. For women's sand volleyball, the team would be within its limit of 14 counters. The women's sand volleyball team also would be within its limit of 3.0 equivalencies (1.25 + 1.00 + 0.50 + 0.02 = 2.77). Consequently, the women's sand volleyball team would have 0.23 of a full grant-in-aid remaining. That amount may be awarded as long as the additional awards do not cause the team to have more than 14 counters. If any of the individuals have other institutional aid, then that aid must be included when determining the equivalency value that counts toward the team's equivalency limit. Finally, as shown in the previous example, even if all three students accept athletics aid from the women's sand volleyball program, if they practice or compete with the women's volleyball team, then they must count against the women's volleyball team limit of 12 counters and, as a result, would not count against the women's sand volleyball team limits for counters or equivalencies.

Question: Is an institution permitted to reduce or cancel a student-athlete's athletics aid? Are there certain criteria that need to be met?

Answer: In all sports, unless an exception (e.g., midyear enrollment, exhausted eligibility/medical noncounter) applies, athletics aid is awarded for a period of one academic year. From the time the financial aid award letter is signed until the conclusion of the period of the award, athletics aid may not be reduced or cancelled on the basis of a student-athlete's athletics ability, performance or contribution to a team's success; because of an injury, illness, or physical or mental medical condition; or for any other athletics reason. The institution is obligated to notify the student-athlete in writing of the opportunity for a hearing (which must be conducted outside of athletics) when institutional financial aid based in any degree on athletics ability is to be reduced or canceled during the period of the award, or is reduced or not renewed for the following academic year.

Institutions are required to have reasonable procedures for promptly hearing such a request and the written notice of the hearing opportunity must include a copy of the institution's established policies and procedures for conducting the required hearing, including the deadline by which a student-athlete must request such a hearing.

Proposal No. 2009-83 Playing and Practice Seasons and Division Membership -- Regulations for Playing Season and Minimum Contest Requirements for Sports Sponsorship -- Women's Sand Volleyball

Question: How will the compliance staff assess whether women's volleyball student-athletes are practicing women's volleyball or women's sand volleyball skills? What will be the guidelines for coaches?

Answer: The institution will have to be comfortable defending that those student-athletes who are practicing in either women's sand volleyball or women's volleyball practices are legitimate members of the applicable roster and those practices are during the appropriate segment of the declared playing season. Bylaw 15.5.9.7.1 provides guidelines by which an institution may judge whether a student-athlete is a multiple sport student-athlete. Although these guidelines relate to the counting of financial aid (which is not an issue in these two sports since a multiple sport student-athlete will always count as a women's volleyball counter), they set forth appropriate guidance.

Question: Does a student-athlete have a five-year window to play up to four seasons of either women's volleyball or women's sand volleyball?

Answer: A student-athlete would have five calendar years from the time of initial full-time collegiate enrollment to compete in four seasons of both women's volleyball and women's sand volleyball.

Question: May a student-athlete come to an institution on a women's sand volleyball scholarship in January after graduating from high school a semester early, participate in women's sand volleyball that spring and become part of the women's volleyball team in the fall?

Answer: Yes; however, based on the current and proposed financial aid rules, the student-athlete would count as one of the 12 women's volleyball counters beginning in the fall. Further, if the student-athlete participates in both women's sand volleyball and women's volleyball in the spring following high school graduation, she would count as one of the 12 women's volleyball counters for that academic year (see Bylaw 15.5.2.3 for information on midyear graduate replacements).

Question: If a student-athlete is participating in both women's volleyball and women's sand volleyball, she may be in an "in-season" situation with one sport or the other during the entire academic year. Does this mean she is permitted to spend 20 hours a week in one or the other the entire year?

Answer: If one of the sports is in season, the student-athlete would be limited to participating in 20 hours of countable athletically related activities per week and four hours of countable athletically related activities per day. The student-athlete could participate in the out-of-season sport for not more than eight of the 20 countable hours. If both sports are in season at the same time the student-athlete is still limited to 20 total hours of countable athletically related activities per week and four hours per day. If a student-athlete competes in both sports in the same day, such participation would count as three hours for that day and for the 20-hour limit for the week.

Question: If an institution does not need another sport for either gender-equity or sports-sponsorship purposes and also does not have money to fund women's sand volleyball travel to get to the minimum of eight dates of competition, may the institution add a women's sand volleyball team simply to pick up the opportunity to train year round

and just use the four women's volleyball nonchampionship segment competitions, which are already funded, to play sand volleyball?

Answer: Yes. The playing and practice season establishes the maximum contest limits; however, it is not a requirement that an institution compete in the maximum number of dates of competition in the nonchampionship segment. In fact, an institution in this example, may participate in the four dates of competition for women's sand volleyball and still compete in four other dates of competition in women's volleyball during the declared nonchampionship segment if it so desires. The impact of such a schedule is that women's sand volleyball shall not be used for sports sponsorship purposes.

Question: May an institution play in a women's volleyball tournament on a Saturday and a women's sand volleyball tournament on a Sunday during the same road trip?

Answer: Yes, provided the competitions are conducted during a permissible segment of the declared playing season and counted against each sport appropriately. Further, please note that the departure and return restrictions (Bylaw 16.8.1.2.1) may limit the ability for the entire team to travel together depending on separate competition schedules.

Question: May a student-athlete play women's volleyball sixes in the morning and women's sand volleyball doubles in the afternoon of the same day and count one competition for each sport?

Answer: Yes, provided the competitions are conducted during a permissible segment of the declared playing season and counted against each sport appropriately.

Question: Why isn't women's sand volleyball being played in the fall?

Answer: The sponsors of the proposal established the championship segment in the spring. The NCAA Division I Championships/Sports Management Cabinet discussed the option of establishing women's sand volleyball as a fall championship sport, but decided not to forward such a recommendation.

Question: Have the playing rules for women's sand volleyball been developed?

Answer: Similar to the issues related to playing and practice seasons, financial aid and recruiting, the playing rules are still being developed. The rules used by USA Beach Volleyball are under review to determine what is appropriate to use in the college game and a final recommendation will be submitted to the NCAA Playing Rules Oversight Panel. This process is similar to that which has been used in the past in sports such as field hockey and gymnastics.

Question: How many courts are necessary to host a sand volleyball competition?

Answer: The appropriate number of courts is still being determined; however, it is reasonable to expect that a facility will need to have at least two or three courts available for

competition. The anticipated format will include five matches of two-person teams (best of three sets), with the best three out of five being considered the winner.

Proposal No. 2009-100 Recruiting -- Tryouts -- Nonscholastic Practice, Contest or Event -- Men's Basketball

Question: May an institution host a basketball practice, contest or event in which men's basketball prospective-student-athletes participate on its campus that is operated by a nonscholastic entity, but has been approved by the appropriate scholastic entity (e.g., high school association, National High School Federation)?

Answer: No. The practice, contest or event must be a regular scholastic practice, contest or event that is conducted by applicable the scholastic entity.

Question: Since this proposal was deferred in the last legislative cycle, how will this affect contracts that were signed in the interim?

Answer: If adopted, actions contrary to the legislation that occur on or after the effective date will constitute violations of the legislation unless such actions are taken pursuant to contracts signed before October 29, 2009.

Proposal No. 2010-7 NCAA Membership -- Active Membership -- Conditions and Obligations of Membership -- Application of Rules to All Recognized Varsity Sports -- Elimination of Emerging Sports Timetable

Question: If adopted, at what point would an institution be required to be in compliance with all Division I legislation related to an emerging sport?

Answer: Once the sport is added to the list of emerging sports for women, an institution that adds the sport is held accountable for all Division I legislation at the point in which the sport is accorded varsity status (or, for recruiting regulations, at the point the institution evidences an intent or commitment to sponsor the sport on a varsity level).

Question: Is there any relief or grace period provided to student-athletes in an emerging sport who are not meeting the pertinent progress-toward-degree requirements at the time the emerging sport is added to the list of emerging sports for women?

Answer: Institutions may request relief from the eligibility rules through the waiver process.

Proposal No. 2010-8 NCAA Membership -- Active Membership -- Conditions and Obligations of Membership -- Drug Testing Program -- Designation of Athletics Department Resource and Education Related to Banned Drugs and Nutritional Supplements

Question: Is this individual, who has been appointed as the athletics department resource person for banned drugs and nutritional supplements, designated within the NCAA Online Directory?

Answer: No.

Question: If there are changes in the athletics personnel, would it be permissible for an institution to designate an interim resource person until there is a permanent appointment?

Answer: Yes.

Question: Does an institution's failure to comply with the provisions within this proposal affect the eligibility of student-athletes?

Answer: No, it will not affect a student-athlete's eligibility. It would result in an institutional violation.

Question: How often is the institution required to educate its athletics staff on the list of banned drugs, the risks associated with the use of nutritional supplements and who the athletics department resource person is regarding banned drugs and nutritional supplements?

Answer: Such details will be left up to each institution to determine.

Question: Is the individual, who has been appointed as the athletics department resource person for banned drugs and nutritional supplements, required to have any formal certifications and training?

Answer: No.

Question: Would it be permissible for an institution to contract with an outside entity to provide the requisite education to athletics staff members?

Answer: Yes.

Question: What resources are available to the athletics department resource for questions related to NCAA banned drugs and the use of nutritional supplements?

Answer: The NCAA subscribes to the Resource Exchange Center (REC), a service of The National Center for Drug Free Sport. Through the NCAA subscription, member institutions may access REC at no cost.

Proposal No. 2010-9 NCAA Membership -- Active or Conference Membership -- Conditions and Obligations of Membership -- Use of a Student-Athlete's Name or Likeness -- Contracts and Commercial Agreements -- Written Policies

Question: Does this requirement apply to Division II and Division III institutions that sponsor a Division I sport?

Answer: Yes.

Question: Would a violation of this provision affect a student-athlete's eligibility?

Answer: No.

Question: If an institution or conference has already signed a multiyear contract prior to the August 1, 2011, does the contract need to be amended to include the requirements?

Answer: No. The required provisions would need to be included in new or renewed agreements.

Question: Is it an institutional violation if an outside entity does not comply with NCAA legislation, interpretations and policies on the use of a student-athlete's name or likeness?

Answer: No. It would be considered a breach of contract. A violation of the legislation would occur if the institution did not include the requisite language in commercial agreements and did not have written policies for its licensing, marketing, sponsorship, advertising, broadcast, and other agreements.

Proposal No. 2010-15 Personnel -- Compensation And Remuneration -- Income in Addition to Institutional Salary -- Consultant For or Endorsement of Noninstitutional Athletics Events Involving Prospective Student-Athletes

Question: Would it be permissible for an athletics staff member to be a consultant for a noninstitutional camp or clinic that primarily involves prospective student-athletes?

Answer: Yes, provided it is permissible for the staff member to be employed (either on a salaried or a volunteer basis) by the particular camp or clinic per Bylaw 13.12.2.3.

Question: Would this proposal preclude an athletics staff member's involvement with events like the Gus Macker Three-On-Three tournaments and events conducted by a national governing body?

Answer: No. Since such events do not "primarily" involve prospective student athletes, the legislation would not apply.

Question: If adopted, would this proposal prohibit the use of a coach's picture or quotations to promote a private camp or clinic for which he or she is employed?

Answer: No. Such use of a coach's picture or quotes would remain permissible pursuant to Bylaw 11.3.2.6.

Proposal No. 2010-16 Personnel -- Limitations on the Number and Duties of Coaches -- Noncoaching Staff with Sport-Specific Responsibilities -- Basketball -- Limit of One

Proposal No. 2010-18 Personnel -- Limitations on the Number and Duties of Coaches -- Noncoaching Staff with Sport-Specific Responsibilities --Bowl Subdivision Football -- Limit of Four

Proposal No. 2010-20 Personnel -- Limitations on the Number and Duties of Coaches -- Noncoaching Staff with Sport-Specific Responsibilities -- Championship Subdivision Football -- Limit of Two

Question: What types of staff positions would be included in the proposed numerical limitations?

Answer: Some common examples of positions that would be included in the proposed numerical limitations include, but are not limited to, directors of operations, video coordinators, quality control personnel, directors of player development and directors of community relations. Individuals who may report to another unit or department within the department of athletics or outside the department of athletics, such as sports information directors, academic advisors, athletic trainers, equipment managers and marketing staff, would not be included in the proposed numerical limitations, even if these individuals have football-specific responsibilities.

Question: Why does the proposal have an effective date of August 1, 2012?

Answer: The delayed effective date was chosen in order to provide sufficient notice to institutions. It will be up to an institution's discretion to move effected noncoaching

staff members into other positions if the institution is currently over the proposed limit of noncoaching staff members.

Question: How would the limits on noncoaching staff members affect employees who split their responsibilities among two to three sports (e.g., videographer for football and men's and women's basketball).

Answer: Such an individual would not be included in the proposed limitations, provided he or she does not work directly for one of the sports for which the limits would apply and his or her responsibilities are not specific to such a sport.

Proposal No. 2010-19 Personnel -- Limitation on the Number and Duties of Coaches -- Football Bowl Subdivision -- Weight or Strength Coach -- Limit of Five

Question: How will this proposal affect institutions that currently have more than five weight or strength coaches?

Answer: It will be up to the institution's discretion to move effected weight and strength coaches into other positions if the institution is currently over the proposed limit of five weight and strength coaches.

Question: Does the limit include weight and strength coaches who have department-wide responsibilities and also work with the football team?

Answer: Yes.

Proposal No. 2010-21 Personnel -- Limitations on Number of Off-Campus Recruiters at Any One Time -- Exception -- Sports Other Than Basketball -- June, July And August

Proposal No. 2010-22 Personnel -- Limitations on Number of Off-Campus Recruiters at Any One Time -- Exception -- Baseball -- June, July And August

Question: Would the institution be permitted to use either the general rule regarding the limit on the number of coaches who may recruit off campus at any one time (i.e., the total number of coaches recruiting on behalf of the institution at any time may not exceed the permissible number) or the exception to the general rule (i.e., no more than the permissible number of coaches may engage in off-campus recruiting activities each day)?

Answer: Yes.

Question: Pursuant to the exception, if the limit on the number of coaches who may recruit off campus at any one time is two and two coaches are recruiting on a particular day and one coach ceases recruiting duties for the day at 2 p.m., when may the third coach begin to recruit?

Answer: The third coach may begin to recruit at midnight of the next day.

Question: If a sport's evaluation period extends into September, may the institution continue to use this exception during those days?

Answer: No.

Proposal No. 2010-23 Amateurism -- Amateur Status -- Exception for Payment Based on Team Performance -- Actual and Necessary Expenses -- Sports Other Than Men's Ice Hockey and Skiing

Question: If adopted, will this proposal apply retroactively?

Answer: No.

Question: If the team of which the student-athlete is a member does not engage in outside competition, would the student-athlete be permitted to receive expenses for practice?

Answer: Yes. The student-athlete would be permitted to receive payment for practice expenses per the legislation in Bylaw 12.1.2.1.4.2.

Question: Is it necessary that the payments based on a team's place finish or performance or given on an incentive basis (e.g., bonus) come directly from a team or may they be received directly from a national governing body or an event organizer?

Answer: It is not required that the payments come directly from a team.

Proposal No. 2010-24 Amateurism -- Involvement with Professional Teams -- Professional Basketball Draft -- Four-Year College Student-Athlete -- Men's Basketball

Question: What is the process used by a student-athlete to withdraw his name from the NBA draft?

Answer: Currently, the NBA requires that a written statement be faxed to them by the requisite due date that indicates that the student-athlete wishes to withdraw his name for

consideration in the upcoming draft. Other professional drafts may have different requirements.

Question: What is the spring National Letter of Intent (NLI) signing period for basketball in 2011?

Answer: Currently, basketball's regular signing period begins on the Wednesday in April of the week after the week in which the Division I men's and women's championships occur and ends on the third Wednesday in May. In 2011, the period is April 13 through May 18.

Proposal No. 2010-25 Amateurism and Awards, Benefits and Expenses -- Use of Agents -- Benefits, Gifts and Services -- Career Counseling and Internship/Job Placement Services

Question: Would it be permissible for a student-athlete to be placed into a coaching position or into a training/fitness instruction position?

Answer: Yes. Current legislation and interpretations allow a student-athlete to be employed as a coach or to teach lessons. The same principle would apply to allow student-athletes to be placed into coaching positions pursuant to the proposal.

Question: Would it be permissible for the placement service to indicate in the student-athlete's information that he or she is a current student-athlete?

Answer: Yes.

Proposal 2010-31 Personnel and Recruiting -- Recruiting Coordination Functions -- Contacts, Telephone Calls and Recruiting Materials -- Exceptions -- Communication After Commitment

Question: Would a prospective student-athlete who has signed an NLI be permitted to make an unofficial visit during July in men's basketball and during the July evaluation periods in women's basketball?

Answer: No.

Proposal No. 2010-35 Recruiting -- Basketball Evaluations -- Women's Basketball -- Nonscholastic Evaluations During Academic Year -- National Standardized Testing Weekends

Question: When will the first conflict with a testing date occur for women's basketball?

Answer: If the formulas for the NLI signing date and the current women's basketball recruiting calendar remain the same, the first conflict between the testing date for the ACT and

the identified five day evaluation period in April will occur in 2012. The ACT is scheduled for April 14, 2012. The five day evaluation period would be April 13-17. Therefore, if the proposal is adopted, the five day evaluation period would shift to April 20-24 with the nonscholastic evaluation weekend being April 20-22.

Proposal No. 2010-38 Recruiting -- Recruiting Materials -- Athletics Publications -- No Media Guides to Prospective Student-Athletes Via Digital Storage Device or E-Mail

Question: Is it permissible for an institution to post its media guide on its website and then send the link to it to prospective student-athletes?

Answer: Yes.

Question: May an institution provide a media guide to prospective student-athletes on a flash drive prior to August 1, 2011?

Answer: Yes. It would need to be postmarked on or before July 31, 2011.

Question: May an institution produce additional athletics publications (e.g., spring football prospectus, yearbook) and provide them to prospective student-athletes on a digital storage device?

Answer: If an institution produces an additional athletics publication pursuant to Bylaw 13.4.1.3, posts the publication on the institution's website and it was not created for recruiting purposes, it may be sent to a prospective student-athlete via electronic mail as an attachment or a hyperlink. Further, such information may be printed on plain white paper with black ink and provided to a prospective student-athlete as an attachment to general correspondence, via facsimile or during any permissible on- or off-campus contact.

Question: May an institution provide a printed media guide that is not created for recruiting purposes to a prospective student-athlete?

Answer: Regardless of whether a printed media guide is created for recruiting purposes, it is not permissible to provide it to a prospective student-athlete. However, if the media guide is posted on the institution's website and was not created for recruiting purposes, it may be provided to a prospective student-athlete via electronic mail as a hyperlink, but it may not be provided in any printed form.

Question: If an institution sells its media guides on a flash drive to the general public (e.g., at the institution's bookstore), is it permissible for a prospective student-athlete to purchase a copy of the media guide on a flash drive?

Answer: Yes. Provided the media guide is purchased in the same manner and at the same cost as is available to the general public, it is permissible for a prospective student-athlete to purchase a media guide from the institution.

Proposal No. 2010-39 Recruiting -- Recruiting Materials -- Media Guides and Video/Audio Materials -- Methods of Delivery to Prospective Student-Athletes

Question: May an institution produce more than one media guide?

Answer: No. Institutions may have only one official media guide per sport; that being the publication that is provided to the media and related to the institution's sports program.

Question: If an institution produces a printed media guide, does the electronic version that is provided to prospective student-athletes have to be an exact reproduction of the printed version?

Answer: Yes. The electronic version of an institution's printed media guide must be an exact reproduction of the printed media guide.

Question: May an institution put a logo or other information on the packaging of a digital media storage device used to send a media guide to a prospective student-athlete?

Answer: Yes. However, any images or information on the packaging (e.g., label, insert) is limited to identification of the institution (e.g., name, logo).

Question: May an institution include other printed recruiting materials outlined in Bylaw 13.4.1.1 on the remaining free space on the digital media storage device used to send a media guide to a prospective student-athlete (e.g., camp brochures, questionnaires, etc.)?

Answer: Yes. Printed recruiting materials listed in Bylaw 13.4.1.1 may be included in the unused space on a digital media storage device used to provide the media guide and/or audio/video materials to the prospective student-athlete. It is important to note that storage devices used for this purpose must not exceed the minimum standard capacity necessary to store the media guide or the audio/video material (e.g., a media guide of 103 megabytes should be stored on a standard 128 megabyte flash drive). Therefore, the printed materials must fit in the remaining unused space.

Question: May an institution provide a prospective student-athlete with a media guide and a computer-generated recruiting presentation on the same digital media storage device?

Answer: Yes, provided that the storage device used does not exceed the minimum standard capacity necessary to store both items.

Proposal No. 2010-40 Recruiting -- Official (Paid) Visit -- Limitations on Official Visits -- No Visit After National Letter of Intent or Other Written Commitment

Question: Does this limitation extend to post-high school official visits (Bylaw 13.6.2.3)?

Answer: If a prospective student-athlete who is subject to the limitation does not enroll at the institution with which he or she signed a National Letter of Intent (or other commitment, if applicable) the limitation applies until the commitment is rendered null and void. The limitation applies separately to transfer student-athletes.

Question: If a prospective student-athlete has provided a financial deposit to an institution to reserve a spot in the entering class, would he or she be precluded from taking an official visit to that institution?

Answer: No.

Proposal No. 2010-42 Recruiting -- Letter-of-Intent Programs, Financial Aid Agreements -- Requirements for Verbal Offer of Athletically Related Financial Aid

Question: Is it required that the prospective student-athlete's transcript be on file with the athletics department?

Answer: No. The transcript may be on file at any location on campus (e.g., admissions, registrar).

Question: Are institutions required to conduct an assessment of the prospective student-athlete's high school work on the transcript?

Answer: No.

Question: Would these restrictions also apply to prospective student-athletes who are home-schooled or schools on nontraditional academic calendars?

Answer: Yes.

Question: If a prospective student-athlete has attended more than one high school, is the institution required to obtain transcripts from all high schools attended?

Answer: If a transcript from the high school the prospective student-athlete most recently attended includes the results of the individual's first five semesters or seven quarters of high school enrollment, separate transcripts from each school are not required.

Proposal No. 2010-51 Eligibility -- General Eligibility Requirements -- Full-Time Enrollment -- Requirement for Competition -- Nontraditional Courses

Question: What is "term time"?

Answer: Term time refers to the divisions of the academic year (e.g., semesters, quarters, trimesters).

Question: Is there a limit on the number of nontraditional courses in which a student-athlete may enroll during a regular academic term?

Answer: No. Such a determination would be made by institutional policies applicable to all students.

Proposal No. 2010-52 Eligibility -- Graduate Student/Postbaccalaureate Participation -- One-Time Transfer Exception -- Final Year of Eligibility -- Nonrenewal of Athletics Aid at Previous Institution -- Baseball, Basketball, Football and Men's Ice Hockey

Question: May the student-athlete pursue a second baccalaureate at the next institution?

Answer: No, he or she must be enrolled in a graduate or professional school.

Question: Would a student-athlete who graduates after three years and with two seasons of competition remaining be permitted to use this exception?

Answer: No.

Proposal No. 2010-53 Eligibility -- Seasons of Competition: Five Year Rule -- Delayed Enrollment -- Seasons of Competition -- Sports Other Than Men's Ice Hockey and Skiing -- Exception -- National/International Competition

Question: Does this proposal provide an additional year to the current one year grace period after high school graduation?

Answer: Yes. The proposal provides an additional year following the one year grace period to permit a student-athlete to participate in organized national/international competition and not trigger seasons of competition.

Example:

May 2009	Student-athlete graduates from high school
August 2009-August 2010	Student-athlete competes in volleyball (grace year)
August 2010-August 2011	Student-athlete competes in the Pan American Games and officially recognized tryouts and qualifying competition leading up to the games
August 2011	Student-athlete enrolls full-time at a Division I Institution; has not used a season of competition; is not required to fulfill a year of residence

Question: Does participation in the Youth Olympics qualify a student-athlete for the additional year to the current delayed enrollment and seasons of competition legislation?

Answer: No.

Question: Is there a limit on the number of permissible activities in which the individual may engage during each year prior to full-time enrollment?

Answer: No, provided the activities meet the requirements of the legislation.

Question: Does this exception apply to established national championship events (including junior national championships)?

Answer: No.

Proposal No. 2010-56 Eligibility -- Freshman Academic Requirements -- Core-Curriculum Time Limitation -- Leaving Examinations

Question: What are some countries where the prescribed educational path culminates with a leaving examination?

Answer: Such countries include Great Britain, Sweden, Germany, Norway, the Netherlands, and South Africa.

Question: If a prospective student-athlete from a leaving examination country does not complete the leaving examination on time, will he or she be able to complete an additional core course following high school graduation to be used for initial-eligibility purposes?

Answer: No. The exception that allows for the completion of one additional core course is only available if the prospective student-athlete completes the leaving examination on time.

Question: If a prospective student-athlete delays completion of the leaving examination and also engages in organized competition prior to initial full-time enrollment and after the one-year grace period, will he or she be charged with seasons of competition under the delayed enrollment legislation?

Answer: Yes. A prospective student-athlete's anticipated date of graduation will not be changed for amateurism purposes.

Question: If adopted, will this proposal apply retroactively?

Answer: No. However, the initial-eligibility waiver process is available to institutions for prospective student-athletes who fail to meet the requirements.

Proposal No. 2010-58 Eligibility, Financial Aid and Playing and Practice Seasons -- Summer Academic Preparation and College Acclimatization -- Men's Basketball

Question: If a prospective student-athlete or a continuing student-athlete is enrolled in more than one summer session, is the three/six credit hour requirement for each session?

Answer: No. A total of three/six credit hours must be earned for the entire summer.

Question: May a prospective student-athlete or a continuing student-athlete take nontraditional courses at the institution to meet the credit hour requirements?

Answer: Yes.

Question: May a student-athlete be enrolled in six credit hours over two summer terms in order to engage in required weight training, conditioning and skill-related instruction?

Answer: Yes.

Proposal No. 2010-59 Eligibility -- Progress-Toward-Degree Requirements -- Eligibility for Competition -- Fulfillment of Credit Hour Requirements -- Fall Term Academic Requirement For Future Competition – Football

Question: If a student-athlete fails to earn the required nine semester/eight quarter hours and the NCAA Division I Academic Progress Rate (APR) eligibility point and does not regain eligibility for the following fall (or is ineligible for other reasons), does the ineligibility for competition in the first four games carry over to the next season in which the student-athlete is eligible to compete at the same institution?

Answer: No.

Question: If a student-athlete fails to earn the required nine semester/eight quarter hours, will the student-athlete be eligible to use the one-time transfer exception, if applicable?

Answer: No. The student-athlete would not have been eligible for competition had he remained at the first institution.

Question: Does the ineligibility for competition in the first four (or two) games follow the student-athlete if he transfers to another Division I institution?

Answer: Yes. The student-athlete would be required to fulfill the transfer residency requirement in the first year of enrollment and would not be eligible for the first four (or two) games in the following year.

Question: Does the ineligibility for competition in the first four games follow the student-athlete if he transfers to a Division II or Division III institution?

Answer: No. However, the student-athlete would not have been eligible for competition had he remained at the first institution. Therefore, the student-athlete may not meet an exception to the applicable transfer residency requirement.

Question: May summer school hours satisfy the nine semester/eight quarter hour or the 27 semester/40 quarter hour requirements?

Answer: Credit earned in the summer immediately after the applicable regular academic year may be used to satisfy the 27/40 credit hour requirement. Similar to the application of the six-credit hour requirement for the fall term, only those hours earned during the fall regular academic term may satisfy the nine/eight credit hour requirement.

Question: May credit hours earned during part-time terms satisfy the nine/eight or 27/40 credit hour requirements?

Answer: Hours earned while a student-athlete is enrolled as a part-time student prior to initial full-time enrollment at the certifying institution may satisfy the 27/40 credit hour

requirement for a student-athlete in his first year of attendance at the certifying institution. Such hours may not be used to satisfy the fall term nine/eight credit hour requirement.

Question: May credit hours earned during the regular academic year in an interim term (intersession, mini or "J" term) completed before the beginning of the following term (spring semester or winter quarter) satisfy the nine/eight credit hour and/or the 27/40 credit hour requirements?

Answer: Credit hours earned during an interim term, either at the certifying institution or from another institution, may be used to satisfy the 27/40 credit hour requirement. Credit hours earned from another institution must be acceptable for degree-credit at the certifying institution. However, hours earned during an interim term may not be used to satisfy the fall term nine/eight credit hour requirement.

Question: How will incomplete credit hours, non-degree applicable credit hours, remedial credit hours, credit hours earned while concurrently enrolled at another institution, etc. be used for purposes of satisfying the nine/eight credit hour and 27/40 credit hour requirements?

Answer: All current legislation and interpretations that govern the application of credit hours for other progress-toward-degree credit hours requirements will apply.

Question: How will the legislated exceptions to progress-toward-degree requirements apply for purposes of these requirements (e.g., missed term, medical absence)?

Answer: There are no changes for the application of the current legislated exceptions to progress-toward-degree requirements. Credit hours will continue to be prorated at nine hours per term of actual attendance. Please note the nine/eight credit hour requirement is only applicable if a football student-athlete was enrolled as a full-time student during the fall term.

Question: Does the legislation apply to student-athletes who were not members of the football team during the previous fall term?

Answer: No, the legislation only applies to student-athletes who were on the football team during the applicable fall term.

Proposal No. 2010-60 Eligibility -- Progress-Toward-Degree Requirements -- Regulations for Administration of Progress Toward Degree -- Nontraditional Courses

Question: May enrollment in nontraditional courses be used to satisfy an academic year in residence?

Answer: Bylaw 14.02.13.1 sets forth the requirements for satisfying an academic year of residence. Enrollment in nontraditional courses may be used in accordance with institutional policies.

Question: Does "regular enrollment periods" refer to periods in which students at the offering institution enroll in traditional (e.g., taught in a typical face-to-face classroom environment) courses?

Answer: Yes. Therefore, if a student-athlete dropped or withdrew from a traditional course in the middle of a term and enrolled in a nontraditional course (and could not have enrolled in another traditional course) he or she could not use the nontraditional course to meet progress-toward-degree requirements. The student-athlete must enroll in such courses at the same time he or she enrolls in traditional courses, if the nontraditional courses are to be used.

Question: May the nontraditional courses be taken at a two-year institution?

Answer: Yes.

Proposal No. 2010-61 Financial Aid -- General Principles -- Eligibility of Student-Athletes for Institutional Financial Aid -- Exception -- Part Time Enrollment After Exhausted Eligibility

Question: Would a student-athlete who is receiving athletics aid pursuant to this exception be included within the APR cohort for the terms in which he or she is receiving athletics aid?

Answer: Yes, provided the student-athlete has not yet enrolled beyond ten semesters/15 quarters of actual full-time enrollment.

Question: May an institution use this exception more than once for the same student-athlete?

Answer: Yes.

Question: If a student-athlete is enrolled in the courses necessary to graduate and is receiving athletics aid pursuant to this exception, is the student-athlete required to graduate.

Answer: No.

Proposal No. 2010-70 Financial Aid -- Summer Financial Aid -- Enrolled Student-Athletes -- Exception for First-Time Recipient in the Next Academic Year

Question: Would it be permissible for the institution to award athletics aid to a student-athlete to attend summer if he or she received athletics aid from the institution in a previous academic year, but not in the academic year immediately before the summer in which the athletics aid will be awarded?

Answer: No. The legislation is only applicable to student-athletes who have not previously received athletically related financial aid from the institution during any academic year.

Proposal No. 2010-71 Financial Aid -- Terms and Conditions -- Period of Institutional Award -- One-Year Period -- Exceptions -- Graduated During Previous Academic Year and Will Exhaust Eligibility During the Following Fall Term

Question: The proposal's effective date is August 1, 2011. Would this proposal apply to a student-athlete who graduates at any time during the 2010-11 academic year and will exhaust his or her eligibility during the fall 2011 term?

Answer: Yes.

Question: Does this exception permit the institution to renew the student-athlete's athletics aid for subsequent terms of the academic year (e.g., spring semester, winter quarter, spring quarter)?

Answer: Yes.

Question: May the exception be used if a student-athlete exhausts eligibility during the winter term?

Answer: No. The proposal specifically requires that eligibility will be exhausted during the fall term.

Question: If such an exception is used and the student-athlete does not exhaust eligibility in the fall term (e.g., medical hardship), is there a violation?

Answer: No, it would not be a violation and the institution may award the student-athlete athletics aid for the spring term.

Proposal No. 2010-72 Financial Aid -- Terms and Conditions of Awarding Institutional Financial Aid -- Reduction or Cancellation Permitted -- Release of Obligation to Provide Athletically Related Financial Aid

Question: Is the institution permitted to award the athletics aid relinquished by the student-athlete to another student-athlete or prospective student-athlete?

Answer: Yes, provided the institution has not exceeded the maximum financial aid limits in the sport.

Question: Would it be permissible for the institution to bring to the student-athlete's attention that he or she eligible to receive nonathletics aid that is more than his or her athletics aid and thus, can release the institution of its obligation to provide the athletics aid?

Answer: Yes. However, the student-athlete must voluntarily release the institution of its obligation to provide the athletics aid and may not be coerced into doing so.

Question: If a student-athlete voluntarily releases the institution of its obligation to provide the athletics aid, is the institution required to provide the student-athlete with information on a hearing opportunity?

Answer: No.

Proposal No. 2010-74 Financial Aid -- Maximum Institutional Grant-In-Aid Limitations by Sport -- Executed Financial Aid Awards and Written Offers Exceeding Maximum Allowable Awards -- Baseball

Question: If adopted, will the legislation take effect for the 2011-12 academic year or the 2012-13 academic year?

Answer: If adopted, this will go into effect for the 2011-12 academic year. Therefore, during the 2011-12 year, including the summer of 2012, the combination of executed athletically related financial aid awards and outstanding written offers of athletically related financial aid to prospective student-athletes and student-athletes may not exceed 12.7 equivalencies.

Proposal No. 2010-81 Awards, Benefits and Expenses -- Permissible Expenses Provided by the Institution for Competition -- Travel Squad Limits

Question: Do the proposed squad limits include coaches and managers?

Answer: No. The proposed limits relate to student-athletes only.

Question: Would an institution be bound by the travel squad limits if a team is competing at an off-campus site that is normally used for home competition by the institution?

Answer: No.

Question: Would an institution be bound by the travel squad limits for a foreign tour?

Answer: No.

Proposal No. 2010-85 Playing and Practice Seasons and Recruiting -- Voluntary Workouts -- Strength and Conditioning Coach First Aid/CPR Certification and Authority of Sports Medicine Staff -- Sports Other Than Football

Question: Does this proposal require the strength and conditioning coach to be certified to use the Automated External Defibrillator (AED), in addition to first aid and CPR?

Answer: No. Some certifications for first aid and CPR include training to use the AED, but the AED training is not required.

Question: If the strength and conditioning coach is monitoring student-athletes only for safety purposes, rather than conducting voluntary weight-training or conditioning activities, is he or she required to have the certification?

Answer: No.

Question: May an institution pay for the first aid/CPR certification?

Answer: Yes.

Proposal No. 2010-89 Playing and Practice Seasons -- Basketball -- Location of Qualifying Regular-Season Multiple-Team Event -- The Bahamas

Question: If an institution participates in an event that meets the legislation to be a qualifying regular season multiple-team event, would the team's participation in the event also count as its once-every-four years in-season foreign competition as permitted in Bylaw 17.3.5.1.2?

Answer: No.

Proposal No. 2010-101 Division Membership – Definitions and Applications -- Emerging Sports for Women -- Removal of Squash

Question: If squash is removed from the NCAA emerging sport for women list, may an institution still offer the sport on the varsity level?

Answer: Yes. If the proposal is adopted and squash is no longer considered an emerging sport for women, an institution may still elect to conduct the sport as a varsity sport.

Question: If squash is removed from the NCAA emerging sport for women list, may an institution still use any of those sports to meet its membership requirements?

Answer: Yes. Per Bylaw 20.9.4.1, an institution may submit a waiver to request approval to designate one sport involving all-male or mixed teams of males and females and one sport involving all-female teams to meet the division sports sponsorship criteria. The waiver may be filed for sports that the Association does not offer a championship or is identified as an emerging sport for women.

Question: If squash is removed from the NCAA emerging sport for women list but an institution still offers the sport at the varsity level, may the participants still be counted for gender-equity purposes?

Answer: Yes.

Question: In the future, if interest or participation increases, may squash request reconsideration for inclusion on the emerging sport for women list?

Answer: Yes. If a sport is removed from the list, 12 months after being removed from the list by a vote of the membership, the sport may submit a new request to the NCAA Committee on Women's Athletics to be added back on the list. Such a request must include 15 commitment letters signed by chancellors/presidents and director of athletics in addition to the same documentation required for any sport requesting to be initially added to the list. Each division must take legislative action to add or remove a sport to/from the emerging sports for women list.

Center for Intercollegiate Athletics and Recreation
Rochester Institute of Technology
Rochester, New York

September 24, 2010

The Division I NCAA Leadership Council
c/o S. David Berst, Jr.
The National Collegiate Athletic Association
700 W. Washington Street
P.O. Box 6222
Indianapolis, Indiana 46206-6222

Dear Leadership Council Members:

In August of 2011, the moratorium on divisional changes will expire. The good work of the leadership teams within the NCAA will have been completed and begin to take effect. As I understand, part of that work includes the elimination of future opportunities for multidivisional classifications (to be ratified at the 2011 NCAA Convention: Item 1h. from the October, 2009 Leadership Council Report). While we understand the reasons behind this proposal, it does provide significant roadblocks for the growth and development of selected sports and challenges to the future of others.

At RIT we just completed our fifth year as an NCAA Division I Men's Ice Hockey program (multidivisional classification). The rest of our intercollegiate athletics program (23 sports) is classified as Division III. This past year, the men's hockey team won the Atlantic Hockey Association regular season title, the league's automatic qualification tournament and the NCAA Eastern Regional Championships held in Albany, New York. By winning its two east regional games RIT advanced to the NCAA Frozen Four at Ford Field in Detroit. We eventually lost to the University of Wisconsin in the semi-final contest but in the process captured the attention of the college hockey world. We are proud of our growth and of our successes and firmly believe that we, as a multidivisional member are an asset to college hockey and to our league, the Atlantic Hockey Association.

Having been a director of athletics for over 30 years at an institution that has both men's and women's ice hockey, I have learned that it is not only a wonderful sport but also one not everyone can sponsor. Having a facility (ice arena) greatly enhances the chances for success. Opportunity for regional competition is also vital along with access to quality prospective student-athlete talent pools. If an institution is missing one or more of these elements, its chances of starting or successfully sustaining a hockey program are greatly diminished. For these reasons the growth and development of ice hockey in general has been very slow. In fact, institutions are choosing to no longer sponsor ice hockey. The sport sponsorship levels for Division I men's ice hockey have remained flat since the year 2000. During that very same period participation has actually dropped. Women's ice hockey, on the other hand has

experienced only moderate growth since 2000 as the sport faces some of the very same issues as the men.

A significant number of Division I Ice Hockey playing institutions are multidivisional members (24 of the 58 men's and 11 of the 35 women's programs). Without these members the number of overall Division I hockey institutions would be greatly diminished. So much so that it may jeopardize the future of the sport at the Division I level. If, for instance, some institutions chose to drop the sport (e.g. Wayne State University) opportunities to keep the numbers at healthy and acceptable sponsorship levels would be even more difficult without multidivisional status opportunities available to the NCAA body of members.

It was our intention to begin the process of multidivisional application for our women's ice hockey program when the moratorium was instituted. Our goal was to provide the same opportunity for our women hockey student-athletes as we do for the men. Now, the potential elimination of multidivisional status would prevent us from completing an objective that would help RIT achieve its gender equity goals. Furthermore, we are now part of a conference (Atlantic Hockey Association) that has intentions to develop a corresponding women's league. The AHA currently does not have enough members sponsoring women's ice hockey to institute league play. It is our hope that this will change. Denying us the opportunity to bring our women's program to Division I status will have a negative impact on the formation of this league and on women's ice hockey in our region, if not nationally.

We believe that this letter and the reasons presented therein will be sufficient enough to move this body to support one or more of the following:

1. Withdrawal of the legislative proposal
2. Modify the proposal to allow for sports that may become endangered (such as ice hockey)
3. Provide opportunities to apply for relief (waiver) from the ruling

While RIT finds itself in a difficult position, it is the sport of ice hockey that may ultimately suffer. We ask your support in helping to find a way to provide the opportunity for multidivisional status to continue to be available.

Please feel free to call upon me if I can be of any assistance with this important matter.

Thank you for your support and outstanding service.

Sincerely,

Louis W. Spiotti, Jr.
Director
Intercollegiate Athletics and Recreation

Cc: Mr. Robert DeGregorio, Jr., Commissioner, Atlantic Hockey Association

Subject: FW: Message from the Contact the NCAA Web Page - Division I

2010-100

From: Louis Spiotti JR [mailto:lxs4798@rit.edu]
Sent: Friday, September 24, 2010 03:21 PM
To: Berst, David
Cc: 'rdegregorio@atlantichockeyonline.com' <rdegregorio@atlantichockeyonline.com>
Subject: Message from the Contact the NCAA Web Page - Division I

Dear David,
As you know, RIT is very interested in pursuing multidivisional classification for our women's ice hockey program. Please share this correspondence with the Leadership Council. I would be appreciative of the opportunity to discuss this matter with members of the Council in greater detail.
Thank you for your support.
Lou Spiotti, Jr.

Louis W. Spiotti, Jr.
Director
Intercollegiate Athletics and Recreation
Rochester Institute of Technology
113 Lomb Memorial Dr.
Rochester, N.Y. 14623-5608
(585) 475-2615
(585) 475-5378 - FAX
lxs4798@rit.edu

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Dave Ogrean
Executive Director

1775 Bob Johnson Drive | Colorado Springs, CO 80906-4090
phone 719.538.1163 | fax 719.538.1168 | email daveo@usahockey.org

September 27, 2010

Petrina Long
Sr. Associate Athletic Director/SWA
University of California at Los Angeles
Chair., NCAA Recruiting and Athletics Personnel Issues Cabinet

Dear Ms. Long:

I apologize for the very late submission of this correspondence. However, the NCAA Olympic Sports Liaison Committee just met in Colorado Springs on Friday and it was not until that time that this topic was discussed with that body. Following a very productive session with them, it was discovered that your next meeting starts tomorrow and I was encouraged to contact you immediately.

As the Executive Director of USA Hockey, the national governing body for the sport of ice hockey, I and my colleagues have concerns about Legislative Proposal 2010-42.

As alumni, fans and followers of intercollegiate athletics, I think that most of us support the intent behind this proposal and agree that some sanity and increased structure could be brought to the sometimes pernicious process of recruiting prospective student-athletes. However, as was successfully argued before the Olympic Sports Liaison Committee and the Amateurism Cabinet last year, Division I men's ice hockey is distinct from other sports in one significant way, and it is one which I hope you and your cabinet will agree calls for men's ice hockey to be exempted from Proposal 2010-42.

There is a unique "opponent" in the Division I men's game – the Canadian Hockey league, or CHL. Of course, Boston College may be attempting to recruit the same young student-athlete as Michigan or Notre Dame. But history has shown that those battles even out, are almost always conducted in a gentlemanly manner, and that all of those schools can be successful.

The same does not describe the competition with the CHL – Canadian Major Junior Hockey – for players. I cannot even say "student-athletes" here, as the CHL's interest in advancing a player's post-secondary education is not a priority

Dave Ogrean
Executive Director

1775 Bob Johnson Drive | Colorado Springs, CO 80906-4090
phone 719.538.1163 | fax 719.538.1168 | email daveo@usahockey.org

as it is for NCAA programs. And let me point out that the grade point average and graduation rate of NCAA Division I men's ice hockey players is significantly higher than it is for student-athletes in most other sports.

The CHL has a simple goal – entice all of the best players to Canada, sign them to contracts as early as they can, and render them ineligible from any change of heart or mind to return to play NCAA hockey. They contact prospects 24/7, 365 days a year, starting at as young an age as they wish. When a player commits to an NCAA institution, even after he enrolls at an NCAA institution and begins to take classes, the CHL teams will relentlessly continue the recruiting process in an effort to pull a young man out of the college environment – an unfortunate action that occasionally works, to the enormous frustration of the college or university. And yes, the one element with which NCAA programs cannot compete is the temptation of cash incentives.

USA Hockey is about the development of the American player. Do we select athletes from programs outside of the NCAA for our national teams? Yes. We have the goal of winning medals in international competition, and we cannot make the assertion that any single path is the only acceptable one for athletic development.

But there is no body with which we have been closer or enjoyed a more productive relationship over the past 50 years than NCAA hockey. By far, more players and coaches wearing the U.S. jersey in international and Olympic tournaments over the years have been selected from American college and university programs. We are enormously proud of our relationship with and support of NCAA hockey, and we have two seats on our Board of Directors reserved for representatives of the college community (currently occupied by Joe Bertagna, Hockey East Commissioner, and Tom Anastos, Commissioner of the CCHA).

Simply put, I think history would show that recruiting of prospective American student-athletes by NCAA Division I men's ice hockey programs has not been "out of control," and that the coaches association does a good job of keeping its membership in check. However, the bottom line is this – if Proposal 2010-42 passes without an exemption for men's ice hockey, it will put NCAA programs at an even greater disadvantage against their CHL competition, and create a real

Dave Ogrean
Executive Director

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risk that Division I men's ice hockey will "lose the battle" and be relegated to distinctly inferior status.

Without an oversight body like the NCAA to control it, the CHL will always enjoy an advantage. The playing field will never be completely level. But Proposal 2010-42 could mean that the field would become so tipped that Division I men's ice hockey might no longer be worthy of that status in the future.

Best wishes for your important deliberations this week. I invite you to contact me if you have any questions.

Sincerely,

Dave Ogrean
Executive Director
USA Hockey

CENTRAL COLLEGIATE
HOCKEY ASSOCIATION

Thomas A. Anastos
Commissioner

23995 Freeway Park Drive
Farmington Hills, MI 48335

Phone: (248) 888-0600
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ccha@ccha.com
www.ccha.com

September 27, 2010

Petrina Long
Senior Associate Athletic Director/SWA
University of California at Los Angeles
Chair, NCAA Recruiting and Athletics Personnel Issues Cabinet

Dear Ms. Long:

I serve as commissioner of the Central Collegiate Hockey Association and president of the Hockey Commissioners Association, an organization comprised of the five NCAA Division I men's hockey conferences. I write this letter on behalf of our sport to request that men's ice hockey be exempted from legislative proposal 2010-42 as we feel it would be very detrimental to our sport.

While we all recognize the concerns it outlines under a traditional sports-landscape, unfortunately, our sport is faced with a different "opponent" when it comes to student-athlete recruitment. One that has no self-governance and plays only by its own rules. This entity is known as the Canadian Hockey League (CHL). The CHL is an organization based in Canada that competes directly with NCAA programs with the primary purpose of attracting the best hockey athletes in the world. It recruits relentlessly, is bound by no rules, and does not stop recruiting a prospect until that prospect either runs out of eligibility to complete in their league, or joins their league. In many instances, they actually recruit enrolled collegiate student-athletes and entice them to leave school. This year alone we have lost several enrolled student-athletes who left their college program to join CHL teams.

CHL programs typically begin aggressively recruiting prospects as early as 14 years of age and can draft them as early as 15 or 16. College programs are at an enormous disadvantage – even if the rules where to stay as they are today – as college coaches are so limited at the amount of education that can take place. In many cases, prospects get the impression that they are not top prospects because colleges are not able to express their interest in the same manner in which the CHL teams do. If proposal 2010-42 passes and includes men's ice hockey, the negative impact this would likely have would be substantial.

On behalf of the five Division I conferences, we ask that men's ice hockey be exempted from proposal 2010-42. If you would like further input/feedback, please feel free to contact me directly at any time at the number above or my cell at 248-515-2525.

Thank you.

Very truly yours,

THOMAS A. ANASTOS
Commissioner
President – Hockey Commissioners Association

Alaska Fairbanks
Bowling Green
Ferris State
Lake Superior State
Miami
Michigan
Michigan State
Nebraska Omaha
Northern Michigan
Notre Dame
Ohio State
Western Michigan

DU
ATHLETICS
& RECREATION

September 27, 2010

Petrina Long
Sr. Associate Athletic Director/SWA
University of California at Los Angeles
Chair, NCAA Recruiting and Athletics Personnel Issues Cabinet

Dear Ms. Long:

I write today to ask the consideration of your cabinet to exempt ice hockey from Legislative Proposal 2010-42.

The landscape of NCAA Division I men's ice hockey is unique in that it competes for student-athletes against a junior hockey enterprise in Canada called the CHL – Canadian Hockey League. The CHL already has many advantages in the recruitment of student-athletes and I'm asking your cabinet to assist in the overall well-being of collegiate ice hockey by exempting ice hockey from Legislative Proposal 2010-42.

It is likely not appropriate to use the term student-athlete in association with the CHL as its focus is on developing young men for a career in professional hockey and not on higher education like the NCAA. The CHL can contact prospects without restriction, regardless of age; offers financial incentives that are prohibited by NCAA rules; and continues to try and lure our student-athletes to its league, even after they've begun their collegiate journey.

If ice hockey is included in this legislative proposal, it will give further advantage to the CHL in an already tilted playing field.

I appreciate the flexibility and adaptability your committee has shown in the past. Quite honestly, it has been my observation that the ice hockey community has done an excellent job in collectively building an environment that is fair and equitable to all institutions.

I firmly believe that exempting ice hockey from the Legislative Proposal 2010-42 is the right thing to do and is within the spirit of the NCAA.

I'm happy to discuss this issue further at your convenience.

Respectfully,

Peg Bradley-Doppes

Peg Bradley-Doppes
Vice Chancellor for Athletics and Recreation

College Swimming Coaches
Association of America

TO: MAISHA PALMER- DIVISION I NCAA REPRESENTATIVE

FROM: BOB GROSETH – EXECUTIVE DIRECTOR CSCAA

RE: SEC RULES PROPOSAL 2010-103

The Executive Board of the College Swimming Coaches Association of America (CSCAA) became aware of the following proposal from the Southeast Conference:
2010-103 DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- SPORTS SPONSORSHIP -- MINIMUM CONTESTS FOR SPORTS SPONSORSHIP -- SWIMMING AND DIVING
Southeastern Conference
August 1, 2011
In swimming and diving, to reduce, from 10 to six, the minimum number of contests required to satisfy sports-sponsorship requirements.

The CSCAA is charged with overseeing that which is good for all college and university members of our organization and all student-athletes who fall under the coaches in our organization. The Executive Board sees too much potential harm to our members and student-athletes to support this proposal.

Reducing the number of contests is not in the best interest of the Student Athletes. It limits competition, reduces the opportunities for elite swimmers to qualify for the NCAA Championships and reduces the opportunities for the rest of the swimmers to experience what college swimming is all about – competition and racing.

NAAC
THE NATIONAL ASSOCIATION FOR ATHLETICS COMPLIANCE

NAAC Is Committed to Providing Compliance Solutions on behalf of Intercollegiate Athletics

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Bob Vecchione
Deputy Executive Director

October 12, 2010

The National Collegiate Athletic Association
700 W. Washington Street
Indianapolis, Indiana 46206-6222

Dear NCAA Legislative Council:

The Legislation and Governance Committee of the National Association for Athletics Compliance (NAAC) is eager to share feedback on selected 2010-2011 NCAA legislative proposals. The Committee represents 13 Division I institutions (with representation from both football subdivisions and those that do not sponsor football), as well as staff members from a conference office, Division II institution, and NCAA Academic and Membership Affairs (Attachment A). The Committee feels confident that it has identified important issues in specific proposals as they relate to the compliance field.

After reviewing the 2010-2011 legislative proposals, the Committee identified proposals and concepts it believes warrant NAAC input. After soliciting membership feedback from an online survey, the Committee isolated the proposals that appear more controversial and/or that the Committee has not previously provided comment (e.g., financial aid proposals). The enclosed document, reflecting both the opinions of the Committee and the membership, constructively identifies some points to consider in the Legislative Council's initial consideration of the proposals (Attachment B).

The Legislation and Governance Committee also believe it appropriate to weigh in on the NCAA Board of Directors directive to the Legislative Council to draft a policy statement regarding the reduction in the number of proposals that are submitted into the legislative cycle each year. The NAAC membership survey respondents provided feedback on what requirements, from a compliance perspective, will be most beneficial to limit the number of legislative proposals that enter the cycle (Attachment C).

I certainly hope you find the enclosed information valuable in your review of the legislative proposals. Please note that the NAAC Legislation and Governance Committee would welcome the opportunity to act as a resource for the Legislative Council and the Cabinets on any other legislative proposals or future legislative issues that may arise.

On behalf of NAAC, I would like to thank you for taking the time to consider our comments and perspectives. If you have questions about the enclosed document, please do not hesitate to contact me.

Sincerely,

Lori V. Grierson

Lori Grierson
NAAC Legislation and Governance Committee Chair

cc: NAAC Board of Directors
NAAC Legislation and Governance Committee

24651 Detroit Road • Westlake, Ohio 44145 • Phone 440-892-4000 • Fax 440-892-4007
www.naaccompliance.com

Administered by:

Attachment A

National Association for Athletics Compliance
Legislation & Governance Committee
Objectives and Members

Legislation & Governance Committee Objectives

To provide a voice for the NAAC membership in matters related to NCAA legislation and governance by:

- Soliciting input from the NAAC membership on nationally significant legislative issues.
- Providing input to the appropriate governance entities and/or taking a formal position on nationally significant legislative proposals.
- Introducing legislative proposals on behalf of NAAC.
- Establishing relationships with coaches associations and other entities and encouraging them to seek NAAC input before proposing their own legislation.
- Seeking new interpretations (or clarifications/refinements) of existing interpretations from ILT and LRIC.
- Providing input to ILT and LRIC on interpretive issues on behalf of NAAC (in a manner similar to that of the CCACA).

Legislation & Governance Committee Members

Name	Institution	Conference	Division	Subcommittee Appointment
Fagg, Jon	University of Arkansas	SEC	FBS/BCS	Interpretations
Kido, Erin	Xavier University	Atlantic 10	I	Interpretations
Larson, Jay	San Diego State	Mountain West	FBS/non-BCS	Interpretations
Squire, Ryan	University of Illinois	Big Ten	FBS/BCS	Interpretations
Waterfield, Steve	University of Wisconsin	Big Ten	FBS/BCS	Interpretations Chair/First Vice President
Bechtold, Camie	Montana State University	Big Sky	FCS	Legislation
Brennan, Kyle	University of Utah	MWC	FBS/ non-BCS	Legislation
Hagen, Mike	Liberty University	Big South	FCS	Legislation Chair/Second Vice President
Lee, Michelle	North Carolina State University	ACC	FBS/BCS	Legislation
Lyons, Bridget	Barry University	Sunshine State	DII	Interpretations
Morris, John	University of Washington	PAC-10	FBS/BCS	Legislation
Strahl, Shannon	Gonzaga University	WCC	I	Legislation
Charipar, Kate	University of Utah	MWC	FBS/ non-BCS	Secretary
Grierson, Lori*	University of Texas	Big 12	FBS/BCS	Legislation/ Interpretations
Babcock, Lindsey	CCACA	ACC	N/A	Legislation/Interpretations
Hostetter, Brad	NCAA	N/A	N/A	Legislation/ Interpretations

** Legislation/Governance Committee Chair*

Attachment B

2010-2011 Legislative Proposals
NAAC Comments/Positions for NCAA Legislative Council Review

Topical Area	Proposal Number	Title	Source	Intent	Effective Date	Amendment Suggestions and/or Proposal Comments
Personnel	2010-16 2010-18 2010-20	PERSONNEL -- LIMITATIONS ON THE DUTIES OF COACHES -- NONCOACHING ACTIVITIES -- EXCEPTION -- STUDENT MANAGER -- BASEBALL	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet	Limitations on the number and duties of coaches – non coaching staff with sport-specific responsibilities; basketball, FBS football, and FCS Football 2010-16 – (1) 2010-18 – (4) 2010-20 – (2)	2016- August 1st 2012	• **Respondents to the NAAC survey generally supported this proposal;** 71% Support 16.7 % Oppose 5% Abstain 7% Amend. • **Points to Consider:** 1. Additional information should be identified through interpretations or educational columns on the distinction between non coaching staff and clerical staff. 2. Additional information may be required to determine what activities are "non-clerical," i.e. travel arrangements, organizing recruiting correspondence, oversight of managers duties and responsibilities, film splicing, attending team meetings, etc. 3. Concerns that current issues will only be shifted to clerical staff positions.

Attachment B

2010-2011 Legislative Proposals
NAAC Comments/Positions for NCAA Legislative Council Review

Topical Area	Proposal Number	Title	Source	Intent	Effective Date	Amendment Suggestions and/or Proposal Comments
Amateurism	2010-26	AMATEURISM -- PROMOTIONAL ACTIVITIES -- USE OF A STUDENT-ATHLETE'S NAME OR LIKENESS	NCAA Division I Amateurism Cabinet	To revise the regulations related to use of a student-athlete's name or likeness for promotions, advertisements and media activities, as specified.	August 1st, 2011	• **Respondents to the NAAC survey generally supported this proposal;** 61% Support 29 % Oppose 10% Abstain 0% Amend. • **Points to Consider** 1. Additional interpretations or educational columns would be necessary to clarify the application of the legislation. 2. Many interpretive issues may exist in part 12.5.1.1 (c)-(2) to differentiate between permissible and impermissible "makeup," "wording" or "action" concerning co-sponsorship with commercial entities. 3. It may serve the committee well to reach out to NACMA prior to adoption to determine if the legislation can be adequately understood to reduce interpretive issues.

Attachment B

2010-2011 Legislative Proposals
NAAC Comments/Positions for NCAA Legislative Council Review

Topical Area	Proposal Number	Title	Source	Intent	Effective Date	Amendment Suggestions and/or Proposal Comments
RECRUITING	2010-30	TELEPHONE CALLS -- TIME PERIOD FOR TELEPHONE CALLS -- SPORTS OTHER THAN FOOTBALL	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet	In sports other than football, to specify that an institution may make one telephone call per month to an individual (or the individual's relatives or legal guardians) on or after June 15 at the conclusion of the individual's sophomore year in high school through July 31 after the individual's junior year in high school, two telephone calls per week beginning August 1 prior to the individual's senior year in high school, and one telephone call per week to a two-year or four-year college prospective student-athlete (or the prospective student-athlete's relatives or legal guardians); further, in sports other than football for which a defined recruiting calendar applies, to specify that during a contact period that occurs on or after August 1 before an individual's senior year in high school, telephone calls may be made at the institution's discretion.	August 1st 2011	• **Respondents to the NAAC survey generally supported this proposal;** 59% Support 32% Oppose 2% Abstain 7% Amend. • **Points to consider:** 1. The current proposal uses two different dates in establishing permissible periods for calls; June 15th and August 1st. The use of inconsistent dates could lead to inadvertent violations. An amendment to use consistent dates for all phone call legislation would reduce this risk as well as confusion for coaches, prospects, and parents. 2. The current dates of July 15th and August 1st is inconsistent with proposals for verbal offers of aid in this legislative cycle.

Attachment B

2010-2011 Legislative Proposals
NAAC Comments/Positions for NCAA Legislative Council Review

Topical Area	Proposal Number	Title	Source	Intent	Effective Date	Amendment Suggestions and/or Proposal Comments
Recruiting	2010-42	LETTER-OF-INTENT PROGRAMS, FINANCIAL AID AGREEMENTS - - REQUIREMENTS FOR VERBAL OFFER OF ATHLETICALLY RELATED FINANCIAL AID	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet	To specify that an institution shall not make a verbal offer of athletically related financial aid to an individual, directly or indirectly, before July 1 following his or her junior year in high school; further, to specify that an institution must have a high school transcript (official or unofficial) on file that includes the results of the individual's first five semesters or seven quarters of high school enrollment before extending a verbal offer of financial aid.	Immediate	• **Respondents to the NAAC survey generally opposed this proposal;** 40% Support 59 % Oppose 2% Abstain 0% Amend. • **Points to Consider:** 1. Currently no system exists to monitor the content of all verbal conversations between coaches and prospects. 2. Many interpretive issues may exist concerning the implication of offers or verbalization of intent to offer aid. 3. The current proposal does not consider trimester systems. 4. The July 1st date is inconsistent with proposed changes to phone call legislation. 5. Recently passed legislation permits written offers of aid beginning August 1st. The inclusion of a July 1st date in the current proposal could lead to inadvertent violations and confusion from coaches, prospects and parents.

Attachment B

2010-2011 Legislative Proposals
NAAC Comments/Positions for NCAA Legislative Council Review

Topical Area	Proposal Number	Title	Source	Intent	Effective Date	Amendment Suggestions and/or Proposal Comments
Recruiting	2010-48	USE OF RECRUITING FUNDS -- RECRUITING OR SCOUTING SERVICES -- LIST OF PERMISSIBLE RECRUITING SERVICES -- MEN'S BASKETBALL	Southeastern Conference	In men's basketball, to specify that the NCAA national office shall publish a list, on a quarterly basis, of men's basketball recruiting or scouting services deemed to meet the required standards for subscription.	Immediate	▪ **Respondents to the NAAC survey significantly supported this proposal;** 90% Support 3% Oppose 3% Abstain 3% Amend. • **Points to Consider:** 1. Current application of legislation creates inconsistency amongst the membership by institutional interpretation and conference interpretation. 2. Many respondents to the NAAC survey requested this proposal be amended to include additional sports. 3. While an additional cost may be placed on the national office, a reduction of costs to institutions me be seen through reduced time and staff committed to monitoring in this area or monitoring can be shifted to higher areas of risk such as funneling of money, agents, etc.

The NCAA Board of Directors has directed the Legislative Council with the following:

The Legislative Council is requested to develop a draft of a policy statement that the Board of Directors and Legislative Council might adopt that would provide better guidance regarding consideration of proposed NCAA legislation by applying a metric to identify those legislative proposals to defeat or consider, and those proposals to call to the attention of the Board. The objective of this policy statement should be twofold: (1) to limit the number of legislative proposals approved to those that identify and document a clear national problem that needs to be addressed, and (2) identifies those proposals that might appropriately be considered directly by the Board of Directors.

In an effort to assist the Legislative Council in responding to the Board of Directors directive, the NAAC Legislation and Governance committee solicited comments from the NAAC membership on this issue. The following responses were collected via survey of the NAAC membership.

	SUPPORT	**OPPOSE**	**ABSTAIN**	
Would you recommend a policy change to limit the number of legislative proposals submitted into the legislative cycle to those that identify and document a clear national problem that needs to be addressed?	53.4%	44.8%	1.7%	n/a
In addressing a policy change to limit the number of legislative proposals, what requirements would you recommend:				
	AGREE			
Multiple conferences must sponsor legislation	48.1%			
Limit the number of proposals a single conference can submit	31.5%			
Require support of the appropriate national association for sport- or area-specific legislation.	29.6%			
Require a period of time lapse before an adopted legislative proposal may be modified.	40.7%			
Establish uniform principles/guidelines for conferences to follow when determining whether to sponsor a proposal.	24.1			
Require conferences to submit the proposals/concepts to the appropriate cabinet/committee for consideration of sponsorship into the cycle.	25.9%			
None of the above.	13%			
Other	5.60%			

	SUPPORT	OPPOSE	ABSTAIN	
Would you recommend a policy change to identify those proposals that might be appropriately considered directly by the Board of Directors?	49.1%	38.6%	12.3%	n/a
If determined appropriate, what uniform principles standards would you recommend be used by conferences or Cabinets in determining whether to sponsor a proposal:				
	AGREE			
Threshold requirements.	42.30%			
The proposal supports the appropriate principle defined in Constitution 2 or Association's core values.	19.20%			
The proposal is enforceable.	78.80%			
National significance.	51.90%			
A specified period of time elapsed since the legislation was adopted or last modified.	32.70%			
Budget impact.	48.10%			
Student-athlete well-being impact.	78.80%			
Impact on Board/Cabinet-related initiatives.	5.80%			

Summary of the NCAA Division I Legislative Council Sand Volleyball Working Group

Background.

During its January 2010 meeting, the NCAA Division I Board of Directors postponed the addition of sand volleyball to the list of emerging sports for women from August 1, 2010 to August 1, 2011. Thereafter, the NCAA Division I Legislative Council tabled five legislative proposals related to sand volleyball at its April 2010 meeting. The intent of the actions taken by the Board and Legislative Council was to provide the membership and governance structure the opportunity to develop the legislative framework for the sport in the 2010-11 cycle prior to sand volleyball being introduced as an emerging sport for women. To that end, at the direction of the Legislative Council, a working group of Collegiate Commissioners Association Compliance Administrators representatives was formed to assist in the development of that framework and to provide feedback related to the already proposed legislative concepts to the various cabinets for their consideration.

The working group conducted five teleconferences to consider concepts in the following topical areas:

1. Personnel and Recruiting;

2. Financial Aid;

3. Playing and Practice Seasons; and

4. Membership Requirements.

The following individuals comprised the working group:

Ms. Kathleen Batterson	Colonial Athletic Association
Ms. Carolyn Campbell-McGovern	Ivy Group
Ms. Jennifer Condaras	Big East Conference
Ms. Lori Ebihara	Big 12 Conference
Mr. Mike Matthews	Pacific-10 Conference
Ms. Stephanie McDonald	Southland Conference
Ms. Sara Wilhelmi	West Coast Conference
Mr. TJ Meagher	University of Houston/American Volleyball Coaches Association

Executive Summary of Recommendations.

The following information sets forth the working group's recommendations, which will be provided to the cabinets for their fall meetings and to the Legislative Council at its October 2010 meeting.

1. Personnel and Recruiting.

a. Supports NCAA Proposal No. 2009-19-B over Proposal No. 2009-19-A as it relates to limitations on the number of coaches and off-campus recruiters in sand volleyball.

b. Supports modifications to Proposal No. 2009-39:

(i) To permit 80 evaluation days for women's volleyball and 20 additional evaluation days if an institution also sponsors sand volleyball. The 20 additional evaluation days would be limited to the evaluation of prospective student-athletes engaging in sand volleyball competition (not practice or other athletics activities associated with the competition). No other types of evaluations such as academic or nonsand volleyball athletics evaluations (e.g., evaluating at a track meet) would be permitted during the additional evaluation days;

(ii) To limit an institution that sponsors only sand volleyball to 80 evaluation days; and

(iii) To use the current women's volleyball recruiting calendar for both sports.

2. Financial Aid.

a. Recommends a modification to Proposal No. 2009-70 to include a provision that if a student-athlete who only participates (practices or competes) and is a counter in sand volleyball during her first year of collegiate enrollment at the certifying institution, but who later participates in women's volleyball during her second year of enrollment, that the institution must consider the student-athlete also as a counter in women's volleyball for her first year of enrollment. A sand volleyball student-athlete would not be permitted to practice or engage in any skill instruction with the women's volleyball team in season or out of season, unless the student-athlete is a counter in women's volleyball. An exception would be allowed for student-athletes in both sports to engage in weight-training and

conditioning conducted by the strength and conditioning coach with department wide duties at the same time.

b. Supports the financial aid concepts detailed in Proposal No.2009-70, which would create a phased-in approach for financial aid maximum institutional team limitations for institutions that sponsor both sports.

3. Playing and Practice Seasons.

- Recommends an alternative proposal to Proposal No. 2009-83 to be sponsored to limit the total dates of competition in sand volleyball to 16, with no more than 14 in the championship segment.

4. Membership Requirements.

- The working group supported the minimum contest requirements (i.e., eight) necessary for sports sponsorship recommended in section B of Proposal No. 2009-83.

Recommendations.

1. Personnel and Recruiting.

The working group supports the coaching limitations outlined in Proposal No. 2009-19-B, which limits the number of coaches and off-campus recruiters in sand volleyball to two. Pursuant to this proposal, if a coach was to coach both sports or was to serve as an off-campus recruiter for both sports, he or she would count toward the limit on the number of coaches in each sport. This proposal would address concerns with costs as it would not be absolutely necessary for an institution to employ one additional coach if it sponsors sand volleyball. Further, no potential advantage would be gained by institutions that sponsor both sports over those that only sponsor women's volleyball.

The working group supported the concept of using the current women's volleyball recruiting calendar for both women's and sand volleyball and agreed that the development of a separate recruiting calendar for sand volleyball is not warranted at this time. The working group did consider adding contact periods to the current women's volleyball recruiting calendar, to account for time periods when there may be a higher number of sand volleyball events occurring. However, the working group recommended no changes as the frequency of those events at this time are unknown. Although such

events may become more prevalent in the future, whereby the recruiting calendar could be adjusted at that time, and the current recruiting calendar should be able to accommodate any evaluation days needed for sand volleyball recruiting purposes.

The working group engaged in lengthy discussions regarding the appropriate number of evaluation days for sand volleyball and considered the following options if an institution sponsors both sports:

a. Eighty evaluation days for women's volleyball and 20 additional evaluation days if an institution sponsors sand volleyball.

b. Eighty evaluation days for women's volleyball and 20 additional evaluation days limited to the evaluation of prospective student-athletes engaging in sand volleyball competition (not practice or other athletics activities associated with the competition). No other types of evaluations such as academic evaluations or nonsand volleyball athletics evaluations (e.g., evaluating at a track meet) would be permitted during the additional evaluation days.

c. Eighty evaluation days that must be shared between women's and sand volleyball with a re-evaluation after two to three years of having sand volleyball as an emerging sport for women.

d. One hundred evaluation days that must be shared between women's and sand volleyball.

Ultimately, the working group supported option "b" noted above as this option allows institutions that sponsor both sports to have 20 additional evaluation days and the additional days pose little to no recruiting advantage over those institutions opting to not sponsor sand volleyball. Further, the additional days will assist in the growth of the sport as new sand volleyball events may be created corresponding to the evaluation periods within current volleyball recruiting calendar to accommodate the 20 additional sand-volleyball-specific evaluation days. .

The working group also supported a modification to Proposal No. 2009-39 that if an institution only sponsors sand volleyball and does not sponsor women's volleyball, the institution would be limited to a total of 80 evaluation days.

2. Financial Aid.

The working group recommended a modification to Proposal No. 2009-70 to add a provision that if a student-athlete who only participates (practices or competes) and is a

counter in sand volleyball during her first year of collegiate enrollment at the certifying institution, but who later participates in women's volleyball during her second year of enrollment, that the institution must consider the student-athlete also as a counter in women's volleyball for her first year of enrollment. The working group further recommended that a sand volleyball student-athlete is not permitted to practice or engage in any skill instruction with the women's volleyball team in season or out of season, unless the student-athlete is a counter in women's volleyball. An exception would allow student-athletes in both sports to engage in weight-training and conditioning conducted by the strength and conditioning coach with department-wide duties at the same time.

This recommendation addresses competitive equity concerns regarding institutions who sponsor both sand volleyball and women's volleyball from stockpiling or "hiding" student-athletes on its sand volleyball team with the intention of the student-athlete being a fully contributing member of the women's volleyball team by her second year of enrollment and thereafter. Under current financial aid regulations, a student-athlete who does not compete (e.g., "redshirt") or is ineligible for the women's volleyball team is still considered a counter for the women's volleyball team if she receives athletically related financial aid. For institutions that sponsor both sports, there may be the inclination to have the same student-athlete participate (practice and compete) only for the sand volleyball team her first year of enrollment if she is not ready to be a full contributing member of the women's volleyball team thereby opening a counter opportunity on the women's volleyball team. Creating this one-year participation window provides protections against this inappropriate roster management and stockpiling concerns while also encouraging institutions to sponsor legitimate sand volleyball programs and participation opportunities for student-athletes who wish to play the sport at the intercollegiate level. The working group noted the critical importance of emphasizing the application of this provision through various educational initiatives for the membership.

The working group also supported the financial aid concepts detailed in Proposal No. 2009-70, which would create a phased-in approach for financial aid maximum institutional team limitations for institutions that sponsor both sports. Limiting the equivalencies to six among 14 total counters for institutions that sponsor both the sand and women's sports is appropriate based on the anticipated playing rules for women's sand volleyball, which would permit five two-person units to compete as a team in competition. During sand volleyball's emergence, it is anticipated that there will be a high number of student-athletes who will participate in both sports. Limiting the total number of counters will assist with maintaining competitive balance. Institutions that sponsor sand volleyball only will be limited to eight equivalencies and 14 counters.

3. Playing and Practice Seasons.

The working group recommended sponsorship of an alternative proposal to Proposal No. 2009-83 to include the following provision:

- A total of 16 dates of competition with no more than 14 in the championship segment.

Lowering the maximum permissible dates of competition is appropriate due to the available number of weeks in the championship segment and minimizing possible missed class time due to those dates of competition. This approach provides flexibility for institutions to shift additional dates of competition to the nonchampionship segment but also maintaining competitive equity concerns by limiting the overall number of dates of competition in the championship segment to 14. It is expected that the dates of competition will be achieved either through head-to-head competition or tournament play.

The working group also acknowledged the work of the task force of the NCAA Division I Leadership Council and NCAA Division I Championships/Sports Management Cabinet, which is exploring cost-savings initiatives including the possible elimination of competition in the nonchampionship segment. If the legislative recommendations relating to elimination of competition in the nonchampionship segment are approved, this proposal will need to be amended in order to be in line with those recommendations.

4. Membership Requirements.

The working group supported the minimum contest requirements (i.e., eight) necessary for sports sponsorship recommended in section B of Proposal No. 2009-83 and suggested no modification to this portion of the proposal. The proposed minimum contest requirement of eight appears appropriate to establish sand volleyball as a sport and is based upon trends in the number and dates of competition completed at the club level.

NCAA Division I Board of Directors Resolution – Discussion Document

At its April meeting, the NCAA Division I Board of Directors reviewed a resolution requesting that the NCAA Division I Legislative Council develop a draft of a policy statement that the Board of Directors and Legislative Council might adopt that would provide better guidance regarding consideration of proposed NCAA legislation by applying a metric to identify those legislative proposals to defeat or consider, and those proposals to call to the attention of the Board. The objective of this policy statement would be: (1) To limit the number of legislative proposals approved to those that identify and document a clear national problem that needs to be addressed; and (2) To identify those proposals that might appropriately be considered directly by the Board.

In an effort to facilitate the resolution's objectives, the staff has prepared an educational document to assist the Board in understanding the dynamics of the current legislative cycle (Attachment A) and has identified several concepts relating to the legislative process to be discussed with the Legislative Council at its October meeting (Attachment B).

Dynamics of the Current Division I Legislative Cycle
(Based on the 2009-10 Legislative Calendar)

Event	Timeline	Comments
Legislation submission deadline for NCAA Division I conferences and cabinets.	July 15, 2009	NCAA staff prepares legislation for the 2009 NCAA Division I Publication of Proposed Legislation. The staff consults with sponsors and cabinet liaisons to clarify intent/rationale statements. The staff begins to identify and resolve interpretive issues related to the application of the proposals and develop a Q&A document to assist conferences in understanding the application of the proposals as well as reaching their voting positions.
Deadline by which NCAA Division I Publication of Proposed Legislation is available on the NCAA Web site.	August 15, 2009	The staff continues to review all proposals to identify and resolve interpretive issues and develop a Q&A document to assist conferences /cabinets in the review process.
Applicable proposals forwarded to Division I cabinets/committees for review and comment.	August 15, 2009	The staff develops a "proposal review document" as well as points to consider to assist cabinet/committee liaisons in tracking proposals and to facilitate discussion.
Cabinet/committee review and development of positions on applicable proposals.	September 2009	The cabinet/committee (including sport committees) positions and rationale are included in cabinet reports and with each proposal.
Sponsor modification/alternative proposal period.	July 15 through October 27, 2009	The staff coordinates modifications suggested by conferences and drafts alternative proposals in advance of the October NCAA Division I Legislative Council meeting; staff also drafts alternatives sponsored by the Legislative Council at its October meeting for inclusion in the 2010 NCAA Division I Official Notice. Alternative proposals must be germane to the original proposal but may increase or decrease the scope of the original proposal.

Event	Timeline	Comments
NCAA Division I Legislative Council meeting.	October 19-20, 2009	The Legislative Council engages in a thorough review of the merits of all proposals in the current legislative cycle. The Legislative Council receives an overview of the intent of each proposal, points to consider as developed by the staff, access to the cabinet positions and the Q & A document related to the application of the proposals. The Legislative Council considers several factors during its initial review of legislation, including, but not limited to, the national significance of the proposal, cost implications, its impact on student-athlete time and well-being and whether there are more effective means to accomplish the proposal's intent. The Legislative Council develops preliminary positions on proposals that it plans to recommend for adoption, defeat or to be forwarded to the Division I membership for additional comment at its January voting meeting. This provides conferences over two months to consider the Council's positions and to offer additional information at the January meeting (through its conference representative) for consideration.
NCAA Division I Board of Directors meeting. Deadline for Board sponsored proposals.	October 29, 2009	The staff drafts any proposals sponsored or placed into the legislative cycle by the Board of Directors for inclusion in the Official Notice. The staff also further develops the Q&A document.
Deadline by which the 2010 NCAA Division I Official Notice is available on the NCAA Web site.	November 15, 2009	Conferences have approximately two months to review all proposals, positions and comments that will be considered by the Legislative Council at its January voting meeting.

Event	Timeline	Comments
Legislative Council initial consideration of legislation.	January 14, 2010	Legislative proposals may be adopted (if supported by at least a two-thirds majority), may be defeated (less than 50 percent support) or forwarded to the membership for additional comment (majority support but less than two-thirds majority). The Legislative Council again receives points to consider as developed by the staff, access to the cabinet/committee positions and the Q & A document related to the application of the proposals.
Board of Directors meeting.	January 16, 2010	The staff works with chair and Division I governance staff to identify proposals to bring to the attention of the Board (e.g., proposals of national significance, proposals impacting the Association's core values, proposals related to Board initiatives). Legislative Council action is considered final at the conclusion of the next Board meeting, provided the Legislative Council's action is not amended or rescinded by the Board. The Board may accept, ratify, amend or defeat legislative actions taken by the Legislative Council. The Board also may restore a proposal defeated by the Legislative Council and forward it to the membership for additional comment or adopt it (or amend and forward to the membership or adopt it).

Event	Timeline	Comments
60-day override and comment/amendment periods.	January 17 through March 17, 2010	Proposals that were adopted by the Legislative Council, or adopted or defeated by the Board are subject to override requests. Proposals that receive the necessary override votes (30 votes/15 votes for NCAA Football Championship Subdivision only proposals) are reviewed by the Legislative Council and the Board of Directors at its next meeting. Proposals that receive 100 overrides are suspended immediately. If the legislative decision is not changed, the proposal is placed on the agenda for the next annual NCAA Convention. The membership may sponsor amendments to the proposals forwarded to the membership for comment, provided the scope of the original proposal is not increased.
Legislative Council final consideration of legislation.	April 19-20, 2010	Legislative proposals that receive a simple majority vote are adopted. Proposals not receiving a majority vote are defeated. The Legislative Council again receives points to consider as developed by the staff, access to the cabinet/committee positions and the Q&A document related to the application of the proposals. The Legislative Council also receives comments that were provided by the membership during the 60-day comment period.

Event	Timeline	Comments
Board of Directors meeting.	April 29, 2010	The staff works with chair and Division I governance staff to identify proposals to bring to the attention of the Board of Directors (e.g., proposals of national significance, proposals impacting the Association's core values, proposals related to Board initiatives). Legislative Council action is considered final at the conclusion of the next Board meeting, provided the Legislative Council's action is not amended or rescinded by the Board. The Board of Directors may accept, ratify, amend or defeat legislative actions taken by the Legislative Council. The Board also may resurrect a proposal defeated by the Legislative Council and adopt it [or amend and adopt it].
60-day override period.	April 30 through June 28, 2010	Proposals that were adopted by the Legislative Council, or adopted or defeated by the Board are subject to override requests. Proposals that receive the necessary override votes (30 votes/15 votes for Football Championship Subdivision only proposals) are reviewed by the Legislative Council and the Board of Directors at its next meeting. Proposals that receive 100 overrides are suspended immediately. If the legislative decision is not changed, the proposal is placed on the agenda for the next annual Convention.

The NCAA Division I Leadership Council will meet during the legislative cycle to comment on select proposals. Dates are subject to change. Any changes will be communicated through LSDB*i* and the NCAA Web site at ncaa.org.

ATTACHMENT B
SUPPLEMENT NO. 26
DI Legislative Council 10/10

Possible Changes to the Current Division I Legislative Process

1. **Require Division I conferences to submit legislative proposals/concepts to the appropriate cabinet /committee for consideration of sponsorship into the legislative cycle.**

   Currently, Division I conferences are permitted to sponsor legislation directly into the legislative cycle. Such authority actually was not contemplated when the Association approved a more federated governance structure through the adoption of a series of proposals voted on at 1996 and 1997 NCAA Conventions. Division I conferences were permitted to submit proposals for the 1997-98 legislative cycle simply because the newly formed cabinets needed a period of time to organize themselves prior to addressing issues germane to their respective duties/responsibilities. Conference proposals tend to reflect the desires of a smaller constituency group and are often not reflective of a national problem. Such proposals though can successfully make their way through the legislative process either through strong lobbying efforts by the conference representatives or minimal concern expressed by other conference representatives not directly impacted by the proposal, or a combination of both.

   The requirement that conferences work through the cabinets/committees to effectuate changes in the legislation is not designed to discourage conference discussion and/or the development of good legislative ideas. However, the cabinet/committees may be better suited to make the decision as to whether a conference recommendation should become a legislative proposal as they are composed of a more representative group of individuals and provide a more broad and diverse lens to assess the national significance of the issue and the merits of the proposed solution. The desired outcome of such a change is to create a process that results in a decrease in the volume of proposals, with an increase in those proposals that are more national in significance.

2. **Establish submission requirements that require multiple conferences to sponsor legislation, or in the alternative, establish restrictions on the number of proposals that any single conference may submit into the legislative process in a given year.**

   Currently, each Division I conference is permitted to annually submit legislative proposals by the July 15th submission deadline. Further, there are no limitations on the number of proposals that may be submitted by any one conference. This results in approximately 50-60 proposals submitted each year from Division I conferences. Several conferences submit over 10 proposals each year and on one occasion, a conference submitted 25 proposals. Many of these proposals relate to issues [often perceived competitive equity concerns] impacting only members of the specific conference and do not reflect concerns that are necessarily national in significance. Although cabinets/committees do provide positions on conference proposals related to their respective areas of focus, the proposals are allowed to continue through the process. A requirement that multiple conferences are needed to

sponsor a proposal will better ensure that the scope of the issue being addressed is not specific to one conference and impacts a broader range of institutions. The establishment of limitations on the number of proposals that may be submitted by any one conference may require conferences to prioritize proposals so as to avoid the submission of proposals based on isolated circumstances or perceptions that may not be supported by appropriate data. The desired outcome of such a change is to create a process that results in a decrease in the volume of proposals, with an increase in those proposals that are more national in significance.

3. Establish principles/guidelines for the development and review of legislative proposals to share with conferences, cabinets/committees and the Legislative Council.

Currently, there are no uniform set of principles/guidelines used by conferences when determining whether to sponsor a legislative proposal. Some conferences likely have developed threshold requirements [e.g., majority support] that must be satisfied before a proposal is submitted into the legislative cycle; however, it is unknown whether conferences have developed criteria to be used in analyzing whether submission of a proposal is both prudent and necessary.

Cabinets/committees that review proposals for the purpose of taking a position regarding the merits do have access to a proposal's intent and rationale, budget impact and the time demands a proposal places on student-athletes. The cabinets/committees however have not necessarily used other criteria (e.g., national significance/core value of the Association, necessity of the legislation, impact on Board-related initiative) in their discussions when determining whether to support or oppose the proposal on its merits.

The Legislative Council in its preliminary review of proposals at its October meeting has access to the same information provided the cabinets/committees as well as the cabinet's/committee's position and also has information developed by the staff that outlines points to consider and interpretations related to the application of some of the proposals. The Council engages in a thorough discussion related to the merits of each proposal as it develops preliminary positions. However, it may be helpful if additional criteria (e.g., national significance/core value of the Association, necessity of the legislation, impact on a Board-related initiative) were identified and codified to ensure that the legislation is indeed necessary to address a national problem.

4. Increased use by the Legislative Council of its authority to identify and adopt noncontroversial (e.g., housekeeping) proposals at its October meeting.

Currently, the Legislative Council uses its authority to adopt noncontroversial legislation only when requested to take such action by a cabinet/committee, but does not use such

authority to act on proposals that have been sponsored by conferences or cabinet/committees into the normal legislative cycle. During its October meeting, the Council develops preliminary positions on the proposals in the legislative cycle to be voted on at its January meeting. Many of those proposals are not of national significance and often are "common sense" recommendations of a housekeeping nature. Disposing of those proposals at its October meeting could improve the efficiency of the process, reduce the volume of proposals to be voted on by the Legislative Council at its January meeting and allow the membership to focus more on proposals of national significance. The current threshold for adoption of noncontroversial legislation (three fourths of those present and voting) would be retained to eliminate concerns that conferences may attempt to "fast track" proposals to avoid the normal review process.

5. **Increase the requisite number of requests necessary to override action taken by the Legislative Council and/or Board of Directors.**

Current legislation requires only 30 institutions to submit an override request of action taken by the Legislative Council or Board of Directors to adopt legislation or action taken by the Board of Directors to defeat a legislative proposal in order for the legislative decision to be further reviewed. There are now approximately 345 Division I members, a significant increase in membership since the override legislation was adopted as part the change in the governance structure in 1997. It only makes sense that the threshold requirements also should be increased. Regardless of the increase in membership, the current requirement of 30 arguably is too low of a threshold as it only represents less than 10 percent of the membership. If a proposal has survived the scrutiny of the cabinet/committees, the Legislative Council and the Board of Directors, the requisite number of institutions necessary to achieve a successful override should be somewhat significant, perhaps as many as 100 (which is still less than 33 percent of the membership). Such an increase should provide incentives for institutions to pay closer attention to proposal during the legislative process and also provide for a more efficient process by eliminating the need for institutions to attend a Convention business session to vote on one or two proposals that often are not national in significance.

6. **Provide the Board of Directors details on proposals identified as national in significance and proposals related to Board of Directors' initiatives earlier in the process; further, provide a written summary of such proposals to the Board for consideration at its January and April meetings.**

Currently, the Legislative Council has the authority to adopt legislation, subject to review by the Board of Directors at its next meeting. This was a significant change in the governance process as previously the Board was required to take final action on all proposals. As part of the new process, the chair of the Legislative Council, in conjunction

with the Legislative Council staff liaisons and the Division I governance staff, has identified proposals deemed to be of interest to the Board. The Legislative Council chair has provided a verbal report at both the January and April meetings of actions, emphasizing the identified proposals, and the Board has accepted the report on each occasion (or in some instances ratified a proposal). In an effort to better educate the Board on proposals that are national in significance or related to a Board initiative, it may be helpful to identify and bring those proposals to the Board's attention earlier in the process shortly after the Legislative Council's October meeting, or in the alternative, after publication of the Official Notice. This will provide additional time for Board members to "get up to speed" on the proposals and related issues. Further, written summary of such proposals and the actions taken by the Legislative Council can be prepared to provide to the Board at its January and April meetings. The Board would not necessarily have to take action (as is the current process) but would have the information more readily available should it wish to do so.

Recommendation for Establishing a Deadline for Appealing Interpretations from the NCAA Division I Legislative Review and Interpretations Committee

Background

In December 2009, the chair of Division I Legislative Review and Interpretations Committee met with the NCAA Division I Committee on Infractions to discuss the roles of each committee. During that discussion, it was recommended that NCAA staff develop recommendations designed to improve the interaction between the committees and educate the membership on the interaction between the interpretations process and the enforcement process.

Issue

Institutional decisions to appeal interpretations issued by the Division I Legislative Review and Interpretations Committee are not made shortly after the interpretation is provided.

Recommendation

For situations involving eligibility issues or infractions issues, institutions should be provided seven calendar days to provide notice that they intend to appeal the decision and, once notice is provided, 14 calendar days to submit the appeal materials. Once the appeal materials are received, the NCAA Division I Legislative Council (or its AdCom) would convene within 14 calendar days to decide the appeal.

If an institution has a Committee on Infractions hearing scheduled for a date that occurs during the window for submitting an appeal, such requests could be expedited and heard prior to the scheduled Committee on Infractions hearing date.

Points to Consider

1. The recommended changes would provide more certainty to the timing of appeals which, in turn, would provide more clarity for the membership.

2. The recommended changes are unlikely to interfere with the scheduling of Committee on Infractions hearings, and may discourage institutions from using the interpretations appeal process to delay a major infractions hearing.

3. Given the types of issues that would be subject to the deadline (eligibility issues and infractions issues), institutions likely know whether they agree with the Division I Legislative Review and Interpretations Committee's interpretation almost immediately upon receiving notice of the interpretation.

NCAA Division I
Legislative Council

Policies and Operating Procedures

October 2010

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DUTIES AND RESPONSIBILITIES

Duties and Responsibilities (NCAA Division I Constitution 4.6.2)

The NCAA Division I Legislative Council shall:

1. Serve as the primary legislative authority (see Constitution 5.3.2);

2. Develop educational materials regarding pending legislation;

3. Take final action on matters delegated to it by the NCAA Division I Board of Directors;

4. Make interpretations of the NCAA bylaws; and

5. Review the recommendations of the substructure.

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 that 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.

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

1. Identify the strengths and weaknesses of legislative proposals;

2. Develop educational materials regarding pending legislation;

3. Develop a voting order chart for consideration of proposals;

4. Consider waivers of legislation through the NCAA Division I Legislative Council Subcommittee for Legislative Relief;

5. Consider appeals of certification decisions of the NCAA Division I Committee on Athletics Certification;

6. Identify possible interpretative issues for the NCAA Division I Legislative Review and Interpretations Committee; and

7. Serve as an appellate body for Legislative Review and Interpretations Committee.

COMPOSITION

Pursuant to Constitution 4.6.1, giving due weight to gender and ethnic diversity per Constitution 4.02.5, the Legislative Council shall include 31 members and shall be comprised of athletics administrators (e.g., directors of athletics, senior women administrators, assistant director of athletics, conference administrators), faculty athletics representatives and institutional administrators to whom athletics departments report or who have other significant duties regarding athletics. The members of the Legislative Council shall include:

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

    a. Atlantic Coast Conference;

    b. Big East Conference;

    c. Big Ten Conference;

    d. Big 12 Conference;

    e. Conference USA;

    f. Pacific-10 Conference; and

    g. Southeastern Conference.

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

    a. Mid-American Conference;

    b. Mountain West Conference;

    c. Sun Belt Conference; and

    d. Western Athletic Conference.

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

    a. America East Conference;

    b. Atlantic 10 Conference;

c. Atlantic Sun Conference;

d. Big Sky Conference;

e. Big South Conference;

f. Big West Conference;

g. Colonial Athletic Association;

h. Horizon League;

i. Ivy Group;

j. Metro Atlantic Athletic Conference;

k. Mid-Eastern Athletic Conference;

l. Missouri Valley Conference;

m. Northeast Conference;

n. Ohio Valley Conference;

o. Patriot League;

p. Southern Conference;

q. Southland Conference;

r. Southwestern Athletic Conference;

s. The Summit League; and

t. West Coast Conference.

ORGANIZATION

Administrative Committee

The Legislative Council shall have an administrative committee to act on behalf of the full Legislative Council between meetings to transact necessary and routine items of business clearly required to promote the normal and orderly administration of council business.

The Administrative Committee shall consist of four members, including the vice chair (who shall serve as chair of the Administrative Committee). The members shall be appointed by the Legislative Council chair. The Administrative Committee shall include one representative from a Division I Football Bowl Subdivision (FBS) conference, one representative from a Division I Football Championship Subdivision (FCS) conference and one representative from a Division I subdivision conference. All Administrative Committee members, including the chair, may vote on items of business before the committee. The full Legislative Council will receive all Administrative Committee reports.

The Administrative Committee is authorized to:

1. Act for the Legislative Council on necessary and routine items of business clearly necessary to promote the normal and orderly administration in the interim between Legislative Council meetings.

2. Act for the Legislative Council on matters of an emergency nature.

3. Recommend that a Legislative Council member be replaced if he or she is not properly discharging his or her duties.

4. Sponsor legislative proposals recommended by Association-wide committees or other committees reporting to the Legislative Council into the normal legislative cycle, if necessary due to the timing of the full Legislative Council meetings.

Vice Chair

The Legislative Council shall have a vice chair who shall act as chair in the chair's absence. The vice chair shall serve as the chair of the Administrative Committee.

Subcommittees

The Subcommittee for Legislative Relief has been established as a subcommittee of the Legislative Council. Any additional subcommittees must be established through the legislative process.

Reporting Lines

The following committees report solely to the Legislative Council:

1. LRIC;

2. Committee on Athletics Certification;

3. NCAA Division I Student-Athlete Reinstatement Committee; and

4. FCS Governance Committee. [Note: The FBS and the FCS will vote separately on football issues. FCS conferences with representation on the committee per Constitution 4.6.6 will be permitted to vote on such legislative issues at the FCS Governance Committee meeting.]

The Legislative Council will also review legislative actions and items from other entities within the Division I governance structure, including those that may report to both the Legislative Council and the NCAA Division I Leadership Council.

MEETING SCHEDULE

The Legislative Council will meet three times per year:

1. In conjunction with the regularly scheduled NCAA Division II and III Management Council meetings in October;

2. At the NCAA Convention in January; and

3. In conjunction with the regularly scheduled Division II and III Management Council meetings in April.

This meeting schedule is designed to follow the flow of the annual Division I legislative cycle.

The Legislative Council may also convene via teleconference, as necessary to conduct its business (e.g., review override requests, conduct appeal conference calls).

Exceptions

Should the Legislative Council determine it necessary to meet in person at a time other than a time designated in the master Division I meeting schedule or should the Legislative Council want to schedule an additional meeting, such requests shall be forwarded to the Leadership Council for consideration and possible approval.

Weekends

To the extent possible, the schedule will be arranged so there are no meetings on weekends. The Convention meetings may be an exception to this policy.

TERMS

Pursuant to Constitution 4.02.6.2.2, the term of office shall be as follows; although, initial terms have been staggered due to the new governance structure:

1. Members shall serve for a four-year term. Members are not eligible for immediate reappointment;

2. A conference may remove its representative during a term;

3. The terms of office of FBS positions, FCS and Division I Subdivision positions shall expire on a staggered basis to provide for continuity. Members may be appointed for less than full terms; and

4. Members who serve more than one-half of a term shall be considered to have served a full term.

A representative who serves what is considered to be a full term on the council is not eligible to be reappointed immediately to the Legislative Council.

ABSENCES

The full Legislative Council meets in person three times annually (October, January, April). If a Legislative Council member is unable to attend a council meeting for a compelling reason, a conference may appoint an alternate for that individual. Alternates may attend, participate fully in and vote in any Legislative Council meeting or activity in which the regular member is unable to participate (excluding Administrative Committee and Subcommittee on Legislative Relief meetings and activities).

VOTING

Weighted Voting and Voting Percentages

Weighted voting shall be applied. Voting percentages in the new governance structure reflect the percentages established under the 1997 agreement. These percentages are listed in the "Composition" section.

Voting Method

Roll-call voting shall be used. Legislative Council members are required to use the voting device to record roll-call votes on all legislative proposals. All roll-call vote results of legislative actions shall be reported to the membership, except for actions taken by unanimous consent of the members present and voting. The overall outcomes of votes on other matters shall be reported to the membership, but neither the vote count nor individual votes shall be reported.

Sunset Provision

Pursuant to Constitution 5.3.2.2.3, if, within two legislative meetings, the Legislative Council fails to act on a proposed change, it shall be considered defeated; however, when appropriate, the Legislative Council may extend the time period for action.

SELECTION OF LEGISLATIVE COUNCIL CHAIR

The Legislative Council shall elect one of its members to serve for a period of not more than two years as chair. The chair shall not be eligible for immediate re-election to that position. At least once in every three chair rotations, there shall be an FCS or Division I subdivision representative serving as chair.

A Legislative Council member is eligible for nomination for the position of chair if:

1. His or her Legislative Council term expiration date will permit service for a period of not more than two years as chair; and

2. A particular subdivision must be represented due to the rotation requirement and he or she represents a conference in that division.

In years in which a chair is to be selected, during or prior to the January meeting, Legislative Council members eligible to serve as chair shall nominate themselves or another Legislative Council member by communicating with the current chair. When nominating another Legislative Council member, the person nominating should confirm that the nominee would accept the chair position.

CONFLICT OF INTEREST

NCAA committee service involves important ethical and moral obligations. Committee integrity is critical to the decision-making process and includes trust, confidentiality and honesty in all issues and aspects of service and representation. Committee decisions should advance the interests of the Association, the division, or the sport and ultimately enhance the student-athlete experience.

NCAA committee members scrupulously shall avoid any conflict between their respective personal, professional or business interests and the interests of the Association, in any and all actions taken by them on behalf of the Association.

Committee members have a fiduciary duty to the Association not to use knowledge or information obtained solely due to service on that committee to the disadvantage of the Association during the term of committee service. Further, a committee member shall not participate in the committee's discussion or vote on any action that might bring direct or indirect financial benefit to the member or any organization in which the member is financially interested (other than the member's institution or the conference of which it is a member). A violation of this rule by a member of the committee shall not invalidate the action taken by the committee if, following disclosure of the conflict of interest, the committee authorizes, ratifies or approves the action by a vote sufficient for the purpose, without counting the vote of the committee member with the conflict of interest, and the appropriate oversight body approves the action.

A committee member is responsible for advising the chair of potential conflicts of interest and should recuse himself or herself from participating in proceedings where a personal, professional or business interest would reasonably result in a conflict of interest. Abuse of one's position as a member of a committee may result in dismissal from that position. Where a conflict of interest appears evident, a committee member will be notified by the committee chair and will have the opportunity to present a rebuttal or details of the situation. (*August 2008 NCAA Executive Committee minutes)*

Speaking Agent Policy

The president of the Association and the chair of the 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 Executive Committee or the president of the Association.

The president of the Association is hereby granted authority to designate additional speaking agents of the Association. *(April 2001 Executive Committee minutes)*

AGENDA DEVELOPMENT

Submitting Agenda Items

Any Legislative Council member or conference may submit an agenda item for a full Legislative Council meeting, provided it is within the duties and responsibilities of the Legislative Council. Agenda items should be sent to the Legislative Council's primary staff liaisons at the NCAA national office. The staff will consult with the Legislative Council member or conference to determine how best to handle the item and what supplementary material should be provided, if any. In addition, the staff liaisons may consult with the chair to determine how best to handle the item. If appropriate, the item will be placed on the agenda, with the name of the member or conference that submitted the item.

Timing of Submission of Agenda Items

Items should be submitted eight weeks prior to the meeting. Items submitted after the deadline may be added, subject to the chair's approval.

Review of Agenda Items

The full Legislative Council will receive agendas and supplements in advance of the meetings to ensure that each council member has an opportunity to comment on issues being addressed by those groups. The agenda and supplements will be made available on the NCAA website 17 days prior to the meeting. All actions, except where otherwise legislated (e.g., waivers) or determined by policy (e.g., referrals to other committees), are subject to review and final approval by the full Legislative Council.

SPONSORING LEGISLATION

The Legislative Council along with the Board, Leadership Council, cabinets and any of the 31 multisport conferences will be permitted to propose legislation under the Division I governance structure.

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 has until the conclusion of the October/November Board meeting to sponsor legislation in the annual cycle.

Emergency or Noncontroversial Legislation

The Legislative Council will use the guidelines outlined in the Appendix for assistance in determining whether a legislative proposal should be considered as emergency or noncontroversial legislation.

MEETING PARTICIPATION BY NONCOUNCIL MEMBERS

Generally, appearances before the full Legislative Council are by invitation only. Exceptions may be made by the Legislative Council chair on a case-by-case basis. The chair may invite subject matter experts to participate in meetings based on topics included in the agenda.

COMMITTEE OR CABINET RECOMMENDATIONS

The Legislative Council follows these policies in processing recommendations from committees that report to it or from cabinets requesting action:

1. A committee or cabinet shall provide a written report from its meeting to the full council (or designated subcommittee) prior to the meeting. The report shall include any recommendations for which the committee or cabinet requests full Legislative Council action.

2. Any change to Division I legislation that is recommended by a committee or cabinet shall be presented to the full council for discussion and action. In cases of cross-committee or cross-cabinet collaboration, recommendations may be forwarded to other relevant committees or cabinets within the governance structure.

3. The Legislative Council may elect to alter the recommendation, requiring a vote of the full council.

4. If further deliberations are required, the Legislative Council may table the recommendation or refer it back to the committee or cabinet for additional discussion.

SUBCOMMITTEE FOR LEGISLATIVE RELIEF

Pursuant to Constitution 5.4.1.3, an institution may appeal a decision of the NCAA staff regarding the application of NCAA legislation to a particular situation to the Subcommittee for Legislative Relief when no other entity has the authority to act. In reaching its decision, the subcommittee shall review the complete record in order to determine whether there is sufficient basis to grant relief from the application of the legislation. The Legislative Council shall establish the process for such a review, shall monitor the action taken under this authorization and shall report annually to the membership the actions taken, in summary, aggregate form.

APPEALS OF THE COMMITTEE ON ATHLETICS CERTIFICATION DECISIONS

Pursuant to NCAA Bylaw 22.3.5, following a hearing before the Committee on Athletics Certification, an institution may appeal the certification decision of the committee to the Legislative Council subject to the following procedures:

An institution requesting an appeal of a Committee on Athletics Certification decision from the hearing shall do so in writing within 30 calendar days after receiving written notification of the Committee on Athletics Certification's decision from the hearing. This appeal must be submitted by the president or chancellor. The appeal information will be provided to the Legislative Council for consideration at its next meeting. An institution may request to participate via teleconference to present its appeal. In such cases, the institution shall be provided 15 minutes to make its presentation to the council with additional time determined at the discretion of the Legislative Council chair. The Legislative Council may ask the institution questions before the institution exits the call at which time the Legislative Council will deliberate privately. Legislative Council members may deliberate and vote, subject to the conflict of interest policy. A decision by the Legislative Council is final and no additional appeal opportunity shall exist for the institution.

LEGISLATIVE REVIEW AND INTERPRETATIONS COMMITTEE DECISIONS

Pursuant to Constitution 5.4.1.2.2, the Legislative Council shall review all interpretations issued by the Legislative Review and Interpretations Committee and may approve, reverse or modify such interpretations. An institution may appeal a decision of the Legislative Review and Interpretations Committee to the Legislative Council at the Legislative Council meeting immediately following the decision of the committee.

A Legislative Review and Interpretations Committee decision may include formally issued official interpretations (i.e., confirmations or determinations) or a response to an institution's request for which a formal official interpretation was not issued.

An institution wishing to appeal a Legislative Review and Interpretations Committee decision must adhere to the following procedures:

An institution requesting an appeal of a Legislative Review and Interpretations Committee decision shall do so in writing eight weeks prior to the next Legislative Council meeting. Appeal requests submitted after this deadline may be added to the Legislative Council's agenda, subject to the chair's approval. The appeal must be submitted by the institution's chancellor or president, faculty athletics representative or director of athletics. The appeal information will be provided to the Legislative Council for consideration at its next meeting. An institution may request to participate via teleconference to present its appeal provided the activity at issue already has occurred and the interpretive decision has resulted in an individual or institutional violation. In such cases, the institution shall be provided five minutes to make its presentation to the Legislative Council with additional time determined at the discretion of the Legislative Council chair. The Legislative Council may ask the institution questions before the institution exits the call at which time the Legislative Council will deliberate privately. Legislative Council members may deliberate and vote, subject to the conflict of interest policy. A decision by the Legislative Council is final and no additional appeal opportunity shall exist for the institution.

For situations involving eligibility or infractions issues, an institution may request an expedited appeal of a Legislative Review and Interpretations Committee decision by providing the staff written notice of its intent to appeal the decision within seven calendar days of receiving an interpretation from the Legislative Review and Interpretations Committee. Once written notice has been provided, the institution shall have 14 calendar days to submit materials for its appeal. Once the appeal materials are received by the staff, the Legislative Council (or Administrative Committee) will convene within 14 calendar days to decide the appeal.

If an institution has a NCAA Division I Committee on Infractions hearing scheduled for a date that occurs during the window for submitting an appeal of a Legislative Review and Interpretations Committee interpretation, such requests may be expedited and heard prior to the scheduled Committee on Infractions hearing date.

Revision

Interpretations approved by the Legislative Council may not be revised by the Legislative Review and Interpretations Committee. The committee may only recommend revisions of such interpretations to the Legislative Council.

APPENDIX

Guidelines for Consideration of Emergency/Noncontroversial Legislation

Emergency/Noncontroversial Legislation – Guidelines. The following guidelines are to assist in determining whether a proposal should be considered outside the normal legislative process as either noncontroversial or emergency legislation:

1. Noncontroversial legislation. Legislative proposals shall be considered noncontroversial only if:

    a. Broader consultation and debate are unlikely to improve the proposal in any substantial way.

    b. Significant disagreement or alternative points of view will not be generated.

    c. Such proposals do not have a significant impact (unanticipated consequences, undesirable precedent) on existing legislation or proposed legislation.

        - A noncontroversial proposal, at a minimum, should have the following factors present:

            (a) The proposal should have minimal impact on competitive or recruiting equity.

            (b) The proposal should have minimal financial impact.

            (c) The proposal must enjoy broad support from its primary stake holders.

            (d) The proposal should not negatively impact student-athlete welfare.

            (e) The proposal should not significantly impact the Division I academic standards (initial and continuing eligibility).

2. Emergency legislation. Legislative proposals shall be considered emergency legislation only if:

    a. Significant values or harm are at stake; and

    b. The use of the regular legislative cycle is likely to cause undue hardship to the Association or the Division I membership because of the delay in its effective date.

- Examples of situations in which it may be appropriate to consider legislation emergency include, but are not limited to, the following:

    - Immediate health and safety concerns or issues.

SUPPLEMENT NO. 28
DI Legislative Council 10/10

Division I Meetings
2011 Annual Convention Meeting Schedule

	Wednesday January 12		Thursday, January 13				Friday, January 14		Saturday, January 15
7:30		Conference Meetings (7:30 a.m.–7 p.m.						CCA Meeting (7-9 a.m.)	
8			Legislative Council (LGC) (8 – 11:30 a.m.)	Assn-wide Programming at the Marriott					Joint SAAC/BOD Breakfast (8 – 9:30 a.m)
8:30					Conference Meetings (8:30 a.m. – 3:30 p.m.)	Leadership Council (8:30 – 3 p.m.)			
9									
9:30				Assn-wide Programming (9:30 – 11a.m.)			DI Issues Forum (9:30 – 11:30 a.m.)		Board of Directors Meeting (9:30 a.m. – 5 p.m.)
10									
10:30									
11				Assn-wide Programming (11:15 – 12:15)					
11:30			LGC/LDC/ SAAC Luncheon (11:30 a.m. – 1 p.m.)				BOD/LDC/LGC Luncheon (11:30 a.m. – 1 p.m.)		
Noon									BOD Luncheon (12 - 1 p.m.)
12:30									
1	Legislative Council (LGC)) (1-8:30 p.m.)						DI /Issues Forum (1 – 3 p.m.)		Board of Directors Meeting Continues
1:30				Assn-wide Programming (1:45 – 3:15 p.m.)					
2									
2:30									
3									
3:30			Opening Business Session (3:30 – 5:30 p.m.)						
4									
4:30									
5									
5:30			Delegates Reception (5:30 – 7 p.m.)						Executive Committee Meeting (5:30 – 8 p.m.)
6							Honors Celebration (6-8 p.m.)		
6:30									
7									
7:30									
8									
8:30									
9									
10									

Meetings either DI LGC/LDC Councils should attend. Additional Association-wide events. Meetings DI Board would be interested in attending.

All meetings will be held in the Marriott unless specified differently.

Division I Office -

08/17/10:vlm

ATTACHMENT A

Legislative Item - Request for Action by the NCAA Division I Board of Directors

NCAA Proposal No. 2010-110

PLAYING AND PRACTICE SEASONS AND RECRUITING -- MANDATORY MEDICAL EXAMINATION -- SICKLE CELL SOLUBILITY TEST -- WRITTEN RELEASE

Intent: To eliminate the opportunity for an individual to decline and sign a written release for the sickle cell solubility test as part of the required medical examination or evaluation for student-athletes who are beginning their initial season of eligibility and students who are trying out for a team must undergo prior to participation in voluntary summer conditioning or voluntary individual workouts pursuant to the safety exception, practice, competition or out-of-season conditioning activities.

A. Bylaws: Amend 13.11.3, as follows:

13.11.3 Tryout Exceptions.

[13.11.3.1 through 13.11.3.7 unchanged.]

13.11.3.8 Voluntary Summer Conditioning -- Football.

[13.11.3.8.1 through 13.11.3.8.2 unchanged.]

13.11.3.8.3 Mandatory Medical Examinations. Prior to participation in any weight training or conditioning workouts, 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 shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete declines the test and signs a written release*~~. The examination or evaluation must have been administered within six months prior to participation in any weight training or conditioning activity.

13.11.3.9 Voluntary Summer Conditioning -- Basketball. In basketball, a prospective student-athlete may engage in voluntary 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:

[13.11.3.9-(a) through 13.11.3.9-(b) unchanged.]

13.11.3.9.1 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 shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete declines the test and signs a written release*~~. The examination or evaluation must have been administered within six months prior to participation in any weight training or conditioning activity.

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 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.

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 shall include a sickle cell solubility (SST), unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete declines the test and signs a written release*~~. The examination or evaluation must have been administered within six months prior to participation in any weight training or conditioning activity.

13.11.3.11 Safety Exception -- Summer Prior to Initial Full-Time Enrollment at the Certifying Institution. In sports in which the safety exception is applicable in Bylaw 17, a prospective student-athlete who is enrolled in a summer term prior to initial full-time enrollment at the certifying institution may participate in voluntary individual workouts in the presence of the institution's coach an in the institution's regular practice facility when the prospective student-athlete uses equipment related to the sport. The coach may provide safety or skill instruction by may not conduct the individual's workout.

13.11.3.11.1 Mandatory Medical Examination. Prior to participation in any voluntary individual workouts pursuant to the safety exception, 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 shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete declines the test and signs a written release*~~. The examination or evaluation must have been administered within six months prior to participation in any safety exception activity.

B. Bylaws: Amend 17.1.5, as follows:

17.1.5 Mandatory Medical Examination. Prior to participation in any practice, competition or out-of-season conditioning activities (or in Division I, permissible voluntary summer conditioning in basketball and football or voluntary individual workouts pursuant to the safety exception), student-athletes who are beginning their initial season of eligibility and students who are trying out for a team 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 be administered within six months prior to participation in any practice, competition or out-of-season conditioning activities. In following years, an updated history of the student-athlete's medical condition shall be administered by an institutional medical staff member (e.g., sports medicine staff, team physician) to determine if additional examinations (e.g., physical, cardiovascular, neurological) are required. The updated history must be administered within six months prior to the student-athlete's participation in any practice, competition or out-of-season conditioning activities for the applicable academic year.

17.1.5.1 Sickle Cell Solubility Test. The examination or evaluation of student-athletes who are beginning their initial season of eligibility and students who are trying out for a team shall include a sickle cell solubility test, unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete or student-athlete declines the test and signs a written release*~~.

Source: NCAA Division I Championships/Sports Management Cabinet (Committee on Competitive Safeguards and Medical Aspects of Sports)

Effective Date: August 1, 2011

Proposal Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The NCAA Committee on Competitive Safeguards and Medical Aspects of Sports supported the original legislative proposal that did not allow a student-athlete to decline a sickle cell solubility test through a written release. It is important that athletics departments confirm sickle cell trait status in all student-athletes during the medical

examination period prior to athletics participation. The concern is that the current written release option serves as a blanket waiver contrary to the intent of the original proposal. The recommendation is that the written release option be eliminated for the medical examinations that are required for initial participation in athletics activities on or after August 1, 2011.

Estimated Budget Impact: Estimated to be $5 per test.

Impact on S-A's Time (Academic and/or Athletics): None.

History

Jun 12, 2010: Submit; Submitted for consideration.

Jun 14, 2010: Committee on Competitive Safeguards and Medical Aspects of Sports, Recommends Approval

Sep 15, 2010: Championships/Sports Management Cabinet, Sponsored

Sep 15, 2010: Championships/Sports Management Cabinet, Recommends Approval as Noncontroversial Legislation

Oct 19, 2010: Leg Council Init Review; Recommended that the NCAA Board of Directors sponsor the proposal into the 2010-11 legislative cycle.

ATTACHMENT B

NCAA Division I Legislative Council Action Related to Proposals Recommended as Emergency or Noncontroversial Legislation

NCAA Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2010-6	NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- ELECTION PROCEDURES -- BOARD OF DIRECTORS	NCAA Division I Board of Directors (Leadership Council)	Immediate	To specify that the NCAA Division I Board of Directors, on the recommendation of the NCAA Division I Administration Cabinet, shall have the authority to elect an institution to active Division I membership status.	Supported as noncontroversial legislation. Adopted.
2010-10	ORGANIZATION -- DIVISION I LEGISLATIVE COUNCIL -- VOTING METHOD -- RESULTS OF ROLL-CALL VOTES	NCAA Division I Legislative Council	Immediate	To specify that roll-call vote results of legislative actions taken by the Legislative Council shall be reported to the membership and shall include a record of each council member's vote; further, to specify that the overall outcomes of votes on other matters shall be reported to the membership, but neither the vote count nor individual votes shall be reported.	Supported as noncontroversial legislation. Adopted.
2010-13	LEGISLATIVE PROCESS -- OTHER LEGISLATIVE AND AMENDMENT PROCEDURES -- INTERPRETATION PROCESS -- REVIEW OF LEGISLATIVE REVIEW/INTERPRETATIONS COMMITTEE'S DECISION – APPEAL PROCEDURES	NCAA Division I Legislative Council	Immediate	To eliminate the requirement that all appeals of decisions of the NCAA Division I Legislative Review/Interpretations Committee to the Legislative Council occur at Legislative Council meeting immediately following the decision of the committee.	Supported as noncontroversial legislation. Adopted.

NCAA Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2010-23	AMATEURISM -- AMATEUR STATUS -- EXCEPTION FOR PAYMENT BASED ON TEAM PERFORMANCE -- ACTUAL AND NECESSARY EXPENSES – SPORTS OTHER THAN MEN'S ICE HOCKEY AND SKIING	NCAA Division I Amateurism Cabinet	Immediate	In sports other than men's ice hockey and skiing, to specify that before full-time collegiate enrollment, an individual may accept payment based on his or her team's place finish or performance, or given on an incentive basis (e.g., bonus) from a team, provided the combination of such payments and expenses provided to the individual does not exceed his or her actual and necessary expenses to participate on the team.	Supported as noncontroversial legislation. Adopted.
2010-50	RECRUITING -- BASKETBALL EVENT CERTIFICATION -- WOMEN'S EVENTS AND MEN'S SUMMER EVENTS -- PRICE OF ADMISSION	NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee) (Women's Basketball Issues Committee)	May 1, 2011; for events occurring on or after May 1, 2011	In basketball, to specify that in order for a women's event or men's summer event to be certified, the price of admission to the event must be listed on the event certification application and the price must be made available to coaches prior to their arrival at the event.	Supported as noncontroversial legislation. Adopted.

NCAA Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2010-106	COMMITTEES -- COMMON COMMITTEES -- COMMITTEES WITH PLAYING RULES AND CHAMPIONSHIPS ADMINISTRATION RESPONSIBILITIES -- WOMEN'S BOWLING COMMITTEE	NCAA Division I Championships/Sports Management Cabinet (Women's Bowling Committee)	Immediate	To increase the number of members of the Women's Bowling Committee from six to seven, including the nonvoting secretary rules editor.	Supported as noncontroversial legislation. Adopted.
2010-110	PLAYING AND PRACTICE SEASONS AND RECRUITING -- MANDATORY MEDICAL EXAMINATION -- SICKLE CELL SOLUBILITY TEST -- WRITTEN RELEASE	NCAA Division I Championships/Sports Management Cabinet (Committee on Competitive Safeguards and Medical Aspects of Sports)	August 1, 2011	To eliminate the opportunity for an individual to decline and sign a written release for the sickle cell solubility test as part of the required medical examination or evaluation for student-athletes who are beginning their initial season of eligibility and students who are trying out for a team must undergo prior to participation in voluntary summer conditioning or voluntary individual workouts pursuant to the safety exception, practice, competition or out-of-season conditioning activities.	Not supported as noncontroversial legislation. Recommended that the Board of Directors sponsor the proposal into the 2010-11 legislative cycle.
2010-111	INSTITUTIONAL CONTROL -- FINANCIAL DISCLOSURE -- MEN'S BASKETBALL	NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee)	Immediate	In men's basketball, to eliminate the requirement that an institution publicly disclose information regarding fiduciary relationships between the institution and prospective student-athletes' coaches.	Supported as noncontroversial legislation. Adopted.

NCAA Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2010-112	RECRUITING -- CONTACTS AND EVALUATIONS -- MEN'S BASKETBALL EVALUATIONS -- FALL CONTACT PERIOD	NCAA Division I Legislative Council	Immediate	In men's basketball, to specify that evaluations of practice activities at sites other than prospective student-athletes' educational institutions are prohibited during the fall contact period.	Supported as noncontroversial legislation. Adopted.
2010-113	RECRUITING -- CONTACTS AND EVALUATIONS -- BASKETBALL EVALUATIONS -- NONINSTITUTIONAL ORGANIZED RECRUITING EVENTS APPROVED, SPONSORED OR CONDUCTED BY A GOVERNING BODY -- EVENT CERTIFICATION	NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee) (Women's Basketball Issues Committee)	Immediate	In basketball, to specify that a noninstitutional organized event that is approved, sponsored or conducted by an applicable state, national or international governing body and is organized and conducted primarily for a recruiting purpose is subject to the basketball event certification program.	Supported as noncontroversial legislation. Adopted.

NCAA Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2010-114	ELIGIBILITY -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- EXCEPTION -- COOPERATIVE EDUCATIONAL WORK EXPERIENCE	NCAA Division I Academics Cabinet	Immediate	To permit a student-athlete to represent the certifying institution in intercollegiate athletics while he or she is enrolled in a cooperative educational work experience program (e.g., co-op, internship, practicum, student-teaching) offered by the institution, provided the student is considered to be enrolled in a full-time program of studies, regardless of the credit value of the program; further; to specify that a student who participates in a cooperative educational work experience program that is not a required element of his or her degree program must be enrolled in a minimum of six additional credit hours at the certifying institution during the same term.	Supported as noncontroversial legislation. Adopted.

NCAA Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2010-115	PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING-SEASON REGULATIONS -- GENERAL REGULATIONS FOR COMPUTING PLAYING SEASONS APPLICABLE TO ALL SPORTS -- NON-NCAA POSTSEASON CHAMPIONSHIPS PARTICIPATION -- EMERGING SPORTS FOR WOMEN	NCAA Division I Legislative Council	Immediate	To specify that practice and competition for one recognized national intercollegiate championship event in an emerging sport for women are exempt from being counted against the institution's declared playing and practice season limitations.	Supported as noncontroversial legislation. Adopted.
2010-116	PLAYING AND PRACTICE SEASONS -- EXCEPTION TO END OF PLAYING SEASON AND ANNUAL EXEMPTIONS -- GRIDIRON CLASSIC	NCAA Division I Championships/Sports Management Cabinet	Immediate	In championship subdivision football, to eliminate the Gridiron Classic as an exception to the end of the playing season and as an annual contest exemption.	Supported as noncontroversial legislation. Adopted.
2011-	EXECUTIVE REGULATIONS -- DAY OF COMPETITION -- NOON START TIME -- EXCEPTION -- MEN'S GOLF CHAMPIONSHIPS	NCAA Division I Championships/Sports Management Cabinet (Men's Golf Committee)	Immediate	In men's golf, to specify that in instances in which the final day of the men's golf championships occurs on a Sunday, competition may begin prior to noon.	Not supported as noncontroversial legislation. Will be considered in the 2010-11 legislative cycle.

NCAA Division I Legislative Council
October 18-19, 2010

ATTACHMENT C

Conference -- Voting Delegate	Conference Type	Voting Weight	Approve LRIC Minutes	LGC Ad Comm 6-10 report	2010-6 as noncontroversial	2010-6	2010-10 as noncontroversial	2010-10	2010-13 as noncontroversial	2010-13	2010-23 as noncontroversial	2010-23	2010-50 as noncontroversial	2010-50	2010-106 as noncontroversial	2010-106	2010-110 as noncontroversial	BOD sponsor 2010-110 into 2010-11 cycle	2010-111 as noncontroversial	2010-111
America East B. Barrio	I	1.2			A	A	A	A	Y	Y	Y	Y	Y	Y	A	A	N	N	A	A
Atlantic 10 J. Redmond	I	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	A	Y	Y	Y
Atlantic Coast S. Lyons	FBS	3			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Atlantic Sun B. Breedlove	I	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
Big 12 L. Ebihara	FBS	3			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Big East J. F. D'Antonio, Jr.	FBS	3			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	A	N	N	Y	Y
Big Sky J. Gee	FCS	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y
Big South M. Eaker	FCS	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y
Big Ten B. Jaffee	FBS	3				Y	Y	Y	Y	Y	Y	Y	Y	Y	A	A	N	Y	Y	Y
Big West C. Masner	I	1.2	A	A	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	N	Y	Y	Y
Colonial Athletic Assoc. S. Groff	FCS	1.2	P	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y
Conference USA R. Philippi	FBS	3	P	P	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	A	A	Y	Y	Y
Horizon League E. Jacobs	I	1.2	R	R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y
Ivy Group C. Campbell-McGovern	FCS	1.2	O	O	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Metro Atlantic Athletic W. Maher	I	1.2	V	V	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	N	N	Y	Y
Mid-American J. Mynarski	FBS	1.5	E	E	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	N	Y	Y	Y
Mid-Eastern Athletic S. Stills	FCS	1.2	D	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Missouri Valley M. Mulvenna	FCS	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y
Mountain West J. Ruggiero	FBS	1.5			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y
Northeast M. Hefferan	FCS	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Ohio Valley M. Banker	FCS	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Pacific-10 B. Goode	FBS	3			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Patriot League P. Muffley	FCS	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y
Southeastern G. Sankey	FBS	3			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y
Southern D. King	FCS	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Southland T. Shoemake	FCS	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y
Southwestern Athletic A. Robinson	FCS	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sun Belt K. Keene	FBS	1.5			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
The Summit League A. Torain	I	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y
West Coast K. Peters	I	1.2			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	A	N	N	Y	Y
Western Athletic R. Spear	FBS	1.5			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y
Pioneer B. Collier	FCS	1																		
Adopt/Yes (Y)					**46.8**	**49.8**	**49.8**	**49.8**	**51**	**48**	**49.8**	**51**	**51**	**51**	**42.6**	**35.7**	**10.5**	**27.6**	**48.3**	**49.8**
Defeat/No (N)					**0**	**0**	**0**	**0**	**0**	**3**	**0**	**0**	**0**	**0**	**0**	**0**	**36.3**	**22.2**	**1.5**	**0**
Abstain (A)					**1.2**	**1.2**	**1.2**	**1.2**	**0**	**0**	**1.2**	**0**	**0**	**0**	**8.4**	**15.3**	**4.2**	**1.2**	**1.2**	**1.2**
No Vote Cast (Blank)					**3**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Total					**51**	**51**	**51**	**51**	**51**	**51**	**51**	**51**	**51**	**51**	**51**	**51**	**51**	**51**	**51**	**51**

Conference -- Voting Delegate	Conference Type	Voting Weight	2010-112 as noncontroversial	2010-112	2010-113 as noncontroversial	2010-113	2010-114 as noncontroversial	2010-114	2010-115 as noncontroversial	2010-115	2010-116 as noncontroversial (FCS)	2010-116 (FCS)	MGO Noon start time as noncontroversial	Sponsor alternative to 2010-15	Sponsor alternative to 2010-16-A	Sponsor alternative to 2010-18-A (FBS)	Sponsor alternative to 2010-20-A (FCS)
America East B. Barrio	I	1.2	Y	Y	N	A	N	N	Y	A			N	Y	N		
Atlantic 10 J. Redmond	I	1.2	Y	Y	Y	Y	Y	Y	Y	Y			N	Y	Y		
Atlantic Coast S. Lyons	FBS	3	Y	Y	Y	Y	Y	Y	Y	Y			N	Y	Y	Y	
Atlantic Sun B. Breedlove	I	1.2	Y	Y	Y	Y	Y	Y	Y	Y			Y	Y	Y		
Big 12 L. Ebihara	FBS	3	Y	Y	Y	Y	Y	Y	Y	Y			N	Y	Y	Y	
Big East J. F. D'Antonio, Jr.	FBS	3	Y	Y	Y	Y	Y	Y	Y	Y			Y	Y	Y	Y	
Big Sky J. Gee	FCS	1.2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y		Y
Big South M. Eaker	FCS	1.2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y		Y
Big Ten B. Jaffee	FBS	3	Y	Y	Y	Y	Y	Y	Y	Y			Y	Y	Y	Y	
Big West C. Masner	I	1.2	Y	Y	Y	Y	Y	Y	Y	Y			Y	Y	Y		
Colonial Athletic Assoc. S. Groff	FCS	1.2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		Y
Conference USA R. Philippi	FBS	3	Y	Y	Y	Y	Y	A	Y	Y			N	Y	N	Y	
Horizon League E. Jacobs	I	1.2	Y	Y	Y	Y	Y	Y	Y	Y			Y	Y	Y		
Ivy Group C. Campbell-McGovern	FCS	1.2	Y	Y	Y	Y	A	N	Y	Y	Y	Y	N	Y	Y		Y
Metro Atlantic Athletic W. Maher	I	1.2	Y	Y	Y	Y	Y	Y	Y	Y			Y	Y	Y		
Mid-American J. Mynarski	FBS	1.5	Y	Y	Y	Y	Y	Y	Y	Y			N	Y	Y	Y	
Mid-Eastern Athletic S. Stills	FCS	1.2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
Missouri Valley M. Mulvenna	FCS	1.2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y		Y
Mountain West J. Ruggiero	FBS	1.5	Y	Y	Y	Y	N	Y	Y	Y			Y	Y	Y	Y	
Northeast M. Hefferan	FCS	1.2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
Ohio Valley M. Banker	FCS	1.2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
Pacific-10 B. Goode	FBS	3	Y	Y	Y	Y	N	N	Y	Y			N	Y	N	N	
Patriot League P. Muffley	FCS	1.2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y		Y
Southeastern G. Sankey	FBS	3	Y	Y	Y	Y	Y	Y	Y	Y			N	Y	N	N	
Southern D. King	FCS	1.2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
Southland T. Shoemake	FCS	1.2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
Southwestern Athletic A. Robinson	FCS	1.2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y
Sun Belt K. Keene	FBS	1.5	Y	Y	Y	Y	Y	Y	Y	Y			N	Y	Y	Y	
The Summit League A. Torain	I	1.2	Y	Y	Y	Y	Y	Y	Y	Y			Y	Y	Y		
West Coast K. Peters	I	1.2	Y	Y	Y	Y	N	N	Y	Y			N	Y	N		
Western Athletic R. Spear	FBS	1.5	Y	Y	Y	Y	Y	Y	Y	Y			Y	Y	Y	Y	
Pioneer B. Collier	FCS	1									Y	Y					
Adopt/Yes (Y)			**51**	**51**	**49.8**	**49.8**	**42.9**	**41.4**	**51**	**49.8**	**13**	**13**	**23.4**	**51**	**38.4**	**21**	**12**
Defeat/No (N)			**0**	**0**	**1.2**	**0**	**6.9**	**6.6**	**0**	**0**	**0**	**0**	**27.6**	**0**	**12.6**	**6**	**0**
Abstain (A)			**0**	**0**	**0**	**1.2**	**1.2**	**3**	**0**	**1.2**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
No Vote Cast (Blank)			**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Total			**51**	**51**	**51**	**51**	**51**	**51**	**51**	**51**	**13**	**13**	**51**	**51**	**51**	**27**	**12**

Conference -- Voting Delegate	Conference Type	Voting Weight	Modify 2009-100	Sponsor alternative to 2010-51	Sponsor alternative to 2009-70	Sponsor alternative to 2010-69	Sponsor alternative to 2010-109
America East B. Barrio	I	1.2	Y	Y		A	Y
Atlantic 10 J. Redmond	I	1.2	Y	Y		N	Y
Atlantic Coast S. Lyons	FBS	3	Y	N	Y	Y	Y
Atlantic Sun B. Breedlove	I	1.2	Y	N	N	N	Y
Big 12 L. Ebihara	FBS	3	Y	N	Y	Y	Y
Big East J. F. D'Antonio, Jr.	FBS	3	Y	Y	Y	Y	Y
Big Sky J. Gee	FCS	1.2	Y	N	A	Y	Y
Big South M. Eaker	FCS	1.2	Y	Y	N	N	Y
Big Ten B. Jaffee	FBS	3	Y	N	N	N	Y
Big West C. Masner	I	1.2	Y	Y	Y	N	Y
Colonial Athletic Assoc. S. Groff	FCS	1.2	Y	N	A	Y	Y
Conference USA R. Philippi	FBS	3	Y	N	Y	Y	Y
Horizon League E. Jacobs	I	1.2	Y	Y	Y	N	Y
Ivy Group C. Campbell-McGovern	FCS	1.2	Y	A	A	Y	Y
Metro Atlantic Athletic W. Maher	I	1.2	Y	Y	Y	A	Y
Mid-American J. Mynarski	FBS	1.5	Y	Y	Y	Y	Y
Mid-Eastern Athletic S. Stills	FCS	1.2	Y	Y	Y	Y	Y
Missouri Valley M. Mulvenna	FCS	1.2	Y	Y	A	N	Y
Mountain West J. Ruggiero	FBS	1.5	Y	Y	Y	Y	Y
Northeast M. Hefferan	FCS	1.2	Y	N	Y	Y	Y
Ohio Valley M. Banker	FCS	1.2	Y	Y	Y	Y	Y
Pacific-10 B. Goode	FBS	3	Y	Y	Y	Y	Y
Patriot League P. Muffley	FCS	1.2	Y	Y	Y	Y	Y
Southeastern G. Sankey	FBS	3	Y	Y	Y	Y	Y
Southern D. King	FCS	1.2	Y	Y	Y	Y	Y
Southland T. Shoemake	FCS	1.2	Y	Y	Y	A	Y
Southwestern Athletic A. Robinson	FCS	1.2	Y	N	Y	Y	Y
Sun Belt K. Keene	FBS	1.5	Y	Y	Y	Y	Y
The Summit League A. Torain	I	1.2	Y	A	Y	Y	Y
West Coast K. Peters	I	1.2	Y	Y	N	N	Y
Western Athletic R. Spear	FBS	1.5	Y	N	Y	Y	Y
Pioneer B. Collier	FCS	1					
		Adopt/Yes (Y)	**51**	**29.1**	**37.2**	**36**	**51**
		Defeat/No (N)	**0**	**19.5**	**6.6**	**11.4**	**0**
		Abstain (A)	**0**	**2.4**	**4.8**	**3.6**	**0**
		No Vote Cast (Blank)	**0**	**0**	**2.4**	**0**	**0**
		Total	**51**	**51**	**51**	**51**	**51**

ATTACHMENT D

NCAA Division I Legislative Council
Actions, Preliminary Positions, Points to Consider and Comments Related to 2010-11 Legislative Cycle Proposals

This attachment describes the details of the Legislative Council's actions, preliminary positions, points to consider and comments related to legislation schedule for initial consideration in January 2011.

Please note that a position of preliminary support for a proposal reflects that the Legislative Council supported the sponsor's rationale statement and any additional rationale for support expressed in the position statements for the particular proposal. Further, a position of preliminary opposition reflects that it is likely the Legislative Council agreed with opposition expressed in position statements for the particular proposal. If no preliminary position is noted for a particular proposal, the Legislative Council took no position, but noted comments and points for membership consideration in preparation for its initial formal review of the legislation in January 2011.

Please note that the NCAA Division I Official Notice will be available on the NCAA Web site by November 15, 2010. The Official Notice will include all of the 2010-11 legislative cycle proposals that are to be initially considered in January 2011.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
NCAA Division I Proposal No. 2009-19-A	PERSONNEL -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- WOMEN'S SAND VOLLEYBALL AND WOMEN'S VOLLEYBALL	To specify that an institution that sponsors only women's sand volleyball shall have a limit of two coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time; further, to specify that an institution that sponsors women's sand volleyball and women's volleyball shall have a limit of four coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time.	Preliminary opposition.
Proposal No. 2009-19-B	PERSONNEL -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- WOMEN'S SAND VOLLEYBALL	In women's sand volleyball, to specify that the limit on the number of coaches who may be employed is two and the limit on the number of coaches who may contact or evaluate prospective student-athletes off campus at any one time is two.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2009-39	RECRUITING -- LIMITATIONS ON NUMBER OF EVALUATIONS -- EVALUATION DAYS -- WOMEN'S SAND VOLLEYBALL	To specify that an institution that sponsors only women's sand volleyball is limited to 80 evaluation days (measured August 1 through July 31); further, to specify that an institution that sponsors both women's volleyball and women's sand volleyball is limited to 80 evaluation days for women's volleyball and 20 additional evaluation days specific to sand volleyball competition only (no evaluations of practice or other athletics activities, no academic evaluations); finally, to specify that if an institution sponsors both women's volleyball and women's sand volleyball, a coach's involvement outside a volleyball contact or evaluation period with a local sports club (volleyball or sand volleyball) per Bylaw 13.11.2.3 shall count toward the limit.	Preliminary support.
Proposal No. 2009-70	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S SAND VOLLEYBALL	In women's sand volleyball, to establish the maximum equivalency and counter limitations, as specified; further, to specify that a student-athlete who was a counter in women's sand volleyball during her initial year of full-time enrollment at the certifying institution and participates (practices or competes) in women's volleyball during her second year of full-time enrollment at the certifying institution shall be a counter in women's volleyball for her initial year of full-time enrollment at the certifying institution.	No position. Sponsored an alternative proposal to eliminate the requirement that a student-athlete who was a counter in women's sand volleyball during her initial year of full-time enrollment at the certifying institution and participates (practices or competes) in women's volleyball during her second year of full-time enrollment at the certifying institution shall be a counter in women's volleyball for her initial year of full-time enrollment at the certifying institution.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2009-83	PLAYING AND PRACTICE SEASONS AND DIVISION MEMBERSHIP -- REGULATIONS FOR PLAYING SEASON AND MINIMUM CONTEST REQUIREMENTS FOR SPORTS SPONSORSHIP -- WOMEN'S SAND VOLLEYBALL	In women's sand volleyball, to establish the playing and practice season and the minimum number of contests necessary for sports sponsorship purposes, as specified.	Preliminary support. Sponsors modified the proposal on the recommendation of the Division I Championships/Sports Management Cabinet to specify that an institution and a student-athlete may participate in not more than 16 dates of competition, with no more than two dates of competition occurring during the nonchampionship segment.
Proposal No. 2009-100	RECRUITING -- TRYOUTS -- NONSCHOLASTIC PRACTICE, CONTEST OR EVENT -- MEN'S BASKETBALL	In men's basketball, to specify that an institution shall not host, sponsor or conduct a nonscholastic basketball practice, contest or event in which men's basketball prospective student-athletes participate on its campus or at an off-campus facility regularly used by the institution for practice and/or competition by any of the institution's sport programs.	Recommended that the Division I Board of Directors modify the proposal consistent with the feedback provided by the Division I Men's Basketball Issues Committee as follows: • Specify that an institution shall not host, sponsor or conduct nonscholastic practices/competitions, but continue to permit institutions to host noninstitutional, instructional camps, subject to current NCAA rules. • Specify that use of institutional facilities for noninstitutional camps that include prospect-age participants shall be limited to the summer (June through August). • Provide an exception to permit institutions to continue to host basketball-related events that are part of state-sponsored multisport events. • Clarify that the legislation shall apply to basketball events conducted on campus by any institutional department (e.g., athletics, recreational/intramural).

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-7	NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- APPLICATION OF RULES TO ALL RECOGNIZED VARSITY SPORTS -- ELIMINATION OF EMERGING SPORTS TIMETABLE	To eliminate the timetable for application of legislation to emerging sports for women.	Preliminary support.
Proposal No. 2010-8	NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- DRUG TESTING PROGRAM -- DESIGNATION OF ATHLETICS DEPARTMENT RESOURCE AND EDUCATION RELATED TO BANNED DRUGS AND NUTRITIONAL SUPPLEMENTS	To specify that an institution shall designate an individual (or individuals) as the athletics department resource for questions related to NCAA banned drugs and the use of nutritional supplements; further, to specify that an institution shall educate athletics department staff members who have regular interaction with student-athletes that: (1) the NCAA maintains a list of banned drugs; (2) any nutritional supplement use may present risks to a student-athlete's health and eligibility; and (3) questions regarding NCAA banned drugs and the use of nutritional supplements should be referred to the institution's designated department resource individual (or individuals).	Preliminary opposition. Noted the many institutions currently designate an individual or individuals to serve as a resource for questions/education related to banned drugs and nutritional supplements and questioned the necessity of additional legislation in this area.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-9	NCAA MEMBERSHIP -- ACTIVE OR CONFERENCE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- USE OF A STUDENT-ATHLETE'S NAME OR LIKENESS -- CONTRACTS AND COMMERCIAL AGREEMENTS -- WRITTEN POLICIES	To specify that institutions and conferences shall include language in all licensing, marketing, sponsorship, advertising, broadcast and other commercial agreements that outlines a commercial entity's obligation to comply with NCAA legislation, interpretations and policies on the use of a student-athlete's name or likeness; further, that each institution and conference shall maintain written policies for its licensing, marketing, sponsorship, advertising, broadcast and other commercial agreements, which shall be made available for examination upon request by an NCAA staff member or an authorized representative of the NCAA.	Preliminary support. Expressed preliminary support, regardless of the membership vote on Proposal No. 2010-26.
Proposal No. 2010-11	LEGISLATIVE PROCESS -- DEFINITIONS AND APPLICATIONS -- LEGISLATIVE PROVISIONS -- FOOTBALL CHAMPIONSHIP SUBDIVISION DOMINANT PROVISIONS	To establish a "Football Championship Subdivision Dominant" legislative provision category, which shall be defined as a regulation that applies only to the Football Championship Subdivision and requires a two-thirds majority vote for adoption or to be amended pursuant to the established legislative process.	NCAA Football Championship Subdivision (FCS) only. Preliminary support.
Proposal No. 2010-12	LEGISLATIVE PROCESS -- AMENDMENT PROCESS -- MEMBERSHIP OVERRIDE OF LEGISLATIVE CHANGES -- LEGISLATIVE COUNCIL OR BOARD OF DIRECTORS REVIEW -- OVERRIDE VOTING	To eliminate the requirement that the override voting process on actions taken by the Legislative Council or the Board of Directors must occur at the annual Convention of the Association.	No position. Noted the importance of maintaining an opportunity for full discussion by the membership related to important override votes.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-14	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- GRADUATE ASSISTANT COACH -- BOWL SUBDIVISION FOOTBALL AND WOMEN'S ROWING -- INCIDENTAL EXPENSES AT NCAA CHAMPIONSHIPS AND LICENSED BOWL GAMES	In bowl subdivision football and women's rowing, to permit a graduate assistant coach to receive cash to cover unitemized incidental expenses during travel and practice for NCAA championship events or licensed postseason bowl contests in accordance with the parameters by which student-athletes may receive such expenses.	Preliminary support.
Proposal No. 2010-15	PERSONNEL -- COMPENSATION AND REMUNERATION -- INCOME IN ADDITION TO INSTITUTIONAL SALARY -- CONSULTANT FOR OR ENDORSEMENT OF NONINSTITUTIONAL ATHLETICS EVENTS INVOLVING PROSPECTIVE STUDENT-ATHLETES	To specify that an athletics department staff member may not serve as a consultant for a noninstitutional athletics event that primarily involves prospective student-athletes and may not endorse or promote such an event in any way, including permitting the use of his or her name, picture or quotations.	Preliminary support. Sponsored and indicated preference for an alternative proposal to also specify that an athletics department staff member shall not promote or endorse a nonscholastic team, a nonscholastic coach, or the nonscholastic team's facility in any way, including the use of his or her name, picture or quotations.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-16-A	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- BASKETBALL -- LIMIT OF TWO	In basketball, to specify that there shall be a limit of two noncoaching staff members (two in men's basketball and one in women's basketball) whose responsibilities are specific to basketball and who work directly for the basketball program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff and managers who work exclusively for the men's or women's basketball program are exempt from the application of this limitation.	No position. • Expressed concern as to whether the proposal as written can effectively address the identified concerns related to the proliferation of noncoaching sport-specific personnel, inasmuch as there are inherent difficulties in managing, enforcing and interpreting the legislation. • Sponsored an alternative proposal to specify that any individual who works in any capacity for the basketball program (men's or women's respectively) shall count against the limit of two noncoaching staff members, excluding clerical staff and managers.
Proposal No. 2010-16-B	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- BASKETBALL -- LIMIT OF ONE	In basketball, to specify that there shall be a limit of one noncoaching staff member (one in men's basketball and one in women's basketball) whose responsibilities are specific to basketball and who works directly for the basketball program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff, managers and video coordinators who work exclusively for the men's or women's basketball program are exempt from the application of this limitation.	No position. Expressed competitive equity concerns resulting from the absence of any limitations on the number of video coordinators who may be employed.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-17	PERSONNEL -- LIMITATIONS ON THE NUMBER OF COACHES -- FOOTBALL BOWL SUBDIVISION -- FOUR GRADUATE ASSISTANT COACHES	In bowl subdivision football, to increase, from two to four, the limit on graduate assistant coaches.	No position. Noted that support, or lack thereof, may be contingent on the subdivision vote related to noncoaching staff members.
Proposal No. 2010-18-A	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- BOWL SUBDIVISION FOOTBALL -- LIMIT OF SIX	In bowl subdivision football, to specify that there shall be a limit of six noncoaching staff members whose responsibilities are specific to bowl subdivision football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff and managers who work exclusively for the football program are exempt from the application of this limitation.	No position. • Expressed concern as to whether the proposal as written can effectively address the identified concerns related to the proliferation of noncoaching sport-specific personnel, inasmuch as there are inherent difficulties in managing, enforcing and interpreting the legislation. • Sponsored an alternative proposal to specify that any individual who works in any capacity for the football program shall count against the limit of six noncoaching staff members, excluding clerical staff and managers.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-18-B	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- BOWL SUBDIVISION FOOTBALL -- LIMIT OF FIVE	In bowl subdivision football, to specify that there shall be a limit of five noncoaching staff members whose responsibilities are specific to bowl subdivision football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff, managers and video coordinators who work exclusively for the football program are exempt from the application of this limitation.	No position. Expressed competitive equity concerns resulting from the absence of any limitations on the number of video coordinators who may be employed.
Proposal No. 2010-19	PERSONNEL -- LIMITATION ON THE NUMBER AND DUTIES OF COACHES -- FOOTBALL BOWL SUBDIVISION -- WEIGHT OR STRENGTH COACH -- LIMIT OF FIVE	In bowl subdivision football, to specify that not more than five weight or strength coaches are permitted to work with a football program in any capacity, including all workouts (required or voluntary), practices and game-related activities.	No position. Expressed some concern as to whether sufficient data exists to support the proposed numerical limitation.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-20-A	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- CHAMPIONSHIP SUBDIVISION FOOTBALL -- LIMIT OF FOUR	In championship subdivision football, to specify that there shall be a limit of four noncoaching staff members whose responsibilities are specific to championship subdivision football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution; further to specify that clerical staff and managers who work exclusively for the football program are exempt from the application of this limitation.	No position. • Expressed concern as to whether the proposal as written can effectively address the identified concerns related to the proliferation of noncoaching sport-specific personnel, inasmuch as there are inherent difficulties in managing, enforcing and interpreting the legislation. • Sponsored an alternative proposal to specify that any individual who works in any capacity for the football program shall count against the limit of four noncoaching staff members, excluding clerical staff and managers.
Proposal No. 010-20-B	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- CHAMPIONSHIP SUBDIVISION FOOTBALL -- LIMIT OF THREE	In championship subdivision football, to specify that there shall be a limit of three noncoaching staff members whose responsibilities are specific to football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff, managers and video coordinators who work exclusively for the football program are exempt from the application of this limitation.	No position. Expressed competitive equity concerns resulting from the absence of any limitations on the number of video coordinators who may be employed.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-21	PERSONNEL -- LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME -- EXCEPTION -- SPORTS OTHER THAN BASKETBALL -- JUNE, JULY AND AUGUST	In sports other than basketball, to specify that during June, July and August, 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 the permissible number of off-campus recruiters in the particular sport engage in recruiting activities each day.	Preliminary support. Prefer Proposal No. 2010-21 instead of Proposal No. 2010-22 as it relates to all sports (other than basketball).
Proposal No. 2010-22	PERSONNEL -- LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME -- EXCEPTION -- BASEBALL -- JUNE, JULY AND AUGUST	In baseball, to specify that during June, July and August, 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 two coaches engage in off-campus recruiting activities each day.	Preliminary support. Prefer Proposal No. 2010-21 instead of Proposal No. 2010-22 as it relates to all sports (other than basketball).

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-24	AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- PROFESSIONAL BASKETBALL DRAFT -- FOUR-YEAR COLLEGE STUDENT-ATHLETE -- MEN'S BASKETBALL	In men's basketball, to specify that the date by which a student-athlete must request that his name be removed from a professional league's draft list in order to retain his eligibility shall be the day before the first day of the spring National Letter of Intent signing period for the applicable year.	No position. • Noted the current rule (May 8 withdrawal date) has only been in effect for one year. • Noted that the earlier date will provide greater opportunity for coaches to address roster issues, but expressed concern as to whether student-athletes would have adequate time to gather sufficient information related to their draft status. • Expressed concern that the earlier date may create unnecessary distractions at the end of the student-athlete's regular season. • Noted that the proposal's withdrawal date precedes the National Basketball Association's (NBA) application deadline so some student-athletes may not have declared for the NBA as of the day before the first day of the spring National Letter of Intent signing date.
Proposal No. 2010-25	AMATEURISM AND AWARDS, BENEFITS AND EXPENSES -- USE OF AGENTS -- BENEFITS, GIFTS AND SERVICES -- CAREER COUNSELING AND INTERNSHIP/JOB PLACEMENT SERVICES	To permit a student-athlete to use career counseling and internship/job placement services available exclusively to student-athletes, provided the student-athlete is not placed in a position in which the student-athlete uses his or her athletics ability.	No position. • Expressed concern regarding additional monitoring associated with internship/job placement exclusively for student-athletes and potential involvement of third parties (e.g., agents). • Noted that sufficient opportunities exist to use services available to the general student body.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-26	AMATEURISM -- PROMOTIONAL ACTIVITIES -- USE OF A STUDENT-ATHLETE'S NAME OR LIKENESS	To revise the regulations related to use of a student-athlete's name or likeness for promotions, advertisements and media activities, as specified.	No position. • Acknowledged the work of the NCAA Task Force on Commercial Activity in Division I Intercollegiate Athletics and their goal to help achieve balance with regard to commercial activities and the use of student-athlete's names or likenesses. • Noted the importance of the student-athlete's consent related to the use of his/her name/likeness by commercial entities, but some expressed concern as to whether the proposal sufficiently protects student-athletes from commercial exploitation.
Proposal No. 2010-27	RECRUITING -- CONTACTS AND TELEPHONE CALLS -- TIME PERIOD FOR OFF-CAMPUS CONTACTS AND TELEPHONE CALLS	To permit off-campus recruiting contacts with and telephone calls to a prospective student-athlete (or his or her relatives or legal guardians) on or after July 1 following completion of his or her junior year in high school, or the opening day of classes of his or her senior year in high school (as designated by the high school), whichever is earlier.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-28	RECRUITING -- CONTACTS AND EVALUATIONS -- HEAD COACH RESTRICTIONS -- BOWL SUBDIVISION FOOTBALL - ELIMINATION OF RESTRICTIONS ON ASSISTANT COACH PUBLICLY DESIGNATED AS NEXT HEAD COACH	In bowl subdivision football, to eliminate the restriction that specifies that an institution's assistant coach who has been publicly designated by the institution to become the next head coach shall be subject to the recruiting restrictions applicable to the institution's head coach.	Preliminary opposition.
Proposal No. 2010-29	RECRUITING -- CONTACTS AND EVALUATIONS -- HEAD COACH RESTRICTIONS -- ASSISTANT COACH PUBLICLY DESIGNATED AS NEXT HEAD COACH -- BOWL SUBDIVISION FOOTBALL -- APPLICATION TO PRIOR DESIGNATIONS	In bowl subdivision football, to specify that an assistant coach who was publicly designated before August 14, 2009, by the institution to become its next head coach is not subject to the recruiting restrictions applicable to the institution's head coach.	No position. Noted the affected institutions were provided a one-year grace period to address any potential issues related to the reassignment of the assistant coach's responsibilities.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-30	RECRUITING -- TELEPHONE CALLS -- TIME PERIOD FOR TELEPHONE CALLS -- SPORTS OTHER THAN FOOTBALL	In sports other than football, to specify that an institution may make one telephone call per month to an individual (or the individual's relatives or legal guardians) on or after June 15 at the conclusion of the individual's sophomore year in high school through July 31 after the individual's junior year in high school, two telephone calls per week beginning August 1 prior to the individual's senior year in high school and one telephone call per week to a two-year or four-year college prospective student-athlete (or the prospective student-athlete's relatives or legal guardians); further, in sports other than football for which a defined recruiting calendar applies, to specify that during a contact period that occurs on or after August 1 before an individual's senior year in high school, telephone calls may be made at the institution's discretion.	Preliminary support.
Proposal No. 2010-31	PERSONNEL AND RECRUITING -- RECRUITING COORDINATION FUNCTIONS -- CONTACTS, TELEPHONE CALLS AND RECRUITING MATERIALS -- EXCEPTIONS -- COMMUNICATION AFTER COMMITMENT	To specify that the restrictions on the forms and frequency of communication between institutional administrators or coaching staff members and a prospective student-athlete (or prospective student athlete's relatives or legal guardians) shall no longer apply beginning the calendar day after: (1) the prospective student-athlete signs a National Letter of Intent (NLI) or, for an institution not using the NLI in a particular sport, or for a prospective student-athlete not eligible to sign an NLI (e.g., four-year college transfer), a signed acceptance of a written offer of admission and/or financial aid agreement; or (2) the institution receives a financial deposit in response to the institution's offer of admission.	No position. Some expressed concern regarding the impact of differences in institutional admissions standards and potential pressure placed on a prospect to pay the financial deposit.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-32	RECRUITING -- TELEPHONE CALLS AND ELECTRONIC TRANSMISSIONS -- AFTER WRITTEN COMMITMENT OR RECEIPT OF FINANCIAL DEPOSIT -- ON OR AFTER SECOND WEDNESDAY OF NOVEMBER	To specify that on or after the second Wednesday of November of a prospective student-athlete's senior year in high school, there shall be no limit on the number of telephone calls by an institution to the prospective student-athlete and there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete, provided the prospective student-athlete has signed the institution's written offer of admission and/or financial aid or the institution has received a financial deposit in response to the institution's offer of admission.	No position. Some expressed concern regarding the impact of differences in institutional admissions standards and potential pressure placed on a prospect to pay the financial deposit.
Proposal No. 2010-33	RECRUITING -- CONTACTS AND EVALUATIONS -- RECRUITING OPPORTUNITIES -- WOMEN'S BASKETBALL -- SEVEN OPPORTUNITIES	In women's basketball, to increase, from five to seven, the number of recruiting opportunities (contacts and evaluations).	Preliminary support.
Proposal No. 2010-34	RECRUITING -- CONTACTS AND EVALUATIONS -- MEN'S BASKETBALL EVALUATIONS -- CERTIFIED NONSCHOLASTIC EVENTS DURING APRIL CONTACT PERIOD	In men's basketball, to specify that a coaching staff member may evaluate prospective student-athletes at certified nonscholastic events on Saturdays and Sundays during the April contact period.	No position. • Noted the Collegiate Commissioners Association plans to request that the Board of Directors sponsor a proposal eliminating the summer evaluation period. • Noted that there may be merit in conducting a more comprehensive review of the men's basketball recruiting calendar.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-35	RECRUITING -- BASKETBALL EVALUATIONS -- WOMEN'S BASKETBALL -- NONSCHOLASTIC EVALUATIONS DURING ACADEMIC YEAR -- NATIONAL STANDARDIZED TESTING WEEKENDS	In women's basketball, to specify that evaluations at nonscholastic events during the academic year evaluation period shall not occur during any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered; further, to specify that if such a test is administered on a date that conflicts with the fall nonscholastic evaluation weekend, evaluations at nonscholastic events shall be permissible during the first full weekend (including Friday, Saturday and Sunday) of the fall/winter evaluation period; and that if such a test is administered on a date that conflicts with the spring nonscholastic evaluation weekend, the five day evaluation period in April shall shift to the second Friday following the initial date of the spring National Letter of Intent signing period through the following Tuesday.	Preliminary support.
Proposal No. 2010-36	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- OTHER EVALUATION EVENTS -- CHAMPIONSHIP SUBDIVISION FOOTBALL	In championship subdivision football, to specify that an institutional staff member may attend a recruiting event in which information (e.g., athletics or academic credentials, highlight or combine videos) related to prospective student-athletes is presented or otherwise made available.	FCS only. Preliminary support. Prefer Proposal No. 2010-37 instead of Proposal No. 2010-36 as it includes appropriate oversight by a scholastic entity.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-37	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- OTHER EVALUATION EVENTS ORGANIZED OR SANCTIONED SCHOLASTIC ATHLETICS ASSOCIATION -- CHAMPIONSHIP SUBDIVISION FOOTBALL	In championship subdivision football, to specify that an institutional staff may attend a recruiting event in which information (e.g., athletics or academic credentials, highlight or combine video) related to prospective student-athletes is presented or otherwise made available, provided the event is organized or sanctioned by the applicable state high school athletics association, state preparatory school association or state or national junior college athletics association.	FCS only. Preliminary support. Prefer Proposal No. 2010-37 instead of Proposal No. 2010-36 as it includes appropriate oversight by a scholastic entity.
Proposal No. 2010-38	RECRUITING -- RECRUITING MATERIALS -- ATHLETICS PUBLICATIONS -- NO MEDIA GUIDES TO PROSPECTIVE STUDENT-ATHLETES VIA DIGITAL STORAGE DEVICE OR E-MAIL	To prohibit an institution from providing a media guide to a prospective student-athlete via digital media storage device or as an attachment to electronic mail.	Preliminary support. Noted that an alternative proposal will be submitted by the Division I Recruiting and Athletics Personnel Issues Cabinet to permit an institution to provide a media guide to a prospect as an attachment to electronic mail.
Proposal No. 2010-39	RECRUITING -- RECRUITING MATERIALS -- MEDIA GUIDES AND VIDEO/AUDIO MATERIALS -- METHODS OF DELIVERY TO PROSPECTIVE STUDENT-ATHLETES	To specify that an institution may provide a media guide and permissible video or audio material to a prospective student-athlete via an electronic mail hyperlink, an electronic mail attachment or an electronic media storage device (e.g., compact disc, flash drive); further, to specify that an institution is limited to providing a media guide or video or audio material to a prospective student-athlete via electronic media storage device one time.	No Position. Expressed concerns regarding institutions providing a media guide to a prospect via any media storage device (as opposed to a hyperlink or attachment to e-mail).

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-40	RECRUITING -- OFFICIAL (PAID) VISIT -- LIMITATIONS ON OFFICIAL VISITS -- NO VISIT AFTER NATIONAL LETTER OF INTENT OR OTHER WRITTEN COMMITMENT	To specify that after signing a National Letter of Intent, a prospective student-athlete shall not make an official visit to the institution with which he or she has signed; further, to specify that 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), the prospective student-athlete shall not make an official visit to the institution after he or she has signed the institution's written offer of admission and/or financial aid.	Preliminary opposition. Noted that an official visit even after the prospect has committed to the institution can be valuable in assisting a prospect with the adjustment to college life. Some prospects (e.g. international prospects) commit to an institution prior to making any visit.
Proposal No. 2010-41	RECRUITING -- UNOFFICIAL (NONPAID) VISIT -- ENTERTAINMENT/TICKETS -- GENERAL RESTRICTIONS -- NONTRADITIONAL FAMILY	To specify that if a prospective student-athlete is a member of a nontraditional family (e.g., divorce, separation), an institution may provide up to two additional complimentary admissions to the prospective student-athlete in order to accommodate the parents accompanying the prospective student-athlete (e.g., stepparents) to attend a home athletics event during an unofficial visit.	No position. Engaged in some discussion about eliminating references to nontraditional family and establishing a set number of complimentary admissions (i.e., five), however expressed concern regarding potential pressure to accommodate the prospect and those accompany the prospect on a regular basis.
Proposal No. 2010-42	RECRUITING -- LETTER-OF-INTENT PROGRAMS, FINANCIAL AID AGREEMENTS -- REQUIREMENTS FOR VERBAL OFFER OF ATHLETICALLY RELATED FINANCIAL AID	To specify that an institution shall not make a verbal offer of athletically related financial aid to an individual, directly or indirectly, before July 1 following his or her junior year in high school; further, to specify that an institution must have a high school transcript (official or unofficial) on file that includes the results of the individual's first five semesters or seven quarters of high school enrollment before extending a verbal offer of financial aid.	Preliminary opposition. Noted the concerns regarding the practice of extending early verbal offers of athletically related financial aid, but expressed concern regarding difficulties in monitoring/enforcing such legislation. Some expressed concern that the proposed date may have the unintended consequence of increasing the nonscholastic influences in the recruiting process.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-43	RECRUITING -- TRYOUTS -- PROHIBITED ACTIVITIES -- COMPETITION AGAINST PROSPECTIVE STUDENT-ATHLETES -- BOWL SUBDIVISION FOOTBALL -- SERVICE ACADEMY EXCEPTION	In bowl subdivision football, to specify that a national service academy's subvarsity team may compete against a two-year college team, a high school team or a preparatory school team, provided no payment or other inducement (e.g., guarantee) is provided to such a team and no recruiting activities occur with members of such a team in conjunction with the competition.	Preliminary support.
Proposal No. 2010-44	RECRUITING -- TRYOUTS -- TRYOUT EVENTS -- PROHIBITION ON HOSTING, SPONSORING OR CONDUCTING NONINSTITUTIONAL INSTRUCTIONAL EVENTS -- FOOTBALL	In football, to specify that an institution or conference shall not host, sponsor or conduct a noninstitutional camp, clinic, group workout or combine event, at any location, that provides instruction to prospective student-athletes.	Football Bowl Subdivision (FBS) – No position. Noted potential competitive equity issues, but also expressed concerns regarding unintended consequences of limiting access to instructional opportunities for football prospects based on limited availability of adequate facilities. FCS – preliminary opposition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-45	RECRUITING AND PLAYING AND PRACTICE SEASONS -- TRYOUT EXCEPTIONS AND OUT-OF-SEASON RESTRICTIONS -- RECOGNIZED TRAINING AND DEVELOPMENT PROGRAMS	To specify that in order for an athletics department staff member or coach to participate in state, regional, national and international training programs involving prospective student-athletes, the staff member must be selected by the applicable governing body and the participants are selected by an authority or a committee of the applicable governing body that is not limited to athletics department staff members affiliated with one institution; further, to specify that Olympic and national team development programs may involve a coach and current student-athletes from the same institution, provided (in addition to existing criteria) a committee or other authority of the national governing body, which is not limited to coaches affiliated with one particular institution, selects the involved participants and the national governing body funds the program.	Preliminary support.
Proposal No. 2010-46	RECRUITING -- TRYOUTS -- TRYOUT EXCEPTIONS -- HIGH SCHOOL, PREPARATORY-SCHOOL AND TWO-YEAR COLLEGE CONTESTS -- CONDUCTED BY INSTITUTION OR SPONSORED WITH AN OUTSIDE ORGANIZATION	To revise the requirements by which a high school, preparatory school or two-year college athletics contest or match, conducted by a member institution or sponsored jointly with an outside organization and held on the campus of a member institution, shall not be considered a tryout, as specified.	No position. Noted that the current criteria (the event appears on the prospects' schedule, the event must be approved prior to the season) are not realistic in today's environment.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-47	RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING OR SCOUTING SERVICES -- VIDEO-ONLY SERVICES	To specify that an institution is permitted to use or subscribe to a video service that only provides video of prospective student-athletes and does not provide information about or analysis of prospective student-athletes, subject to the criteria that permits an institution to subscribe to a recruiting or scouting service, except that the video-only service is not required to disseminate information about prospective student-athletes at least four times a year and is not required to provide individual analysis for each prospective student-athlete in the information it disseminates.	Preliminary support.
Proposal No. 2010-48	RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING OR SCOUTING SERVICES -- LIST OF PERMISSIBLE RECRUITING SERVICES -- MEN'S BASKETBALL	In men's basketball, to specify that the NCAA national office shall publish a list, on a quarterly basis, of men's basketball recruiting or scouting services deemed to meet the required standards for subscription.	Preliminary support.
Proposal No. 2010-49	RECRUITING -- RECRUITING CALENDARS -- MEN'S BASKETBALL -- APRIL CONTACT PERIOD	In men's basketball, to revise the recruiting calendar by extending the contact period in April by nine days, but designating the weekends in April after the Division I Men's Basketball Championship as quiet periods.	No position. • Noted the potential conflict in adopting both Proposal No. 2010-34 and Proposal No. 2010-49. • Noted the Collegiate Commissioners Association plans to request that the Board of Directors sponsor a proposal eliminating the summer evaluation period. • Noted that there may be merit in conducting a more comprehensive review of the men's basketball recruiting calendar.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-51	ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- NONTRADITIONAL COURSES	To specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet/virtual courses, independent study or any other course or credit that is not earned in a face-to-face classroom environment with regular interaction between the instructor and the student) offered by the certifying institution may be used to satisfy the full-time enrollment requirement for competition, provided specified conditions are met.	Preliminary support. • Agreed that a student-athlete should be provided similar access to nontraditional courses as all students at his/her institution, but also noted the value of campus integration associated with the traditional classroom environment. • Sponsored an alternative proposal to specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet/virtual courses, independent study or any other course or credit that is not earned in a face-to-face classroom environment with regular interaction between the instructor and the student) offered by the certifying institution may be used to satisfy up to 50 percent of the minimum full-time enrollment requirement for competition, provided specified conditions are met.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-52	ELIGIBILITY -- GRADUATE STUDENT/POSTBACCALAUREATE PARTICIPATION -- ONE-TIME TRANSFER EXCEPTION -- FINAL YEAR OF ELIGIBILITY -- NONRENEWAL OF ATHLETICS AID AT PREVIOUS INSTITUTION -- BASEBALL, BASKETBALL, FOOTBALL AND MEN'S ICE HOCKEY	In baseball, basketball, football and men's ice hockey, to permit a student-athlete who is enrolled in a graduate or professional school of an institution other than the institution from which he or she previously received a baccalaureate degree to participate in intercollegiate athletics, provided the student-athlete meets the conditions of the one-time transfer exception (other than the sport restrictions), has one season of competition remaining and the student-athlete's previous institution did not renew his or her athletically related financial aid for the following academic year.	FBS - preliminary support. FCS - preliminary Support. All other Division I (applicable to baseball, basketball, ice hockey) - preliminary support.
Proposal No. 2010-53	ELIGIBILITY -- SEASONS OF COMPETITION: FIVE YEAR RULE -- DELAYED ENROLLMENT -- SEASONS OF COMPETITION -- SPORTS OTHER THAN MEN'S ICE HOCKEY AND SKIING -- EXCEPTION -- NATIONAL/INTERNATIONAL COMPETITION	In sports other than men's ice hockey and skiing, to exempt a prospective student-athlete's participation in organized national/international competition from the application of the delayed enrollment, seasons of competition legislation for a maximum of one year after his or her first opportunity to enroll following the one-year time period after his or her high school graduation date or the graduation date of his or her class, whichever occurs earlier, as specified.	Preliminary support.
Proposal No. 2010-54	ELIGIBILITY -- SEASONS OF COMPETITION: FIVE-YEAR RULE -- HARDSHIP WAIVER -- FIRST HALF OF PLAYING SEASON CALCULATION -- TENNIS	In tennis, to specify that the first half of the season calculation is based on the number of days in the season that concludes with the NCAA championship, as declared by the institution, between the first date of competition used by any individual on the team after the conclusion of the institution's fall term and the last date of competition used by any individual on the team at the end of the declared playing season.	Preliminary opposition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-55	ELIGIBILITY -- INITIAL ELIGIBILITY -- COMMON PROVISIONS -- DIVISION I AND DIVISION II	To change the voting line for bylaws related to initial eligibility from federated to common for Division I and Division II, as specified.	Preliminary support.
Proposal No. 2010-56	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE-CURRICULUM TIME LIMITATION -- LEAVING EXAMINATIONS	To specify that the eligibility of an international prospective student-athlete whose prescribed educational path culminates with a leaving examination shall be determined based on the leaving examination, regardless of a delay in graduation or completion of the leaving examination.	Preliminary support.
Proposal No. 2010-57	ELIGIBILITY -- FRESHMAN AND TRANSFER ACADEMIC REQUIREMENTS -- PARTICIPATION PRIOR TO CERTIFICATION -- RECRUITED STUDENT-ATHLETE -- 21-DAY PERIOD	To increase the temporary certification period for a recruited student-athlete from 14 days to 21 days.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-58	ELIGIBILITY, FINANCIAL AID AND PLAYING AND PRACTICE SEASONS -- SUMMER ACADEMIC PREPARATION AND COLLEGE ACCLIMATIZATION -- MEN'S BASKETBALL	In men's basketball, to establish a summer academic preparation and college acclimatization model, as specified.	No position. • Acknowledged the work of the Basketball Academic Enhancement Group in developing a summer academic preparation model and college acclimatization model in an effort to improve the academic performance of men's basketball student-athletes. • Some expressed concern that the institutional assessment may result in a de facto conclusion in order to gain access to the summer athletics development activities. • Some expressed concern regarding potential costs associated with such an initiative. • Noted that the Division I Academic Cabinet will ask the Board of Directors to modify the proposal to require incoming men's basketball student-athletes who attend summer school and engage in the summer athletics development activities to successfully complete six (as opposed to three)hours of acceptable degree credit toward any of the institution's degree programs in order to be eligible to compete in the first regular term of full-time enrollment.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-59-A	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- FULFILLMENT OF CREDIT HOUR REQUIREMENTS -- FALL TERM ACADEMIC REQUIREMENTS FOR FUTURE COMPETITION -- POTENTIAL TO REGAIN ELIGIBILITY FOR TWO CONTESTS -- FOOTBALL	In football, to specify that a student-athlete who does not successfully complete nine-semester hours or eight-quarter hours of academic credit during the fall term and earn the Academic Progress Rate eligibility point for the fall term shall not be eligible to compete in the first four contests against outside competition in the following playing season; further, to specify that the student-athlete may regain eligibility to compete in the third and fourth contests of that season, provided he or she successfully completes at least 27-semester hours or 40-quarter hours of academic credit before the beginning of the next fall term.	FCS – preliminary support. FBS – no position. • Acknowledged the work of the Football Academic Working Group in developing the proposal to improve the academic performance of football student-athletes. • Noted that further discussion should take place prior to the January vote regarding the appropriate penalties for failure to meet the eight quarter/nine semester credit hour requirement during the fall term.
Proposal No. 2010-59-B	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- FULFILLMENT OF CREDIT HOUR REQUIREMENTS -- FALL TERM ACADEMIC REQUIREMENTS FOR FUTURE COMPETITION -- POTENTIAL TO REGAIN FULL ELIGIBILITY -- FOOTBALL	In football, to specify that a student-athlete who does not successfully complete nine-semester hours or eight-quarter hours of academic credit during the fall term and earn the Academic Progress Rate eligibility point for the fall term shall not be eligible to compete in the first four contests against outside competition in the following playing season; further, to specify that the student-athlete may regain eligibility to compete in the first four contests against outside competition in the following playing season, provided he or she successfully completes at least 27-semester hours or 40-quarter hours of academic credit before the beginning of the next fall term.	FCS – preliminary opposition. FBS- no position. Noted that further discussion should take place prior to the January vote regarding the appropriate penalties for failure to meet the eight quarter/nine semester credit hour requirement during the fall term.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-59-C	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- FULFILLMENT OF CREDIT HOUR REQUIREMENTS -- FALL TERM ACADEMIC REQUIREMENTS FOR FUTURE COMPETITION -- ONE-TIME EXCEPTION TO REGAIN FULL ELIGIBILITY -- FOOTBALL	In football, to specify that a student-athlete who does not successfully complete nine-semester hours or eight-quarter hours of academic credit during the fall term and earn the Academic Progress Rate eligibility point for the fall term shall not be eligible to compete in the first four contests against outside competition in the following playing season; further, to specify that the student-athlete may regain eligibility to compete in the third and fourth contests of that season, provided he or she successfully completes 27-semester hours or 40-quarter hours of academic credit before the beginning of the next fall term; finally, to specify that one time during a student-athlete's five-year period of eligibility, a student-athlete may regain eligibility to compete in the first four contests against outside competition in the following playing season, provided he or she successfully completes at least 27-semester hours or 40-quarter hours of academic credit before the beginning of the next fall term.	FCS – preliminary opposition. FBS- no position. Noted that further discussion should take place prior to the January vote regarding the appropriate penalties for failure to meet the eight quarter/nine semester credit hour requirement during the fall term.
Proposal No. 2010-60	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- REGULATIONS FOR ADMINISTRATION OF PROGRESS TOWARD DEGREE -- NONTRADITIONAL COURSES	To specify that nontraditional courses (e.g., distance-learning, correspondence, extension, Internet/virtual courses, independent study or any other course or credit that is not earned in a face-to-face classroom environment with regular interaction between the instructor and the student) completed at an institution other than the certifying institution, may be used to meet credit-hour and percentage-of-degree requirements, provided specified conditions are met.	No position. Agreed that a student-athlete should be provided similar access to nontraditional courses as all students at his/her institution, but also noted the value of campus integration associated with the traditional classroom environment.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-61	FINANCIAL AID -- GENERAL PRINCIPLES -- ELIGIBILITY OF STUDENT-ATHLETES FOR INSTITUTIONAL FINANCIAL AID -- EXCEPTION -- PART TIME ENROLLMENT AFTER EXHAUSTED ELIGIBILITY	To specify that an institution may provide financial aid to a student-athlete who has exhausted eligibility in his or her sport and is enrolled in less than a minimum full-time program of studies, provided the student-athlete is carrying for credit the courses necessary to complete degree requirements, or the student-athlete is carrying for credit all the degree-applicable courses necessary to complete his or her degree requirements that are offered by the institution during that term.	Preliminary support.
Proposal No. 2010-62	FINANCIAL AID -- DEFINITIONS AND APPLICATIONS -- EXEMPTED INSTITUTIONAL FINANCIAL AID -- FEDERAL NEED-BASED FINANCIAL AID	To specify that federal government grants awarded based on a student's demonstrated financial need are considered exempted institutional financial aid and are not counted in determining the institution's financial aid limitations, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-63	FINANCIAL AID -- DEFINITIONS AND APPLICATIONS -- EXEMPTED INSTITUTIONAL FINANCIAL AID -- STATE NEED-BASED FINANCIAL AID	To specify that state government grants awarded based on a student's demonstrated financial need, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient is not included in determining the institution's financial aid limitations, provided the aid is administered in accordance with the federal methodology for determining a student's financial need and has no relationship to athletics ability; however, such aid is not exempt in determining a student-athlete's counter status for purposes of applying the football or basketball, varsity competition legislation.	Preliminary support.
Proposal No. 2010-64	FINANCIAL AID -- DEFINITIONS AND APPLICATIONS -- EXEMPTED INSTITUTIONAL FINANCIAL AID -- STATE MERIT-BASED FINANCIAL AID	To specify that state government merit-based grants are considered exempted institutional financial aid and are not counted in determining the institution's financial aid limitations, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient, provided the aid is awarded consistent with the criteria of the legislative requirements of an academic honor award or institutional academic scholarship and has no relationship to athletics ability; however, such aid is not exempt in determining a student-athlete's counter status for purposes of applying the football or basketball, varsity competition legislation.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-65	FINANCIAL AID -- DEFINITIONS AND APPLICATIONS -- RECRUITED STUDENT-ATHLETE	To establish a definition of "recruited student-athlete" for purposes of Bylaw 15, as specified.	FBS - preliminary support. FCS - preliminary support. All other Division I sports preliminary support.
Proposal No. 2010-66	FINANCIAL AID AND AWARDS, BENEFITS AND EXPENSES -- TRAINING-TABLE MEALS -- ONE MEAL PER DAY -- STUDENT-ATHLETES NOT RECEIVING FULL BOARD	To permit an institution to provide one training-table meal per day to a student-athlete who does not receive athletically related institutional financial aid that covers the full cost of board; further, to specify that the provision of the one training-table meal per day to such a student-athlete shall not be considered financial aid.	Preliminary opposition.
Proposal No. 2010-67	FINANCIAL AID -- GOVERNMENT GRANTS -- EXEMPTED GOVERNMENT GRANTS -- EXEMPTED INSTITUTIONAL FINANCIAL AID -- POST-9/11 G.I. BILL	To exempt benefits received by student-athletes under the Post-9/11 G.I. Bill, including payments made by the Department of Veterans Affairs pursuant to the Yellow Ribbon G.I. Education Enhancement Program, from counting toward a student-athlete's individual limit; further, to specify that matching payments made by the Department of Veterans Affairs pursuant to the Yellow Ribbon G.I. Education Enhancement Program are not counted in determining the institution's financial aid limitations.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-68	FINANCIAL AID -- ELEMENTS OF FINANCIAL AID -- FINANCIAL AID FROM OUTSIDE SOURCES -- UNRELATED TO ATHLETICS ABILITY -- ESTABLISHED FAMILY FRIEND	To specify that a student-athlete may receive financial aid from an established family friend, provided specified conditions are met.	Preliminary opposition.
Proposal No. 2010-69	FINANCIAL AID -- FINANCIAL AID FROM OUTSIDE SOURCES -- FINANCIAL AID FROM AN ESTABLISHED AND CONTINUING PROGRAM	To specify that a student-athlete may receive financial aid through an established and continuing program to aid students, provided: (a) the recipient's choice of institutions is not restricted by the donor of the aid; (b) there is no direct connection between the donor and the student-athlete's institution; and (c) if the total value of the aid received by the student-athlete exceeds ten percent of the value of the institution's full grant-in-aid, documentation of the aid received by the student-athlete must be kept on file with the institution's conference office.	No position. Sponsored an alternative proposal to eliminate the requirement that if the total value of the aid received by the student-athlete exceeds ten percent of the value of the institution's full grant-in-aid, documentation of the aid received by the student-athlete must be kept on file with the institution's conference office.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-70	FINANCIAL AID -- SUMMER FINANCIAL AID -- ENROLLED STUDENT-ATHLETES -- EXCEPTION FOR FIRST-TIME RECIPIENT IN THE NEXT ACADEMIC YEAR	To specify that a student-athlete who has not received athletically related aid from the certifying institution during a previous academic year may receive athletically related financial aid to attend the institution's summer term or summer school, provided the student-athlete has been awarded athletically related financial aid for the following academic year and the aid is awarded only in proportion to the amount of athletically related financial aid the student will receive for the following academic year.	No position. Noted that the Student-Athlete Opportunity Fund currently is used to provide financial aid for summer school.
Proposal No. 2010-71	FINANCIAL AID -- TERMS AND CONDITIONS -- PERIOD OF INSTITUTIONAL AWARD -- ONE-YEAR PERIOD -- EXCEPTIONS -- GRADUATED DURING PREVIOUS ACADEMIC YEAR AND WILL EXHAUST ELIGIBILITY DURING THE FOLLOWING FALL TERM	To specify that a student-athlete who graduated during the previous academic year (including summer) and will exhaust his or her athletics eligibility during the following fall term may be awarded athletically related financial aid for less than one academic year.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-72	FINANCIAL AID -- TERMS AND CONDITIONS OF AWARDING INSTITUTIONAL FINANCIAL AID -- REDUCTION OR CANCELLATION PERMITTED -- RELEASE OF OBLIGATION TO PROVIDE ATHLETICALLY RELATED FINANCIAL AID	To specify that before becoming a counter for an academic year, if a prospective student-athlete or student-athlete is awarded institutional financial aid unrelated to athletics that is of equal or greater value than his or her signed award of athletically related financial aid, the prospective student-athlete or student-athlete may, on his or her initiative, release the institution of its obligation to provide the athletically related financial aid.	No position. • Noted that institutions currently can structure financial aid agreements to permit the replacement of athletically related aid with non-athletics aid. • Expressed concern regarding the requirement that the prospect or student-athlete, "on his or her initiative" may release the institution of its obligation to provide athletically related aid and sought additional input from the Student-Athlete Advisory Committee on that issue. • Noted that a prospect's National Letter of Intent will become void if he/she no longer will be receiving any athletically related financial aid.
Proposal No. 2010-73	FINANCIAL AID -- COUNTERS AND EQUIVALENCY COMPUTATIONS -- REQUIRED GRADE-POINT AVERAGE TO QUALIFY FOR EXEMPTIONS OF COUNTER STATUS AND COUNTABLE INSTITUTIONAL AID -- REDUCTION FROM 3.300 TO 3.000	To reduce the necessary cumulative transferable grade-point to exempt institutional financial aid awarded to transfer student-athletes (and the grade-point average at the certifying institution for renewals) and institutional academic scholarships based solely on the recipient's academic record at the certifying institution from team limits from 3.300 to 3.000; further, in football and basketball, to reduce the necessary cumulative grade-point average at the certifying institution to meet the "institutional academic aid only" exception to counter status from 3.300 to 3.000.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-74	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- EXECUTED FINANCIAL AID AWARDS AND WRITTEN OFFERS EXCEEDING MAXIMUM ALLOWABLE AWARDS -- BASEBALL	In baseball, to specify that for an ensuing academic year, the combination of executed athletically related financial aid awards and outstanding written offers of athletically related financial aid to prospective student-athletes and student-athletes shall not exceed the maximum number of permissible awards by more than one equivalency; further, to specify that the overage may be divided among not more than two individuals (student-athletes or prospective student-athletes).	Preliminary opposition.
Proposal No. 2010-75	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- EQUIVALENCY COMPUTATIONS -- CALCULATION OF BOOKS	To increase the financial aid equivalency figure for calculation purposes for books from $400 to $800; further, to specify that if a student-athlete receives any portion of a book allowance, $800 shall be used in the numerator and denominator of the equivalency calculation.	No position. • Noted that the proposal could result in an increase or decrease in a student-athlete's equivalency value depending on the element of financial aid being awarded to the student-athlete. • Discussed, but took no action, to delay the effective date.
Proposal No. 2010-76	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S BASKETBALL	In women's basketball, to reduce the annual limit on the number of counters at each institution from 15 to 13.	Preliminary opposition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-77	FINANCIAL AID AND DIVISION MEMBERSHIP -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATION -- FOOTBALL CHAMPIONSHIP SUBDIVISION DOMINANT PROVISIONS	To change the voting line of NCAA Bylaw 15.5.6.2 from federated (FCS) to Football Championship Subdivision dominant (FCSD) and to change the voting line of Bylaw 20.9.8 and its subsections from federated (FCS) to Football Championship Subdivision (FCSD).	FCS only. Preliminary support.
Proposal No. 2010-78	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS -- FOOTBALL LIMITATIONS -- INITIAL COUNTERS -- MIDYEAR REPLACEMENT -- OPTION TO COUNT INITIAL YEAR OF AWARD	In football, to specify that an initial counter who replaces a midyear graduate may be counted against the initial limit for the year in which the aid is awarded (if the institution's annual limit has not been reached) or for the following academic year.	FBS - preliminary support. FCS - preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-79	AWARDS, BENEFITS AND EXPENSES -- PERMISSIBLE EXPENSES FOR STUDENT-ATHLETE'S FRIENDS AND RELATIVES -- COMPLIMENTARY ADMISSIONS TO INSTITUTIONAL AWARDS BANQUETS -- ONE-TIME EXCEPTION -- PARENTS/LEGAL GUARDIANS	To specify that, on one occasion during the final academic year of a student-athlete's athletics eligibility, an institution may provide complimentary admissions for the student-athlete's parents or legal guardians to attend an institutional awards banquet at which the student-athlete is being honored.	Preliminary support.
Proposal No. 2010-80	AWARDS, BENEFITS AND EXPENSES -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE -- SWIMMING AND DIVING -- EXCEPTION FOR PLATFORM DIVING	In swimming and diving, to specify that if an institution does not have access to a diving platform within the mileage limitations of Bylaw 16.8.1.1, the institution may provide expenses for diving practice sessions at a site located outside the mileage limitations that includes a diving platform.	Preliminary support. Recommend that the sponsors clarify that the diving sessions must be at the closest available site outside the mileage limitations that includes a diving platform.
Proposal No. 2010-81	AWARDS, BENEFITS AND EXPENSES -- PERMISSIBLE EXPENSES PROVIDED BY THE INSTITUTION FOR COMPETITION -- TRAVEL SQUAD LIMITS	To establish travel squad limits for regular season, away-from-home competition, including exhibitions/scrimmages, nonchampionship segment competition and conference championships and neutral site competitions, as specified.	Preliminary opposition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-82	AWARDS, BENEFITS AND EXPENSES -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- TRAVEL TO NCAA CHAMPIONSHIPS, NATIONAL GOVERNING BODY CHAMPIONSHIPS IN EMERGING SPORTS AND POSTSEASON BOWL GAMES DURING VACATION PERIOD -- EXCEPTIONS AND INCIDENTAL EXPENSES	To specify that if an student-athlete does not use team travel to NCAA championships, NGB championships in emerging sports and postseason bowl games during a vacation period, the institution may only provide actual and necessary transportation costs for the student-athlete to travel from: campus to the event site and back to campus; campus to the student-athlete's home and back to campus; or the student-athlete's home to the event site and back home; further, to specify that reimbursement for automobile mileage shall not exceed the rate provided to institutional staff members and shall be limited to not more than 400 miles one-way; finally, to increase, from $20 to $55, the amount of money that an institution may provide to each member of the squad to cover unitemized incidental expenses during travel and practice for such events.	Preliminary support for subparagraph-a. No position on subparagraph-b. • Noted that the subparagraphs may be voted on separately. • Agreed that subparagraph-a should include additional scenarios for which actual and necessary costs may be covered (e.g., campus to event site and back home, home to event site and back to campus). • Expressed concern regarding the purpose for the increase the incidental expenses in subparagraph b and how such an amount was established.
Proposal No. 2010-83	AWARDS, BENEFITS AND EXPENSES -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- NONPERMISSIBLE -- LODGING IN CONJUNCTION WITH A REGULAR-SEASON HOME CONTEST -- CHAMPIONSHIP SUBDIVISION FOOTBALL	In championship subdivision football, to specify that an institution shall not provide lodging (e.g., hotel, motel) to any student-athlete in conjunction with a regular-season home contest.	FCS only. Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-84	AWARDS, BENEFITS AND EXPENSES -- PARTICIPATION AWARDS -- MAXIMUM VALUE OF AWARD -- INCREASE TO MAXIMUM VALUES	To increase the limitation on the maximum value of the annual participation award for a senior by $100 and to increase the limitation on the maximum value for all other participation awards by $50, as specified.	Preliminary support.
Proposal No. 2010-85	PLAYING AND PRACTICE SEASONS AND RECRUITING -- VOLUNTARY WORKOUTS -- STRENGTH AND CONDITIONING COACH FIRST AID/CPR CERTIFICATION AND AUTHORITY OF SPORTS MEDICINE STAFF -- SPORTS OTHER THAN FOOTBALL	In sports other than football, to specify that a strength and conditioning coach who conducts voluntary weight-training or conditioning activities is required to maintain certification in first aid and cardiopulmonary resuscitation; further, to specify that if a member of the institution's sports medicine staff (e.g., athletic trainer, physician) is present during voluntary conditioning activities conducted by a strength and conditioning coach, the sports medicine staff member must be empowered with the unchallengeable authority to cancel or modify the workout for health and safety reasons, as he or she deems appropriate.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-86	PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING SEASON REGULATIONS -- NO MISSED CLASS TIME IN CONJUNCTION WITH NONCHAMPIONSHIP SEGMENT COMPETITION -- BASEBALL, CROSS COUNTRY, FIELD HOCKEY, LACROSSE, SOCCER AND VOLLEYBALL	In baseball, men's and women's cross country (without indoor or outdoor track and field), field hockey, men's and women's lacrosse, men's and women's soccer and men's and women's volleyball, to specify that no class time shall be missed in conjunction with competition during the nonchampionship segment, including activities associated with such competition (e.g., travel and other pregame or postgame activities).	No position. • Expressed concerns over potential lost competitive opportunities depending on the institution's geographic location. • Noted that spring sports use the nonchampionship fall segment to determine their squad for the spring championship season.
Proposal No. 2010-87	PLAYING AND PRACTICE SEASONS -- NONCHAMPIONSHIP SEGMENT -- TRAVEL RESTRICTIONS -- CROSS COUNTRY, FIELD HOCKEY, SOCCER, SOFTBALL AND VOLLEYBALL -- HAWAII OR ALASKA EXCEPTION -- ONCE IN FOUR YEARS	In men's and women's cross country (for institutions without indoor or outdoor track and field), field hockey, men's and women's soccer, softball and men's and women's volleyball, to specify that, once every four years, an institution may use any form of transportation for travel to Hawaii or Alaska for nonchampionship segment competition against an active member institution located in Hawaii or Alaska.	Preliminary support. Noted that if Proposal No. 2010-86 is adopted, an amendment would be necessary to permit missed class time in conjunction with competition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-88	PLAYING AND PRACTICE SEASONS -- NONCHAMPIONSHIP SEGMENT -- CROSS COUNTRY, FIELD HOCKEY, WOMEN'S LACROSSE, SOCCER, SOFTBALL AND VOLLEYBALL -- TWO DATES OF COMPETITION -- ONE AWAY-FROM HOME DATE	In men's and women's cross country, field hockey, women's lacrosse, men's and women's soccer, softball and men's and women's volleyball, to specify that an institution is limited to two dates of competition during the nonchampionship segment, of which only one date may be an away-from-home date of competition.	No position. • Expressed concerns over potential lost competitive opportunities. • Noted that spring sports use the nonchampionship fall segment to determine their squad for the spring championship season.
Proposal No. 2010-89	PLAYING AND PRACTICE SEASONS -- BASKETBALL -- LOCATION OF QUALIFYING REGULAR-SEASON MULTIPLE-TEAM EVENT -- THE BAHAMAS	In basketball, to specify that a qualifying regular-season multiple-team event may occur in the Commonwealth of The Bahamas.	Preliminary support.
Proposal No. 2010-90	PLAYING AND PRACTICE SEASONS -- WOMEN'S BOWLING -- PRESEASON PRACTICE AND FIRST DATE OF COMPETITION -- OCTOBER 1	In women's bowling, to specify that an institution shall not commence practice sessions or engage in its first date of competition with outside competition prior to October 1.	Preliminary support.
Proposal No. 2010-91	PLAYING AND PRACTICE SEASONS -- WOMEN'S BOWLING -- NUMBER OF DATES OF COMPETITION	In women's bowling, to specify that an institution shall limit its total playing schedule with outside competition to and that an individual student-athlete may participate in, each academic year, 32 dates of competition; further, to include all dates of competition of a tournament in the maximum limitation.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-92	PLAYING AND PRACTICE SEASONS -- CHAMPIONSHIP SUBDIVISION FOOTBALL -- PRESEASON PRACTICE -- LIMIT ON NUMBER OF PARTICIPANTS	In championship subdivision football, to increase the number of participants who may engage in practice activities prior to the institution's first day of classes or the institution's first contest, whichever is earlier, from 90 to 95.	FCS only. Preliminary support.
Proposal No. 2010-93	PLAYING AND PRACTICE SEASONS -- RIFLE -- DATES OF COMPETITION -- MULTIPLE-DAY CONTESTS	In rifle, to specify that an institution that participates in a match that exceeds one day in duration may count the multiple-day contest as a single date of competition; further, to specify that if student-athlete fires more than one score for either smallbore rifle or air rifle during a multiple-day contest, such participation will result in a second date of competition for the institution.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-94	PLAYING AND PRACTICE SEASONS -- MEN'S SOCCER -- FIRST CONTEST OR DATE OF COMPETITION -- 12-WEEK SEASON	In men'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 Friday prior to the 12th weekend prior to the start of the applicable Division I soccer championship, except that an alumni contest may be played the previous weekend.	No position. • Noted that proposed increases to the length of both the men's and women's soccer playing season have been approved in recent years. • Noted that the proposal does make consistent the length of men's and women's soccer seasons based on the current date for conducting the men's and women's championship. • Received information regarding on-going discussion to conduct the men's and women's championship at the same site on the same weekend, but the Division I Championships/Sports Management Cabinet has not made any final decision on that matter.
Proposal No. 2010-95	PLAYING AND PRACTICE SEASONS -- FIRST CONTEST OR DATE OF COMPETITION -- CROSS COUNTRY AND SOCCER -- 10-WEEK CROSS COUNTRY SEASON AND 11-WEEK SOCCER SEASON	In cross country, to specify that an institution shall not play its first contest or engage in its first date of competition (game or scrimmage) with outside competition prior to the Friday before the 10th weekend before the weekend of the NCAA Division I cross country regional competition; further, in 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 Friday before the 11th weekend before the start of the applicable NCAA Division I Soccer Championship.	No position. Noted that the length of the cross country and soccer playing seasons may be voted on separately.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-96	PLAYING AND PRACTICE SEASONS -- WOMEN'S VOLLEYBALL -- PRESEASON PRACTICE -- 21 UNITS	In women's volleyball, to reduce, from 29 to 21, the number of units used to determine the start of preseason practice.	Preliminary support.
Proposal No. 2010-97	PLAYING AND PRACTICE SEASONS AND ELIGIBILITY -- WRESTLING -- FIRST DATE OF PRACTICE AND COMPETITION -- NO OUTSIDE COMPETITION BEFORE NOVEMBER 1	In wrestling, to specify that an institution shall not commence practice sessions prior to October 10 and shall not engage in its first date of competition with outside competition prior to November 1; further, to specify that a student-athlete shall not participate in outside competition (on a team or as an individual) between the beginning of the institution's academic year and November 1.	Preliminary support.
Proposal No. 2010-98	PLAYING AND PRACTICE SEASONS -- WRESTLING -- NUMBER OF DATES OF COMPETITION -- ANNUAL EXEMPTIONS -- NATIONAL WRESTLING COACHES ASSOCIATION NATIONAL DUALS	In wrestling, to specify that the National Wrestling Coaches Association (NWCA) National Duals shall be exempted from the maximum number of dates of competition.	Preliminary support.
Proposal No. 2010-99	PLAYING AND PRACTICE SEASONS -- FOREIGN TOURS AND COMPETITION -- NO INSTITUTIONAL OR CONFERENCE FOREIGN TOURS	To specify that an institution or conference shall not sponsor or participate in a foreign tour; further, to specify that competition in a U.S. territory shall be restricted to once every four years on one trip during the prescribed playing season.	Preliminary opposition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-100	DIVISION MEMBERSHIP -- ELIMINATION OF PROVISIONAL AND MULTIDIVISIONAL MEMBERSHIP -- RECLASSIFICATION PROCESS AND MULTI-SPORT CONFERENCE REQUIREMENTS	To eliminate provisional and multidivisional membership, as specified, further to establish a four-year process for an institution that wishes to reclassify membership from Division II to Division I.	Preliminary support. Received information that language in the Leadership Council's final report that was endorsed by the Board of Directors related to the automatic qualification tie-in for multisport conferences will be included in the proposal that will appear in the Official Notice.
Proposal No. 2010-101	DIVISION MEMBERSHIP -- DEFINITIONS AND APPLICATIONS -- EMERGING SPORTS FOR WOMEN -- REMOVAL OF SQUASH	To remove squash as an emerging sport for women and to eliminate other specified legislation associated with the sport (e.g., playing and practice season regulations, sports-sponsorship minimum contest and participant requirements).	Preliminary support.
Proposal No. 2010-102	DIVISION MEMBERSHIP -- ELIGIBILITY FOR NATIONAL COLLEGIATE CHAMPIONSHIPS -- ELIMINATION OF TWO-THIRDS MAJORITY ELIGIBILITY REQUIREMENT	To eliminate the requirement that, in those sports in which two-thirds or more of the institutions sponsoring the sport are members of the same division, an institution is required to meet that division's and its own division's institutional and individual eligibility requirements (or the more stringent rule if both divisions' rules address the same issue).	Preliminary support.
Proposal No. 2010-103	DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- SPORTS SPONSORSHIP -- MINIMUM CONTESTS FOR SPORTS SPONSORSHIP -- SWIMMING AND DIVING	In swimming and diving, to reduce, from 10 to six, the minimum number of contests required to satisfy sports-sponsorship requirements.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-104	DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- SCHEDULING REQUIREMENTS -- WRESTLING	In wrestling, to specify that an institution shall schedule and play at least 50 percent (as opposed to 100 percent) of its contests against Division I opponents to satisfy the minimum number of contests specified to meet sports sponsorship criteria.	Preliminary support.
Proposal No. 2010-105	DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- BASKETBALL SCHEDULING -- ONE-THIRD OF CONTESTS IN HOME ARENA AND ONE-THIRD OF CONTESTS AWAY FROM HOME -- WOMEN'S BASKETBALL	In women's basketball, to specify that an active or provisional member must play at least one-third of its regular-season basketball contests in the arena regularly used for the institution's home games and that one-third of its regular-season basketball contests must be played away from home or at a neutral site.	Preliminary support.
Proposal No. 2010-107	COMMITTEES -- DIVISION I CABINETS AND COMMITTEES -- MEN'S SOCCER COMMITTEE -- NOT MORE THAN TWO MEMBERS FROM THE SAME REGION	To specify that not more than two members of the men's soccer committee may be appointed from the same region.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-108	EXECUTIVE REGULATIONS -- ADMINISTRATION OF NCAA CHAMPIONSHIPS -- SITES AND DATES -- NONREVENUE CHAMPIONSHIPS SITE ASSIGNMENT	To specify that in championships that do not generate revenue and for which only 25 percent of the bracket is seeded, seeded teams shall have the opportunity to host preliminary rounds and that conference opponents shall be avoided in the first two rounds of the championship.	No position. • Noted that the sponsor has modified the proposal to address separately the issues of hosting preliminary rounds and avoiding conference opponents in the first two rounds of the championship. • Noted that it is not realistic in every championship to avoid conference match-ups in the first two rounds.
Proposal No. 2010-109	EXECUTIVE REGULATIONS -- ADMINISTRATION OF NCAA CHAMPIONSHIPS -- RESTRICTED ADVERTISING AND SPONSORSHIP ACTIVITIES -- PROFESSIONAL SPORTS ORGANIZATIONS OR TEAMS	To eliminate the prohibition on sponsorship of NCAA championship activities or promotions by professional sports organizations or teams.	No position. Sponsored an alternative proposal to include conference championships in addition to NCAA championships.

REPORT OF THE
NCAA DIVISION I LEGISLATIVE COUNCIL MEETING
OCTOBER 18-19, 2010

***ACTION ITEMS*.**

1. Legislative Items - Requests for Action by the NCAA Division I Board of Directors.

a. NCAA Proposal No. 2010-110 Playing and Practice Seasons – Mandatory Medical Examination – Sickle Cell Solubility Test – Written Release [Attachment A]

(1) Recommendation. The NCAA Division I Legislative Council recommends that the Board of Directors sponsor Proposal No. 2010-110 into the current 2010-11 legislative cycle.

(2) Effective Date. August 1, 2011.

(3) Rationale. Proposal No. 2010-110 was sponsored by the NCAA Division I Championships/Sports Management Cabinet and recommended to the Legislative Council for adoption as noncontroversial legislation. The Legislative Council did not support the proposal as noncontroversial legislation; however, the council agreed that the merits of the proposal should be considered by the membership in the 2010-11 legislative cycle. If the proposal is sponsored into the 2010-11 legislative cycle, the membership will have an opportunity to review the proposal without delaying its potential implementation.

(4) Estimated Budget Impact. Estimated to be $5 per test.

(5) Student-Athlete Impact. Potential health and well-being impact.

b. Proposal No. 2009-100 Recruiting – Tryouts – Nonscholastic Practice, Contest or Event – Men's Basketball.

(1) Recommendation. The Legislative Council recommends that the Board of Directors modify Proposal No. 2009-100 consistent with the feedback provided by the NCAA Division I Men's Basketball Issues Committee, as follows:

i. Specify that an institution shall not host, sponsor or conduct nonscholastic practices/competitions, but continue to permit institutions to host noninstitutional, instructional camps, subject to current NCAA rules.

ii. Specify that use of institutional facilities for noninstitutional camps that include prospect-age participants shall be limited to the summer (June through August).

iii. Provide an exception to permit institutions to continue to host basketball-related events that are part of state-sponsored multisport events.

iv. Clarify that the legislation shall apply to basketball events conducted on campus by any institutional department (e.g., athletics, recreational/intramural).

(2) Effective Date. Immediate; a contract signed before October 29, 2009, may be honored.

(3) Rationale. During its April 2010 meeting, the Legislative Council deferred action on the proposal and expressed concern regarding its scope. The Legislative Council referred the proposal to the Men's Basketball Issues Committee for further review and feedback. The recommended modifications will narrow the scope of the proposal, thereby addressing concerns expressed by various constituencies; however, the proposal will continue to address inappropriate recruiting practices in men's basketball.

(4) Estimated Budget Impact. Potential for lost revenue for use of facilities by outside entities.

(5) Student-Athlete Impact. None.

INFORMATIONAL ITEMS.

1. Legislative Actions.

a. **Legislation Recommended as Noncontroversial.** The Legislative Council's actions related to legislation recommended as noncontroversial are listed in Attachment B, and voting results are in Attachment C.

[Note: Per NCAA Constitution 5.3.2.2.4.1, legislation adopted by the Legislative Council shall be subject to possible review by the Board of Directors at its next meeting. At its discretion, the Board of Directors may ratify, amend or defeat legislation adopted by the Legislative Council.]

b. **Actions, Preliminary Positions, Points to Consider and Comments and to 2010-11 Legislative Cycle Proposals.** The voting results related to the Legislative Council's sponsorship of alternative proposals are listed in Attachment C. Reference Attachment D for details regarding the actions, positions, points to consider and comments related to legislation scheduled for initial consideration in January 2011.

2. Report of NCAA Division I Legislative Review/Interpretations Committee.

a. **Approval of Legislative Review/Interpretations Committee Minutes.** The Legislative Council approved the minutes of the Legislative Review/Interpretations Committee as distributed. As a result of its approval of the Legislative Review/Interpretations Committee's August 26, 2010, minutes, item No. 1, the council issued the following interpretation:

Application of NCAA Bylaw 13 to a Prospective Student-Athlete with no Reasonable Expectation of Participation in Intercollegiate Athletics. The Legislative Council determined that the restrictions of Bylaw 13 do not apply to a prospective student-athlete who has no reasonable expectation of participating in intercollegiate athletics as a result of a disability or terminal illness, provided he or she is not a relative of a prospective student-athlete who is being recruited by the institution.

[References: Bylaws 13.02.11 (prospective student-athlete), 13.2.1 (general regulation), 13.2.2 (specific prohibitions) 13.10.5 (prospective student-athlete's visit), 13.10.6 (introduction of prospective student-athlete) and 13.15.1 (precollege expenses -- prohibited expenses); official interpretation (10/22/01, Item No. a) and staff interpretation (2/25/10, item a), which have been archived]

b. **Appeal of an Interpretive Decision by the Legislative Review/Interpretations Committee.** The Legislative Council considered an appeal of an interpretive decision issued July 29, 2010, by the Legislative Review/Interpretations Committee related to the application of Bylaws 32.10.1.1 and 32.10.1.2. The council upheld the committee's decision that an institution does not have standing to appeal a finding of violation or a penalty (e.g., a show cause order) imposed by the NCAA Division I Committee on Infractions against an individual (e.g., coach).

3. **Report of the NCAA Division I Legislative Council Subcommittee for Legislative Relief.** (For additional information, Supplement No. 13 of the Legislative Council meeting materials and the Subcommittee for Legislative Relief page are available on the NCAA website.) The Legislative Council approved a revision to the Legislative Council Subcommittee for Legislative Relief guidelines for waiver requests involving Bylaw 14.5.5.1 (four-year college transfers) and transfers of male student-athletes due to pregnancy or the birth of a child. Under such circumstances, relief may be provided if: (1) A male student-athlete transfers from one four-year institution to a second four-year institution at the first opportunity after learning of the mother's pregnancy or transfers at the first opportunity after the birth of the child; (2) The male student-athlete will share in the day-to-day responsibilities of caring for the child; and (3) The previous institution supports the waiver request.

4. **Revisions to the Legislative Council Policies and Operating Procedures.** The Legislative Council approved the following revisions to its policies and operating procedures:

   a. **Appeals of Athletics Certification Decisions.** The council shall be responsible for consideration of appeals of certification decisions of the NCAA Division I Committee on Athletics Certification.

   b. **Voting Method.** The method of voting on issues considered by the Legislative Council shall be by roll call, except for actions taken by the unanimous consent of the members present and voting. Roll-call vote results of legislative actions shall be reported to the membership and shall include a record of each member's vote. The overall outcomes of votes on other matters shall be reported to the membership, but neither the vote count nor individual votes shall be reported.

   c. **Appeals of Legislative Review/Interpretations Committee Decisions that Involve Eligibility or Infractions Issues.** In order to appeal a decision by the Legislative Review/Interpretations Committee that involves eligibility or infractions issues, an institution shall provide the NCAA staff liaisons to the Legislative Council written notice of its intent to appeal the decision within seven calendar days of notification of the committee's decision. Once written notice has been provided, the institution shall have 14 calendar days to submit materials for its appeal. Once the appeal materials are received by the staff, the Legislative Council will convene within 14 calendar days to consider the appeal. If an institution's Committee on Infractions hearing is scheduled for a date that occurs during the window for submitting an appeal, such a request may be expedited and heard prior to the scheduled Committee on Infractions hearing date.

5. Discussion of the Board of Directors Resolution Related to Legislative Process. At its April meeting, the Board of Directors reviewed a resolution requesting that the Legislative Council develop a draft of a policy statement that the Board of Directors and Legislative Council might adopt that would provide better guidance regarding consideration of proposed NCAA legislation by applying a metric to identify those legislative proposals to defeat or consider, and those proposals to call to the attention of the Board. In response to the resolution the council reviewed and discussed the following concepts related to the legislative process:

a. Require Division I conferences to submit legislative proposals/concepts to the appropriate cabinet /committee for consideration of sponsorship into the legislative cycle.

b. Establish submission requirements that require multiple conferences to sponsor legislation, or in the alternative, establish restrictions on the number of proposals that any single conference may submit into the legislative process in a given year.

c. Establish principles/guidelines for the development and review of legislative proposals to share with conferences, cabinets/committees and the Legislative Council.

d. Increased use by the Legislative Council of its authority to identify and adopt noncontroversial (e.g., housekeeping) proposals at its October meeting.

e. Increase the requisite number of requests necessary to override action taken by the Legislative Council and/or Board of Directors.

f. Provide the Board of Directors details on proposals identified as national in significance and proposals related to Board of Directors' initiatives earlier in the process; further, provide a written summary of such proposals to the Board for consideration at its January and April meetings.

The council members agreed to seek additional feedback from their conferences with the view toward further discussion and development of a policy statement and/or legislative proposals to effectuate the desired results. The council will continue discussions related to this topic during its January 2011 meeting and/or its April 2011 meeting.

6. **Future Meeting Dates.**

a. January 12-13, 2011, San Antonio, Texas, in conjunction with the NCAA Convention.

b. April 11-12, 2011, Indianapolis.

Council Chair: *Shane Lyons, Atlantic Coast Conference*
Council Liaisons: *Lynn Holzman, Academic and Membership Affairs*
Steve Mallonee, Academic and Membership Affairs
Binh Nguyen, Academic and Membership Affairs
Leeland Zeller, Academic and Membership Affairs