

# A G E N D A

## National Collegiate Athletic Association

### Division II Legislation Committee

The Westin Seattle  
Seattle, Washington

June 24-25, 2009

1. [Welcome](#) and announcements. (Ann Martin)
2. Approve March 2009 NCAA Division II Legislation Committee report. [[Supplement No. 1](#)] (Martin) [**Action anticipated.**]
3. Review the NCAA Division II Presidents Council and NCAA Division II Management Council April 2009 Summary of Actions. [[Supplement No. 2](#)] (Martin)
4. Approve subcommittee minutes.
  - a. NCAA Interpretations Subcommittee of the Division II Legislation Committee. [[Supplement No. 3](#)] (Diana Kling) [**Action anticipated.**]  
  
**Background:** *Between each in-person meeting, the Interpretations Subcommittee meets via teleconference to review interpretive issues regarding NCAA legislation. If necessary, the subcommittee will issue an official interpretation. All interpretations issued by the subcommittee since March must receive approval by the full committee.*
  - b. NCAA Legislative Review Subcommittee of the Division II Legislation Committee. [[Supplement No. 4](#)] (Tony Capon) [**Action anticipated.**]  
  
**Background:** *Each meeting, the Legislative Review Subcommittee reviews concepts/ideas regarding current NCAA legislation to determine if such a concept should be recommended to the Management Council and Presidents Council for sponsorship of legislation. All concepts recommended by the subcommittee must receive approval by the full committee.*
5. Discussion of NCAA Division I legislation adopted in April 2009. [[Supplement No. 5](#)] (Maritza Jones) [**Action anticipated.**]

**Background:** *Provided for review are the Division I proposals adopted by the NCAA Division I Board of Directors in April. The committee will review the proposals in order to determine if Division II should consider sponsorship of the same or similar legislative changes.*

6. Discussion of recently adopted NCAA Division III legislation. [[Supplement No. 6](#)] (Jenn Fraser) [**Action anticipated.**]

**Background:** *Provided for review are the Division III proposals adopted by Division III since January 2009. The committee will review the proposals in order to determine if Division II should consider the sponsorship of the same or similar legislative changes.*

7. Review 2010 NCAA Convention Division II Presidents Council-sponsored proposals. [[Supplement No. 7](#)] (Jones)

**Background:** *Provided for review are the 2010 NCAA Convention Presidents Council-sponsored proposals. The committee will review the proposals in order to determine if any of the proposals can be noncontroversial legislation. The committee will also review the effective dates and begin the development of the Question and Answer Guide for the Convention.*

8. Review of NCAA Division II compliance forms. [Supplement Nos. [8-a](#), [8-b](#), [8-c](#), [8-d](#), [8-e](#), [8-f](#), [8-g](#) and [8-h](#)] (Fraser) [**Action anticipated.**]

**Background:** *The committee will review and approve the 2009-10 Division II compliance forms. If any changes are recommended, staff will make such changes prior to releasing the forms to the membership Tuesday, July 1.*

9. Update regarding the NCAA Eligibility Center and the Amateurism Certification Process. (Michael Mangarelli via teleconference)
10. Review draft legislative concept regarding NCAA Bylaw 14.2.4.2 (participation in organized competition or training prior to initial collegiate enrollment). [[Supplement No. 9](#)] (Jones)

11. Review draft legislative concepts regarding sand volleyball. [Supplement Nos. [10-a](#) and [10-b](#)] (Fraser)
12. Follow-up and recap of Wednesday joint meeting with the NCAA Division II Championships Committee regarding the alignment of NCAA Bylaw 17 (playing and practice seasons) and championships policies with the Division II Strategic Positioning Platform. (Jones) **[Action anticipated.]**
13. Review referral from Management Council regarding a recommendation from the NCAA Division II Committee on Student-Athlete Reinstatement to issue an official interpretation regarding medical documentation required to grant a hardship waiver. [[Supplement No. 11](#)] (Fraser) **[Action anticipated.]**
14. Discussion regarding prospective student-athletes' employment at sports camps and clinics. [[Supplement No. 12](#)] (Fraser)
15. Review 2009-12 NCAA Division II Strategic Plan. [[Supplement No. 13](#)] (Martin)
16. Review revisions to the NCAA Conflict of Interest Policy. [[Supplement No. 14](#)] (Jones) **[Action anticipated.]**
17. Election for chair of the Legislative Review Subcommittee. (Jones) **[Action anticipated.]**
18. Subcommittee appointments. (Fraser) **[Action anticipated.]**

**Background:** *Effective September 1, 2009, the committee has two new committee members: Christina Whetsel, director of compliance and student-athlete services, Angelo State University; and Melissa Barrett, associate director of athletics, Belmont Abbey College. The committee will appoint the two new members to the Legislative Review Subcommittee and the Interpretations Subcommittee.*

19. Future meeting dates.

- a. July 16 or 17, 2009, conference call.
  - b. November 2-3, 2009 (Indianapolis, Indiana).
  - c. March 18-19, 2010 (Indianapolis, Indiana).
  - d. June 24-25, 2010 (Indianapolis, Indiana).
  - e. November 4-5, 2010 (Indianapolis, Indiana).
20. Other business.
- a. Discuss the expected date of graduation for individuals who take additional time (beyond the prescribed two-year period) to complete the *College d'Enseignement General et Professionnel* (CEGEP) program. (Jones) [Supplement to be distributed at meeting.]
  - b. Review interpretations issued by Division I and Division III since April 15, 2009. If necessary, the committee will issue an official interpretation applicable in Division II. [Supplement to be distributed at meeting.]
21. Adjournment.

## Meeting Schedule for the June 24-25 NCAA Division II Legislation Committee

<b>Tuesday, June 23</b>		<b>Meeting Room/Location</b>
Travel day		
<b>Wednesday, June 24</b>		
Breakfast	7:30 to 8 a.m.	Elliott Bay Anteroom (Lobby Level)
Joint Meeting with the Championships Committee	8 to 11:30 a.m.	Elliott Bay (Lobby Level)
Lunch	11:30 a.m. to 12:30 p.m.	Elliott Bay Anteroom (Lobby Level)
Joint Meeting with the Championships Committee	12:30 to 3 p.m.	Elliott Bay (Lobby Level)
Legislative Review Subcommittee Meeting	3:30 to 5:30 p.m.	Glacier Peak (Mezzanine Level)
<b>Thursday, June 24</b>		
Breakfast	7:30 to 8 a.m.	Stuart (Mezzanine Level)
Legislation Committee Meeting	8 to 11:30 a.m.	St. Helens (Mezzanine Level)
Lunch	11:30 a.m. to 12:30 p.m.	Stuart (Mezzanine Level)
Legislation Committee Meeting	12:30 to 5 p.m.	St. Helens (Mezzanine Level)
<b>Friday, June 25</b>		
Travel day		

**REPORT OF THE  
NCAA DIVISION II LEGISLATION COMMITTEE**

**ACTION ITEMS.**

**1. Legislative Action Items.**

**a. 2010 NCAA Convention Legislation – NCAA Bylaw 11.1 – Personnel – Conduct of Athletics Personnel – Sports-Safety Training.**

- (1) Recommendation. Sponsor legislation for the 2010 NCAA Convention to amend NCAA Bylaw 11.1 (conduct of athletics personnel) to specify that each head coach shall be certified in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use.
- (2) Effective Date. August 1, 2010.
- (3) Rationale. Legislation requiring first aid, CPR and AED certification promotes student-athlete safety and well-being. A survey of the NCAA death claims since 1992 reports 60 percent of all nonvehicle-related deaths have been due to heart-related conditions and 83 percent of all deaths occurred during practice or conditioning. Similar legislation was defeated by the membership at the 2007 Convention. This legislative concept does not require the certified individual to be present during athletically related activities, nor does it specify the certifying organization. Safety and well-being of student-athletes are of the utmost concern; this concept helps to strengthen these areas at a very minimum by requiring any individual designated as a head coach (full time, part time or volunteer) to be certified in first aid, CPR and AED use. Division II grant and initiative funding may be used to certify head coaches in first aid and to purchase an AED if an institution so desires. However, the concept does not require that an institution purchase an AED (only that each head coach be certified in AED use).
- (4) Estimated Budget Impact. Minimal for certification (\$0 to \$30 per coach) since institutions can outsource the training or train their own staffs as instructors. Moreover, this is not an annual cost since first-aid certification is valid for three years and CPR certification is valid for one to two years (depending on the certifying organization). Division II grant and initiative funding may be used to offset these costs.
- (5) Student-Athlete Impact. None.

**b. Noncontroversial Legislation – Bylaws 13.02.5.1 and 13.6.6.5 – Recruiting – Official (Paid) Visit – Entertainment/Tickets on Official Visit – Student Host.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaws 13.02.5.1-(f) (official visits) and 13.6.6.5 (student host) to specify that a student host may receive a complimentary meal or a complimentary admission to a campus athletics event each time he or she accompanies a prospective student-athlete to a meal or campus athletics event, respectively, during the prospective student-athlete's official visit.
- (2) Effective Date. Immediate.
- (3) Rationale. Under current legislation, a student host accompanying a prospective student-athlete during a prospective student-athlete's official visit is only allowed to receive one complimentary meal and one complimentary admission, even if the student host accompanies the prospective student-athlete on more than one meal or more than one campus athletics event. The proposed concept would allow a student host to receive a complimentary meal or a complimentary admission to a campus athletics event each time he or she accompanies a prospective student-athlete to a meal or campus athletics event, respectively, during the prospective student-athlete's official visit.
- (4) Estimated Budget Impact. Contingent on the number of meals and complimentary admissions each institution will provide during a prospective student-athlete's official visit.
- (5) Student-Athlete Impact. None.

**c. Noncontroversial Legislation – Bylaw 13.1.9 – Recruiting – Contacts and Evaluations – Banquets and Meetings – All Sports.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 13.1.9 (banquets and meetings – all sports) to specify that in all sports, a coach may speak at a meeting or banquet without using one of the institution's permissible contacts or evaluations, provided the coach does not make a recruiting presentation in conjunction with the appearance, the coach does not have any direct contact with any prospective student-athlete (or the prospective student-athlete's relatives or legal guardians) in attendance and the coach does not engage in any evaluation activities; further, to specify that in all sports, a coach may speak at a meeting or banquet in conjunction with a community engagement activity and have contact with a prospective student-athlete(s) (or the prospective student-athlete's relatives or legal guardians), provided the coach does not make a recruiting presentation in conjunction with the appearance, the contact is not for the purpose of securing the enrollment or ultimate participation of

the prospective student-athlete(s) in the institution's intercollegiate athletics program and the meeting or banquet does not take place during a dead period.

- (2) Effective Date. Immediate.
- (3) Rationale. Current legislation is not clear as to the requirements for coaches' speaking engagements at a meeting or banquet that does not take place at a prospective student-athlete's educational institution. With the adoption of NCAA Proposal No. 2007-5, the legislation for banquets and meetings was amended to allow a coach to have contact with a prospective student-athlete in conjunction with a meeting or banquet, provided the contact was not for the purpose of securing the enrollment or ultimate participation of the prospective student-athlete in the institution's intercollegiate athletics program. This change was motivated by institutions' participation in community engagement activities. However, the legislation still does not address coaches' speaking engagements that are not initiated or conducted by an educational institution. The proposed concept creates two different rules for coaches' speaking engagements at banquets or meetings, depending on whether they are in conjunction with a community engagement activity or not and removes the requirement that the banquet or meeting has to be initiated and conducted by an educational institution. This will clarify that coaches' speaking engagements at banquets or meetings that are initiated by an entity other than an educational institution are still permissible, provided certain requirements are met.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. None.

**d. Noncontroversial Legislation – Bylaw 16.8.1.2.1.1 – Awards and Benefits – Expenses Provided by the Institution for Practice and Competition – Departure/Return Expense Restrictions – Exceptions – Travel Following Championship Events and Postseason Football Games.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 16.8.1.2.1.1 (exceptions) to specify that return transportation following contests in NCAA championship events, National Governing Body (NGB) championships in emerging sports or certified postseason football games that take place during the institution's official vacation period during the academic year or between regular academic terms are exempt from the requirement that a student-athlete remain not longer than 36 hours



following the conclusion of the competition in order to receive actual and necessary expenses to return to campus.

- (2) Effective Date. Immediate.
- (3) Rationale. Current legislation provides an exception to the 48-hour departure restriction for travel prior to contests in NCAA championship events, National Governing Body (NGB) championships in emerging sports or certified postseason football games; however, there is no exception for departing the competition site more than 36 hours following the conclusion of a competition. When these events take place during institutional vacation periods and classes are not in session, many student-athletes and their families choose to stay in the locale of the competition for an extended period after the competition. However, under the current rule, if a student-athlete remains at the site more than 36 hours after the conclusion of the competition, the institution is not permitted to pay for that student-athlete's return transportation. Current legislation provides an exception to the 36-hour return restriction for regular-season competition that takes place during the institution's official vacation period during the academic year and between terms. This proposal would bring consistency to the application of the return restriction for regular-season and championship competition that occurs during the institution's vacation period. The same rationale for an exception for regular-season competition would logically apply to championship competition and postseason football games.
- (4) Estimated Budget Impact. Potential increase in costs to provide transportation expenses to student-athletes remaining in the locale of competition beyond 36 hours.
- (5) Student-Athlete Impact. None.

## **2. Nonlegislative Action Item.**

- **Legislative Referral to Other Division II Committee.**

- (1) Recommendation. That the NCAA Division II Management Council refer the following concept to the NCAA Division II Membership Committee for review and possible action:

Bylaw 20.10.3.5.5 (Individual Sports – One or More Sites). Whether the Division II membership should consider adding an exception to the minimum contests and participant requirements for sports sponsorship in track and field to specify that if the number of student-athletes participating in a multiday meet on behalf of the institution over the course of the entire meet equals or exceeds the minimum number of participants required for sports sponsorship and the meet is conducted on consecutive days, an institution may use the competition as a contest in meeting the minimum contest requirements. (See NCAA Division I Proposal No. 2008-63.)

- (2) Rationale. In track and field, many meets are conducted over the course of two days for a variety of reasons, including facility availability, weather, hours of daylight, large field sizes and the safety of involved student-athletes. Currently, in the case of a multiday meet, 14 student-athletes must compete on at least one day of the meet in order for the meet to count toward the institution's minimum number of contests for the purpose of sports sponsorship. As a result, in many instances involving multiday meets, coaches are forced to make roster and travel decisions that are not based on competitiveness or the student-athlete's well-being, but on satisfying the requirement that 14 student-athletes participate on at least one day. This concept would help assure that student-athletes will no longer be asked to compete in meets based solely on the day that an event is contested and that coaches will not be required to transport an unnecessarily high number of student-athletes. Further, institutions will not be penalized for choosing to attend two-day meets rather than single-day meets.
- (3) Estimated Budget Impact. Potential savings to the institution from traveling with fewer student-athletes.
- (4) Student-Athlete Impact. Potential for fewer student-athletes being required to travel.

### **INFORMATIONAL ITEMS.**

1. **Discussion Regarding the Alignment of Bylaw 17 (Playing and Practice Seasons) and Championships Policies with the Division II Strategic Positioning Platform.** At the direction of the NCAA Division II Presidents Council, the NCAA Division II Championships Committee and NCAA Division II Legislation Committee have been asked to discuss whether the current playing and practice seasons in Bylaw 17 are in alignment with the strategic positioning platform and to review them with the foresight of

developing better business practices to assist with championships policies and travel issues. The committee reviewed a discussion document prepared by staff identifying the overarching issues and summarizing the actions taken by the NCAA Championships Committee at its February meeting. In order to assist the committee in discussing issues related to the preseason practice legislation, the NCAA educational affairs staff, who works with the Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS), shared data regarding the appropriate number of days from a safety perspective that a student-athlete needs to prepare for his or her first contest. In addition, to assist the committee in evaluating possible reductions to the maximum number of contests or dates of competition in each sport, the NCAA research staff shared data on the number of contests and dates of competition that the majority of Division II institutions participate in during the championship season and during a week while in season. Further, the staff shared feedback received from different coaches associations as to a possible amendment of the playing and practice season legislation. The committee discussed different options for amending Bylaw 17, including reductions in the length of the playing season, reductions to the maximum number of contests and dates of competition for different sports and a change in championships dates. The committee directed staff to draft possible legislative options that address the concerns raised by the committee for further review at its joint meeting with the Championships Committee in June for possible legislative recommendations.

2. **Discussion Regarding a Legislative Concept to Amend Bylaw 14.2.4.2 (Participation in Organized Competition or Training Prior to Initial Collegiate Enrollment).** The committee received additional feedback from different groups since its last in-person meeting regarding the legislative concept to amend Bylaw 14.2.4.2. The staff noted that representatives from different coaches associations have also been requested to provide feedback regarding the concept. The committee also reviewed the guidelines used by the NCAA Division II Committee for Legislative Relief when considering an institution's request to grant relief of the application of Bylaw 14.2.4.2, to determine whether some of the guidelines should be incorporated into the legislation. The committee directed staff to prepare a single legislative concept for the committee's review at its June in-person meeting for a possible legislative recommendation, as follows:

- a. **Expansion of the "Grace Period" to One Year.** To specify that an individual who does not enroll in a collegiate institution as a full-time student within one year following the date that the individual's high school class normally graduates from high school (or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility) shall use one season of intercollegiate competition for each year or sports season (following that date) in which the individual has participated in organized competition. The committee believes that by expanding the grace period to one year, individuals will have the opportunity to participate in organized competition for a reasonable period of

time, without compromising the original intent of the rule. In addition, the committee noted that it is often that coaches begin recruiting individuals during the first year after high school graduation; therefore, an expanded grace period would allow these individuals ample time to make a decision regarding enrollment in college without compromising their opportunity to participate in Division II athletics. Finally, the committee noted that an expansion of the grace period will balance the impact of the amended definition of organized competition [see letter (c) below].

- b. Date of High School Graduation.** To incorporate two different interpretations that clarify the application of the organized-competition legislation to individuals who either graduate high school early or are required to repeat an entire year of high school prior to graduating. [See 10/22/01 official interpretation Item No. 1 and 02/22/06 staff action Item No. 2.] The committee noted that by including such interpretations in the legislation it will provide the membership with ease of reference to these issues.
- c. Definition of Organized Competition.** To specify that athletics competition shall be considered organized for purposes of this rule, if any of the following conditions exist: (1) competition is scheduled in advance; (2) official score is kept; (3) individual or team standings or statistics are maintained; (4) official timer or game officials are used; (5) admission is charged; (6) teams are regularly formed or team rosters are predetermined; (7) team uniforms are used; (8) an individual or a team is privately or commercially sponsored; or (9) the competition is either directly or indirectly sponsored, promoted or administered by an individual, an organization or any other agency. The committee believes that even though this definition of organized competition might cast a wider net than the definition under the current legislation, the determining factor for triggering the rule would be frequency and level of competition, rather than compensation. It would no longer be of importance if the individual, his or her teammate(s) or other individuals participating in an event received compensation, including a salary, prize money, actual and necessary expenses, etc.
- d. Exception to the Academic Year in Residence.** To create an exception to the year in residence requirement for a student who has attended a two-year or four-year institution for at least two full-time semesters or three full-time quarters and who has satisfactorily completed an average of at least 12 semester or 12 quarter hours of transferable degree credit for each full-time academic term of attendance at the two-year or four-year collegiate institution. The committee noted that the requirement of a year in residence for individuals who trigger the organized-competition legislation is a very important piece of the legislation as it requires individuals to demonstrate a commitment to academics prior to being allowed to participate in intercollegiate athletics. However, the committee believes that a

transfer student should not be required to serve an academic year in residence at the certifying institution if he or she has already demonstrated that commitment by presenting the certifying institution with the required academic information.

- e. **Postgraduate College Preparatory School Exception.** To eliminate the current exception to the organized-competition legislation for individuals who trigger the rule during the initial year of enrollment in a postgraduate college preparatory school. The committee believes that individuals who delay initial full-time collegiate enrollment to enroll in a postgraduate college preparatory school would not need an exception if there is an extended one-year grace period for the application of the organized-competition legislation.
- f. **Waiver Criteria Provision.** Add a provision to specify that the Committee for Legislative Relief may approve waivers of the organized-competition legislation. The waiver provision should include the waiver criteria, as well as a list of circumstances that are considered within or beyond the control of the individual or the institution. The committee directed staff to use the guidelines currently in place for the Committee for Legislative Relief to create the waiver provision. The committee believes the waiver provision would help institutions when deciding whether or not to request a waiver of the application of the organized-competition legislation.
- g. **Notification of Organized-Competition Legislation.** To add a provision to specify that a Division II institution is required to provide information regarding the organized-competition legislation to prospective student-athletes at the first practical opportunity but not later than the day prior to the student-athlete's signed acceptance of the National Letter of Intent or institution's written offer of admission and/or financial aid. The committee believes that this requirement makes sense because it requires institutions to provide the information early in the recruiting process. In addition, the committee believes that such provision would reduce the instances of lack of information or misadvisement in waiver requests.

The committee agreed to review this concept and additional feedback at its June 2009 in-person meeting for a possible legislative recommendation. In addition, the committee agreed to review a concept related to discontinued collegiate enrollment in conjunction with an overall review of the post-enrollment amateurism rules in Bylaw 12 during future meetings to determine whether there are any further legislative changes that need to be made.

3. **Discussion Regarding Legislative Concept for Sand Volleyball as an Emerging Sport for Women.** At the 2009 Convention, the Division II membership adopted Proposal No. 2009-5, which added sand volleyball as an emerging sport for women. Effective August 1, 2010, institutions that sponsor sand volleyball must be in full compliance with legislation regarding recruiting, financial aid and minimum contests and participant requirements for sports sponsorship. The committee reviewed a legislative concept proposed by the American Volleyball Coaches Association to add the necessary regulations for sand volleyball. The committee discussed different issues that need to be addressed prior to recommending legislation for the 2010 Convention. The committee directed staff to draft two possible legislative options that address the issues discussed by the committee for review at its June in-person meeting.
4. **Referral from the Management Council Regarding a Possible Amendment to Bylaw 17.12.8-(b) (Nonchampionship Segment Activities).** The committee reviewed a referral from the Management Council regarding a recommendation to amend Bylaw 17.12.8-(b) (nonchampionship segment activities) to specify that in golf, during the segment in which the NCAA championship does not occur, a student-athlete may participate in any practice or competition activity as permitted by other legislation, provided such activity is restricted to a maximum of 24 days that occur within a period of 60 consecutive calendar days; further, to specify that in golf, an institution that declares fall as its championship segment per Bylaw 20.10.4.3 and discontinues championship segment activities by November 1 (instead of November 15) may add 15 calendar days to the period of 60 consecutive calendar days available during the nonchampionship segment. The committee noted that it is currently undertaking a larger review of the current playing and practice seasons in Bylaw 17 to determine whether they are in alignment with the strategic positioning platform. The committee decided to review this issue in conjunction with the overall discussion regarding playing and practice seasons and to determine whether the nonchampionship segment activities in golf need to be amended.
5. **Discussion Regarding an Exception to Allow Electronic Transmissions during an Official Visit.** The committee discussed the issue of whether an exception should be created to permit an institution to send a prospective student-athlete other forms of electronically transmitted correspondence (e.g., instant messages, text messages) during the 48-hour period of an official visit. The committee noted that when the Division II membership adopted Proposal No. 2008-4, the intent was to reduce the burdens that had been created with the overuse of text messages sent to cell phones and other portable electronic communication devices. In addition, the committee noted there is already an exception that allows institutions to use instant messages and text messages after the signing of a National Letter of Intent or other written commitment. The committee further noted that there are many ways of communicating with a prospective student-athlete during an official visit (e.g., by calling the prospective student-athlete's cell

phone, by text messaging the student host). The committee agreed that there is not enough reason for amending the current legislation.

6. **Discussion Regarding Definition of Fee for Purposes of Participation in Organized Competition or Training Prior to Initial Collegiate Enrollment Legislation.** The committee reviewed an interpretation provided by staff regarding the definition of a fee. The staff believes that in situations where a club has more than one team under the umbrella of the club, the exception for reasonable expenses and fees (Bylaw 14.2.4.2.3.1.1) is met when members of each team pay the same fee to participate, even if the fee for each team is different. When an individual participates on multiple teams within one club, and the fee for each of those teams differs, as long as the "home" team fee is identical for each member, the fee exception is met. The committee agreed with the interpretation as provided by staff.
7. **Issuance of Official Interpretation.** The committee discussed the issue of whether it is permissible for a coach who is employed at a camp or clinic to recruit a prospective student-athlete attending such camp or clinic. The committee agreed that coaches should be allowed to recruit at camps or clinics. The committee decided to issue an official interpretation to clarify the application of Bylaw 13.12.1.3, as follows:  
  
Coach Employed at Camp/Clinic – Recruiting Activities. The Division II Legislation Committee determined that it is permissible for a coach employed at a sports camp or clinic to recruit a prospective student-athlete attending such camp or clinic. [Reference: Bylaw 13.12.1.3 (recruiting calendar exceptions)]
8. **Discussion of Division II Legislation Adopted and Defeated at the 2009 Convention.** The committee reviewed the proposals that were adopted and defeated at the 2009 Convention. The committee directed staff to request an annual report from the NCAA enforcement staff on how Bylaw 11.1.2.1 (responsibility of head coach) has been applied in secondary- and major-infracton cases.
9. **Review of Minutes Issued by the Interpretations Subcommittee of the Legislation Committee.** The full committee approved the minutes of the Interpretations Subcommittee since its last in-person meeting in November 2008. The committee approved the minutes from the following dates: November 3, 2008; December 1, 2008; and December 15, 2008.
10. **Update Regarding the NCAA Eligibility Center and the Amateurism Certification Process.** Staff from the NCAA Eligibility Center provided an update regarding

amateurism certification trends in Division II. Between October 15, 2008, and March 1, 2009, the Eligibility Center processed 35 cases resulting in imposition of season(s) of competition due to participation in organized competition or training prior to initial collegiate enrollment.

11. **Review of the 2008 Enforcement Statistics.** The committee reviewed a report related to secondary cases for the 2008 calendar year. According to the report, there were approximately 724 Division II secondary cases processed and/or reviewed during 2008. Of those cases, approximately 44 percent were processed by institutions and/or conferences as Level II secondary violations.
12. **Review of Shared Responsibility Flyer.** The committee reviewed a flyer created by staff to continue educating institutions as to the requirement to share information related to a student-athlete's eligibility and amateur status. The staff noted that the document has been placed on the NCAA Web site and disseminated through various other means to the membership.
13. **Review Recommendations for Revisions to Bylaw 30.** In 2007, the NCAA academic and membership affairs staff started conducting a systematic review of the three divisional Manuals to identify issues and develop recommendations relating to consistency in terminology, structure of bylaws, figures versus text, necessity of legislation to be kept within the Manuals, etc. During the review of Bylaw 30, the staff noted that most of the provisions contained therein could be more appropriately located in other sections of the Manual. For example, Bylaw 30.11 (recruiting calendars) would be more appropriately located in Bylaw 13. The staff recommended that an editorial revision be drafted to move Bylaw 30 to other sections within the Manual. The committee reviewed a chart outlining where the different provisions would be moved. The committee agreed with the staff recommendations.
14. **Division II Editorial Revisions.** The committee reviewed the following editorial revisions:
  - a. **NCAA and Division Membership – Division II Membership Process – Provisional and Reclassifying Institutions – Candidacy Period.** The committee reviewed an editorial revision to amend Constitution 3.3 (member conference) and Bylaw 20.3 (Division II membership process) to revise the title of the first two years of the membership process from exploratory to candidacy period. The term "candidacy" more accurately reflects the process in that there is an expectation that an institution in the first two years of the membership process



should have already "explored" the feasibility of becoming an active member institution. In addition, institutions in the first two years of the membership process are "candidates" to be invited into the provisional period.

- b. Executive Regulations – General Financial Management – Defense and Indemnification – Determination Regarding Conditions for Defense and Indemnification – Vote by Administrative Subcommittee.** The committee reviewed an editorial revision to amend Bylaw 31.7.3.1.1 (determination regarding conditions for defense and indemnification) to make the legislation consistent with the adoption of an amendment to the NCAA defense and indemnification policy by the NCAA Executive Committee in April 2004.
  - c. Committees – Division II Committees – Conflict of Interest Policy.** The committee reviewed an editorial revision to move Bylaw 21.8.4 (conflict of interest) to Bylaw 21.02.5. This eliminates the need to update regularly the conflict of interest policy if any amendments are made by the NCAA Executive Committee.
  - d. Enforcement Policies and Procedures – Appeal Procedure – Enforcement Staff Information – Period of Notification of Submitted Rebuttal Materials.** The committee reviewed an editorial revision to amend Bylaw 32.10.3 (enforcement staff information) to clarify the start of the period from which the enforcement staff may provide written information to the NCAA Division II Infractions Appeals Committee for an appeal.
- 15. Review of NCAA Divisions I and III Editorial Revisions.** The committee reviewed editorial revisions issued in Divisions I and III in 2008 and 2009 and directed the staff to draft the following editorial revisions for Division II:
  - a. Division I Proposal No. ER-2008-4 (eligibility – freshman academic requirements – core-curriculum requirements – students with learning disabilities).** The committee directed the staff to draft an editorial revision to amend Bylaw 14.3.1.2.5 (courses for students with education-impacting disabilities) to clarify that the Eligibility Center is the entity that reviews disability documentation.
  - b. Division I Proposal No. ER-2008-12 (amateurism – promotional activities – congratulatory advertisement – distribution of institutional items and schedule cards).** The committee directed the staff to draft an editorial revision to move Bylaws 12.5.1.4.1 (schedule cards) and 12.5.1.5 (distribution of institutional items through commercial outlets) to a more appropriate location since those provisions relate more closely to institutional promotional activities;

further, to provide a more appropriate title to Bylaw 12.5.1.4 (commercial advertisements) as "Congratulatory Advertisements".

- c. **Division I Proposal No. ER-2008-13 (recruiting – definitions and applications – enrolled student-athlete – recruiting activities).** The committee directed the staff to draft an editorial revision to amend Bylaws 13.02.5.1 (permissible recruitment activities for enrolled student-athletes) and 13.1.2.4 (student-athlete) to eliminate duplicative provisions from the definitions and applications sections, and move other provisions to the appropriate bylaw regarding recruiting activities for student-athletes.
- d. **Division I Proposal No. ER-2008-14 (eligibility – general principles – removal of duplicative provisions).** The committee directed the staff to draft an editorial revision to amend Bylaws 14.01.2 (academic status), 14.04.2.1 (good academic standing) and 14.4.1 (progress-toward-degree requirements) to remove language that goes beyond the scope of what should be included in general principles and provisions that are addressed in other, more appropriate, sections of the Manual.
- e. **Division I Proposal No. ER-2008-15 (eligibility – general eligibility requirements – eligibility requirements for male students to practice with women's teams).** The committee directed the staff to draft an editorial revision to move Bylaw 14.1.8.1.7 (eligibility for male students or male student-athletes to practice with women's teams) to a more appropriate location. The requirements go beyond issues related to full-time enrollment.
- f. **Division I Proposal No. ER-2008-16 (financial aid – maximum limit on financial aid – individual – recruited student-athlete receiving institutional financial aid).** The committee directed the staff to draft an editorial revision to amend Bylaw 15.1.2 (recruited student-athlete receiving institutional financial aid) to clarify that unearned financial aid administered by an institution to an athletically recruited student is considered to be athletically related financial aid only if the faculty athletics representative and the director of financial aid cannot certify that the aid was granted without regard in any degree to athletics ability.
- g. **Division I Proposal No. ER-2008-26 (amateurism – involvement with professional teams – tryouts – tryout before enrollment).** The committee directed the staff to draft an editorial revision to amend Bylaw 12.2.1.1 (tryout after enrollment) to clarify the application of the 48-hour tryout period.

- h. Division I Proposal No. ER-2008-27 (eligibility – ineligibility – application of ineligibility ruling pending appeal – interpretations).** The committee directed the staff to draft an editorial revision to amend Bylaw 14.11.1.1 (application of ineligibility ruling pending appeal) to clarify that staff and official interpretations are binding on institutions, and to more clearly specify the applicable bylaws.
  - i. Division I Proposal No. ER-2009-1 (recruiting – telephone calls – additional regulations – during conduct of athletics contest).** The committee directed the staff to draft an editorial revision to amend Bylaw 13.1.3.2.1 (during conduct of athletics contest) to clarify the definition of "the conduct of the institution's intercollegiate athletics contests" for purposes of the prohibition on placing telephone calls to prospective student-athletes.
  - j. Division III Proposal No. ER-2009-12 (playing and practice seasons – golf – number of dates of competition – annual exemptions – College All-American Golf Classic).** The committee directed the staff to draft an editorial revision to amend Bylaw 17.12.7.3 (annual exemptions) to remove the Sun Bowl All-American Classic from the list of annual exemptions. The Sun Bowl All-American Classic has been renamed as the College All-American Golf Classic, for which an exception already exists in the list of annual exemptions.
- 16. Committee Staffing Issues.** The committee discussed issues related to staffing of the committee:
- Election of a New Chair – Legislative Review Subcommittee.** The current subcommittee's chair's term of service on the committee will end in August. The remaining members were asked to send nominations for a new chair to the staff liaisons by June 1 and an election of a new chair will take place at the June meeting.

*Committee Chair: Ann Martin, Regis University*

*Staff Liaisons: Jennifer Fraser, Academic and Membership Affairs*

*Maritza Jones, Academic and Membership Affairs*

*Meeting Dates: March 23-24, 2009*

**SUMMARY OF SPRING 2009 QUARTERLY MEETINGS****The National Collegiate Athletic Association**

<b>Division II Management Council</b> <b>April 20-21, 2009</b> <b>Indianapolis, Indiana</b>	<b>Division II Presidents Council</b> <b>April 30, 2009</b> <b>Indianapolis, Indiana</b>
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**PARTICIPANTS**

<p>Darrell Axtell, Saint Martin's University</p> <p>Sallie Beard, Missouri Southern State University</p> <p>Kathleen Brasfield, Angelo State University</p> <p>Rick Cole, Dowling College</p> <p>Bob Fortosis, Eckerd College</p> <p>Tim Griggs, Coker College</p> <p>Barbara Hannum, Hawaii Pacific University</p> <p>Stephanie Harrison-Dyer, Albany State University</p> <p>Ann Jirkovsky, Bellarmine University</p> <p>Ann Martin, Regis University</p> <p>Wendy Taylor May, University of California, San Diego</p> <p>Sandra Michael, Holy Family University</p> <p>Frances Nee, Indiana University of Pennsylvania</p> <p>Lloyd Raymond, Northern Sun Intercollegiate Conference</p> <p>Herb Reinhard, Valdosta State University</p> <p>David Riggins, Mars Hill College (<i>vice-chair</i>)</p> <p>Julie Ruppert, Northeast-10 Conference</p> <p>Tim Selgo, Grand Valley State University</p> <p>Karen I. Soto, University of Puerto Rico at Mayaguez</p> <p>Brenda Stevens, University of Charleston (WV)</p> <p>Glenn D. Stokes, Columbus State University</p> <p>Kathleen Turner, Oklahoma Panhandle State University</p> <p>Sherman Ward, Virginia State University</p> <p>Willie Washington, Benedict College</p>	<p>Mickey L. Burnim, Bowie State University</p> <p>Philip Gerbino, University of the Sciences in Philadelphia</p> <p>Joseph P. Grunenwald, Clarion University of Pennsylvania</p> <p>Stephen Jordan, Metropolitan State College of Denver (<i>chair</i>)</p> <p>Carolyn Mahoney, Lincoln University (Missouri)</p> <p>Ernest McNealey, Stillman College</p> <p>Cheryl Norton, Southern Connecticut State University</p> <p>J. Patrick O'Brien, West Texas A&amp;M University</p> <p>Beverley J. Pitts, University of Indianapolis (<i>vice-chair</i>)</p> <p>Judith Ramaley, Winona State University</p> <p>David F. Rankin, Southern Arkansas University</p> <p>Hamid Shirvani, California State University, Stanislaus</p>
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**ABSENTEES**

Suzanne Sanregret, Michigan Tech University	<p>Drew Bogner, Molloy College</p> <p>Tom Harden, Clayton State University</p> <p>Nancy Moody, Tusculum College</p>
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OTHER PARTICIPANTS

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Gary Brown, NCAA	Gary Brown, NCAA
Sharon Cessna, NCAA	Elsa Cole, NCAA
Jennifer Fraser, NCAA	Bernard Franklin, NCAA
Marquette Jamison, NCAA	Jennifer Fraser, NCAA
Maritza Jones, NCAA	Maritza Jones, NCAA
Delise O'Meally, NCAA	Delise O'Meally, NCAA
Stacey Osburn, NCAA	Stacey Osburn, NCAA
Stephanie Quigg, NCAA	Stephanie Quigg, NCAA
Mike L. Racy, NCAA	Mike Racy, NCAA
Ruth Reinhardt, NCAA, <i>recording secretary</i>	Ruth Reinhardt, NCAA, <i>recording secretary</i>
Dave Schnase, NCAA	Terri Steeb, NCAA
Terri Steeb, NCAA	Gregg Summers, NCAA
Gregg Summers, NCAA	
Mary Wilfert, NCAA	

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**1. WELCOME AND ANNOUNCEMENTS.**

Management Council. The meeting was called to order at 8:05 a.m. by the chair, Tim Selgo. The chair welcomed the new members—Sandy Michael, Julie Ruppert, Brenda Stevens, Kathy Turner and Sherman Ward—to their first full meeting. He also noted that Sandy Michael had been inducted (the previous night) into the inaugural Holy Family University Athletics Hall of Fame class of 2009. The chair also reminded the Council that Sallie Beard is retiring from Missouri Southern State University and this will be her final meeting on the Council.

Presidents Council. The meeting was called to order at 8:06 a.m. by the chair. The chair welcomed the new members—Mickey Burnim, Phil Gerbino, Carolyn Mahoney and Judith Ramaley, as well as the chair of the Management Council, Tim Selgo.

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

**a. Management Council Meeting—January 14; Presidents Council Meeting—January 15; and post-Convention Management Council Meeting—January 17.**

Management Council. The Management Council approved the meeting summary of the January 14 and January 17, 2009, Management Council meetings, as presented.

Presidents Council. The Presidents Council approved the meeting summary of its January 15, 2009, Presidents Council meeting, as presented.

**b. Presidents Council Teleconference—February 19.**

Management Council. The Management Council reviewed the minutes of the Presidents Council's February 19 teleconference. No action was necessary.

Presidents Council. The Presidents Council approved the minutes from the February 19, 2009 teleconference, as presented.

**c. Executive Committee Meeting—January 17.**

Management Council. The Management Council reviewed the minutes of the Executive Committee's January 17, 2009, meeting. No action was necessary.

Presidents Council. The Presidents Council reviewed the minutes of the Executive Committee's January 17, 2009, meeting, noting in particular the information concerning the audit for fiscal year 2007-08; the recommended use of unallocated net assets; and the information presented to the Executive Committee on Division II issues. No action was necessary.

**d. Administrative Committee Teleconferences—February 4 and March 4.**

Management Council. The Management Council approved the minutes of the February 4 and March 4, 2009, teleconferences, as presented.

Presidents Council. The Presidents Council approved the minutes of the February 4 and March 4, 2009, teleconferences, as presented.

**3. NCAA DIVISION II VISION STATEMENT.**

Management Council. The Management Council reviewed the suggested Division II vision statement, as recommended by the Division II Administrative Committee. It was the consensus of the Council that a Vision Statement is important to the division but that the statement, as drafted, lacks any mention of athletics competition. The Council sent a recommended version to the Presidents Council for approval.

Presidents Council. The Presidents Council reviewed the recommended vision statement and approved the following version:

*“Through a shared effort, Division II seeks to be a membership destination within the NCAA—a destination where intercollegiate athletics supports the mission of higher education by striking a balance among athletics competition, academic excellence and social growth while its colleges and universities prepare student-athletes to thrive in their lives and careers.”*

**4. 2009 DIVISION II PRIORITIES**

Management Council. The Management Council received an update on the 2009 priorities and the progress made to date on each of the priorities. No action was necessary.

Presidents Council. As part of the vice president's report, the Presidents Council received the list of 2009 priorities, as well as a first quarter update, which noted actions that had been taken January through April. No action was necessary.

**5. COMMITTEE RECOMMENDATIONS AFFECTING DIVISION II.**

**a. Association-wide and Common Committees.**

**(1) Competitive Safeguards and Medical Aspects of Sports.**

**(a) Bylaws 11.1.2. (Responsibility for violations of NCAA Regulations) and 30.5 (Drug-Testing Program).**

Management Council. The Management Council was informed that the committee was withdrawing the recommendation to sponsor legislation to amend Bylaws 11.1.2 and 30.5.5 to hold athletics staff to the same level of responsibility to which student-athletes are held pertaining to knowledge of NCAA banned substances. No action was necessary by the Council.

Presidents Council. No action was necessary.

**(b) Injury Surveillance.**

Management Council. The Management Council was informed that the NCAA has contracted with the Datalys Center to begin conducting its sports injury surveillance services in July 2009. No action was necessary.

Presidents Council. No action was necessary.

(c) **Banned Drugs.**

Management Council. The Management Council received an update on the Division II year-round drug testing program and reviewed the edited list of banned drugs, as follows. No action was necessary.

- (i) Stimulants; (*Revised 2/10/06*)
- (ii) Anabolic agents; (*Revised 2/10/06*)
- (iii) **Alcohol and Beta Blockers (banned for rifle only)** *Substances banned for specific sports; (Revised 2/10/06)*
- (iv) Diuretics and other masking agents; (*Revised 2/10/06, 5/29/07*)
- (v) Street drugs; (*Revised 2/10/06*)
- (vi) Peptide hormones and analogues; (*Revised 2/10/06*)
- (vii) Anti-estrogens (*Adopted 10/27/06 effective 8/1/07*)
- (viii) **Beta 2 Agonists**

Presidents Council. The Presidents Council received the list of banned drugs. No action was necessary.

(2) **Minority Opportunities and Interests Committee.**

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

Presidents Council. No action was necessary.

(3) **Postgraduate Scholarship Committee.**

Management Council. The Management Council reviewed the listing of fall sports awardees, as provided by the committee. No action was necessary.

Presidents Council. No action was necessary.

(4) **Committee on Women's Athletics.**

Management Council. The Management Council was informed that the Division I Legislative Council was scheduled to take action on Division I Proposal No. 2008-59 (as it relates to the addition of sand volleyball to the emerging sports for women list) during its current meeting. Prior to adjournment of the meeting, the Council was informed that Division I had taken action to make sand volleyball an emerging sport for women. The governance structure, in consultation with the American Volleyball



Coaches Association, is beginning its work to develop the necessary regulations (e.g., financial aid, playing and practice seasons, minimum contests/participants requirements) for the sport. These legislative concepts will be considered by the Division II membership at the 2010 NCAA Convention. No action was necessary.

Presidents Council. No action was necessary.

**b. Division II Committees.**

**(1) Academic Requirements Committee.**

**(a) Committee Report.**

**(i) Bylaws 13.3 and 14.3.6 (Recruiting and Eligibility—Admissions and Graduation Data, Banned Drug List and Initial-Eligibility Standards—Reports and Notification—Eligibility Center.**

Management Council. The Management Council agreed to recommend that the Presidents Council sponsor legislation for the 2010 Convention to amend Bylaws 13.3 and 14.3.6 to specify that the NCAA Eligibility Center shall provide the information contained within the disclosure reports related to admissions, graduation-rate data and academic success rate to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center and the Eligibility Center has received an institution's request to add the prospective student-athlete to the institution's institutional request list; further to specify that the Eligibility Center shall provide notification of initial-eligibility standards, the banned-drug list and information about nutritional supplements to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2010 Convention, noting some questions that can be reviewed by the Legislation Committee at its summer meeting prior to the August Presidents Council meeting.

(ii) **Bylaws 14.5.4.1 and 14.5.4.2 (Eligibility—Two-Year College Transfers—Eligibility for Competition, Practice and Athletics Aid.**

Management Council. The Management Council defeated a recommendation to amend Bylaws 14.5.4.1 and 14.5.4.2 to specify that in order for a transfer student from a two-year college who was a qualifier and who has not previously attended a four year collegiate institution to be eligible for competition, practice and athletics aid during his/her first academic year in residence, he/she must have successfully completed three semester or four quarter hours of English and three semester or four quarter hours of mathematics at the two-year college that are transferable. The recommendation further specified that that in order for a transfer student from a two-year college who was a non-qualifier, a partial qualifier or a qualifier who has previously attended a four-year collegiate institution, to be eligible for competition, practice and athletics aid during his or her first academic year in residence, he or she must have successfully completed six semester or eight quarter hours of English and three semester or four quarter hours of mathematics at the two-year college that are transferable toward any baccalaureate degree program at the certifying institution.

The Council referred the recommendation back to the Academic Requirements Committee and requested clarification on several issues, including the effect of this change on remedial courses, students who have earned an associate degree and students who have previously attended a four-year institution.

Presidents Council. No action was necessary.

(iii) **Bylaw 21.6.3.1 (Committees—Common Committees—Committees with Governance Administration Responsibilities—International Student Records Committee—Composition).**

Management Council. The Management Council approved noncontroversial legislation to amend Bylaw 21.6.3.1 to specify that the International Student Records Committee shall consist of eight members, including two Division I representatives, two Division II representatives, two repre-

sentatives from either Division I or II and two ex-officio members, one of whom shall be the NCAA Eligibility Center's primary foreign student records consultant. The Council noted that this change does not have a budget impact because the overall number of committee members does not change, only the composition.

Presidents Council. No action was necessary.

(iv) **College Board Test, Prueba de Aptitud Académica (PAA).**

Management Council. The Management Council received an update on the discussions regarding whether the Prueba de Aptitud Académica (PAA) test administered in Puerto Rico should be accepted for purposes of meeting the test-score requirements for initial eligibility in Bylaw 14.3. Based on feedback from the NCAA Data Analysis Research Network recommending the PAA score might best be used as a stand-alone metric for determining initial-eligibility certification (as opposed to linking or concurring it to the SAT or ACT score) for students in Puerto Rico attending a Division II school in Puerto Rico, the committee had approved a model proposed by the NCAA research staff to attain such a stand-alone metric. The research staff will continue to work with the College Board to determine the proper test score for initial eligibility. A legislative recommendation may be forthcoming at the summer Council meeting.

Presidents Council. The Presidents Council received the updated information on the PAA in the Management Council report. No action was necessary.

(b) **Academic Performance Census.**

Management Council. The Management Council received an update on the first year's experience with the academic performance census. The Council noted that 90 percent of Division II schools submitted the APC data by the 18-week deadline and, of the 90 percent, 191 schools received an incentive payment for meeting the original 12-week deadline. Further, 15 Division II schools forfeited enhancement funds for the 2009-10 academic year for failing to submit the data. Any appeals will be heard by the Academic Requirements Committee this spring. No action was taken.

Presidents Council. No action was necessary.

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

**(a) Division II Year-to-Date Budget-to-Actual Figures.**

Management Council. The Management Council reviewed the 2008-09 budget-to-actual results as of February 28. No action was taken.

Presidents Council. The Presidents Council reviewed the 2008-09 budget-to-actual results as of February 28. No action was taken.

**(b) Update from April 29 Meeting.**

Management Council. No action was necessary.

Presidents Council. The Presidents Council received an update from the vice chair on the April 29 Planning and Finance Committee meeting. The Planning and Finance Committee continued discussions on the enhancement fund distribution formula and whether the current formula aligns with the division's strategic positioning platform. The current formula used to distribute the \$4.8 million fund each spring is: (1) a third distributed to conferences based on performance in the men's and women's basketball championship; (2) a third distributed to conferences based on the number of conference championships sponsored with at least six active members; and (3) a third distributed equally to each active Division II school in good standing. As a part of its discussions, the committee reviewed the feedback received from the 2009 NCAA Convention. At this time, no formal decisions were made regarding modifications to the formula; however, the committee did determine how to allocate a scheduled \$300,000 increase in the fund for 2009-2010. The committee took action to devote the \$300,000 increase in 2009-2010 as a one-time allocation divided equally among Division II member schools.

The distribution will occur in May 2010, based on Division II membership as of September 1, 2009. No restrictions will be placed on how institutions use the allocation.

Additionally, the committee reviewed procedures to track implementation of the division's new three-year strategic plan.

(3) **Championships Committee.**

(a) **Committee report.**

(i) **Appointments and Reappointments.**

Management Council. The Management Council ratified the following sports committee appointments and reappointments, effective September 1, unless otherwise noted.

- **Baseball. Jim Givens**, associate athletics director, University of Findlay (reappointment);
- **Men's Basketball. Jim Johnson**, commissioner, Mid-America Intercollegiate Athletics Association, replacing Lonn Reisman, administrator and coach, Tarleton State University;
- **Women's Basketball. Greg Bamberger**, director of athletics, Kutztown University of Pennsylvania (reappointment);
- **Football. Roberta Page**, director of athletics, Shippensburg University, replacing Bill Elias, former director of athletics, Gannon University; and **Thomas Spicer**, director of athletics, Colorado School of mines, replacing Kevin Buisman, director of athletics, Minnesota State University, Mankato;

[Note that **Derek Carter**, director of athletics, Bowie State University, was removed from consideration because of his resignation from Bowie State and change in divisional status. The Championships Committee will reopen the position.]

- **Women's Golf. James DeMello**, associate athletics director, University of Hawaii at Hilo (reappointment);
- **Men's Lacrosse. Matt Bassett**, director of athletics, LeMoyne College (reappointment);
- **Men's Soccer. Dennis Helsel**, director of athletics, Chowan University, replacing Paul Payne, coach, Bloomsburg University of Pennsylvania; and **Bob-**

- by Peterson**, coach, Northeastern State University, replacing Kurt Portman, associate athletics director, Midwestern State University;
- **Softball. Lisa Sweany**, senior associate athletics director, Grand Valley State University, replacing Kathy Stewart, coach and administrator, Northern Kentucky University;
  - **Men's and Women's Swimming and Diving. Lynn Griffin**, senior woman administrator and associate athletics director, University of Indianapolis, replacing Dixie Cirillo, associate athletics director, Colorado School of Mines;
  - **Women's Volleyball. Jason Skoch**, coach, Truman State University, replacing Venera Flores-Stafford, associate athletics director and coach, Midwestern State University;
  - **Wrestling. Doug Peters**, director of athletics, Minnesota State University Moorhead, replacing Patrick Timm, coach, Northern State University;
  - **Women's Basketball Rules. Jamie Pewinski**, head women's basketball coach, Lake Superior State University, replacing David Marsh, associate athletics director, Northwood University;
  - **Men's and Women's Soccer Rules. Ike Ofoje**, coach, University of South Carolina Aiken (reappointment); and
  - **Women's Volleyball Rules. John Bo Pagiasotti**, head volleyball coach, Southwestern Oklahoma State University; replacing Carlos Chia, coach, Northern Kentucky University.

Presidents Council. The Presidents Council reviewed the appointments/reappointments. No action was taken.

**(ii) Championships Selection Announcements.**

Management Council. The Management Council was informed that the committee had adopted a policy to have championship brackets be announced as regions are completed, rather than via online selection shows, effective for the spring championships. A designated release time, prior to 9 p.m. EST on selection day, will be chosen by each respective committee to release the majority of regions via press releases on ncaa.com. Any regions still under consideration after the designated release will be posted online as available. No action was taken.

Presidents Council. No action was necessary.

**(iii) Regional Tournament Contingency Plan.**

Management Council. The Management Council received information concerning the approval and implementation of a contingency plan for any regional championship site where all participating school teams must fly by charter or commercial means in order to reach the host site. The contingency plan will (1) include a two-host site format in which the No. 1 seed and the No. 2 seed will host a four-team tournament, with the winner of each host site competing for the regional championship; (2) the regional championship site will occur at the site of the highest remaining seed; and (3) the plan will be implemented by the governing sports committee if it is determined that a cost savings of at least \$10,000 will occur and the plan does not result in an undue hardship (as determined by the governing sports committee) to the participating schools.

Presidents Council. No action was necessary, as the Council had already approved the contingency plan during its February 19 teleconference.

**(iv) 2010 Division II Fall Championships Festival.**

Management Council. The Management Council was informed of the dates for the 2010 Division II Fall National Championships Festival—Tuesday, November 30, through Saturday, December 4. This festival will crown championships in the sports of men's and women's cross country, field hockey, men's and women's soccer, and women's vol-

leyball. The Council noted that a waiver it approved in April 2008 to permit soccer and women's volleyball to start a week earlier is moot. The waiver is not necessary because the championships dates for men's and women's soccer and women's volleyball will occur at their traditional time, based on the confirmed dates for the 2010 Fall Festival. No action was taken.

Presidents Council. The Presidents Council received the dates for the 2010 festival. No action was taken.

**(b) Update from the 2009 Winter Championships Festival.**

Management Council. The Management Council received an oral update on the 2009 Winter Championships Festival. No action was taken.

Presidents Council. The Presidents Council received information on the outcome of the 2009 Winter Championships Festival and the sanctions that had been levied upon those (individuals and institutions) that were involved in any misconduct, as defined in By-law 31.02.3. The Council noted that the Championships Committee will continue its discussions on whether to implement additional protocol or standards for Division II national championships at its summer meeting. No formal action was taken.

**(4) Committee for Legislative Relief.**

Management Council. The Management Council agreed with the committee's decision that, effective August 1, 2009, no relief of the organized competition or training prior to enrollment legislation will be provided for waiver requests involving institutions asserting that misinformation or a lack of information was provided to the prospective student-athlete during the recruitment process. In the future, such requests will be reviewed on a case-by-case basis in accordance with the April 2008 guidelines to determine if any additional mitigation outside the control of the student-athlete warrants relief. The Division II membership has received a significant amount of education regarding the organized competition or training prior to collegiate enrollment legislation; therefore, institutions will no longer benefit via the waiver process for assertions related to misinformation or a lack of information, in and of itself.

Presidents Council. No action was necessary.



**(5) Legislation Committee.**

**(a) Bylaw 11.1 (Personnel—Conduct of Athletics Personnel—Sports-Safety Training).**

Management Council. The Management Council agreed to recommend that the Presidents Council sponsor legislation for the 2010 Convention to amend Bylaw 11.1 to specify that each head coach shall be certified in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use.

Presidents Council. The Presidents Council discussed this legislative concept in detail and agreed to amend the legislation to specify that each head coach and all full-time coaches shall be certified in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use. The Council agreed to sponsor the legislation, as amended, for the 2010 Convention.

**(b) Bylaws 13.02.5.1. and 13.6.6.5 (Recruiting—Official (Paid) Visit—Entertainment/Tickets on Official Visit—Student Host).**

Management Council. The Management Council approved non-controversial legislation to amend Bylaws 13.02.5.1.-(f) and 13.6.6.5 to specify that a student host may receive a complimentary meal or a complimentary admission to a campus athletics event each time he/she accompanies a prospective student-athlete to a meal or campus athletics event, respectively, during the prospective student-athlete's official visit.

Presidents Council. No action was necessary.

**(c) Bylaw 13.1.9 (Recruiting—Contacts and Evaluations—Banquets and Meetings—All Sports).**

Management Council. The Management Council approved non-controversial legislation to amend Bylaw 13.1.9 to specify that in all sports, a coach may speak at a meeting or banquet without using one of the institution's permissible contacts or evaluations, provided the coach does not make a recruiting presentation in conjunction with the appearance, the coach does not have any direct contact with any prospective student-athlete (or the prospective student-athlete's relatives or legal guardians) in attendance and the coach does not engage in any evaluation activities; further, to specify that in all sports, a coach may speak at a meeting or banquet in conjunction with a community engagement activity and have con-

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

Presidents Council. No action was necessary.

(d) **Bylaw 16.8.1.2.1.1 (Awards and Benefits—Expenses Provided by the Institution for Practice and Competition—Departure/Return Expense Restrictions—Exceptions—Travel Following Championship Events and Postseason Football Games.**

Management Council. The Management Council approved non-controversial legislation to amend Bylaw 16.8.1.2.1.1 to specify that return transportation following contests in NCAA championship events, National Governing Body (NGB) championships in emerging sports or certified postseason football games that take place during the institution's official vacation period during the academic year or between regular academic terms is exempt from the requirement that a student-athlete remain not longer than 36 hours following the conclusion of the competition in order to receive actual and necessary expenses to return to campus.

Presidents Council. No action was necessary.

(e) **Committee Referral.**

Management Council. The Management Council referred the following concept to the NCAA Division II Membership Committee for review and possible action:

- Bylaw 20.10.3.5.5 (Individual Sports – One or More Sites). Whether the Division II membership should consider adding an exception to the minimum contests and participant requirements for sports sponsorship in track and field to specify that if the number of student-athletes participating in a multiday meet on behalf of the institution over the course of the entire meet equals or exceeds the minimum number of participants required for sports sponsorship and the meet is conducted on consecutive days, an institution may use the compe-

tion as a contest in meeting the minimum contest requirements. (See NCAA Division I Proposal No. 2008-63.)

Presidents Council. No action was necessary.

(f) **Discussion Regarding a Legislative Concept to Amend Bylaw 14.2.4.2 (Participation in Organized Competition or Training Prior to Initial Collegiate Enrollment).**

Management Council. The Management Council reviewed information presented by the Legislation Committee regarding the legislative concept to amend Bylaw 14.2.4.2. The committee had received additional feedback from different groups, and representatives from different coaches' associations have also been requested to provide feedback regarding the concept. The guidelines used by the NCAA Division II Committee for Legislative Relief when considering an institution's request to grant relief of the application of Bylaw 14.2.4.2 were reviewed to determine whether some of the guidelines should be incorporated into the legislation. The committee directed staff to prepare a single legislative concept for the committee's review at its June in-person meeting for a possible legislative recommendation, as follows:

- (i) Expansion of the "Grace Period" to One Year. To specify that an individual who does not enroll in a collegiate institution as a full-time student within one year following the date that the individual's high school class normally graduates from high school (or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility) shall use one season of intercollegiate competition for each year or sports season (following that date) in which the individual has participated in organized competition. The committee believes that by expanding the grace period to one year, individuals will have the opportunity to participate in organized competition for a reasonable period of time, without compromising the original intent of the rule. In addition, the committee noted that it is often that coaches begin recruiting individuals during the first year after high school graduation; therefore, an expanded grace period would allow these individuals ample time to make a decision regarding enrollment in college without compromising their opportunity to participate in Division II athletics. Finally, the committee noted that an expansion of the grace period will

balance the impact of the amended definition of organized competition [see letter (c) below].

- (ii) Date of High School Graduation. To incorporate two different interpretations that clarify the application of the organized-competition legislation to individuals who either graduate high school early or are required to repeat an entire year of high school prior to graduating. [See 10/22/01 official interpretation Item No. 1 and 02/22/06 staff action Item No. 2.] The committee noted that by including such interpretations in the legislation it will provide the membership with ease of reference to these issues.
- (iii) Definition of Organized Competition. To specify that athletics competition shall be considered organized for purposes of this rule, if any of the following conditions exist: (1) competition is scheduled in advance; (2) official score is kept; (3) individual or team standings or statistics are maintained; (4) official timer or game officials are used; (5) admission is charged; (6) teams are regularly formed or team rosters are predetermined; (7) team uniforms are used; (8) an individual or a team is privately or commercially sponsored; or (9) the competition is either directly or indirectly sponsored, promoted or administered by an individual, an organization or any other agency. The committee believes that even though this definition of organized competition might cast a wider net than the definition under the current legislation, the determining factor for triggering the rule would be frequency and level of competition, rather than compensation. It would no longer be of importance if the individual, his or her teammate(s) or other individuals participating in an event received compensation, including a salary, prize money, actual and necessary expenses, etc.
- (iv) Exception to the Academic Year in Residence. To create an exception to the year in residence requirement for a student who has attended a two-year or four-year institution for at least two full-time semesters or three full-time quarters and who has satisfactorily completed an average of at least 12 semester or 12 quarter hours of transferable degree credit for each full-time academic term of attendance at the two-year or four-year collegiate institution. The committee noted that the requirement of a year in residence for individuals who trigger the organized-competition legislation is a very important piece of the legislation, as it requires indi-

viduals to demonstrate a commitment to academics prior to being allowed to participate in intercollegiate athletics. However, the committee believes that a transfer student should not be required to serve an academic year in residence at the certifying institution if he or she has already demonstrated that commitment by presenting the certifying institution with the required academic information.

- (v) Postgraduate College Preparatory School Exception. To eliminate the current exception to the organized-competition legislation for individuals who trigger the rule during the initial year of enrollment in a postgraduate college preparatory school. The committee believes that individuals who delay initial full-time collegiate enrollment to enroll in a postgraduate college preparatory school would not need an exception if there is an extended one-year grace period for the application of the organized-competition legislation.
- (vi) Waiver Criteria Provision. Add a provision to specify that the Committee for Legislative Relief may approve waivers of the organized-competition legislation. The waiver provision should include the waiver criteria, as well as a list of circumstances that are considered within or beyond the control of the individual or the institution. The committee directed staff to use the guidelines currently in place for the Committee for Legislative Relief to create the waiver provision. The committee believes the waiver provision would help institutions when deciding whether or not to request a waiver of the application of the organized-competition legislation.
- (vii) Notification of Organized-Competition Legislation. To add a provision to specify that a Division II institution is required to provide information regarding the organized-competition legislation to prospective student-athletes at the first practical opportunity but not later than the day prior to the student-athlete's signed acceptance of the National Letter of Intent or institution's written offer of admission and/or financial aid. The committee believes that this requirement makes sense because it requires institutions to provide the information early in the recruiting process. In addition, the committee believes that such provision would reduce the instances of lack of information or misadvisement in waiver requests.

The Legislation Committee will review this concept and any additional feedback at its June 2009 in-person meeting for a possible legislative recommendation. In addition, the committee agreed to review a concept related to discontinued collegiate enrollment in conjunction with an overall review of the post-enrollment amateurism rules in Bylaw 12 during future meetings to determine whether there are any further legislative changes that need to be made. No formal action was taken by the Council.

Presidents Council. The Presidents Council reviewed the information on Bylaw 14.2.4.2 without taking any formal action.

**(6) Membership Committee.**

**(a) Committee Referral.**

Management Council. The Management Council referred the following issue to the Division II Academic Requirements Committee for possible review and action by the July meeting of the committee:

- Bylaw 14.4 (Progress-Toward-Degree)—How does the progress-toward-degree legislation apply to student-athletes who attend an institution that operates on a trimester academic calendar?

Presidents Council. No action was necessary.

**(b) Membership Process.**

Management Council. The Management Council was informed that the deadline for schools to apply to be considered for the Division II membership process is June 1, 2009. The Membership Committee will review all applications received by the June 1 deadline at its July 7-9 meeting. Determinations at their meeting on whether an application has been accepted to enter the Division II membership process will remain confidential until the Division II Management Council reviews the information at its July 20-21 meeting. An announcement regarding those applications accepted will be made following the Management Council meeting. No action was taken.

Presidents Council. No action was necessary.

**(c) Former Division II Institutions that Reclassified to Division I and Wish to Return to Division II.**

Management Council. The Management Council reviewed the committee's information concerning the process for former Division II institutions that reclassified to Division I and now wish to return to Division II. Such an institution shall not be required to go through the membership process set forth in Bylaw 20.3; rather, an institution in this scenario shall be required to submit the following documentation for review by the committee, which verifies that the institution is in compliance with Division II legislation: (1) squad lists for all sports, including financial aid equivalency information; (2) the schedules for all sports for the upcoming championship season; (3) the results from all of the sports' immediate previous championship season; and (4) information regarding the Division II academic and amateurism certification of all student-athletes as completed by the NCAA Eligibility Center. An orientation visit should take place on the institution's campus with the president and athletics director to discuss current Division II initiatives, and an institution that returns to Division II from Division I will be classed into the ISSG schedule as determined by the committee at the time of re-entry. No action was taken.

Presidents Council. No action was necessary.

**(d) Process for the Audit of an Institution Failing to Meet More Than One Membership Requirement in a 10-year Period per 2009 NCAA Convention Division II Proposal No. 6.**

Management Council. The Management Council noted the process by which the audit will be performed for an institution that failed to meet more than one membership requirement in a 10-year period. The process will begin with a paper review by the Membership Committee. If the Membership Committee does not receive the appropriate documentation or is not satisfied with the information provided by the institution, the committee may conduct an on-campus audit. The following documents shall be provided by an institution in the initial paper audit: (1) sports schedules with results for all sports; (2) a list of student-athletes who competed in each contest for each sport; (3) the completed sports sponsorship form signed by the conference commissioner for the academic year under review; (4) completed squad lists; (5) information regarding how the institution satisfied minimum financial aid requirements as outlined in Bylaw 20.10.1.2 (minimum awards); (6) the executive summary document that lists the total

financial aid awarded to each sport; and the institution's most recent ISSG submitted by the institution per NCAA Constitution 6.3.1.2 (failure to complete self study report). An institution subject to the audit will receive notice via a letter to the chancellor or president, with an e-mail copy to the athletics director, faculty athletics representative, senior woman administrator, compliance coordinator and conference commissioner, if applicable, following the committee's November in-person meeting. The institution shall provide the requested documentation by mid-January for a review by the committee at its February in-person meeting. The penalties will vary depending on each institution's issues, and any egregious issues identified during the audit that do not pertain to the review shall be forwarded to the enforcement staff with notice to the institution to review the issue(s) and self-report any violation(s). No action was taken.

Presidents Council. No action was necessary.

**(e) Institutions Requesting a Waiver of the Two-Year Reclassification Period of a Single Sport from Division I to Division II.**

Management Council. The Management Council noted that the Membership Committee had determined that an institution seeking a waiver of the two-year reclassification period per Bylaw 20.4.2.3 (reclassification period) shall be required to submit the following documentation for review by the committee: (1) squad lists for the appropriate sport, including financial aid equivalency information; (2) a schedule for the sport for the upcoming championship season; (3) the results from the sport's immediate previous championship season; and (4) information regarding the Division II academic and amateurism certification of student-athletes as completed by the Eligibility Center. No action was taken.

Presidents Council. No action was necessary.

**(f) Removal of the Conference Commissioner's Signature on the Signature Page of the ISSG.**

Management Council. The Management Council noted that the conference commissioner's signature shall no longer be required on the ISSG signature page prior to an institution's submission of the document to the national office. The Membership Committee agreed that individual conferences may add a requirement to their conference policy to review the ISSG if they deemed it appropriate. No action was taken.



Presidents Council. No action was necessary.

**(g) Institutions in the Division II Membership Process.**

Management Council. The Management Council noted that there are currently 12 institutions in the Division II membership process. The five candidacy year one institutions are Cal State East Bay, Dominican (California), Lambuth, Maryville (Missouri) and Ohio Dominican. The six candidacy year two institutions are King College (TN), Lincoln University (PA), St. Thomas University (FL), University of Arkansas, Fort Smith, University of Illinois, Springfield, and Urbana University. The provisional institution is Lake Erie College (OH). No action was taken.

Presidents Council. No action was necessary.

**(7) Nominating Committee.**

**(a) Reappointments.**

Management Council. The Management Council recommended that the Presidents Council approve the following reappointments, as recommended by the Nominating Committee:

- (i) **Championships Committee: Erin Lind**, associate commissioner, Northern Sun Intercollegiate Conference.
- (ii) **Committee on Competitive Safeguards and Medical Aspects of Sports: James Morgan**, professor of law, California State University, Chico.
- (iii) **International-Student Records Committee: Eileen McDonough**, faculty athletics representative, Barry University.
- (iv) **High School Review Committee: Cortez Dial**, Virginia State University.
- (v) **Committee on Infractions: Bruce Kirsh**, director of athletics, Franklin Pierce College.
- (vi) **Legislation Committee: Jay Newton**, assistant director of athletics, University of Southern Indiana.

- (vii) **Committee for Legislative Relief: Eugene Hermitte**, faculty athletics representative, Johnson C. Smith University.
- (viii) **Committee on Student-Athlete Reinstatement: Kim Vinson**, assistant director of athletics, Cameron University.

Presidents Council. The Presidents Council approved the reappointments.

**(b) Appointments.**

Management Council. The Management Council recommended that the Presidents Council approve the following appointments, effective September 1 unless otherwise noted.

- (i) **Championships Committee: Robert Dranoff**, commissioner, East Coast Conference.
- (ii) **Committee on Competitive Safeguards and Medical Aspects of Sports: Michelle Gober**, senior woman administrator, Kutztown University of Pennsylvania.
- (iii) **Foreign-Student Records Committee. Jennifer Minke**, assistant director of admissions, Texas A&M University-Kingsville.
- (iv) **Legislation Committee: Christina Whetsel**, director of compliance and student-athlete services, Angelo State University; and **Melissa Barrett**, associate director of athletics, Belmont Abbey College.
- (v) **Membership Committee: Immediate vacancy—Kimberly Pate**, director of athletics, Brevard College; and September 2009 vacancy—**Brian Swanson**, director of athletics, California State Polytechnic University, Pomona.
- (vi) **Nominating Committee: Jaime Lundgren**, associate director of athletics, University of Nebraska, Kearney; and **Charles Tucker**, faculty athletics representative, Valdosta State University.
- (vii) **Olympic Sports Liaison Committee: Venera Flores-Stafford**, associate director of athletics/head volleyball coach, Midwestern State University.

Presidents Council. The Presidents Council approved the appointments, as recommended by the Management Council.

**(c) Committee for Legislative Relief Preferences.**

Management Council. The Management Council approved the recommendation that, when selecting individuals to serve on the Committee for Legislative Relief, preference should be given to athletics administrators with Division II longevity who have a clear understanding of NCAA Bylaws 12 and 14.

Presidents Council. No action was necessary.

**(8) Student-Athlete Reinstatement Committee.**

**(a) Bylaw 14.2.5.2.3 (Eligibility—Hardship Waiver—Percent Calculation—Transfer Student-Athletes.**

Management Council. The Management Council approved non-controversial legislation to amend Bylaw 14.2.5.2.3 to specify that the calculation for percentage of scheduled contests or dates of competition for a transfer student-athlete may be based on the method that would be most beneficial to the student-athlete (the rule applicable to the division where the injury or illness occurred or the Division II rule).

Presidents Council. No action was necessary.

**(b) Use of Chiropractor Records as Medical Documentation for Hardship Waivers.**

Management Council. The Management Council referred the committee's recommendation to the Legislation Committee, for further review and definition, to issue an official interpretation determining that the medical documentation required to grant a hardship waiver (Bylaw 14.2.5.2.2.) must come from a physician (medical doctor) who administered care at the time of the injury or illness. Documentation from an individual other than a physician (e.g., chiropractor, physical therapist) only may be used to support the physician's documentation. The interpretation will provide proper clarification as to what is meant by 'medical doctor' and provides notification that chiropractic records may be provided as supplemental documentation.

**(c) Competition and Practice Prior to Certification of Amateur Status.**

Management Council. The Management Council was provided with an update regarding cases where a student-athlete has been permitted to participate in practice and/or competition prior to receiving final amateurism certification from the NCAA Eligibility Center (Bylaw 12.1.1.1.3). The Student-Athlete Reinstatement Committee reviewed the guidelines originally approved at its December 2007 meeting and reaffirmed its position that relief from a withholding condition for a violation of this bylaw should no longer be provided beginning with the 2009-10 academic year. The committee provided relief during the 2007-08 and 2008-09 academic years with the understanding that the amateurism certification process was new and many Division II member institutions were not familiar with the process and were inadvertently allowing student-athletes to participate prior to receiving their certification decisions. However, in reaffirming its guidelines effective for the 2009-10 academic year, the committee believes the membership has had ample time to become familiar with the new amateurism certification process. No action was taken.

Presidents Council. No action was necessary.

**6. NCAA CONVENTION AND LEGISLATION.**

**a. Presidents Council-Sponsored Proposals for the 2010 Convention.**

Management Council. The Management Council recommended that the Presidents Council approve the legislative form of the proposed legislation for the 2010 Convention.

Presidents Council. The Presidents Council approved the legislative form of the proposals, as recommended by the Management Council.

**b. Noncontroversial Legislation per Constitution 5.3.1.1.1.**

Management Council. The Management Council approved the legislative form of the noncontroversial proposals, already approved in concept by the Council.

Presidents Council. No action was necessary.

**c. Administrative Regulations.**

Management Council. The Management Council reviewed the legislative form of the administrative regulations, which had already been approved. No action was necessary.

Presidents Council. No action was necessary.

**d. Modification of Wording to Conform to the Intent.**

Management Council. The Management Council approved the legislative form of the modification of wording proposals, previously approved in concept by the Council.

Presidents Council. No action was necessary.

**e. Inclusion of Proposals into the Division II Manual.**

Management Council. The Management Council agreed to recommend that the Presidents Council approve the inclusion into the Manual the legislative proposals approved in legislative form and in concept that are considered the “running supplements” of noncontroversial, administrative regulations, incorporations and modifications based on intent.

Presidents Council. The Presidents Council approved the recommendation.

**7. MANAGEMENT COUNCIL ELECTIONS.**

**a. Election for Mid-America Intercollegiate Athletics Association Representative.**

Management Council. The Management Council recommended that the Presidents Council ratify the appointment of Robert Boerigter, director of athletics, Northwest Missouri State University, as the new Management Council representative from the Mid-America Intercollegiate Athletics Association. Mr. Boerigter will complete the term of office for Sallie Beard (through January 2010) and then serve a full four-year term of office from January 2010 through January 2014.

Presidents Council. The Presidents Council ratified the appointment.

**b. Vice Chair of Management Council.**

Management Council. The Management Council reviewed the current duties of the vice chair of the Management Council and engaged in a discussion as to how

to structure the position to best facilitate the work of the various sports committees and the Division II Championships Committee with that of the Management Council. With the current vice chair's term ending August 31, it was the consensus of the Council that the issues should be referred to the Championships Committee for discussion at their next meeting. The Management Council will review the recommendation that comes from the Championships Committee and make a decision as to how the position should be structured during its July meeting. The election for the new vice chair will take place at the same meeting, with an effective date of September 1.

Presidents Council. No action was necessary.

**8. *DIVISION II PROJECT TEAMS.***

**a. *Convention Planning Project Team.***

Management Council. The Management Council reviewed the report of the project team. No action was taken.

Presidents Council. The Presidents Council engaged in a short preliminary discussion about the format for the 2010 Convention. It was decided that the Council will take some time to discuss the general focus for the Division II programming and potential keynote speakers during a future teleconference. No action was taken.

**b. *Management Council Identity Subcommittee.***

Management Council. The Management Council was updated on the early morning meeting of the Identity Subcommittee. Among new items presented to the Council was the translation of the Division II strategic positioning platform into Spanish. No formal action was taken.

Presidents Council. No action was necessary.

**9. *BYLAW 17—DIVISION II PLAYING AND PRACTICE SEASONS AND CHAMPIONSHIPS POLICIES.***

Management Council. The Management Council engaged in roundtable discussions on aligning the division's playing and practice seasons regulations with the Division II strategic positioning platform. The Council agreed that the discussion must be strategic, rather than economically driven, and that proposed changes should be thoroughly vetted by the governance structure and other groups (e.g., coaches associations, Division II Athlet-

ics Directors Association, Division II Conference Commissioners Association) to ensure meaningful input.

As an outcome of the discussions, the Council began to identify those areas of emphasis for the 2010 NCAA Convention, which included a later start time for fall sports; a “dead period” for winter sports; a reduction in the number of contests in baseball and softball; and a possible later start time for spring sports.

- a. Preseason Start Time for Fall Sports.** A possible change in the start of the preseason practice period for fall sports would have a direct impact on easing the financial burden that comes with having to house and feed student-athletes prior to the rest of the general student body arriving on campus for the start of classes.

Based on feedback received from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sport, the current length of the preseason practice period is important to prepare student-athletes for the rigors of the competitive segment of their sport. Thus, the Management Council recommended maintaining the current length of the preseason practice period and moving the permissible start date for competition in the fall by one week later. By maintaining the first permissible start date for practice (which is 17 days prior to the first permissible start date for competition) and moving the start date for competition by one week, a review on a sport-by-sport basis is necessary to determine whether either shortening the overall season by one week or moving the start dates for championships by one week is appropriate.

Initially, the Management Council members noted that they did not want to reduce the overall number of football games because of the sport’s financial benefits (e.g., gate receipts, guarantees) for member schools, though they would consider a later championship if television could accommodate it. Additional comments included whether a delayed season for fall sports would overlap the start of winter sports and, thus, create facility pressures on campus.

#### Legislative Changes:

Sports Considered— Men’s and Women’s Cross Country  
Field Hockey  
Football  
Men’s and Women’s Soccer  
Women’s Volleyball

- Permissible start date for practice would remain at 17 days or 21 days (for football) prior to the first permissible contest date.
- First permissible contest date would change to the Thursday preceding September 6 (current legislation is the Thursday preceding August 30).

Additional considerations include reducing the length of the season by one week or moving the start dates for championships one week later. If the length of the season is reduced by one week (to accommodate the later start time for competition and practice and not moving the championships dates), then consideration must be given to the current permissible number of contests and whether a reduction is necessary.

- b. **“Dead Period” for Winter Sports.** The Management Council received a concept developed by the National Association of Basketball Coaches (NABC) that would impose a “dead period” on practice and competition during several days of the winter break. The dates proposed by the NABC were December 20 through December 27. This “dead period” is proposed rather than reducing the overall number of contests.

Overall, the Council liked the concept and felt the concept could be applied to all winter sports (basketball, swimming and diving and wrestling) and could include a window of time (e.g., December 20 to January 1) to permit schools to select their own seven consecutive day period within the window of days.

- c. **Start Time for Spring Sports and Number of Contests in Baseball and Softball.** The Management Council considered whether the start date for competition for all spring sports should be the second Thursday in February, rather than February 1 (which is the current start date).

Further, regardless of whether the start date for competition is changed, the Council agreed that a reduction in the permissible number of contests for baseball and softball is warranted. The reduction should be considered separately for each sport, as the sports are not the same. The Council agreed to start with a possible reduction in baseball from 56 to 50 contests and for softball, eliminating the tournament exception. By eliminating the tournament exception in softball, each contest played would count in the overall limit of 56 contests.

The Management Council noted that this is a critical issue for the division, and the next several months will be important in order to gather feedback and input from the membership. The ideas noted represent those concepts that deal directly with Bylaw 17 and playing and practice seasons and could serve as legislative proposals to be voted on by the Division II membership at the 2010 NCAA Convention.

Further, the Council noted the need to continue to focus on championships policies with an eye toward aligning championships policies with the strategic positioning platform and with the foresight of establishing better business practices. The Council agreed to continue these discussions at its July meeting.



Presidents Council. At its Wednesday evening meeting with Division II conference board chairs, the Presidents Council began deliberations on how playing and practice seasons and championships policies can be better brought into alignment with the Division II strategic positioning platform and, at the same time, develop better business practices to assist with institutional athletics department budgets.

The presidents agreed with the themes that emerged from the Management Council (e.g., later start date for fall sports, a possible “dead period” for winter sports and reductions in the number of contests for baseball and softball and a later start time for spring sports), as the areas directly affect the strategic positioning of the division, but encouraged continued long-term more comprehensive discussions about how the division can align its playing and practice season regulations and championships policies with the division’s platform theme of “Life in the Balance.”

The Council noted that recommendations will be made this summer for the Presidents Council to sponsor a set of legislative proposals for the 2010 Convention. However, the Presidents Council and the conference board chairs agreed to continue their discussions at the NCAA Convention and the June 2010 Division II Chancellors and Presidents Summit.

#### **10. *DIVISION II MANAGEMENT COUNCIL.***

- a. Management Council Project Team/Committee Assignments.** The Management Council reviewed the committee/project team assignments, noting that Sallie Beard's assignments will be open for consideration by Council members. No action was taken.
- b. Appeal of Legislation Committee decision per Constitution 5.4.1.2.1.3.** The Management Council considered an appeal of Constitution 5.4.1.2.1.3 and upheld an interpretation by the Division II Legislation Committee, which confirmed that participation while enrolled in a Collège d'Enseignement Général et Professionnel (CEGEP) program after completion of the prescribed academic path of a prospective student-athlete's home country would not be considered a continuation of secondary school. The prospective student-athlete is not granted relief through the postgraduate college preparatory school exception, as noted in Bylaw 14.2.4.2.7.4. [References: Bylaws 14.2.4.2 (organized competition), 14.2.4.2.3 (activities constituting use of a season) and 14.2.4.2.3.4 (postgraduate college preparatory school exception)]. The interpretation was reinforced at the March 2009 NCAA International Student Records Committee meeting, which determined that there is no evidence that the postgraduate college preparatory program model exists outside the United States; therefore, the postgraduate college preparatory exception should not apply to secondary educational systems in countries outside the United States.

- c. **Management Council Topics for July Management Council/SAAC Summit.** The Management Council discussed ideas for topics for the summer Management Council/Student-Athlete Advisory Committee Summit, which included issues surrounding: Bylaw 17; gambling; alcoholism and tobacco. No action was taken.
- d. **Division II Strategic Alliance Matching Grant Enhancement Program.** The Management Council received an update on the SAMGEP and its recipients for 2009. No action was taken.
- e. **Management Council Recognition.** The Management Council recognized the outstanding service of Sallie Beard, director of athletics, Missouri Southern State University. Sallie is retiring from Missouri Southern at the end of the academic year.

#### ***11. DIVISION II PRESIDENTS COUNCIL.***

- a. **Vice President's Report.** The vice president for Division II updated the Council on the travel contingency plan that was implemented for men's basketball this year; the 2010 presidents and chancellors summit; and the 2009 Rotary Bowl. The vice president also distributed a version of the Division II strategic positioning platform, which was translated into Spanish, to the Presidents Council. After discussion, the Presidents Council determined that it would like to begin formulating plans for the Presidents Council to look into the feasibility of conducting a meeting in October between the Division II Presidents Council and presidents/chancellors of Hispanic-serving institutions to discuss other ways the division can assist in making their Division II membership more meaningful and useful to their students. An update will follow on this issue.
- b. **Region 2 Election.** The Presidents Council elected Dorothy Leland, president, Georgia College and State University, to replace Tom Harden as a Region 2 representative on the Council, effective immediately. Dr. Leland will complete the remainder of Dr. Harden's term of office and then serve an additional four-year term of office, from January 2010 to January 2014.
- c. **Vice Chair Election.** The Presidents Council elected, by acclamation, Beverley Pitts, University of Indianapolis, to serve a second year as vice chair of the Council. Dr. Pitts' term will conclude August 31, 2010.

**12. COMMUNITY ENGAGEMENT INITIATIVE.**

**a. April Community Engagement Workshop.**

Management Council. The Management Council received an update on the April Community Engagement Workshop, which was held in Philadelphia April 16-17. It was noted that this was the first community engagement workshop that allowed for participation from persons, who were not either directors of athletics or commissioners. No formal action was taken.

Presidents Council. The Presidents Council received an update on the April workshop. No action was taken.

**b. Community Engagement Award of Excellence Winners.**

Management Council. The Management Council noted that Kutztown University of Pennsylvania was this year's winner of the Community Engagement Award of Excellence for its "Paint the Town Gold" activity. Representatives of the university attended the workshop and were presented with an award. No action was taken.

Presidents Council. The Presidents Council received the information on the Community Engagement Award of Excellence. No action was taken.

**13. NATIONAL OFFICE STAFF UPDATES.**

**a. Game Environment Recognition Banners.**

Management Council. The Management Council was updated on the status of the game environment recognition banners and those schools that have already qualified for them. No action was taken.

Presidents Council. No action was necessary.

**b. Division II Purchasing Web site.**

Management Council. The Management Council received an update on those Division II institutions and conferences that have made purchases on the Web site, taking advantage of the \$1,000 credit available until June 30. No action was taken.

Presidents Council. The Presidents Council received the purchasing Web site report. No action was taken.

**c. Report from Office of Executive Vice President, Membership and Student-Athlete Affairs.**

Management Council. The Management Council received a report from the director of membership and student-athlete affairs on 1) the collaborative efforts between the NCAA and the NAIA to establish a programmatic relationship; and 2) the audit of gender and diversity programs, which includes the review of 19 programs with a budget over \$6,000,000. A draft report is due to the group in July.

Presidents Council. The Presidents Council received a report from the executive vice president and director of membership and student-athlete affairs, which included: 1) an update on a sports wagering policy; 2) an update on the collaborative partnership between the NCAA and the NAIA; and 3) a preview of the Executive Committee meeting later that afternoon. [See Page No. 33, Item No. 14 for a full explanation of actions taken related to the sports wagering policy.]

**d. Litigation Update.**

Management Council. The Management Council received a written report from the office of the legal counsel for the NCAA.

Presidents Council. The Presidents Council received an update from NCAA legal counsel on current issues. No action was taken.

**14. OTHER BUSINESS.**

**• Sports Wagering Policy.**

Presidents Council. The Presidents Council discussed an NCAA sport wagering policy for championships that Division I and Division III have already approved. The Presidents Council approved the following policy for Division II effective June 1, which states:

*"No session of an NCAA championship may be conducted in a metropolitan area with legal wagering that is based upon the outcome of any event (i.e., high school, college or professional) in a sport in which the NCAA conducts a championship."*

**15. MEETING RECAP/TAKEAWAYS.**

Management Council. The Management Council was encouraged to report information on the following issues/topics to their member constituents: a) Bylaw 17 (Playing and Practice Seasons); b) Bylaw 14.2.4.2 (Participation in Organization Competition or Training Prior to Initial Collegiate Enrollment); c) Division II Purchasing Web site; d) In-

terpretation Related to Participation in Organized Competition or Training Prior to Initial Collegiate Enrollment—Activities Constituting Use of Season—Exception—Postgraduate College Preparatory School Exception; e) game environment recognition banners; f) Relief related to Bylaw 14.2.4.2 (Participation in Organized Competition or Training Prior to Initial Collegiate Enrollment); g) Bylaw 12.1.1.1.3 (Eligibility for Practice and Competition—Participation Before Certification—Recruited and Nonrecruited Student-Athlete); and h) Division II membership process.

Presidents Council. No action was necessary.

**16. FUTURE MEETINGS.**

Management Council. The Management Council noted the upcoming meetings for the rest of 2009 and 2010. No action was taken.

Presidents Council. The Presidents Council noted the upcoming meetings for the rest of 2009 and 2010, specifically the Presidents/Chancellors Summit June 18-19, 2010. No action was taken.

**17. ADJOURNMENT.**

Management Council. The meeting adjourned at 11:52 a.m. Tuesday, April 21.

Presidents Council. The meeting adjourned at 12:25 p.m. Thursday, April 30.

MINUTES OF THE  
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION  
INTERPRETATIONS SUBCOMMITTEE OF THE  
DIVISION II LEGISLATION COMMITTEE

Teleconference No. 1

April 13, 2009

Participants:

Diana Kling, Peach Belt Conference, chair  
Mark Linder, University of North Alabama  
Ann Martin, Regis University  
Fran Nee, Indiana University of Pennsylvania  
Jay Newton, University of Southern Indiana  
Jenn Fraser, NCAA, recording secretary  
Maritza Jones, NCAA  
Stephanie Quigg, NCAA

[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 NCAA Interpretations Subcommittee of the Division II Legislation 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.]

1. Review of NCAA Membership Services Staff Determinations Issued Since September 2008. Based on the ratification of NCAA Division II Proposal No. NC-2009-21 at the 2009 NCAA Convention, the Interpretation Subcommittee of the Division II Legislation Committee reviewed all of the academic and membership affairs staff determinations issued since September 2008. The subcommittee reviewed and approved four staff determinations, as specified below.

**Special Seating Arrangements during Contests for Injured Student-Athletes (I/II/III)**

**Date Issued:** September 10, 2008

**Date Published:** October 24, 2008

**Item Ref:** a

The membership services staff determined that an institution would be permitted to provide an injured student-athlete who is eligible to represent the institution in intercollegiate competition with special seating accommodations (e.g., press box seating) during a contest in the student-athlete's sport if such seating is necessary for the safety of the student-athlete.

[References: Division I Bylaws 16.02.3 (extra benefit) and 16.11.2.1 (general rule); and Division II Bylaws 16.02.3 (extra benefit) and 16.11.2.1 (general rule) and Division III Bylaw 16.02.3 (extra benefit)]

**Departure for Competition Prior to an Official Vacation Period (I/II/III)**

**Date Issued:** October 15, 2008

**Date Published:** December 2, 2008

**Item Ref:** a

The membership services staff determined it is permissible for an institution's student-athletes to depart for competition (including a foreign tour) that occurs during an official vacation period prior to the official beginning of the vacation period, provided all participating student-athletes have completed their classes or exams and no special arrangements are made to rearrange classes or exams.

[References: Division I Bylaws 16.8.1.2.1.1 (exceptions) and 30.7.8 (timing of tour); Division II Bylaws 16.8.1.2.1.1 (exceptions) and 30.7.7 (timing of tour); and Division III Bylaws 16.8.1.2.1.1 (exceptions) and 30.7.7 (timing of tour) and staff interpretation (10/21/1987, Item f), which has been archived.]

**Prospect-Aged Child of an Institutional Staff Member Traveling with the Institution's Team to an Away-From-Home Contest (I/II/III)**

**Date Issued:** October 15, 2008

**Date Published:** December 2, 2008

**Item Ref:** c

The membership services staff determined it is permissible for an institution, at its discretion, to provide expenses related to travel (e.g., transportation, lodging and meals) to away-from-home contests to prospect-aged children of institutional staff members and athletics department staff members.

[References: Division I Bylaws 13.1.1.1 (time period for off-campus contacts -- general rule), 13.1.1.2 (two-year college prospective student-athletes), 13.1.1.3 (four-year college prospective student-athletes) and 13.2.1 (general regulation); Division II Bylaws 13.1.1.1 (high school prospective student-athletes), 13.1.1.2 (four-year college prospective student-athletes) and 13.2.1 (general regulation); and Division III Bylaws 13.1.1.1 (high school prospective student-athletes), 13.1.1.2 (four-year college prospective student-athletes) and 13.2.1 (general regulation)]

**Video of Nonscholastic Activities through a Subscription to a Recruiting or Scouting Service (II)**

**Date Issued:** February 11, 2009

**Date Published:** March 31, 2009

**Item Ref:** 2

The academic and membership affairs staff determined that it is not permissible for an institution to obtain video (e.g., live streaming video, recorded video) of any nonscholastic activities, including regular game and all-star competition, or any summer camp or clinic competition, through a subscription to a recruiting or scouting service.

[References: Bylaws 12.3.3 (athletics scholarship agent) and 13.14.3.2 (video services), official interpretation (4/2/87, Item No. 6) and staff interpretation (4/25/88, item d), which has been archived.]



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MINUTES OF THE  
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION  
INTERPRETATIONS SUBCOMMITTEE OF THE  
DIVISION II LEGISLATION COMMITTEE

Teleconference No. 2

June 1, 2009

Participants:

Marcus Grant, Central Intercollegiate Athletic Association  
Diana Kling, Peach Belt Conference, chair  
Mark Linder, University of North Alabama  
Ann Martin, Regis University  
Fran Nee, Indiana University of Pennsylvania  
Jay Newton, University of Southern Indiana  
Jenn Fraser, NCAA, recording secretary  
Maritza Jones, NCAA  
Stephanie Quigg, NCAA

[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 NCAA Interpretations Subcommittee of the Division II Legislation 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.]

1. Amateurism – Validity of Amateur Status – Amateur Status – Prohibited Forms of Pay – Cash or Equivalent Award. The subcommittee affirmed that an individual's amateur status would be jeopardized when prize money is awarded based on the individual's performance or participation, regardless of whether the prize money is awarded to the individual or an agency with whom the individual participates. In addition, the fact that the individual may not have known that prize money was being forwarded or provided to the team could be submitted as mitigation by the institution through the student-athlete reinstatement and/or enforcement process.

[References: NCAA Bylaws 12.1.1 (validity of amateur status), 12.1.2 (amateur status), 12.1.2.1 (prohibited forms of pay) and 12.1.2.1.4.1 (cash or equivalent award), official interpretation (5/5/1988, Item No. 2) and staff interpretation (10/7/1988, Item No. a)]

2. Eligibility – Transfer Regulations – Conditions Affecting Transfer Status. The subcommittee affirmed that an individual is considered a transfer student if any of the conditions in Bylaw 14.5.2 are met, including enrolling as a full-time student. In the fact pattern presented, the individual enrolled in two, three-hour classes in two different sessions and was considered by that institution to be a full-time student, thus, becoming subject to the transfer requirements. The issue of whether these courses were “extension” courses appears to be a factual issue and institution would be the appropriate entity to define the type of courses in which the individual was enrolled. It appears that the institution has confirmed that these courses were not extension courses. Further, even if the individual would have satisfied an exception to the transfer regulations, the institution did not properly certify the student-athlete under any of the transfer exceptions prior to competition, which is contrary to Bylaw 14.01.1.

[References: Bylaws 14.01.1 (institutional responsibility) and 14.5.2 (conditions affecting transfer status)]

3. Eligibility – Institutional Responsibility. The subcommittee affirmed that it is the institution’s responsibility to ensure that the student-athletes who compete for the institution are eligible under the applicable rules. Further, pursuant to Bylaw 14.02.5, the determination of good academic standing and eligibility rests with the academic officials at the institution an individual attends at that time. In this scenario, the individual was not a student-athlete at the previous institution; however, the academic authorities who define good academic standing at the student-athlete’s previous institution must certify that this individual was in good academic standing and would have been eligible had she remained. It is very possible that the individual in this situation would have met these standards; however, without verification from the previous institution, the individual was not properly certified, leading to a violation of Bylaw 14.01.1.

[References: Bylaws 14.01.1 (institutional responsibility) and 14.02.5 (good academic standing and progress toward degree)]

4. Eligibility – Progress-Toward Degree Requirements – Eligibility for Competition – Fulfillment of Credit-Hour Requirements. The subcommittee affirmed that in order to certify a transfer student-athlete’s eligibility, the institution must certify that the student-athlete satisfactorily completed six semester (or quarter) hours in the preceding regular academic term in which the student-athlete was enrolled full-time. Further, Bylaw 14.4.3.1.1 requires that the hours be certified as transferable degree credit. This

certification did not occur in this scenario. Therefore, the student-athlete was not properly certified and a violation of 14.01.1 occurred.

[References: Bylaws 14.01.1 (institutional responsibility), 14.4.3.1 (fulfillment of credit-hour requirements) and 14.4.3.1.1 (transfer student—six-hour requirement).]

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A G E N D A

The National Collegiate Athletic Association

Legislative Review Subcommittee of the

Division II Legislation Committee

The Westin Seattle  
Seattle, Washington

June 24, 2009

1. Welcome and announcements.
2. Legislative referrals.
  - a. Amateurism – General Regulations – Validity of Amateur Status – Amateurism Certification. [[Attachment A](#)] (Maritza Jones)
  - b. Recruiting – Official (Paid) Visit – Meals and Lodging While in Transit to Official Visit. [[Attachment B](#)] (Jones)
  - c. Recruiting – Publicity – Media Release Regarding Signing – Highlight Video of Prospective Student-Athlete on Institution's Web site. [[Attachment C](#)] (Jenn Fraser)
  - d. Recruiting – Tryouts – Tryout Exceptions. [[Attachment D](#)] (Jones)
  - e. Financial Aid – Maximum Institutional Grant-In-Aid Limitations by Sport – Equivalency Sports – Maximum Equivalency Limits and Summer Financial Aid. [[Attachment E](#)] (Fraser)
3. Incorporation of interpretations. [[Attachment F](#)] (Fraser)
4. Division II editorial revisions. [[Attachment G](#)] (Fraser)
5. Review of recently adopted Division I editorial revisions. [[Attachment H](#)] (Jones)
6. Review of recently adopted Division III editorial revisions. [[Attachment I](#)] (Fraser)
7. Other business.
8. Adjournment.

The National Collegiate Athletic Association  
June 10, 2009 MJ:jcw

**NCAA Bylaw 12.1.1.1 Amateurism – General Regulations – Validity of Amateur Status –  
Amateurism Certification Process**

**Issue:**

Whether or not the NCAA Division II Legislation Committee should recommend sponsorship of legislation for the 2010 NCAA Convention to amend NCAA Bylaw 12.1.1.1 (amateurism certification process).

**Analysis:**

According to current legislation, a student-athlete shall receive a certification of amateur status (issued by the NCAA Eligibility Center) prior to engaging in practice or competition. If a student-athlete reports for athletics participation before the student-athlete's amateur status has been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have established minimum requirements as an amateur to continue practicing or to compete.

With the establishment of the amateurism certification process, the NCAA academic and membership affairs staff was instructed to review processes and procedures to ensure that they conform to existing legislation and interpretations. In addition to some editorial changes, the staff recommended that the Interpretations Subcommittee of the Division II Legislation Committee review an official interpretation issued by Division I [Reference: 03/21/07, Item No. 2], which was later incorporated into the NCAA Division I Manual, and consider issuing a similar official interpretation. The Division I official interpretation confirmed that after a final not certified decision is rendered pursuant to the amateurism certification process, a student-athlete may continue to practice with an institution's team, provided the institution has submitted a notice of appeal. At the point in which all appeal opportunities have been exhausted and no eligibility has been granted, the student-athlete may no longer participate in practice activities. This interpretation was the result of a review of a previous staff interpretation [Reference: 11/29/89, Item No. c], which set forth the principle that in cases involving violations of NCAA amateurism rules, a student-athlete may continue to practice with an institution's team until all appeals for restoration of eligibility to compete have been exhausted. The staff believed that the same standard should apply to the amateurism certification process. The intent of the temporary certification periods for amateurism certification is to encourage the timely submission of necessary information for certification. The intent was not to preclude practice activities while appeals related to the process are pending.

The Interpretations Subcommittee issued an official interpretation [Reference: 5/7/07, Item No. 2], similar to the Division I interpretation. Therefore, under this interpretation, the application of the legislation is such that a student-athlete will be permitted to practice pursuant to the temporary certification period for amateurism certification while certification is pending. If the temporary period expires without a decision being provided, the student-athlete must discontinue

practice activities. If a "not certified" decision is provided, either before or after the temporary period expires, the institution may indicate an intent to appeal the "not certified" decision. Once the institution has declared such an intent, the student-athlete will be permitted to practice until all appeals are exhausted.

While the May 7, 2007, official interpretation provides direction for cases in which a final "not certified" decision has been rendered pursuant to violations of amateurism rules, the academic and membership affairs staff has received questions regarding whether the same outcome would be reached for amateurism certifications of "certified with conditions" based on the use of seasons of competition per Bylaw 14.2.4.2 (participation in organized competition or training prior to initial collegiate enrollment).

The staff believes that if an individual has been certified as having used one or more seasons of competition (and possibly having to fulfill an academic year in residence) per Bylaw 14.2.4.2, that certification should not preclude the individual from practicing with an institution's team, provided the individual is otherwise eligible for practice (e.g., certified as a qualifier or partial qualifier, enrolled in a minimum full-time program of studies, sign a drug-testing consent form, included on the institution's squad list, certify insurance coverage of medical expenses per Constitution 3.2.4.9). However, the staff indicated that it would ask the Legislation Committee to review the issue to determine whether an amendment to the legislation (or an interpretation) is appropriate to clarify whether an individual may practice after a final "certified with conditions" decision has been issued pursuant to the amateurism certification process based on the individual triggering the use of a season(s) of competition per Bylaw 14.2.4.2.

### Conclusions:

1. The Legislation Committee **recommends** that the NCAA Division II Management Council sponsor legislation for the 2010 Convention to amend Bylaw 12.1.1.1, effective August 1, 2010.
2. The Legislation Committee **recommends** issuing an official interpretation to clarify that an individual may practice after a final certified with conditions decision has been issued pursuant to the amateurism certification process based on the individual triggering the use of a season(s) of competition per Bylaw 14.2.4.2.
3. The Legislation Committee **does not recommend** action regarding eligibility for practice after a final certified with conditions decision has been issued pursuant to the amateurism certification process based on an individual triggering the use of a season(s) of competition per Bylaw 14.2.4.2.

## **Associated References:**

### **Division II Bylaws**

**12.1.1 Validity of Amateur Status.** As a condition and obligation of membership, it is the responsibility of an institution to determine the validity of the information on which the amateur status of a prospective student-athlete (e.g., including a two-year and four-year college transfer initially enrolling at an NCAA Division II institution) and student-athlete is based. (See Bylaw 14.01.3.)

**12.1.1.1 Amateurism Certification Process.** An institution shall use an eligibility center approved by the Executive Committee to determine the validity of the information on which the amateur status of a student-athlete is based.

**12.1.1.1.3 Eligibility for Practice and Competition.** Prior to engaging in practice or competition, a student-athlete shall receive a certification of amateur status for activities that occur prior to the certification or initial full-time enrollment at an NCAA Division I or II institution (whichever occurs earlier).

**12.1.1.1.3.1 Participation Before Certification – Recruited and Nonrecruited Student-Athlete.** If a recruited or nonrecruited student-athlete reports for athletics participation before the student-athlete's amateur status has been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have established minimum requirements as an amateur (as certified by the NCAA Eligibility Center) to continue practicing or to compete.

**14.01.3.1 Amateurism.** A student-athlete shall not be eligible for participation in an intercollegiate sport, if the individual takes or has taken pay, or has accepted the promise of pay in any form, for participation in that sport, or if the individual has violated any of the other regulations related to amateurism set forth in Bylaw 12. (See Bylaw 12.1.1).

**14.02.9 Participation in Intercollegiate Athletics.** Participation in intercollegiate athletics occurs when a student-athlete either practices in a sport (see Bylaw 17.02.1) or competes in a sport, as defined in Bylaw 14.02.6. Eligibility rules for competition may differ from those for practice.

**14.2.4.2 Participation in Organized Competition or Training Prior to Initial Collegiate Enrollment.** An individual who does not enroll in a collegiate institution as a full-time student during the regular academic term that is immediately following the date that the individual's high school class normally graduates from high school (or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility) shall use a

season of intercollegiate competition for each calendar year or sports season (following that date) in which the individual has participated in activities that meet the criteria set forth in Bylaw 14.2.4.2.3.

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

**Division II Interpretations**

**Eligibility for Practice after a Final Not Certified Amateurism Certification Decision is Rendered (II).**

Date Issued: May 7, 2007

Date Published: May 7, 2007

Item Ref: 2

Interpretation:

The Division II Interpretations Subcommittee confirmed that after a final not certified decision is rendered pursuant to the amateurism certification process, a student-athlete may continue to practice with an institution's team, provided the institution has submitted a notice of appeal. At the point in which all appeal opportunities have been exhausted and no eligibility has been granted, the student-athlete may no longer participate in practice activities.

[References: NCAA Bylaws 12.1.1 (validity of amateur status) and 12.1.1.1 (amateurism certification process).]

**Involvement in practice activities if declared ineligible**

Date Issued: November 29, 1989

Date Published: November 29, 1989

Item Ref: c

Interpretation:

Reviewed Bylaw 14.01.4.1 (eligibility) and Bylaw 14.02.8 (definition of participation) in reference to student-athletes who were declared ineligible as a result of NCAA rules violations, noting that these individuals have exhausted the eligibility appeals process with the NCAA and no eligibility has been restored to them; confirmed that under such circumstances, the student-athletes would not be permitted to participate in the institution's regularly scheduled practice sessions.



**Division I Bylaw**

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

**Division I Interpretation**

**Eligibility for Practice after a Final Not Certified Amateurism Certification Decision is Rendered (I)**

**Archived Interpretation**

Date Issued: March 21, 2007

Date Published: March 21, 2007

Item Ref: 2

Archive Info: Incorporated into Manual (See Proposal No. I-2007-2).

Interpretation:

The committee confirmed that after a final not certified decision is rendered pursuant to the amateurism certification process, a student-athlete may continue to practice with an institution's team, provided the institution has submitted a notice of appeal. At the point in which all appeal opportunities have been exhausted and no eligibility has been granted, the student-athlete may no longer participate in practice activities.

[References: NCAA Bylaws 12.1.1 (validity of amateur status) and 12.1.1.1 (amateurism certification process)].

**Division I Proposal**

**I-2007-2 AMATEURISM -- AMATEURISM CERTIFICATION PROCESS -- PRACTICE ACTIVITIES**

Status: Adopted - Final

Bylaws: Amend 12.1.1.1, as follows:

12.1.1.1 Amateurism Certification Process. An institution shall use an initial eligibility center approved by the Executive Committee to determine the validity of the information on which the amateur status of a student-athlete is based.

[12.1.1.1.1 through 12.1.1.1.3 unchanged.]

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

Source: NCAA Division I Legislative Review/Interpretations Committee (March 21, 2007, Item No. 2).

Effective Date: Immediate

Proposal Category: Incorporation

Topical Area: Amateurism

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

History

May 15, 2007: Submit; Submitted for consideration.

May 15, 2007: Adopted; Adopted - Final

**NCAA Bylaw 13.6 – Recruiting – Official (Paid) Visit – Meals and Lodging While in  
Transit to Official Visit**

**Issue:**

Whether or not the NCAA Division II Legislation Committee should issue an interpretation to clarify the application of NCAA Bylaw 13.6 [official (paid) visit)] to meals and lodging while in transit to an official visit.

**Analysis:**

Under current Division II legislation, an official visit to an institution shall not exceed 48 hours. This 48-hour period begins at the time the prospective student-athlete arrives on the institution's campus. The legislation also specifies that the prospective student-athlete's transportation to and from the campus must be without delay for personal reasons or entertainment purposes. Further, the institution may not pay any expenses for entertainment (other than the actual and reasonable cost of meals) in conjunction with the prospective student-athlete's transportation. Finally, it is permissible for an institution to pay a prospective student-athlete's actual costs for reasonable expenses incurred while traveling to and from campus on the official visit.

In March 2009, the NCAA Division I Legislative Review and Interpretations Committee discussed issues related to meals and lodging for prospective student-athletes while in transit to an official visit [See Division I official interpretation (Reference: 03/25/09, Item No. 1)]. The committee confirmed that the following activities do not trigger the beginning of the 48-hour official visit period:

1. Receipt of a drive-thru or "to-go" meal while in transit with an athletics department staff member from the major airport or bus or train station nearest the institution.
2. Receipt of lodging in the locale of the institution when the prospective student-athlete arrives in the locale too late to begin the official visit that day.
3. Receipt of a meal at or in the vicinity of his or her place of lodging when the prospective student-athlete arrives in the locale of the institution too late to begin the official visit that day, provided no athletics department staff members or student-athletes are present during the meal.

[Note: These expenses may not be provided for any other individual who is accompanying the prospective student-athlete on the official visit (e.g., parents, spouse) prior to the start of the 48-hour official visit period.]

The Division I Legislative Review and Interpretations Committee also confirmed that the following activities trigger the beginning of the 48-hour official visit period:

1. Receipt of a "sit-down" meal at the major airport or bus or train station nearest the institution while accompanied by an athletics department staff member at the time of his or her arrival for an official visit.
2. Receipt of a "sit-down" or "drive-in" meal enroute to the institution's campus with an athletics department staff member.

[Note: Under these circumstances, the prospective student-athlete's parents (or legal guardians), spouse and/or children may also receive such a meal.]

Should the Legislation Committee issue an official interpretation (similar to the official interpretation recently issued by Division I) to clarify the application of the official visit legislation to meals and lodging while in transit to an official visit?

#### **Conclusions:**

1. The Legislation Committee **recommends** issuing an official interpretation to clarify the application of the official visit legislation to meals and lodging while in transit to an official visit.
2. The Legislation Committee **does not recommend** action regarding meals and lodging while in transit to an official visit.

#### **Associated References:**

#### **Division II Bylaws**

**13.6.3.1 48-Hour Period Defined.** The 48-hour period of the official visit begins at the time the prospective student-athlete arrives on the institution's campus, rather than with the initiation of the prospective student-athlete's transportation by a coach or the time of the prospective student-athlete's arrival at the airport or elsewhere in the community. The prospective student-athlete's transportation to and from the campus must be without delay for personal reasons or entertainment purposes. The institution may not pay any expenses for entertainment (other than the actual and reasonable cost of meals) in conjunction with the prospective student-athlete's transportation. At the completion of the 48-hour visit, the prospective student-athlete must depart the institution's campus immediately; otherwise, the institution may not pay any expenses incurred by the prospective student-athlete upon departure from the institution's campus, including the cost of the prospective student-athlete's transportation home.

**13.6.5 Accommodations on Official Visit.** A prospective student-athlete on an official visit shall be provided lodging and take meals as regular students normally do. Local commercial facilities may be used but at a scale comparable to that of normal student life and only within a 30-mile radius of the institution's campus.

**13.6.6.1.1 Meals and Lodging While in Transit.** It is permissible for an institution to pay a prospective student-athlete's actual costs for reasonable expenses (e.g., meals, lodging) incurred while traveling to and from campus on the official visit.

**13.6.6.7.1 Meals on Official Visit.** The cost of actual meals, not to exceed three per day, on the official visit for a prospective student-athlete and the prospective student-athlete's relatives or legal guardian(s) need not be included in the \$30-per-day entertainment expense. A dessert or after-meal snack also may be excluded.

**13.6.7 Entertainment on Official Visit for Relatives or Legal Guardian(s) of Prospective Student-Athlete.** A member institution shall limit entertainment, meals and lodging on the prospective student-athlete's official visit to a prospective student-athlete, and the prospective student-athlete's relatives [or legal guardian(s)]. For violations of this bylaw, the eligibility of the individual (i.e., prospective or enrolled student-athlete) shall not be affected conditioned on the individual repaying the benefit to a charity of his or her choice. The individual, however, shall remain ineligible from the time that the institution has knowledge of the receipt of the impermissible benefit until the individual repays the benefit. Violations of this bylaw remain institutional violations per Constitution 2.8.1, and documentation of the individual's repayment shall be forwarded to the enforcement staff.

**13.6.8 Lodging for Additional Persons.** Additional persons (e.g., prospective student-athlete's brother, sister, friend) may stay in the same room as the prospective student-athlete or relatives or legal guardian(s) of the prospective student-athlete, but the institution shall not pay the costs resulting from the additional occupants. The additional occupants shall not be prospective student-athletes being recruited by the institution.

### **Division II Interpretations**

#### **Lodging expenses for prospect while enroute for official visit**

Date Issued: December 20, 1988

Date Published: December 20, 1988

Item Ref: 18

Interpretation:

Official visits

18. Lodging expenses for prospect while en route for official visit. Reviewed the provisions of Bylaw 1-9 and confirmed that an institution may reimburse a prospective student-athlete for necessary lodging expenses while traveling to campus with his or her parents for an official visit,

provided the reimbursement is for the necessary lodging costs of the prospect (single-room rate) only, and no expenses for additional occupants of the room (e.g., parents, brothers, sisters) are provided; also confirmed that during the official visit, lodging expenses (within a 30-mile radius) for both the prospective student-athlete and the parents may be provided (at the regular room rates), but the institution may not pay the extra expense for additional occupants of the hotel rooms (e.g., brothers, sisters or friends); noted that those additional occupants could stay in the same room as the parents or the prospective student-athlete, provided the parents pay for any additional costs resulting from the extra person(s).

### **Meals at Off-Campus Site While In Transit to Official Visit**

Date Issued: April 13, 1994

Date Published: April 13, 1994

Item Ref: b

Archive Info: Due to 3/25/09 Official Interpretation, Item No. 1.

Interpretation:

b. Meals at Off-Campus Site While In Transit to Official Visit: The legislative services staff determined that a prospective student-athlete may receive a meal at the prospect's off-campus place of lodging when he or she arrives too late in the community to begin the official visit that day, inasmuch as the prospect is considered to be in transit to the institution's campus. [References: 13.7.2.1 (48 hour period defined), 13.7.5.1.1 (meals and lodging while in transit) and 13.7.5.7 (meals)]

### **Division I Bylaws**

**13.6.4.1 48-Hour Period Defined.** The 48-hour period of the official visit begins at the time the prospective student-athlete arrives on the institution's campus, rather than with the initiation of the prospective student-athlete's transportation by a coach or the time of the prospective student-athlete's arrival at the airport or elsewhere in the community (see Bylaws 13.6.4.1.1 and 13.5.2.4). The prospective student-athlete's transportation to and from the campus must be without delay for personal reasons or entertainment purposes. The institution may not pay any expenses for entertainment (other than the actual and reasonable cost of meals) in conjunction with the prospective student-athlete's transportation. At the completion of the 48-hour visit, the prospective student-athlete must depart the institution's campus immediately; otherwise, the institution may not pay any expenses incurred by the prospective student-athlete upon departure from the institution's campus, including the cost of the prospective student-athlete's transportation home.

**13.6.6 Accommodations on Official Visit.** A prospective student-athlete on an official visit shall be provided lodging and take meals as regular students normally do. Local commercial facilities may be used but at a scale comparable to that of normal student life and only within a 30-mile radius of the institution's campus. Lodging may not include special accessories (e.g., jacuzzis, suites) that are not available generally to all guests residing at the establishment. (See

Bylaw 13.6.7.7 for restrictions on meals provided to prospective student-athletes on official visits.)

**13.6.7.1.1 Meals and Lodging While in Transit.** It is permissible for an institution to pay a prospective student-athlete's actual costs for reasonable expenses (e.g., meals, lodging) incurred while traveling to and from campus on the official visit.

**13.6.7.7 Meals on Official Visit.** The cost of actual meals, not to exceed three per day, on the official visit for a prospective student-athlete and the prospective student-athlete's parents, legal guardians, spouse or children need not be included in the \$30-per-day entertainment expense. Meals must be comparable to those provided to student-athletes during the academic year. A reasonable snack (e.g., pizza, hamburger) may be provided in addition to the three meals.

**13.6.8 Entertainment on Official Visit for Spouse, Parent or Legal Guardian of Prospective Student-Athlete.** A member institution shall limit entertainment and lodging on the prospective student-athlete's official visit to a prospective student-athlete, the prospective student-athlete's parents (or legal guardians) and spouse. An institution shall limit meals on the prospective student-athlete's official visit to a prospective student-athlete, the prospective student-athlete's parents (or legal guardians), spouse and children.

**13.6.9 Lodging for Additional Persons.** Additional persons (e.g., prospective student-athlete's brother, sister, friend) may stay in the same room as the prospective student-athlete or parents, spouse or legal guardians of the prospective student-athlete, but the institution shall not pay the costs resulting from the additional occupants. The additional occupants shall not be prospective student-athletes being recruited by the institution. For violations of this bylaw in which the value of the offer or inducement is \$100 or less, the eligibility of the individual (prospective or enrolled student-athlete) shall not be affected conditioned upon the individual repaying the value of the benefit to a charity of his or her choice. The individual, however, shall remain ineligible from the time the institution has knowledge of the receipt of the impermissible benefit until the individual repays the benefit. Violations of this bylaw remain institutional violations per Constitution 2.8.1, and documentation of the individual's repayment shall be forwarded to the enforcement services staff with the institution's self-report of the violation.

### **Division I Interpretation**

#### **Meals and Lodging while in Transit to Official Visit (I)**

Date Issued: March 25, 2009

Date Published: March 26, 2009

Item Ref: 1

Interpretation:

The committee reviewed issues related to meals and lodging for prospective student-athletes while in transit to an official visit and confirmed the following:

(a) A prospective student-athlete may receive lodging in the locale of the institution without beginning the 48-hour official visit period in instances in which he or she arrives in the locale too late to begin the official visit that day. Such expenses may not be provided for any other individual who is accompanying the prospective student-athlete on the official visit (e.g., parents, spouse) prior to the start of the 48-hour official visit period, including the cost of additional occupants in the same room.

(b) A prospective student-athlete may receive a drive-thru or "to-go" meal while in transit with an athletics department staff member from the major airport or bus or train station nearest the institution without beginning the 48-hour official visit period. Such expenses may not be provided for any other individual who is accompanying the prospective student-athlete on the official visit (e.g., parents, spouse, children) prior to the start of the 48-hour official visit period.

(c) A prospective student-athlete may receive a "sit-down" meal at the major airport or bus or train station nearest the institution while accompanied by an athletics department staff member at the time of his or her arrival for an official visit or a "sit-down" or "drive-in" meal enroute to the institution's campus with an athletics department staff member, even if such a meal occurs outside a 30-mile radius of the institution's campus; however, such a meal begins the 48-hour official visit period. Under these circumstances, the prospective student-athlete's parents (or legal guardians), spouse and/or children may also receive such a meal.

(d) A prospective student-athlete may receive a meal at or in the vicinity of his or her place of lodging without beginning the 48-hour official visit period in instances in which he or she arrives in the locale of the institution too late to begin the official visit that day, provided no athletics department staff members or student-athletes are present during the meal. Such expenses may not be provided for any other individual who is accompanying the prospective student-athlete on the official visit (e.g., parents, spouse, children) prior to the start of the 48-hour official visit period.

[References: NCAA Bylaws 13.6.4.1 (48-hour period defined), 13.6.6 (accommodations on official visit), 13.6.7.1.1 (meals and lodging while in transit), 13.6.7.7 (meals on official visit), 13.6.8 (entertainment on official visit for spouse, parent or legal guardian of prospective student-athlete) and 13.6.9 (lodging for additional persons); official interpretation (12/20/88, Item No. 18) and staff interpretation (4/13/94, item b), which has been archived]



**NCAA Bylaw 13.10.7 – Recruiting – Media Release Regarding Signing – Highlight Video of Prospective Student-Athlete on Institution’s Web site**

**Issue:**

Whether or not the NCAA Division II Legislation Committee should issue an interpretation to clarify the application of NCAA Bylaw 13.10.7 (media release regarding signing) regarding the use of a highlight video of a prospective student-athlete produced by a Division II institution and posted on the institution’s Web site.

**Analysis:**

The NCAA academic and membership affairs staff was asked the question of whether an institution would be permitted to produce a highlight video of a prospective student-athlete who has signed a National Letter of Intent (NLI) or accepted the institution’s written offer of admission and/or financial aid and post that video to the athletic department’s Web site.

Under current legislation an institution is permitted to release information concerning a prospective student-athlete’s commitment to attend the institution after the prospective student-athlete has signed an NLI or accepted the institution’s written offer of admission and/or financial aid on an unlimited basis. In addition, an institution is permitted to make one on-campus announcement for the sole purpose of presenting the names of all prospective student-athletes who have accepted offers of admission and/or athletically financial related aid in a particular sport to the media.

Staff responded that it would be permissible for the institution to produce and post the highlight video of a prospective student-athlete via the Web site as long as: (1) the prospective student-athlete has signed an NLI and/or accepted the institution’s offer of admission and/or financial aid; and (2) the institution considers its Web site to be a media outlet. The staff reached this response because the legislation allows for the release of the information to media outlets with no limitations to the number of occasions the information is released.

Should the Legislation Committee issue an official interpretation to clarify the application of the media release regarding signing legislation?

**Conclusions:**

1. The Legislation Committee **recommends** issuing an official interpretation to clarify the application of the media release regarding signing legislation to a highlight video of a prospective student-athlete produced and posted on an institution’s Web site.
2. The Legislation Committee **does not recommend** action regarding a highlight video of a prospective student-athlete produced and posted on an institution’s Web site.

**Associated References:**

**Division II Bylaws**

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

**Bylaw 13.10.7.1 Press Conferences.** Institutional press conferences, receptions, dinners and similar meetings held for the purpose of making such an announcement are expressly prohibited.

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

**Division II Interpretations**

**Publicity regarding the signing of a prospect**

Date Issued: April 10, 1986  
Date Published: April 10, 1986  
Item Ref: 15

**Interpretation:**

Affirmed that the provisions of Bylaw 1-4-(a) limit the type of public statement or announcement that may be made by a member institution about the commitment of a prospective student-athlete to attend the institution (i.e., such announcement shall be limited to announcing the prospect's signed acceptance of the institution's written offer of admission as a student and shall be limited to communications in those media forms normally utilized by the institution); agreed that the bylaw does not apply to subsequent comments by the institution's coaching staff member about

the abilities of the prospect when those comments are in response to inquiries from the news media.

**Announcement of institution's signings in alumni magazine**

Date Issued: February 22, 1989

Date Published: February 22, 1989

Item Ref: b

**Interpretation:**

b. Announcement of Institution's Signings in Alumni Magazine: Reviewed a situation in which a reporter from an institution's alumni magazine will be present in the coach's office on the National Letter of Intent signing date and record the coach's comments to the media regarding the abilities of prospective student-athletes who have signed with that institution for the purpose of writing an article in the institution's alumni magazine; determined that Bylaw 13.10.6 (announcement of signing) would not preclude such an arrangement, inasmuch as the alumni magazine is a media form normally used by the institution and, thus, the article would not be considered a second release of publicity by the institution regarding prospects who have accepted offers of athletically related aid in a particular sport per Bylaw 13.10.6.2.1 [announcement of all signings].

**NCAA Bylaw 13.11.3 – Recruiting – Tryouts – Tryout Exceptions**

**Issue:**

Whether or not the NCAA Division II Legislation Committee should recommend sponsorship of legislation for the 2010 NCAA Convention to amend NCAA Bylaw 13.11.3 (tryout exceptions).

**Analysis:**

Bylaw 13.11.1 (prohibited activities) prohibits an institution from conducting any physical activity at which one or more prospective student-athletes reveal, demonstrate or display their athletics abilities, except as provided in Bylaws 13.11.2 (permissible activities) and 13.11.3 (tryout exceptions).

One of the exceptions to the tryout legislation in Bylaw 13.11.3.3 (activities not involving institution's staff) allows the use of a member institution's facilities for a high school all-star game or other physical activities by a group that includes prospective student-athletes, provided the institution's athletics department staff members (including coaches) or representatives of its athletics interests are not involved in the conduct, promotion or administration of the activity (other than activities incidental to supervising the use of the facilities). This exception applies to student-athletes as well as athletics department staff members or representatives of its athletics interests. Therefore, athletics department staff members, representatives of its athletics interests and student-athletes may be involved only in activities that are incidental to supervising the use of the facilities. For example, while it would be permissible for athletics department staff members, representatives of its athletics interests or student-athletes to open and close the facility, prepare the facility for the event, and perform maintenance on the facility, it would not be permissible for them to sell apparel, concessions or tickets for the event, advertise the event, or work at the scorer's table. Further, any involvement by athletics department staff members, boosters or student-athletes that is incidental to supervising the use of the facilities is subject to all applicable NCAA recruiting regulations.

At the 2009 NCAA Convention, Division III adopted two new exceptions to the tryout legislation (see NCAA Division III Proposal Nos. 2009-10 and 2009-11). One of the exceptions allows an institution's athletics department staff members or representatives of its athletics interests to be involved in the conduct and administration of the use of a member institution's facilities for physical activities by a group that includes prospective student-athletes, under specified conditions. The other exception allows the use of an institution's facilities for physical activities by a group that includes prospective student-athletes, provided the physical activities are related to a sport that is not sponsored by the institution on the varsity intercollegiate level.

Should Bylaw 13.11.3 be amended to adopt two new exceptions to the tryout legislation similar to the ones adopted recently by Division III? Should the current exception for activities not involving institution's staff be eliminated?

**Conclusions:**

1. The Legislation Committee **recommends** that the NCAA Division II Management Council sponsor legislation for the 2010 Convention to amend Bylaw 13.11.3, effective August 1, 2010.
2. The Legislation Committee **does not recommend** that the Management Council sponsor legislation for the 2010 Convention to amend Bylaw 13.11.3.

**Associated References:**

**Division II Bylaws**

**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 Bylaw 13.11.1.1) reveal, demonstrate or display their athletics abilities in any sport except as provided in Bylaws 13.11.2 and 13.11.3.

**13.11.3.3 Activities Not Involving Institution's Staff.** The use of a member institution's facilities for a high school all-star game or other physical activities by a group that includes prospective student-athletes shall not be considered a tryout, provided the institution's athletics department staff members or representatives of its athletics interests are not involved in the conduct, promotion or administration of the activity (other than activities incidental to supervising the use of the facilities) and are subject to all applicable NCAA recruiting legislation.

**Division III Proposals**

**RECRUITING -- TRYOUT EXCEPTIONS -- FACILITY USAGE BY OUTSIDE ORGANIZATION**

Convention Year: 2009

Date Submitted: July 14, 2008

Effective Date: Immediate

IPOPL Number: 2

SPOPL Number: 3

Official Notice Number: 2009-10

Source: New England Women's & Men's Athletic Conference, Northern Athletics Conference, Commonwealth Coast Conference and Massachusetts State College Athletic Conference

Topical Area: Recruiting

Status: Adopted

Intent: To establish a tryout exception that allows an institution's athletics department staff members or representatives of its athletics interests to be involved in the conduct and administration of the use of a member institution's facilities for physical activities by a group that includes prospective student-athletes under specified conditions.

Bylaws: Amend 13.11, as follows:

[Roll Call]

### 13.11 TRYOUTS

13.11.1 Tryout Prohibition. A member institution, on its campus or elsewhere, shall not conduct (or have conducted on its behalf) any physical activity (e.g., practice session and/or test/tryout) at which one or more prospective student-athletes (as defined in Bylaw 13.11.1.1) reveal, demonstrate or display their athletics ability in any sport.

[13.11.1.1 unchanged.]

13.11.2 Additional Prohibited Tryout Activities. The following activities are also considered prohibited tryout activities.

[13.11.2.1 through 13.11.2.5 unchanged.]

13.11.3 Tryout Exceptions. Each of the following activities are permissible activities and exceptions to the tryout prohibition.

[13.11.3.1 through 13.11.3.11 unchanged.]

~~13.11.3.12 Activities Not Involving Institution's Coaching Staff. The use of a member institution's facilities for physical activities by a group that includes prospective student-athletes shall not be considered a tryout, provided the institution's athletics department staff members or representatives of its athletics interests are not involved in the conduct, promotion or administration of the activity (other than activities incidental to supervising the use of the facilities) and are subject to all applicable NCAA recruiting legislation.~~

**13.11.3.12 Other Permissible Facility Usage. The use of institutional facilities for physical activities by a group that includes prospective student-athletes, not otherwise permitted in these bylaws, may still be permissible and not considered a tryout provided that:**

**(a) Institution's athletics department staff or representatives of the institution's athletics interests are not involved in the promotion of the activity;**

**(b) Institution's athletics department staff or representatives of the institution's athletics interests are not involved in solicitation of any individual prospective student-athlete's participation in the activity;**

**(c) Institution's athletics department staff or representatives of the institution's athletics interests are not involved in solicitation for any particular group's participation in the activity, unless the group is affiliated with an outside organization and the solicitation is consistent with institutional policies of hosting outside organizations;**

**(d) The activity may not be a tryout event, as defined in Bylaw 13.11.2.4;**

**(e) Involvement by the institution's athletics department staff and representatives of its athletics interests shall be consistent with institutional policies for hosting outside organizations; and**

**(f) Athletics department staff members and representatives of its athletics interests remain subject to all applicable NCAA recruiting legislation during the event.**

Rationale:

Currently, athletics department staff members may not sell concessions or work at a scorer's table for events ranging from Age Group Swimming Invitationals to Soccer Club Tournaments involving a group that includes prospective student-athletes. Division III institutions depend on such activities to generate critical revenue for their departments, and for these activities to happen, it is often necessary for a member of the athletics department's staff to administer aspects related to the activity. The current legislation allows institutions to hire an outside consultant to conduct and administer these activities, thus disproportionately disadvantaging institutions lacking resources for such expenses. There are many areas of the country, both urban and rural, where higher education institution's athletics facilities are the only facilities that offer feasible opportunities for individuals to participate on a specific turf field or on a safe track or swimming pool. The existing legislation hinders access to these facilities and thus hinders community relationships between higher educational institutions and our neighbors. The current legislation is counter to activities that our staffs are allowed to do through existing camps and clinics legislation. To be reasonable and consistent, there should be an exception to the tryout legislation with an immediate effective date.

Budget Impact: This change to the legislation will provide institutions more opportunities to generate revenue (e.g. rental fees of facilities, concession stands), thus providing opportunities to positively impact department's net income.

Primary Contact Person:  
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Cosponsorship - Conference:  
Massachusetts State College Athletic Conference  
New England Women's & Men's Athletic Conference  
Northern Athletics Conference  
The Commonwealth Coast Conference

Position Statement(s):

*Presidents Council and Management Council:* The Presidents Council and Management Council support this proposal and note that this change would make it easier for institutions to conduct events that are largely being done as fundraisers. The councils also noted that they do not see any advantage gained by institutions having these types of events because the proposal excludes the institution from promoting the event or soliciting individual prospects to participate in the event.

Review History:

*October 30, 2008:* Supports - Presidents Council and Management Council

Convention Vote:

*Date of Vote:* January 17, 2009  
*Vote Type:* Electronic Machine  
For: 453 Against: 4 Abstain: 2

**RECRUITING -- TRYOUT EXCEPTIONS -- USE OF FACILITIES FOR ACTIVITIES  
RELATED TO A NONSPONSORED SPORT**

Convention Year: 2009  
Date Submitted: July 2, 2008  
Effective Date: Immediate  
IPOPL Number: 3  
SPOPL Number: 2  
Official Notice Number: 2009-11



Source: Wisconsin Intercollegiate Athletic Conference and Capital Athletic Conference Inc.  
Topical Area: Recruiting  
Status: Adopted

Intent:

To specify that the use of an institution's facilities for physical activities by a group that includes prospective student-athletes shall not be considered a tryout, provided the physical activities are related to a sport that is not sponsored by the institution on the varsity intercollegiate level.

Bylaws: Amend 13.11, as follows:

### 13.11 TRYOUTS

13.11.1 Tryout Prohibition. A member institution, on its campus or elsewhere, shall not conduct (or have conducted on its behalf) any physical activity (e.g., practice session and/or test/tryout) at which one or more prospective student-athletes (as defined in Bylaw 13.11.1.1) reveal, demonstrate or display their athletics ability in any sport.

[13.11.1.1 unchanged.]

13.11.2 Additional Prohibited Tryout Activities. The following activities are also considered prohibited tryout activities.

[13.11.2.1 through 13.11.2.5 unchanged.]

13.11.3 Tryout Exceptions. Each of the following activities are permissible activities and exceptions to the tryout prohibition.

[13.11.3.1 through 13.11.3.6 unchanged.]

**13.11.3.7 Use of Facilities for Activities Related to a Nonsponsored Sport. The use of member institution's facilities for physical activities by a group that includes prospective student-athletes shall not be considered a tryout, provided the physical activities are related to a sport that is not sponsored by the institution at the varsity intercollegiate level.**

[13.11.3.7 through 13.11.3.12 renumbered as 13.11.3.8 through 13.11.3.13, unchanged.]

Rationale:

Establishing an exception to the tryout restrictions in those instances in which the physical activities are related to a sport that is not sponsored by the institution on the intercollegiate level would not diminish either the intent or impact of the tryout restrictions, but rather would allow athletics department staff members an additional level of involvement in the conduct of these events, most of which are being hosted for fundraising purposes. The immediate effective date would allow institutions to take advantage of this exception without any detriment. Because this is permissive legislation, there is not a need to delay its effective date until August.

Budget Impact: None.  
Primary Contact Person:  
Gary F. Karner, Commissioner  
Wisconsin Intercollegiate Athletic Conference  
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Cosponsorship - Conference:  
Capital Athletic Conference Inc.  
Wisconsin Intercollegiate Athletic Conference

Position Statement(s):  
*Presidents Council, Management Council and Interpretations and Legislation Committee:* The Presidents Council, Management Council and Interpretations and Legislation Committee support this proposal and note that the proposal provides a logical exception to the tryout rule and could be a benefit to Division III institutions that are wishing to host various types of fundraising events.

Review History:  
*October 30, 2008:* Supports - Presidents Council, Management Council and Interpretations and Legislation Committee

Convention Vote:  
*Date of Vote:* January 17, 2009  
*Vote Type:* Electronic Machine  
For: 449 Against: 6 Abstain: 1

### **Division III Bylaws**

**13.11.3.7 Use of Facilities for Activities Related to a Nonsponsored Sport.** The use of member institution's facilities for physical activities by a group that includes prospective student-

athletes shall not be considered a tryout, provided the physical activities are related to a sport that is not sponsored by the institution at the varsity intercollegiate level. (*Adopted: 1/17/09*)

**13.11.3.13 Other Permissible Facility Usage.** The use of institutional facilities for physical activities by a group that includes prospective student-athletes, not otherwise permitted in these bylaws, may still be permissible and not considered a tryout provided that:

- (a) Institution's athletics department staff or representatives of the institution's athletics interests are not involved in the promotion of the activity;
- (b) Institution's athletics department staff or representatives of the institution's athletics interests are not involved in solicitation of any individual prospective student-athlete's participation in the activity;
- (c) Institution's athletics department staff or representatives of the institution's athletics interests are not involved in solicitation for any particular group's participation in the activity, unless the group is affiliated with an outside organization and the solicitation is consistent with institutional policies of hosting outside organizations;
- (d) The activity may not be a tryout event, as defined in Bylaw 13.11.2.4;
- (e) Involvement by the institution's athletics department staff and representatives of its athletics interests shall be consistent with institutional policies for hosting outside organizations; and
- (f) Athletics department staff members and representatives of its athletics interests remain subject to all applicable NCAA recruiting legislation during the event.

**Multiple Sections of NCAA Bylaw 15 –  
Financial Aid – Maximum Institutional Grant-In-Aid Limitations by Sport – Equivalency  
Sports – Maximum Equivalency Limits and Summer Financial Aid**

**Issue:**

Whether the NCAA Division II Legislation Committee should recommend sponsorship of legislation for the 2010 NCAA Convention to amend NCAA Bylaw 15 (financial aid), as specified.

**Background:**

At the committee's June 2008 in-person meeting, a committee member raised concerns in regard to a particular practice for awarding institutional financial aid that may impact student-athlete well-being. In the situation, a coach and a student-athlete would verbally agree to the student-athlete's reduction of institutional financial aid for the following academic year, with the understanding that the student-athlete would receive an additional award (based on the amount of what was reduced between the two academic years) for use during a summer term(s). This was done by the coach in an attempt to save equivalencies in the sport to provide to additional scholarship student-athletes in the following academic year. It should be noted that the institution was in compliance with the financial aid regulations on the period of the financial aid award in Bylaw 15.3.3.1 (one-year limit), the notice of reduction of the previous year's award in Bylaw 15.3.5.1 (institutional obligation to renew the award on or before July 1 before the academic year in which it is to be effective) and notice of the hearing opportunity in Bylaw 15.3.2.4.

An example of the scenario is as follows:

2008-09	Institutional financial aid awarded for a period of one academic year.
On or before July 1, 2009	Institution notifies the student-athlete of the reduction of institutional aid for the 2009-10 academic year, as well as, the student-athlete's opportunity for a hearing.
2009-10	Student-athlete receives reduced amount of institutional financial aid.
Summer 2010	Student-athlete receives an additional financial aid award, in the amount of the reduction between the 2008-09 academic year and 2009-10 academic year, to attend a summer term.

**Analysis:**

Per Bylaw 15.3.3.1 (one-year limit), when a student-athlete's athletics ability is taken into consideration when awarding institutional financial aid, the award shall not be in excess of one academic year. Thereafter, if an institution wants to reduce institutional financial aid based in any degree on athletics ability, it shall notify the student-athlete of the reduction on or before July 1 before the academic year in which it is to be effective. Such notice must come from the institution's regular financial aid authority. (See Bylaw 15.3.5.1.) Under these circumstances, the institution's regular financial aid authority also has an obligation to notify the student-athlete of his or her right to appeal that decision (Bylaw 15.3.2.4). If the student-athlete does not appeal, or the appeal is upheld by the institution, the reduction of financial aid for the following academic year stands. Finally, an institution must satisfy Bylaw 15.2.7 (summer financial aid) when awarding financial aid to a student-athlete for a summer term. Per Bylaw 15.5.1.6 (summer-term aid), institutional financial aid received during a summer term is not countable in financial aid equivalencies and does not make a student-athlete a counter.

In the scenario outlined above, the institution did not violate any NCAA legislation. The institution satisfied the financial aid legislation in Bylaw 15 regarding the period of the award, the notice of reduction of the award and the hearing opportunity for the following academic year and the provision of awarding summer financial aid. Should the legislation be amended to prohibit an institution from awarding financial aid in this manner? If so, should the proposed legislation have a delayed effective date?

**Conclusion:**

1. The Legislation Committee recommends that the NCAA Division II Management Council sponsor legislation for the 2010 Convention to amend Bylaw 15, effective August 1, 2010.
2. The Legislation Committee does not recommend that the Management Council sponsor legislation for the 2010 Convention to amend Bylaw 15.

### **Related Bylaws**

**Bylaw 15.2.7 Summer Financial Aid.** Summer financial aid may be awarded only to attend the awarding institution's summer term, summer school or summer-orientation program, in accordance with institutional policy. (*Revised: 1/10/90; 1/8/01, effective 8/1/01*)

**Bylaw 15.3.2.4 Hearing Opportunity.** The institution's regular financial aid authority shall notify the student-athlete in writing, within 14 consecutive calendar days from the date the student-athlete has been notified of the decision to reduce or cancel aid during the period of the award or the reduction or nonrenewal of aid for the following academic year, of the opportunity for a hearing when institutional financial aid based in any degree on athletics ability is reduced or canceled during the period of the award, or not renewed. The notification of the hearing opportunity shall include a copy of the institution's established policies and procedures for conducting the required hearing, including the deadline by which a student-athlete must request the hearing. The institution shall conduct the hearing within 30 consecutive calendar days of receiving a student-athlete's request for the hearing and shall not delegate the responsibility for conducting the hearing to the university's athletics department or its faculty athletics committee. (*Adopted: 1/12/04, Revised: 1/8/07 effective 8/1/07, 1/14/08 effective 8/1/08*)

**Bylaw 15.3.3.1 One-Year Limit.** Where a student's athletics ability is taken into consideration in any degree in awarding financial aid, such aid shall not be awarded in excess of one academic year.

**Bylaw 15.3.5.1 Institutional Obligation.** The renewal of institutional financial aid based in any degree on athletics ability shall be made on or before July 1 before the academic year in which it is to be effective. The institution shall promptly notify in writing each student-athlete who received an award the previous academic year and who has eligibility remaining in the sport in which financial aid was awarded the previous academic year (under Bylaw 14.2) whether the grant has been renewed or not renewed for the ensuing academic year. Notification of financial aid renewals and nonrenewals must come from the institution's regular financial aid authority and not from the institution's athletics department. (*Revised: 1/10/95*)

**Bylaw 15.5.1.6 Summer-Term Aid.** Institutional financial aid received during a summer term is not countable in these limitations and does not make a student-athlete a counter.

MINUTES OF THE  
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION  
INTERPRETATIONS SUBCOMMITTEE OF THE  
DIVISION II LEGISLATION COMMITTEE

Teleconference No. 1

April 13, 2009

Participants:

Diana Kling, Peach Belt Conference, chair  
Mark Linder, University of North Alabama  
Ann Martin, Regis University  
Fran Nee, Indiana University of Pennsylvania  
Jay Newton, University of Southern Indiana  
Jenn Fraser, NCAA, recording secretary  
Maritza Jones, NCAA  
Stephanie Quigg, NCAA

[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 NCAA Interpretations Subcommittee of the Division II Legislation 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.]

1. Review of NCAA Academic and Membership Affairs Staff Determinations Issued Since September 2008. Based on the ratification of NCAA Division II Proposal No. NC-2009-21 at the 2009 NCAA Convention, the Interpretation Subcommittee of the Division II Legislation Committee reviewed all of the academic and membership affairs staff determinations issued since September 2008. The subcommittee reviewed and approved four staff determinations, as specified below.

**Special Seating Arrangements during Contests for Injured Student-Athletes (I/II/III)**

**Date Issued:** September 10, 2008

**Date Published:** October 24, 2008

**Item Ref:** a

The membership services staff determined that an institution would be permitted to provide an injured student-athlete who is eligible to represent the institution in intercollegiate competition with special seating accommodations (e.g., press box seating) during a contest in the student-athlete's sport if such seating is necessary for the safety of the student-athlete.

[References: Division I Bylaws 16.02.3 (extra benefit) and 16.11.2.1 (general rule); and Division II Bylaws 16.02.3 (extra benefit) and 16.11.2.1 (general rule) and Division III Bylaw 16.02.3 (extra benefit)]

**Departure for Competition Prior to an Official Vacation Period (I/II/III)**

**Date Issued:** October 15, 2008

**Date Published:** December 2, 2008

**Item Ref:** a

The membership services staff determined it is permissible for an institution's student-athletes to depart for competition (including a foreign tour) that occurs during an official vacation period prior to the official beginning of the vacation period, provided all participating student-athletes have completed their classes or exams and no special arrangements are made to rearrange classes or exams.

[References: Division I Bylaws 16.8.1.2.1.1 (exceptions) and 30.7.8 (timing of tour); Division II Bylaws 16.8.1.2.1.1 (exceptions) and 30.7.7 (timing of tour); and Division III Bylaws 16.8.1.2.1.1 (exceptions) and 30.7.7 (timing of tour) and staff interpretation (10/21/1987, Item f), which has been archived.]



**Prospect-Aged Child of an Institutional Staff Member Traveling with the Institution's Team to an Away-From-Home Contest (I/II/III)**

**Date Issued:** October 15, 2008

**Date Published:** December 2, 2008

**Item Ref:** c

The membership services staff determined it is permissible for an institution, at its discretion, to provide expenses related to travel (e.g., transportation, lodging and meals) to away-from-home contests to prospect-aged children of institutional staff members and athletics department staff members.

[References: Division I Bylaws 13.1.1.1 (time period for off-campus contacts -- general rule), 13.1.1.2 (two-year college prospective student-athletes), 13.1.1.3 (four-year college prospective student-athletes) and 13.2.1 (general regulation); Division II Bylaws 13.1.1.1 (high school prospective student-athletes), 13.1.1.2 (four-year college prospective student-athletes) and 13.2.1 (general regulation); and Division III Bylaws 13.1.1.1 (high school prospective student-athletes), 13.1.1.2 (four-year college prospective student-athletes) and 13.2.1 (general regulation)]

**Video of Nonscholastic Activities through a Subscription to a Recruiting or Scouting Service (II)**

**Date Issued:** February 11, 2009

**Date Published:** March 31, 2009

**Item Ref:** 2

The academic and membership affairs staff determined that it is not permissible for an institution to obtain video (e.g., live streaming video, recorded video) of any nonscholastic activities, including regular game and all-star competition, or any summer camp or clinic competition, through a subscription to a recruiting or scouting service.

[References: Bylaws 12.3.3 (athletics scholarship agent) and 13.14.3.2 (video services), official interpretation (4/2/87, Item No. 6) and staff interpretation (4/25/88, item d), which has been archived.]

# # # # #

MINUTES OF THE  
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION  
INTERPRETATIONS SUBCOMMITTEE OF THE  
DIVISION II LEGISLATION COMMITTEE

Teleconference No. 2

June 1, 2009

Participants:

Marcus Grant, Central Intercollegiate Athletic Association  
Diana Kling, Peach Belt Conference, chair  
Mark Linder, University of North Alabama  
Ann Martin, Regis University  
Fran Nee, Indiana University of Pennsylvania  
Jay Newton, University of Southern Indiana  
Jenn Fraser, NCAA, recording secretary  
Maritza Jones, NCAA  
Stephanie Quigg, NCAA

[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 NCAA Interpretations Subcommittee of the Division II Legislation 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.]

1. Amateurism – Validity of Amateur Status – Amateur Status – Prohibited Forms of Pay – Cash or Equivalent Award. The subcommittee affirmed an academic and membership affairs staff interpretation specifying that an individual's amateur status would be jeopardized when prize money is awarded based on the individual's performance or participation, regardless of whether the prize money is awarded to the individual or an agency with whom the individual participates. In addition, the fact that the individual may not have known that prize money was being forwarded or provided to the team could be submitted as mitigation by the institution through the student-athlete reinstatement and/or enforcement process.

[References: NCAA Bylaws 12.1.1 (validity of amateur status), 12.1.2 (amateur status), 12.1.2.1 (prohibited forms of pay) and 12.1.2.1.4.1 (cash or equivalent award), official interpretation (5/5/1988, Item No. 2) and staff interpretation (10/7/1988, Item No. a)]

2. Eligibility – Transfer Regulations – Conditions Affecting Transfer Status. The subcommittee affirmed an academic and membership affairs staff interpretation specifying that an individual is considered a transfer student if any of the conditions in Bylaw 14.5.2 are met, including enrolling as a full-time student.

[References: Bylaws 14.01.1 (institutional responsibility) and 14.5.2 (conditions affecting transfer status)]

3. Eligibility – Institutional Responsibility. The subcommittee affirmed an academic and membership affairs staff interpretation specifying that it is the institution's responsibility to ensure that the student-athletes who compete for the institution are eligible under the applicable rules. Further, pursuant to Bylaw 14.02.5, the determination of good academic standing and eligibility rests with the academic officials at the institution an individual attends at that time.

[References: Bylaws 14.01.1 (institutional responsibility) and 14.02.5 (good academic standing and progress toward degree)]

4. Eligibility – Progress-Toward Degree Requirements – Eligibility for Competition – Fulfillment of Credit-Hour Requirements. The subcommittee affirmed an academic and membership affairs staff interpretation specifying that in order to certify a transfer student-athlete's eligibility, the institution must certify that the student-athlete satisfactorily completed six semester (or quarter) hours in the preceding regular academic term in which the student-athlete was enrolled full-time. Further, Bylaw 14.4.3.1.1 requires that the hours be certified as transferable degree credit.

[References: Bylaws 14.01.1 (institutional responsibility), 14.4.3.1 (fulfillment of credit-hour requirements) and 14.4.3.1.1 (transfer student—six-hour requirement).]

# # # # #



Division II Editorial Revisions

**Title:** RECRUITING MATERIALS -- PRINTED RECRUITING MATERIALS --  
APPLICATION TO PARENT OR LEGAL GUARDIANS AND COACHES

**Convention Year:** 2010

**Date Submitted:** April 21, 2009

**Official Notice Number:** ER-2009-5

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Recruiting

**Status:** Adopted

**Bylaws:** Amend 13.4, as follows:

13.4 RECRUITING MATERIALS

13.4.1 Printed Recruiting Materials. An institution may not provide athletically related recruiting materials (including electronic mail and facsimiles) to a prospective student-athlete (or his or her parents, legal guardians or coaches) until September 1 at the beginning of the prospective student-athlete's junior year in high school. Violations of this bylaw shall not affect the prospective student-athlete's eligibility.

[13.4.1.1 through 13.4.1.2 unchanged.]

13.4.2 Electronic Media. An institution may not provide athletically related electronic media to a prospective student-athlete (or his or her parents, legal guardians or coaches) until September 1 at the beginning of the prospective student-athlete's junior year in high school. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, they shall not affect the prospective student-athlete's eligibility.

[13.4.2.1 unchanged.]

13.4.3 Conference Restrictions. A member conference is precluded from providing recruiting materials to prospective student-athletes (or his or her parents, legal guardians or coaches). Violations of this bylaw shall be considered conference violations; however, they shall not affect the prospective student-athlete's eligibility.

[13.4.4 through 13.4.4.3 unchanged.]

13.4.5 Electronic Transmissions. Electronically transmitted correspondence that may be sent to a prospective student-athlete **(or his or her parents, legal guardians or coaches)** is limited to electronic mail and facsimiles. All other forms of electronically transmitted correspondence (e.g., instant messaging, text messaging, message boards) are prohibited. Color attachments may be included with electronic mail correspondence sent to a prospective student-athlete, provided the attachment does not include any animation., audio or video clips and there is no cost (e.g., subscription fee) associated with sending the item attached to the electronic mail correspondence.

[13.4.5.1 unchanged.]

**Additional Information:** This revision is intended to clarify that the recruiting materials legislation generally applies to prospective student-athletes, their parents or legal guardians and their coaches.

**Title:** RECRUITING AND FINANCIAL AID -- ELEMENTS OF FINANCIAL AID --  
SUMMER FINANCIAL AID -- BEFORE INITIAL FULL-TIME ENROLLMENT AT THE  
CERTIFYING INSTITUTION

**Convention Year:** 2010

**Date Submitted:** April 2, 2009

**Official Notice Number:** ER-2009-6

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Financial Aid

**Status:** Adopted

**A. Bylaws:** Amend 13.2.7, as follows:

13.2.7 Academic Support Services/Use of Training-Room Facilities. A prospective student-athlete who is enrolled in the institution's summer term before the student's initial, full-time enrollment at the certifying institution may be provided academic support services by the institution and also may use the institution's training-room facilities. **For receipt of summer financial aid before initial full-time enrollment at the certifying institution, see Bylaw 15.2.7.1.**

**B. Bylaws:** Amend 15.2.7, as follows:

15.2.7 Summer Financial Aid. Summer financial aid may be awarded only to attend the awarding institution's summer term, summer school or summer-orientation program, in accordance with institutional policy.

**15.2.7.1 Before Initial Full-Time Enrollment at the Certifying Institution.** Summer financial aid may be awarded to a student-athlete to attend an institution in the summer before the student's initial full-time enrollment at the certifying institution.

[15.2.7.1 renumbered as 15.2.7.2, unchanged.]

**Additional Information:** At the 2001 NCAA Convention, the Division II membership adopted Proposal No. 2001-22, which deregulated the summer financial aid legislation. The academic and membership affairs staff has received multiple interpretive requests as to whether providing summer aid to a student-athlete prior to initial full-time collegiate enrollment is permissible. The addition of language in the legislation will clarify any confusion about who may receive summer financial aid.

**Title:** RECRUITING -- DEFINITIONS AND APPLICATIONS -- ENROLLED STUDENT-ATHLETE -- RECRUITING ACTIVITIES

**Convention Year:** 2010

**Date Submitted:** April 21, 2009

**Official Notice Number:** ER-2009-7

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Recruiting

**Status:** Adopted

**A. Bylaws:** Amend 13.02.5, as follows:

13.02.5 Enrolled Student-Athlete. An enrolled student-athlete is an individual whose enrollment was solicited by a member of the athletics staff or other representative of athletics interests with a view toward the student's ultimate participation in the intercollegiate athletics program. Any other student becomes a student-athlete only when the student reports for an intercollegiate squad that is under the jurisdiction of the athletics department.

~~13.02.5.1 Permissible Recruitment Activities for Enrolled Student-Athletes.~~

~~(a) Off campus contacts. Off campus, in person recruiting contacts between enrolled student-athletes (or other enrolled students) and a prospective student-athlete are permissible if such contacts do not occur at the direction of a coaching staff member or a representative of the institution's athletics interests.~~

~~(b) Telephone contact. It is permissible for an enrolled student-athlete to make or receive telephone calls from a prospective student-athlete at any time, provided such telephone calls do not occur at the direction of a coaching staff member or a representative of the institution's athletics interests.~~

~~(c) Written or electronically transmitted correspondence. It is permissible for an enrolled student-athlete to engage in written or electronically transmitted correspondence with a prospective student-athlete, provided it is not done at the direction and/or expense of a coaching staff member or a representative of the institution's athletics interests.~~

~~(d) Interaction during a community engagement activity. It is permissible for an enrolled student-athlete to engage or interact (e.g., contact, telephone calls) with a prospective student-athlete at the direction of a coaching staff member, provided the engagement or interaction is a part of a community engagement activity and the student-athlete does not miss class, except for class time missed in conjunction with away from home competition.~~

~~(e) Unavoidable incidental contact. If unavoidable incidental contact occurs between a student athlete and a prospective student athlete (even at the prospective student athlete's high school), such contact is permissible, provided the institution had no prior knowledge of the occurrence of the contact.~~

~~(f) Official visits. An enrolled student athlete may participate as a student host during a prospective student athlete's official visit to the institution's campus. As a student host, a student athlete may receive the following:~~

~~(1) A maximum of \$30 for each day of the visit to cover all actual costs of entertaining the prospective student athlete (and the prospective student athlete's relatives, or legal guardians), excluding the cost of meals and admission to campus athletics events. These funds may not be used for the purchase of souvenirs such as T-shirts or other institutional mementos. It is permissible to provide the student host with an additional \$15 per day for each additional prospective student athlete the host entertains.~~

~~In the event that several students host a prospective student athlete, the \$30 per day entertainment money may be used to cover the actual and necessary expenses incurred by the prospective student athlete and all hosts. Only one student host per prospective student athlete may be provided a free meal, if restaurant facilities are used;~~

~~(2) A complimentary meal, provided the student host is accompanying the prospective student athlete during the prospective student athlete's official visit; and~~

~~(3) A complimentary admission to a campus athletics event, provided the admission is used to accompany a prospective student athlete to that event during the prospective student athlete's official visit.~~

~~(g) Unofficial visits. A prospective student athlete on an unofficial visit may stay in an enrolled student athlete's dormitory room, provided the prospective student athlete pays the regular institutional rate for such lodging.~~

~~13.02.5.1.1 Effect of Violations. Violations of Bylaw 13.02.5.1 shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the student athlete's or prospective student athlete's eligibility.~~

**B. Bylaws: Amend 13.1.2.4, as follows:**

**13.1.2.4 Student-Athlete. The following conditions apply to recruiting activities involving enrolled student-athletes:**

**(a) Off-Campus Contacts. Off-campus, in-person recruiting contacts between enrolled student-athletes (or other enrolled students) and a prospective student-athlete are permissible if such contacts do not occur at the direction of a coaching staff member or a representative of the institution's athletics interests. If unavoidable incidental contact occurs between a student-athlete and a prospective student-athlete**



**(even at the prospective student-athlete's high school), such contact is permissible, provided the institution had no prior knowledge of the occurrence of the contact.**

**(b) Transportation and Expenses.** An institution may not provide an enrolled student-athlete with transportation or expenses to recruit a prospective student-athlete except those expenses specified in Bylaw 13.6.6.5 when the student-athlete serves as a student host.

**(c) Written or Electronically Transmitted Correspondence.** It is permissible for an enrolled student-athlete to engage in written or electronically transmitted correspondence with a prospective student-athlete, provided it is not done at the direction and/or expense of a coaching staff member or a representative of the institution's athletics interests.

**(d) Interaction during a Community Engagement Activity.** It is permissible for an enrolled student-athlete to engage or interact (e.g., contact, telephone calls) with a prospective student-athlete at the direction of a coaching staff member, provided the engagement or interaction is a part of a community engagement activity and the student-athlete does not miss class, except for class time missed in conjunction with away-from-home competition.

**13.1.2.4.1 Effect of Violation.** ~~Violations~~ A violation of ~~this bylaw~~ Bylaw 13.1.2.4 shall be considered an institutional ~~violations~~ violation per Constitution 2.8.1; however, ~~such violations shall not affect~~ the prospective student-athlete's eligibility **shall not be affected**. (See Bylaw 16.01.1.1 for violations involving student-athletes.)

**Additional Information:** This revision eliminates duplicative provisions from the definitions and applications section and moves other provisions to the appropriate bylaw regarding recruiting activities for student-athletes.

**Title:** ORGANIZATION -- DIVISION II MANAGEMENT COUNCIL -- DUTIES OF THE MANAGEMENT COUNCIL SUBCOMMITTEE -- APPEALS OF DECISIONS INVOLVING THE ACADEMIC SUCCESS RATE

**Convention Year:** 2010

**Date Submitted:** April 23, 2009

**Official Notice Number:** ER-2009-8

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Organization

**Status:** Adopted

**Constitution:** Amend 4.7.2.3, as follows:

4.7.2.3 Duties of the Management Council Subcommittee. The Management Council Subcommittee shall:

[4.7.2.3-(a) through 4.7.2.3-(d) unchanged.]

(e) Hear and act on appeals regarding decisions of the Academic Requirements Committee on waivers involving the Academic Performance Census **and the Academic Success Rate**;

[Remainder of 4.7.2.3 unchanged.]

**Additional Information:** This provision should have been added with the adoption of NCAA Proposal No. NC-2008-37 (NCAA membership -- academic success rate -- failure to submit data -- waiver).

**Title:** ELIGIBILITY -- SEASON-OF-COMPETITION WAIVER -- PERCENT  
CALCULATION

**Convention Year:** 2010

**Date Submitted:** May 8, 2009

**Official Notice Number:** ER-2009-9

**Source:** NCAA Staff.

**Effective Date:** August 1, 2009

**Category:** Editorial Revision

**Topical Area:** Eligibility

**Status:** Adopted

**A. Bylaws:** Amend 14.2.6, as follows:

14.2.6 Season-of-Competition Waiver -- Competition While Ineligible. In conjunction with a request for restoration of eligibility and any conditions imposed thereon per Bylaw 14.12, a student-athlete may be granted an additional season of competition by the Committee on Student-Athlete Reinstatement when he or she participated in a limited amount of competition. The competition must have occurred under all of the following conditions:

[14.2.6-(a) through 14.2.6.1 unchanged.]

14.2.6.1.1 Ten-Percent Calculation. The **following** requirements ~~*specified in Bylaw 14.2.5.2.3 shall apply to the 10 percent calculation specified in this waiver*~~ **are to be met in determining the percent calculation under this waiver provision: (Note: The percent calculation requirements set forth in Bylaws 14.2.6-(b)-(3) and 14.2.6.1.1 apply only to the waiver provisions of this section and do not apply to the maximum and minimum contest requirements in Bylaws 17 and 20.)**

**14.2.6.1.1.1 Denominator in Percent Computation.** The denominator in the institution's percent calculation shall be based on the institution's number of scheduled or completed varsity contests or dates of competition [see Bylaw 14.2.6-(b)-(3)] as computed for playing and practice season purposes in Bylaw 17 for the applicable sport. Exempted events in Bylaw 17 are included in the percent calculation, except for discretionary exemptions in the applicable sport.

**14.2.6.1.1.2 Fraction in Percent Calculation.** Any computation of the percent limitation that results in a fractional portion of a contest or date of competition shall be rounded to the next whole number (e.g., 10 percent of a 27-game basketball schedule -- 2.7 games -- shall be considered three games).

**14.2.6.1.1.3 Conference Championships.** A conference championship shall be counted as one contest or date of competition in determining the institution's

scheduled or completed contests or dates of competition in that sport, regardless of the number of dates or games involved in the championship. However, for purposes of this regulation, the calculation of scheduled contests or dates of competition in a particular season does not include postseason competition conducted after the completion of the institution's regular season schedule and conference tournament.

14.2.6.1.1.4 NCAA Regional Cross Country Meet. The NCAA regional cross country meet may be counted as one date of competition in determining the institution's scheduled or completed dates of competition, provided no qualifying standards exist for participation in the meet.

**B. Bylaws:** Amend 14.2.7, as follows:

14.2.7 Season-of-Competition Waiver -- Competition While Eligible. A student-athlete may be granted an additional season of competition by the Committee on Student-Athlete Reinstatement when, due to extenuating circumstances (per Bylaw 14.2.7.1.2), the student-athlete, while eligible, did not compete in more than two contests or dates of competition (whichever is applicable to that sport) or 20 percent (whichever number is greater) of the institution's scheduled or completed contests or dates of competition. All competition (including a scrimmage) against outside participants shall be countable under this limitation in calculating both the number of contests or dates of competition in which the student-athlete participated and the number of the institution's scheduled or completed contests or dates of competition during that season (both segments) in the sport.

[14.2.7.1 unchanged.]

14.2.7.1.1 Twenty-Percent Calculation. The requirements specified in Bylaw 14.2.5.2.3-~~6.1.1~~ shall apply to the 20-percent calculation specified in this waiver.

[14.2.7.1.2 unchanged.]

**Additional Information:** The current legislation for season-of-competition waivers refers to the hardship-waiver regulations for purposes of percent calculation. NCAA Convention Proposal No. 2009-8, effective August 1, 2009, changed the criteria for determining the percent calculation for the hardship waiver. The change did not affect the season-of-competition waivers. This revision will clarify the criteria that shall be employed for the percent calculation involving season-of-competition waivers.

**Title:** COMMITTEES -- DIVISION II GENERAL COMMITTEES

**Convention Year:** 2010

**Date Submitted:** April 28, 2009

**Official Notice Number:** ER-2009-10

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Committees

**Status:** Adopted

**Bylaws:** Amend 21.8.5, as follows:

21.8.5 Division II General Committees. To conduct Division II business in an efficient and orderly fashion, the following Division II committees shall be established and shall report directly to the Division II Management Council.

[21.8.5.1 through 21.8.5.2.2.1 unchanged.]

21.8.5.3 ~~Infractions~~, Committee on **Infractions**.

[21.8.5.3.1 through 21.8.5.4.3 unchanged.]

21.8.5.5 ~~Division II~~ Committee on Student-Athlete Reinstatement.

[21.8.5.5.1 through 21.8.5.5.2.3 unchanged.]

21.8.5.6 ~~Division II~~ Legislation Committee.

[21.8.5.6.1 through 21.8.5.6.2 unchanged.]

21.8.5.7 ~~Division II~~ Membership Committee.

[21.8.5.7.1 through 21.8.5.7.2 unchanged.]

21.8.5.8 ~~Division II~~ Nominating Committee.

[21.8.5.8.1 through 21.8.5.8.2 unchanged.]

21.8.5.9 ~~Division II~~ Student-Athlete Advisory Committee.

[21.8.5.9.1 through 21.8.5.9.4 unchanged.]

**Additional Information:** Currently, there are inconsistencies in the titles of the Division II general committees. The change will bring consistency to the titles through the legislation.

**Title:** RECRUITING -- RECRUITING MATERIALS -- ADVERTISEMENTS AND PROMOTIONS -- NONATHLETICS INSTITUTIONAL ADVERTISEMENTS

**Convention Year:** 2010

**Date Submitted:** April 28, 2009

**Official Notice Number:** ER-2009-12

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Recruiting

**Status:** Adopted

**Bylaws:** Amend 13.4.4.1.1, as follows:

13.4.4.1.1 Nonathletics Institutional Advertisements. An institution (or a third party acting on behalf of the institution) may publish nonathletics institutional advertisements in nonathletics, high school or two-year college publications (e.g., high school yearbooks, newspapers, music programs, prom programs, two-year college music programs) and other nonathletics publications or produce promotional material (e.g., use of signage, booths, kiosks, distribution of printed materials, **television and radio advertisements**) for use at high school or two-year college athletics events provided:

[13.4.4.1.1-(a) through 13.4.4.1.1-(c) unchanged.]

**Additional Information:** At the 2006 NCAA Convention, the Division II membership adopted a proposal that permits an institution (or a third party acting on behalf of the institution) to publish nonathletics institutional advertisements in nonathletics, high school publications and other nonathletics publications. (See NCAA Proposal No. 2006-26.) The rule was further amended through noncontroversial legislation to permit an institution (or a third party acting on behalf of the institution) to publish nonathletics institutional advertisements or produce promotional material at high school or two-year collegiate athletics events. Therefore, it is inherently permissible for an institution (or a third party acting on behalf of the institution) to use television and radio advertisements, provided the conditions of the rule are satisfied.

**Title:** ELIGIBILITY -- TRANSFER REGULATIONS -- FOUR-YEAR COLLEGE TRANSFERS -- ONE-TIME TRANSFER EXCEPTION -- CALCULATION OF CUMULATIVE GRADE-POINT AVERAGE

**Convention Year:** 2010

**Date Submitted:** April 28, 2009

**Official Notice Number:** ER-2009-13

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Eligibility

**Status:** Adopted

**Bylaws:** Amend 14.5.5.3.10, as follows:

14.5.5.3.10 One-Time Transfer Exception. The student transfers to the certifying institution from another four-year collegiate institution, and all of the following conditions are met (for graduate students, see Bylaw 14.1.9.1):

[14.5.5.3.10-(a) through 14.5.5.3.10-(c) unchanged.]

(d) A student who has one season of competition remaining in his or her sport or two full-time semesters or three full-time quarters remaining in which to complete his or her eligibility and who has not earned a baccalaureate degree, shall have satisfactorily completed an average of 12-semester or 12-quarter hours of transferable degree credit acceptable toward any baccalaureate degree program at the certifying institution for each term of full-time attendance, at any collegiate institution, with a cumulative minimum grade-point average of 2.000 in the transferable degree credits.

**Additional Information:** At the 2006 NCAA Convention, the Division II membership adopted Proposal No. 2006-22, which added specific requirements to allow a student-athlete to use the one-time transfer exception if he or she transfers to a Division II institution and has one season of competition remaining in the sport or two full-time semesters or three full-time quarters remaining and has not earned a baccalaureate degree. According to the rationale for the proposal, one of the requirements is that such student-athlete must present a cumulative minimum grade-point average of 2.000 in the transferable degree credits; however, the legislation only specified that the student-athlete must present a cumulative minimum grade-point average of 2.000. This revision will clarify the criteria that shall be used when institutions are applying the one-time transfer exception for four-year college transfer students in this situation.

**Title:** EXECUTIVE REGULATIONS -- ELIGIBILITY FOR CHAMPIONSHIPS --  
INELIGIBILITY FOR USE OF BANNED DRUGS -- BANNED DRUGS -- ALCOHOL,  
BETA BLOCKERS AND BETA 2 AGONISTS

**Convention Year:** 2010

**Date Submitted:** April 28, 2009

**Official Notice Number:** ER-2009-14

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Executive Regulations

**Status:** Adopted

**Administrative:** Amend 31.2.3.4, as follows:

31.2.3.4 Banned Drugs. The following is the list of banned-drug classes. The Committee on Competitive Safeguards and Medical Aspects of Sports (or a designated subcommittee) has the authority to identify banned drugs within the list of classes below. The institution and student-athletes shall be held accountable for all banned drugs. The current list of banned drugs is located on the NCAA Web site (i.e., [www.ncaa.org](http://www.ncaa.org)) or may be obtained from the NCAA national office.

[31.2.3.4-(a) through 31.2.3.4-(b) unchanged.]

(c) ~~Substances banned for specific sports~~ **Alcohol and beta blockers (banned for rifle only);**

[31.2.3.4-(d) through 31.2.3.4-(e) unchanged.]

(f) Peptide hormones and analogues; ~~and~~

(g) Anti-estrogens; **and**

**(h) Beta 2 agonists.**

**Additional Information:** This revision provides identification of the specific class of substances banned for a specific sport consistent with the identification of other banned classes (e.g., by chemical nature and action) and clarifies that beta 2 agonists are a banned class. Note that the exception for use of beta 2 agonists by inhalation only remains in Bylaw 31.2.3.4.1-(d).



**Title:** AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- TRYOUT AFTER ENROLLMENT -- 48-HOUR PERIOD

**Convention Year:** 2010

**Date Submitted:** April 28, 2009

**Official Notice Number:** ER-2009-15

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Amateurism

**Status:** Adopted

**Bylaws:** Amend 12.2.1.1, as follows:

12.2.1.1 Tryout after Enrollment. A student-athlete may try out with a professional athletics team in a sport or permit a professional athletics team to conduct medical examinations at anytime outside the student-athlete's playing and practice season. A student-athlete may receive actual and necessary expenses related to the tryout from a professional sports organization, provided the tryout does not exceed 48 hours. **The 48-hour tryout period begins at the time the individual arrives at the tryout location. At the completion of the 48-hour period, the individual must depart the location of the tryout immediately in order to receive return transportation expenses. A tryout may extend beyond 48 hours if the individual self-finances additional expenses, including return transportation.**

**Additional Information:** This revision clarifies the application of the 48-hour tryout period.

**Title:** AMATEURISM -- PROMOTIONAL ACTIVITIES -- CONGRATULATORY ADVERTISEMENT -- DISTRIBUTION OF INSTITUTIONAL ITEMS AND SCHEDULE CARDS

**Convention Year:** 2010

**Date Submitted:** April 28, 2009

**Official Notice Number:** ER-2009-16

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Amateurism

**Status:** Adopted

**Bylaws:** Amend 12.5, as follows:

12.5 PROMOTIONAL ACTIVITIES

12.5.1 Permissible.

[12.5.1.1 through 12.5.1.1.2 unchanged.]

**12.5.1.1.3 Distribution of Institutional Noncommercial Items through Commercial Outlets. A member institution may distribute noncommercial items (items not for sale) at commercial establishments, provided the institution generally distributes such items to other commercial establishments in the community and the distribution of the items does not require the recipient to make a purchase at the commercial establishment.**

[12.5.1.1.3 through 12.5.1.1.3.1 renumbered as 12.5.1.1.4 through 12.5.1.1.4.1, unchanged.]

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

[12.5.1.1.4 renumbered as 12.5.1.1.6, unchanged.]

[12.5.1.2 through 12.5.1.3 unchanged.]

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

[12.5.1.4-(a) through 12.5.1.4-(e) unchanged.]

~~12.5.1.4.1 Schedule Cards. An advertisement on an institution's wallet size playing schedule that includes the name or picture of a student athlete may include language other than the commercial product's name, trademark or logo, provided the commercial language does not appear on the same page as the picture of the student athlete. A violation of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student athlete's eligibility.~~

~~12.5.1.5 Distribution of Institutional Items through Commercial Outlets. A member institution may distribute noncommercial items (i.e., items not for sale) at commercial establishments, provided the institution generally distributes such items to other commercial establishments in the community and the distribution of the items does not require the recipient to make a purchase at the commercial establishment.~~

[12.5.1.6 through 12.5.1.11.1.1 renumbered as 12.5.1.5 through 12.5.1.10.1.1, unchanged.]

[Remainder of 12.5 unchanged.]

**Additional Information:** This revision provides a more appropriate title to the "Commercial Advertisement" bylaw and moves the provisions related to distribution of institutional items and schedule cards to a more appropriate location, since those provisions more closely relate to institutional promotional activities.

**Title:** RECRUITING -- TELEPHONE CALLS TO PROSPECTIVE STUDENT-ATHLETES -  
- ADDITIONAL REGULATIONS -- DURING CONDUCT OF ATHLETICS CONTEST

**Convention Year:** 2010

**Date Submitted:** April 28, 2009

**Official Notice Number:** ER-2009-17

**Source:** NCAA Staff.

**Effective Date:**

**Category:** Editorial Revision

**Topical Area:** Recruiting

**Status:** Adopted

**Bylaws:** Amend 13.1.3.2.1, as follows:

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

**Additional Information:** This revision clarifies the definition of "the conduct of the institution's intercollegiate athletics contests" for purposes of the prohibition on placing telephone calls to prospective student-athletes. The official interpretation [Reference: 9/24/92, Item No. 4], which was incorporated into Bylaw 13.1.3.2.1, included the starting point of the definition, but it was not incorporated into the bylaw as part of NCAA Proposal No. I-1996-3.

**Title:** ELIGIBILITY -- GENERAL PRINCIPLES AND PROGRESS-TOWARD-DEGREE REQUIREMENTS -- REMOVAL OF DUPLICATIVE PROVISIONS

**Convention Year:** 2010

**Date Submitted:** May 12, 2009

**Official Notice Number:** ER-2009-18

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Eligibility

**Status:** Adopted

**A. Bylaws:** Amend 14.01, as follows:

14.04 GENERAL PRINCIPLES

[14.01.1 unchanged.]

14.01.2 Academic Status. To be eligible to represent an institution in intercollegiate athletics competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies, be in a good academic standing and maintain progress toward a baccalaureate or equivalent degree. ~~A waiver for the minimum full-time enrollment requirement may be granted for a student enrolled in the final term of the baccalaureate program (see Bylaw 14.1.8.1.8.3). Also, a student may represent the institution while enrolled as a graduate or professional student or while enrolled and seeking a second baccalaureate degree at the same institution (see Bylaw 14.1.9).~~

14.01.2.1 Good Academic Standing. To be eligible to represent an institution in intercollegiate athletics competition, a student-athlete shall be in good academic standing as determined by the academic authorities who determine the meaning of such phrases for all students of the institution, subject to controlling legislation of the conference(s) or similar association of which the institution is a member. ~~(Note: The restrictions, exceptions and waivers set forth in Bylaws 14.4.3.3, 14.4.3.4 and 14.4.3.5 also apply to the general requirement for good academic standing and progress toward degree.)~~

[Remainder of 14.01 unchanged.]

**B. Bylaws:** Amend 14.4.1, as follows:

14.4.1 Progress-Toward-Degree Requirements. To be eligible to represent an institution in intercollegiate athletics competition, a student-athlete shall maintain progress toward a baccalaureate or equivalent degree at that institution as determined by the regulations of that institution. As a general requirement, "progress toward degree" is to be interpreted at each member institution by the academic authorities who determine the meaning of such phrases for all students, subject to controlling legislation of the conference(s) or similar

association of which the institution is a member. (See Constitution 3.2.4.12 regarding the obligations of members to publish their progress-toward-degree requirements for student-athletes.) ~~(Note: The restrictions, exceptions and waivers set forth in Bylaws 14.4.3.3, 14.4.3.4 and 14.4.3.5 also apply to the general requirements for good academic standing and progress toward degree.)~~

[14.4.1.1 through 14.4.1.2 unchanged.]

**Additional Information:** This revision removes language that goes beyond the scope of what should be included in general principles and provisions that are addressed in other, more appropriate, sections of the Manual.

**Title:** ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE-CURRICULUM REQUIREMENTS -- COURSES FOR STUDENTS WITH EDUCATION-IMPACTING DISABILITIES -- NCAA ELIGIBILITY CENTER

**Convention Year:** 2010

**Date Submitted:** May 5, 2009

**Official Notice Number:** ER-2009-19

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Eligibility

**Status:** Adopted

**Bylaws:** Amend 14.3.1.2.5, as follows:

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 such 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 courses. Students with education-impacting disabilities still must complete the required core courses and achieve the minimum required grade-point average in this 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.

**Additional Information:** This revision clarifies that the Eligibility Center is the entity that reviews disability documentation.

**Title:** ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- ELIGIBILITY FOR MALE STUDENTS OR MALE STUDENT-ATHLETES TO PRACTICE WITH WOMEN'S TEAMS

**Convention Year:** 2010

**Date Submitted:** May 5, 2009

**Official Notice Number:** ER-2009-20

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Eligibility

**Status:** Adopted

**Bylaws:** Amend 14.1, as follows:

#### 14.1 GENERAL ELIGIBILITY REQUIREMENTS

[14.1.1 through 14.1.7.1 unchanged.]

##### 14.1.8 Full-Time Enrollment.

14.1.8.1 Requirement for Practice or Competition. To be eligible for practice or competition, a student-athlete shall be enrolled in at least a minimum full-time program of studies leading to a baccalaureate or equivalent degree as defined by the institution, which for purposes of this bylaw and its subsections shall not be less than 12-semester or -quarter hours, regardless of the institution's definition of a minimum full-time program of studies. For practice only a violation of this bylaw shall be considered an institutional violation per Constitution 2.8.1; however, it shall not affect the student-athlete's eligibility.

[14.1.8.1.1 through 14.1.8.1.6 unchanged.]

~~14.1.8.1.7 Eligibility for Male Students or Male Student Athletes to Practice with Women's Teams. A male student or a male student athlete (see Bylaw 17.02.9) may engage in practice sessions with women's teams under the following conditions:-~~

~~(a) Male students who practice with an institution's women's team must be certified in accordance with all applicable NCAA eligibility regulations for practice (e.g., enrolled in a minimum full-time program of studies, sign a drug testing consent form, included on the institution's squad list, certify insurance coverage for medical expenses per Constitution 3.2.4.9).~~

~~(b) It is not permissible for an institution to provide male students financial assistance, which includes room and board, tuition and fees, and books, in return for practicing with the women's team.~~



~~(c) It is not permissible for an institution to provide male students awards and benefits set forth in Bylaw 16.~~

~~(d) It is not permissible for an institution to provide male students room and board to remain on campus during a vacation period to participate in practice sessions with a women's team.~~

~~(e) It is not permissible for a male student or male student athlete who is serving an academic year in residence as a nonqualifier to participate in practice sessions with a women's team.~~

~~(f) It is permissible for an institution to provide practice apparel to male students for the purpose of practicing with a women's team.~~

[14.1.8.1.8 through 14.1.8.1.9.6 renumbered as 14.1.8.1.7 through 14.1.8.1.8.6, unchanged.]

[14.1.9 through 14.1.10.1.4 unchanged.]

**14.1.11 Eligibility for Male Students or Male Student-Athletes to Practice with Women's Teams.** A male student or male student-athlete (see Bylaw 17.02.9) may engage in practice sessions with women's teams under the following conditions:

**(a) Male students who practice with an institution's women's team must be certified in accordance with all applicable NCAA eligibility regulations for practice (e.g., enrolled in a minimum full-time program of studies, sign a drug-testing consent form, included on the institution's squad list, certify insurance coverage of medical expenses per Constitution 3.2.4.9).**

**(b) It is not permissible for an institution to provide male students financial assistance, which includes room and board, tuition and fees, and books, in return for practicing with the women's team.**

**(c) It is not permissible for an institution to provide male students awards and benefits set forth in Bylaw 16.**

**(d) It is not permissible for an institution to provide male students room and board to remain on campus during a vacation period to participate in practice sessions with a women's team.**

**(e) It is not permissible for a male student or male student-athlete who is serving an academic year in residence as a nonqualifier to participate in practice sessions with a women's team.**

**(f) It is permissible for an institution to provide practice apparel to male students for the purpose of practicing with a women's team.**

**Additional Information:** This revision places the requirements related to male students or male student-athletes practicing with women's teams in a more appropriate location. The requirements go beyond issues related to full-time enrollment.

**Title:** FINANCIAL AID -- MAXIMUM LIMIT ON FINANCIAL AID -- INDIVIDUAL -- RECRUITED STUDENT-ATHLETE RECEIVING INSTITUTIONAL FINANCIAL AID

**Convention Year:** 2010

**Date Submitted:** May 5, 2009

**Official Notice Number:** ER-2009-21

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Financial Aid

**Status:** Adopted

**Bylaws:** Amend 15.1.2, as follows:

15.1.2 Recruited Student-Athlete Receiving Institutional Financial Aid. Unearned financial aid (excluding loans) administered by an institution to an athletically recruited student is considered to be athletically related financial aid and is subject to the limitations set forth in Bylaw 15.1, **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.**

**Additional Information:** This revision clarifies that unearned financial aid administered by an institution to an athletically recruited student is considered to be athletically related financial aid only if the faculty athletics representative and the director of financial aid cannot certify that the aid was granted without regard in any degree to athletics ability.

**Title:** ELIGIBILITY -- INELIGIBILITY -- APPLICATION OF INELIGIBILITY RULING  
PENDING APPEAL -- INTERPRETATIONS

**Convention Year:** 2010

**Date Submitted:** May 11, 2009

**Official Notice Number:** ER-2009-22

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial Revision

**Topical Area:** Eligibility

**Status:** Adopted

**Bylaws:** Amend 14.11.1.1, as follows:

14.11.1.1 Application of Ineligibility Ruling Pending Appeal. Once an *official* interpretation (per Constitution 5.4.1.2) applicable to a member institution has been issued and results in the ineligibility of a student-athlete, it is necessary for the institution to apply the rule to the eligibility of the student-athlete, even if review of the interpretation (per Constitution 5.4.1.2.**1.1.1** or Constitution 5.4.1.~~**4212**~~) at the request of the institution is pending. Failure to withhold such a student-athlete from competition is a violation of the conditions and obligations of membership.

**Additional Information:** This revision clarifies that staff and official interpretations are binding on institutions and more clearly specifies the applicable bylaws.

**Title:** PLAYING AND PRACTICE SEASONS -- GOLF -- NUMBER OF DATES OF COMPETITION -- ANNUAL EXEMPTIONS -- ELIMINATION OF SUN BOWL ALL-AMERICAN CLASSIC

**Convention Year:** 2010

**Date Submitted:** May 11, 2009

**Official Notice Number:** ER-2009-23

**Source:** NCAA Staff.

**Effective Date:**

**Category:** Editorial Revision

**Topical Area:** Playing and Practice Seasons

**Status:** Adopted

**Bylaws:** Amend 17.12.7.3, as follows:

17.12.7.3 Annual Exemptions. The maximum number of dates of competition in golf shall exclude the following:

[17.12.7.3-(a) through 17.12.7.3-(h) unchanged.]

~~(i) Sun Bowl All American Classic. Participation in the Sun Bowl All American Classic, provided not more than two student athletes from the institution participate in the event;~~

[17.12.7.3-(j) through 17.12.7.3-(k) relettered as 17.12.7.3-(i) through 17.12.7.3-(j), unchanged.]

**Additional Information:** This revision removes the Sun Bowl All-American Classic from the list of annual exemptions. The Sun Bowl All-American Classic has been renamed as the College All-American Golf Classic, for which an exception already exists in the list of annual exemptions.



NCAA Division I Editorial Revisions

**Proposal Number:** ER-2009-10

**Title:** AWARDS, BENEFITS AND EXPENSES -- EXPENSES FOR STUDENT-ATHLETE'S FRIENDS AND RELATIVES -- FAMILY MEMBER OF STUDENT-ATHLETE

**A. Bylaws:** Amend 16.6.1.3.1, as follows:

16.6.1.3.1 Family Member of Student-Athlete. An institution may pay transportation, housing and meal expenses for ~~a student-athlete~~, a student-athlete's spouse, ~~and/or~~ children and ~~the student-athlete's~~ teammates to be present in situations in which a family member or legal guardian of the student-athlete suffers a life-threatening injury or illness or, in the event of a family member's or legal guardian's death, to provide ~~the student-athlete and~~ the student-athlete's spouse, children and teammates with such expenses in conjunction with funeral arrangements.

**B. 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:

[16.11.1.12-(a) through 16.11.1.12-(e) unchanged.]

(f) Reasonable tokens of support, and transportation, housing and meal expenses in the event of serious injury, serious illness, or death of a family member ~~and transportation to attend the funeral of any family member~~ or teammate;

[16.11.1.12-(g) through 16.11.1.12-(h) unchanged.]

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial

**Topical Area:** Awards, Benefits and Expenses

**History**

*Apr 13, 2009:* Submit; Submitted for consideration.

*Apr 13, 2009:* Adopted; This revision clarifies that an institution may provide transportation, housing and meal expenses to a student-athlete's spouse and children (in addition to the student-athlete's teammates) in conjunction with funeral arrangements in the event of the death of the student-athlete's family member or legal guardian. In addition, this revision separates the expenses that may be provided to relatives and friends and those that may be provided to the student-athlete into the appropriate legislative sections.

**Proposal Number:** ER-2009-11

**Title:** PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING-SEASON  
REGULATIONS -- COUNTABLE ATHLETICALLY RELATED ACTIVITIES  
PROHIBITED AFTER COMPETITION

**Bylaws:** Amend 17.1.6.3.2.1, as follows:

17.1.6.3.2.1 ~~Practice~~ **Countable Athletically Related Activities** Prohibited after Competition. ~~Practice~~ **Countable athletically related activities** may not be conducted at any time (including vacation periods) following competition, except between contests, rounds or events during a multiday or multievent competition (e.g., double-headers in softball or baseball, rounds of golf in a multiday tournament).

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial

**Topical Area:** Playing and Practice Seasons

**History**

*Apr 13, 2009:* Submit; Submitted for consideration.

*Apr 13, 2009:* Adopted; This revision clarifies that any countable athletically related activity is prohibited after competition.

**Proposal Number:** ER-2009-14

**Title:** ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- GOOD  
ACADEMIC STANDING AND MINIMUM GRADE POINT AVERAGE  
REQUIREMENTS

**A. Bylaws:** Amend 14.4.1, as follows:

14.4.1 Progress-Toward-Degree Requirements. To be eligible to represent an institution in intercollegiate athletics competition, a student-athlete shall maintain progress toward a baccalaureate or equivalent degree at that institution as determined by the regulations of that institution. ~~As a general requirement, "progress toward degree" is to be interpreted at each member institution by the academic authorities who determine the meaning of such phrases for all students,~~ subject to controlling legislation of the conference(s) or similar association of which the institution is a member **and applicable NCAA legislation**. (See Constitution 3.2.4.13 regarding the obligations of members to publish their progress-toward-degree requirements for student-athletes.)

**B. Bylaws:** Amend 14.4.3.3, as follows:

14.4.3.3 Fulfillment of Minimum Grade-Point Average Requirements. ~~A student-athlete shall meet the "satisfactory completion" provision of this requirement by maintaining a grade-point average that places the individual in good academic standing, as established by the institution for all students who are at an equivalent stage of progress toward a degree.~~

~~14.4.3.3.1 General Rule.~~ A student-athlete who is entering his or her second year of collegiate enrollment shall present a cumulative minimum grade-point average (based on a maximum 4.000) that equals at least 90 percent of the institution's overall cumulative grade-point average required for graduation. A student-athlete who is entering his or her third year of collegiate enrollment shall present a cumulative grade-point average (based on a maximum of 4.000) that equals 95 percent of the institution's overall cumulative minimum grade-point average required for graduation. A student-athlete who is entering his or her fourth or later year of collegiate enrollment shall present a cumulative minimum grade-point average (based on a maximum of 4.000) that equals 100 percent of the institution's overall cumulative minimum grade-point average required for graduation. If the institution does not have an overall grade-point average required for graduation, it is permissible to use the lowest grade-point average required for any of the institution's degree programs in determining the cumulative minimum grade-point average. The minimum grade-point average must be computed pursuant to institutional policies applicable to all students.

[14.4.3.3.1.1 renumbered as 14.4.3.3.1, unchanged.]

14.4.3.3.1.2 Timing of Certification. A student-athlete's eligibility under this provision shall be ~~determined on the basis of the student's academic record in existence~~ **certified** by the first date of competition or contest of each regular term of an academic year

beginning with that student's second or later academic year (third semester or fourth quarter) of full-time enrollment. **The certification shall be based on the student-athlete's academic record in existence at the beginning of the applicable term.**

[14.4.3.3.1.2.1 renumbered as 14.4.3.3.2.1, unchanged.]

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial

**Topical Area:** Progress Toward Degree

**History**

*Apr 15, 2009:* Submit; Submitted for consideration.

*Apr 15, 2009:* Adopted; This revision clarifies that the minimum grade-point average requirements are separate from good academic standing requirements. Prior to 1992, there was no separate NCAA minimum grade-point-average requirement. "Satisfactory completion" of the credit hour requirements was previously fulfilled by maintaining a grade-point average that placed the individual in good academic standing. While a student-athlete still must be in good academic standing in order to be eligible for competition, the NCAA minimum grade-point average requirements also must be fulfilled and may be more stringent than an institution's minimum grade-point average requirement for good academic standing. In addition, the revision clarifies that the change in the timing of certification of the grade-point average requirement (see Proposal No. 2003-25) did intend to change the basis on which the certification is made. Although the certification may occur by the first contest or date of competition of the term, it must be based on the academic record in existence at the beginning of the term.



**Proposal Number:** ER-2009-17

**Title:** RECRUITING -- ADMISSIONS AND GRADUATION DATA, BANNED DRUG LIST AND INITIAL-ELIGIBILITY STANDARDS -- DISCLOSURE REPORT -- REPORT DISTRIBUTION

**Bylaws:** Amend 13.3.1.2, as follows:

13.3.1.2 Report Distribution. The NCAA Eligibility Center shall provide the information contained within the report to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center and the Eligibility Center has received an institution's request to add the prospective student-athlete to the institution's institutional request list. The NCAA shall ~~provide~~ **make** a compilation of graduation data **available** to ~~the~~ prospective student-athletes' guidance offices and high school and two-year college coaches **via the NCAA Web site.**

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial

**Topical Area:** Recruiting

**History**

*May 04, 2009:* Submit; Submitted for consideration.

*May 04, 2009:* Adopted; This revision accounts for changes in technology and the efficient practice of providing institutional graduation data to guidance offices and high school and two-year college coaches via the NCAA Web site.

**Proposal Number:** ER-2009-18

**Title:** AMATEURISM -- FINANCIAL DONATIONS FROM OUTSIDE ORGANIZATIONS  
-- PROFESSIONAL SPORTS ORGANIZATIONS -- TO NONCOLLEGIATE AMATEUR  
TEAM

**Bylaws:** Amend 12.6.1, as follows:

12.6.1 Professional Sports Organizations.

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

[12.6.1.2 through 12.6.1.7 renumbered as 12.6.1.1 through 12.6.1.6, unchanged.]

**Source:** NCAA Staff.

**Effective Date:** Immediate

**Category:** Editorial

**Topical Area:** Amateurism

**History**

*May 04, 2009:* Submit; Submitted for consideration.

*May 04, 2009:* Adopted; With the change to the definition of a professional team (Proposal No. 2001-96), the prohibition related to an amateur team's receipt of funds from a professional sports organization was eliminated. The deleted provision was based on that prohibition.



**Other Editorial Revisions Adopted by Division I found not to be Applicable in Division II or Already Adopted in Division II**

Proposal Number	Title	History
ER-2009-5	EXECUTIVE REGULATIONS -- ELIGIBILITY FOR CHAMPIONSHIPS -- INELIGIBILITY FOR USE OF BANNED DRUGS -- BANNED DRUGS -- ALCOHOL, BETA BLOCKERS AND BETA 2 AGONISTS	Feb 04, 2009 Submit ; Submitted for consideration. Feb 05, 2009 Adopted ; This revision provides identification of the specific class of substances banned for a specific sport consistent with the identification of other banned classes (e.g., by chemical nature and action) and clarifies that beta 2 agonists are a banned class. Note that the exception for use of beta 2 agonists by inhalation only remains in Bylaw 31.2.3.4.1-(d).
ER-2009-6	RECRUITING -- OFFICIAL VISIT -- ENTERTAINMENT/TICKETS ON OFFICIAL VISIT -- STUDENT HOST	Feb 23, 2009 Submit ; Submitted for consideration. Feb 23, 2009 Adopted ; This revision clarifies that a student host may receive a complimentary meal or a complimentary admission to a campus athletics event each time he or she accompanies a prospective student-athlete to a meal or campus athletics event, respectively, during the prospective student-athlete's official visit.
ER-2009-7	PLAYING AND PRACTICE SEASONS -- BASKETBALL -- FIRST CONTEST -- EXCEPTIONS -- PRACTICE SCRIMMAGES	Mar 02, 2009 Submit ; Submitted for consideration. Mar 02, 2009 Adopted ; This revision clarifies when an informal practice scrimmage may occur.
ER-2009-8	ATHLETICS CERTIFICATION -- MANDATORY SELF-STUDY AND EXTERNAL PEER REVIEW - - ACADEMIC INTEGRITY -- ACADEMIC SUPPORT -- REVIEW OF SUPPORT SERVICES	Mar 11, 2009 Submit ; Submitted for consideration. Mar 11, 2009 Adopted ; This revision clarifies that no additional periodic review of academic support services is required in addition to once-in-four-years evaluation.
ER-2009-9	RECRUITING -- RECRUITING MATERIALS -- PRINTED RECRUITING MATERIALS -- INSTITUTIONAL NOTE CARDS	Apr 13, 2009 Submit ; Submitted for consideration. Apr 13, 2009 Adopted ; This revision further clarifies that the same standards apply to institutional note cards that are provided to any permissible recipients (prospective student-athletes, their parents or legal guardians, their coaches or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved).

ER-2009-12	AWARDS AND BENEFITS -- HOUSING AND MEALS -- PERMISSIBLE EXPENSES -- NUTRITIONAL SUPPLEMENTS	Apr 14, 2009 Submit ; Submitted for consideration. Apr 14, 2009 Adopted ; This revision removes unnecessary and confusing language. It remains impermissible to provide "muscle-building" supplements, which are defined as those that contain more than 30 percent of calories from protein, to student-athletes. (See 7/26/00 Official Interpretation, Item No. a.)
ER-2009-13	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- BONA FIDE FOREIGN EXCHANGE STUDENT EXCEPTION	Apr 14, 2009 Submit ; Submitted for consideration. Apr 14, 2009 Adopted ; This revision clarifies that a bona fide international exchange students is not required to have completed six hours of academic credit at his or her foreign institution prior to enrollment at the certifying institution. (An international transfer student is not required, on transferring to the certifying institution, to have completed six hours of credit in his or her previous term of full-time enrollment. Proposal No. 2007-65 did not intend to establish a higher standard for exchange students than for transfer students. The intent was to establish continuing eligibility requirements similar to those applicable to all continuing student-athletes.
ER-2009-15	RECRUITING -- CONTACTS AND EVALUATIONS -- BANQUETS OR MEETINGS AT LOCATIONS OTHER THAN A PROSPECTIVE STUDENT-ATHLETE'S EDUCATIONAL INSTITUTION	Apr 15, 2009 Submit ; Submitted for consideration. Apr 15, 2009 Adopted ; This revision clarifies that a coach may speak at a banquet or meeting that does not occur at a prospective student-athlete's educational institution under the same principles as are generally applicable to speaking engagements that occur at a prospective student-athlete's educational institution.
ER-2009-16	MEMBERSHIP -- PROVISIONAL MEMBERSHIP -- COMPLIANCE WITH CRITERIA -- EXPLORATORY YEAR	Apr 15, 2009 Submit ; Submitted for consideration. Apr 15, 2009 Adopted ; The minimum sport sponsorship requirements are detailed in Bylaw 20.9.4.
ER-2009-19	RECRUITING -- OFFERS AND INDUCEMENTS AND TRYOUTS -- VOLUNTARY SUMMER CONDITIONING -- FOOTBALL	May 04, 2009 Submit ; Submitted for consideration. May 04, 2009 Adopted ; This revision clarifies that, in championship subdivision football, voluntary summer workouts may be conducted by an institution's strength and conditioning coach with department-wide duties or a countable coach who is a certified strength and conditioning coach.



**Editorial Revisions Adopted by Division III found not to be Applicable in Division II or Already  
Adopted in Division II**

<b>Proposal Number</b>	<b>Title</b>	<b>Additional Information</b>
ER-2009-23	EXECUTIVE REGULATIONS -- ELIGIBILITY FOR CHAMPIONSHIPS -- INELIGIBILITY FOR USE OF BANNED DRUGS -- BANNED DRUGS -- ALCOHOL, BETA BLOCKERS AND BETA 2 AGONISTS	This revision provides identification of the specific class of substances banned for a specific sport consistent with the identification of other banned classes (e.g., by chemical nature and action) and clarifies that beta 2 agonists are a banned class. Note that the exception for use of beta 2 agonists by inhalation only remains in Bylaw 31.2.3.4.1-(d).
ER-2009-24	ENFORCEMENT POLICIES AND PROCEDURES -- APPEAL PROCEDURE -- ENFORCEMENT STAFF INFORMATION -- PERIOD OF NOTIFICATION OF SUBMITTED REBUTTAL MATERIALS	This revision clarifies the start of the period for the enforcement staff to provide written information to the Infractions Appeals Committee for an appeal.
ER-2009-25	COMMITTEES -- DIVISION III COMMITTEES -- CONFLICT OF INTEREST POLICY	This revision eliminates the need to update regularly the conflict of interest policy if any amendments are made by the NCAA Executive Committee.
ER-2009-26	EXECUTIVE REGULATIONS -- GENERAL FINANCIAL MANAGEMENT -- DEFENSE AND INDEMNIFICATION -- DETERMINATION REGARDING CONDITIONS FOR DEFENSE AND INDEMNIFICATION -- VOTE BY ADMINISTRATIVE SUBCOMMITTEE	This provision should have been updated with the adoption of an amendment to the NCAA defense and indemnification policy by the NCAA Executive Committee in April 2004.
ER-2009-27	RECRUITING -- RECRUITING MATERIALS -- GENERAL REGULATIONS	This editorial revision clarifies the distinction between this legislation and the recruiting advertisement legislation. The current language of the general recruiting materials regulation and the first sentence of the recruiting advertisements legislation could appear contradictory.
ER-2009-28	RECRUITING -- UNOFFICIAL VISIT -- HOUSING -- LODGING IN DORMITORIES	Proposal No. ER-1999-5 modified the legislation regarding the permissible recruitment activities for enrolled student-

<b>Proposal Number</b>	<b>Title</b>	<b>Additional Information</b>
		athletes. At that time, the language within the unofficial visit legislation was not modified, apparently due to an oversight. This editorial revision ensures consistency between that legislation and the unofficial visit legislation.
ER-2009-29	AMATEURISM -- COMPETITION WITH PROFESSIONALS -- MAJOR JUNIOR A ICE HOCKEY	This editorial revision provides clarity to the current application of the Major Junior A ice hockey legislation for students that participate during high school enrollment. This revision also places the language related to the Major Junior A ice hockey legislation within Bylaw 14 of the Manual, so that institutions do not overlook and are aware of the legislation whether they are referring to Bylaw 12 or 14.
ER-2009-30	PLAYING AND PRACTICE SEASONS -- REQUIRED DAYS OFF -- EXCEPTIONS	This editorial revision clarifies that the exceptions to the limitations of athletically related activity refers only to the required day off limitation and that the exceptions for the required day off requirement only apply during the declared playing and practice season.
ER-2009-31	PLAYING AND PRACTICE SEASONS -- FALL PRESEASON PRACTICE FORMULA -- SPORTS OTHER THAN FOOTBALL	This editorial revision clarifies the language for the preseason practice formula.
ER-2009-32	RECRUITING -- RECRUITING MATERIALS -- ELECTRONIC MEDIA	With the constant changes and advances in technology, changing references from "videos" to "electronic media" will better reflect the scope of the legislation.

ER-2009-33	FINANCIAL AID -- INCORPORATION OF ATHLETICS LEADERSHIP LANGUAGE THROUGHOUT ARTICLE 15	This revision clarifies that athletics leadership, as it appears in Bylaw 15.01.3 should be incorporated throughout Article 15. The revision further clarifies certain language in Article 15, for purposes of better understanding.
ER-2009-34	ELIGIBILITY -- INTERCOLLEGIATE COMPETITION -- CLUB TEAM PARTICIPATION	When a March 19, 1987, official interpretation, Item No. 4, was incorporated into the Division III Manual via Division III Proposal No. I-2004-2, the incorporation failed to capture the full impact of the official interpretation. The interpretation stated that with regard to club team participation, the legislation "...should be applied in the same manner to athletics activities at nonmember collegiate institutions for purposes of determining whether a student-athlete has participated in a season of intercollegiate competition." This revision is being made in order to rectify the drafting error by clarifying that the rule extends beyond member institutions and applies to all two-year or four-year collegiate institutions. The revision is being made editorially instead of through a modification of wording due to the clear indication of a drafting oversight upon incorporation of the official interpretation and due to the production timing of the 2009-10 Division III Manual.



## NCAA Division I Legislation Adopted in April 2009

**Proposal Number:** 2008-13-B

**Title:** AMATEURISM -- EXCEPTION FOR PRIZE MONEY FOR STUDENT-ATHLETES -- OUTSIDE THE PLAYING SEASON DURING THE SUMMER VACATION PERIOD -- INDIVIDUAL SPORTS

**Intent:** In individual sports, to permit a student-athlete to accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's declared playing and practice season during the institution's summer vacation period and the prize money does not exceed actual and necessary expenses and is provided only by the sponsor of the open event.

**A. Bylaws:** Amend 12.1.2.4, as follows:

12.1.2.4 Exceptions to Amateurism Rule.

[12.1.2.4.1 unchanged.]

**12.1.2.4.2 Exception for Prize Money for Student-Athletes -- Outside the Playing Season During the Summer Vacation Period -- Individual Sports. In individual sports, a student-athlete may accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's declared playing and practice season during the institution's summer vacation period. Such prize money may not exceed actual and necessary expenses and may be provided only by the sponsor of the open event. The calculation of actual and necessary expenses shall not include the expenses or fees of anyone other than the student-athlete (e.g., coach's fees or expenses, parent's expenses).**

[12.1.2.4.2 through 12.1.2.4.12 renumbered as 12.1.2.4.3 through 12.1.2.4.13, unchanged.]

**B. Bylaws:** Amend 16.1.1, as follows:

16.1.1 Application of Awards Legislation.

[16.1.1.1 through 16.1.1.2 unchanged.]

16.1.1.3 Student-Athlete Not Regularly Enrolled. Awards received by a student-athlete participating in an event while not enrolled as a regular student during the academic year, or received during the summer while not representing his or her institution, shall conform to the regulations of the recognized amateur organization that governs the competition. Such awards may include gift certificates, but may not include cash.

**16.1.1.3.1 Exception -- Prize Money Outside the Playing Season During the Summer Vacation Period -- Individual Sports. In individual sports a student-athlete may accept prize money that does not exceed his or her actual and necessary expenses, pursuant to Bylaw 12.1.2.4.2.**



[16.1.1.3.1 renumbered as 16.1.1.3.2, unchanged.]

[16.1.1.4 unchanged.]

**Source:** Big Ten Conference.

**Effective Date:** Immediate

**Category:** Amendment

**Topical Area:** Amateurism

**Rationale:** As noted in the Legislative Council's comments related to Proposal No. 2008-13-A, the proposal has the potential to result in a proliferation of open events during the academic year and summer. This alternative proposal would limit the receipt of prize money to the institution's summer vacation period outside of the playing and practice season and reduce the potential intrusion and distraction during the student-athlete's academic year.

**Budget Impact:** None.

**Impact on S-A's Time:** Potential reduction by limiting application to the summer vacation period.

**Position Statement(s)**

*Amateurism Cabinet:* The cabinet supports the proposal.

**History**

*Oct 26, 2008:* Submit; Submitted for consideration as an alternative to Proposal No. 2008-13-A.

*Jan 15, 2009:* Leg Council Init Review, Forwarded for Membership Comment

*Jan 18, 2009:* Comment Period; Start of Comment Period

*Feb 20, 2009:* Amateurism Cabinet, Recommends Approval

*Mar 18, 2009:* Comment Period; End of Comment Period; (Official Comment Totals: Support = 11, Oppose = 1, Abstain = 0)

*Apr 20, 2009:* Leg Council Final Review, Adopted; Pending Possible Board of Directors Review

*Apr 30, 2009:* Adopted, Override Period; No Action Taken by the Board of Directors

*May 01, 2009:* Adopted, Override Period; Start of Override Period

*Jun 29, 2009:* Adopted, Override Period; End of Override Period

**Proposal Number:** 2008-15-B

**Title:** RECRUITING -- DEFINITIONS AND APPLICATIONS -- PROSPECTIVE  
STUDENT-ATHLETE -- INSTITUTIONAL ORIENTATION SESSION

**Intent:** To specify that a recruited prospective student-athlete who has signed a National Letter of Intent (NLI) [or, for an institution that does not use the NLI in a particular sport or for a prospective student-athlete who is not eligible to sign an NLI (e.g., four-year college transfer), the institution's written offer of admission and/or financial aid] and has reported to an institutional orientation session that is open to all incoming students within 14 calendar days prior to the opening day of classes of a regular academic year term shall not be subject to the contact restrictions in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 as of the opening day of the orientation session.

**Bylaws:** Amend 13.02.11, as follows:

13.02.11 Prospective Student-Athlete. A prospective student-athlete is a student who has started classes for the ninth grade. In addition, a student who has not started classes for the ninth grade becomes a prospective student-athlete if the institution provides such an individual (or the individual's relatives or friends) any financial assistance or other benefits that the institution does not provide to prospective students generally. An individual remains a prospective student-athlete until one of the following occurs (whichever is earlier):

[13.02.11-(a) through 13.02.11-(c) unchanged.]

[13.02.11.1 unchanged.]

**13.02.11.2 Institutional Orientation Session. A recruited prospective student-athlete who has signed a National Letter of Intent (NLI) [or, for an institution that does not use the NLI in a particular sport or for a prospective student-athlete who is not eligible to sign an NLI (e.g., four-year college transfer), the institution's written offer of admission and/or financial aid] and has reported to an institutional orientation session that is open to all incoming students within 14 calendar days prior to the opening day of classes of a regular academic year term shall not be subject to the contact restrictions in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 as of the opening day of the orientation session.**

**Source:** Big Ten Conference.

**Effective Date:** Immediate

**Category:** Amendment

**Topical Area:** Recruiting

**Rationale:** Not all institutions require incoming students to attend orientation sessions. This alternative proposal provides greater flexibility to apply the provisions of the legislation to

any institutional orientation period available to all incoming students, rather than limiting the application to required orientation sessions.

**Budget Impact:** Minimal.

**Impact on S-A's Time:** None.

**Position Statement(s)**

*Awards, Benefits, Expenses and Financial Aid Cabinet:* The cabinet supports the proposal.

*Recruiting and Athletics Personnel Issues Cabinet:* The cabinet supports the proposal. The cabinet noted that the proposal would provide greater flexibility for all institutions to apply the legislation regardless of whether orientation sessions are required.

**History**

*Oct 26, 2008:* Submit; Submitted for consideration as an alternative to Proposal No. 2008-15-A.

*Jan 14, 2009:* Leg Council Init Review, Forwarded for Membership Comment

*Jan 18, 2009:* Comment Period; Start of Comment Period

*Feb 06, 2009:* Awards, Benefits, Expenses and Financial Aid Cabinet, Recommends Approval

*Feb 10, 2009:* Recruiting and Athletics Personnel Issues Cabinet, Recommends Approval

*Mar 18, 2009:* Comment Period; End of Comment Period; (Official Comment Totals: Support = 10, Oppose = 1, Abstain = 0)

*Apr 20, 2009:* Leg Council Final Review, Adopted; Pending Possible Board of Directors Review

*Apr 30, 2009:* Adopted, Override Period; No Action Taken by the Board of Directors

*May 01, 2009:* Adopted, Override Period; Start of Override Period

*Jun 29, 2009:* Adopted, Override Period; End of Override Period

**Proposal Number:** 2008-25-D

**Title:** RECRUITING -- LETTER OF INTENT PROGRAMS -- REQUIREMENTS FOR OFFERS OF ATHLETICALLY RELATED FINANCIAL AID -- COMPLETION OF AMATEURISM CERTIFICATION QUESTIONNAIRE -- DELAYED EFFECTIVE DATE

**Intent:** To specify that an institution shall not provide a high school, preparatory school or transfer (if applicable) prospective student-athlete a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire administered by the NCAA Eligibility Center.

**Bylaws:** Amend 13.9, as follows:

13.9 LETTER-OF-INTENT PROGRAMS, FINANCIAL AID AGREEMENTS

13.9.1 ~~NCAA Eligibility Center Registration and Institutional Request List~~ **Requirements for Offer of Athletically Related Financial Aid.** ~~An institution shall not provide a high school or preparatory school prospective student athlete a written offer of athletically related financial aid (per Bylaw 15.3.2.3) until he or she has registered with the NCAA Eligibility Center and the institution has placed the prospective student athlete on its institutional request list (IRL) with the NCAA Eligibility Center.~~ **The following requirements must be met before an institution may provide a written offer of athletically related financial aid (per Bylaw 15.3.2.3) to a prospective student-athlete:**

**(a) A high school or preparatory school prospective student-athlete must register with the NCAA Eligibility Center;**

**(b) A high school or preparatory school prospective student-athlete must be placed on the institution's institutional request list (IRL) with the NCAA Eligibility Center; and**

**(c) A high school, preparatory school or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the NCAA Eligibility Center.**

[Remainder of 13.9 unchanged.]

**Source:** Big Ten Conference.

**Effective Date:**

**Category:** Amendment

**Topical Area:** Recruiting

**Rationale:** Although the sponsor of Proposal No. 2008-25-B has indicated that the effective date of August 1, 2009 will provide adequate notice to institutions and prospective student-athletes, delaying the effective date until 2010 will provide additional time for the NCAA to

educate prospects and institutions on this additional requirement, which will result in a smoother transition for the membership.

**Budget Impact:** None.

**Impact on S-A's Time:** None.

**Position Statement(s)**

*Amateurism Cabinet:* The cabinet supports the proposal.

*Awards, Benefits, Expenses and Financial Aid Cabinet:* The cabinet supports the proposal.

*Recruiting and Athletics Personnel Issues Cabinet:* The cabinet supports the proposal. The cabinet recognized a need to require timely completion of the amateurism certification questionnaire and believes this is accomplished without placing a hardship on prospective student-athletes, institutions or the Eligibility Center.

**History**

*Oct 26, 2008:* Submit; Submitted for consideration as an alternative to Proposal No. 2008-25-B.

*Jan 14, 2009:* Leg Council Init Review, Forwarded for Membership Comment

*Jan 18, 2009:* Comment Period; Start of Comment Period

*Feb 06, 2009:* Awards, Benefits, Expenses and Financial Aid Cabinet, Recommends Approval

*Feb 10, 2009:* Recruiting and Athletics Personnel Issues Cabinet, Recommends Approval

*Feb 20, 2009:* Amateurism Cabinet, Recommends Approval

*Mar 18, 2009:* Comment Period; End of Comment Period; (Official Comment Totals: Support = 1, Oppose = 12, Abstain = 0)

*Apr 20, 2009:* Leg Council Final Review, Adopted; Pending Possible Board of Directors Review

*Apr 30, 2009:* Adopted, Override Period; No Action Taken by the Board of Directors

*May 01, 2009:* Adopted, Override Period; Start of Override Period

*Jun 29, 2009:* Adopted, Override Period; End of Override Period

**Proposal Number:** 2008-43

**Title:** AWARDS, BENEFITS AND EXPENSES -- HOUSING AND MEALS -- FRUIT, NUTS AND BAGELS

**Intent:** To specify that an institution may provide fruit, nuts and bagels to student-athletes at any time.

**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-(g) unchanged.

**(h) Fruit, nuts and bagels. An institution may provide fruit, nuts and bagels to a student-athlete at any time.**

**Source:** Atlantic Coast Conference.

**Effective Date:**

**Category:** Amendment

**Topical Area:** Awards, Benefits and Expenses

**Rationale:** Current legislation allows for an institution to provide student-athletes with energy bars, carbohydrate/electrolyte drinks, and carbohydrate boosters, but does not allow them to provide actual food items, such as fruits, nuts, or bagels. Dietitians working with student-athletes work to convince student-athletes and coaches that nutrition can have a very big impact on his or her athletics performance, and to convince them that they are not immune to the same types of health risks that nonathletes face. While some sports nutrition supplements have an important role in the lives of athletes, encouraging a diet of healthy and natural foods is a key for establishing a long term healthy lifestyle. Additionally, many permissible nonmuscle-building nutritional supplements may not be as healthy as they seem. Many contain high-fructose corn syrup, which has raised concern among nutritional experts because of the way it is broken down in the body. Excessive amounts of fructose have been theorized to be one of the contributors to the obesity epidemic. Fructose has also been linked, through research, to an increased risk for heart disease and accelerated bone loss.

**Budget Impact:** Costs related to providing fruit, nuts and bagels to student-athletes at any time.

**Impact on S-A's Time:** None.

**Position Statement(s)**

*Awards, Benefits, Expenses and Financial Aid Cabinet:* The cabinet opposes the proposal. The cabinet supports the concept of access to nutritional foods to provide the caloric and fluid replacement currently permitted through supplements. However, the cabinet is not convinced that the current proposal is the best way to address the identified problem. The cabinet also notes the likely interpretive issues related to the proposal. The cabinet agreed to

engage in a broader review of nutritional supplements and whole foods with the Championships/Sports Management Cabinet and the Committee on Competitive Safeguards and Medical Aspects of Sports to determine if the current legislation warrants change.

*Committee on Competitive Safeguards and Medical Aspects of Sports:* The committee generally supports the proposal and efforts at the campus level and through membership review of legislative policy that seek to create an environment that supports appropriate nutrition. The committee encourages changes in policy to permit a more liberal provision of food to student-athletes. Ideally, nutrient appropriate food would be accessible to all participating student-athletes regardless of sport or scholarship status.

### **History**

*Jul 09, 2008:* Submit; Submitted for consideration.

*Sep 12, 2008:* Committee on Competitive Safeguards and Medical Aspects of Sports, Recommends Approval

*Sep 19, 2008:* Awards, Benefits, Expenses and Financial Aid Cabinet, No Formal Position; The cabinet is supportive of a broader review of nutritional supplements and whole foods by the Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS). The cabinet recommends the Legislative Council table this proposal until CSMAS can complete this review.

*Sep 19, 2008:* Sponsor modified proposal to specify that fruit, nuts and bagels could be provided as meal benefits incidental to participation in intercollegiate athletics separate from nutritional supplements.

*Jan 15, 2009:* Leg Council Init Review, Forwarded for Membership Comment

*Jan 18, 2009:* Comment Period; Start of Comment Period

*Feb 06, 2009:* Awards, Benefits, Expenses and Financial Aid Cabinet, Recommends Defeat

*Mar 18, 2009:* Comment Period; End of Comment Period; (Official Comment Totals: Support = 12, Oppose = 0, Abstain = 0)

*Apr 20, 2009:* Leg Council Final Review, Adopted; Pending Possible Board of Directors Review

*Apr 30, 2009:* Adopted, Override Period; No Action Taken by the Board of Directors

*May 01, 2009:* Adopted, Override Period; Start of Override Period

*Jun 29, 2009:* Adopted, Override Period; End of Override Period

**Proposal Number:** 2008-54

**Title:** PLAYING AND PRACTICE SEASONS -- GOLF -- ANNUAL EXEMPTIONS --  
HAWAII OR ALASKA

**Intent:** In golf, to specify that the dates of competition of one event (e.g., dual competition, tournament) in Hawaii or Alaska either against or under the sponsorship of an active Division I member located in Hawaii or Alaska, by a member located outside the area in question are exempted from the maximum number of dates of competition.

**Bylaws:** Amend 17.12.5.2, as follows:

17.12.5.2 Annual Exemptions. The maximum number of dates of competition in golf shall exclude the following:

[17.12.5.2-(a) through 17.13.5.2-(e) unchanged.]

(f) Hawaii or Alaska. ~~Any~~ **The** dates of competition **of one event (e.g., dual competition, tournament)** in Hawaii or Alaska, respectively, **either** against **or under the sponsorship of** an active Division I member located in Hawaii or Alaska, by a member located outside the area in question;

[17.12.5.2-(g) through 17.13.5.2-(k) unchanged.]

**Source:** Western Athletic Conference.

**Effective Date:**

**Category:** Amendment

**Topical Area:** Playing and Practice Seasons

**Rationale:** The current legislation applies only to dual golf competition against an active Division I member located in Hawaii or Alaska; however, intercollegiate golf is typically played in a tournament format with more than two teams competing against each other. Therefore, the current exception is not practical. This proposal would extend the same exemption that is currently available in other sports to golf. Furthermore, this proposal provides a greater incentive for member institutions located outside of Hawaii and Alaska to schedule competition in those states, despite the geographical distance, which further supports the original intent of the legislation.

**Budget Impact:** None.

**Impact on S-A's Time:** None.

**Position Statement(s)**

*Championships/Sports Management Cabinet:* The cabinet supports the proposal.

**History**

*Jul 01, 2008:* Submit; Submitted for consideration.



*Sep 17, 2008:* Championships/Sports Management Cabinet, Recommends Approval

*Oct 13, 2008:* Sponsor modified the proposal to apply to one event per year. Previously, the proposal applied to any dates of competition.

*Jan 14, 2009:* Leg Council Init Review, Forwarded for Membership Comment

*Jan 18, 2009:* Comment Period; Start of Comment Period

*Mar 18, 2009:* Comment Period; End of Comment Period; (Official Comment Totals: Support = 12, Oppose = 0, Abstain = 0)

*Apr 20, 2009:* Leg Council Final Review, Adopted; Pending Possible Board of Directors Review

*Apr 30, 2009:* Adopted, Override Period; No Action Taken by the Board of Directors

*May 01, 2009:* Adopted, Override Period; Start of Override Period

*Jun 29, 2009:* Adopted, Override Period; End of Override Period

**Proposal Number:** 2008-57

**Title:** PLAYING AND PRACTICE SEASONS -- TRACK AND FIELD -- SAFETY  
EXCEPTION -- HURDLES AND STEEPLECHASE

**Intent:** To specify that a coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in jumping hurdles or the jumping element of the steeplechase.

**Bylaws:** Amend 17.27.7, as follows:

17.27.7 Safety Exception. A coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in field events, jumping hurdles or the jumping element of the steeplechase. The coach may provide safety or skill instruction but may not conduct the individual's workouts.

**Source:** Big 12 Conference.

**Effective Date:** Immediate

**Category:** Amendment

**Topical Area:** Playing and Practice Seasons

**Rationale:** When the legislation establishing the safety exception was adopted in 1991, it included fencing, gymnastics, rifle, skiing, swimming and diving, the field events of track and field and water polo. Since then, the exception has been added for archery, equestrian, rowing, synchronized swimming and wrestling. Extending the application of the safety exception to the hurdles and the steeplechase is consistent with the original intent of the safety exception legislation, which was to allow a coach to provide safety instruction to student-athletes while participating in voluntary workouts in sports that include elements that pose risks of bodily harm. Considering the physical demands and risks that are involved in the hurdles and the steeplechase, it is appropriate for a coach to provide safety supervision. In addition, these specific track events include a substantial degree of technique that is imperative in avoiding accidents and preventing injuries. It is important that a coach is available to spot and provide skill instruction in order to ensure the student-athlete's safety and well-being.

**Budget Impact:** None.

**Impact on S-A's Time:** Voluntary activities.

**Position Statement(s)**

*Championships/Sports Management Cabinet:* The cabinet took no position on the proposal.

**History**

*Jun 26, 2008:* Submit; Submitted for consideration.

*Sep 17, 2008:* Championships/Sports Management Cabinet, No Formal Position

*Jan 15, 2009:* Leg Council Init Review, Forwarded for Membership Comment

*Jan 18, 2009:* Comment Period; Start of Comment Period

*Mar 18, 2009:* Comment Period; End of Comment Period; (Official Comment Totals: Support = 13, Oppose = 0, Abstain = 0)

*Apr 20, 2009:* Leg Council Final Review, Adopted; Pending Possible Board of Directors Review

*Apr 30, 2009:* Board Consideration; No Action Taken by the Board of Directors

*May 01, 2009:* Adopted, Override Period; Start of Override Period

*Jun 29, 2009:* Adopted, Override Period; End of Override Period

**Proposal Number:** 2008-75-1

**Title:** ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- ELIGIBILITY FOR FINANCIAL AID, PRACTICE AND COMPETITION -- QUALIFIER -- EXCEPTION -- EARLY ACADEMIC CERTIFICATION -- SUBMISSION OF TRANSCRIPT -- WAIVER

**Intent:** To amend NCAA Proposal No. 2008-75 to specify that the NCAA Division I Academic Cabinet may waive the requirement, based on objective evidence that demonstrates circumstances for which a waiver is warranted, that an institution must ensure submission of the final high school transcript to the NCAA Eligibility Center for a student-athlete who is certified as a qualifier pursuant to the early academic certification exception.

**Bylaws:** Amend 14.3.1, as follows:

14.3.1 Eligibility for Financial Aid, Practice and Competition. A student-athlete who enrolls in a member institution as an entering freshman with no previous full-time college attendance shall meet the following academic requirements, as certified by the NCAA Eligibility Center, as approved by the Executive Committee, and any applicable institutional and conference regulations, to be considered a qualifier and thus be eligible for financial aid, practice and competition during the first academic year in residence.

[14.3.1.1 unchanged.]

14.3.1.1.1 Exception -- Early Academic Certification. A student-athlete shall be certified as a qualifier, provided he or she has achieved the following academic criteria:

[14.3.1.1.1-(a) through 14.3.1.1.1-(b) unchanged.]

14.3.1.1.1.1 Submission of Final Transcript. If a student-athlete is certified as a qualifier pursuant to the early academic certification exception and his or her initial full-time collegiate enrollment occurs at the certifying institution during the first term of the academic year, the institution shall ensure submission of his or her final high school transcript (official or unofficial) to the Eligibility Center by February 1 following the student-athlete's initial full-time enrollment. If a student-athlete is certified as a qualifier pursuant to the early academic certification exception and his or her initial full-time collegiate enrollment occurs at the certifying institution after the conclusion of the first term of the academic year, the institution shall ensure submission of his or her final high school transcript (official or unofficial) to the Eligibility Center by February 1 of the following academic year.

14.3.1.1.1.1.1 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.

**14.3.1.1.1.1.2 Waiver. The Academic Cabinet may waive the requirements of this legislation based on objective evidence that demonstrates circumstances for which a waiver is warranted. The cabinet shall establish the process for reviewing such waiver requests.**

[Remainder of 14.3.1 unchanged.]

**Source:** NCAA Division I Legislative Council (Committee on Academic Performance).

**Effective Date:**

**Category:** Amendment

**Topical Area:** Eligibility

**Rationale:** Providing waivers via a simple process for extenuating circumstances that preclude the submission of a prospective student-athlete's high school transcript allows a reasonable accommodation to institutions without jeopardizing the integrity of the necessary data collection. The creation of a waiver process will provide institutions with relief in instances in which it is not possible to obtain the final high school transcript and will address concerns from the membership with the administrative burden that would be placed on campus compliance personnel.

**Budget Impact:** None.

**Impact on S-A's Time:** None.

**History**

*Feb 18, 2009:* Submit; Submitted for consideration.

*Apr 20, 2009:* Leg Council Init Review, Adopted; Pending Possible Board of Directors Review

*Apr 30, 2009:* Adopted, Override Period; No Action Taken by the Board of Directors

*May 01, 2009:* Adopted, Override Period; Start of Override Period

*Jun 29, 2009:* Adopted, Override Period; End of Override Period

**Proposal Number:** 2008-77

**Title:** ELIGIBILITY -- TRANSFER REGULATIONS -- TWO-YEAR COLLEGE  
TRANSFERS -- SUBMISSION OF INFORMATION NECESSARY TO DETERMINE  
ACADEMIC INITIAL-ELIGIBILITY STATUS

**Intent:** To specify that an institution shall ensure submission of all necessary information (e.g., high school transcripts, test scores), which may include official or unofficial transcripts and test scores, to the Eligibility Center to determine the academic initial-eligibility status of a two-year college or 4-2-4 transfer student-athlete prior to the end of the student-athlete's first regular academic term of full-time enrollment at the institution; further, to specify that a violation of this provision shall be considered an institutional violation; however, the student-athlete's eligibility will not be affected.

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

14.5.4 Two-Year College Transfers. A student who transfers to a member institution from a two-year college or from a branch school that conducts an intercollegiate athletics program must complete an academic year of residence unless the student meets the following eligibility requirements applicable to the division of which the certifying institution is a member. Further, a transfer student-athlete admitted after the 12th class day may not use that semester or quarter for the purpose of establishing residency.

[14.5.4.1 through 14.5.4.6 unchanged.]

**14.5.4.7 Submission of Information Necessary to Determine Academic Initial-Eligibility Status.** An institution shall ensure submission of all necessary information (e.g., high school transcripts, test scores) to the NCAA Eligibility Center to determine the academic initial-eligibility status of a two-year college transfer student-athlete prior to the end of the student-athlete's first regular academic term of full-time enrollment at the institution. If a two-year college transfer student-athlete is added to an institution's squad list after the end of his or her first regular academic term of full-time enrollment at the institution, the institution shall ensure submission of all necessary information (e.g., high school transcripts, test scores) to the Eligibility Center to determine his or her academic initial-eligibility status prior to the end of the academic year in which the student-athlete is added to the squad list. The necessary information may be submitted through official or unofficial transcripts or test score reports.

**14.5.4.7.1 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.

**B. Bylaws:** Amend 14.5.6, as follows:

14.5.6 4-2-4 College Transfers. A student who transfers from a four-year college to a two-year college and then to the certifying institution shall complete one academic year of

residence at the certifying institution prior to engaging in intercollegiate competition, unless the student has:

[14.5.6-(a) through (c) unchanged.]

[14.5.6.1 through 14.5.6.5 unchanged.]

**14.5.6.6 Submission of Information Necessary to Determine Academic Initial-Eligibility Status.** An institution shall ensure submission of all necessary information (e.g., high school transcripts, test scores) to the NCAA Eligibility Center to determine the academic initial-eligibility status of a 4-2-4 transfer student-athlete prior to the end of the student-athlete's first regular academic term of full-time enrollment at the institution. If a 4-2-4 transfer student-athlete is added to an institution's squad list after the end of his or her first regular academic term of full-time enrollment at the institution, the institution shall ensure submission of all necessary information (e.g., high school transcripts, test scores) to the Eligibility Center to determine his or her academic initial-eligibility status prior to the end of the academic year in which the student-athlete is added to the squad list. The necessary information may be submitted through official or unofficial transcripts or test score reports.

**14.5.6.6.1 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.

**Source:** NCAA Division I Board of Directors.

**Effective Date:** August 1, 2010; applicable to two-year college and 4-2-4 transfer student-athletes who initially enroll in a Division I institution on or after August 1, 2010.

**Category:** Amendment

**Topical Area:** Eligibility

**Rationale:** A two-year college transfer must meet transfer requirements based on his or her academic record at the two-year institution and must have his or her amateurism status certified by the Eligibility Center to be eligible for competition. However, current transfer legislation does not require two-year college transfer student-athletes who were nonqualifiers or 4-2-4 transfers to obtain a final academic initial-eligibility certification. As a result, the academic profiles of these students have not been available for study. Since June 2007, multiple NCAA governance groups have reviewed issues related to the academic performance of 2-4 transfer student-athletes and noted the need for additional academic data. The Academics Cabinet has requested that the Committee on Academic Performance begin to collect data on the academic performance of two-year college transfers. Such data will assist in developing policy and legislative requirements. In cases in which a two-year transfer student-athlete's transfer eligibility is certified pursuant to the requirements for a qualifier, the initial-eligibility status should have already been determined. Therefore, in most cases,

this legislation will only apply to those whose transfer eligibility is certified pursuant to the nonqualifier requirements or the 4-2-4 transfer requirements. This provision does not allow a transfer student to compete without being certified eligible for competition pursuant to the transfer requirements.

**Budget Impact:** None.

**Impact on S-A's Time:** None.

**History**

*Oct 29, 2008:* Submit; Submitted for consideration.

*Oct 30, 2008:* Board of Directors, Sponsored; Sponsored into the 2008-09 Legislative Cycle

*Jan 15, 2009:* Leg Council Init Review, Amended the Proposal; Proposal amended to permit submission of unofficial transcripts and test score reports.

*Jan 15, 2009:* Leg Council Init Review, Forwarded for Membership Comment

*Jan 18, 2009:* Comment Period; Start of Comment Period

*Mar 18, 2009:* Comment Period; End of Comment Period; (Official Comment Totals: Support = 1, Oppose = 12, Abstain = 0)

*Apr 20, 2009:* Leg Council Final Review, Adopted; Pending Possible Board of Directors Review

*Apr 30, 2009:* Adopted, Override Period; No Action Taken by the Board of Directors

*May 01, 2009:* Adopted, Override Period; Start of Override Period

*Jun 29, 2009:* Adopted, Override Period; End of Override Period



**Proposal Number:** 2008-77-1

**Title:** ELIGIBILITY -- TRANSFER REGULATIONS -- TWO-YEAR COLLEGE  
TRANSFERS -- SUBMISSION OF INFORMATION NECESSARY TO DETERMINE  
ACADEMIC INITIAL-ELIGIBILITY STATUS -- WAIVER

**Intent:** To amend Proposal No. 2008-77 to specify that the Academics Cabinet may waive, based on objective evidence that demonstrates circumstances for which a waiver is warranted, the requirement that an institution submit information necessary to determine the academic initial-eligibility status of a two-year or 4-2-4 transfer student.

**A. Bylaws:** Amend Proposal No. 2008-77, Bylaw 14.5.4, as follows:

14.5.4 Two-Year College Transfers. A student who transfers to a member institution from a two-year college or from a branch school that conducts an intercollegiate athletics program must complete an academic year of residence unless the student meets the following eligibility requirements applicable to the division of which the certifying institution is a member. Further, a transfer student-athlete admitted after the 12th class day may not use that semester or quarter for the purpose of establishing residency.

[14.5.4.1 through 14.5.4.6 unchanged.]

14.5.4.7 Submission of Information Necessary to Determine Academic Initial-Eligibility Status. An institution shall ensure submission of all necessary information (e.g., high school transcripts, test scores) to the NCAA Eligibility Center to determine the academic initial-eligibility status of a two-year college transfer student-athlete prior to the student-athlete's first regular academic term of full-time enrollment at the institution. If a two-year college transfer student-athlete is added to an institution's squad list after the end of his or her first regular academic term of full-time enrollment at the institution, the institution shall ensure submission of all necessary information (e.g., high school transcripts, test scores) to the Eligibility Center to determine his or her academic initial-eligibility status prior to the end of academic year in which the student-athlete is added to the squad list. The necessary information may be submitted through official or unofficial transcripts or test score reports.

14.5.4.7.1 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.

**14.5.4.7.2 Wavier. The Academics Cabinet may waive the requirements of this legislation based on objective evidence that demonstrates circumstances for which a waiver is warranted. The cabinet shall establish the process for reviewing such waiver requests.**

**B. Bylaws:** Amend Proposal No. 2008-77, Bylaw 14.5.6, as follows:

14.5.6 4-2-4 College Transfers. A student who transfers from a four-year college to a two-year college and then to the certifying institution shall complete one academic year of

residence at the certifying institution prior to engaging in intercollegiate competition, unless the student has:

[14.5.6-(a) through 14.5.6-(c) unchanged.]

14.5.6.6 Submission of Information Necessary to Determine Academic Initial-Eligibility Status. An institution shall ensure submission of all necessary information (e.g., high school transcripts, test scores) to the NCAA Eligibility Center to determine the academic initial-eligibility status of a 4-2-4 transfer student-athlete prior to the end of the student-athlete's first regular academic term of full-time enrollment at the institution. If a 4-2-4 transfer student-athlete is added an institution's squad list after the end of his or her first regular academic term or full-time enrollment at the institution, the institution shall ensure submission of all necessary information (e.g., high school transcripts, test scores) to the Eligibility Center to determine his or her academic initial-eligibility status prior to the end of the academic year in which the student-athlete is added to the squad list. The necessary information may be submitted through official or unofficial transcripts or test score reports.

14.5.6.6.1 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.

**14.5.6.6.2 Waiver. The Academics Cabinet may waive the requirements of this legislation based on objective evidence that demonstrates circumstances for which a waiver is warranted. The cabinet shall establish the process for reviewing such waiver requests.**

**Source:** NCAA Division I Academics Cabinet.

**Effective Date:** August 1, 2010; applicable to two-year college and 4-2-4 transfer student-athletes who initially enroll in a Division I institution on or after August 1, 2010

**Category:** Amendment-to-Amendment

**Topical Area:** Eligibility

**Rationale:** The membership's review and consideration of this proposal has raised concerns with the administrative burden that would be placed on campus compliance personnel. In some instances, a student-athlete's high school may no longer exist or records may not be maintained beyond a certain date. The creation of a waiver process will provide institutions with relief in instances in which it is not possible to obtain the necessary high school transcripts. The process and criteria for the waiver will be established by the Academics Cabinet. Providing waivers via a simple process for extenuating circumstances that preclude the submission of a prospective student-athlete's high school academic information allows a reasonable accommodation to institutions without jeopardizing the integrity of the necessary data collection.

**Budget Impact:** None.

**Impact on S-A's Time:** None.

**History**

*Feb 02, 2009:* Submit; Submitted for consideration.

*Feb 02, 2009:* Academics Cabinet

*Apr 20, 2009:* Leg Council Init Review, Adopted; Pending Possible Board of Directors Review

*Apr 30, 2009:* Adopted, Override Period; No Action Taken by the Board of Directors

*May 01, 2009:* Adopted, Override Period; Start of Override Period

*Jun 29, 2009:* Adopted, Override Period; End of Override Period

**Proposal Number:** 2009-2

**Title:** RECRUITING -- CONTACTS AND EVALUATIONS -- TIME PERIOD FOR OFF-CAMPUS CONTACTS AND TELEPHONE CALLS -- WOMEN'S ICE HOCKEY

**Intent:** In women's ice hockey, to specify that: (1) off-campus recruiting contacts shall not be made with an individual (or the individual's relatives or legal guardians) before July 7 following the individual's junior year in high school; (2) 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 completion of the individual's sophomore year in high school; and (3) 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's junior year in high school.

**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 contact 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). 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 Telephones -- 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 13.1.3.1.4 unchanged].

13.1.3.1.5 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 *during the month of July* **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's junior year in high school.**

[Remainder of 13.1.3 unchanged.]

**Source:** NCAA Division I Recruiting and Athletics Personnel Issues Cabinet.

**Effective Date:** Immediate

**Category:** Amendment

**Topical Area:** Recruiting

**Rationale:** This proposal would allow prospective student-athletes and coaches to enjoy the Independence Day and Canada Day holidays without the pressure associated with recruiting. This recommendation is consistent with the Recruiting and Athletics Personnel Issues Cabinet's guiding principle of promoting work-life balance for coaches. In addition, it will reduce intrusions on prospective student-athletes during a time period that would be better spent enjoying a holiday with friends and family. Finally, the American Women's Hockey Coaches Association supports the proposed change. This proposal is being recommended as noncontroversial legislation so that the change may be implemented for the summer of 2009. Furthermore, broader consultation and debate are unlikely to improve the proposal in any substantial way, significant disagreement or alternative points of view will not be generated and there does not appear to be a significant impact on existing or proposed legislation.

**Budget Impact:** None.

**Impact on S-A's Time:** None.

**History**

*Feb 09, 2009:* Submit; Submitted for consideration.

*Feb 10, 2009:* Recruiting and Athletics Personnel Issues Cabinet, Sponsored

*Feb 10, 2009:* Recruiting and Athletics Personnel Issues Cabinet, Recommends Approval as Noncontroversial Legislation

*Apr 20, 2009:* Leg Council Init Review, Supported as Noncontroversial Legislation

*Apr 20, 2009:* Leg Council Init Review, Adopted; Pending Possible Board of Directors Review

*Apr 30, 2009:* Adopted, Override Period; No Action Taken by the Board of Directors

*May 01, 2009:* Adopted, Override Period; Start of Override Period

*Jun 29, 2009:* Adopted, Override Period; End of Override Period

**Proposal Number:** 2009-3

**Title:** ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- DEAD OR QUIET PERIODS FOR OTHER SPORTS -- NATIONAL LETTER OF INTENT SIGNING DATE -- EXCEPTION -- NORTH AMERICAN CUP FENCING CHAMPIONSHIP

**Intent:** In fencing, to specify that during any year in which the National Letter of Intent signing date dead period occurs during the North American Cup Fencing Championship, it shall be permissible for authorized coaching staff members to observe prospective student-athletes participating in that event.

**Administrative:** Amend 30.10.10, as follows:

30.10.10 Dead or Quiet Periods for Other Sports. There are no specified recruiting periods in sports for which no recruiting calendars have been established except for the following dead periods and the quiet period in women's ice hockey (see Bylaw 30.10.11).

30.10.10.1 National Letter of Intent Signing Date. Monday through Thursday of the week that includes the fall or spring signing of the National Letter of Intent in the applicable sport.

[30.10.10.1.1 unchanged.]

**30.10.10.1.2 Exception -- North American Cup Fencing Championship. During any year in which the National Letter of Intent signing date dead period occurs during the North American Cup Fencing Championship, it shall be permissible for authorized coaching staff members to observe prospective student-athletes participating in that event.**

[Remainder of 30.10.10 unchanged.]

**Source:** NCAA Division I Recruiting and Athletics Personnel Issues Cabinet.

**Effective Date:** Immediate

**Category:** Amendment

**Topical Area:** Recruiting

**Rationale:** In certain years, the North American Cup Fencing Championship coincides with the dead period surrounding the early National Letter of Intent signing period in November. In those years, the final day of the four-day event occurs during the dead period. In addition to attending the event for recruiting purposes, many college coaches also serve as officials during the event due to the limited number of qualified fencing officials for United States Fencing Association events. In 2007 and 2008, waivers were granted to permit college coaches to attend the final day of the event, which occurred during a dead period. In order to avoid the need for future waivers, this change would provide a permanent exception. Additionally, this proposed exception is similar to the exception that exists for the U.S. Diving National Championships. Finally, it is important to note that a conflict will exist again

in November 2009 without a change to the current legislation. Therefore, this proposal is being recommended as emergency or noncontroversial legislation.

**Budget Impact:** Limited additional recruiting costs.

**Impact on S-A's Time:** None.

**History**

*Feb 09, 2009:* Submit; Submitted for consideration.

*Feb 10, 2009:* Recruiting and Athletics Personnel Issues Cabinet, Sponsored

*Feb 10, 2009:* Recruiting and Athletics Personnel Issues Cabinet, Recommends Approval as Emergency or Noncontroversial Legislation

*Apr 20, 2009:* Leg Council Init Review, Supported as Noncontroversial Legislation

*Apr 20, 2009:* Leg Council Init Review, Adopted; Pending Possible Board of Directors Review

*Apr 30, 2009:* Adopted, Override Period; No Action Taken by the Board of Directors

*May 01, 2009:* Adopted, Override Period; Start of Override Period

*Jun 29, 2009:* Adopted, Override Period; End of Override Period

**Proposal Number:** M-2009-2

**Title:** ELIGIBILITY -- SEASONS OF COMPETITION: FIVE-YEAR RULE --  
ADMINISTRATION OF HARDSHIP WAIVER - REVIEW OF DENIED WAIVER

**Intent:** To clarify that a conference that denies an institution's hardship waiver may submit the waiver to the NCAA Division I Committee on Student-Athlete Reinstatement, which shall have the authority to review and determine whether to approve the waiver based on circumstances that may warrant relief from the application of the legislated waiver criteria.

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

14.2.4.2 Administration of Hardship Waiver. The hardship waiver shall be administered by the member conferences of the Association or, in the case of an independent member institution, by the Committee on Student-Athlete Reinstatement. ~~An institution may appeal a decision by its conference to the Committee on Student Athlete Reinstatement.~~

**14.2.4.2.1 Review of Denied Waiver. A conference that denies an institution's hardship waiver may submit the waiver to the Committee on Student-Athlete Reinstatement. The committee shall have the authority to review and determine whether to approve the waiver based on circumstances that may warrant relief from the application of the legislated waiver criteria.**

**B. Bylaws:** Amend 21.7.7.3, as follows:

21.7.7.3 Committee on Student-Athlete Reinstatement.

[21.7.7.3.1 through 21.7.8.3.2 unchanged.]

21.7.7.3.3 Duties. The committee shall have the authority under Bylaw 14.12 to determine all matters pertaining to the policies and procedures for the restoration of eligibility of a student-athlete who is ineligible for intercollegiate competition as a result of a violation of NCAA legislation and for waivers of legislation for which the committee has been authorized to act.

21.7.7.3.3.1 Application of Eligibility Rules.

In fulfilling the duties set forth above, the following shall apply:

[21.7.7.3.3.1-(a) unchanged.]

(b) Appeals. After the student-athlete reinstatement staff has acted on a reinstatement matter **or waiver**, the involved institution **or conference** may appeal the decision to the Committee on Student-Athlete Reinstatement. The committee's determination shall be final, binding and conclusive and shall not be subject to further review by any other authority.

**Source:** NCAA Division I Legislative Council.

**Effective Date:** Immediate



**Category:** Modification of Wording

**Topical Area:** Eligibility

**Budget Impact:** None.

**Impact on S-A's Time:** None.

**History**

*Apr 01, 2009:* Submit; Submitted for consideration.

*Apr 20, 2009:* Leg Council Init Review, Approved

*Apr 20, 2009:* Adopted; Adopted - Final



**Other Proposals Adopted by Division I found not to be Applicable in Division II or Already Adopted in Division II**

Proposal Number	Title	Intent
2008-12	PERSONNEL -- LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME -- EXCEPTION -- BASKETBALL -- JULY EVALUATION PERIODS	In basketball, to specify that during the July evaluation periods, a coach replaced for the purpose of off-campus recruiting activities is not required to return to the institution's campus before engaging in additional recruiting activities, provided no more than three coaches engage in off-campus recruiting activities each day.
2008-20-A	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES - - EVENTS ORGANIZED AND CONDUCTED BY SCHOLASTIC ATHLETICS GOVERNANCE BODIES - - OTHER EVALUATION EVENTS	In football, to specify that live athletics evaluations are permissible at events organized and conducted solely by the applicable state high school athletics association, state preparatory school association or state or national junior college athletics association; further, to specify that institutional staff members shall not attend a recruiting event in which information (e.g., athletics or academic credentials, highlight video) related to prospective student-athletes is presented or otherwise made available.
2008-29	RECRUITING -- TRYOUTS -- EXCEPTIONS -- VOLUNTARY SUMMER CONDITIONING -- SPORTS OTHER THAN FOOTBALL AND BASKETBALL	In sports other than football and basketball, to specify that a prospective student-athlete may engage in voluntary summer workouts conducted by an institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieval basis), provided he or she is enrolled in the institution's summer term prior to the student's initial full-time enrollment at the certifying institution; further, to specify that an institution may finance medical expenses for a prospective student-athlete who sustains an injury while participating in such workouts.
2008-34	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE CURRICULUM TIME	To specify that if a prospective student-athlete with a diagnosed education-impacting disability graduates from high school within the

<b>Proposal Number</b>	<b>Title</b>	<b>Intent</b>
	LIMITATION -- STUDENTS WITH EDUCATION IMPACTING DISABILITIES	core-curriculum time limitation, he or she may use up to three core courses completed after high school graduation to satisfy the core-curriculum or minimum grade-point average requirements, or both.
2008-46	PLAYING AND PRACTICE SEASONS -- BASEBALL - - PRESEASON PRACTICE AND FIRST CONTEST -- CHAMPIONSHIP SEGMENT	In baseball, to specify that in the championship segment, an institution shall not commence practice sessions prior to the Friday that is three weeks prior to the first permissible contest date for the championship segment and shall not play its first contest (game or scrimmage) with outside competition prior to the Friday in February that is 14 weeks before the Friday immediately preceding Memorial Day.
2008-52	PLAYING AND PRACTICE SEASONS -- FOOTBALL - - PRESEASON PRACTICE -- LIMIT ON NUMBER OF PARTICIPANTS -- REPLACEMENT OF STUDENT- ATHLETE DUE TO INJURY OR ILLNESS -- FCS	In championship subdivision football, to specify that a student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice.
2008-55-A	PLAYING AND PRACTICE SEASONS -- WOMEN'S SOCCER -- FIRST CONTEST OR DATE OF COMPETITION -- 12-WEEK SEASON	In women's soccer, to specify that an institution shall not play its first contest or engage in its first date of competition (game) with outside competition prior to the 12th weekend prior to the start of the women's soccer championship.
2008-59	DIVISION MEMBERSHIP -- DEFINITIONS AND APPLICATIONS -- EMERGING SPORTS FOR WOMEN -- SAND VOLLEYBALL	To add sand volleyball as an emerging sport for women.
2008-62	COMMITTEES -- COMMITTEES REPORTING TO BOARD OF DIRECTORS -- DIVISION I PRESIDENTIAL ADVISORY GROUP -- DUTIES -- LEGISLATIVE ISSUES	To specify that members of the NCAA Division I Presidential Advisory Group who represent Football Championship Subdivision conferences shall have the authority to act on behalf of the Football Championship Subdivision members of the Board of Directors on legislative issues that relate to championship subdivision football, subject to review by the full Board of Directors.
2008-67	ADMINISTRATIVE REGULATIONS -- RECRUITING	In softball, to establish a contact period from August 1 through the day

Proposal Number	Title	Intent
	CALENDARS -- SOFTBALL -- CONTACT PERIOD AUGUST 1 THROUGH THE DAY PRIOR TO THANKSGIVING DAY	prior to Thanksgiving Day.
2008-68-B	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- WOMEN'S LACROSSE -- FALL EVALUATIONS -- LIMITATION ON EVALUATIONS OF LACROSSE ACTIVITIES	In women's lacrosse, to specify that during the fall contact period, evaluations of prospective student-athletes participating in lacrosse activities are limited to the three weekends prior to Thanksgiving.
2008-75	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- ELIGIBILITY FOR FINANCIAL AID, PRACTICE AND COMPETITION -- QUALIFIER - - EXCEPTION -- EARLY ACADEMIC CERTIFICATION -- SUBMISSION OF TRANSCRIPT	To specify that if a student-athlete is certified as a qualifier pursuant to the early academic certification exception and his or her initial full-time collegiate enrollment occurs at the certifying institution during the first term of the academic year, the institution shall ensure submission of his or her final high school transcript (official or unofficial) to the NCAA Eligibility Center by February 1 following the student-athlete's initial full-time enrollment; to specify that if a student-athlete is certified as a qualifier pursuant to the early academic certification exception and his or her initial full-time collegiate enrollment occurs at the certifying institution after the conclusion of the first term of the academic year, the institution shall ensure submission his or her final high school transcript (official or unofficial) to the Eligibility Center by February 1 of the following academic year; further, to specify that a violation of this provision shall be considered an institutional violation, however, the student-athlete's eligibility shall not be affected.
2008-79	AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- PROFESSIONAL BASKETBALL DRAFT -- FOUR-YEAR COLLEGE STUDENT-ATHLETE -- MEN'S BASKETBALL	In men's basketball, to specify that an enrolled student-athlete may enter a professional league's draft one time during his collegiate career without jeopardizing eligibility in the sport, provided the student-athlete requests that his name be removed from the draft list and declares his intent to resume intercollegiate participation by the end of the day prior to the first day of the spring National Letter of Intent signing period for the applicable year; the student-athlete's declaration of intent is

Proposal Number	Title	Intent
		submitted in writing to the institution's director of athletics; and the student-athlete is not drafted.
2008-79-1	AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- PROFESSIONAL BASKETBALL DRAFT -- FOUR-YEAR COLLEGE STUDENT-ATHLETE -- MEN'S BASKETBALL -- DECLARATION TO RESUME INTERCOLLEGIATE PARTICIPATION BY THE END OF MAY 8	To amend Proposal No. 2008-79 to specify that, 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 the sport, provided 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 student-athlete's declaration of intent is submitted in writing to the institution's director of athletics; and the student-athlete is not drafted.
2009-1	COMMITTEES -- COMMON COMMITTEES -- COMMITTEES WITH GOVERNANCE ADMINISTRATION RESPONSIBILITIES -- INTERNATIONAL-STUDENT RECORDS COMMITTEE -- COMPOSITION	To specify that the International-Student Records Committee shall consist of eight members, including two Division I representatives, two Division II representatives, two representatives who may be from either Division I or Division II and two ex officio members.
2009-4	AWARDS, BENEFITS AND EXPENSES -- BENEFITS, GIFTS AND SERVICES -- PERMISSIBLE -- RESEARCH STUDIES INVOLVING ONLY STUDENT-ATHLETES -- INSTITUTION-BASED RESEARCH STUDIES	To specify that a student-athlete may receive compensation from an institution for participating in a research study involving only student-athletes, provided the study is initiated and conducted by a faculty member at a member institution and the study and compensation arrangements are approved by the institutional review board of the faculty member's institution consistent with policies applicable to other institution-based research studies.
2009-5	ATHLETICS CERTIFICATION -- MANDATORY SELF-STUDY AND EXTERNAL PEER-REVIEW -- RULES COMPLIANCE -- REVIEW OF PROGRAM AREAS	To specify that the required once in four years evaluation of an institution's rules-compliance program by an authority outside the athletics department shall include a review of specifically enumerated program areas.

Proposal Number	Title	Intent
2009-6	ATHLETICS CERTIFICATION -- MANDATORY SELF-STUDY AND EXTERNAL PEER-REVIEW -- ACADEMIC INTEGRITY -- ACADEMIC STANDARDS -- ADMISSION AND ENROLLMENT	To specify that in its athletics certification program self-study, an institution shall demonstrate that it admits all student-athletes as regularly enrolled, degree-seeking students in accordance with the regular, published entrance requirements that apply to all applicants.
M-2009-1	ELIGIBILITY -- SEASONS OF COMPETITION: FIVE-YEAR RULE -- CRITERIA FOR DETERMINING SEASON OF COMPETITION -- DELAYED ENROLLMENT -- TENNIS, SWIMMING AND DIVING, AND WOMEN'S VOLLEYBALL -- EARLY HIGH SCHOOL GRADUATION	In tennis, swimming and diving, and women's volleyball, to clarify that 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, and participates in organized events after the one-year period, shall be charged with a season of intercollegiate competition for each year of participation and shall fulfill an academic year in residence on matriculation at the certifying institution before being eligible to represent the institution in intercollegiate competition.
M-2009-3	RECRUITING -- SPORTS CAMPS AND CLINICS -- DEFINITION OF PROSPECTIVE STUDENT-ATHLETE -- EMPLOYMENT OF PROSPECTIVE STUDENT-ATHLETES/NO FREE OR REDUCED ADMISSION PRIVILEGES -- MEN'S BASKETBALL	To clarify that an institution, members of its staff or representatives of its athletics interests shall not employ or give free or reduced admission privileges to a prospective student-athlete (including, in men's basketball, any individual who has started classes for the seventh grade) who is an athletics award winner or any individual being recruited by the institution per Bylaw 13.02.12.1.



Division III Legislation Adopted since January 2009 found not to be Applicable in Division II or Already Adopted in Division II

Proposal Number	Title	Intent
M-2010-1	RECRUITING -- PERMISSIBLE TIMING OF RECRUITING LEGISLATION	Provide clarity regarding the current application of the timing of the recruiting legislation.
NC-2010-1	NCAA MEMBERSHIP -- MEMBER CONFERENCE -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- SELF-STUDY REPORT -- MULTI-SPORT CONFERENCES AND DUE DATE	To specify that the Conference Self-Study Guide (CSSG) is only required of multi-sport conferences. Further, to align the CSSG due date in a similar manner to the Institutional Self-Study Guide (ISSG) legislation, which establishes a grace period for conferences failing to submit their CSSG.
NC-2010-2	DIVISION MEMBERSHIP -- PROVISIONAL MEMBERSHIP AND CHANGE OF DIVISION MEMBERSHIP -- ATHLETICALLY RELATED FINANCIAL AID EXCEPTION	To permit a provisional or reclassifying member that previously awarded athletically related financial aid to a student to continue to award athletically related financial aid to a student provided the student no longer participates in intercollegiate athletics.
NC-2010-3	AWARDS, BENEFITS AND EXPENSES -- BENEFITS, GIFTS AND SERVICES -- PERMISSIBLE -- NCAA RESEARCH STUDIES -- EXCEPTION	To permit a student-athlete to receive compensation from an institution for participating in a research study involving only student-athletes, provided the study is initiated and conducted by a faculty member at an NCAA member institution and the study and compensation arrangements are approved by the institutional review board of the faculty member's institution.

Proposal Number	Title	Intent
NC-2010-4	NCAA MEMBERSHIP -- MEMBER CONFERENCE -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- SELF- STUDY REPORT -- INTEGRATED POSTSECONDARY EDUCATION DATA SYSTEM	To specify that, for sports sponsorship requirements, the rolling four-year average full-time undergraduate enrollment figure is determined using the Integrated Postsecondary Education Data System (IPEDS) rather than the Equity in Athletics Disclosure Act (EADA) form.
NC-2010-5	COMMITTEES - DIVISION III COMMITTEES -- STUDENT- ATHLETE ADVISORY COMMITTEE -- COMPOSITION -- REPRESENTATION FROM INDEPENDENT INSTITUTIONS	To decrease the number of Student-Athlete Advisory Committee members representing Division III independent institutions from two to one.





## 2010 NCAA Convention Division II Presidents Council-Sponsored Proposals

**Title:** RECRUITING -- OFFERS AND INDUCEMENTS -- SUMMER FACILITY FEES FOR PROSPECTIVE STUDENT-ATHLETES

**Convention Year:** 2010

**Effective Date:** Immediate

**Official Notice Number:** 2010-1

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

**Category:** Presidents Council

**Topical Area:** Recruiting

**Status:** Ready for Convention Vote

**Intent:** To permit an institution to pay fees associated with the use of institutional practice and competition facilities by a prospective student-athlete to participate in voluntary athletically related activities in his or her sport during the summer prior to initial collegiate enrollment, provided the prospective student-athlete has signed a National Letter of Intent or written offer of admission and/or financial aid.

**Bylaws:** Amend 13.2, as follows:

### 13.2 OFFERS AND INDUCEMENTS

[13.2.1 through 13.2.8 unchanged.]

**13.2.9 Summer Facility Fees for Prospective Student-Athletes. An institution may pay fees associated with the use of institutional practice and competition facilities by a prospective student-athlete to participate in voluntary athletically related activities in his or her sport during the summer prior to initial collegiate enrollment (see Bylaw 13.11.2.3), provided the prospective student-athlete has signed a National Letter of Intent or written offer of admission and/or financial aid.**

**Rationale:** Currently, it is permissible for an institution to pay fees for the use of institutional practice and competition facilities by a student-athlete for voluntary activities in his or her sport during the summer. It is also permissible for a prospective student-athlete who has signed a National Letter of Intent or written offer of admission and/or financial aid to participate in voluntary weightlifting or conditioning activities on the institution's campus in the presence of the institution's strength and conditioning coach, provided such activities are not prearranged, and the strength and conditioning coach is performing normal duties and responsibilities in the supervision of the weight room or facility in use, and does not work directly with the prospective student-athlete. This proposal permits an institution to pay fees for the use of institutional practice and competition facilities by a prospective student-athlete who has signed a National Letter of Intent or written offer of admission and/or financial aid for voluntary activities in his or her sport during the summer prior to initial collegiate

enrollment, just as it is currently allowed for a regularly enrolled student-athlete. The immediate effective date will allow institutions to pay the fees during summer 2010.

**Review History:**

*November 7, 2008:* Recommends Approval - Legislation Committee

*January 14, 2009:* Approved in Concept - Management Council

*January 15, 2009:* Approved in Concept - Presidents Council

*April 21, 2009:* Approved in Legislative Format - Management Council

*April 30, 2009:* Approved in Legislative Format - Presidents Council

**Title:** RECRUITING AND ELIGIBILITY -- ADMISSIONS AND GRADUATION DATA, BANNED DRUG LIST AND INITIAL-ELIGIBILITY STANDARDS -- REPORTS AND NOTIFICATION -- ELIGIBILITY CENTER

**Convention Year:** 2010

**Effective Date:** August 1, 2010, for all prospective student-athletes who register with the NCAA Eligibility Center on or after August 1, 2010.

**Official Notice Number:** 2010-2

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

**Category:** Presidents Council

**Topical Area:** Recruiting

**Status:** Ready for Consideration by Management Council

**Intent:** To specify that the NCAA Eligibility Center shall provide the information contained within the disclosure reports related to admissions, graduation-rate data and academic success rate to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center and the Eligibility Center has received an institution's request to add the prospective student-athlete to the institution's institutional request list; further, to specify that the Eligibility Center shall provide notification of initial-eligibility standards, the banned-drug list and information about nutritional supplements to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center.

**A. Bylaws:** Amend 13.3, as follows:

13.3 ADMISSIONS AND GRADUATION DATA, BANNED DRUG LIST AND INITIAL-ELIGIBILITY STANDARDS

13.3.1 Disclosure Report.

13.3.1.1 Report Publication. The Association's national office annually shall publish the admissions and graduation-rate data specified in Bylaw 30.1 and the academic success rate data specified in Constitution 3.2.4.10 and shall identify the information on an institution-specific basis.

13.3.1.2 Report Distribution. ~~Member institutions~~ **The NCAA Eligibility Center** shall provide ~~to prospective student-athletes and to prospective student-athletes' parents or legal guardians~~ the information contained within the report **to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center and the Eligibility Center has received an institution's request to add the prospective student-athlete to the institution's institutional request list.**

~~Member institutions shall also provide the prospective student athletes and their parent(s) or legal guardians with a copy of the institution's academic success rate report. The NCAA shall provide a compilation of graduation data to the prospective student-athletes' guidance offices and high school and two-year college coaches. All specified information shall be provided at the earliest opportunity after the institution's first arranged in person encounter with the prospective student athlete or on request; however, in no event shall an institution provide the information later than the day before a prospective student athlete's signed acceptance of the National Letter of Intent or signed acceptance of the institution's written offer of admission and/or financial aid. 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.~~

### 13.3.2 Banned Drug List and Information about Nutritional Supplements.

13.3.2.1 Report Publication. The Association's national office annually shall publish the banned drug list specified in Bylaw 31.2.3.4 and shall update the list on its Web site.

13.3.2.2 Report Distribution. ~~Member institutions~~ **The NCAA Eligibility Center** shall provide ~~to all incoming prospective student athletes and to prospective student athletes' parents or legal guardians~~ the NCAA banned drug list ~~(or the NCAA Web site address at which the list is located)~~ (see Bylaw 31.2.3.4) and information about nutritional supplements **to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center.** ~~The information shall be provided at the earliest practical opportunity (e.g., after the institution's first arranged in person encounter with the prospective student athlete) or upon request; however, in no event shall an institution provide the information later than July 1 before the prospective student athlete's initial enrollment at the institution. For a prospective student athlete whose recruitment is initiated after July 1, the institution must send the banned drug list and information about nutritional supplements at the earliest opportunity. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student athlete's eligibility.~~

13.3.3 Notification of Initial-Eligibility Standards. ~~Member institutions~~ **The NCAA Eligibility Center** shall provide ~~to high school prospective student athletes and their parents or legal guardians~~ information regarding the initial-eligibility standards contained in Bylaw 14.3 **to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center.** ~~The information shall be provided at the earliest practical opportunity after the institution begins recruiting the prospective student athlete, but not later than the day prior to the student athlete's signed acceptance of the National Letter of Intent or institution's written offer of admission and/or financial aid. An institution may provide the information in hard copy or electronic form (e.g., electronic mail, link to Web site). Violations of this bylaw shall~~

~~be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student athlete's eligibility.~~

**B. Bylaws:** Amend 14.3.6, as follows:

14.3.6 Notification of Initial-Eligibility Standards. ~~Member institutions~~ **The NCAA Eligibility Center** shall provide ~~to high school prospective student athletes and their parents or legal guardians~~ information regarding the initial-eligibility standards contained in Bylaw 14.3 **to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center.** ~~The information shall be provided at the earliest practical opportunity after the institution begins recruiting the prospective student athlete, but not later than the day prior to the student athlete's signed acceptance of the National Letter of Intent or institution's written offer of admission and/or financial aid. An institution may provide the information in hard copy or electronic form (e.g., electronic mail, link to Web site). Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student athlete's eligibility.~~

**Rationale:** Current legislation places the burden on institutions to distribute information that could be provided to prospective student-athletes by the Eligibility Center. The information related to admissions, graduation-rate data and the academic success rate is already collected and published by the NCAA. The creation of the Eligibility Center has provided increased efficiency and customer service to prospective student-athletes and their parents. This proposed role in the central coordination and distribution of required reports would enhance the Eligibility Center's service to the membership. The close relationship between the NCAA national office and the Eligibility Center would facilitate the sharing of the necessary data. The required information could be provided to prospective student-athletes by the most efficient method (e.g., e-mail or other technology), as determined by the Eligibility Center. This shift in report distribution would merely be administrative in nature. Institutions would remain responsible for responding to any questions raised by prospective student-athletes and their parents or legal guardians. The Eligibility Center will begin performing these duties for all prospective student-athletes who register with the NCAA Eligibility Center on or after August 1, 2010. The delayed effective date would allow the Eligibility Center to develop the programs necessary to perform these new tasks.

**Review History:**

*February 20, 2009:* Recommends Approval - Academic Requirements Committee

*April 21, 2009:* Approved in Concept - Management Council

*April 30, 2009:* Approved in Concept - Presidents Council

**Title:** PERSONNEL -- CONDUCT OF ATHLETICS PERSONNEL -- SPORTS-SAFETY TRAINING

**Convention Year:** 2010

**Effective Date:** August 1, 2010

**Official Notice Number:** 2010-3

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

**Category:** Presidents Council

**Topical Area:** Personnel

**Status:** Ready for Consideration by Management Council

**Intent:** To specify that each head coach and all other coaches who are employed as full-time staff members at an institution shall be certified in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use.

**Bylaws:** Amend 11.1, as follows:

11.1 CONDUCT OF ATHLETICS PERSONNEL

[11.1.1 through 11.1.5 unchanged.]

**11.1.6 Sports-Safety Training. Each head coach and all other coaches who are employed as full-time staff members at an institution shall be certified in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) use.**

**Rationale:** Legislation requiring first aid, CPR and AED certification promotes student-athlete safety and well-being. A survey of the NCAA death claims since 1992 reports 60 percent of all nonvehicle-related deaths have been due to heart-related conditions and 83 percent of all deaths occurred during practice or conditioning. Although a similar proposal was defeated by the membership at the 2007 NCAA Convention, this proposal differs slightly from the previous in that it does not require the certified individual to be present during athletically related activities, nor does it specify the certifying organization. This proposal promotes and encourages the safety and well-being of student-athletes by requiring all head coaches [regardless of employment status (e.g., full time, part time, voluntary)] and all other coaches who are employed full time to be certified in first aid, CPR and AED use. Additionally, Division II grant and initiative funding may be used to certify all coaches in first aid and CPR or to purchase an AED; however, it is not required for an institution to purchase an AED.

**Review History:**

*March 24, 2009:* Recommends Approval - Legislation Committee

*April 21, 2009:* Approved in Concept - Management Council

*April 30, 2009:* Approved in Concept - Presidents Council



Form 09-1

Academic Year 2009-10

**Certification of Compliance for Institutions**


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**For:** NCAA member institutions.  
**Action:** Keep on file in the office of the director of athletics.  
**Due date:** To be completed not later than **September 15.**  
**Required by:** NCAA Bylaw 30.3.  
**Purpose:** To certify compliance with NCAA rules.

---

**TO: CHANCELLOR/PRESIDENT.**

Name and address of your institution: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Chancellor/President telephone: \_\_\_\_\_

Division: \_\_\_\_\_

By signing and dating this form, you certify that your institution has met the requirements of NCAA Bylaw 30.3. You must do this certification each year in order for your institution to be eligible to enter a team or individual competitors in an NCAA championship. The following statements summarize the requirements of Bylaw 30.3:

1. You or your designated representative reviewed the NCAA rules and regulations with all staff members of your athletics department.
2. As of the date you sign this form, no current member of the coaching staff, within the past two years, has been:
  - a. Suspended from coaching by another member institution.
  - b. Prohibited from certain coaching-related activities as a result of violations while employed by another member institution, unless your institution has applied the prohibition equally.
  - c. Permitted to perform any coaching-related activities that the NCAA Division II Committee on Infractions has prohibited by a disciplinary action.
3. As best you can determine, the policies, procedures and practices of your institution, staff and representatives are in compliance with NCAA legislation. You have attached your Certification of Compliance for Staff Members of Athletics Departments (Form 09-2).



All returning staff members of your athletics department have signed the form affirming that they have reported to you knowledge of violations of legislation.

Your institution has:

- a. Published its regular entrance requirements.
- b. Published its requirements for progress toward degree.
- c. Certified that each student-athlete is in good academic standing and is maintaining progress toward degree as required by Bylaws 14.4.1, 14.4.2 and 14.4.3.

Your institution intends to maintain compliance with NCAA legislation.

---

Print or Type Name

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Date

---

Signature of chancellor/president  
(Acting chancellor's/president's signature is not acceptable)

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**What to do with this form:**

- 1. Complete this form not later than September 15.
- 2. Keep a copy of this form in your files.
- 3. Forward this form to the office of the director of athletics. **It is not to be sent to the NCAA national office.**
- 4. Contact the NCAA academic and membership affairs staff at 317/917-6222 if you have questions about Form 09-1.



Form 09-2

Academic Year 2009-10

**Certification of Compliance for Staff  
Members of Athletics Departments**

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**For:** NCAA member institutions.  
**Action:** Complete and keep on file in the office of the director of athletics.  
**Due date:** To be completed not later than **September 15**.  
**Required by:** NCAA Bylaw 30.3.  
**Purpose:** To certify compliance with NCAA rules.

---

**TO: RETURNING STAFF MEMBERS OF THE ATHLETICS DEPARTMENT.**

Name of your institution: \_\_\_\_\_

Athletics department telephone: \_\_\_\_\_

Division: \_\_\_\_\_

Sign this form:

- If you were a staff member of the athletics department (including part-time staff members, graduate assistants and clerical staff) at this institution during the 2008-09 academic year and if you are returning for the 2009-10 academic year.

Do **not** sign this form:

- If you are a new employee for the 2009-10 academic year.

**[Note: Forms incomplete as of September 15 will result in loss of eligibility for NCAA championships.]**

Number of NCAA sports sponsored during the 2008-09 academic year: \_\_\_\_\_

**By signing and dating this form, you certify that you have reported through the appropriate individuals on your campus to your chancellor/president any knowledge of violations of NCAA legislation involving your institution.**

Name (Print or type)	Title [include sport(s)]	Signature	Date M/D/Y
_____	<u>Director of Athletics</u>	_____	____/____/____
_____	_____	_____	____/____/____
_____	_____	_____	____/____/____

[illegible]

1. Attach completed form to Form 09-1 (Certification of Compliance for Institutions) not later than September 15 and keep on file in the office of the director of athletics. **It is not to be sent to the NCAA national office.**
2. Contact the NCAA academic and membership affairs staff at the national office if you have questions regarding Forms 09-1 and 09-2.

1. Attach completed form to Form 09-1 (Certification of Compliance for Institutions) not later than September 15 and keep on file in the office of the director of athletics. **It is not to be sent to the NCAA national office.**
2. Contact the NCAA academic and membership affairs staff at the national office if you have questions regarding Forms 09-1 and 09-2.

**CERTIFICATION OF COMPLIANCE FOR INSTITUTIONS/  
CERTIFICATION OF COMPLIANCE FOR STAFF  
MEMBERS OF ATHLETICS DEPARTMENTS**

**Completion Checklist**

1. Have **ALL** returning athletics department staff members, including volunteers, signed this form?
2. Has an explanation been provided in the signature blank for each nonreturning staff member (e.g., "no longer employed" typed on the signature line)?
3. Have copies of Forms 09-1 and 09-2 been made in the event the originals are misplaced?
4. Have the forms been filed in the office of the director of athletics?

[Note: Please remember forms 09-1 and 09-2 are to be filed in the office of the director of athletics. The forms **are not** to be sent to the NCAA national office.]

**CERTIFICATION OF COMPLIANCE FOR INSTITUTIONS/  
CERTIFICATION OF COMPLIANCE FOR STAFF MEMBERS  
OF ATHLETICS DEPARTMENTS**

**Common Questions and Answers**

**Question No. 1:** Is the institution required to submit Forms 09-1 and 09-2 to the national office not later than September 15?

Answer: No. At the 1995 NCAA Convention legislation was adopted to keep these compliance forms on campus. Therefore, the institution should not send Forms 09-1 and 09-2 to the national office. The forms should be completed and filed in the office of the director of athletics not later than September 15.

**Question No. 2:** Which athletics department staff members are required to sign and date Form 09-2, the Certification of Compliance for Staff Members of Athletics Departments?

Answer: Form 09-2 must be signed and dated by all athletics department staff members (including, but not limited to, part-time staff members, graduate assistants, clerical staff, volunteers and midyear hires) who were at the institution during the

academic year (2008-09) preceding the September 15 deadline. New athletics department staff members for this academic year (2009-10) are not required to sign and date the form.

**Question No. 3:** Must the names of 2008-09 staff members who are not returning be listed on the form?

Answer: Though a nonreturning staff member does not have to sign the form, it is best to list his or her name, indicating in the respective signature blank that he or she is not returning. If names of nonreturning staff members are not listed the timeliness of recording completed forms may be compromised.

**Question No.4:** Must a staff member with multiple responsibilities sign more than once?

Answer: No. However, all titles and sports must be listed by his or her signature.

**Question No. 5:** Must a staff member who is returning to the institution, but NOT returning to the athletics department, sign the form?

Answer: No.

**Question No. 6:** Must the entire date be completed?

Answer: Yes.

**Question No. 7:** Must volunteers sign the form?

Answer: Yes.

**Question No. 8:** How can I obtain a copy of Forms 09-1 and 09-2?

Answer: These forms are available via the NCAA Web site at [www.ncaa.org](http://www.ncaa.org).



Form 09-3b

Academic Year 2009-10

### Student-Athlete Statement – NCAA Division II

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**For:** Student-athletes.  
**Action:** Sign and return to your director of athletics.  
**Due date:** Before you first compete each year.  
**Required by:** NCAA Constitution 3.2.4.5 and NCAA Bylaws 14.1.3 and 30.13.  
**Purpose:** To assist in certifying eligibility.  
**Effective Date:** This NCAA Division II statement/consent form shall be in effect from the date this document is signed and shall remain in effect until a subsequent Division II Student-Athlete Statement/Drug-Testing Consent form is executed.

---

Student-Athlete: \_\_\_\_\_  
 (Please print name)

Name of your institution: \_\_\_\_\_

Sport: \_\_\_\_\_

This form has six parts: a statement concerning eligibility, a Buckley Amendment consent, a statement concerning the promotion of NCAA championships and other NCAA events, results of drug tests, an affirmation of a valid ACT or SAT score and a statement concerning the amateur status of the student-athlete subsequent to the request of final certification by the NCAA Eligibility Center. If you are an incoming freshman you must sign parts I through VI of this form to participate in intercollegiate competition. If you are a transfer or continuing student-athlete, you must sign parts I through V.

By signing this form, you affirm you have received and will read the Summary of NCAA Regulations, or another outline or summary of NCAA legislation, provided by your director of athletics or read the bylaws of the NCAA Division II Manual that deal with your eligibility. If you have any questions, you should discuss them with your director of athletics, you may contact the NCAA at 317/917-6222 or consult the NCAA Web site at [www.ncaa.org](http://www.ncaa.org).

The conditions that you must meet to be eligible and the requirement that you sign this form are indicated in the following articles and bylaws of the Division II Manual:

- NCAA Bylaws 10, 12, 13, 14, 15, 16, 18.4 and 31.2.3.
-

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**Part I: Statement Concerning Eligibility.**

You affirm that you have been provided and will read the Summary of NCAA Regulations, or another outline or summary of NCAA legislation, or the relevant sections of the Division II Manual and that your director of athletics (or his or her designee) gave you the opportunity to ask questions about them.

By signing this part of the form you affirm that, to the best of your knowledge, you have not violated any NCAA regulations.

You affirm that you meet the NCAA regulations for student-athletes regarding eligibility, recruitment, financial aid, amateur status and involvement in organized gambling.

You affirm that you are aware of the NCAA drug-testing program and that you have signed the 2009-10 Drug-Testing Consent (Form No. 09-3e).

You affirm that you will report to the director of athletics of your institution any violations of NCAA regulations involving you and your institution.

You affirm that you understand that if you sign this statement falsely or erroneously, you violate NCAA legislation regarding ethical conduct and you further will jeopardize your eligibility.

---

Name of student-athlete (please print)

---

Date of birth

---

Age

---

Signature of student-athlete

---

Home address (Street or P.O. Box)

---

Date

---

Home city, state, and zip code

---

Sport(s)

---

**Part II: Buckley Amendment Consent.**

By signing this part of the form you certify that you agree to disclose your educational records.

You understand that this entire form and the results of any NCAA drug test you may take are part of your educational records. These records are protected by the Family Educational Rights and Privacy Act of 1974 and they may not be disclosed without your consent.

You give your consent to disclose only to authorized representatives of this institution, its athletics conference (if any) and the NCAA, the following documents:

1. This form;
2. Results of NCAA drug tests;
3. Results of positive drug tests done by non-NCAA national or international athletics organizations;
4. Any transcript from your high school, this institution or any junior college or other four-year institution you have attended;
5. Precollege test scores, appropriately related information and correspondence (e.g., testing sites, dates and letters of test-score certification or appeal) and, where applicable, information relating to eligibility for or conduct of nonstandard testing;
6. Graduation status;
7. Race and gender identification;
8. Diagnosis of any education-impacting disabilities;
9. Accommodations provided or approved and other information related to any education-impacting disabilities in all secondary and postsecondary schools;
10. Records concerning your financial aid; and
11. Any other papers or information pertaining to your NCAA eligibility.

You agree to disclose these records only to determine your eligibility for intercollegiate athletics, your eligibility for athletically related financial aid, for evaluation of school and team academic success, for purposes of inclusion in summary institutional information reported to the NCAA (and which may be publicly released by it), for NCAA longitudinal-research studies and for activities related to NCAA compliance reviews. You will not be identified by name by the NCAA in any such published or distributed information.



Further, you authorize the NCAA to disclose personally identifiable information from your educational records (including information regarding any NCAA violations in which you may become involved while you are a student-athlete) to a third party (including but not limited to the media) as necessary to correct inaccurate statements reported by the media or related to a student-athlete reinstatement case, infractions case or waiver request. You also agree that necessary case information (i.e., information from your student-athlete reinstatement case, infractions case or waiver request) may be published or distributed to third parties as required by NCAA bylaws, policies or procedures. You will not be identified by name by the NCAA in any such published or distributed information.

---

Name of student-athlete (please print)

---

Signature of student-athlete

---

Date

---

### **Part III: Promotion of NCAA Championships, Events, Activities or Programs.**

You authorize the NCAA [or a third party acting on behalf of the NCAA (e.g., host institution, conference, local organizing committee)] to use your name or picture to generally promote NCAA championships or other NCAA events, activities or programs.

---

Name of student-athlete (please print)

---

Signature of student-athlete

---

Date

---

### **Part V: Results of Drug Tests.**

#### **1. Future positive test – all student-athletes sign**

Should I test positive for a substance banned by the NCAA and/or by a non-NCAA national or international sports governing body; violate their drug-testing protocol; or fail to show for their drug test, at any time after I sign this statement, I acknowledge I must report the results to my director of athletics.

---

Name (please print)

---

Date

---

Signature of student-athlete

**2. Positive test by NCAA or other sports governing body -- sign either a. or b.**

**a. No positive drug test.**

I affirm that I have never tested positive for a substance banned by the NCAA and/or by a non-NCAA national or international sports governing body; or violated their drug-testing protocol; or failed to show for their drug test.

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Signature of student-athlete

\_\_\_\_\_  
Date

**b. Positive drug test.**

I have tested positive for a substance banned by the NCAA and/or by a non-NCAA national or international sports governing body; or violated their drug-testing protocol; or failed to show for their drug test. Should I consequently transfer, I am obligated to report this to the transferring institution.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of test

\_\_\_\_\_  
Organization conducting test

\_\_\_\_\_  
Substance

Are you currently under such a drug-testing suspension? Yes \_\_\_\_ No \_\_\_\_

---

**Part V: Affirmation of Status as an Amateur Athlete.**

You affirm that you have read and understand the NCAA amateurism rules.

By signing this part of the form you affirm that, to the best of your knowledge, you have not violated any amateurism rules since you requested a final certification from the Eligibility Center or since the last time that you signed a Division II student-athlete statement, whichever occurred later.

You affirm that since requesting a final certification from the Eligibility Center, you have not provided false or misleading information concerning your amateurism status to the NCAA, the Eligibility Center and the institution's athletics department, including administrative personnel and the coaching staff.

---

Name of student-athlete (please print)

---

Date

---

Signature of student-athlete

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**Part VI: Incoming Freshmen – Affirmation of Valid ACT or SAT Score.**

You affirm that, to the best of your knowledge, you have received a validated ACT and/or SAT score. You agree that, in the event you are or have been notified by ACT or SAT of the possibility of an invalidated test score, you immediately will notify the director of athletics of your institution.

---

Name of student-athlete (please print)

---

Date

---

Signature of student-athlete

---

**What to do with this form:** Sign and return it to your director of athletics before you first compete. This form is to be kept in the director of athletics' office for **six years**.

**Any questions regarding this form should be referred to your director of athletics or you may contact the NCAA at 317/917-6222.**

## Student-Athlete Authorization/Consent for Disclosure of Protected Health Information

I, \_\_\_\_\_ hereby authorize \_\_\_\_\_  
Name of Student-Athlete Name of my Institution

and its physicians, athletic trainers and health care personnel to disclose my protected health information including, without limitation, any information regarding any injury, illness, treatment or participation related to or affecting my training for and participation in intercollegiate athletics to the National Collegiate Athletic Association (NCAA), and its designated employees, agents and/or contractors. I further authorize the NCAA to disclose, and/or use, such information as provided herein.

I understand that my participation and protected health information, including, without limitation, injuries or illnesses resulting from or affecting training for or participation in athletics, may be disclosed to, and/or used by, the NCAA , and any third party expressly authorized by the NCAA to receive such information, as well as for any other purpose deemed advisable by the NCAA. The information provides NCAA committees, athletics conferences and individual schools and NCAA-approved researchers with injury, relevant illness and participation information that does not identify individual student-athletes or schools. The data provide the Association and other groups with an information resource upon which to base and evaluate the effectiveness of health and safety rules and policy, and to study other sports medicine questions. Selected de-identified summary (aggregate) data also are made accessible to the general public as a service to further the general understanding of athletic injury patterns.

I understand that my protected health information is protected by federal regulations under either the Health Information Portability and Accountability Act (HIPAA) or the Family Educational Rights and Privacy Act of 1974 (the Buckley Amendment) and may not be disclosed without either my authorization under HIPAA or my consent under the Buckley Amendment. I understand that my signing of this authorization/consent is voluntary and that my institution will not condition or withhold any health care treatment or payment, enrollment in a health plan or receipt of any benefits (if applicable) on whether I provide the consent or authorization requested for this disclosure. I also understand that I am not required to sign this authorization/consent in order to be eligible for participation in NCAA athletics.

I understand that while HIPAA regulations may not apply to NCAA use or disclosure of my injury/illness information, the NCAA is committed to protecting my privacy. I understand that my protected health information and any personal identifiers will be encrypted while being transmitted from my institution and, to the extent kept by the NCAA, that all such data will be stored securely within industry standards. I further understand that neither the NCAA nor its agents or contractors will identify me personally in any publication or disclosure of research results.

This authorization/consent for transfer of protected health information expires 545 days from the date of my signature below but I have the right to revoke it in writing at any time by sending written notification to the director of athletics at my institution. I understand that a revocation takes effect on its request date and does not affect any action taken prior to that date.

---

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Printed Name of Student-Athlete

Signature

Date \_\_\_\_\_

**Form 09-5g****Academic Year 2009-10****Instructions for Squad Lists – NCAA Division II**


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<b>For:</b>	NCAA Division II institutions; NCAA Division III institutions with multidivision classification.
<b>Action:</b>	Complete appropriate squad list for each sport and file in the director of athletics' office.
<b>Due date:</b>	First day of outside competition in the sport.
<b>Required by:</b>	NCAA Bylaw 15.5.5.2.
<b>Purpose:</b>	To qualify student-athletes for intercollegiate competition and assess compliance with NCAA financial aid rules.

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**TO: DIRECTOR OF ATHLETICS.**

To be eligible to represent an institution in intercollegiate athletics competition a student-athlete shall be included on the institution's squad lists. (NCAA Bylaw 15.5.5.1)

You must complete a squad list (Form 09-5g) for each sport by the first day of outside competition and keep the lists on file in your office. During the year, revise the list whenever a student-athlete joins the squad or a current squad member's status changes. All student-athletes listed on the squad lists must have signed a drug-testing consent form. [Bylaws 15.5.5.3 and 30.14-(b)]

Use the version of the squad list that is appropriate for your division and sport. This set of instructions tells you how to fill out the Division II form:

<b><u>Form</u></b>	<b><u>Division/Sport</u></b>
09-5g	All Division II sports.

---

**Column on Squad Lists.****Name/ID Number.****Instructions.**

Type or print the name and ID number of each student-athlete in the specified sport. Include partial qualifiers, nonqualifiers and students who are fulfilling a transfer-residence requirement or an injury-hardship waiver.

[Note: Any student-athlete who signs a drug-testing consent form must be included on the institution's squad lists and any student-athlete who is included on the squad lists must have signed a drug-testing consent form pursuant to Bylaw 14.1.4. See Bylaws 14.1.4.1, 15.5.5.3 and 30.14-(b).]

<b>Eligible to Compete.</b>	Use this column to indicate whether a student-athlete is eligible ( <b>Y</b> ) or not eligible ( <b>N</b> ) to represent the institution in competition pursuant to all NCAA, conference and institutional eligibility requirements.
<b>Status of Student.</b>	Describe the status of the student-athlete in these five columns:
<b>Term First Enrolled at Any Institution.</b>	Indicate the term and year of the regular academic year (excluding summer) that the student-athlete first enrolled at any collegiate institution full time. Use <b>F</b> for fall, <b>W</b> for winter and <b>S</b> for spring.
<b>Term First Enrolled at Your Institution.</b>	Indicate the term and year of the regular academic year (excluding summer) that the student-athlete first enrolled at your institution full time. Use <b>F</b> for fall, <b>W</b> for winter and <b>S</b> for spring.
<b>Number of Years Received Financial Aid.</b>	Indicate the number of years the student-athlete has received institutional financial aid, not including this year. (See Bylaw 15.02.4.1 for applicable definition of “institutional financial aid.”)
<b>Number of Seasons Used.</b>	Indicate the number of seasons of competition the student-athlete has used, not including this year. [Note: For student-athletes who do not qualify for four years of competition (e.g., nonqualifiers, partial qualifiers), a notation may be used to indicate the total number of seasons of eligibility available.]
<b>Recruited Per Bylaw 13.02.10.1.</b>	Indicate whether your institution recruited the student-athlete as defined in Bylaw 13.02.10.1. Use <b>Y</b> for yes and <b>N</b> for no.
<b>Financial Aid.</b>	Describe the financial aid each student is receiving in these four columns:
<b>Period of Award.</b>	Use <b>FY</b> if the award is for the full academic year. Use <b>IS</b> for one semester or <b>IQ</b> for one quarter if the award is for less than the full-academic year.

**Amount of Athletics Grant.**

Indicate the dollar amount your institution awarded the student-athlete in athletics grants-in-aid.

**Amount of Other.**

Indicate the dollar amount of institutional financial aid (other than athletics grants-in-aid) as set forth in Bylaw 15.02.4.1. (See Bylaw 15.02.4.3 and Bylaw 15.5.2.2.1 in reference to institutional financial aid that is not countable for equivalency purposes.)

**Total Countable Aid.**

Indicate the dollar amount of the total countable financial aid by adding the amounts of any athletics grants-in-aid and other countable aid. [Note: **Do not** include the countable aid awarded to **exempt** student-athletes (See “Exempt” below.) **except** for student-athletes who have exhausted their eligibility in a sport during a previous academic year (Bylaw 15.5.1.4) or have a medical exception per Bylaw 15.5.1] Enter the total in the box provided.

**Exempt.**

Indicate whether the student-athlete is exempt from counting against your team limits on financial aid awards. Use **Y** for yes. Student-athletes are exempt if they meet one of the following conditions:

- They receive institutional financial aid as set forth in Bylaw 15.02.4.1 for which you have on file a statement that the aid was granted without regard to athletics ability (Bylaw 15.5.1-(b)); or

Multiple-sport student-athletes must be listed on all squad lists for sports in which the student-athlete participates. For purposes of counting against your team limit; however, the student-athlete shall be counted in one or more sports as specified on the individual’s financial aid agreement. (See Bylaw 15.5.3 to determine which sports take precedence in counting against team limits).

**Countable Players.**

Fill in the columns for each student-athlete who is not exempt. Be sure that you are using the right version of the squad list for your division and sport. The instructions that follow for the “Countable Players” section are different depending on the version.

**Change in Status.**

Use this section to indicate a student-athlete's change in status during the academic year. Be sure you are using the right version of the squad list for your division and sport. The instructions that follow for the "Change in Status" section are different depending on the version.

**These instructions are for use with: Form 09-5g (All Division II Sports).**

**Countable Players.**

**Total Cost for Tuition and Fees, Room and Board and Books.**

Indicate the total of each student-athlete's cost for tuition and fees, room and board and required course-related books, based on the actual cost or average cost of a full grant-in-aid for all students at your institution. [Note: If you use the average-cost method, do not combine in-state tuition and out-of-state tuition to arrive at a single average cost for tuition. Calculate separate average educational costs for in-state and out-of-state students.]

**Equivalent Award.**

Indicate a figure by dividing each student-athlete's total countable aid by his or her cost for tuition and fees, room and board and required course-related books, rounded off to two decimal places (e.g., .75). [Note: If you use the **actual** cost for tuition and fees, room and board, and books, the equivalent award is calculated by dividing the **actual** amount of institutional financial aid received by the student-athlete (numerator) by the actual value of a full grant-in-aid (denominator). If you use the **average** cost for tuition and fees, room and board, and books, the equivalent award is calculated by dividing the **average** amount of institutional financial aid received by the student-athlete (numerator) by the **average** value of a full grant-in-aid for all students at your institution (denominator). In addition, an institution may use either the actual or average amount of institutional financial aid received by a student-athlete as the numerator and either the actual or average amount of the full grant-in-aid value in the denominator.]



### **How to Calculate Your Total Countable Players:**

**Equivalent award.** Add the figures and compare this total to the limits specified in Bylaw 15.5.2.1.

**Change in Status.** Use these two columns to indicate a student-athlete's change in status during the academic year (i.e., student-athlete is no longer an active participant in the sport).

**Reason.** Indicate a reason for a change in status as follows:

- Cut or dismissed from team;
- Exhausted eligibility in the sport;
- Graduated;
- Medical exception resulting from career-ending injury or condition;
- Quit the team; or
- Withdrew.

Use **C** for cut or dismissed, **E** for exhausted eligibility, **G** for graduated, **M** for medical exception, **Q** for quit the team and **W** for withdrew from institution.

**Date.** Indicate the effective date of the change in status.

Institution: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Name/ID Number	Eligible to Compete?	Date of high school graduation	Status of Student				Financial Aid			Total countable aid	Exempt	Countable Players		Change in Status		
			Any institution	Term first enrolled Your institution	No. of years received financial aid	No. of seasons used	Recruited per NCAA Bylaw 13.02.9	Period of award	Amount of athletics grant			Amount of other countable aid	Total cost for tuition and fees, room and board, and books	Equivalent Award	Reason	Date

<b>Total:</b>
---------------

Form completed by: \_\_\_\_\_  
 Signature \_\_\_\_\_ Title \_\_\_\_\_

Phone: \_\_\_\_\_ Date: \_\_\_\_\_

Form approved by: \_\_\_\_\_  
 Signature (Athletics Director) \_\_\_\_\_ Title \_\_\_\_\_

Phone: \_\_\_\_\_ Date: \_\_\_\_\_

Form approved by: \_\_\_\_\_  
 Signature (Head Coach) \_\_\_\_\_ Title \_\_\_\_\_

Phone: \_\_\_\_\_ Date: \_\_\_\_\_



Form 09-10b

Academic Year 2009-10

**General Amateurism and Eligibility Form for International  
and Select Student-Athletes – NCAA Division II**

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**For:** NCAA Division II institutions.  
**Action:** Complete for each international student-athlete and file at your institution with other eligibility documents.  
**Due Date:** The student-athlete's first day of practice or outside competition.  
**Required by:** NCAA Bylaw 14.1.6.  
**Purpose:** To qualify international student-athletes for intercollegiate practice or competition and assess compliance with NCAA general amateurism and eligibility rules.

(Note: This form is required in addition to the amateurism certification completed by the NCAA Eligibility Center).

---

**Student-Athlete:** \_\_\_\_\_  
(Please print name)

Name of your institution: \_\_\_\_\_

Sport: \_\_\_\_\_

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**Part I: Institutional Guidelines.**

To be eligible to represent an institution in intercollegiate athletics practice or competition, an international/select student-athlete shall be certified as eligible using this form. An international/select student-athlete is a student-athlete who either: (a) is not a United States citizen; or (b) resides in an unincorporated or commonwealth territory of the United States; or (c) has participated in foreign-athletics activities or was associated as an athlete with a foreign-athletics organization.

Each international/select student-athlete who is participating for the first time in intercollegiate athletics at the certifying institution should be given this form to complete and to sign. The form should be completed in the presence of the institution's eligibility-certification official. It will be necessary for an institutional administrator to assist the student-athlete in understanding terms and to ensure that the student-athlete responds to all items. Subsequent to the student-athlete completing the form, the institution's eligibility official is responsible for investigating any answers that may result in ineligibility. Further, the statement must be signed by the institution's eligibility official and the student-athlete's head coach prior to the student-athlete engaging in competition. The completed form shall be maintained on file at the institution with other eligibility documents. [See Bylaw 14.1.6]

Please be aware that your institution is responsible for:

1. Reviewing Bylaw 10.1 with the student-athlete to ensure that all information is provided truthfully and that the student-athlete is aware that further eligibility consequences could result if false and misleading information is provided.
2. Verifying the validity of the information provided by the student-athlete.

3. Analyzing the information submitted by the student-athlete and applying NCAA general amateurism and eligibility rules, particularly those related to amateurism, to determine the student-athlete's general eligibility. (NCAA Manual citations are included after each item to assist in this effort).
4. Contacting the NCAA academic and membership affairs staff for assistance in determining the correct application of NCAA rules.
5. Advising the student-athlete that the information being provided through this form can affect the individual's eligibility.

**[Note: International/Select student-athletes also must sign the NCAA Student-Athlete Statement, NCAA Affirmation of Eligibility and NCAA Drug-Testing Consent Forms.]**

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**Part II – International/Select Student-Athlete Information.**

[Please note that this section is to be completed by the student-athlete.]

To be eligible for intercollegiate athletics practice and competition, every student-athlete must meet all applicable NCAA eligibility requirements. As an international/select student-athlete, you are being asked to complete this form because it will make it easier for your institution to determine your eligibility under NCAA rules.

This questionnaire does not relate to your admission to the school -- the admissions office of your institution will handle that process separately.

You must respond to each item below and sign the form to compete in intercollegiate athletics at an NCAA institution. (Use "N/A" if the question does not apply to you). Ask an administrator at your institution for help if you do not understand an item. (References to NCAA bylaws that follow each item are for your institution's use). The institution's eligibility-certification official and your head coach also must sign the completed form and keep it on file at the institution with other eligibility documents.

**Please note that the information you provide on this form will be used to certify your eligibility and thus may impact your eligibility to compete at an NCAA institution. In addition, under NCAA legislation you are required to provide accurate information. The knowing provision of false and misleading information on this form may result in additional consequences to your NCAA eligibility.**

**[Note: In completing the following items, please use the back of the pages if you need additional space.]**

**A. General Information.**

Full Name: \_\_\_\_\_ Sport(s): \_\_\_\_\_

Home Country: \_\_\_\_\_

Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_ Date of High School Graduation: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Month Day Year Month Year

Government Identification Number: \_\_\_\_\_

[Note: This is similar to the U.S. Social Security Number.]

**International student-athletes must provide appropriate visa and/or other government documentation in accordance with local, state and federal laws and member institutions will be required to maintain copies of such documentation on file in the athletics department.**

**B. Educational Background.**

Please describe below your educational experience:

Please list all schools attended (e.g., high schools, preparatory schools, etc.)

Year	School	Country	Tuition Required & Amount	Degree Received

1. Did you at any time discontinue full-time high school enrollment?

**(Please circle) YES NO**

If "YES", when? \_\_\_\_\_.

2. For all schools where tuition was required, please indicate who (parents, coach, school, athletics team, government, family friend, other individual, etc.) paid for your expenses. (Bylaw 12.1.2.1.3)

School	Tuition Paid By

3. Did you ever attend classes in a regular term as a full-time student (not a vacation or holiday term) at a collegiate institution in the United States or abroad?

**(Please circle) YES NO**

If yes, please provide the name of the institution(s) and the years attended.  
(Bylaw 14.2.2)

Institution	Years Attended

**C. Participation in Athletics.**

1. Participation on an organized team.

Please list all organized teams in which you engaged in practice or competition, including tryouts, and include the years participated.

Team	Year

Please respond to the following questions regarding your participation on the teams mentioned.

- a. Did you or any of your teammates receive actual and necessary expenses for your participation on any of the teams mentioned above? (Bylaws 12.02.4 and 12.1.2)

**(Please circle) YES NO**

If the answer is yes, please indicate which team provided the expenses and what expenses were paid.

Team	Expenses Paid

- b. Did you sign any type of contract or agreement to participate on any of the teams mentioned in section one? (Bylaw 12.1.2)

**(Please circle) YES NO**

If yes, for which team and please provide a copy of the agreement signed.

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2. Participation as an individual.

Please list all events in which you participated, the years participated, and the amount of prize money and or expenses you received for your participation.

Event	Year	Prize Money	Expenses

3. Additional issues.

- a. Have you accepted any other benefits not listed on this form from individuals other than your parents or legal guardians? (Bylaw 12.1.2.1.6)

**(Please circle) YES NO**

- b. Have you ever been involved in an advertisement or promotional activity? (Bylaw 12.5)

**(Please circle) YES NO**

If yes, please list activities. \_\_\_\_\_

\_\_\_\_\_

- c. Have you ever accepted any remuneration (e.g., pay) of any kind for your participation in an advertisement or promotional activity? (Bylaw 12.5.1)

**(Please circle) YES NO**

- d. Did you or someone on your behalf ever pay a recruiting service or another individual to assist you in finding an institution or obtaining an athletics scholarship? (Bylaw 12.3.3.1)

**(Please circle) YES NO**

- e. Who paid for your transportation to the United States?

\_\_\_\_\_

- f. When did you first arrive in the United States?

\_\_\_\_\_

- g. Where did you live once you arrived in the United States?

\_\_\_\_\_

- h. Did you ever have any contact with an agent or a runner? (Bylaw 12.3.1)

**(Please circle) YES NO**

If yes, did you sign any kind of agreement with the agent?

**(Please circle) YES NO**

Did you accept any benefits from an agent or a runner?

(Please circle)    YES    NO

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**Part III – International/Select Student-Athlete Information.**

**Part III of this form is to be completed by your institution's eligibility-certification officer based on the above responses.**

**Please proceed to the last page and complete the international student-athlete affirmation and return this form to the appropriate athletics department officials.**

The purpose of the information below is to ascertain whether the individual has previously been involved with a team or in individual competition that would compromise the individual's amateur status pursuant to Bylaw 14.2.4.2.

The following questions will enable the NCAA member institution to better determine the individual's eligibility status.

**Question No. 1**                      Did the student-athlete graduate from high school pursuant to his or her expected date of high school graduation?

(Please circle)                      YES    NO

(Please see the NCAA Web site and the NCAA Guide to International Academic Standards for Athletics Eligibility for information on high school graduation dates for various countries.)

**If no**, proceed to Part A.

**If yes**, answer the Question No. 2.

**Question No. 2**                      Did the student-athlete enroll in a collegiate institution as a full-time student in a regular academic term at his or her first opportunity immediately following his or her graduation?

(Please circle)                      YES    NO

**If no**, proceed to Part A.

**If yes**, skip to Part B.

**Part A: Amateurism Issues.**

For every calendar year or sports season after the individual's first opportunity to enroll immediately following the individual's expected date of high school graduation, please answer the following questions:

**Yes                      No**

\_\_\_\_                      \_\_\_\_ 1.                      Did the individual participate in any team competition or training in which



compensation was provided to any of the participants (including actual and necessary expenses)? Compensation includes, but is not limited to salary, gratuity, prize money, travel expenses, meals and housing. [Bylaw 14.2.4.2.3-(b)]

- |       |       |    |   |
|-------|-------|----|---|
| _____ | _____ | 2. | Did the individual participate in any individual competition or training in which any participant received compensation (including actual and necessary expenses)? Compensation includes, but is not limited to salary, gratuity, prize money, travel expenses, meals and housing. [Bylaw 14.2.4.2.3-(c)] |
| _____ | _____ | 3. | Did the individual participate in any competition pursuant to the signing of a contract for athletics participation? [Bylaw 14.2.4.2.3-(d)]   |
| _____ | _____ | 4. | Did the individual participate in any competition pursuant to involvement in a professional draft? [Bylaw 14.2.4.2.3-(e)]   |
| _____ | _____ | 5. | Did the individual participate in any competition funded by a professional sports organization (excluding not-for-profit organizations affiliated with professional sports organizations)? [Bylaw 14.2.4.2.3-(f)]   |
| _____ | _____ | 6. | Did the individual participate in any competition funded by a representative of an institution's athletics interests that was not an open event? [Bylaw 14.2.4.2.3-(g)]   |
| _____ | _____ | 7. | Did the individual practice with a professional athletics team (excluding a 48-hour tryout), regardless of who paid the expenses? [Bylaw 14.2.4.2.3-(h)]  |

**If the answer to any of the questions in Part A is "YES", then the individual may be subject to the organized competition or training prior to collegiate enrollment rule (Bylaw 14.2.4.2) and it is the responsibility of the institution to determine how many seasons of eligibility were used based on the participation history of the student-athlete. Further, if the student-athlete is subject to the provisions in Bylaw 14.2.4.2, then he or she must fulfill an academic year in residence without competing in the specific sport at any NCAA institution. Please note that there are exceptions to Bylaw 14.2.4.2 stated in Bylaws 14.2.4.2.3.2 (U.S. Armed Services), 14.2.4.2.3.3 (national/international competition exception), 14.2.4.2.3.4 (post-graduate college preparatory) and 14.2.4.2.3.5 (skiing exception).**

**Part B: Additional Amateurism Issues.**

**Yes      No**

- |       |       |    |  |
|-------|-------|----|--|
| _____ | _____ | 1. | Has the individual ever agreed (orally or in writing) to be represented by an agent for the purposes of marketing his or her athletics ability? [Bylaw 12.3.1]       |
| _____ | _____ | 2. | Has the individual ever entered into an agreement (verbal or written) with an agent for representation in future professional sports organizations? [Bylaw 12.3.1.1] |
| _____ | _____ | 3. | Has the individual, his or her relatives or friends ever accepted transportation or other benefits from an agent? [Bylaw 12.3.1.2]                                   |

If the answer to any of the questions in Part B is “YES” the individual may have jeopardized his or her amateur status and may not be eligible for intercollegiate competition in a particular sport. Therefore, it is incumbent on the institution to further investigate the individual’s amateur status.

**INTERNATIONAL/SELECT STUDENT-ATHLETE’S AFFIRMATION**

By signing below, I, \_\_\_\_\_, affirm that I have discussed the information  
(Student-Athlete’s Name)

I provided on this form with the eligibility-certification official at \_\_\_\_\_  
(Name of Your NCAA Institution)

to determine my eligibility for participation in intercollegiate athletics. I have completed and reviewed the responses to the questionnaire above and agree that the information is correct. I understand that if I knowingly have given false or misleading answers to these questions, I will jeopardize my eligibility for participation in intercollegiate athletics at NCAA member institutions.

\_\_\_\_\_  
Student-athlete signature

\_\_\_\_\_  
Date

[Note: You may wish to keep a copy of this form should you enroll at or transfer to another NCAA institution.]

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**ELIGIBILITY-CERTIFICATION OFFICIAL’S AFFIRMATION**

By signing below, I, \_\_\_\_\_, affirm  
(Eligibility-Certification Official’s Name)

that I have reviewed the responses to the questionnaire above as well as other information and agree that \_\_\_\_\_ has met all academic eligibility requirements (including certification

(Student-Athlete’s Name)

by the NCAA Eligibility Center, if a freshman) and other general-eligibility requirements and, therefore, is eligible for participation in intercollegiate athletics.

\_\_\_\_\_  
Eligibility-Certification Official’s Signature

\_\_\_\_\_  
Date

---

**HEAD COACH’S AFFIRMATION**

By signing below, I, \_\_\_\_\_, affirm that the information provided by the student-athlete is accurate to the best of my knowledge. I understand that I am responsible under Bylaw 10.1 to provide truthful information.

\_\_\_\_\_  
Head Coach’s Signature

\_\_\_\_\_  
Date



Form 09-d2

Academic Year 2009-10

**Summary of NCAA Regulations – NCAA Division II**

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**For:** Student-athletes.

**Purpose:** To summarize NCAA regulations regarding eligibility of student-athletes to compete.

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**TO: STUDENT-ATHLETE.**

This summary of NCAA regulations contains information about your eligibility to compete in intercollegiate athletics.

This summary has two parts:

- Part I is for **all** student-athletes.
- Part II is for **new** student-athletes only (those signing the Student-Athlete Statement for the first time).

If you have questions, ask your director of athletics (or his or her official designee) or refer to the 2009-10 NCAA Division II Manual. The references in brackets after each summarized regulation show you where to find the regulation in the Division II Manual.

**Part I: For All Student-Athletes.**

- This part of the summary discusses ethical conduct, amateurism, financial aid, academic standards and other regulations concerning your eligibility for intercollegiate competition.

**1. Ethical Conduct – All Sports.**

- a. You must act with honesty and sportsmanship at all times so that you represent the honor and dignity of fair play and the generally recognized high standards associated with wholesome competitive sports. [NCAA Bylaw 10.01.1]
- b. You are **not eligible** to compete if you knowingly provide information to individuals involved in organized gambling activities concerning intercollegiate athletics competition; solicit a bet on any intercollegiate team; accept a bet on any team representing the institution or solicit or accept a bet on any intercollegiate competition for any item (e.g., cash, shirt, dinner) that has tangible value. [Bylaw 10.3]
- c. You are **not eligible** to compete if you knowingly participate in any gambling activity that involves intercollegiate or professional athletics through a bookmaker, a parlay card or any other method employed by organized gambling. [Bylaw 10.3]
- d. You are **not eligible** to compete if you have shown dishonesty in evading or violating NCAA regulations. [Bylaws 10.1 and 14.01.3.3]

**2. Amateurism – All Sports.**

- a. You are **not eligible** for participation in a sport if after initial full-time collegiate enrollment you have ever:
  - (1) Taken pay, or the promise of pay, for competing in that sport;
  - (2) Agreed (orally or in writing) to compete in professional athletics in that sport;
  - (3) Played on any professional athletics team as defined by the NCAA in that sport; or
  - (4) Used your athletics skill for pay in any form in that sport. [Bylaw 12.1.2]
- b. You are **not eligible** in a sport if you ever have accepted money, transportation or other benefits from an agent, or agreed to have an agent market your athletics ability or reputation in that sport. [Bylaw 12.3]
- c. You are **not eligible** in any sport if, after you become a student-athlete, you accept any pay for promoting a commercial product or service, or allowed your name or picture to be used for promoting a commercial product or service. [Bylaws 12.5.2.1 and 12.5.2.2]
- d. You are **not eligible** in any sport if, because of your athletics ability, you were paid for work you did not perform, were paid at a rate higher than the going rate, or were paid for the value an employer placed on your reputation, fame or personal following. [Bylaw 12.4]

**3. Seasons of Competition – All Sports.**

The following rules are applicable to all Division II student-athletes first entering a collegiate institution on or after August 1, 2001:

If you did not enroll in college as a full-time student at your first opportunity following high school graduation and you participated in any of the activities listed below, you have used a season of intercollegiate competition for each calendar year or sports season in which you participated in such activities. [Bylaw 14.2.4.2]

- a. Activities Constituting Use of a Season:
  - (1) Any competition or training with a team that declares itself to be professional;

- (2) Any competition or training with a team in which compensation is provided to any of the participants (including actual and necessary expenses);
  - (3) Any individual competition or training in which any participant receives compensation (including actual and necessary expenses);
  - (4) Any competition pursuant to the signing of a contract for athletics participation;
  - (5) Any competition pursuant to involvement in a professional draft;
  - (6) Any competition funded by a professional sports organization, excluding not-for-profit organizations affiliated with professional sports organizations;
  - (7) Any competition funded by a representative of an institution's athletics interest that is not an open event; or
  - (8) Any practice with a professional athletics team (excluding a 48-hour tryout). [Bylaw 14.2.4.2.3]
- b. If you discontinued high-school enrollment before graduation and participated in any of the activities constituting use of a season, you have used a season of intercollegiate competition for each calendar year or sports season of participation regardless of the date your high school class graduates. [Bylaw 14.2.4.2.1]
- c. If you have used a season(s) of competition according to the regulations above, you must fulfill an academic year in residence at any member institution prior to being eligible to represent your institution in intercollegiate competition. [Bylaw 14.2.4.2.2]

#### **4. Financial Aid – All Sports.**

- a. You are **not eligible** if you receive financial aid other than the financial aid that your institution distributes. However, it is permissible to receive:
- (1) Money from anyone on whom you are naturally or legally dependent;
  - (2) Financial aid that has been awarded to you on a basis other than athletics ability; or
  - (3) Financial aid from an entity outside your institution that meets the requirements specified in the Division II Manual. [Bylaw 15.01.3]

- (4) On- or off-campus employment earnings, provided the compensation does not include remuneration for value that the student-athlete may have for the employer because of publicity, reputation, fame or personal following; the student-athlete is compensated only for work actually performed; and the student-athlete is compensated at a rate commensurate with the going rate in that locality for similar services.
- b. You must report to your institution any financial aid that you receive from a source other than your institution. However, you do not need to report financial aid received from anyone on whom you are naturally or legally dependent.

**5. Academic standards – All sports.**

- a. Eligibility for Competition.
  - (1) To be **eligible to compete**, you must:
    - (a) Have been admitted as a regularly enrolled, degree seeking student according to the published entrance requirements of your institution;
    - (b) Be in good academic standing according to the standards of your institution; and
    - (c) Be enrolled in at least a minimum full-time baccalaureate degree program (not less than 12 semester or quarter hours) and maintain satisfactory progress toward that degree, be enrolled in a full-time graduate or professional degree program (as defined by the institution for all graduate students in that program) or be enrolled and seeking a second baccalaureate degree at your institution. [Bylaws 14.01.2, 14.1.8 and 14.1.9]
  - (2) If you are enrolled in less than a full-time program, you are **eligible to compete** only if you are enrolled in the last term of your degree program and are carrying credits necessary to finish your degree. [Bylaw 14.1.8.1.8.3]
  - (3) You are **eligible to compete** during the official vacation period immediately before initial enrollment, provided you have been accepted by your institution for enrollment in a regular, full-time program of studies at the time of your initial participation, you are no longer enrolled in your previous educational institution and you are eligible under all institutional and NCAA requirements. [Bylaw 14.1.8.1.8.1]

- (4) You are **eligible** to **compete** between terms if you are continuing enrollment, provided you have been registered for the required minimum full-time load at the conclusion of the term immediately preceding the date of competition, or if you are either continuing enrollment or beginning enrollment, provided you have been accepted for enrollment as a regular full-time student for the regular term immediately following the date of competition. [Bylaw 14.1.8.1.8.2]

b. Eligibility for Practice.

- (1) You are eligible to practice if you are enrolled in a minimum full-time program of studies leading to a baccalaureate or equivalent degree as defined by the regulations of the certifying institution, which shall not be less than 12 semester or quarter hours, regardless of the institution's definition of a minimum full-time program of studies. [Bylaw 14.1.8.1]
- (2) You are **eligible** to **practice** during the official vacation period immediately preceding initial enrollment provided you have been accepted by your institution for enrollment in a regular, full-time program of studies at the time of your initial participation, you no longer are enrolled in your previous educational institution, and you are eligible under all institutional and NCAA requirements. [Bylaw 14.1.8.1.8.1]
- (3) You also are **eligible** to **practice** if you are enrolled in the final semester or quarter of a baccalaureate program while enrolled in less than a minimum full-time program of studies and your institution certifies that you are carrying (for credit) the courses necessary to complete the degree requirements, as determined by the faculty of the institution. [Bylaw 14.1.8.1.8.3]

c. Continuing Eligibility – All Sports.

- (1) In order to be eligible for competition at the end of each academic term, a student-athlete must successfully complete six-semester or six-quarter hours of academic credit the preceding regular academic term in which the student-athlete has been enrolled full time at any collegiate institution. [Bylaw 14.4.3.1-(a)] (Beginning in the fall 2005 term and all terms after that)
- (2) If you have transferred to your current institution midyear, or you have completed one academic year in residence at your current institution or used one season of eligibility in a sport at your current institution, your eligibility shall be determined by your academic record in existence at the beginning of the fall term or at the beginning of any other regular term of that academic year and you must satisfy the following requirements for academic progress to **be eligible** to compete.

- (a) You satisfactorily must have completed at least an average of 12 semester or quarter hours of academic credit during each of the terms in each of the academic years in which you have been enrolled, or you satisfactorily must have completed 24 semester hours or 36 quarter hours of academic credit since the beginning of the previous fall term or since the beginning of your institution's preceding regular two semesters or three quarters. [Bylaw 14.4.3.1-(b)]
  - (b) You must earn at least 75 percent of the semester or quarter hours required for satisfactory progress during the regular academic year. You may not earn more than 25 percent of the semester or quarter hours required for satisfactory progress during the summer or through correspondence courses taken during the 1993-94 academic year and thereafter. [Bylaw 14.4.3.1.4]
  - (c) You must achieve the following minimum grade-point average (based on a maximum of 4.000) at the beginning of the fall term or at the beginning of any other regular term of the academic year, based on you earning:
    - i. 24 semester or 36 quarter hours: 1.800;
    - ii. 48 semester or 72 quarter hours: 1.900;
    - iii. 72 semester or 108 quarter hours: 2.000; and
    - iv. 96 semester or 144 quarter hours: 2.000.[Bylaw 14.4.3.2]
  - (d) You must meet the minimum grade-point average at the certifying institution based on the method of calculation used by the institution for calculating grade-point averages for all students and the calculation shall only include coursework normally counted by the institution in calculating the grade-point average for graduation. [Bylaw 14.4.3.2.1]
  - (e) You must choose a major that leads to a specific baccalaureate degree by the beginning of your third year of enrollment. (This includes transfer students who have not completed an academic year in residence yet or used one season of eligibility in a sport at their current institution.) [Bylaw 14.4.3.1.5]
- d. Freshmen.
- (1) You are referred to as a qualifier and are eligible to practice and compete in your sport and to receive financial aid (institutional and athletically re-



lated) during your first academic year under Bylaw 14.02.10, if you:

- (a) Graduate from high school;
  - (b) Attain a minimum high school grade-point average of 2.000 in 14 core-curriculum courses as specified in Bylaw 14.3.1.1; and
  - (c) Achieve the required sum ACT (68) or SAT (820) score as specified in Bylaw 14.3.1.1.
- (2) You are referred to as a partial qualifier and are eligible to receive institutional and athletically related financial aid if you fail to meet the criteria for a qualifier, but at the time of graduation from high school you attain a minimum high school grade-point average of 2.000 in 14 core-curriculum courses as specified in Bylaw 14.3.1.1 or achieve the required sum ACT (68) or SAT (820) score. You may not compete in your sport during your first academic year in residence; however, you may practice on campus or at your institution's regular practice facility. [Bylaws 14.02.10, 14.3.1.1 and 14.3.2.1.]
- (3) You are referred to as a nonqualifier if you fail to meet the criteria above for qualifiers or partial qualifiers. Although a nonqualifier is ineligible for practice and competition during the first academic year in residence, a nonqualifier may receive nonathletics institutional aid, provided certification by the faculty athletics representative and the chair of the financial aid committee that the financial aid was granted without regard to athletics ability is on file in the office of the director of athletics. [Bylaws 14.02.10.3, 14.3.2.2.1 and 15.5.1-(b)]
- (4) If you are a nonqualifier or partial qualifier, you will have four seasons of eligibility after your first academic year in residence. However, student-athletes who have exhausted three seasons of competition in Division I are not eligible for further seasons of competition in Division II. [Bylaw 14.3.3]

## **6. Other Regulations Concerning Eligibility – All Sports.**

- a. You are **not eligible** to participate in more than four seasons of intercollegiate competition. [Bylaw 14.2]
- b. You are not eligible after the first 10 semesters or 15 quarters in which you were enrolled at a collegiate institution in at least a minimum full-time program of studies as determined by the institution, except for extensions that have been approved in accordance with NCAA legislation. [Bylaws 14.2.2 and 30.6.1]

- c. You are **eligible** at an institution other than the institution from which you have received or satisfied the requirements for a baccalaureate degree or an equivalent degree and you have eligibility remaining as set forth in Bylaw 14.2.2.
- d. You are **eligible** for championships that occur within 60 days of the date you complete the requirements for your degree. [Bylaw 14.1.8.1.8.3.1]

**7. All Sports Other Than Basketball.**

- You are **not eligible** in your sport for the rest of your season if, after enrollment in college and during any year in which you were a member of an intercollegiate team, you competed as a member of any outside team in any noncollegiate, amateur competition in the sport during the playing season. Competing in the Olympic Games tryouts and competition, and other specified national and international competition is permitted. [Bylaws 14.7.1, 14.7.3 and 14.7.5]

**8. Basketball Only.**

- a. You are **not eligible** if, after you become a student-athlete, you participate in any organized basketball competition except while representing the institution in intercollegiate competition. Competing in the Olympic Games tryouts and competition, and other specified national and international competition is permitted. [Bylaws 14.7.2, 14.7.4 and 14.7.5]
- b. There are no restrictions on the participation of Division II student-athletes in outside basketball competition during the summer. [Bylaw 14.7.5.2-(a)]

**9. Transfer Students Only.**

- a. You are a transfer student if:
  - (1) The registrar or admissions officer from your former institution certified that you officially were registered and enrolled at that institution in any term in a minimum full-time load and you attended a class or classes while enrolled as a full-time student; **or**
  - (2) The director of athletics from your former institution certified that you reported for the regular squad practice that any staff member of the athletics department of your former institution announced before the beginning of any term. [Bylaw 14.5.2]
- b. If you are a transfer student from a four-year institution, you are **not eligible** during your first academic year in residence unless you meet the

provisions of one of the exceptions specified in Bylaw 14.5.5.3 or one of the waivers specified in Bylaw 14.8.1.2.

- c. If you are a transfer student from a two-year institution, you are **not eligible** during your first academic year in residence at your new institution unless you meet the academic and residence requirements specified in Bylaw 14.5.4 or the exceptions specified in Bylaw 14.5.4.5.
- d. If you transferred from a four-year college to a two-year college and then to your new institution, you are **not eligible** during your first academic year in residence at your new institution unless you meet the requirements specified in Bylaw 14.5.4.2 or the exceptions specified in Bylaw 14.5.4.5.

#### 10. Drugs – All Sports.

- a. A student-athlete who, as a result of a drug test administered by the NCAA, is found to have used a substance on the list of banned drug classes shall be declared ineligible for further participation in postseason or regular-season competition during the time period ending one calendar year after the collection of the student-athlete's positive drug test specimen. The student-athlete shall be charged with the loss of a minimum of one season of competition in all sports if the season of competition has not yet begun or a minimum of the equivalent of one full season of competition in all sports if the student-athlete tests positive during his or her season of competition (i.e., the remainder of contests in the current season and contests in the next season up to the period of time in which the student-athlete was declared ineligible during the previous year). The student-athlete shall remain ineligible until the student-athlete tests negative (in accordance with the testing methods authorized by the NCAA Executive Committee) and the student-athlete's eligibility is restored by the NCAA Committee on Student-Athlete Reinstatement. [Bylaw 31.2.3]
- b. If the student-athlete who tested positive for any drug other than a "street drug" as defined in Bylaw 31.2.3.4 tests positive a second time for the use of any drug other than a "street drug" as defined in Bylaw 31.2.3.4, he or she shall lose all remaining regular-season and postseason eligibility in all sports. If the student-athlete tests positive for the use of a "street drug" after being restored to eligibility, he or she shall lose a minimum of one additional season of competition in all sports and also shall remain ineligible for regular-season and postseason competition at least through the next calendar year. Bylaw 18.4.1.5.2 also provides that the Executive Committee shall adopt a list of banned drugs and authorize methods for drug testing of student-athletes on a year-round basis. [Bylaw 31.2.3.2]
- c. If the student-athlete who tested positive for any drug other than a "street drug" as defined in Bylaw 31.2.3.4 tests positive a second time for the use of any drug other than a "street drug" as defined in Bylaw 31.2.3.4, he or she shall lose all remaining regular-season and postseason eligibility in all sports. If the student-athlete tests positive for the use of a "street drug" after being restored to eligibili-

ty, he or she shall be charged with the loss of a minimum of one additional season of competition in all sports and also shall remain ineligible for regular-season and postseason competition at least through the next calendar year. [Bylaw 18.4.1.5.1.2]

- d. A policy adopted by the Executive Committee establishes that the penalty for missing a scheduled drug test is the same as the penalty for testing positive for the use of a banned drug other than a street drug. You will remain ineligible until you retest negative and your eligibility has been restored by the Committee on Student-Athlete Reinstatement. [Bylaws 18.4.1.5.1 and 18.4.1.5.1.1]

#### **11. Non-NCAA Athletics Organization Positive Drug Test - All Sports.**

- a. If you test positive for banned substances by a non-NCAA athletics organization, you must notify your director of athletics regarding the positive drug test. You also must permit the NCAA to test you for the banned drugs listed in Bylaw 31.2.3.4.
- b. If the result of the NCAA drug test is positive, you will lose all remaining eligibility during the season in which you tested positive and an additional season of competition.
- c. The director of athletics must notify the Vice President of NCAA Education Services in writing regarding a student-athlete's disclosure of a previous positive drug test administered by any other athletics organization.
- d. If the student-athlete immediately transfers to a non-NCAA institution while ineligible and competes in collegiate competition within the 365-day period at a non-NCAA institution, the student-athlete will be ineligible for all NCAA regular-season and postseason competition until the student-athlete does not compete in collegiate competition for a 365-day period. Additionally, the student-athlete must retest negative (in accordance with the testing methods authorized by the Executive Committee) and request that eligibility be restored by the Committee on Student-Athlete Reinstatement. [Bylaw 18.4.1.5.1.3]
- e. The list is subject to change and the institution and student-athlete shall be held accountable for all banned drug classes on the current list. The list is located on the NCAA Web site ([www.ncaa.org](http://www.ncaa.org)) or may be obtained from the NCAA health and safety staff in Education Outreach.

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#### **Part II: For New Student-Athletes Only.**

- This part of the summary contains information about your recruitment, which is governed by Bylaw 13 of the Division II Manual.

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**1. Recruitment.**

a. Offers – All Sports.

- (1) You are **not eligible** if, before you enrolled at your institution, any staff member of your institution or any other representative of your institution's athletics interests provided or offered to you, your relatives or your friends any financial aid or other benefits that NCAA legislation does not permit. [Bylaw 13.2.1]
- (2) 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 the prospect or the prospect's relatives or friends, other than expressly permitted by NCAA regulations. Receipt of a benefit by prospective student-athletes or their relatives or friends is not a violation of NCAA legislation if it is demonstrated 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., foreign students, minority students) determined on a basis unrelated to athletics ability. For violations of this bylaw in which the value of the offer or inducement is \$100 or less, the eligibility of the individual (i.e., prospective or enrolled student-athlete) shall not be affected conditioned on the individual repaying the value of the benefit to a charity of his or her choice. The individual, however, shall remain ineligible from the time the institution has knowledge of the receipt of the impermissible benefit until the individual repays the benefit. Violations of this bylaw remain institutional violations per Constitution 2.8.1, and documentation of the individual's repayment shall be forwarded to the enforcement staff. [Bylaw 13.2.1]

b. Contacts – All Sports.

- (1) For purposes of this section, contact means “any face-to-face encounter between a prospect or the prospect’s parent or legal guardian and an institutional staff member or athletics representative during which any dialogue occurs in excess of an exchange of a greeting. Any such face-to-face encounter that is prearranged or that takes place on the grounds of the prospect's educational institution or at the site of organized competition or practice involving the prospect or the prospect’s high school, preparatory school, two-year college or all-star team shall be considered a contact, regardless of the conversation that occurs.” [Bylaw 13.02.3]
- (2) You are **not eligible** if any staff member of your institution:

- (a) Contacted you, your relatives or your legal guardians in person off your institution's campus before you completed your junior year in high school (except for students at military academies) as described in Bylaw 13.1.1.1;
  - (b) Contacted you in person off your institution's campus more than the number of times specified in Bylaw 13.1.6; or
  - (c) Contacted you in person off your institution's campus outside the time periods specified in Bylaw 13.1.4 for football and basketball.
- (3) You are **not eligible** if anyone from your institution, other than an authorized staff member, contacted you, your relatives or your legal guardian in person on or off your institution's campus to recruit you. [Bylaw 13.1.2.1]
- (4) You are **not eligible** if, while you were being recruited, any staff member of your institution or any other representative of your institution's athletics interests contacted you during the day or days of competition at the site of any athletics competition in which you were competing. It was permissible for such contact to occur (during the permissible period) after the competition if the appropriate high-school authority released you prior to the contact. [Bylaw 13.1.7.2]
- c. Publicity – All Sports.
  - (1) You are **not eligible** if, before you enrolled at your institution, your institution publicized any visit that you made to its campus. [Bylaw 13.10.4]
  - (2) You are **not eligible** if, before you enrolled at your institution, you appeared on a radio or television program that involved a coach or another member of the staff of the athletics department at your institution. [Bylaw 13.10.3]
- d. Letter-of-Intent Signing.
  - You are **not eligible** if a staff member of your institution was present while you were signing, at an off-campus site, a National Letter of Intent or an acceptance of a financial aid offer from your institution or your conference. [Bylaw 13.1.6.2]
- e. Source of Funds – All Sports.

- You are **not eligible** if any organization or group of people outside your institution spent money recruiting you to attend your institution, including entertaining, giving gifts or services and providing transportation to you or your relatives or friends. [Bylaw 13.14.4]

f. Tryouts – All Sports.

- (1) You are **not eligible** if, after starting classes for the ninth grade, you displayed your abilities in any phase of any sport in a tryout conducted by or for your institution not conducted under the conditions specified in Bylaw 13.11.2.1.
- (2) Member institutions are permitted to host intercollegiate athletics competitions in conjunction with high school, preparatory school and two-year college contests. [Bylaw 13.11.1.3]
- (3) Basketball Only.
  - You are **not eligible** if a member of your institution's coaching staff participated in competition or in coaching activities involving a nonscholastic basketball team of which you were a member. [Bylaw 13.11.1.4]

g. Sports Camps.

- You are **not eligible** if, before you enrolled at your institution, the institution, members of its staff or a representative of its athletics interests employed, or gave you free or reduced admission privileges to attend its camp or clinic after you started classes for the ninth grade. [Bylaw 13.12.1.5.1]

h. Visits, Transportation and Entertainment – All Sports.

- (1) You are **not eligible** under Bylaws 13.5, 13.6 or 13.7 if, before you enrolled at your institution, any of the following happened to you:
  - (a) You accepted expense-paid visits to more than five NCAA institutions or more than one expense-paid visit to one member institution;
  - (b) Your institution paid more than the actual round-trip cost by direct route between your home and the campus when you made your one expense-paid visit; or

- (c) Your institution entertained you, your parents (or legal guardians) or your spouse excessively during your expense paid visit or entertained your friends or other relatives at any site.<sup>1</sup>
- (2) A prospect may not be provided an expense-paid visit earlier than the opening day of classes of the prospect's senior year in high school. Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility. [Bylaw 13.6.1.2.2]
- (3) A member institution may not provide an expense-paid visit to a high school or preparatory school prospect until he or she: (a) presents the institution with a score from a PSAT, an SAT, a PLAN or an ACT test taken on a national testing date under national testing conditions. The score must be presented in writing through a testing-agency document or on a high school (or college) academic transcript (official or unofficial) or through the use of the applicable testing agency's automated-voice system. A foreign or learning-disabled prospect who requires a special administration of the PSAT, SAT, PLAN or ACT may present such a score on the approval of the appropriate academic requirements committee; (b) registers with the NCAA Eligibility Center; and (c) is placed on the institution's institutional request list (IRL) with the Eligibility Center. [Bylaw 13.6.2]
- (4) You are **not eligible** if, at any time that you were visiting your institution's campus at your own expense, your institution paid for anything more than the following:
  - (a) During an unofficial visit, the institution may not pay any expenses or provide any entertainment except a maximum of three complimentary admissions to a campus athletics event in which the institution's intercollegiate team practices or competes. Such complimentary admissions are for the exclusive use of the prospect and those persons accompanying the prospect on the visit and must be issued on an individual-game basis. Providing seating during the conduct of the event (including intermission) for the prospect or those persons accompanying the prospect in the facility's press box, special seating box(es) or bench area is specifically prohibited. For violations of this bylaw in which the individual receives an excessive number of complimentary admissions, and the value of the excessive admissions is \$100 or less, the eligibility of the individual (i.e., prospective or enrolled student-athlete) shall not be affected conditioned on the individual repaying the value of the benefit to a charity of his or her choice. The individual, however, shall remain ineligible from

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<sup>1</sup> Unless the value of the benefit was \$100 or less.



the time the institution has knowledge of the receipt of the impermissible benefit until the individual repays the benefit. Violations of this bylaw remain institutional violations per Constitution 2.8.1, and documentation of the individual's repayment shall be forwarded to the enforcement staff. [Bylaw 13.7.2.1]

- (b) During any unofficial recruiting visit, the institution may provide the prospect with transportation to view practice and competition sites in the prospect's sport and other institutional facilities and to attend an institution's home athletics contest (on or off-campus). An institutional staff member must accompany the prospect during such a trip. For violations of Bylaw 13.5.3 in which the value of the transportation is \$100 or less, the eligibility of the individual (i.e., prospective or enrolled student-athlete) shall not be affected conditioned on the individual repaying the value of the benefit to a charity of his or her choice. The individual, however, shall remain ineligible from the time the institution has knowledge of the receipt of the impermissible benefit until the individual repays the benefit. Violations of this bylaw remain institutional violations per Constitution 2.8.1, and documentation of the individual's repayment shall be forwarded to the enforcement staff with the institution's self-report of the violation. [Bylaw 13.5.3]
  - (c) A meal at the dining hall of your institution or a meal at an off-campus site if all institutional dining halls were closed and the institution normally provides similar meals to all visiting prospective students. [Bylaw 13.7.2.1.1]
  - (d) An institution shall not permit its athletics department staff members or representatives of its athletics interests to pay, provide or arrange for the payment of transportation costs incurred by relatives, friends or legal guardian(s) of a prospect to visit the campus or elsewhere. [Bylaw 13.5.2.8]
- (5) You are **not eligible** if, when you were being recruited, your institution gave you complimentary admissions to more than one regular-season home game scheduled outside your institution's community or gave you more than three complimentary admissions to that one regular-season home game scheduled outside your institution's community. [Bylaw 13.7.2.2]
- (6) You are **not eligible** if, when you were being recruited, a staff member of your institution's athletics department spent money other than what

- (7) was necessary for the staff member's (or representative's) personal expenses during an off-campus visit with you. [Bylaw 13.14.2]

i. Precollege or Postgraduate Expense – All Sports.

- 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 prospect's educational or other expenses for any period before his or her enrollment or so the prospect 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 Constitution 2.8.1, and documentation of the prospective student-athlete's repayment shall be forwarded to the enforcement staff. [Bylaw 13.15.1]



Form 09-3e

Academic Year 2009-10

**Drug-Testing Consent – NCAA Division II**

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**For:** Student-athletes.  
**Action:** Sign and return to your director of athletics.  
**Due date:** In sports in which the Association conducts year-round drug testing, at the time your intercollegiate squad first reports for practice or the first day of competition (whichever date occurs first).  
**Required by:** NCAA Constitution 3.2.4.6 and NCAA Bylaws 14.1.4 and 30.5.  
**Purpose:** To assist in certifying eligibility.

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**Requirement to sign Drug Testing Consent Form.**

Name of your institution: \_\_\_\_\_

You must sign this form to participate (i.e., practice or compete) in intercollegiate athletics per NCAA Constitution 3.2.4.6 and NCAA Bylaws 14.1.4 and 30.5. If you have any questions, you should discuss them with your director of athletics.

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**Consent to Testing.**

You agree to allow the NCAA to test you in relation to any participation by you in any NCAA championship or in any postseason football game certified by the NCAA for the banned drugs listed in Bylaw 31.2.3 (attached). Additionally, if you participate in a Division II NCAA sport, you also agree to be tested on a year-round basis.

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**Consequences for a positive drug test.**

By signing this form, you affirm that you are aware of the NCAA drug-testing program, which provides:

1. A student-athlete who tests positive shall be withheld from competition in all sports for a minimum of 365 days from the drug test collection date and shall lose a year of eligibility.
2. A student-athlete who tests positive has an opportunity to appeal the positive drug test.
3. A student-athlete who tests positive a second time for the use of any drug, other than a “street drug” shall lose all remaining regular-season and postseason eligibility in all sports. A combination of two positive tests involving street drugs ( marijuana, THC or heroin) in whatever order, will result in the loss of an additional year of eligibility
4. The penalty for missing a scheduled drug test is the same as the penalty for testing positive for the use of a banned drug other than a street drug.
5. If a student-athlete immediately transfers to a non-NCAA institution while ineligible and competes in collegiate competition within the 365 day period at a non-NCAA institution, the

student-athlete will be ineligible for all NCAA regular-season and postseason competition until the student-athlete does not compete in collegiate competition for a 365 day period.

**Signatures.**

By signing below, I consent:

1. To be tested by the NCAA in accordance with NCAA drug-testing policy, which provides among other things that:
  - a. I will be notified of selection to be tested;
  - b. I must appear for NCAA testing or be sanctioned for a positive drug test; and
  - c. My urine sample collection will be observed by a person of my same gender;
2. To accept the consequences of a positive drug test;
3. To allow my drug-test sample to be used by the NCAA drug-testing laboratories for research purposes to improve drug-testing detection;
4. To allow disclosure of my drug-testing results only for purposes related to eligibility for participation in NCAA competition.

I understand that if I sign this statement falsely or erroneously, I violate NCAA legislation on ethical conduct, and will jeopardize my eligibility.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of student-athlete

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of parent (if student-athlete is a minor)

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Date of birth

\_\_\_\_\_  
Age

\_\_\_\_\_  
Home address

\_\_\_\_\_  
Sport(s)

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**What to do with this form:** Sign and return it to your director of athletics at the time your intercollegiate squad first reports for practice or before the first date of competition (whichever date occurs first). This form is to be kept on file at the institution for **six years**.

**2009-10 NCAA Banned Drugs****1. The NCAA bans the following classes of drugs.**

- a. Stimulants;
- b. Anabolic Agents;
- c. Alcohol and Beta Blockers (banned for rifle only);
- d. Diuretics and Other Masking Agents;
- e. Street Drugs;
- f. Peptide Hormones and Analogues;
- g. Anti-estrogens; and
- h. Beta-2 Agonists.

**[Note: Any substance chemically related to these classes is also banned.]**

The institution and the student-athlete shall be held accountable for all drugs within the banned drug class regardless of whether they have been specifically identified.

**2. Drugs and Procedures Subject to Restrictions.**

- a. Blood Doping;
- b. Local Anesthetics (under some conditions);
- c. Manipulation of Urine Samples;
- d. Beta-2 Agonists permitted only by prescription and inhalation; and
- e. Caffeine if concentrations in urine exceed 15 micrograms/ml.

**3. NCAA Nutritional/Dietary Supplements Warning.**

- **Before consuming any nutritional/dietary supplement product, review the product and its label with your athletics department staff!**
  - (1) Dietary supplements are not well regulated and may cause a positive drug test result.
  - (2) Student-athletes have tested positive and lost their eligibility using dietary supplements.
  - (3) Many dietary supplements are contaminated with banned drugs not listed on the label.
  - (4) Any product containing a dietary supplement ingredient is taken at your own risk.

**It is your responsibility to check with your athletics staff  
before using any substance.**

## Some examples of NCAA Banned Substances in each class

[NOTE: There is no complete list of banned drug examples!]

Check with your athletics staff to review the label of any product, medication or supplement before you consume it!

**1. Stimulants.**

e.g., amphetamine (Adderall); caffeine (guarana); cocaine; ephedrine; fenfluramine (Fen); methamphetamine; methylphenidate (Ritalin); phentermine (Phen); synephrine (bitter orange); etc.

*Exceptions:* phenylephrine and pseudoephedrine are not banned.

**2. Anabolic Agents.**

e.g., boldenone; clenbuterol; DHEA; nandrolone; stanozolol; testosterone; methasterone; androstenedione; norandrostenedione; methandienone; etiocholanolone; trenbolone; etc.

**3. Alcohol and Beta Blockers.**

e.g., alcohol; atenolol; metoprolol; nadolol; pindolol; propranolol; timolol; etc.

**4. Diuretics and Masking Agents.**

e.g., bumetanide; chlorothiazide; furosemide; hydrochlorothiazide; probenecid; spironolactone (canrenone); triameterene; trichlormethiazide; etc.

**5. Street Drugs.**

e.g., heroin; marijuana; tetrahydrocannabinol (THC); etc.

**6. Peptide Hormones and Analogues.**

e.g., human growth hormone (hGH); human chorionic gonadotropin (hCG); erythropoietin (EPO); etc.

**7. Anti-Estrogens.**

e.g., anastrozole; clomiphene; tamoxifen; formestane; etc.

**8. Beta-2 Agonists.**

e.g., bambuterol; formoterol; salbutamol; salmeterol; etc.

**Any substance that is chemically related to the class of banned drugs, unless otherwise noted, is also banned!**

[NOTE: Information about ingredients in medications and nutritional/dietary supplements can be obtained by contacting the Resource Exchange Center, REC, 877-202-0769 or [www.drugfreesport.com/rec](http://www.drugfreesport.com/rec) password ncaa1, ncaa2 or ncaa3.]

**It is your responsibility to check with your athletics staff  
before using any substance.**

## ELIGIBILITY – CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY – PARTICIPATION IN ORGANIZED COMPETITION PRIOR TO INITIAL COLLEGIATE ENROLLMENT

**Convention Year:** 2010

**Effective Date:** August 1, 2010, for students first entering a collegiate institution on or after August 1, 2010

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

**Topical Area:** Eligibility

**Intent:** To specify that an individual who does not enroll in a collegiate institution as a full-time student in the regular academic term that begins immediately after a one-year time period following his or her high school graduation date shall use one season of intercollegiate competition for each calendar year or sports season (after the one-year time period and before initial full-time collegiate enrollment) in which the individual participates in organized competition, as specified.

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

14.2.4.2 Participation in Organized Competition ~~or Training~~ Prior to Initial Collegiate Enrollment. An individual who does not enroll in a collegiate institution as a full-time student ~~during the regular academic term that is immediately following the date that the individual's high school class normally graduates from high school (or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility)~~ **in the regular academic term that begins immediately after a one-year time period (the next opportunity to enroll after the one calendar year has elapsed) following his or her high school graduation date** shall use ~~a~~ **one** season of intercollegiate competition for each calendar year or sports season ~~(following that date)~~ **(after the one-year time period and before initial full-time collegiate enrollment) in** which the individual ~~has participated~~ **participates** in activities that meet the criteria set forth in **organized competition per** Bylaw 14.2.4.2.3 **1.2.**

~~14.2.4.2.1 Discontinued High School Enrollment. An individual who discontinues high school enrollment and subsequently participates in activities that meet the criteria set forth in Bylaw 14.2.4.2.3 shall use a season of intercollegiate competition for each calendar year or sports season of participation regardless of the date the individual's high school class normally graduates.~~

~~14.2.4.2.2 Academic Year in Residence. An individual who uses a season(s) of competition in a specific sport per Bylaw 14.2.4.2, shall fulfill an academic year in residence at any member institution prior to being eligible to represent the certifying institution in that specific sport in intercollegiate competition.~~

~~14.2.4.2.3 Activities Constituting Use of Season. An individual shall use a season of competition per Bylaw 14.2.4.2 if the individual participates in activities that meet any of the following criteria:-~~

- ~~(a) Any competition or training with a team that declares itself to be professional;~~
- ~~(b) Any competition or training with a team in which compensation is provided to any of the participants (including actual and necessary expenses);~~
- ~~(c) Any individual competition or training in which any of the participants receive compensation (including actual and necessary expenses);-~~
- ~~(d) Any competition pursuant to the signing of a contract for athletics participation;~~
- ~~(e) Any competition pursuant to involvement in a professional draft;~~
- ~~(f) Any competition funded by a professional sports organization, excluding not for profit organizations affiliated with professional sports organizations;~~
- ~~(g) Any competition funded by a representative of an institution's athletics interest that is not an open event; or~~
- ~~(h) Any practice with a professional athletics team (excluding a 48 hour tryout).~~

~~14.2.4.2.3.1 Actual and Necessary Expenses. For purposes of determining the use of a season of competition per Bylaw 14.2.4.2, actual and necessary expenses are limited to the following:-~~

- ~~(a) Meals;~~
- ~~(b) Transportation;~~
- ~~(c) Lodging;~~
- ~~(d) Medical insurance;~~
- ~~(e) Stipend (e.g., money for gas or food); or~~
- ~~(f) Medical expenses (excluding on-site treatment of an injury).~~



~~14.2.4.2.3.1.1 Exceptions – Reasonable Expenses and Fees. Reasonable expenses other than those listed above (e.g., the value of coaching, instruction and facility usage) are not considered compensation. If an individual pays a fee to participate on a team, the individual uses a season of competition only if the amount of actual and necessary expenses or other compensation received exceeds the amount of the fee.~~

~~14.2.4.2.3.1.1.1 Definition of Fee. A fee to participate on a team or club must:~~

~~(a) Be required of all individuals on the team or club;~~

~~(b) Be the same amount for all individuals on the team or club;~~

~~(c) Be directly used for the expenses of the team or club; and~~

~~(d) Not be earmarked for a specific individual or individuals.~~

#### **14.2.4.2.1 Administration of Participation in Organized Competition.**

**14.2.4.2.1.1 High School Graduation. An individual's high school graduation date (or the international equivalent as specified in the NCAA Guide to International Academic Standards for Athletics Eligibility) shall be considered to be the graduation date of the final high school class (e.g., junior, senior) of which he or she was a member.**

**14.2.4.2.1.1.1 Early High School Graduation. If an individual graduates early from high school, he or she becomes a member of that class and the date of graduation for the individual is the expected date of that class.**

**14.2.4.2.1.1.2 Late High School Graduation – Required Repeat Year. If an individual is required to repeat an entire year of high-school attendance, he or she becomes a member of that class and the date of graduation for the individual is the expected date of that class.**

**14.2.4.2.1.1.3 Discontinued High School Enrollment. An individual who discontinues high school enrollment and then participates in organized competition per Bylaw 14.2.4.2.1.2 shall use one season of intercollegiate competition for each calendar year or sports season of participation after a one-year time period (the next opportunity to**

enroll after one calendar year has elapsed) following the discontinued enrollment and before initial full-time collegiate enrollment.

14.2.4.2.1.2 Organized Competition. Athletics competition shall be considered organized if any one of the following conditions exists:

(a) Competition is scheduled in advance;

(b) Official score is kept;

(c) Individual or team standings or statistics are maintained;

(d) Official timer or game officials are used;

(e) Admission is charged;

(f) Teams are regularly formed or team rosters are predetermined;

(g) Team uniforms are used;

(h) An individual or team is privately or commercially sponsored; or

(i) The competition is either directly or indirectly sponsored, promoted or administered by an individual, an organization or any other agency.

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

14.2.4.2.1.3.1 Exception. A student who has attended a two-year or a four-year nonmember collegiate institution for at least two full-time semesters or three full-time quarters and who has satisfactorily completed an average of at least 12 semester or 12 quarter hours of transferable degree credit for each full-time academic term of attendance at the two-year or four-year nonmember collegiate institution is not required to fulfill an academic year in residence prior to being eligible to represent the certifying institution in that specific sport in intercollegiate competition. (See Bylaws 14.4 and 14.5 for progress-toward-degree and transfer requirements.)

**14.2.4.2.2 Exceptions to Participation in Organized Competition. An individual shall not be charged with a season of intercollegiate competition, provided the individual satisfies any of the following exceptions for each calendar year or sports season in which the individual participates in organized competition per Bylaw 14.2.4.2.1.2 following the one-year time period after the individual's high school graduation and before initial full-time collegiate enrollment.**

14.2.4.2.3.~~3~~**2.1** United States Armed Services Exception. Participation in *activities that meet the criteria set forth in* **organized competition per** Bylaw 14.2.4.2.3~~1~~**1.2** during time spent in the U.S. Armed Services shall be excepted as long as the competition is organized and administered by the military.

14.2.4.2.3.~~3~~**2.2** National/International Competition Exception. For a maximum of one year, participation in *activities that meet the criteria set forth in* **organized competition per** Bylaw 14.2.4.2.3~~1~~**1.2** shall be excepted if the competition is national or international competition that includes participation in:

(a) Official Pan American, World Championships, World Cup, World University and Olympic training, tryouts and competition;

(b) Officially recognized training and competition directly qualifying participants for final Olympic tryouts; or

(c) 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).

~~14.2.4.2.3.4 Postgraduate College Preparatory School Exception. Participation in activities that meet the criteria set forth in Bylaw 14.2.4.2.3 while enrolled in a postgraduate college preparatory school shall be excepted. This exception may only be used during the initial year of enrollment in the preparatory school.~~

14.2.4.2.3.~~5~~**2.3** Skiing Exception. For a maximum of two years, participation in *activities that meet the criteria set forth in* **organized competition per** Bylaw 14.2.4.2.3~~1~~**1.2** shall be excepted in the sport of skiing when such participation is part of competition sanctioned by the United States Skiing Association and its international counterparts.

**14.2.4.2.3 Notification of Organized-Competition Legislation.** Member institutions shall provide to high school, preparatory school, two-year and four-year college prospective student-athletes and their parents or legal guardians information regarding the organized-competition legislation contained in Bylaw 14.2.4.2. The information shall be provided at the earliest practical opportunity after the institution begins recruiting the prospective student-athlete, but not later than the day prior to the prospective student-athlete's signed acceptance of the National Letter of Intent or institution's written offer of admission and/or financial aid. An institution may provide the information in hard-copy or electronic form (e.g., electronic mail, link to Web site). Violations of this bylaw shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.

**14.2.4.2.4 Waiver.** The Committee for Legislative Relief shall have the authority to review and grant waivers of the organized competition legislation.

**Rationale:** Since January 2008, the governance structure has been examining issues related to the organized-competition legislation. There has been significant analysis of whether the frequency and level of competition, rather than compensation, should determine organized competition. Per the proposal, it will no longer be of importance if the individual, his or her teammate(s) or other individuals participating in an event received compensation, including prize money, actual and necessary expenses, etc. An expanded “grace period” would allow individuals ample time to participate in organized competition and make a decision regarding enrollment in college without compromising their opportunity to participate in Division II athletics. Further, a transfer student will not be required to serve an academic year in residence at the certifying institution if he or she transfers after meeting certain academic requirements. By presenting the certifying institution with this academic information, the transfer student would demonstrate the requisite commitment to academics. Requiring institutions to provide individuals with information regarding the organized-competition legislation ensures that individuals are provided with this information early in the recruiting process. Finally, a waiver provision specifies the committee authorized to waive the application of the organized-competition legislation.

**Review History:**

*June 25, 2009:* Reviewed Concept – Legislation Committee

## FINANCIAL AID, PLAYING AND PRACTICE SEASONS AND DIVISION MEMBERSHIP – SAND VOLLEYBALL

**Convention Year:** 2010

**Effective Date:** August 1, 2010

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

**Topical Area:** Financial Aid

**Status:** Submitted to National Office

**Intent:** In sand volleyball, to establish the maximum institutional grant-in-aid equivalency limit, the playing and practice season regulations and the minimum contests and participants requirement for sports sponsorship, as specified.

**A. Bylaws:** Amend 15.5, as follows:

### 15.5 MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT.

[15.5.1 through 15.5.1.9 unchanged.]

#### 15.5.2 Equivalency Sports.

[15.5.2.1 through 15.5.2.1.1.1 unchanged.]

15.5.2.1.2 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 each women's sport, as follows:

Archery	9.0	Rowing	20.0
Badminton	10.0	Rugby	12.0
<b><u>Sand Volleyball</u></b>			<b><u>5.0</u></b>
Basketball	10.0	Skiing	6.3
Bowling	5.0	Soccer	9.9
Cross Country/Track and Field	12.6	Softball	7.2
Equestrian	15.0	Squash	9.0
Fencing	4.5	Swimming and Diving	8.1
Field Hockey	6.3	Synchronized Swimming	5.0
Golf	5.4	Team Handball	12.0

Gymnastics	6.0	Tennis	6.0
Ice Hockey	18.0	Volleyball	8.0
Lacrosse	9.9	Water Polo	8.0

[15.5.2.1.3 through 15.5.2.2.1 unchanged.]

15.5.3 Multisport Participants. A counter who participates in two or more sports shall be counted in one or more sports as specified on the individual's financial aid agreement.

[15.5.3.1 through 15.5.3.2 unchanged.]

**15.5.3.3 Volleyball – Additional Requirements. In volleyball, a counter who participates (e.g. practices, competes) in volleyball and sand volleyball shall be counted toward institutional limits in volleyball.**

[15.5.3.3 renumbered as 15.5.3.4, unchanged.]

[Remainder of 15.5 unchanged.]

**B. Bylaws:** Amend 17, as follows:

17 Playing and Practice Seasons

[17.01 through 17.18.8.2.1 unchanged]

### **17.19 SAND VOLLEYBALL**

**Regulations for computing the sand volleyball playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1 and Figure 17-2.)**

**17.19.1 Length of Playing Season – Championship and Nonchampionship Segments. The length of an institution's playing season for both segments in sand volleyball shall be limited by the dates and regulations set forth in the remainder of this section.**

**17.19.2 First Date of Practice -- Championship Segment. A member institution shall not commence practice sessions in sand volleyball in the championship segment before January 10 or the first day of class, whichever is earlier.**

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

**17.19.4 End Date of Practice and Competition – Championship Segment. A member institution shall conclude all practice and competition (games and scrimmages) in sand volleyball in the championship segment by the last day of final examinations for the regular academic year.**

**17.19.5 First Date of Practice and Competition – Nonchampionship Segment. A member institution shall not commence practice sessions or engage in outside competition in the nonchampionship segment before September 7 or the first day of class, whichever occurs first.**

**17.19.6 End Date of Practice and Competition – Nonchampionship Segment. A member institution shall conclude all practice and competition in the nonchampionship segment no later than November 15.**

**17.19.7 Number of Contests.**

**17.19.7.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition in sand volleyball during the institution's sand volleyball playing season to 16 dates of competition during the segment that ends with a national collegiate championship event, and four dates of competition during the nonchampionship segment, except for those dates of competition excluded under Bylaws 17.19.7.3 and 17.19.7.4 (see Bylaw 20.10.3.5 for minimum contests and participants requirements).**

**17.19.7.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate each academic year in 16 dates of competition in sand volleyball during the segment in which a national collegiate championship is conducted and four dates of competition during another segment (this limitation includes those contests in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution).**

**17.19.7.3 Annual Exemptions. The maximum number of dates of competition shall exclude the following:**

- a) Conference Championship. Competition in one conference championship tournament or playoff;**
- (b) Season-Ending Championship Tournament. Competition in one recognized national intercollegiate championship event in sand volleyball (e.g., National Collegiate Sand Championship). 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 contest with an alumni team of the institution;

(d) Foreign Team in U.S. A date of competition against a foreign team in the United States played in the facility in which the member institution regularly plays its home dates of competition;

(e) Hawaii, Alaska, Puerto Rico. Any contests played in Hawaii, Alaska or Puerto Rico, respectively, either against or under the sponsorship of an active member institution located in Hawaii, Alaska or Puerto Rico by a member institution located outside those locales;

(f) Fundraising Activity. Any activities in which student-athletes from more than one of the institution's athletics teams participate (or in individual sports per Bylaw 17.02.14.2, 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 maximum of two student-athletes from a member institution's team who participate in local celebrity activities in softball conducted for the purpose of raising funds for charitable organizations, provided:

(1) The student-athletes do not miss class as a result of the participation; and

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

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

17.19.7.4 Once-in-Four-Years Exemption – Foreign Tours. An institution may exempt the dates of competition played on a foreign tour, provided the tour occurs only once in a four-year period and is conducted in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.32).



**17.19.8 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff shall not engage in countable athletically related activities outside the championship segment except for the following:**

- (a) Conditioning, Weight-Training and Skill Instruction. Student-athletes may participate in conditioning, weight-training and skill instruction in accordance with Bylaw 17.1.6.2; and**
- (b) Nonchampionship Segment Activities. During the segment in which a national collegiate championship does not occur, student-athletes may participate in any practice or competition activity as permitted by other legislation provided such activity is restricted to a maximum of 24 days that occur within a period of 45 consecutive calendar days, omitting vacation and examination days officially announced or on days that the institution is closed due to inclement weather, as long as no practice or competition occurs on such days. The 45 consecutive calendar days must be within the dates set forth in Bylaws 17.19.5 and 17.19.6.**

**17.19.8.1 Summer Practice. Practice that is organized or financially supported by a member institution shall be prohibited during the summer unless specifically authorized in the bylaws (e.g., foreign tour) or through official interpretations approved by the Management Council. An institution may pay fees associated with the use of institutional practice and competition facilities by student-athletes engaged in voluntary athletically related activities in his or her sport.**

**17.19.9 Camps and Clinics. There are no limits on the number of student-athletes in 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.**

**17.19.10 Other Restrictions.**

**17.19.10.1 Noncollegiate, Amateur Competition.**

**17.19.10.1.1 In Season. A student-athlete shall be denied eligibility for intercollegiate sand volleyball competition for the remainder of the season if, after enrollment in college and during any year in which the student-athlete is a member of an intercollegiate sand volleyball squad or team, she competes or has competed as a member of any outside sand volleyball team in any noncollegiate, amateur competition (e.g., tournament play, exhibition games or other activity) during the institution's intercollegiate sand volleyball season (see Bylaw 14.7.5 for exceptions and waivers).**

**17.19.10.1.2 Out of Season. There are no limits to the number of student-athletes with eligibility remaining in intercollegiate sand volleyball who may practice or compete out of season on an outside, amateur sand volleyball team.**

**17.19.10.1.2.1 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) 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 sand volleyball team except as provided under Bylaws 14.7.5, 16.8.1.3.1 and 17.32.**

**17.19.10.1.2.2 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.**

**17.19.10.2 Equipment Issue, Squad Pictures. It shall be permissible to designate a single date for issuing sand volleyball equipment and for taking squad pictures after the beginning of classes in the fall term or the day before the beginning of a segment as specified in Bylaw 17.19.2.**

**17.19.10.2.1 Exception for Sundays. If the day before the beginning of a segment is a Sunday, the member institution may designate the preceding Saturday for issuing equipment and taking squad pictures.**

[17.17 through 17.33 renumbered as 17.20 through 17.34, unchanged.]

**C. Bylaws:** Amend 20.10.3.5, as follows:

20.10.3.5 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-contest requirement. The following minimums are applicable:

Team Sports	Minimum Contests	Individual Sports	Minimum Contests	Minimum Participants
Baseball	24	Women's Archery	5	5
Basketball	22	Women's Badminton	8	6

Field Hockey	10	Women's Bowling	8	5
Football	8	Cross Country	5	5
Men's Ice Hockey	20	Equestrian	6	12
Women's Ice Hockey	20	Men's Fencing	6	5
Lacrosse	8	Women's Fencing	6	5
Women's Rowing	6	Golf	6	5
Women's Rugby	9	Men's Gymnastics	6	6
<b><u>Sand Volleyball</u></b>	<b><u>8</u></b>	Women's Gymnastics	6	5
Soccer	10	Rifle	8	4
Softball	24	Women's Gymnastics	6	5
Women's Synchronized Swimming	8	Skiing	5	5
Women's Team Handball	10	Women's Squash	8	9
Volleyball	9	Swimming and Diving	8	11
Men's Water Polo	15	Tennis	10	5
Women's Water Polo	10	Track and Field, Indoor	4	10
		Track and Field, Outdoor	4	14
		Wrestling		

(Note: The minimum-contest requirements set forth in Bylaws 20.10.3.5.1 through 20.10.3.5.8 apply only to the provisions of this section and do not apply to minimum-contest requirements in Bylaws 14 and 17.)

[20.10.3.5.1 through 20.10.3.5.8 unchanged.]

**20.10.3.5.9 Sand Volleyball. A member institution shall meet minimum sports sponsorship in sand volleyball by applying the following:**

- (a) No less than three of the eight contests shall be dual, one-day competitions where all five, two-person teams compete (e.g., institution versus institution on a single day on which no other competition occurs);**
- (b) The remaining number of contests shall be achieved by satisfying Bylaw 20.10.3.5.9-(a) or multi-opponent competitions. For a tournament to qualify for sport sponsorship purposes, all five, two-person teams must be in competition with all other participating institutions and one institution shall be crowned**

**champion of the tournament based on the performance of its five, two-person teams;**

**(c) All other competition formats will constitute the use of a date of competition but not count towards the minimum sports sponsorship requirement; and**

**(d) Contests against a collegiate institution's club team may not be counted toward meeting the minimum-contest requirements, except for the following:**

**(1) During each intercollegiate season, one contest against a collegiate institution's club team may be used in meeting the minimum-contest requirements provided the contest is a dual, one-day competition in which all five two-person teams compete.**

[20.10.3.5.9 through 20.10.3.5.9.2 renumbered as 20.10.3.5.10 through 20.10.3.5.10.2, unchanged.]

**Rationale:** At the 2009 Convention, the Division II membership adopted a proposal to include sand volleyball on the list of emerging sports for women. Establishing a maximum equivalency of five for institutions that sponsor sand volleyball will provide institutions the opportunity to offer athletics aid to student-athletes consistent with the Division II Strategic Positioning Platform. It is anticipated that during the initial years of sponsorship sand volleyball student-athletes would also participate in volleyball at institutions that sponsor both sports. Creating what is referred to as the “hierarchy model”, which causes a multi-sport student-athlete who participates in sand volleyball and volleyball to count against the volleyball equivalency, precludes institutions from gaining a competitive advantage in volleyball by offering sand volleyball financial aid to student-athletes who were recruited to play volleyball. The proposed playing and practice season legislation mirrors that of the other Division II sports. Establishing eight as the minimum number of contests and 10 as the minimum number of participants necessary for the contest to count toward sports sponsorship for membership will provide reasonable minimal competitive opportunities. Finally, including additional parameters associated with the different forms of competition (e.g., dual competitions, tournaments) for meeting minimum-contest requirements provides institutions an opportunity to legitimately sponsor the sport and student-athletes being provided a true intercollegiate sport experience.

**Review History:**

*June 25, 2009:* Reviewed Concept – Legislation Committee

## FINANCIAL AID, PLAYING AND PRACTICE SEASONS AND DIVISION MEMBERSHIP – SAND VOLLEYBALL

**Convention Year:** 2010

**Effective Date:** August 1, 2010

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

**Topical Area:** Financial Aid

**Status:** Submitted to National Office

**Intent:** In sand volleyball, to establish the maximum institutional grant-in-aid equivalency limit, the playing and practice season regulations and the minimum contests and participants requirement for sports sponsorship, as specified.

**A. Bylaws:** Amend 15.5, as follows:

### 15.5 MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT.

[15.5.1 through 15.5.1.9 unchanged.]

#### 15.5.2 Equivalency Sports.

[15.5.2.1 through 15.5.2.1.1 unchanged.]

15.5.2.1.2 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 each women's sport, as follows:

Archery	9.0	Rowing	20.0
Badminton	10.0	Rugby	12.0
<p style="text-align: center;"><b><u>Sand Volleyball (see Bylaw 15.5.2.1.5 for institutions that sponsor sand volleyball but not volleyball)</u></b></p>			
Basketball	10.0	Skiing	6.3
Bowling	5.0	Soccer	9.9
Cross Country/Track and Field	12.6	Softball	7.2
Equestrian	15.0	Squash	9.0

Fencing	4.5	Swimming and Diving	8.1
Field Hockey	6.3	Synchronized Swimming	5.0
Golf	5.4	Team Handball	12.0
Gymnastics	6.0	Tennis	6.0
		Volleyball ( <u>see Bylaw 15.5.2.1.5</u>	
		<u>for institutions that sponsor</u>	<u>10.0</u>
		<u>volleyball and sand</u>	<u>8.0</u>
		<u>volleyball)</u>	
Ice Hockey	18.0		
Lacrosse	9.9	Water Polo	8.0

[15.5.2.1.3 through 15.5.2.1.4 unchanged.]

**15.5.2.1.5 Maximum Equivalency Limits – Volleyball and Sand Volleyball.**  
**There shall be a limit of five 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 sand volleyball if the institution does not sponsor volleyball. There shall be a limit of two 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 sand volleyball, if the institution also sponsors volleyball. That value shall increase to three in 2012 and four in 2015. (Note: The total equivalency value for institutions that sponsor sand volleyball and volleyball shall be 11 in 2012 and 12 in 2015.)**

[Remainder of 15.5.2 unchanged.]

**B. Bylaws:** Amend 17, as follows:

17 Playing and Practice Seasons

[17.01 through 17.18.8.2.1 unchanged]

### **17.19 SAND VOLLEYBALL**

**Regulations for computing the sand volleyball playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1 and Figure 17-2.)**

**17.19.1 Length of Playing Season – Championship and Nonchampionship Segments. The length of an institution’s playing season for both segments in sand volleyball shall be limited by the dates and regulations set forth in the remainder of this section.**

**17.19.2 First Date of Practice -- Championship Segment. A member institution shall not commence practice sessions in sand volleyball in the championship segment before January 10 or the first day of class, whichever is earlier.**

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

**17.19.4 End Date of Practice and Competition – Championship Segment. A member institution shall conclude all practice and competition (games and scrimmages) in sand volleyball in the championship segment by the last day of final examinations for the regular academic year.**

**17.19.5 First Date of Practice and Competition – Nonchampionship Segment. A member institution shall not commence practice sessions or engage in outside competition in the nonchampionship segment before September 7 or the first day of class, whichever occurs first.**

**17.19.6 End Date of Practice and Competition – Nonchampionship Segment. A member institution shall conclude all practice and competition in the nonchampionship segment no later than November 15.**

**17.19.7 Number of Contests.**

**17.19.7.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition in sand volleyball during the institution's sand volleyball playing season to 16 dates of competition during the segment that ends with a national collegiate championship event, and four dates of competition during the nonchampionship segment, except for those dates of competition excluded under Bylaws 17.19.7.3 and 17.19.7.4 (see Bylaw 20.10.3.5 for minimum contests and participants requirements).**

**17.19.7.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate each academic year in 16 dates of competition in sand volleyball during the segment in which a national collegiate championship is conducted and four dates of competition during another segment (this limitation includes those contests in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution).**

**17.19.7.3 Annual Exemptions. The maximum number of dates of competition shall exclude the following:**

- (a) Conference Championship. Competition in one conference championship tournament or playoff;**
- (b) Season-Ending Championship Tournament. Competition in one recognized national intercollegiate championship event in sand volleyball (e.g., National Collegiate Sand Championship). 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 contest with an alumni team of the institution;**
- (d) Foreign Team in U.S. A date of competition against a foreign team in the United States played in the facility in which the member institution regularly plays its home dates of competition;**
- (e) Hawaii, Alaska, Puerto Rico. Any contests played in Hawaii, Alaska or Puerto Rico, respectively, either against or under the sponsorship of an active member institution located in Hawaii, Alaska or Puerto Rico by a member institution located outside those locales;**
- (f) Fundraising Activity. Any activities in which student-athletes from more than one of the institution's athletics teams participate (or in individual sports per Bylaw 17.02.14.2, 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 maximum of two student-athletes from a member institution's team who participate in local celebrity activities in softball conducted for the purpose of raising funds for charitable organizations, provided:**
  - (1) The student-athletes do not miss class as a result of the participation; and**
  - (2) The involvement of the student-athletes has the approval of the institution's athletics director; and**



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

**17.19.7.4 Once-in-Four-Years Exemption – Foreign Tours. An institution may exempt the dates of competition played on a foreign tour, provided the tour occurs only once in a four-year period and is conducted in accordance with the procedures set forth in Bylaw 30.7 (see Bylaw 17.32).**

**17.19.8 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff shall not engage in countable athletically related activities outside the championship segment except for the following:**

**(a) Conditioning, Weight-Training and Skill Instruction. Student-athletes may participate in conditioning, weight-training and skill instruction in accordance with Bylaw 17.1.6.2; and**

**(b) Nonchampionship Segment Activities. During the segment in which a national collegiate championship does not occur, student-athletes may participate in any practice or competition activity as permitted by other legislation provided such activity is restricted to a maximum of 24 days that occur within a period of 45 consecutive calendar days, omitting vacation and examination days officially announced or on days that the institution is closed due to inclement weather, as long as no practice or competition occurs on such days. The 45 consecutive calendar days must be within the dates set forth in Bylaws 17.19.5 and 17.19.6.**

**17.19.8.1 Summer Practice. Practice that is organized or financially supported by a member institution shall be prohibited during the summer unless specifically authorized in the bylaws (e.g., foreign tour) or through official interpretations approved by the Management Council. An institution may pay fees associated with the use of institutional practice and competition facilities by student-athletes engaged in voluntary athletically related activities in his or her sport.**

**17.19.9 Camps and Clinics. There are no limits on the number of student-athletes in 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.**

**17.19.10 Other Restrictions.**

**17.19.10.1 Noncollegiate, Amateur Competition.**

**17.19.10.1.1 In Season.** A student-athlete shall be denied eligibility for intercollegiate sand volleyball competition for the remainder of the season if, after enrollment in college and during any year in which the student-athlete is a member of an intercollegiate sand volleyball squad or team, she competes or has competed as a member of any outside sand volleyball team in any noncollegiate, amateur competition (e.g., tournament play, exhibition games or other activity) during the institution's intercollegiate sand volleyball season (see Bylaw 14.7.5 for exceptions and waivers).

**17.19.10.1.2 Out of Season.** There are no limits to the number of student-athletes with eligibility remaining in intercollegiate sand volleyball who may practice or compete out of season on an outside, amateur sand volleyball team.

**17.19.10.1.2.1 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) 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 sand volleyball team except as provided under Bylaws 14.7.5, 16.8.1.3.1 and 17.32.

**17.19.10.1.2.2 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.

**17.19.10.2 Equipment Issue, Squad Pictures.** It shall be permissible to designate a single date for issuing sand volleyball equipment and for taking squad pictures after the beginning of classes in the fall term or the day before the beginning of a segment as specified in Bylaw 17.19.2.

**17.19.10.2.1 Exception for Sundays.** If the day before the beginning of a segment is a Sunday, the member institution may designate the preceding Saturday for issuing equipment and taking squad pictures.

[17.19 through 17.33 renumbered as 17.20 through 17.34, unchanged.]

C. **Bylaws:** Amend 20.10.3.5, as follows:

20.10.3.5 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-contest requirement. The following minimums are applicable:

Team Sports	Minimum Contests	Individual Sports	Minimum Contests	Minimum Participants
Baseball	24	Women's Archery	5	5
Basketball	22	Women's Badminton	8	6
Field Hockey	10	Women's Bowling	8	5
Football	8	Cross Country	5	5
Men's Ice Hockey	20	Equestrian	6	12
Women's Ice Hockey	20	Men's Fencing	6	5
Lacrosse	8	Women's Fencing	6	5
Women's Rowing	6	Golf	6	5
Women's Rugby	9	Men's Gymnastics	6	6
<b><u>Sand Volleyball</u></b>	<b><u>8</u></b>	Women's Gymnastics	6	5
Soccer	10	Rifle	8	4
Softball	24	Women's Gymnastics	6	5
Women's Synchronized Swimming	8	Skiing	5	5
Women's Team Handball	10	Women's Squash	8	9
Volleyball	9	Swimming and Diving	8	11
Men's Water Polo	15	Tennis	10	5
Women's Water Polo	10	Track and Field, Indoor	4	10
		Track and Field, Outdoor	4	14
		Wrestling		

(Note: The minimum-contest requirements set forth in Bylaws 20.10.3.5.1 through 20.10.3.5.8 apply only to the provisions of this section and do not apply to minimum-contest requirements in Bylaws 14 and 17.)

[20.10.3.5.1 through 20.10.3.5.8 unchanged.]

**20.10.3.5.9 Sand Volleyball. A member institution shall meet minimum sports sponsorship in sand volleyball by applying the following:**

- (a) No less than three of the eight contests shall be dual, one-day competitions where all five, two-person teams compete (e.g., institution versus institution on a single day on which no other competition occurs);**
- (b) The remaining number of contests shall be achieved by satisfying Bylaw 20.10.3.5.9-(a) or multi-opponent competitions. For a tournament to qualify for sport sponsorship purposes, all five, two-person teams must be in competition with all other participating institutions and one institution shall be crowned champion of the tournament based on the performance of its five, two-person teams;**
- (c) All other competition formats will constitute the use of a date of competition but not count towards the minimum sports sponsorship requirement; and**
- (d) Contests against a collegiate institution's club team may not be counted toward meeting the minimum-contest requirements, except for the following:**
  - (1) During each intercollegiate season, one contest against a collegiate institution's club team may be used in meeting the minimum-contest requirements provided the contest is a dual, one-day competition in which all five two-person teams compete.**

[20.10.3.5.9 through 20.10.3.5.9.2 renumbered as 20.10.3.5.10 through 20.10.3.5.10.2, unchanged.]

**Rationale:** At the 2009 Convention, the Division II membership adopted a proposal to include sand volleyball on the list of emerging sports for women. By establishing a maximum equivalency of five for institutions that sponsor sand volleyball and no volleyball, institutions will have the ability to offer athletics aid to student-athletes consistent with the Division II Strategic Positioning Platform. It is anticipated that during the initial years of sponsorship sand volleyball student-athletes would also participate in volleyball at institutions that sponsor both sports. Adding two equivalencies provides institutions the opportunity to offer athletics aid to student-athletes who participate in sand volleyball. In addition, staggering an increase in equivalencies over a five-year period allows for institutions that sponsor the sport to plan for future budget cycles while considering competitive equity. It is appropriate to have the playing and practice season legislation mirror that of the other Division II sports. It is also appropriate to establish eight as the minimum number of contests and 10 as the minimum number of participants necessary for the contest to count toward sports sponsorship to provide for ample competitive opportunities. Finally, including additional parameters associated with the

different forms of competition (e.g., dual competitions, tournaments) for meeting minimum-contest requirements provides institutions an opportunity to legitimately sponsor the sport and student-athletes being provided a true intercollegiate sport experience.

**Review History:**

*June 25, 2009:* Reviewed Concept – Legislation Committee

**NCAA Bylaw 14.2.5.2.2 – Eligibility – Hardship Waiver – Medical Documentation****Issue:**

Whether or not the NCAA Division II Legislation Committee should issue an interpretation to clarify the application of NCAA Bylaw 14.2.5.2.2 (medical documentation) regarding what type of documentation satisfies the legislative requirement of appropriate contemporaneous-medical documentation.

**Analysis:**

Under current Division II legislation, an institution must submit contemporaneous-medical documentation with any hardship waiver request. The legislation does not specify the qualifications the individual who provides the medical documentation should hold, which makes the application of the legislation inconsistent in Division II because each conference office may determine if the medical documentation meets the standards.

The NCAA Division II Committee on Student-Athlete Reinstatement asked the NCAA Division II Management Council to issue an official interpretation determining that the medical documentation required to grant a hardship waiver must come from a physician (a medical doctor) who administered care at the time of the injury or illness and that documentation from an individual other than a physician (e.g., chiropractor, physical therapist) only may be used to support the physician's documentation. The Management Council had additional questions about case precedent and what the definition of a medical doctor included, and therefore referred the issue to the Legislation Committee.

In 2004, a staff determination was published in all three divisions stating that a conference office should be comfortable with the medical documentation that is presented by an institution with the hardship waiver, as the legislation is meant to provide guidelines for the administration of the hardship waiver. The medical-documentation legislation in Divisions I and III specifies that the medical documentation shall come from a physician (a medical doctor), and Division III legislation further clarifies that chiropractic records do not constitute medical documentation for the administration of hardship waiver requests.

Should the Legislation Committee issue an official interpretation to clarify the application of the medical documentation legislation?

**Conclusions:**

1. The Legislation Committee **recommends** issuing an official interpretation to clarify the application of the medical-documentation legislation to specify that the contemporaneous-medical documentation must be provided by a medical doctor.

2. The Legislation Committee **does not recommend** action regarding the medical-documentation legislation.

### **Associated References:**

#### **Division II Bylaws**

**Bylaw 14.2.5.2.2 Medical Documentation.** Contemporaneous medical documentation shall be submitted with any hardship-waiver request. For circumstances involving psychological or mental illnesses, the required contemporaneous or other appropriate medical documentation may be provided by an individual who is qualified and licensed to diagnose and treat the particular illness (e.g., psychologist).

#### **Division II Interpretations**

### **Medical Documentation for Medical Hardship Waiver**

Date Issued: August 4, 2004

Date Published: August 4, 2004

Item Ref: 2

#### **Interpretation:**

A conference office inquired whether or not medical documentation authored by a medical internist (i.e., doctor of internal medicine) is sufficient for supporting an injury related to a medical hardship case under review. The membership services staff agreed that Division I Bylaw 14.2.4.3.2 (medical documentation), NCAA Division II Bylaw 14.2.5.2.2 (medical documentation) and NCAA Division III Bylaw 14.2.5.2.2 (medical documentation) are guidelines for conferences and member institutions to use in reviewing medical documentation of student-athletes for medical hardship purposes, and that the conference office ultimately must be comfortable with the student-athlete's contemporaneous medical documentation to substantiate a medical hardship waiver.

#### **Division I Bylaw**

**Bylaw 14.2.4.3.3 Medical Documentation.** Contemporaneous or other appropriate medical documentation, from a physician (a medical doctor) who administered care at the time of the injury or illness, that establishes the student-athlete's inability to compete as a result of that injury or illness shall be submitted with any hardship-waiver request.

**Division I Interpretation**

**Medical Documentation for Hardship Waiver (I)**

Date Issued: November 15, 2000

Date Published: November 15, 2000

Item Ref: 1

**Interpretation:**

The subcommittee confirmed that the medical documentation required to grant a hardship waiver must come from a physician (i.e., a medical doctor) who administered care at the time of the injury or illness. It noted that documentation from an individual other than a physician (e.g., chiropractor, physical therapist) only may be used to support the physician's documentation. [Reference: NCAA Bylaw 14.2.4.3.2 (medical documentation)]

**Division III Bylaw**

**Bylaw 14.2.5.2.2 Medical Documentation.** Contemporaneous or other appropriate medical documentation from a physician (i.e., a medical doctor) that establishes the student-athlete's inability to compete for the remainder of the traditional playing season as a result of that injury or illness shall be submitted with any hardship-waiver request. Chiropractic records do not constitute medical documentation for purposes of administering a hardship-waiver request. In cases involving a psychological or mental illness, such documentation may be provided by an individual who is qualified and licensed to diagnose and treat the particular illness (e.g., psychiatrist, psychologist).



**NCAA Bylaw 13.12.1.5.1 – Recruiting – Sports Camps and Clinics – Employment of Prospective Student-Athlete**

**Issue:**

Whether or not the NCAA Division II Legislation Committee should recommend sponsorship of legislation for the 2010 NCAA Convention to amend NCAA Bylaw 13.12.1.5.1 (prospective student-athlete).

**Legislative History:**

At the 1973 Convention, the membership adopted NCAA Division II Proposal No. 52 which established the current prohibition against institutions, members of its staff or representatives of its athletic interests employing prospective student-athletes at a camp or clinic.

In its original form, the legislation was written to preclude only high school or junior college athletic award winners from employment at an institution's specialized sports camps, coaching school and clinics. At the 1989 Convention, the legislation was revised to include all individuals who have started classes for the ninth grade (rather than only athletics awards winners).

Since the beginning, the intent of the legislation was to prevent institutions from gaining a recruiting advantage.

In 2003, the Division II membership defeated Proposal Nos. 2003-30 and 2003-30-1. The membership-sponsored proposals attempted to allow men's and women's basketball prospective student-athletes who had signed a National Letter of Intent to be employed for a maximum of 10 days at an institution's camp or clinic during the summer prior to enrollment. The proposals sought to assist with a prospective student-athlete's acclimation to the institution without class or practice having begun.

**Analysis:**

Under current Division II legislation, an institution, members of its staff or a representative of its athletics interests are not permitted to employ any individual who has started classes for the ninth grade in an institutional sports camp or clinic.

The Division II legislation is consistent with Divisions I and III legislation pertaining to the employment of prospective student-athletes and an institution's sports camp or clinic. The Division I legislation applies only to athletics award winners and includes any individuals who are being recruited by the institution.

Since 1973 when the legislation was first adopted there have been only a few revisions.

**Conclusions:**

1. The Legislation Committee **recommends** that the NCAA Division II Management Council sponsor legislation for the 2010 Convention to amend Bylaw 13.12.1.5.1, effective August 1, 2010.
2. The Legislation Committee **does not recommend** that the Management Council sponsor legislation for the 2010 Convention to amend Bylaw 13.12.1.5.1.

**Associated References:**

**Division II Bylaws**

**Bylaw 13.12.1.5.1 Prospective Student-Athlete.** In operating a sports camp or clinic, an institution, members of its staff or a representative of its athletics interests shall not employ or give free or reduced admission privileges to any individual who has started classes for the ninth grade.

**Division II Interpretations**

**Four-Year College Transfer Employed at Institution's Summer Camp**

Date Issued: June 4, 1997

Date Published: June 4, 1997

Item Ref: a

**Interpretation:**

Four-Year College Transfer Employed at Institution's Summer Camp: The membership services staff confirmed that a four-year college student who has received written permission per Bylaw 13.1.1.3 to discuss transferring with another NCAA institution is considered a senior prospect pursuant to NCAA recruiting regulations. Thus, in sports other than football, he or she may not be employed at any Division I institution's summer camp (either on a salaried or volunteer basis) if he or she is being recruited by that institution or if he or she was a high-school, preparatory-school or two-year college athletics award winner. Further, such a prospect may not be employed (either on a salaried or volunteer basis) at any Division II or III institutional camp or at a Division I football camp. [Note: This minute replaces staff minute 05/07/93, item b, which has been archived.] [References: 13.1.1.3 (four-year prospect), 13.13.1.5.1 (employment of prospect), 13.13.1.5.2 (employment of prospect -- Divisions II and III), 13.13.1.2.1 (exception -- Division I football) and 13.13.1.2.1.1 (senior prospect)]

### **Employment of Prospect at Summer Camps**

Date Issued: June 4, 1997  
Date Published: June 4, 1997  
Item Ref: b

#### **Interpretation:**

Employment of Prospect at Summer Camps: The legislative services staff confirmed that, in Division I, a prospective student-athlete who was a high-school, preparatory-school or two-year college award winner or who is being recruited by that institution may not be employed (either on a salaried or volunteer basis) at that institution's sports camp/clinic. Further, in Divisions II and III, an individual who has started classes for the ninth grade may not be employed (either on a salaried or volunteer basis) at that institution's sports camp/clinic. [Note: This minute replaces staff minute 06/09/89, item c, which has been archived.] [References: 13.13.1.5.1 (employment of prospect -- Division I); 13.13.1.5.2 (employment of prospect -- Divisions II and III); 13.02.10 (prospective student-athlete); and Official interpretation, 05/19/88, item 1]

### **Employment of Prospect in Developmental Clinic**

Date Issued: August 22, 1990  
Date Published: August 22, 1990  
Item Ref: 1

#### **Interpretation:**

##### **Camps/clinics**

1. Prospective student-athletes employed at an institution's developmental clinic. Reviewed the provisions of Bylaws 13.12.3.1, 13.13.1.2 and 13.13.1.5, and determined that a senior prospective student-athlete, or a high school, preparatory school or two-year college athletics award winner (or, in Division II or III, any individual who has started classes for the ninth grade) may not be employed in a member institution's developmental clinic; recommended that the Legislative Review Committee incorporate this interpretation in the NCAA Manual.

### **Prospective student-athlete as volunteer worker at member institution's camp**

Date Issued: June 9, 1989  
Date Published: June 9, 1989  
Item Ref: c

#### **Interpretation:**

Reviewed Bylaw 13.12.1.3 (definition of senior prospect) and Bylaw 13.12.1.6.1 (no employment for prospect) in regard to a senior prospective student-athlete who wishes to serve as a volunteer worker at a member institution's camp, noting that the prospect is willing to pay

the cost of attending the camp in order to work as a volunteer; confirmed that such an arrangement is precluded, inasmuch as the intent of Bylaw 13.12.1.6.1 is to preclude a high school athletics award winner from serving in any work-related capacity at a member institution's summer camp.

**Legislative Proposals**

**RECRUITING -- CAMP OR CLINIC -- EMPLOYMENT OF PROSPECTIVE STUDENT-ATHLETE**

Convention Year: 2003

Date Submitted: July 11, 2002

Effective Date: August 1, 2003

IPOPL Number: 3

SPOPL Number: 9

Official Notice Number: 2003-30

Source: Great Lakes Valley Conference and Northeast-10 Conference.

Proposal Category: Membership Proposal

Topical Area: Recruiting

Status: Defeated

**Intent:**

To permit a prospective student-athlete, who has signed a National Letter of Intent (NLI) to be employed at that institution's summer camp or clinic for up to a total of 10 camp days.

**Bylaws:** Amend 13.13.1.5.1 by adding new 13.13.1.5.1.1, as follows:

**"13.13.1.5.1.1 Exception. A prospective student-athlete may be employed for a maximum of 10 camp days at the camp or clinic of the institution with which he or she has signed a National Letter of Intent (NLI)."**

**Rationale:**

Many Division II coaches feel the adoption to this proposal would allow prospective student-athletes who have signed a National Letter of Intent (NLI) an opportunity to acclimate themselves to the college campus environment without having the pressures of school and practice. Financially, the cost of permitting an institution to employ a prospective student-athlete who has signed a NLI in a summer camp or clinic would be minimal since compensation and other expenses would be taken out of camp revenues. Limiting the number of days a prospective student-athlete may be employed at an institution's summer camp or clinic to 10 would prevent abuse of this legislation.

Position Statement(s):

*Presidents Council, Management Council and Legislation Committee:* The Councils oppose this proposal. The Legislation Committee takes no position on this proposal.

Convention Vote:

*Date of Vote:* January 13, 2003

*Vote Type:* Paddle Vote

**RECRUITING -- CAMP OR CLINIC -- EMPLOYMENT OF PROSPECTIVE STUDENT-ATHLETE**

Convention Year: 2003

Date Submitted: November 1, 2002

Effective Date: August 1, 2003

IPOPL Number: na

SPOPL Number: na

Official Notice Number: 2003-30-1

Source: Great Lakes Valley Conference and Northeast-10 Conference.

Proposal Category: Amendment-to-Amendment

Topical Area: Recruiting

Status: Defeated

**Intent:**

To specify that Proposal No. 30 applies only to basketball student-athletes.

**Bylaws:** Amend Proposal No. 30, 13.13.1.5.1.1, as follows:

"13.13.1.5.1.1 Exception -- **Basketball**. **In basketball**, A **a** prospective student-athlete may be employed for a maximum of 10 camp days at the camp or clinic of the institution with which he or she has signed a National Letter of Intent (NLI)."

**Rationale:**

Proposal No. 30 should be applicable to only prospective student-athletes in basketball. Such an amendment better reflects the intent of the original proposal, which was sponsored in response to a request from the Women's Basketball Coaches Association (WBCA). Further, in reviewing the sports sponsorship statistics for Division II, it appears basketball is sponsored by more Division II institutions than any other sport. The sponsors would argue that Division II schools are more likely to sponsor summer basketball camps than camps in other NCAA sports.

Convention Vote:

*Date of Vote:* January 13, 2003

*Vote Type:* Paddle Vote



*I chose*  
Division II

Division II Strategic Plan  
January 2009 through January 2012

Endorsed by: NCAA Division II Management Council, NCAA Division II Presidents Council



### ***POSITIONING STATEMENT***

**Life in the Balance.** Higher education has lasting importance on an individual's future success. For this reason, the emphasis for the student-athlete experience in Division II is a comprehensive program of learning and development in a personal setting. The Division II approach provides growth opportunities through academic achievement, learning in high-level athletic competition and development of positive societal attitudes in service to community. The balance and integration of these different areas of learning opportunity provide Division II student-athletes a path to graduation while cultivating a variety of skills and knowledge for life ahead.

#### ***Attributes Highlighted in a NCAA Division II Student-Athlete Experience:***

**Learning:** multiple opportunities to broaden knowledge and skills

**Service:** positive societal attitude through contributions to community

**Passion:** enthusiastic dedication and desire in effort

**Sportsmanship:** respect for fairness, courtesy; ethical conduct toward others

**Resourcefulness:** versatile skill set drawn from broad range of experiences

**Balance:** emphasis on collective knowledge; integration of skills

#### ***Reasons to Believe in NCAA Division II:***

- Academic Success and Graduation Rates
- Athletics Scholarships/Unique Fiscal Model
- Championships Opportunities
- Community Partnerships
- Proud Alumni and Fans
- Innovative Solutions
- High-Level Athletics



**Goal One: Academics and Life Skills**

**Provide Division II student-athletes a path to graduation while cultivating skills and knowledge for life ahead; learning in high-level athletics competition; and developing positive societal attitudes through service to community.**

Goal One stresses the importance of promoting and honoring student-athlete success, protecting student-athlete well-being, developing positive societal attitudes through contributions to community, providing opportunities for student-athletes to have an active role in the governance process, and fostering partnerships to enhance the success of both student-athletes and the student body.

**Goal Two: Athletics Operations and Compliance**

**Commit to institutional control by establishing a system for operations and compliance that is engaged and functioning.**

Goal Two emphasizes presidential commitment and involvement, leadership and professional development opportunities for athletics personnel, coaches and faculty and commits conferences and institutions to effective, engaging and functioning compliance programs.

**Goal Three: Game Day and Conference and National Championships**

**Provide fair and equitable competition and a quality, positive and rewarding game day and conference and national championship experiences.**

Goal Three emphasizes the need to promote and enhance a quality student-athlete experience in Division II athletics competition and conference and national championships and to ensure game environments are competitive, safe, positive, respectful and entertaining.

**Goal Four: Membership and Positioning Initiatives**

**Utilize the uniqueness of the Division II model to establish Division II as a membership destination and to ensure long-lasting stability.**

Goal Four supports a commitment to fiscal responsibility and to the allocation of athletics funds and resources consistent with the identity of Division II. Additionally, Goal Four emphasizes the importance of attracting and retaining members that support the strategic position and philosophy of Division II intercollegiate athletics; promoting the Division II identity through collaborative partnerships and relationships; and strengthening the public's knowledge and appreciation for Division II.

**Goal Five: Diversity and Inclusion**

**Promote diversity and foster an environment of inclusion.**

Goal Five supports the importance, value, benefits and role of diversity and inclusion in higher education and intercollegiate athletics.

**Goal One: Academics and Life Skills**

**Provide Division II student-athletes a path to graduation while cultivating skills and knowledge for life ahead; learning in high-level athletics competition; and developing positive societal attitudes through service to community.**

- Priority 1.1: Promote and honor academic measures of success and retention, including graduation rates  
*Oversight: Division II Academic Requirements Committee*
- Priority 1.2: Analyze and assess research to establish requirements that impact and advance the academic success of student-athletes.  
*Oversight: Division II Academic Requirements Committee*
- Priority 1.3: Provide leadership, development and service opportunities for student-athletes  
*Oversight: NCAA Educational Affairs staff, Division II Student-Athlete Advisory Committee*
- Priority 1.4: Promote and honor student-athlete service, achievement and success through various Division II platforms (e.g., championships, convention)  
*Oversight: NCAA Honors Committee, Division II Faculty Athletics Representatives, Division II Academic Requirements Committee, Division II Championships Committee*
- Priority 1.5: Enhance student-athlete communications and voice in the governance process at the local, conference and national levels  
*Oversight: Division II Student-Athlete Advisory Committee*
- Priority 1.6: Protect the health, safety and well-being of student-athletes  
*Oversight: NCAA Educational Affairs staff, NCAA Committee on Competitive Safeguards and Medical Aspects of Sport, Division II Student-Athlete Advisory Committee, Division II Committee for Legislative Relief*
- Priority 1.7: Enhance the partnerships and the integration among the conference and campus community to support and foster the success of student-athletes and the student body.  
*Oversight: Campus and Conferences SAACs, Division II Faculty Athletics Representatives, Division II Directors of Athletics, Division II Student-Athlete Advisory Committee*

Primary Standards and/or Metrics of Measure for Goal One

- Academic Success Rate
- Federal Graduation Rate
- Academic Performance Census
- GOALS survey data
- SCORE survey data

**Goal Two: Athletics Operations and Compliance**

**Commit to institutional control by establishing a system for operations and compliance that is engaged and functioning**

- Priority 2.1: Continue to enhance and support presidential commitment and involvement in the affairs of athletics at the local, conference and national levels  
*Oversight: Division II Presidents Council, Division II Committee on Infractions*
- Priority 2.2: Provide leadership and development opportunities for athletics administrators, coaches and faculty  
*Oversight: Division II Diversity Project Team, Division II Nominating Committee, Division II Management Council*
- Priority 2.3: Involve, enhance and recognize the role of athletics administrators, coaches and faculty in the governance process at the local, conference and national levels  
*Oversight: Division II Conferences, Division II Nominating Committee, Division II Management Council, Division II Faculty Athletics Representatives*
- Priority 2.4: Develop the role of Division II conference offices as leaders and advocates for rules compliance and academic achievement  
*Oversight: Division II Conference Commissioners Association, Division II Conference Office Compliance Administrators*
- Priority 2.5: Develop, enhance and increase educational materials, resources (e.g., technology), tools and services that support and maintain an effective compliance system  
*Oversight: Division II Committee for Legislative Relief, Division II Legislation Committee, Division II Student-Athlete Reinstatement Committee*

Primary Standards and/or Metrics of Measure for Goal Two

- Number of Division II schools using the NCAA compliance assistant for internet (CAi) or other compliance software
- Secondary infractions reporting by Division II institutions
- Number of national and conference office conducted compliance reviews
- Attendance by presidents/chancellors at annual NCAA conventions

**Goal Three: Game Day and Conference and National Championships**

**Provide fair and equitable competition and a quality, positive and rewarding game day and conference and national championship experiences**

- Priority 3.1: Provide game environments and atmospheres that are competitive, safe, fun, positive, respectful and entertaining  
*Oversight: Division II Conferences, Division II Directors of Athletics, Division II Student-Athlete Advisory Committee*
- Priority 3.2: Enhance and increase the opportunities to strengthen the experience for game day, conference championships and national championships for Division II student-athletes, coaches, officials, fans and spectators.  
*Oversight: Division II Directors of Athletics, Division II Identity Subcommittee, Division II Championships Committee*
- Priority 3.3: Commit to fair and equitable regional and national competition by developing appropriate and disseminated selection, seeding and bracketing processes, policies and guidelines.  
*Oversight: Division II Championships Committee*
- Priority 3.4: Strengthen partnerships and relationships with host communities, schools, coaches associations, media and sponsors at the local, regional and national levels  
*Oversight: Division II Championships Committee*
- Priority 3.5: Provide opportunities to develop and establish consistent standards in officiating and increase the pool of qualified officials  
*Oversight: Division II Conferences, Division II Championships Committee*
- Priority 3.6: Enhance and increase the use of resources (e.g., technology), tools and services to improve the effectiveness and efficiencies of game day, conference and national championships' operations  
*Oversight: Division II Championships Committee*

Primary Standards and/or Metrics of Measure for Goal Three

- Experience by student-athletes at conference and national championships (post-championship surveys)
- Experience by attendees at Division II National Championships Festivals (survey)
- Number of Division II championships on national television and/or broadband technology
- Total attendance at Division II sporting events (aggregate numbers)
- Number of ideas that work on game environment website
- Game environment award nominees and winners

**Goal Four: Membership and Positioning Initiatives**

**Utilize the uniqueness of the Division II model to establish Division II as a membership destination and to ensure long-lasting stability**

- Priority 4.1: Commit to fiscal responsibility at the local, conference, regional and national levels  
*Oversight: Division II Institutions, Division II Conferences, Division II Planning and Finance Committee, Division II Championships Committee*
- Priority 4.2: Allocate funds and resources in a manner that recognizes and supports the unique characteristics and attributes of Division II  
*Oversight: Division II Planning and Finance Committee, Division II Management Council*
- Priority 4.3: Analyze and assess budget policies and procedures to position for new media contracts for the division and the Association  
*Oversight: Division II Media Advisory Group, Division II Planning and Finance Committee*
- Priority 4.4: Attract and retain members that support the strategic position and philosophy of Division II intercollegiate athletics  
*Oversight: Division II Membership Committee*
- Priority 4.5: Commit to develop tools and resources that assist active member institutions and conferences with evaluating its position in conjunction with the strategic position and philosophy of Division II intercollegiate athletics  
*Oversight: Division II Legislation Committee, Division II Membership Committee, Division II Presidents Council*
- Priority 4.6: Promote the use of tools and resources that assess the value of Division II intercollegiate athletics and strengthen the awareness of Division II and its characteristics and attributes  
*Oversight: Division II Membership Committee, Division II Identity Subcommittee*
- Priority 4.7: Enhance communication and partnerships with the media and other organizations to provide opportunities for communicating the unique characteristics and attributes of Division II membership  
*Oversight: Division II Institutions, Division II Conferences, Division II Management Council*
- Priority 4.8: Recognize outstanding achievements with strategic initiatives (e.g., community engagement) by Division II institutions and conferences.  
*Oversight: Division II Identity Subcommittee*

Primary Standards and/or Metrics of Measure for Goal Four

- Numbers (e.g., website hits) using game environment website
- Numbers (e.g., website hits) using community engagement website
- Division II stories in local, regional and national papers
- Number of active Division II schools and conferences
- Number of schools in the Division I, II and III membership processes
- Community engagement award nominees and winners
- Partnership with Make-A-Wish – participation numbers by conference/institution and total dollars raised

**Goal Five: Diversity and Inclusion**

**Promote diversity and foster an environment of inclusion**

- Priority 5.1: Continue to partner and build collaborative relationships with other organizations to support and enhance the diversity of administrators, coaches and student-athletes at the local, conference and national levels  
*Oversight: NCAA Diversity and Inclusion Staff, Division II Diversity Project Team, Division II Conferences, Division II Institutions*
- Priority 5.2: Enhance commitment by presidents/chancellors, athletics administrators, coaches, faculty and student-athletes to be advocates for establishing environments that foster diversity and inclusion  
*Oversight: NCAA Diversity and Inclusion Staff, Division II Diversity Project Team, Division II Nominating Committee, Division II Conferences, Division II Institutions*
- Priority 5.3: Analyze and assess research and current programming to provide programs, tools and resources that support environments of diversity and inclusion  
*Oversight: NCAA Diversity and Inclusion Staff, Division II Diversity Project Team*
- Priority 5.4: Provide tools and resources that assist schools and conferences in recruiting, hiring and retaining diverse groups and individuals  
*Oversight: NCAA Diversity and Inclusion Staff, Division II Diversity Project Team*
- Priority 5.5: Provide tools and resources to schools and conferences that provide education on the importance, value, benefits and role of diversity and inclusion in higher education and intercollegiate athletics  
*Oversight: NCAA Diversity and Inclusion Staff, Division II Diversity Project Team, Division II Nominating Committee*

Primary Standards and/or Metrics of Measure for Goal Five

- Number of Division II coaches by gender and ethnicity
- Number of Division II administrators by gender and ethnicity
- Number of Division II student-athletes by gender and ethnicity
- Nominees and awardees for the Division II assistant coaches grant
- Nominees and awardees for the Division II strategic alliance matching grant
- Number of Division II schools requesting programming from the NCAA Diversity and Inclusion staff
- Gender and ethnicity representation on Division II committees

**National Collegiate Athletic Association****Executive Committee****CONFLICT OF INTEREST POLICY**

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**Conflict of Interest Statement**

The NCAA is a voluntary Association comprised of colleges, universities, conferences and other organizations, and governed through a membership-led committee structure. Within the governance structure, committee members must carefully balance their responsibilities to their respective institutions and/or conferences with the obligation to advance the interests of the Association, the division, or the sport, and ultimately enhance the student-athlete experience. While the fiduciary obligations of committee members to their own institution, their conference, and to the Association ordinarily are not in conflict, it is recognized that as a representative membership organization, committee members' fiduciary obligations are first to their institution, second to their conference, and third to the Association. NCAA committee service involves important ethical and moral obligations. Committee integrity is critical to the decision-making process and includes trust, confidentiality and honesty in all issues and aspects of service and representation. NCAA committee members shall disclose any conflict or potential conflict between their respective personal, professional, institutional, conference, or business interests and the interests of the Association that may affect or otherwise threaten such integrity, in any and all actions taken by them on behalf of the Association, for committee evaluation under this Statement.

In addition to any fiduciary obligation to their institution and conference, committee members also have a fiduciary duty to the Association not to use knowledge or information obtained solely due to service on that committee to the disadvantage of the Association during the term of committee service. Further, a Committee member shall not participate in the committee's discussion or vote on any action that might bring direct or indirect personal financial benefit to the member or any organization (other than the member's institution or conference) in which the member is financially interested. A committee member should also not participate in a discussion or vote for which the member's institution or conference is to be accorded a special benefit beyond benefits shared with other institutions or conferences or is to receive a penalty or disqualification. A violation of either of the above rules by a member of the committee shall not invalidate the action taken by the committee if, following disclosure of the conflict of interest, the committee authorizes, ratifies or approves the action by a vote sufficient for the purpose, without counting the vote of the committee member with the conflict of interest, and the appropriate oversight body approves the action.

A committee member is responsible for advising the chair of any actual or potential conflicts of interest or obligations which he/she may have hereunder, and should recuse him/herself from participating in proceedings, as may be warranted by this policy. Abuse of one's position as a member of a committee may result in dismissal from that position. Where such abuse appears evident, a committee member will be notified by the committee chair and will have the opportunity to present a rebuttal or details of the situation. (August 2008 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 NCAA 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*)



**REPORT OF THE  
NCAA DIVISION II LEGISLATION COMMITTEE  
JUNE 24-25, 2009 MEETING**

**ACTION ITEMS.**

- **Legislative Action Items.**

- a. **2010 NCAA Convention Legislation – NCAA Bylaw 13.11.3 – Recruiting – Tryouts – Tryout Exceptions – Use of Institutional Facilities.**

- (1) Recommendation. Sponsor legislation for the 2010 NCAA Convention to amend NCAA Bylaw 13.11.3 (tryout exceptions) to establish a tryout exception that allows an institution's athletics department staff members and representatives of its athletics interests to be involved in the conduct and administration of the use of a member institution's facilities for physical activities by a group that includes prospective student-athletes, as specified; further, to establish a tryout exception that permits a group that includes prospective student-athletes to use an institution's facilities for physical activities without the use being considered a tryout, provided the physical activities are related to a sport that is not sponsored by the institution on the varsity intercollegiate level.
- (2) Effective Date. August 1, 2010.
- (3) Rationale. Currently, under the tryout exception that allows the use of a member institution's facilities by prospective student-athletes for activities not involving institution's staff, athletics department staff members may not sell concessions or work at a scorer's table. Division II institutions depend on such activities to generate critical revenue for their departments, and for these activities to happen, it is often necessary for a member of the athletics department staff to administer aspects related to the activity. The current legislation allows institutional staff members to operate in capacities incidental to supervising the activities, but cannot be involved in the conduct, promotion or administration of the activity otherwise. The existing legislation hinders access to collegiate facilities and thus hinders community relationships between higher education institutions and their neighbors. Establishing an exception to the tryout restrictions in those instances in which the physical activities are related to a sport that is not sponsored by the institution on the intercollegiate level would not diminish either the intent or impact of the tryout restrictions, but rather would allow athletics department staff members an additional level of involvement in the conduct of these events, most of which are hosted for fundraising purposes.

(4) Estimated Budget Impact. This change to the legislation will provide institutions with more opportunities to generate revenue (e.g., rental fees of facilities, concession stands), thus providing opportunities to positively impact department's net income.

(5) Student-Athlete Impact. None.

**b. 2010 Convention Legislation –Bylaw 14.2.4.2 – Eligibility – Criteria for Determining Season of Eligibility – Participation in Organized Competition Prior to Initial Collegiate Enrollment.**

(1) Recommendation. Sponsor legislation for the 2010 Convention to amend Bylaw 14.2.4.2 (participation in organized competition prior to initial collegiate enrollment), as follows:

- (a) To specify that an individual who does not enroll in a collegiate institution as a full-time student in the regular academic term that begins immediately after a one-year time period following his or her high school graduation date shall use one season of intercollegiate competition for each consecutive 12-month period of time after the one-year grace period and prior to enrollment at the certifying institution in which the individual participates in organized competition;
- (b) To specify that an individual's high school graduation date shall be considered to be the graduation date of the final high school class of which he or she was a member. Further, individuals who either graduate high school early or are required to repeat an entire year of high school prior to graduating become members of that graduating class. Finally, an individual who discontinues high school enrollment and then participates in organized competition shall use one season of intercollegiate competition for each consecutive 12-month period of time after the one-year grace period and prior to initial full-time collegiate enrollment;
- (c) To specify that athletics competition shall be considered organized for purposes of this rule, if any of the following conditions exist: (1) competition is scheduled in advance; (2) official score is kept; (3) individual or team standings or statistics are maintained; (4) official timer or game officials are used; (5) admission is charged;

- (6) teams are regularly formed or team rosters are predetermined;
  - (7) team uniforms are used; (8) an individual or a team is privately or commercially sponsored; or (9) the competition is either directly or indirectly sponsored, promoted or administered by an individual, an organization or any other agency;
- (d) To create an exception to the year in residence requirement for a student who has attended a two-year or four-year institution for at least two full-time semesters or three full-time quarters and who has satisfactorily completed an average of at least 12 semester or 12 quarter hours of transferable degree credit for each full-time academic term of attendance at the two-year or four-year collegiate institution;
  - (e) To eliminate the current exception to the organized competition legislation for individuals who trigger the rule during the initial year of enrollment in a postgraduate college preparatory school;
  - (f) To specify that the NCAA Division II Committee for Legislative Relief (CLR) may approve waivers of the organized competition legislation;
  - (g) To specify that a Division II institution is required to provide information regarding the organized competition legislation to prospective student-athletes at the first practical opportunity but not later than the day prior to the student-athlete's signed acceptance of the National Letter of Intent (NLI) or institution's written offer of admission and/or financial aid.
- (2) Effective Date. August 1, 2010, for student-athletes first entering a collegiate institution on or after August 10, 2010.
  - (3) Rationale. Since January 2008, the governance structure has been examining issues related to the organized competition legislation. There has been significant analysis of whether the frequency and level of competition, rather than compensation, should determine organized competition. Per the proposal, it will no longer be of importance if the individual, his or her teammate(s) or other individuals participating in an event received compensation, including prize money, actual and necessary expenses, etc. An expanded "grace period" would allow individuals ample time to participate in organized competition and make a decision regarding enrollment in college without compromising their opportunity to

participate in Division II athletics. Further, a transfer student will not be required to serve an academic year in residence at the certifying institution if he or she transfers after meeting certain academic requirements. By presenting the certifying institution with this academic information, the transfer student would demonstrate the requisite commitment to academics. Requiring institutions to provide individuals with information regarding the organized competition legislation ensures that individuals are provided with this information early in the recruiting process. Finally, a waiver provision specifies the committee authorized to waive the application of the organized competition legislation.

- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. Individuals who delay initial collegiate enrollment and participate in organized competition will have fewer season(s) of competition and will be required to serve an academic year in residence.

**c. 2010 Convention Legislation –Bylaws 15.5, 17 and 20.10.3.5 – Financial Aid – Playing and Practice Seasons – Division Membership – Sand Volleyball.**

- (1) Recommendation. Sponsor legislation for the 2010 NCAA Convention to amend NCAA Bylaws 15.5 (maximum institutional grant-in-aid limitations by sport), 17 (playing and practice seasons) and 20.10.3.5 (minimum contests and participants requirements for sports sponsorship) to establish the maximum institutional grant-in-aid equivalency limit, the playing and practice season regulations and the minimum contests and participants requirement for sports sponsorship for sand volleyball. [Attachment]
- (2) Effective Date. August 1, 2010.
- (3) Rationale. At the 2009 Convention, the Division II membership adopted a proposal to include sand volleyball on the list of emerging sports for women. Establishing a maximum financial aid equivalency limit of five for institutions that sponsor sand volleyball will provide institutions the opportunity to offer athletics aid to student-athletes consistent with the Division II Strategic Positioning Platform. It is anticipated that during the initial years of sponsorship, sand volleyball student-athletes would also participate in volleyball at institutions that sponsor both sports. By

creating a “hierarchy model” (i.e., multisport student-athlete who participates in sand volleyball and volleyball to count against the volleyball equivalency), the proposed change will preclude institutions from gaining a competitive advantage in volleyball by offering sand volleyball financial aid to student-athletes who were recruited to play volleyball. The proposed playing and practice season legislation mirrors that of the other Division II sports. In addition, establishing eight as the minimum number of contests and 10 as the minimum number of participants necessary for the contest to count toward sports sponsorship for membership will provide reasonable minimal competitive opportunities. Finally, including additional parameters associated with the different forms of competition (e.g., dual competitions, tournaments) for meeting minimum-contest requirements provides institutions an opportunity to legitimately sponsor the sport and student-athletes having a true intercollegiate sport experience.

- (4) Estimated Budget Impact. Will vary dependent on an institution’s decision whether to sponsor sand volleyball.
- (5) Student-Athlete Impact. None.

**d. Noncontroversial Legislation –Bylaw 14.2.5.2.2 – Eligibility – Hardship Waiver – Medical Documentation.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 14.2.5.2.2 (medical documentation) to specify that the contemporaneous-medical documentation used in the administration of a hardship waiver must come from a physician (medical doctor); further, to specify that documentation from an individual other than a physician (e.g., chiropractor, physical therapist) only may be used to support the physician’s documentation.
- (2) Effective Date. Immediate.
- (3) Rationale. Currently, the legislation does not outline the required credentials that an individual must have in order to provide contemporaneous-medical documentation on behalf of a student-athlete in a hardship waiver. This proposal clarifies that the requirement for medical documentation in a hardship waiver must come from a physician and cannot be satisfied solely by treatment records from a chiropractor or physical therapist. This proposal will provide proper clarification of this

issue within the legislation. The recommended clarification provides notification to student-athletes of documentation standards for medical hardship waivers.

- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. None.

### **INFORMATIONAL ITEMS.**

1. **Discussion Regarding the Alignment of Bylaw 17 (Playing and Practice Seasons) and Championships Policies with the Division II Strategic Positioning Platform.** The NCAA Division II Legislation Committee discussed and prioritized various issues that it will continue to review pursuant to the alignment of Bylaw 17 with the Division II strategic positioning platform. The Legislation Committee determined that a further review of the following areas will be the focus at future in-person meetings: (1) annual and discretionary exemptions for all sports; (2) nonchampionship segment activities; (3) nonchampionship competition opportunities in baseball and softball; and (4) the maximum number of contests or dates of competition in all sports.
2. **Review 2010 NCAA Convention NCAA Division II Presidents Council-Sponsored Proposals.** The Legislation Committee reviewed three NCAA Division II Presidents Council sponsored proposals for the 2010 Convention to determine if any of the three should move forward as noncontroversial legislation. The Legislation Committee did not recommend any changes to the three proposals.
3. **Review of NCAA Division II Compliance Forms.** The Legislation Committee reviewed and approved the 2009-10 NCAA Division II Compliance Forms. The Legislation Committee received an update on the modifications to the compliance forms; specifically, that the Summary of NCAA Regulations form is now optional.
4. **Issuance of Official Interpretation.** The Legislation Committee discussed the issue of whether a student-athlete who has been certified with conditions by the NCAA Eligibility Center pursuant to the amateurism certification process based on the individual triggering

the use of a season(s) of competition per Bylaw 14.2.4.2, may continue to practice after the certification. The Legislation Committee decided to issue an official interpretation, as follows: Eligibility for practice after a final certified with conditions amateurism certification decision is rendered pursuant to the participation in organized competition or training prior to initial-collegiate enrollment legislation. The Legislation Committee confirmed that an individual who has been certified with conditions pursuant to the amateurism certification process based on the individual triggering the use of a season(s) of competition per Bylaw 14.2.4.2, may continue to practice after such certification, provided the individual is otherwise eligible for practice (e.g., certified as a qualifier or partial qualifier, enrolled in a minimum full-time program of studies, sign a drug-testing consent form, included on the institution's squad list, certify insurance coverage of medical expenses per Constitution 3.2.4.9). [Reference: NCAA Bylaws 12.1.1 (validity of amateur status), 12.1.1.1 (amateurism certification process) and 14.2.4.2 (participation in organized competition or training prior to initial collegiate enrollment)]

5. **Discussion Regarding Meals and Lodging While in Transit to Official Visit.** The Legislation Committee reviewed an official interpretation recently issued by the NCAA Division I Legislative Review and Interpretations Committee regarding meals and lodging while in transit to an official visit (Reference: 03/25/09, Item No. 1). The Legislation Committee noted that current Division II legislation and interpretations already address the issues noted in the Division I official interpretation. The Legislation Committee decided not to issue a similar interpretation for Division II.
6. **Discussion Regarding the Use of a Highlight Video of a Prospective Student-Athlete Produced by an Institution.** The Legislation Committee discussed the issue of whether it would be permissible for an institution to produce and post a highlight video of a prospective student-athlete on the institution's Web site. The Legislation Committee agreed that this would be permissible pursuant to Bylaw 13.10.7 (media release regarding signing) provided the prospective student-athlete has signed an NLI and/or accepted the institution's offer of admission and/or financial aid, and the institution considers its Web site to be a media outlet.
7. **Discussion Regarding Maximum Equivalency Limits and Summer Financial Aid.** The Legislation Committee discussed a particular practice for awarding institutional financial aid, in which a coach and a student-athlete would verbally agree to the student-athlete's reduction of institutional financial aid for the following academic year, with the understanding that the student-athlete would receive an additional award (based on the amount of what was reduced between the two academic years) for use during a summer

term(s). This was done by the coach in an attempt to save equivalencies in the sport to provide to additional scholarship student-athletes in the following academic year. It should be noted that the institution was in compliance with the financial aid regulations on the period of the financial aid award in Bylaw 15.3.3.1 (one-year limit), the notice of reduction of the previous year's award in Bylaw 15.3.5.1 (institutional obligation to renew the award on or before July 1 before the academic year in which it is to be effective) and notice of the hearing opportunity in Bylaw 15.3.2.4. The Legislation Committee concluded that in this situation, the institution did not violate any NCAA legislation. The institution satisfied the financial aid legislation in Bylaw 15 regarding the period of the award, the notice of reduction of the award and the hearing opportunity for the following academic year and the provision of awarding summer financial aid. The Legislation Committee agreed to monitor this situation to determine whether it is a common practice that would affect student-athlete well-being and merits legislation to be recommended to address the issue.

8. **Discussion Regarding Providing Expenses Related to Medical Examinations Prior to the First Permissible Practice Date.** The Legislation Committee discussed the issue of whether an institution can begin providing preseason practice expenses to a student-athlete one day prior to the day designated for issuance of equipment and taking squad pictures. The Legislation Committee noted that it is permissible to administer medical examinations prior to the first permissible date for practice. However, the Legislation Committee agreed that while it is permissible to start providing preseason expenses the evening prior to the day designated for equipment and pictures, it would not be permissible to provide expenses for an additional day to conduct medical examinations.
9. **Review of Minutes Issued by the NCAA Interpretations Subcommittee of the Division II Legislation Committee.** The Legislation Committee approved the minutes of the interpretations subcommittee since its last in-person meeting in March 2009. Also, the Legislation Committee approved the minutes from April 13 and June 1.
10. **Review of Recently Issued Division I Official Interpretations.** The Legislation Committee reviewed recently issued Division I official interpretations and determined that the following interpretations are applicable in Division II:
  - a. **Calls Regarding Institutional Camp and Clinic Logistical Issues.** The Legislation Committee determined that a telephone call to an individual (or his or her parents, guardians, relatives or coach) that relates solely to institutional camp and clinic logistical issues (e.g., missing registration information) is not subject to the



restrictions on telephone calls, provided no recruiting conversation or solicitation of particular individuals to attend a camp or clinic occurs. [References: NCAA Bylaws 13.1.3 (telephone calls to prospective student-athletes), 13.1.3.1 (time period for telephone calls -- general rule), 13.1.3.4 (permissible callers), 13.1.3.4.1 (institutional staff members) and 13.12.1.3 (recruiting calendar exceptions)]

- b. Advertising of Intercollegiate Contests Held in Conjunction with High School Contests.** The Legislation Committee determined that if an institution permits competition between high schools, preparatory schools or two-year colleges to be conducted in conjunction with an intercollegiate event, the institution may include the names of the participating teams in advertising for the event. However, the institution may neither publicize the appearance of any specific prospective student-athlete nor use individual or team photographs of participating prospective student-athletes in any advertising for the event. [References: NCAA Bylaws 13.10.4 (prospective student-athlete's visit) and 13.11.1.3 (competition in conjunction with a high school, preparatory school or two-year college) and a staff interpretation (5/17/95, Item b), which has been archived]
  - c. Competition Between Outside Teams Made up of Prospective Student-Athletes Conducted in Conjunction with a Collegiate Athletics Event.** The Legislation Committee determined that an institution shall not permit competition between outside club teams that include any prospective student-athletes to be conducted in conjunction with an intercollegiate athletics event. [References: NCAA Bylaws 13.11.1.3 (competition in conjunction with a high school, preparatory school or two-year college) and 13.15.1.4 (high school contest in conjunction with college competition) and a staff interpretation (2/6/91, Item No. a), which has been archived]
- 11. Discussion Regarding a November 7, 2008, Official Interpretation Regarding the *College d'Enseignement General et Professionnel (CEGEP)*.** The Legislation Committee discussed whether an official interpretation, or the corresponding educational column, that was issued November 7, 2008, to clarify the expected date of graduation for a prospective student-athlete from Quebec who completes a *College d'Enseignement General et Professionnel (CEGEP)* should be amended. The Legislation Committee directed NCAA staff to update the educational column to ensure consistency with the official interpretation. Specifically, the education column should be amended to read, when a prospective student-athlete does not complete the *CEGEP* within a two-year period by earning a *Diplome d'Etudes Collegialles (DEC)*, any additional year(s) beyond the completion of the *Diplome d'Etudes Secondaires (DES)*, constitute a delay of initial collegiate enrollment.

**12. Division II Editorial Revisions.** The Legislation Committee reviewed the following editorial revisions:

- a. **Recruiting Materials -- Printed Recruiting Materials -- Application to Parent or Legal Guardians and Coaches.** The Legislation Committee reviewed an editorial revision to amend Bylaw 13.4 (recruiting materials) to clarify that the recruiting materials legislation generally applies to prospective student-athletes, their parents or legal guardians and their coaches.
- b. **Recruiting and Financial Aid -- Elements of Financial Aid -- Summer Financial Aid -- Before Initial Full-Time Enrollment at the Certifying Institution.** The Legislation Committee reviewed an editorial revision to amend Bylaws 13.2.7 (academic support services/use of training-room facilities) and 15.2.7 (summer financial aid) to clarify that summer financial aid may be awarded to a student-athlete to attend an institution in the summer before the student's initial full-time enrollment at the certifying institution.
- c. **Recruiting -- Definitions and Applications -- Enrolled Student-Athlete -- Recruiting Activities.** The Legislation Committee reviewed an editorial revision to eliminate duplicative provisions regarding recruiting activities for student-athletes and move Bylaw 13.02.5.1 (permissible recruitment activities for enrolled student-athletes) to 13.1.2.4 (student-athlete).
- d. **Organization -- Division II Management Council -- Duties of the Management Council Subcommittee -- Appeals of Decisions Involving the Academic Success Rate.** The Legislation Committee reviewed an editorial revision to amend Constitution 4.7.2.3 (duties of the NCAA Division II Management Council Subcommittee on Infractions Appeals and Waiver) to add the academic success rate as an area the management council subcommittee on infractions appeals and waiver is responsible for hearing and acting on appeals.
- e. **Eligibility -- Season-of-Competition Waiver -- Percent Calculation.** The Legislation Committee reviewed an editorial revision to amend Bylaw 14.2.6.1.1 (ten-percent calculation) and 14.2.7 (season-of-competition waiver -- competition while eligible) to clarify the criteria that shall be employed for the percent calculation involving season-of-competition waivers.
- f. **Committees -- Division II General Committees.** The Legislation Committee reviewed an editorial revision to amend Bylaw 21.8.5 (Division II general committees) to bring consistency to the titles of Division II general committees throughout the legislation.

- g. Recruiting -- Recruiting Materials -- Advertisements and Promotions -- Nonathletics Institutional Advertisements.** The Legislation Committee reviewed an editorial revision to amend Bylaw 13.4.4.1.1 (nonathletics institutional advertisements) to include the use of television and radio advertisements as permissible forms of advertising, provided the conditions are satisfied.
- h. Eligibility -- Transfer Regulations -- Four-Year College Transfers -- One-Time Transfer Exception -- Calculation of Cumulative Grade-Point Average.** The Legislation Committee reviewed an editorial revision to amend Bylaw 14.5.5.3.10 (one-time transfer exception) to clarify the criteria that shall be used when an institution applies the one-time transfer exception for a four-year college transfer student-athlete who has one season of competition remaining or two full-time semesters or three full-time quarters remaining and has not earned a baccalaureate degree.
- i. Executive Regulations -- Eligibility For Championships -- Ineligibility For Use Of Banned Drugs -- Banned Drugs -- Alcohol, Beta Blockers And Beta 2 Agonists.** The Legislation Committee reviewed an editorial revision to amend Bylaw 31.2.3.4 (banned drugs) to identify a specific class of substances banned for a specific sport consistent with the identification of other banned classes and clarifies that beta 2 agonists are a banned class.
- j. Amateurism -- Involvement with Professional Teams -- Tryout After Enrollment -- 48-Hour Period.** The Legislation Committee reviewed an editorial revision to amend Bylaw 12.2.1.1 (tryout after enrollment) to clarify the application of the 48-hour tryout period.
- k. Amateurism -- Promotional Activities -- Congratulatory Advertisement -- Distribution of Institutional Items and Schedule Cards.** The Legislation Committee reviewed an editorial revision to amend Bylaw 12.5.1.4 (commercial advertisement) to provide a more appropriate title and move Bylaws 12.5.1.4.1 (schedule cards) and 12.5.1.5 (distribution of institutional items through commercial outlets) to Bylaw 12.5 (promotional activities) because those provisions more closely relate to institutional promotional activities.
- l. Recruiting -- Telephone Calls to Prospective Student-Athletes -- Additional Regulations -- During Conduct of Athletics Contest.** The Legislation Committee reviewed an editorial revision to amend Bylaw 13.1.3.2.1 (during conduct of athletics contest) to clarify the definition of “the conduct of the institution’s intercollegiate athletics contests” for purposes of the prohibition on placing telephone calls to prospective student-athletes.

- m. **Eligibility -- General Principles and Progress-Toward-Degree Requirements -- Removal of Duplicative Provisions.** The Legislation Committee reviewed an editorial revision to amend Bylaws 14.01.2 (academic status), 14.01.2.1 (good academic standing) and 14.4.1 (progress-toward-degree requirements) to remove language that goes beyond the scope of what should be included in general principles and provisions that are addressed in other, more appropriate sections of the Manual.
- n. **Eligibility -- Freshman Academic Requirements -- Core-Curriculum Requirements -- Courses for Students with Education-Impacting Disabilities -- NCAA Eligibility Center.** The Legislation Committee reviewed an editorial revision to amend Bylaw 14.3.1.2.5 (courses for students with education-impacting disabilities) to clarify that the Eligibility Center is the entity that reviews disability documentation.
- o. **Eligibility -- General Eligibility Requirements -- Eligibility for Male Students or Male Student-Athletes to Practice with Women's Teams.** The Legislation Committee reviewed an editorial revision to amend Bylaw 14.1.8 (full-time enrollment) to place the requirements related to male students or male student-athletes practicing with women's teams in a more appropriate location.
- p. **Financial Aid -- Maximum Limit on Financial Aid -- Individual -- Recruited Student-Athlete Receiving Institutional Financial Aid.** The Legislation Committee reviewed an editorial revision to amend Bylaw 15.1.2 (recruited student-athlete receiving institutional financial aid) to clarify that unearned financial aid administered by an institution to an athletically recruited student is considered to be athletically related financial aid only if the faculty athletics representative and the director of financial aid cannot certify that the aid was granted without regard in any degree to athletics ability.
- q. **Eligibility -- Ineligibility -- Application of Ineligibility Ruling Pending Appeal -- Interpretations.** The Legislation Committee reviewed an editorial revision to amend Bylaw 14.11.1.1 (application of ineligibility ruling pending appeal) to clarify that NCAA staff and official interpretations are binding on institutions and more clearly specify the applicable bylaws.
- r. **Playing and Practice Seasons -- Golf -- Number of Dates of Competition -- Annual Exemptions -- Elimination of Sun Bowl All-American Classic.** The Legislation Committee reviewed an editorial revision to amend Bylaw 17.12.7.3 (annual exemptions) to remove the Sun Bowl All-American Classic from the list of annual exemptions.

**13. Review of NCAA Divisions I and III Editorial Revisions.** The Legislation Committee reviewed editorial revisions issued in Divisions I and III in 2009 and directed NCAA staff to draft the following editorial revisions for Division II:

- a. **Division I Proposal No. ER-2009-10 (awards, benefits and expenses – expenses for student-athlete’s friends and relatives – family member of student-athlete).** The Legislation Committee directed NCAA staff to draft an editorial revision to amend Bylaws 16.6.1.2.1 (relative of student-athlete) and 16.11.1.12 (miscellaneous benefits) to clarify that an institution may provide transportation, housing and meal expenses to a student-athlete’s relatives in conjunction with funeral arrangements in the event of the death of the student-athlete’s relative. In addition, this revision separates the expenses that may be provided to relatives and friends and those that may be provided to the student-athlete into the appropriate legislative sections.
- b. **Division I Proposal No. ER-2009-11 (playing and practice seasons – general playing-season regulations – countable athletically related activities prohibited after competition).** The Legislation Committee directed NCAA staff to draft an editorial revision to amend Bylaw 17.1.6.3.2.2 (practice prohibited after competition) to clarify that any countable athletically related activity is prohibited after competition.
- c. **Division I Proposal No. ER-2009-14 (eligibility- progress-toward-degree requirements – good academic standing and minimum grade point average requirements).** The Legislation Committee directed NCAA staff to draft an editorial revision to amend Bylaws 14.4.1 (progress-toward-degree requirements) and 14.4.3.2 (fulfillment of minimum grade-point average requirements) to clarify that the minimum grade-point average requirements are separate from good academic standing requirements. While a student-athlete still must be in good academic standing in order to be eligible for competition, the NCAA minimum grade-point average requirements also must be fulfilled and may be more stringent than an institution’s minimum grade-point average requirement for good academic standing.
- d. **Division I Proposal No. ER-2009-17 (admissions and graduation data, banned drug list and initial-eligibility standards – disclosure report – report distribution).** The Legislation Committee directed NCAA staff to draft an editorial revision to amend Bylaw 13.3.1.2 (report distribution) to account for changes in technology and the efficient practice of providing institutional graduation data to guidance offices and high school and tow-year college coaches via the NCAA Web site.

- e. **Division I Proposal No. ER-2009-18 (amateurism – financial donations from outside organizations – professional sports organizations – to noncollegiate amateur team).** The Legislation Committee directed NCAA staff to draft an editorial revision to amend Bylaw 12.6.1 (professional sports organizations) to eliminate Bylaw 12.6.1.1 (to noncollegiate amateur team) based on the adoption of Proposal No. 2003-10.
  
- 14. **Update Regarding the NCAA Eligibility Center and the Amateurism Certification Process.** The Eligibility Center staff provided an update regarding amateurism certification trends in Division II. Between March 1 and June 15, 2009, the Eligibility Center processed 32 cases resulting in imposition of season(s) of competition due to participation in organized competition or training prior to initial collegiate enrollment.
  
- 15. **Discussion Regarding Prospective Student-Athletes' Employment at Sports Camps and Clinic.** The Legislation Committee reviewed current legislation regarding the employment of prospective student-athletes at an institution's sports camp or clinic. The Legislation Committee asked NCAA staff to create a document with all permissible and impermissible activities for prospective student-athletes pursuant to Bylaws 13 (recruiting) and 16 (awards and benefits) for review at a future in-person meeting. Following the review of that document, the Legislation Committee will determine if it is appropriate to recommend amendments to the current legislation regarding a prospective student-athlete's employment at a camp or clinic.
  
- 16. **Review of 2009-12 NCAA Division II Strategic Plan.** The Legislation Committee reviewed areas of the NCAA Division II Strategic Plan for which the Legislation Committee has direct responsibility. The Legislation Committee agreed to continue focusing on establishing standards and metrics by which the Legislation Committee can impact the priorities it has responsibility for. Specifically, the Legislation Committee noted: (1) it will develop measures to increase awareness of the sample forms that are available via the NCAA Web site with the intent that it will increase efficiency for athletic departments; (2) work to include additional required forms in compliance assistant for the internet (CAi) or other compliance software with the intent of increasing the number of institutions that use the software services and (3) a checklist of what is expected and needed should be created as a reference tool for compliance administrators to ease the burden on those individuals.

17. **Review Revisions to the NCAA Conflict of Interest Policy.** The Legislation Committee reviewed the revisions to the NCAA Conflict of Interest Policy and agreed to incorporate the changes into the committee's policies and procedures.
18. **The Legislation Committee Staffing Issues.** The Legislation Committee discussed issues related to staffing of the subcommittees:
  - a. **Election of a New Chair.** NCAA Legislative Review Subcommittee of the Division II Legislation Committee. The current legislative review subcommittee chair's term of service will end in August. The Legislative Committee elected Carol Rivera, assistant commissioner, California Collegiate Athletic Association as chair of the legislative review subcommittee.
  - b. **Subcommittee Appointments.** The Legislation Committee appointed Christina Whetsel, Angelo State University, to the interpretations subcommittee and Melissa Barrett, Belmont Abbey College, to the legislative review subcommittee.

*Committee Chair: Ann Martin, Regis University*

*Staff Liaisons: Jennifer Fraser, Academic and Membership Affairs  
Maritza Jones, Academic and Membership Affairs*