

A G E N D A

National Collegiate Athletic Association

Division II Legislation Committee

NCAA National Office
Indianapolis, Indiana

March 6-7, 2012

1. Welcome and announcements. (Jill McCartney)
2. Discussion regarding NCAA Division II legislation that may be amended to ease administrative burden. (Maritza Jones/Amanda Conklin/Jenn Fraser/Stephanie Smith) **[Action anticipated.]**
 - a. Ease of Burden Summary. [Supplement No. 1-a] (Jones)
 - b. Legislative and nonlegislative reporting requirements. [Supplement No. 1-b to be distributed at the meeting.] (Conklin, Curtis Campbell, Dan Kenney, Ann Martin, Gregg Summers, Ann Traphagen)
 - c. Review of NCAA Division II Bylaw 12. [Supplement No. 1-c] (Fraser, Jones, McCartney, S. Jay Newton, Charles Pinckney, Carol Rivera)
 - d. Campus visits and tryouts. [Supplement No. 1-d] (Smith, Dean Johnson, Eliane Kebbe, Alison Kolezynski, Jarrett Newby, Terri Steeb-Gronau)

Background: *The NCAA Division II Legislation Committee continues with the review of legislation, policies and reporting requirements as part of the Ease of Burden initiative. During its November 2011 in-person meeting, the committee focused on nonlegislative items and began referring identified areas for review and discussion to the appropriate committee. The committee will continue to develop legislative concepts for the 2013 NCAA Convention by focusing on specific high priority areas and will continue reviewing nonlegislative reporting requirements for possible action or referral.*

3. Review and approval of 2012-13 NCAA Division II Coaches Certification Test. [Supplement No. 2 to be distributed at the meeting.] (Conklin) **[Action anticipated.]**

Background: *During its November 2011 in-person meeting, the committee agreed to move forward with the coaches certification test in its current format. The committee directed staff to increase the number of questions in the test bank and to change the format of the practice test by reducing the number of questions and removing the answers. The committee also directed staff to separate the test banks for the actual exam and practice exam so that the same questions do not appear on both exams.*

4. Discussion of the role of the NCAA Legislative Review Subcommittee of the Division II Legislation Committee in the Ease of Burden Initiative. (Rivera)
5. NCAA Interpretations Subcommittee of the Division II Legislation Committee. [Supplement Nos. 3-a, 3-b and 3-c] (Newton) **[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 November 2011 must receive approval by the full committee.*

6. Review of interpretations related to participation in promotional activities. [Supplement No. 4] (Fraser) **[Action anticipated.]**

Background: *Division I issued a staff determination November 8, 2011, regarding the participation of prospective student-athletes in promotional activities during the summer prior to enrollment. Division II has an official interpretation from April 18, 2005, regarding the same. The committee will review both interpretations, as well as a Division I staff interpretation regarding participation of nonqualifiers in promotional activities, in order to determine appropriate action for Division II.*

7. Discussion of Division II legislation adopted at the 2012 NCAA Convention. [Supplement Nos. 5-a and 5-b] (Fraser)

Background: *The committee will review proposals adopted at the 2012 Convention and address any issues that have arisen since that time. The committee will also review official interpretations issued in regard to the proposals, if any.*

8. Discussion of NCAA Convention parliamentary procedures and motions to divide a proposal. [Supplement No. 6] [**Action anticipated.**] (Smith)

Background: *Parliamentary procedures do not allow for debate regarding a motion to divide a proposal. At the 2012 Convention, staff fielded several questions about the logistics of making a motion to divide on the Convention business floor. The committee will discuss whether it is appropriate to recommend that a provision be added to the Constitution to permit debate on the merits of dividing a proposal.*

9. Review and approval of frequently asked questions document related to recruiting and scouting services. [Supplement No. 7] (Conklin) [**Action anticipated.**]

Background: *During the June 2011 and November 2011 in-person meetings, the Legislation Committee reviewed an updated version of a recruiting and scouting services frequently asked questions document that was originally published in 2006. The committee provided feedback and suggested changes to the document. Staff will present the updated version for final approval by the committee.*

10. Review of NCAA Division I Bylaw 13.2.10 (benefits for prospective student-athlete's family members). [Supplement No. 8] (Fraser) [**Action anticipated.**]

Background: *The staff has recently been presented with questions regarding benefits provided to a prospective student-athlete and his or her family members by an individual with a pre-existing relationship with that prospective student-athlete. The committee will review Division I Bylaw 13.2.10 to determine whether similar legislation should be recommended in Division II.*

11. Review of legislation regarding competition in the year of transfer. [Supplement No. 9] (Conklin) [**Action anticipated.**]

Background: *The championships staff has encountered confusion within the membership regarding the impact of Bylaw 14.5.5.4 (competition in the year of transfer) in particular sports. The committee will review the legislation to determine if the legislation should be amended for the purpose of clarity.*

12. Review the Division II Legislation Committee Policies and Procedures. [Supplement No. 10] (McCartney)

NCAA Division II Legislation Committee Agenda

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13. Future meeting dates.

- a. June 19-20, 2012; Indianapolis, Indiana.
- b. November 13-14, 2012; Indianapolis, Indiana.

14. Other business.

15. Adjournment.

White Paper Regarding NCAA Division II Ease of Burden Initiative

Background

A few years ago, Division II embarked on a journey to ensure that its policies, rules, regulations, and budget decisions were consistent with the division's Strategic-Positioning Platform that was developed in 2006. Anchoring the journey was the Life in the Balance initiative, which has delivered on the promise of giving back to the membership work/life balance, enhanced student-athlete well-being and more time to devote to the social and educational experience.

Yet, while Division II is proud of the growing success of the Life in the Balance initiative, the division now turns its attention to alleviating the compliance and financial burdens that current regulations place on Division II intercollegiate athletics. The costs of monitoring the rules have soared and the time commitment spent on compliance and NCAA reporting requirements has risen to new levels. This also comes at a time when colleges and universities are reluctant to increase their support for athletics from the general budget in times of overall economic stress.

In June 2010, the NCAA hosted the third NCAA Division II Chancellors and Presidents Summit. Nearly 130 presidents and chancellors gathered at this event with the purpose of discussing athletically related issues and identifying the most important areas that the division needs to address as we move forward. One of the themes that emerged from the summit was the need to alleviate some of the compliance and financial burdens that current regulations place on Division II intercollegiate athletics.

In response to this request, the NCAA Division II Presidents Council charged the NCAA Division II Legislation Committee with reviewing current Division II legislation and processes and offering recommendations to:

1. Ease the burden of compliance;
2. Assist Division II administrators with better time management; and
3. Identify potential cost savings for better allocation of resources.

Review of Legislation and Processes

Over an 18 month period, the Legislation Committee will conduct a thorough review of the division's legislation and develop proposals for consideration at the 2012 and 2013 NCAA Conventions. [See Attachment A for summary of legislative actions taken.] Although the goals set by the Presidents Council for this initiative could lead to recommendations to amend and/or eliminate current legislation ("*re-regulation*"), this should not be seen as a deregulation effort. This initiative primarily focuses on assisting institutions in alleviating compliance and financial

burdens, while deregulation primarily intends to simplify the application of legislation and reduce the size/number of rules.

It is also important to keep in mind that this review is not limited to legislation. The Legislation Committee is also looking at processes, policies and practices within the division in order to offer any recommendations that assist with the goals previously mentioned. Some of the areas reviewed include mandatory reporting requirements, research initiatives, certification procedures and online tools. [See Attachment B for summary of policy recommendations.]

During this review, it is of utmost importance to avoid the shifting of responsibilities. The intent is not to alleviate institutional compliance officers from current burdens while shifting them to the conference office or NCAA national office staff or vice versa. It is, rather, to look at whether there are some responsibilities that are redundant or could be simplified to ease the burden of administrators at the local, conference and national level.

Ease of Compliance Burden

While, in many Division II institutions, personnel and financial resources may be limited, we are committed to having functioning compliance programs that focus on the well-being of our student-athletes. Keeping in mind the unique characteristics and attributes of Division II, we need to look at whether there are rules within the NCAA Division II Manual, reporting requirements or any other processes where the division has drifted from those characteristics.

Is Division II legislation being adopted to address only a small percentage of cases/situations? If so, are there any changes that could instead address most of those situations while providing some relief to the staff in charge of such requirements?

Better Time Management

Another area of concern within the division is the amount of time compliance administrators, faculty athletics representatives and other institutional/conference staff members spend in compliance and/or reporting requirements.

Are there areas where we could alleviate some of the time that our personnel devote to compliance? Are we collecting the same information on different reporting instruments? Is all the information requested really necessary?

Potential Cost Savings

At the forefront of every initiative must be a commitment to fiscal responsibility. We need to allocate our resources carefully and strategically.

Are we looking at our current legislation and processes and thinking of ways where cost savings can be achieved while providing the same or similar results? Are we using technology to its fullest?

Conclusions and Next Steps

Division II is unique. As we move forward as a division, we need to continue to be committed to establishing and maintaining a system for operations and compliance that is engaged, functioning and geared toward our own institutions. This is the primary objective of Goal Two of the NCAA Division II Strategic Plan.

But equally as important, the division needs to pay special attention to fiscal responsibility. The Presidents Council is aware of this need and, in order to address it, they added a new priority to Goal Four of the Strategic Plan, which intends to analyze the costs associated with sponsoring Division II intercollegiate athletics programs and institutional compliance to ensure strategic use of our limited resources.

The Ease of Burden initiative is an appropriate review that comes at a time during which all institutions are seeking efficiencies in their athletics programs to keep the experiences for their student-athletes the best they can be. Over the course of this review, the Division II leadership has attended and will continue to attend to the perplexing and difficult issues to develop an aggressive agenda for action with critical analysis and profound judgment.

Finally, the Legislation Committee has created the following email account to encourage additional recommendations and feedback from the Division II membership regarding this initiative: DIIeaseofburden@ncaa.org.

Timeline for Review

Although the Presidents Council charged the Legislation Committee with leading this initiative, the recommendations have been and will continue to be vetted through all involved parties. Significant input, ideas and feedback have been sought from the NCAA Division II Conference Commissioners Association Compliance Officers. In addition, conference and institutional administrators have had opportunities to contribute to this initiative through focus groups and general sessions at different events. Further, other NCAA Division II governance groups have

also had the opportunity to collaborate with the Legislation Committee in these efforts. Throughout the duration of this initiative, it is expected that all involved parties will continue to provide ideas and feedback. The following timeline is being used to ensure that the concepts and recommendations are fully vetted with the membership:

March 2011	Initial Review and Discussion by the Legislation Committee
April 2011	Initial Review and Discussion by the NCAA Division II Management Council and Presidents Council
April – December 2011	Focus Groups with Division II Institutional and Conference Compliance Officers
May/June 2011	Sessions at the 2011 NCAA Regional Rules Seminars
June 2011	Initial Recommendations by the Legislation Committee
June – December 2011	Review and Feedback of Recommendations by the Division II Membership
	Review of Recommendations by the Management Council and Presidents Council
September 2011	Conference Commissioners Association Compliance Officers Meeting
November 2011	Legislation Committee Meeting
January 2012	Legislative Proposals considered by the Division II Membership
March/June/November 2012	Legislation Committee Meetings
January – December 2012	Continual Review and Discussions by the Legislation Committee and Different Governance Groups
	Continual Review and Feedback by the Division II Membership
January 2013	Legislative Proposals considered by the Division II Membership

NCAA Division II Ease of Burden Initiative
Summary of Legislative Actions Taken

Ease of Burden Proposals Adopted at the 2012 NCAA Convention

1. **NCAA Proposal No. 2012-2 Amateurism and Eligibility -- General Regulations and Eligibility Requirements -- Elimination of Eligibility Form to Certify International Student-Athlete.** To eliminate the requirement that an international student-athlete must complete the eligibility form prior to competition; further, to specify that a student-athlete must complete a form developed by the NCAA to certify activities that occur following the prospective student-athlete's request that a final amateurism certification be issued by the NCAA Eligibility Center and before initial full-time enrollment at a Division I or II institution.
2. **Proposal No. 2012-5 Financial Aid from Outside Sources -- Financial Aid from an Established and Continuing Program.** To specify that a student-athlete may receive financial aid through an established and continuing program to aid students, provided the recipient's choice of institutions is not restricted by the donor of the aid and there is no direct connection between the donor and the student-athlete's institution.
3. **Proposal No. 2012-11 Recruiting -- Contacts and Evaluations -- Permissible Number and Time Period for Contacts -- Unlimited Contacts.** To specify that in-person, off-campus recruiting contacts shall not be made before June 15 immediately preceding a prospective student-athlete's junior year in high school; further, to permit an institution to make unlimited in-person, off-campus recruiting contacts with a prospective student-athlete each academic year.
4. **Proposal No. 2012-12 Recruiting -- Contacts and Evaluations -- Contactable Prospective Student-Athletes -- High School Prospective Student-Athletes -- Permissible Number and Timing of Telephone Calls.** To specify that telephone calls to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s)] may not be made before June 15 immediately preceding the prospective student-athlete's junior year in high school; further, to specify that on or after June 15 immediately preceding a prospective student-athlete's junior year in high school, institutional staff members may make unlimited telephone calls to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s)].
5. **Proposal No. 2012-13 Recruiting -- Recruiting Materials -- Printed Recruiting Materials, Electronic Media and Electronic Transmissions -- Permissible Number and Timing of Materials.** To specify that an institution may not provide athletically related recruiting materials and electronic media to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s) and coaches] before June 15 immediately preceding the prospective student-athlete's junior year in high school; further, to specify that any form of electronic transmission (e.g., text message, instant

message) may not be sent before June 15 immediately preceding the prospective student-athlete's junior year in high school, and must be private between the recipient and sender.

Other Legislative Actions.

1. **Ease of Burden Package -- Proposal No. NC-2012-18 Recruiting -- Transportation -- Transportation to Enroll From any Bus, Train Station or Airport.** To permit institutional staff members to provide transportation from any bus or train station or airport to campus on the occasion of the student-athlete's initial arrival at the institution to attend class.
2. **Ease of Burden Package -- Proposal No. NC-2012-19 Financial Aid -- Definitions and Applications -- Financial Aid -- Exempted Institutional Financial Aid -- Government Grants Awarded Based on Demonstrated Financial Need and for Educational Purposes.** To specify that a government grant awarded to a student-athlete based on a student's demonstrated financial need or for educational purposes shall be excluded when determining the permissible amount of full grant-in-aid or cost of attendance for a student-athlete and shall be excluded from the institutional financial aid limitations.
3. **Ease of Burden Package -- Noncontroversial Proposal -- Recruiting -- Recruiting Materials -- Printed Recruiting Materials, Electronic Media and Electronic Transmissions -- Permissible Timing and Number of Recruiting Materials -- During the Conduct of Athletics Contest.** To specify that electronically transmitted correspondence to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s)] may not be sent 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 directions of the coach until the competition has concluded and the team has been dismissed by the coach.
4. **Ease of Burden Package -- Noncontroversial Proposal -- Eligibility -- Participation in Organized Competition Before Initial Collegiate Enrollment -- Notification of Organized-Competition Legislation -- NCAA Eligibility Center.** To specify that the NCAA Eligibility Center shall provide information regarding the organized competition legislation following a prospective student-athlete's registration.
5. **Ease of Burden Package -- Proposal No. I-2012-6 -- Timing of Mandatory Medical Examinations for Tryouts.** Incorporate the following interpretation into the NCAA Division II Manual:

- Timing of Mandatory Medical Examinations and Tryouts of High School Senior Prospective Student-Athletes. The NCAA Division II Management Council determined that a medical examination administered or supervised by a physician, within six months prior to a prospective student-athlete's participation in practice, competition or out-of-season conditioning activities during his or her senior year in high school, that is accepted by the prospective student-athlete's high school for his or her participation in athletics during that senior year, may be used to satisfy the mandatory medical examination requirements set forth in Bylaw 13.11.2.1-(c) for tryouts conducted by an NCAA Division II institution. [Reference: NCAA Bylaw 13.11.2.1-(c) (tryouts).]

Legislative Referrals to Other Division II Committees:

1. Referrals to the NCAA Division II Academic Requirements Committee:

- a. NCAA Bylaw 15.02.4.3 (exempted institutional financial aid – academic awards). Whether the Division II membership should consider amending the legislation to eliminate the required criteria for exempting academic awards from a student-athlete's full grant-in-aid or cost of attendance and the institution's financial aid limitations; further, to permit institutions to exempt all academic awards provided they are awarded in accordance with institutional policy.

Rationale. During discussions regarding the Ease of Burden initiative, it was suggested the membership consider whether eliminating the required criteria, and permitting institutions to exempt all academic awards provided they are awarded in accordance with institutional policy, would reduce the burden on senior compliance administrators and financial aid officers when determining a student-athlete's financial aid package. If the additional criteria are eliminated, institutions would only have to determine if the academic award was provided in accordance with institutional policy for academic awards for all students, and would not have to take the additional step of determining if the academic award meets additional specified criteria.

- b. NCAA Constitution 3.2.4.10 (academic success rate) and 3.2.4.11 (academic performance census). Whether the Academic Success Rate (ASR) and Academic Performance Census (APC) could be combined into one reporting requirement once cohorts align; further whether the due date for both reports should be adjusted to ease the burden on compliance administrators.

Rationale. All the information requested in the ASR is already gathered in APC. Therefore, once the cohorts sync, ASR should be eliminated. It is recommended

that both reports be due 15 weeks after the start of the fall semester. The June 1 deadline of ASR is difficult as it is a very busy time for compliance administrators (end of school year, Institutional Self-Study Guide deadline, Regional Rules Seminars).

2. Referrals to the NCAA Division II Championships Committee:

- a. Bylaw 31.2.1.7.1 (midseason eligibility verification form). Whether the Division II membership should amend legislation to eliminate the requirement that an institution must submit a midseason eligibility verification form.

Rationale. This form is required three times per year (for each sport season) and includes information that is already provided in an institution's squad list. Eliminating the form or requiring only teams that participate in championships to submit the form would reduce the burden on compliance administrators.

- b. Code of Conduct Form. Whether the code of conduct form could be made available online in an editable format in order to ease the burden on institutional personnel.

Rationale. Currently the code of conduct form is only available in PDF format. It would ease the burden on institutional personnel if it was available as a Microsoft Word document, or if institutions could just type the form online.

3. Referral to the NCAA Committee on Women's Athletics:

- NCAA Gender-Equity Reporting. Whether deadlines and reporting requirements for the federal Equity in Athletics Disclosure Act (EADA) survey and the gender-equity reporting could be aligned.

Rationale. Both surveys gather similar information that is often duplicative. The federal survey is due in October, while the NCAA survey is due in January. Institutional administrators spend significant time preparing for these submissions. Time and resources could be alleviated if both reports were aligned in terms of data requested and due dates.

4. Referral to the NCAA Division II Membership and Planning and Finance Committees:

- Constitution 6.2.3 (Financial Report). Whether the Division II membership should consider aligning the deadline for completion of a financial report and the

- NCAA Institutional Self-Study Guide. In doing so, the timing of the financial report requirement would be extended from three to five years.

Rationale. It is expensive for institutions to conduct an audit every three years (most outside companies charge from \$5,000 to \$10,000 per audit). In addition, by extending the timing of the requirement to every five years, the financial report could be linked to the due date for the Institutional Self-Study Guide, which contains a financial component.

NCAA Division II Ease of Burden Initiative
Summary of Policy Recommendations

The following is a summary of recommendations provided by the NCAA Division II Legislation Committee to assist in easing the burden of compliance related to different processes, policies and practices within the division. While these recommendations do not require a legislative change, the Legislation Committee believes they can assist with the overall goals of this initiative.

1. Review due dates for reporting requirements. Reviewing due dates, including due dates for championships reporting, and ensuring that those due dates are appropriately staggered, will ease the burden on compliance administrators. The committee directed staff to bring a complete list of reporting requirements to a future meeting so the committee may begin to determine what changes are appropriate.
2. Update compliance calendar and make it interactive. The compliance calendar is an excellent resource for compliance administrators to keep track of their duties. There are updates that can be made to make the document an all-inclusive document as it relates to NCAA requirements. In addition, making the compliance calendar interactive (e.g., provide links directly to database, allow institutions to add institutional or conference due dates) will further assist compliance coordinators. The committee directed the staff to provide an updated version of the compliance calendar for review at the March in-person meeting.
3. Provide Ease of Burden updates through NCAA communication platforms. The committee recommended that changes to procedures and processes that ease the burden on Division II intercollegiate athletics be highlighted on the NCAA website and through The NCAA News. Changes to procedures and processes may not be as readily evident to the membership because they do not result in legislative proposals. The committee wants to ensure that all of the division's efforts to ease the burden are recognized and communicated to the membership.
4. Keep Academic Success Rate (ASR) reporting open all year or make it available for a longer period of time. Currently the ASR reporting process is only available for a few weeks. Providing compliance administrators the opportunity to begin entering information earlier will allow those individuals to complete the process more conveniently as their schedule allows. The NCAA research staff will review this recommendation and consider making updates and adjustments to the system right after the submission deadline rather than in the summer in order to make the process available for an extended period of time.
5. Make ethnicity and residence status consistent among all reporting requirements. NCAA reporting requirements differ slightly as to the options available for selecting ethnicity and residence status. The committee referred this issue to the NCAA research staff for review and recommended that this information be made standard for all NCAA reports.

6. Refer recommendations regarding upgrades to Compliance Assistant. During the ease of burden review, a number of upgrades to the Compliance Assistant software have been recommended by the membership. The committee referred the recommendations to the staff and asked that the feasibility of implementing the recommended changes be reviewed.
 - a. Compliance Assistant to interface/sync information with the NCAA Eligibility Center database.
 - (1) Once a student-athlete's academic eligibility is certified by the NCAA Eligibility Center, the information should appear in Compliance Assistant. *Action: This request has been submitted as part of general programming updates.*
 - (2) Compliance Assistant should automatically populate the NCAA Eligibility Center ID number, as well as any information regarding a National Letter of Intent. *Action: This request is complete.*
 - b. Compliance Assistant to interface/sync information with the NCAA compliance forms.
 - Once a student-athlete completes the annual compliance forms, Compliance Assistant should update automatically. *Action: Staff submitted this request, and will attempt to sync the programs prior to the release of the 2012-13 Compliance Forms.*
 - c. Compliance Assistant to interface/sync with Academic Success Rate and Academic Performance Census reporting.
 - Once designation of a degree is added for a student-athlete in Compliance Assistant it should automatically appear in the Academic Tracking System for reporting purposes. *Action: Staff is going to work on an ad hoc report that might achieve this outcome.*
 - d. Compliance Assistant to interface/sync with AMA Online Case Management System.
 - Once a waiver has been decided, the information should appear in the student-athlete page on Compliance Assistant. *Action: Staff submitted this request to be included as a future enhancement in for both the AMA Online Case Management System and Compliance Assistant.*

- e. Compliance Assistant should automatically roll over the number of semesters a student-athlete has used from term to term. *Action: This request has been completed. The functionality of this request is fully dependent on the accuracy of the information submitted by the user.*
- 7. Refer review of streamlined appeals to NCAA waiver teams. Review methods for streamlining appeals processes for waivers. The guidelines for "common sense" appeals should be amended to reduce the amount of paperwork necessary for submitting a waiver (e.g., see process for intercept cases).
- 8. Enhance the AMA Online Case Management System to be able to submit secondary violations. With the move to a single-source sign-on system, institutions would benefit by also being able to submit their secondary violations through AMA Online. The enforcement staff is currently working on developing a system for submitting secondary violations and will take the committee's recommendation under advisement.
- 9. Make compliance forms available online. The NCAA staff accommodated this request, and released the 2011-12 compliance forms through an online system. The committee directed staff to amend some language on the forms, and address any "bugs" in the online system.
- 10. Make the compliance resources on the Division II website available in a format that can be downloaded and used by institutions. Currently, forms are available only in PDF format. Therefore, institutions may only use the example forms as a guide when creating an institutional form. Providing the forms in Microsoft Word, allows institutions to modify the forms without much of a time commitment. The staff agreed to consult with legal counsel before proceeding.
- 11. Collaborate with National Association of Athletics Compliance (NAAC) to develop best practice documents. The committee recommended working with NAAC to develop best practice documents that would assist compliance administrators with their duties. Compliance administrators in Division II have to balance multiple duties at the same time. In addition, there are certain "peak times" during the academic year when compliance administrators have an increased workload (e.g., start of the academic year). By creating and making widely available resources or best practices, compliance administrators would benefit significantly. For example, some institutions have created videos to be used for initial meetings with student-athletes that assist with education of those new athletes and also with completing paperwork. This is an excellent example of a resource that could alleviate some compliance burdens for compliance administrators. In addition, developing a model compliance administration document, similar to the model athletics department document, could be beneficial to compliance administrators.

12. Increase the number of cross references in the Division II Manual. Many times compliance administrators would be assisted if the Manual would cross-reference sections. The committee directed staff to keep this recommendation in mind when drafting legislation in the future.
13. Educate on the availability of electronic request to archive interpretations in LSDBi. Discussions with the membership yielded a recommendation that staff conduct a thorough review of interpretations in LSDBi. In response to that request, the committee directed staff to educate the membership regarding the opportunity to submit a request to archive an interpretation or educational column in LSDBi. This information should be communicated in the NCAA Division II Conference Commissioners Association newsletter and posted in an LSDBi announcement.

Amateurism

12.01 GENERAL PRINCIPLES

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

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

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

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

12.02 DEFINITIONS AND APPLICATIONS

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

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

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

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

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

12.02.5 Student-Athlete. A student-athlete is a student whose enrollment was solicited by a member of the athletics staff or other representative of athletics interests with a view toward the student's ultimate participation in the intercollegiate athletics program. Any other student becomes a student-athlete only when the student reports for an intercollegiate squad that is under the jurisdiction of the athletics department, as specified in Constitution 3.2.4.4. A student is not deemed a student-athlete solely on the basis of prior high school athletics participation.

12.1 GENERAL REGULATIONS

An individual's (prospective student-athlete or enrolled student-athlete) ~~must comply with the following to retain amateur status~~ **amateur status shall be determined using the following.** (See Bylaw 14 regarding the eligibility restoration process.)

12.1.1 Validity of Amateur Status. As a condition and obligation of membership, it is the responsibility of an institution to determine the validity of the information on which the amateur status of a prospective student-athlete (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.

12.1.1.1.1 Scope. The certification of amateur status issued by the NCAA Eligibility Center is limited to activities that occur prior to a prospective student-athlete requesting a final amateurism certification or his or her initial full-time collegiate enrollment at an NCAA Division I or II institution, whichever occurs earlier.

12.1.1.1.2 Institutional Responsibilities.

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

12.1.1.1.2.1 Amateur Status after Certification. An institution is responsible for certifying the amateur status of a prospective student-athlete on a form provided by the NCAA (including two-year and four-year college transfers initially enrolling at an NCAA Division II institution) from the time he or she requests a final certification be issued by the NCAA Eligibility Center or he or she initially enrolls as a full-time student at an NCAA Division I or II institution (whichever occurs earlier). The completed form shall be maintained on file at the institution with other eligibility documents and shall be available for examination on request by the NCAA, and if the institution is a member of a conference, an authorized conference representative.

12.1.1.1.2.2 Sharing Information and Reporting Discrepancies. An institution is responsible for notifying the NCAA Eligibility Center when it receives additional information, or otherwise has cause to believe, that a previously certified prospective student-athlete's amateur status has been jeopardized. Further, an institution is responsible for promptly reporting all discrepancies in information related to a student-athlete's amateurism certification to the NCAA Eligibility Center.

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.

Permissible – Prior to Initial-Collegiate Enrollment.

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

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

12.1.2.1.3.1.1 Educational Expenses—U.S. Olympic Committee and U.S. National Governing Body. An individual may receive educational expenses awarded by the U.S. Olympic Committee or the U.S. national governing body (or, for international student-athletes, expenses awarded by the equivalent organization of a foreign country), in accordance with the applicable conditions set forth in Bylaw 15.2.6.5.

12.1.2.1.3.1.2 Educational Expenses—Professional Team or League. An individual may receive educational expenses awarded by a professional team or league, in accordance with the applicable conditions set forth in Bylaw 15.2.6.6.

12.1.2.1.4.1.1 Exception—Operation Gold Grant. An individual (prospective student-athlete or student-athlete) may accept funds that are administered by the U.S. Olympic Committee pursuant to its Operation Gold Program.

This legislation includes institutional requirements related to the certification of a student-athlete's eligibility. Is it better placed in a section unrelated to the activities that impact an individual's eligibility?

12.1.2.1.4.3 Expenses from Outside Team or Organization. Expenses received from an outside amateur sports team or organization in excess of actual and necessary travel, room and board expenses, and apparel and equipment (for individual and team use only from teams or organizations not affiliated with member institutions, including local sports clubs as set forth in Bylaw 13.11.2.4) for competition and practice held in preparation for such competition. Practice must be conducted in a continuous time period preceding the competition except for practice sessions conducted by a national team, which occasionally may be interrupted for specific periods of time before the competition.

12.1.2.1.4.6 Expenses for Relatives/Legal Guardians of Participants in Athletics Competition. Actual and necessary expenses received by the relatives or legal guardians of a participant in athletics competition from a nonprofessional organization sponsoring the competition ~~in excess of actual and necessary travel, room and board expenses, or any entertainment expenses~~, provided such expenses are made available to the relatives or legal guardians of all participants in the competition.

Impermissible – Prior to Initial-Collegiate Enrollment.

12.1.2.1.6 Preferential Treatment, Benefits or Services. It is impermissible to receive preferential treatment, benefits or services because of the individual's athletics reputation or skill or pay-back potential as a professional athlete, unless such treatment, benefits or services are specifically permitted under NCAA legislation. [R]

12.1.2.1.3 Educational Expenses. Educational expenses provided to an individual by an outside sports team or organization that are based in any degree on the recipient's athletics ability.

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

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

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

Permissible – Following Initial-Collegiate Enrollment.

12.1.2.1.3.1.1 Educational Expenses—U.S. Olympic Committee and U.S. National Governing Body. An individual may receive educational expenses awarded by the U.S. Olympic Committee or the U.S. national governing body (or, for international student-athletes, expenses awarded by the equivalent organization of a foreign country), in accordance with the applicable conditions set forth in Bylaw 15.2.6.5.

12.1.2.1.3.1.2 Educational Expenses—Professional Team or League. An individual may receive educational expenses awarded by a professional team or league, in accordance with the applicable conditions set forth in Bylaw 15.2.6.6.

12.1.2.1.4.1.1 Exception—Operation Gold Grant. An individual (prospective student-athlete or student-athlete) may accept funds that are administered by the U.S. Olympic Committee pursuant to its Operation Gold Program.

12.1.2.1.4.3 Expenses from Outside Team or Organization. Actual and necessary expenses received from an outside amateur sports team or organization ~~in excess of actual and necessary travel, room and board expenses, and apparel and equipment (for individual and team use only from teams or organizations not affiliated with member institutions, including local sports clubs as set forth in Bylaw 13.11.2.4)~~ for competition and practice held in preparation for such competition. Practice must be conducted in a continuous time period preceding the competition except for practice sessions conducted by a national team, which occasionally may be interrupted for specific periods of time before the competition.

12.1.2.1.4.5.1 Expenses for Participation in Olympic Exhibitions. Actual and necessary expenses to participate in Olympic tours or exhibitions from a sponsor other than the U.S. Olympic Committee (USOC), national governing body or nonprofessional organizations sponsoring the event, provided that if the individual is a student-athlete, he or she misses no class time, and the exhibition does not conflict with dates of institutional competition.

12.1.2.1.5.1 Exception—Operation Gold Grant. An individual (prospective student-athlete or student-athlete) may accept funds that are administered by the U.S. Olympic Committee pursuant to its Operation Gold Program.

Impermissible – Following Initial-Collegiate Enrollment.

12.1.2.1.6 Preferential Treatment, Benefits or Services. It is impermissible to receive preferential treatment, benefits or services because of the individual's athletics reputation or skill or pay-back potential as a professional athlete, unless such treatment, benefits or services are specifically permitted under NCAA legislation. [R]

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

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

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

12.1.2.1.3.1 Educational Expenses from Outside Sports Team or Organization—Following Collegiate Enrollment. Educational expenses provided to an individual by an outside sports team or organization that are based in any degree on the recipient's athletics ability (except as specified in Bylaw 15.2.6.4), even if the funds are given to the institution to administer to the recipient.

12.1.2.1.3.1 Educational Expenses from Outside Sports Team or Organization—Following Collegiate Enrollment. Educational expenses provided to an individual following collegiate enrollment by an outside sports team or organization that are based in any degree on the recipient's athletics ability [except for financial aid that is received from a team or organization that conducts a competitive sports program by an individual who is not a member of that team or organization (see Bylaw 15.2.6.3)], even if the funds are given to the institution to administer to the recipient.

12.1.2.1.4.1 Cash or Equivalent Award. Following initial full-time collegiate enrollment, cash, or the equivalent thereof (e.g., trust fund), as an award for participation in competition at any time, even if such an award is permitted under the rules governing an amateur, noncollegiate event in which the individual is participating. An award or a cash prize that an individual could not receive under NCAA legislation may not be forwarded in the individual's name to a different individual or agency.

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

12.1.2.1.4.3 Expenses from Outside Team or Organization. Expenses received from an outside amateur sports team or organization in excess of actual and necessary travel, room and board expenses, and apparel and equipment (for individual and team use only from teams or organizations not affiliated with member institutions, including local sports clubs as set forth in Bylaw 13.11.2.4) for competition and practice held in preparation for such competition. Practice must be conducted in a continuous time period preceding the competition except for practice sessions conducted by a national team, which occasionally may be interrupted for specific periods of time before the competition.

12.1.2.1.4.3.1 Expenses for Participation in Olympic Exhibitions. Expenses received from the U.S. Olympic Committee (USOC) or national governing body to participate in Olympic tours or exhibitions involving Olympic team members and/or members of the national team, provided that if the individual is a student-athlete, he or she misses no class time, and the exhibition does not conflict with dates of institutional competition.

12.1.2.1.4.3.2 Exception—Operation Gold Grant. An individual (prospective student-athlete or student-athlete) may accept funds that are administered by the U.S. Olympic Committee pursuant to its Operation Gold Program.

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

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

12.1.2.1.4.6 Expenses for Relatives/Legal Guardians of Participants in Athletics Competition. Expenses received by the relatives or legal guardians of a participant in athletics competition from a nonprofessional organization sponsoring the competition in excess of actual and necessary travel, room and board expenses, or any entertainment expenses, provided such expenses are made available to the relatives or legal guardians of all participants in the competition.

12.1.2.1.5 Payment Based on Performance. Following initial full-time collegiate enrollment, any payment, including actual and necessary expenses, conditioned on the individual's or team's place finish or performance or given on an incentive basis, or receipt of expenses in excess of the same reasonable amount for permissible expenses given to all individuals or team members involved in the competition.

12.1.2.1.7 Prize for Participation in Institution’s Promotional Activity. Receipt of a prize for participation (involving the use of athletics ability) in a member institution’s promotional activity that is inconsistent with the provisions of Bylaw 12.5.

12.1.2.2 Use of Overall Athletics Skill—Effect on Eligibility. Following initial full-time collegiate enrollment, participation for pay in competition that involves the use of overall athletics skill (e.g., “superstars” competition) constitutes a violation of the Association’s amateur-status regulations; therefore, an individual participating for pay in such competition is ineligible for intercollegiate competition in all sports. (See Bylaw 12.5.2.3.3 for exception related to promotional contests.)

12.1.2.3 Road Racing. “Road racing” is essentially the same as cross country or track and field competition and cannot be separated effectively from those sports for purposes of Bylaw 12. Therefore, following initial full-time collegiate enrollment, an individual who accepts pay in any form for participation in such a race is ineligible for intercollegiate cross country or track and field competition.

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

- (a) Following initial full-time collegiate enrollment, uses his or her athletics skill (directly or indirectly) for pay in any form in that sport;
- (b) Following initial full-time collegiate enrollment, accepts a promise of pay even if such pay is to be received following completion of intercollegiate athletics participation;
- (c) Following initial full-time collegiate enrollment, signs a contract or commitment of any kind to play professional athletics, regardless of its legal enforceability or any consideration received;
- (d) Following initial full-time collegiate enrollment, receives, directly or indirectly, a salary, reimbursement of expenses or any other form of financial assistance from a professional sports organization based on athletics skill or participation, except as permitted by NCAA rules and regulations;
- (e) Following initial full-time collegiate enrollment, competes on any professional athletics team (per Bylaw 12.02.4), even if no pay or remuneration for expenses was received; or
- (f) Enters into an agreement with an agent either prior to or following initial full-time collegiate enrollment.

12.1.2.1 Prohibited Forms of Pay. The prohibition against “pay” as used in Bylaw 12.1.2 above is applicable only to individuals following initial full-time collegiate enrollment and includes, but is not limited to, the following:

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

Is this necessary since it is included in Bylaw 16 for post enrollment?

Are the exceptions to the amateurism rule better situated within the permissible and impermissible activities or should the legislation remain separate?

12.1.2.4 Exceptions to Amateurism Rule.

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

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

- (a) The money is contributed directly to the institution, conference, or the charitable, educational or nonprofit agency;

- (b) The student-athletes receive no compensation or prizes for their participation; and
- (c) The provisions of Bylaw 12.5.1 are satisfied.

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

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

12.1.2.4.5 Exception for Relatives Travel to Olympic Games. A commercial company (other than a professional sports organization) or members of the local community may provide actual and necessary expenses for an individual's relatives or legal guardians to attend the Olympic Games in which the individual will participate.

12.1.2.4.6 Exception for Payment of NCAA Eligibility Center Fee. A high school booster club (as opposed to specific individuals) may pay the necessary fee for prospective student-athletes at that high school to be certified by the NCAA Eligibility Center, provided no particular prospective student-athlete(s) is singled out because of his or her athletics ability or reputation.

12.1.2.4.7 Exception for Camp Sponsored by a Charitable Foundation Funded by a Professional Sports Organization. An individual may receive actual and necessary expenses from a charitable foundation that is funded by a professional sports organization to attend a camp or clinic, provided:

- (a) The charitable foundation is one that is defined as an exempt organization by the Internal Revenue Service;
- (b) No professional sports organization, NCAA institution or conference owns or operates the sponsoring charitable foundation;
- (c) No camp participant is a prospective student-athlete per Bylaw 13.02.9;
- (d) The charitable foundation provides to the participants nothing more than actual and necessary expenses to attend the camp or clinic and equipment/apparel necessary for participation; and
- (e) All camp participants fall within the sponsoring charitable foundation's guidelines for determining low-income, at-risk children.

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

- (a) The apparel or equipment items are related to the prospective student-athlete's sport and are received directly from an apparel or equipment manufacturer or distributor;
- (b) The prospective student-athlete does not enter into an arrangement (e.g., open account) with an apparel or equipment manufacturer or distributor that permits the prospective student-athlete to select apparel and equipment items from a commercial establishment of the manufacturer or distributor; and
- (c) A member institution's coach is not involved in any manner in identifying or assisting an apparel or equipment manufacturer or distributor in determining whether a prospective student-athlete is to receive any apparel or equipment items.

12.1.2.4.9 Commemorative Items for Student-Athletes Participating in Olympic Games, World University Games, World University Championships, Pan American Games, World Championships and World Cup Events. It is permissible for student-athletes with eligibility remaining to receive commemorative items incidental to participation in the Olympic Games, World University Games, World University Championships, Pan American Games, World Championships and World Cup events through the applicable national governing body. These benefits may include any and all apparel, leisure wear, footwear and other items that are provided to all athletes participating in the applicable event.

12.1.2.4.10 Exception—NCAA First-Team Mentoring Program. A prospective student-athlete who is a participant in the NCAA First-Team Mentoring Program may receive actual and necessary expenses to attend the First-Team Mentoring Program's annual educational conference and training seminar.

12.1.3 Amateur Status if Professional in Another Sport. A professional athlete in one sport may represent a member institution in a different sport. The institution may award institutional financial aid to a student-athlete, provided the student-athlete is not professional in the sport in which the student-athlete will participate at the certifying institution. However, a student-athlete who currently is receiving institutional financial aid and signs a contract in the same sport or receives compensation from an agent or a professional-sport organization may continue to receive such aid for the remainder of the term of the award, provided the student-athlete has completed his or her four seasons of competition. (See Bylaw 15.3.1.4.)

12.1.3.1 Professional at Later Date. If the individual later becomes involved in professional athletics while still a student-athlete with remaining eligibility, the individual would be considered to have violated the principles of ethical conduct per Bylaw 10, thus rendering the individual ineligible for intercollegiate competition.

12.2 INVOLVEMENT WITH PROFESSIONAL TEAMS

12.2.1 Tryouts.

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.

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

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

- (a) Receive any compensation for participation in the practice sessions;
- (b) Enter into any contract or agreement with a professional team or sports organization; or
- (c) Take part in any outside competition (games or scrimmages) as a representative of a professional team.

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

12.2.3 Competition.

12.2.3.1 Competition against Professionals. An individual may participate singly or as a member of an amateur team against professional athletes or professional teams.

12.2.3.2 Competition with Professionals. Following initial full-time collegiate enrollment, an individual shall not be eligible for intercollegiate athletics in a sport, if the individual competed on a professional athletics team (per Bylaw 12.02.4) in that sport. However, an individual may compete on a tennis, golf, two-person sand volleyball or two-person synchronized diving team(s) with persons who are competing for cash or a comparable prize, provided the individual does not receive payment of any kind for such participation.

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

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

12.2.3.2.3 Major Junior Ice Hockey—Men's Ice Hockey. An individual who competes on a Major Junior ice hockey team shall be subject to the seasons of competition regulations set forth in Bylaw 14.2.4.2, regardless of when such competition occurs.

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

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

12.2.4 Draft and Inquiry.

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

12.2.4.2 Draft List. Following initial full-time collegiate enrollment, an individual loses amateur status in a particular sport when the individual asks to be placed on the draft list or supplemental draft list of a professional league in that sport, even though:

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

- (b) The individual's name remains on the list but he or she is not drafted; or
- (c) The individual is drafted but does not sign an agreement with any professional athletics team.

12.2.4.2.1 Draft Exception—All Sports. An enrolled student-athlete may enter a professional league's draft an unlimited number of times during his or her collegiate career and be drafted by any team in the league without jeopardizing eligibility in that sport, provided the student-athlete does not ever agree (orally or in writing) to be represented by an agent for the purposes of marketing his or her athletics ability or reputation in that sport, sign a professional sport contract or otherwise jeopardize his or her amateur status.

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

12.2.5 Contracts and Compensation.

12.2.5.1 General Rule. After initial full-time collegiate enrollment, an individual shall be ineligible for participation in an intercollegiate sport, if he or she has entered into any kind of agreement to compete in professional athletics, either orally or in writing, regardless of the legal enforceability of that agreement.

12.2.5.1.1 Nonbinding Agreements. After initial full-time collegiate enrollment, an individual who signs a contract or commitment that does not become binding until the professional organization's representative or agent also signs the document is ineligible, even if the contract remains unsigned by the other parties until after the student-athlete's eligibility is exhausted.

12.3 USE OF AGENTS

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

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

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

- (a) Any person who represents any individual in the marketing of his or her athletics ability. The receipt of such expenses constitutes compensation based on athletics skill and is an extra benefit not available to the student body in general; or
- (b) An agent, even if the agent has indicated that he or she has no interest in representing the student-athlete in the marketing of his or her athletics ability or reputation and does not represent individuals in the student-athlete's sport.

12.3.1.2.1 Educational Expenses or Services. Receipt of educational expenses or services (e.g., tuition, fees, room and board, books, tutoring, standardized test preparatory classes) from an agent is specifically prohibited.

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

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

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

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

12.3.4 Professional Sports Counseling Panel. It is permissible for an institution to have an authorized institutional professional sports counseling panel appointed and overseen by the institution's president or chancellor (or his or her designated representative from outside the athletics department).

12.4 EMPLOYMENT

12.4.1 Criteria Governing Compensation to Student-Athletes. All compensation received by a student-athlete must be consistent with the limitations on financial aid set forth in Bylaw 15. Compensation may be paid to a student-athlete:

- (a) Only for work actually performed;
- (b) At a rate commensurate with the going rate in that locality for similar services; and
- (c) An employer shall not use the athletics reputation of a student-athlete employee to promote the sale of the employer's product or services.

12.4.2 Specific Athletically Related Employment Activities.

12.4.2.1 Broken-Time Payments. An individual may not receive "broken-time" payments except as authorized and administered by the U.S. Olympic Committee during the period immediately before and including actual Olympic competition. A permitted broken-time payment may cover financial loss as a result of absence from employment to prepare for or participate in the Olympic Games. Such compensation during any other period and payments administered independently of the USOC by other sports governing bodies (e.g., the U.S. Ski Association) are prohibited. [R]

12.4.2.1.1 Exception—When Individual Not Enrolled in Regular Term. An individual may receive broken-time payments administered by the U.S. Olympic Committee or the national governing body in the sport during a period when the individual is not enrolled (full or part time) in a regular term to cover financial loss as a result of absence from employment as a direct result of practicing and competing on a national team (defined in Bylaw 14.02.8), provided the amounts are consistent with the principles set forth in Bylaw 12.4.1 and do not exceed \$300 per week, and the payment period covers not more than the period from the date the individual begins practice with the national team after selection to that team to one week after the conclusion of the competition. [R]

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

12.5 PROMOTIONAL ACTIVITIES

12.5.1 Permissible.

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

- (a) The student-athlete receives written approval to participate from the institution's chancellor or president (or his or her designee), subject to the limitations on participants in such activities as set forth in Bylaw 17;
- (b) The specific activity or project in which the student-athlete participates does not involve cosponsorship, advertisement or promotion by a commercial agency except as follows:
 - (1) Identification (e.g., graphics, voice over, on-screen text) of the commercial entity must explain the commercial entity's affiliation with the permissible entity (e.g., entity is the official sponsor of the institution/event);
 - (2) The appearance or description of the commercial product(s)/service(s) and/or the commercial entity's logo(s) may be included, but may not exceed 25 percent of the total promotional activity. Further, language or action included in the promotion may not directly encourage the use or purchase of the commercial product or service (e.g., "drink this product") with which the commercial entity is associated;
- (c) The student-athlete does not miss class;
- (d) All money derived from the activity or project go directly to the member institution, member conference or the charitable, educational or nonprofit agency;
- (e) The student-athlete may accept actual and necessary expenses from the member institution, member conference or the charitable, educational or nonprofit agency related to participation in such activity;
- (f) The student-athlete's name, picture or appearance is not used to promote the commercial ventures of any nonprofit agency;
- (g) Any commercial items with names or pictures of student-athletes (other than items specified per Bylaws 12.5.1.7 and 12.5.1.8) may be sold only by the member institution, member conference or NCAA, through outlets controlled by the member institution, member conference or the NCAA or outlets controlled by the charitable or educational organization (e.g., location of the charitable or educational organization, site of charitable event during the event); and
- (h) The student-athlete and an authorized representative of the charitable, educational or nonprofit agency sign a release statement ensuring that the student-athlete's name, image or appearance is used in a manner consistent with the requirements of this section.

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

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

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.

12.5.1.1.4 Player/Trading Cards. A member institution or recognized entity thereof (e.g., fraternity, sorority or student government organization), a member conference or a noninstitutional charitable, educational or nonprofit agency may distribute but may not sell player/trading cards that bear a student-athlete's name or picture.

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

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. [D]

12.5.1.1.6 Effect of Violations. The following violations of Bylaw 12.5.1.1 shall be considered institutional violations per Constitution 2.8.1; however, the student-athlete's eligibility shall not be affected:

- (a) An institution, without the student-athlete's knowledge or consent, uses or permits the use of the student-athlete's name or picture in a manner contrary to Bylaw 12.5.1.1;
- (b) A student-athlete unknowingly participates in an impermissible institutional promotional activity and receives not more than actual and necessary expenses;
- (c) A violation in which the only condition of the legislation not satisfied is the requirement to obtain written approval from the institution's chancellor or president (or his or her designee), provided the approval would have been granted if requested; and
- (d) A violation in which the only condition of the legislation not satisfied is the requirement that the student-athlete and an authorized representative of the charitable, educational or nonprofit agency sign a release statement, provided the release statement would have been signed if such a request had been made.

12.5.1.2 Participation in Commercials—Prior to Collegiate Enrollment. Prior to initial full-time collegiate enrollment, an individual may promote or endorse commercial products or services without jeopardizing intercollegiate eligibility, provided the individual does not receive payment or any other form of compensation (other than actual and necessary expenses), if he or she is displaying athletics skill or is selected to participate in the promotion as a result of his or her athletics reputation or ability.

12.5.1.2.1 U.S. Olympic Committee/National Governing Body Advertisement Prior to Collegiate Enrollment. Before initial, full-time collegiate enrollment, an individual may receive payment for the display of athletics skill in a commercial advertisement, provided:

- (a) The individual receives prior approval to appear in the advertisement from the U.S. Olympic Committee or the applicable national governing body;
- (b) The U.S. Olympic Committee or national governing body approves of the content and the production of the advertisement;
- (c) The individual forwards the payment to the U.S. Olympic Committee or national governing body for the general use of the organization(s); and
- (d) The funds are not earmarked for the individual.

12.5.1.3 Modeling and Other Nonathletically Related Promotional Activities. An individual may accept remuneration for or permit the use of his or her name or picture to advertise or promote the sale or use of a commercial product or service without jeopardizing his or her eligibility to participate in intercollegiate athletics only if all of the following conditions apply:

- (a) The individual became involved in such activities for reasons independent of athletics ability;
- (b) No reference is made in these activities to the individual's name or involvement in intercollegiate athletics;
- (c) The individual does not endorse the commercial product; and
- (d) The individual's remuneration under such circumstances is at a rate commensurate with the individual's skills and experience as a model or performer and is not based in any way on the individual's athletics ability or reputation.

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

- (a) The primary purpose of the advertisement is to publicize the sponsor's congratulations to the student-athlete or team;
- (b) The advertisement does not include a reproduction of the product with which the business is associated or any other item or description identifying the business or service other than its name or trademark;
- (c) There is no indication in the makeup or wording of the advertisement that the squad members, individually or collectively, or the institution endorses the product or service of the advertiser;
- (d) The student-athlete has not signed a consent or release granting permission to use the student-athlete's name or picture in a manner inconsistent with the requirements of this section; and

- (e) If the student-athlete has received a prize from a commercial sponsor in conjunction with participation in a member institution's promotional activities and the advertisement involves the announcement of receipt of the prize, the receipt of the prize is consistent with the provisions of Bylaw 12.5.2.3.3.

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

- (a) Such print and electronic media productions are for educational purposes;
- (b) There is no indication that the student-athlete expressly or implicitly endorses a commercial product or service;
- (c) The student-athlete does not receive remuneration for such participation; however, the student-athlete may receive actual and necessary expenses related to his or her participation;
- (d) The student-athlete does not miss class time to participate in the activity; and
- (e) The student-athlete has signed a release statement ensuring that the student-athlete's name or image is used in a manner consistent with the requirements of this section and has filed a copy of the statement with the student-athlete's member institution.

12.5.1.6 Camps.

12.5.1.6.1 Institutionally Sponsored Camps. A member institution's camp may use the name or picture of any student-athlete employed as a counselor or any student-athlete from the member institution to publicize or promote the camp, including the use of the student-athlete's name or picture in camp brochures or other advertising. [D]

12.5.1.6.2 Privately Owned Camps. A privately owned camp may use the name or picture of any student-athlete employed as a counselor to publicize or promote the camp, including the use of the student-athlete's name or picture in camp brochures or other advertising. [D]

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

- (a) The institution specifically designates any agency that is authorized to receive orders for the film, videotape or media guide;
- (b) Sales and distribution activities have the written approval of the institution's athletics director;
- (c) The distribution company or a retail store is precluded from using the name or picture of an enrolled student-athlete in any poster or other advertisement to promote the sale or distribution of the film or media guide; and
- (d) There is no indication in the makeup or wording of the advertisement that the squad members, individually or collectively, or the institution endorses the product or services of the advertiser.

12.5.1.8 Promotion by a Third Party of Photographs. Any party hired by the member institution, the member conference or NCAA may sell and distribute a picture of a student-athlete only if:

- (a) The member institution, the member conference or the NCAA specifically designates the agency that is authorized to receive orders for the film/photograph;
- (b) Sales and distribution activities have the written approval of the member institution's athletics director, the member conference's commissioner or the NCAA; and
- (c) If the third party advertises the availability of the photograph, the third party is precluded from using the name or picture of an enrolled student-athlete in any poster or other advertisement to promote the sale or distribution of the film/photograph; and there shall be no indication in the makeup or wording of the advertisement that squad members, individually or collectively, or the institution, the conference or the NCAA endorses the product or services of the third party.

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

12.5.1.10 Olympic, Pan American, World Championships, World Cup, World University Games and World University Championships. A student-athlete's name or picture may be used to promote Olympic, Pan American, World Championships, World Cup, World University Games or World University Championships as specified in this section.

12.5.1.10.1 Sale and Distribution of Promotional Items. Promotional items (e.g., posters, postcards, film, videotapes) bearing the name or picture of a student-athlete and related to these events may be sold or distributed by the national or international sports governing body sponsoring these events or its designated third-party distributors. It is not permissible for such organizations to sell player/trading cards that bear a student-athlete's name or picture. Promotional items may include a corporate sponsor's trademark or logo but not a reproduction of the product with which the business is associated. The name or picture of the student-athlete may not be used by the distribution company or retail store on any advertisement to promote the sale or distribution of the commercial item.

12.5.1.10.1.1 Corporate Sponsors. A corporate sponsor may sell a promotional item related to these events that uses the name or picture of a team but not an individual student-athlete.

12.5.2 Nonpermissible.

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

- (a) Accepts any remuneration for or permits the use of his or her name or picture to advertise, recommend or promote directly the sale or use of a commercial product or service of any kind; or
- (b) Receives remuneration for endorsing a commercial product or service through the individual's use of such product or service.

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

- (a) Meets the conditions set forth in Bylaw 12.5.1.3 that would permit continuation of such activities; or
- (b) Takes appropriate steps upon becoming a student-athlete to retract permission for the use of his or her name or picture and ceases receipt of any remuneration for such an arrangement.

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

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

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

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

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

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

12.5.3 Media Activities. A student-athlete may participate in media activities when such an appearance or participation is related in any way to athletics ability or prestige provided:

- (a) The student-athlete is eligible academically to represent the institution at the time of appearance or participation;
- (b) The student-athlete does not receive any remuneration for the appearance or participation in the activity; and
- (c) The student-athlete does not make any endorsement, expressed or implied, of any commercial product or service. The institution or the entity sponsoring the activity may pay the actual and necessary expenses directly related to the appearance or participation by the student-athlete in the activity.

12.5.3.1 Writing Activities for a Commercial Entity. It is not permissible for a student-athlete to write a column in a newsletter produced by a commercial company.

12.5.4 Use of Logos on Equipment, Uniforms and Apparel. A student-athlete may use athletics equipment or wear athletics apparel that bears the trademark or logo of an athletics equipment or apparel manufacturer or distributor in athletics competition and pre- and postgame activities (e.g., celebrations on the court, pre- or postgame press conferences), provided the following criteria are met. **[D]**

- (a) Athletics equipment (e.g., shoes, helmets, baseball bats and gloves, batting or golf gloves, hockey and lacrosse sticks, goggles and skis) shall bear only the manufacturer's normal label or trademark, as it is used on all such items for sale to the general public; and
- (b) The student-athlete's institution's official uniform (including numbered racing bibs and warm-ups) and all other items of apparel (e.g., socks, head bands, T-shirts, wrist bands, visors or hats, swim caps and towels) shall bear only a single manufacturer's or distributor's normal label or trademark (regardless of the visibility of the label or trademark), not to exceed 2 1/4 square inches in area (i.e., rectangle, square, parallelogram) including any additional material (e.g., patch) surrounding the normal trademark or logo.

12.5.4.1 Laundry Label. If an institution's uniform or any item of apparel worn by a student-athlete in competition contains washing instructions on the outside of the apparel on a patch that also includes the manufacturer's or distributor's logo or trademark, the entire patch must be contained within a four-sided geometrical figure (i.e., rectangle, square, parallelogram) that does not exceed 2 1/4 square inches. **[D]**

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

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

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

12.6 FINANCIAL DONATIONS FROM OUTSIDE ORGANIZATIONS

12.6.1 Professional Sports Organizations.

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

12.6.1.2 To Intercollegiate Event. A professional sports organization may serve as a financial sponsor of an intercollegiate competition event, provided the organization is not publicly identified as such. A professional sports organization may serve as a financial sponsor of an activity or promotion that is ancillary to the competition event and may be publicly identified as such. **[D]**

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

12.6.1.4 To Institution. A member institution may receive contributions (e.g., tickets, funds, memorabilia) from a professional sports organization, including financial contributions from a professional sports organization for sponsorship of a specific intercollegiate competition event conducted by the institution, including ancillary activities and promotions.

12.6.1.5 To Conference. A member conference may receive contributions (e.g., tickets, funds, memorabilia) from a professional sports organization, including financial contributions from a professional sports organization for sponsorship of a specific intercollegiate competition event conducted by the conference, including ancillary activities and promotions.

12.6.1.6 Revenues Derived from Pro-Am Events. The distribution of revenues from an event involving an intercollegiate athletics team and a professional sports team (e.g., a baseball game in which a member institution's team plays against a professional baseball team) or pro-am event (e.g., golf, tennis) that results in a member institution receiving a share of receipts from such a contest is permitted, provided the institution has a formal agreement with the professional sports team regarding the institution's guarantee or share of receipts and the contractual terms are consistent with agreements made by the professional team or individuals for similar intercollegiate or nonprofessional competition.

12.6.1.7 Promotion of Professional Athletics Contests. A member institution may host and promote an athletics contest between two professional teams from recognized professional sports leagues as a fundraising activity for the institution.

12.6.2 Nonprofessional Sports Organizations.

12.6.2.1 Individual Athletics Performance. A member institution shall not accept funds donated from a nonprofessional sports organization based on the place finish of a student-athlete or the number of student-athletes representing the institution in an event. However, the organization may donate an equal amount of funds to every institution with an athlete or team participating in a particular event.

12.6.2.2 Individual and Team Rankings. A member institution may accept funds donated to its athletics program from a nonprofessional sports organization based on an individual's or a team's national or regional ranking.

12.6.2.3 Academic Performance. A member institution may accept funds donated to its athletics program from a nonprofessional sports organization based on an individual's or a team's academic performance (e.g., the number of academic All-American award recipients).

**Ease of Burden Initiative – NCAA Bylaws 13.5, 13.6, 13.7, 13.11 and 17.02.14 –
Recruiting and Playing and Practice Seasons – Campus Visits and Tryouts**

Issue:

Whether the NCAA Division II Legislation Committee should recommend sponsorship of 2013 NCAA Convention legislation to amend and/or eliminate specific subsections of NCAA Bylaws 13.5 (transportation), 13.6 [official (paid) visit], 13.7 [unofficial (nonpaid) visit], 13.11 (tryouts) and 17.02.14 (tryouts – enrolled student-athlete) based on the three goals of the Ease of Burden initiative.

Background and Analysis:

Following the June 2010 NCAA Division II Chancellors and Presidents Summit in which it was determined that there was a need to alleviate some of the compliance and financial burdens that current regulations place on Division II intercollegiate athletics, the NCAA Division II Presidents Council charged the Legislation Committee with reviewing current legislation and processes and offering recommendations to:

1. Ease the burden of compliance;
2. Assist Division II administrators with better time management; and
3. Identify potential cost savings for better allocation of resources.

The committee began its review in November 2010 and over the course of its meetings during 2011, recommended a number of legislative changes for the 2012 Convention. The Presidents Council agreed to sponsor five proposals, some of which would change the landscape of recruiting in Division II [see NCAA Proposal Nos. 2012-2 (amateurism and eligibility – general regulations and eligibility requirements – elimination of eligibility form to certify international student-athletes); 2012-5 (financial aid – financial aid from outside sources – financial aid from an established and continuing program); 2012-11 (recruiting – contacts and evaluations – permissible number and time period for contacts – unlimited contacts); 2012-12 (recruiting – contacts and evaluations – contactable prospective student-athletes – high school prospective student-athletes – permissible number and timing of telephone calls); and 2012-13 (recruiting – recruiting materials – printed recruiting materials, electronic media and electronic transmissions – permissible number and timing of materials)]. The membership overwhelmingly adopted these changes.

At the onset of this review, the committee recognized that it would take at least 18 to 24 months, or two Conventions (2012 and 2013 NCAA Conventions), to review Division II legislation and nonlegislative policies and procedures to help ease administrative burden. As a result, during this meeting, the committee will continue its review by discussing the campus visits legislation (including transportation to/from such visits) and tryouts of prospective student-athletes and

student-athletes legislation to determine whether they should be amended and/or eliminated based on the three goals of the ease of burden initiative (see above). Thereafter, the committee will also review the legislation to determine if it is: (a) enforceable; (b) supportive of student-athlete success; or (c) more appropriately addressed at the institutional and/or conference levels.

Finally, the committee will discuss whether the timing of official (paid) visits [see Bylaw 13.6.1.2 (first opportunity to visit)] and tryouts of prospective student-athletes [see Bylaw 13.11.2.1-(b) (tryouts)] should be amended to permit such visits and tryouts to occur beginning June 15 immediately preceding a prospective student-athlete's junior year in high school. This change would be consistent with the permissible time period for contacts, telephone calls and electronic media and transmissions as of June 15 2012; for any prospective student-athlete entering his or her junior year in high school June 15, 2012, and thereafter. (See Proposal Nos. 2012-11, 2012-12 and 2012-13.)

Conclusions:

1. The Legislation Committee **recommends** sponsoring 2013 Convention legislation to amend and/or eliminate subsections of Bylaws 13.5 (transportation), 13.6 [official (paid) visit], 13.7 [unofficial (nonpaid) visit], 13.11 (tryouts) and 17.02.14 (tryouts – enrolled student-athlete), as specified.
2. The Legislation Committee **does not recommend** sponsoring 2013 Convention legislation to amend and/or eliminate Bylaws 13.5 (transportation), 13.6 [official (paid) visit], 13.7 [unofficial (nonpaid) visit], 13.11 (tryouts) and 17.02.14 (tryouts – enrolled student-athlete).

Associated Bylaws: [Note: Bylaws tinted red have an effective date of 1/11/12 or 1/14/12. Bylaws that are tinted red and boxed have a delayed effective date.]

Division II Bylaws

13.5 TRANSPORTATION

13.5.1 General Restrictions. An institution may provide transportation to a prospective student-athlete on an official paid visit as specified in Bylaw 13.5.2 or an unofficial visit as specified in Bylaw 13.5.3.

13.5.1.1 Nonpermissible Transportation. If nonpermissible transportation is provided, the institution may not avoid a violation of this rule by receiving reimbursement for mileage from the prospect.

13.5.2 Transportation on Official (Paid) Visit.

13.5.2.1 General Restrictions. A member institution may pay the prospective student-athlete's actual round-trip transportation costs for his or her official visit to its campus, provided a direct route between the prospective student-athlete's home and the institution's campus is used. Use of a limousine or helicopter for such transportation is prohibited. [R]

13.5.2.2 Automobile Transportation. When a prospective student-athlete travels by automobile on an official paid visit, the institution may pay round-trip expenses to the individual incurring the expense (except the prospective student-athlete's coach as provided in Bylaw 13.8.1.1) at the same mileage rate it allows its own personnel. Any automobile may be used by the prospective student-athlete, provided the automobile is not owned or operated or its use is arranged by the institution or any representative of its athletics interests. [R]

13.5.2.2.1 Prospective Student-Athlete's Friends and Relatives. A prospective student-athlete's friends, relatives or legal guardian(s) may receive cost-free transportation to visit a member institution's campus only by accompanying the prospective student-athlete at the time the prospective student-athlete travels in an automobile to visit the campus.

13.5.2.2.2 Use of Automobile. The institution or representatives of its athletics interests shall not provide an automobile for use during the official visit by the prospective student-athlete or by a student host. [R]

13.5.2.3 Air Transportation. The air fare for commercial transportation for the official visit may not exceed coach (or comparable) class. [R]

13.5.2.3.1 Institution's Airplane. An institution may use its own airplane to transport a prospective student-athlete to the campus for an official visit, provided relatives, other friends or legal guardian(s) do not accompany the prospective student-athlete.

13.5.2.3.2 Noncommercial Airplane. Whenever an aircraft (other than a commercial airplane) is used to transport a prospective student-athlete, payment for its use shall be at the established charter rates at the airport where the craft is based. The institution shall be prepared to demonstrate satisfactorily that such payment has been made. [R]

13.5.2.4 From Airport. During the official visit, any member of an institution's athletics department staff may provide ground transportation for a prospective student-athlete between the campus and any bus or train station or airport. The 48-hour period begins at the time the prospective student-athlete arrives on the institution's campus. The transportation must be without delay for personal reasons or entertainment purposes. [R]

13.5.2.5 To/From Site of Competition. A prospective student-athlete may be transported to campus for an official visit from the site of his or her athletics competition or the reverse arrangement, provided only actual transportation expenses are paid and the cost of the transportation does not exceed the cost of transportation between the prospective student-athlete's home or educational institution and the institution's campus. [R]

13.5.2.5.1 Coach Transporting Prospective Student-Athlete and Prospective Student-Athlete's Relatives or Legal Guardian(s) To/From Site of Competition to Campus. A coach, who is certified through the annual certification requirement to recruit and evaluate prospective student-athletes off campus, may transport a prospective student-athlete and his or her relatives or legal guardians in any vehicle to and from the site of competition to campus on an official visit, provided the conditions regarding contact restrictions at specified sites are satisfied (see Bylaw 13.1.7) and the transportation provided does not exceed

the distance between the locale of the prospective student-athlete's home to the institution's campus. The 48-hour time limitation of the official visit shall begin if entertainment (e.g., meal) is provided to the prospective student-athlete or the prospective student-athlete's relatives or legal guardians while providing such transportation. [R]

13.5.2.6 From Educational Institution. An institution may pay actual transportation costs for the prospective student-athlete to return to his or her home after an official visit that originated at the prospective student-athlete's educational institution, provided the cost of the transportation to the legal residence does not exceed the cost of transportation to the educational institution. [R]

13.5.2.6.1 Coach Transporting Prospective Student-Athlete and Prospective Student-Athlete's Relatives or Legal Guardian(s) From Educational Institution to Campus. A coach, who is certified through the annual certification requirement to recruit and evaluate prospective student-athletes off campus, may transport a prospective student-athlete and his or her relatives or legal guardians in any vehicle to and from the prospective student-athlete's educational institution to campus on an official visit, provided the conditions regarding the contact restrictions at specified sites are satisfied (see Bylaw 13.1.7) and the transportation provided does not exceed the distance between the locale of the prospective student-athlete's home to the institution's campus. The 48-hour time limitation of the official visit shall begin if entertainment (e.g., meal) is provided to the prospective student-athlete or the prospective student-athlete's relatives or legal guardians while providing such transportation. [R]

13.5.2.7 Visiting Two or More Institutions. Two or more institutions to which a prospective student-athlete is making official visits on the same trip may provide travel expenses, provided there is no duplication of expenses, only actual and necessary expenses are provided, and the 48-hour visit limitation is observed at each institution. [R]

13.5.2.8 Transportation of Prospective Student-Athlete's Relatives, Friends or Legal Guardian(s). 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 prospective student-athlete to visit the campus or elsewhere, except as provided in Bylaw 13.5.2.8.1. [R]

13.5.2.8.1 Coach Transporting Prospective Student-Athlete and Prospective Student-Athlete's Relatives or Legal Guardian(s) To and From an Official Visit. A coach, who is certified through the annual certification requirement to recruit and evaluate prospective student-athletes off campus, may transport a prospective student-athlete and his or her relatives or legal guardians to and from the prospective student-athlete's home to campus on an official visit, in any vehicle, regardless of whether a visit occurs during or outside a permissible contact period. [R]

13.5.3 Transportation on Unofficial Visit. During any unofficial recruiting visit, the institution may provide the prospective student-athlete with transportation to view practice and competition sites in the prospective student-athlete's sport, other institutional facilities and to attend an institution's home athletics contest (on or off campus). An institutional staff member must accompany the prospective student-athlete during such a trip. Payment of any other transportation expenses is not permissible. However, the institution may provide transportation for a prospective student-athlete to attend home athletics contests if transportation is available to prospective students generally. [R]

13.5.4 Transportation to Enroll. An institution or its representatives shall not furnish a prospective student-athlete, directly or indirectly, with transportation to the campus for enrollment. However, it is permissible for any member of the institution's staff to provide transportation from a bus or train station or airport to the campus on the occasion of the student-athlete's initial arrival at the institution to attend classes.

13.6 OFFICIAL (PAID) VISIT

13.6.1 Limitations on Official Visit.

13.6.1.1 One-Visit Limitation. A member institution may finance only one visit to its campus for a prospective student-athlete.

13.6.1.2 First Opportunity to Visit. A prospective student-athlete may not be provided an expense-paid visit earlier than the opening day of classes of the prospective student-athlete's senior year in high school. **[D]**

13.6.1.3 Post-High School Visits. The one-visit limitation applies separately to the period in which the prospective student-athlete is in high school and to the period beginning September 1 after the prospective student-athlete's completion of high school. **[D]**

13.6.1.3.1 Transfer Student. If a student-athlete attending a four-year institution desires to transfer and that institution provides the permission required (per Bylaw 13.1.1.2), it is permissible for a second institution to provide the student-athlete one official visit to that institution's campus.

13.6.2 Requirements for Official Visit. An institution shall not provide an official visit to a high school or preparatory school prospective student-athlete until he or she: **[D]**

- (a) Presents a score from a PSAT, an SAT, a PLAN or an ACT test taken on a national testing date under national testing conditions or an ACT test taken on a state testing date under state 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. An international or learning-disabled prospective student-athlete 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 NCAA Eligibility Center.

13.6.2.1 NCAA Eligibility Center. A prospective student-athlete's fulfillment of these academic requirements for an official visit may be certified through use of information on file at the NCAA Eligibility Center, as approved by the Executive Committee. **13.6.2.2 Visit to Off-Campus Contest.** The official visit shall be made to the campus and not, for example, to an off-campus site where the institution may be appearing in an athletics contest. However, if an institution is required to play all of its home games in a given sport at a site located in a community other than its own because of conditions beyond its own control (e.g., fire, windstorm, earthquake or other disaster), the institution may consider games played at the substitute site as on-campus competition, provided the institution documents the conditions causing it to visit an off-campus site on an official visit. **[D]**

13.6.3 Length of Official Visit. An official visit to an institution shall not exceed 48 hours. A prospective student-athlete may remain in the locale in which the institution is located after the permissible 48-hour period for reasons unrelated to the official visit, provided that at the completion of the 48-hour visit, the individual departs the institution's campus, and the institution does not pay any expenses thereafter, including the cost of return transportation to the prospective student-athlete's home. Additionally, if the prospective student-athlete does not return home before attending the institution, the one-way transportation to the campus would be considered a violation of Bylaw 13.5.4, which prohibits transportation to enroll. **[D]**

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.

13.6.3.2 Exception to 48-Hour Period for Extenuating Circumstances. An official visit may extend beyond 48 hours for reasons beyond the control of the prospective student-athlete and the institution. In such instances, the institution shall submit a report to the conference office noting the details of the circumstances.

13.6.4 Transportation on Official Visit. For regulations relating to transportation on the official visit, see Bylaw 13.5.2.

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 Entertainment/Tickets on Official Visit.

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

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.

13.6.6.2 Complimentary Admissions. During the official visit, a maximum of three complimentary admissions to a campus athletics event in which the institution's intercollegiate team practices or competes may be provided to a prospective student-athlete. Such complimentary admissions are for the exclusive use of the prospective student-athlete and those persons accompanying the prospective student-athlete on the visit and must be issued on an individual-game basis. Providing special seating arrangements during the conduct of the event

(including intermission) for the prospective student-athlete or those persons accompanying the prospective student-athlete in the facility's press box, special seating box(es) or bench area is specifically prohibited. **[R]**

13.6.6.2.1 Off-Campus Home Competition. Complimentary admissions may be provided to a prospective student-athlete and those persons accompanying the prospective student-athlete on the visit to attend an institution's off-campus home competition, provided the site of the competition is located within a 30-mile radius of the institution's campus.

13.6.6.2.2 Conference Tournaments. An institution may provide complimentary admissions to a prospective student-athlete for a postseason conference tournament only if the institution participates in the tournament and it is held on the institution's campus.

13.6.6.2.3 NCAA Championships or Other Postseason Contests. The provision of complimentary or reduced-cost admissions to prospective student-athletes for an NCAA championship (all rounds) or other postseason contests (e.g., bowl game, NAIA or NIT championship) constitutes excessive entertainment and is prohibited. The prospective student-athlete may purchase these tickets only in the same manner as any other member of the general public.

13.6.6.2.4 Purchase of Game Tickets in Same Locale. An institution may reserve tickets, only for the use of immediate family members accompanying a prospective student-athlete during an official visit and for seat locations adjacent to the complimentary seats being provided to the prospective student-athlete. These tickets must be purchased at face value.

13.6.6.3 Parking. An institution may arrange special on-campus parking for prospective student-athletes during an official visit. **13.6.6.4 Cash to Prospective Student-Athlete.** The institution or representatives of its athletics interests shall not provide cash to a prospective student-athlete for entertainment purposes.

13.6.6.5 Student Host. The institution may provide the following to a student host entertaining a prospective student-athlete: **[R]**

- (a) 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;
- (b) Complimentary meals, provided the student host is accompanying the prospective student-athlete during the prospective student-athlete's official visit; and
- (c) Complimentary admissions to campus athletics events, provided the admissions are used to accompany a prospective student-athlete to the events during the prospective student-athlete's official visit.

13.6.6.5.1 Multiple Hosts. If 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. **[D]**

13.6.6.5.2 Nonqualifier Prohibition. The student host must be enrolled in the member institution being visited by a prospective student-athlete. A nonqualifier (see Bylaw 14.02.10.3) may not serve as a student host during his or her first academic year in residence. [D]

13.6.6.5.3 Use of Automobile. The institution or representatives of its athletics interests shall not provide an automobile for use by the prospective student-athlete or the student host. [D]

13.6.6.6 Student Support Group Assisting in Recruiting. An institution may not provide a free meal or entertainment to a member of an institutional student support group that assists in the recruitment of a prospective student-athlete during an official visit, unless the student is designated as the one student host for that prospective student-athlete. Any additional arrangement between the institution and members of such a support group (e.g., compensation, providing a uniform) is left to the discretion of the institution.

13.6.6.7 Meals on 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. [R]

13.6.6.7.1.1 Entertainment at Staff Member's Home. A luncheon, dinner or brunch at the home of an institutional staff member (e.g., the athletics director, a coach, a faculty member or the institution's president) may be held for a prospective student-athlete on an official visit, provided the entertainment is on a scale comparable to that of normal student life, is not excessive in nature and occurs on only one occasion.

13.6.6.8 Normal Retail Cost. If a boat, snowmobile, recreational vehicle or similar recreational equipment (including those provided by an institutional staff member or a representative of the institution's athletics interests) is used to entertain a prospective student-athlete or the prospective student-athlete's relatives or legal guardian(s), the normal retail cost of the use of such equipment shall be assessed against the \$30-per-day entertainment figure; further, if such normal retail cost exceeds the \$30-per-day entertainment allowance, such entertainment may not be provided. [R]

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)]. [R]

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. [R]

13.7 UNOFFICIAL (NONPAID) VISIT

13.7.1 Number Permitted. A prospective student-athlete may visit a member institution's campus at his or her own expense an unlimited number of times. A prospective student-athlete may make unofficial visits before his or her senior year in high school.

13.7.2 Entertainment/Tickets.

13.7.2.1 General Restrictions. During an unofficial visit, the institution may not pay any expenses or provide any entertainment except a maximum of three complimentary admissions 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 prospective student-athlete and those persons accompanying the prospective student-athlete on the visit and must be issued on an individual-game basis. Providing seating during the conduct of the event (including intermission) for the prospective student-athlete or those persons accompanying the prospective student-athlete in the facility's press box, special seating box(es) or bench area is specifically prohibited. **[R]**

13.7.2.1.1 Meals. An institution may provide a prospective student-athlete (and the prospective student-athlete's relatives or legal guardians) with one meal in the institution's on-campus dining facility during an unofficial visit. When all on-campus dining facilities are closed, an institution may provide a meal in an off-campus dining facility. **[R]**

13.7.2.1.2 Housing—Lodging in Dormitories. A prospective student-athlete on an unofficial visit may stay in an enrolled student-athlete's dormitory room only if the prospective student-athlete pays the regular institutional rate for such lodging. **[R]**

13.7.2.1.3 Transportation during Unofficial Visit. For regulations relating to transportation on an unofficial visit, see Bylaw 13.5.3.

13.7.2.1.4 Reserving Game Tickets. An institution may not reserve tickets (in addition to the permissible complimentary admissions) to be purchased by a prospective student-athlete (or individuals accompanying the prospective student-athlete) on an unofficial visit. Tickets may be purchased only in the same manner as any other member of the general public. **[R]**

13.7.2.1.5 Parking. An institution may not arrange special parking for prospective student-athletes to use while attending a member institution's campus athletics event during an unofficial visit. **[R]**

13.7.2.1.6 Academic Interviews. An athletics department staff member may arrange academic interviews for a prospective student-athlete on an unofficial visit.

13.7.2.2 Home Games Outside the Community. If an institution schedules any regular-season home games at a site located in a community other than its own, the host institution may provide a maximum of three complimentary admissions to only one such game for the exclusive use of a prospective student-athlete and those persons accompanying the prospective student-athlete. Tournament and postseason games are excluded. The institution shall not arrange or permit any other entertainment or payment of expenses, including transportation. **[R]**

13.7.2.3 Conference Tournaments. An institution may provide complimentary admissions to a prospective student-athlete for a postseason conference tournament only if the institution participates in the tournament and it is held on the institution's campus.

13.7.2.4 NCAA Championships or Other Postseason Contests. The provision of complimentary or reduced-cost admissions to prospective student-athletes for an NCAA championship (all rounds) or other postseason contests (e.g., bowl game, NAIA or NIT championship) constitutes excessive entertainment and is prohibited. The prospective student-athlete may purchase tickets to such events only in the same manner as any other member of the general public. [R]

13.7.2.5 Visit Unrelated to Recruitment. The limitations on providing entertainment to a prospective student-athlete shall not extend to a visit to the institution's campus for a purpose having nothing whatsoever to do with the prospective student-athlete's athletics recruitment by the institution (e.g., band trip, fraternity weekend, athletics team's attendance at a sporting event with the high school coach). The institution's athletics department or representatives of its athletics interests may not be involved in any way with the arrangements for the visit, other than providing (in accordance with established policy) free admissions to an athletics event on a group basis, rather than personally to the prospective student-athlete. [R]

13.7.2.6 Visit Related to National Student-Athlete Day or National Girls and Women in Sports Day. The limitations on providing entertainment to a prospective student-athlete shall not extend to a visit to the institution's campus for activities related to National Student-Athlete Day and/or National Girls and Women in Sports Day. [R]

13.11 TRYOUTS

13.11.1 Prohibited Activities. A member institution, on its campus or elsewhere, shall not conduct (or have conducted on its behalf) any physical activity (e.g., practice session or test/tryout) at which one or more prospective student-athletes (as defined in 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. [D]

13.11.1.1 Definition of "Prospective Student-Athlete" for Tryout-Rule Purposes. For purposes of the tryout rule, the phrase "prospective student-athlete" shall include any individual who has started classes for the ninth grade and is not enrolled in the member institution at the time of the practice or test therein described.

13.11.1.2 Competition Against Prospective Student-Athletes. An institution's varsity intercollegiate team may compete against a two-year college team but may not compete against a high school or college-preparatory school team. Subvarsity teams are not bound by this prohibition. The varsity team may participate in a contest against an established outside team that includes prospective student-athletes, provided the outside team is ongoing and was not established for the specific purpose of competing against the collegiate team. [D]

13.11.1.3 Competition in Conjunction with a High School, Preparatory School or Two-Year College. Member institutions are permitted to host competition in conjunction with a high school, college-preparatory school or two-year college, provided all such competition occurs on the member institution's campus (see Bylaw 13.15.1.4). [D]

13.11.1.3.1 Criteria. A member institution may schedule an intercollegiate contest on the same day as a high school, college-preparatory school or two-year college contest under a single admission and conducted during a continuous session. In the sports of basketball, football, gymnastics and volleyball, a member

institution shall not permit a high school, college-preparatory school or two-year college to compete in more than one of these contests (per sport) on the institution's campus during an academic year.

13.11.1.4 Nonscholastic-Based Basketball. A member of an institution's coaching staff may not participate in coaching activities involving nonscholastic-based basketball teams if any of the participants is of prospective student-athlete age or older (i.e., ninth grade or above). In addition, coaching staff members may not participate on such teams that include individuals with eligibility remaining or that include individuals of prospective student-athlete age or younger. **[D]**

13.11.1.5 Tryout Camps. A member institution or conference may not conduct a tryout camp devoted to agility, flexibility, speed and strength tests for prospective student-athletes. A member institution's staff members may not attend such a tryout camp sponsored by an outside organization if the camp invites only representatives from selected institutions or conferences to observe the camp (except as specified in Bylaw 13.11.2.1). **[D]**

13.11.2 Permissible Activities.

13.11.2.1 Tryouts. A member institution may conduct a tryout of a prospective student-athlete only on its campus or at a site at which it normally conducts practice or competition and only under the following conditions (see Bylaw 17.02.14 for tryouts of currently enrolled students):

- (a) Not more than one tryout per prospective student-athlete per institution per sport shall be permitted;
- (b) The tryout may be conducted only for high school seniors who are enrolled in a term other than the term(s) in which the prospective student-athlete's high school's traditional season in the sport occurs or who have completed high school eligibility in the sport; for a two-year college student, after the conclusion of the sport season or anytime, provided the student has exhausted his or her two-year college eligibility in the sport; and for a four-year college student, after the conclusion of the sport season, provided written permission to contact the prospective student-athlete (per Bylaw 13.1.1.2) has been obtained;
- (c) Prior to participation in a tryout, a prospective student-athlete is required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). The examination or evaluation must be administered within six months prior to participation in the tryout. A medical examination conducted by a physician within six months prior to practice, competition or out-of-season conditioning activities during a prospective student-athlete's senior year in high school that was accepted by the prospective student-athlete's high school for his or her participation in athletics during that senior year may be used to satisfy the requirement. The medical examination or evaluation may be conducted by an institution's regular team physician or other designated physician as a part of the tryout;
- (d) The tryout may include tests to evaluate the prospective student-athlete's strength, speed, agility and sport skills. Except in the sports of football, ice hockey, lacrosse and wrestling, the tryout may include competition. In the sport of football, the prospective student-athletes shall not wear helmets or pads;
- (e) Competition against the member institution's team is permissible, provided such competition occurs during the academic year and is considered a countable athletically related activity per Bylaw 17.02.1;
- (f) The time of the tryout activities (other than the physical examination) shall be limited to the length of the institution's normal practice period in the sport but in no event shall it be longer than two hours; and

- (g) The institution may provide equipment and clothing on an issuance-and-retrieval basis to a prospective student-athlete during the period of the tryout.

13.11.2.1 Tryouts. A member institution may conduct a tryout of a prospective student-athlete only on its campus or at a site at which it normally conducts practice or competition and only under the following conditions (see Bylaw 17.02.14 for tryouts of currently enrolled students):

- (a) Not more than one tryout per prospective student-athlete per institution per sport shall be permitted;
- (b) The tryout may be conducted only for high school seniors who are enrolled in a term other than the term(s) in which the prospective student-athlete's high school's traditional season in the sport occurs or who have completed high school eligibility in the sport; for a two-year college student, after the conclusion of the sport season or anytime, provided the student has exhausted his or her two-year college eligibility in the sport; and for a four-year college student, after the conclusion of the sport season, provided written permission to contact the prospective student-athlete (per Bylaw 13.1.1.2) has been obtained;
- (c) Prior to participation in a tryout, a prospective student-athlete is required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). The examination or evaluation shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution or the prospective student-athlete declines the test and signs a written release. The examination or evaluation must be administered within six months prior to participation in the tryout. A medical examination conducted by a physician within six months prior to practice, competition or out-of-season conditioning activities during a prospective student-athlete's senior year in high school that was accepted by the prospective student-athlete's high school for his or her participation in athletics during that senior year may be used to satisfy the requirement. The medical examination or evaluation may be conducted by an institution's regular team physician or other designated physician as a part of the tryout;
- (d) The tryout may include tests to evaluate the prospective student-athlete's strength, speed, agility and sport skills. Except in the sports of football, ice hockey, lacrosse and wrestling, the tryout may include competition. In the sport of football, the prospective student-athletes shall not wear helmets or pads;
- (e) Competition against the member institution's team is permissible, provided such competition occurs during the academic year and is considered a countable athletically related activity per Bylaw 17.02.1;
- (f) The time of the tryout activities (other than the physical examination) shall be limited to the length of the institution's normal practice period in the sport but in no event shall it be longer than two hours; and
- (g) The institution may provide equipment and clothing on an issuance-and-retrieval basis to a prospective student-athlete during the period of the tryout.

13.11.2.2 Preseason Practice and Competition. A student-athlete who is not enrolled, but who has been accepted for admission to the institution in a regular full-time program of studies, shall be permitted to engage in

preseason practice and competition in fall sports or practice occurring in midyear between terms on the academic calendar, provided such practice is not used to determine whether aid is to be awarded.

13.11.2.3 Recreational Activities. A prospective student-athlete visiting a member institution may participate in physical workouts or other recreational activities during a visit to an institution's campus. The activities may take place in a facility (on- or off-campus) that is not open to the general public (e.g., campus recreation center, golf course, swimming pool). Such activities are permissible provided they:

- (a) Are not organized or observed by members of the athletics department coaching staff (including strength and conditioning coaches);
- (b) Are not designed to test the athletics abilities of the prospective student-athlete; and (*Revised: 1/11/94*)
- (c) Are paid for by the prospective student-athlete at the going rate if a fee is associated with the use of the facility (e.g., guest fee at a private facility used by the institution for practice or competition, admission fee for open swim session at institutional recreation center).

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

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

13.11.2.5 Sports Camps and Clinics. An institution's coach may be employed in sports camps, coaching schools and clinics per Bylaw 13.12 without violating the tryout rule.

13.11.2.6 Medical Examinations.

13.11.2.6.1 During Campus Visit. During a prospective student-athlete's official or unofficial visit to campus, a member institution, through its regular team or other designated physician, may conduct a medical examination to determine the prospective student-athlete's medical qualifications to participate in intercollegiate athletics, provided no athletics department staff member other than the trainer is present, the examination does not include any test or procedure designed to measure the athletics agility or skill of the prospective student-athlete and the results of the examination are not used by the institution as the basis for denial of admission of a prospective student-athlete who is otherwise qualified for admission under the institution's regular admissions criteria.

13.11.2.6.2 After Signing or Acceptance for Enrollment. It shall be permissible to administer medical examinations at any time to prospective student-athletes who either have signed the National Letter of Intent with the involved institution or have been accepted for enrollment in a regular full-time program of studies at that institution, provided the examinations occur during an official paid visit or the prospective student-athletes' visit to the institution at their own expense for this purpose.

13.11.3 Tryout Exceptions.

13.11.3.1 Developmental Clinics. Developmental clinics (including competition conducted in conjunction with the clinic) involving prospective student-athletes shall not be considered tryouts, provided:

- (a) They are designed to develop fundamental skills in a sport (rather than to refine the abilities of skilled participants in the sport);
- (b) They are open to the general public (except for restrictions in age or number of participants);
- (c) They are conducted by and subject to the control of the host member institution;
- (d) They are conducted primarily for educational purposes and do not include material benefits for the participants (e.g., awards, prizes, merchandise gifts);
- (e) Clinic participants do not receive a recruiting presentation; and
- (f) Clinic participants reside in the state in which the host institution is located or within 100 miles of the host institution.

13.11.3.2 "Open" Events. Participation by a prospective student-athlete in "open" events conducted by or held on the campus of a member institution shall not be considered tryouts. Competition shall be considered "open" if the competitive event itself is not classified by age group or level of educational institution represented, and the selection of participants is not limited except by number, by geographical area or on the basis of some objective standard of performance.

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

13.11.3.4 State, Regional, National or International Training Programs. Participation by an institution's athletics department staff member in recognized state, regional, national or international training programs or competition organized and administered by the applicable governing body or athletics authority shall not be considered tryouts. A member institution's coaching staff member may not participate in noncoaching activities (e.g., consultant, on-site coordinator, participant selection) except as permitted in Bylaws 13.11.3.4.1 and 13.11.3.4.2.

13.11.3.4.1 Coach/Prospective Student-Athlete Competition. It is permissible for an institution's coach to participate with or against prospective student-athletes in recognized regional, national or international training programs or competition, provided the competition is regularly scheduled under the authority of an outside sports organization and both the coach and the prospective student-athlete are eligible to enter the competition.

13.11.3.4.2 Administration of “State Games.” A member institution serving as the site of “state games” is permitted to involve its staff members in the administration of the event but may not be involved in the selection or assignment of participants and coaches participating in the event.

13.11.3.5 High School, College-Preparatory School and Two-Year College Contests. High school, college-preparatory school and two-year college athletics contests or matches, conducted by a member institution or sponsored jointly with an outside organization and held on the campus of a member institution, shall not be considered tryouts, provided the following conditions are met [see Bylaw 13.2.3-(c) for restrictions related to the provision of awards at such contests]:

(a) Team Sports.

- (1) The opportunity to participate in the event is not limited to specific educational institutions and all educational institutions in a specific geographical area are eligible to compete (limited only by number, by institutional classification or on the basis of some objective standard of performance);
- (2) Each participant represents his or her educational institution in the event (no nonscholastic team representation); and
- (3) No financial compensation (e.g., transportation, expenses, guarantee, percentage of income) from the event may be provided to the educational institutions.

(b) Individual Sports.

- (1) The opportunity to participate in the event is not limited to specific prospective student-athletes or educational institutions and all individual prospective student-athletes or educational institutions in a specific geographical area are eligible to compete (limited only by number, by institutional classification or on the basis of some objective standard of performance);
- (2) A participant may compete as an individual or may represent his or her educational institution or a nonscholastic team; and
- (3) No financial compensation (e.g., transportation expenses, guarantee, percentage of income) from the event may be provided to an individual, educational institution or nonscholastic team.

13.11.3.6 Officiating. An institution’s coach may officiate competition that involves prospective student-athletes, provided the competition is regularly scheduled under the authority of an outside sports organization.

13.11.3.7 Private Lessons. An institution’s equestrian, golf or tennis coach may teach private equestrian, golf or tennis lessons to a prospective student-athlete, provided the following conditions are met:

- (a) The coach makes lessons available to the general public;
- (b) Fees charged to the prospective student-athlete are at a rate commensurate with fees charged to all individuals;
- (c) Prior written approval is received annually from the institution’s president or chancellor;
- (d) Fees of the prospective student-athlete are not paid by individuals or entities other than the prospective student-athlete’s relatives or legal guardian(s); and
- (e) The institution keeps on file in the office of the athletics director documentation of the fee charged for the private lessons and the name of any individual receiving any portion of the fee.

13.11.3.8 Use of Facilities for Activities Related to a Nonsponsored Sport. 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 physical activities are related to a sport that is not sponsored by the institution at the varsity intercollegiate level.

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

- (a) The institution's athletics department staff or representatives of the institution's athletics interests are not involved in the promotion of the activity;
- (b) The institution's athletics department staff or representatives of the institution's athletics interests are not involved in the solicitation of any individual prospective student-athlete's participation in the activity;
- (c) The institution's athletics department staff or representatives of the institution's athletics interests are not involved in the solicitation for any particular group's participation in the activity, unless the group is affiliated with an outside organization and the solicitation is consistent with institutional policies of hosting outside organizations;
- (d) The activity is not considered a tryout camp, as defined in Bylaw 13.11.1.5;
- (e) Involvement by the institution's athletics department staff and representatives of its athletics interests is 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.

17.02.14 Tryouts—Enrolled Student-Athlete. A member institution may conduct a tryout of a full-time student currently enrolled at the institution only on its campus or at a site at which the institution normally conducts practice or competition during the regular academic year. If such a tryout occurs outside of the declared playing and practice season, the following conditions apply:

- (a) Not more than one tryout per student per sport shall be permitted during any academic year;
- (b) The student must not have been recruited (see Bylaw 13.02.10.1);
- (c) The student must be in good academic standing;
- (d) Prior to participation in a tryout, a student is required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). The examination or evaluation must be administered within six months prior to participation in the tryout. The medical examination or evaluation may be conducted by an institution's regular team physician or other designated physician as a part of the tryout;
- (e) The time of the tryout activities (other than the physical examination) shall be limited to the length of the institution's normal practice period in the sport but in no event shall it be longer than two hours;
- (f) Competition against the member institution's team is permissible, provided such competition occurs during the academic year and is considered a countable athletically related activity per Bylaw 17.02.1;
- (g) The institution may provide equipment and clothing on an issuance-and-retrieval basis to a student during the period of the tryout; and
- (h) Not more than three dates may be used to conduct tryouts in each sport.

17.02.14 Tryouts—Enrolled Student-Athlete. A member institution may conduct a tryout of a full-time student currently enrolled at the institution only on its campus or at a site at which the institution normally conducts practice or competition during the regular academic year. If such a tryout occurs outside of the declared playing and practice season, the following conditions apply:

- (a) Not more than one tryout per student per sport shall be permitted during any academic year;
- (b) The student must not have been recruited (see Bylaw 13.02.10.1);
- (c) The student must be in good academic standing;
- (d) Prior to participation in a tryout, a student is required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). The examination or evaluation shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution or the prospective student-athlete declines the test and signs a written release. The examination or evaluation must be administered within six months prior to participation in the tryout. The medical examination or evaluation may be conducted by an institution's regular team physician or other designated physician as a part of the tryout;
- (e) The time of the tryout activities (other than the physical examination) shall be limited to the length of the institution's normal practice period in the sport but in no event shall it be longer than two hours;
- (f) Competition against the member institution's team is permissible, provided such competition occurs during the academic year and is considered a countable athletically related activity per Bylaw 17.02.1; (*Adopted: 1/14/02*)
- (g) The institution may provide equipment and clothing on an issuance-and-retrieval basis to a student during the period of the tryout; and
- (h) Not more than three dates may be used to conduct tryouts in each sport.

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

Teleconference No. 7

November 14, 2011

Participants:

Curtis Campbell, Stillman College
Jill McCartney, Washburn University of Topeka
Fran Nee, Indiana University of Pennsylvania
Jay Newton, University of Southern Indiana, chair
Ann Traphagen, Augustana College (South Dakota)
Christina Whetsel, Angelo State University
Amanda Conklin, NCAA, recording secretary
Jenn Fraser, 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 Interpretations Subcommittee of the NCAA 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. The Interpretations Subcommittee reviewed a staff determination regarding the Division II provisional membership period and conference sports-sponsorship requirements and sport-revenue distribution. The subcommittee approved the determination, as follows:

Division II Provisional Membership Period. (II)

Date Issued: November 9, 2011

The academic and membership affairs staff determined that an institution in its Division II provisional membership period may not count for purposes of conference sports-sponsorship requirements or the sport-revenue distribution formula.

[References: NCAA Division II Bylaws 3.3.2.2.3 (sports sponsorship requirement) and 20.3.2.3 (provisional period); and official interpretation (07/23/02, Item No. 3), which has been archived]

2. The Interpretations Subcommittee reviewed a staff determination regarding transgender student-athlete participation. The subcommittee approved the determination, as follows:

Participation in Intercollegiate Competition by Student-Athletes Who Identify as Transgender (II)

Date Issued: October 26, 2011

The academic and membership affairs staff determined, pursuant to policy approved by the NCAA Executive Committee, that:

- a. A trans-male student-athlete who has received a medical exception for treatment with testosterone for diagnosed Gender Identity Disorder (GID) may compete on a men's team but is no longer eligible to compete on a women's team without changing that team's status to a mixed team;
- b. A trans-female student-athlete who is being treated with testosterone suppression medication for GID may continue to compete on a men's team but may not compete on a women's team without changing that team's status to a mixed team until the student-athlete has completed one calendar year of testosterone suppression treatment;
- c. It is the responsibility of the institution to submit a request for a medical exception for testosterone treatment prior to allowing the student-athlete to compete while undergoing treatment. In the case of testosterone suppression, the institution must submit written documentation of the year of treatment and ongoing monitoring of testosterone suppression to the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports; and
- d. For the purposes of NCAA competition, cases involving interruptions of GID treatment will be reviewed on a case-by-case basis by the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports.

[References: NCAA Division II Bylaws 18.02.2 (mixed team), 18.2.8.3 (mixed team), 20.02.7 (mixed team), 20.10.4.5 (mixed team) and 31.2.3.5 (medical exceptions); a staff interpretation (11/1/89, Item No. c) and the August 11, 2011, report of the Executive Committee.]

3. Adjournment.

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

Teleconference No. 8

December 12, 2011

Participants:

Curtis Campbell, Stillman College
Jill McCartney, Washburn University of Topeka
Fran Nee, Indiana University of Pennsylvania
Jay Newton, University of Southern Indiana, chair
Ann Traphagen, Augustana College (South Dakota)
Christina Whetsel, Angelo State University
Amanda Conklin, NCAA, recording secretary
Jenn Fraser, 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 Interpretations Subcommittee of the NCAA 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. The Interpretations Subcommittee reviewed interpretations related to recruiting presentations at camps and clinics. The subcommittee directed the staff to archive the following interpretation due to an April 1, 2009, official determination regarding recruiting activities and coaches employed at camps and clinics:

Recruiting Presentation at Institution's Sports Camps and Clinics

Date Issued: April 5, 1989

Date Published: April 5, 1989

Item Ref: i

Recruiting presentation at institution's sports camps and clinics

Recruiting Presentation at Institution's Sports Camps and Clinics: Extended the principle outlined in Bylaw 13.11.3.1–(e) to all institutional sports camps or clinics (Bylaw 13.12) to prohibit institutional staff members from giving recruiting presentations (including showing recruiting videos) in conjunction with such camps.

2. The Interpretations Subcommittee reviewed a Division I staff determination regarding 4-4 transfers and fulfillment of the nonqualifier residency requirement. The subcommittee approved the determination for Division II, as follows:

4-4 Transfer -- Fulfillment of Nonqualifier Residency Requirement for Practice and Financial Aid (II)

Date Issued: December 12, 2011

The academic and membership affairs staff determined that a nonqualifier who attends two four-year institutions during his or her first year of enrollment (e.g., one semester at each, one quarter at one and two quarters at the other) may combine the terms of enrollment at the two institutions to fulfill the one-year residence requirement for practice and athletically related financial aid.

[References: NCAA Bylaws 14.02.11.1 (academic year of residence), 14.3.4 (residence requirement – partial qualifier or nonqualifier), 14.5.5 (four-year college transfers), 14.5.5.1.2 (attendance for less than one academic year) and a staff interpretation (03/31/11, Item No. b)]

3. The Interpretations Subcommittee reviewed a Division I official determination regarding departments outside athletics hosting nonathletics high school, preparatory school or two-year college personnel. The subcommittee approved the determination for Division II, as follows:

Departments Outside Athletics Hosting Nonathletics High School, Preparatory School or Two-Year College Personnel (II)

Date Issued: December 12, 2011

The academic and membership affairs staff determined that an institutional department outside the athletics department (e.g., president's office, admissions) may host nonathletics high school, preparatory school or two-year college personnel (e.g., guidance counselors, principals) in conjunction with a home intercollegiate athletics event and may provide such individuals reasonable expenses (e.g., food, refreshments, parking, room) and a nominal gift, provided the visit is not related to athletics recruiting and there is no involvement by the institution's athletics department in the arrangements for the visit, other than providing (in accordance with established policy) free admissions to an athletics event.

[References: NCAA Bylaws 13.8.1 (entertainment restrictions) and 13.8.2 (material benefits)]

4. The Interpretations Subcommittee reviewed a question regarding NCAA Division II Convention Proposal No. 2012-5. The committee instructed the staff to clarify within the NCAA Division II Question and Answer Guide that Proposal No. 2012-5 would not permit a donor of financial aid from outside sources to restrict a student-athlete's choice of institution in any manner (e.g., recipient must attend an institution in a certain locale or attend an institution with a particular profile). The committee directed the staff to add this issue to the agenda for the NCAA Division II Legislation Committee's March in-person meeting for further review and discussion.
5. Adjournment.

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**REPORT OF THE
INTERPRETATIONS SUBCOMMITTEE OF THE
DIVISION II LEGISLATION COMMITTEE**

FEBRUARY 6, 2012, TELECONFERENCE

ACTION ITEMS.

1. Legislative Items.

- None.

2. Nonlegislative Items.

- a. At its November 2011 in-person meeting, the NCAA Division II Legislation Committee reviewed a wide range of recommendations from the Division II membership in conjunction with the Ease of Burden initiative. One of the recommendations presented was to conduct a review of all interpretations on the Legislative Services Database for the Internet (LSDBi) to ensure all interpretations are up-to-date and accurate. Beginning in February 2012, the Interpretations Subcommittee began a comprehensive review of all interpretations currently posted on LSDBi. The following recommendations emerged from that review:

- (1) Recommendation. The Interpretations Subcommittee reviewed interpretations related to NCAA Bylaw 10 (ethical conduct). The subcommittee recommended that the following official interpretation [Reference: 3/27/01, Item No. 1] be archived:

Title: Definition of Institutional Staff Member (II)

Date Issued: March 27, 2001

Date Published: March 27, 2001

Type: Official Interpretation

The unethical-conduct provisions set forth in NCAA Bylaw 10.1 applicable to institutional staff members include any individual who performs work for the institution or the athletics department, even if the individual is a student at the institution (e.g., student manager, student trainer) and/or does not receive compensation from the institution for performing such services (e.g., volunteer coaches, undergraduate assistant coaches and graduate assistant coaches).

[References: Bylaws 10.1 and 10.1-(b) (unethical conduct),
and official interpretation (09/25/00, Item No. 1)]

- (2) Effective Date. Immediate.
 - (3) Rationale. The March 27, 2001, official interpretation was previously incorporated into the legislation (I-2011-1).
 - (4) Estimated Budget Impact. None
 - (5) Student-Athlete Impact. None
- b. At its November 2011 in-person meeting, the NCAA Division II Legislation Committee reviewed a wide range of recommendations from the Division II membership in conjunction with the Ease of Burden initiative. One of the recommendations presented was to conduct a review of all interpretations on the Legislative Services Database for the Internet (LSDBi) to ensure all interpretations are up-to-date and accurate. Beginning in February 2012, the Interpretations Subcommittee began a comprehensive review of all interpretations currently posted on LSDBi. The following recommendations emerged from that review:
- (1) Recommendation. The Interpretations Subcommittee reviewed interpretations related to Bylaw 10 (ethical conduct). The subcommittee recommended that the following official interpretation [Reference: 9/21/83, Item No. u] be rewritten:

Title: Prediction of winners by coach on TV program

Date Issued: September 21, 1983

Date Published: September 21, 1983

Type: Official Interpretation

Item Ref: u

Agreed that it is contrary to the intent of Case No. 142 for a head football coach of a member institution to appear on a weekly television program on which the coach predicts the winners of 10 selected college football games and the practice should be discontinued; if continued, the institution would be in violation of NCAA requirements; suggested the Division I Steering Committee review the matter in its

October meeting in the interest of further defining limitations in this area.

The subcommittee recommended that the following August 24, 1990, staff interpretation be archived as a result of the rewritten September 21, 1983, official interpretation:

**Title: Athletics Department Staff Members
Participating in a Radio or Television Show Involving
Predictions of Intercollegiate Athletics Contests**
Date Issued: August 24, 1990
Date Published: August 24, 1990
Type: Staff Interpretation
Item Ref: b

Reviewed Bylaw 10.3 (gambling activities) in regard to athletics department staff members participating in a radio or television show involving predictions of intercollegiate athletics contests, and determined that such participation, if related to point spreads, would be precluded. Further noted, athletics department staff members may not participate in a show primarily for purposes of predicting the outcome of an intercollegiate athletics contest.

The subcommittee recommended approval of the rewritten September 21, 1983, official interpretation as follows:

**Title: Athletics Department Staff Members
Participating in a Radio or Television Show Involving
Predictions of Intercollegiate Athletics Contests**
Date Issued: February 6, 2012
Type: Official Interpretation

The Interpretations Subcommittee of the Division II Legislation Committee confirmed that it is not permissible for athletics department staff members to participate in a radio or television show involving point spreads or for purposes of predicting the outcome of an intercollegiate athletics contest.

[References: NCAA Division II Bylaws 10 (ethical conduct), 10.02.1 (sports wagering), 10.02.2 (wager), 10.3 (sports wagering activities) and 10.3.1 (scope of application); Case No. 142; and a staff interpretation (8/4/90, Item No. b), which has now been archived]

- (2) Effective Date. Immediate.
- (3) Rationale. Consolidating the information included in the September 21, 1983, official interpretation and the August 24, 1990, staff interpretation will provide clarity regarding the application of the sports wagering legislation as it pertains to athletics department staff members involvement in radio or television shows involving predictions of the outcome of intercollegiate athletics contests.
- (4) Estimated Budget Impact. None
- (5) Student-Athlete Impact. None

INFORMATIONAL ITEMS.

- None.

Committee Chair: Jay Newton, University of Southern Indiana, Great Lakes Valley Conference
Staff Liaisons: Amanda Conklin, Academic and Membership Affairs
Jennifer Fraser, Academic and Membership Affairs

February 6, 2012	
Attendees	Absentees
Curtis Campbell, Stillman College	None.
Jill McCartney, Washburn University of Topeka, chair	
Jay Newton, University of Southern Indiana	
Ann M. Traphagen, Augustana College (South Dakota)	
Christina Whetsel, Angelo State University	
Other Participants:	
Amanda Conklin, NCAA	
Jennifer Fraser, NCAA	

NCAA Bylaw 12.5.1.1 – Amateurism – Promotional Activities – Institutional, Charitable, Educational or Nonprofit Promotions

Issue:

Whether the NCAA Division II Legislation Committee should issue an official interpretation to clarify what, if any, promotional activities a partial qualifier or nonqualifier may participate in during the summer prior to initial collegiate enrollment and during the first academic year of residence at the certifying institution.

Background and Analysis:

In fall 2011, the NCAA academic and membership affairs staff was presented with a question from a Division I institution regarding whether a student-athlete who had been certified as a partial qualifier or nonqualifier may be introduced as a member of the intercollegiate athletics team prior to an institutional promotional activity. Specifically, the institution planned to introduce members of its men's and women's basketball team prior to the teams taking part in the first official practice of the season. The institution planned to have all of the basketball student-athletes, regardless of initial-eligibility status, introduced prior to the teams participating in countable athletically related activities and argued that the promotional activity (i.e., introduction) was not part of the official team activity (i.e., practice). In response to the question, Division I issued a staff interpretation which states that a nonqualifier may participate in promotional activities provided the promotional activity does not involve countable athletically related activities.

Division II has a similar interpretation, albeit outdated, which prohibits a partial qualifier or nonqualifier from participating in official team activities to promote an athletics program. The interpretation references "goodwill tours" which caused some confusion because of the specificity of that reference. Institutions struggle to extend the prohibition to all promotional activities.

Divisions I and II differ slightly in the participation of a prospective student-athlete in promotional activities in the summer prior to enrollment. Division I issued an interpretation to permit a prospective student-athlete to participate in promotional activities during the summer prior to enrollment provided the individual was enrolled and attending summer courses at the certifying institution. Conversely, Division II determined that a prospective student-athlete may not participate in promotional activities during the summer prior to initial-collegiate enrollment even when the prospective student-athlete has signed a National Letter of Intent.

Given the recent trend toward providing greater access to prospective student-athletes during the summer prior to initial-collegiate enrollment the staff thought it was appropriate for the Legislation Committee to engage in a discussion regarding a prospective student-athlete's participation in promotional activities prior to enrollment at the certifying institution.

Conclusions:

1. The Legislation Committee **recommends** issuing an official interpretation to clarify what, if any, promotional activities a partial qualifier or nonqualifier, and prospective student-athlete who has signed a National Letter of Intent or institution's written offer of admission or financial aid, may participate in during the summer prior to initial collegiate enrollment and during the first academic year of residence at the certifying institution.
2. The Legislation Committee **does not recommend** issuing an official interpretation.

Associated References:

Division II Bylaws

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

- (a) The student-athlete receives written approval to participate from the institution's chancellor or president (or his or her designee), subject to the limitations on participants in such activities as set forth in Bylaw 17;
- (b) The specific activity or project in which the student-athlete participates does not involve cosponsorship, advertisement or promotion by a commercial agency except as follows:
 - (1) Identification (e.g., graphics, voice over, on-screen test) of the commercial entity must explain the commercial entity's affiliation with the permissible entity (e.g., entity is the official sponsor of the institution/event);
 - (2) The appearance or description of the commercial product(s)/service(s) and/or the commercial entity's logo(s) may be included, but may not exceed 25 percent of the total promotional activity. Further, language or action included in the promotion may not directly encourage the use or purchase of the commercial product or service (e.g., "drink this product") with which the commercial entity is associated;
- (c) The student-athlete does not miss class;

- (d) All money derived from the activity or project go directly to the member institution, member conference or the charitable, educational or nonprofit agency;
- (e) The student-athlete may accept actual and necessary expenses from the member institution, member conference or the charitable, educational or nonprofit agency related to participation in such activity;
- (f) The student-athlete's name, picture or appearance is not used to promote the commercial ventures of any nonprofit agency;
- (g) Any commercial items with names or pictures of student-athletes (other than items specified per Bylaws 12.5.1.7 and 12.5.1.8) may be sold only by the member institution, member conference or NCAA, through outlets controlled by the member institution, member conference or the NCAA or outlets controlled by the charitable or educational organization (e.g., location of the charitable or educational organization, site of charitable event during the event); and
- (h) The student-athlete and an authorized representative of the charitable, educational or nonprofit agency sign a release statement ensuring that the student-athlete's name, image or appearance is used in a manner consistent with the requirements of this section.

13.01.4 Recruiting by Representatives of Athletics Interests. Representatives of an institution's athletics interests (as defined in Bylaw 13.02.11) are prohibited from making in-person, off-campus recruiting contacts or telephone calls with a prospective student-athlete or the prospective student-athlete's relatives or legal guardians. On-campus contact is permitted, as are written communications. Recruiting contacts by representatives during a prospective student-athlete's official visit are confined to campus (see Bylaw 13.6.6.1).

13.2.1 General Regulation. An institution's staff member or any representative of its athletics interests shall not be involved, directly or indirectly, in making arrangements for or giving or offering to give any financial aid or other benefits to the prospective student-athlete or the prospective student-athlete'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., international 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. **[R]**

17.02.1 Countable Athletically Related Activities. Countable athletically related activities include any required activity with an athletics purpose, involving student-athletes and at the direction of, or supervised by, any member or members of an institution's coaching staff (including strength and conditioning coaches) and must be counted within the weekly and daily limitations under Bylaws 17.1.6.1 and 17.1.6.2. Administrative activities (e.g., academic meetings, compliance meetings) shall not be considered as countable athletically related activities.

Division II Interpretations

Involvement of nonqualifiers and partial qualifiers in institutional promotional activities (Staff Interpretation)

Date Published: November 3, 1989

Item Ref: g

Reviewed Bylaw 12.5.1 (promotional activities), Bylaw 17.02.11.1 (activities considered as practice) and 10/13/87 staff minutes, Item No. 1-(f), in regard to whether nonqualifiers and partial qualifiers may participate in institutional "good will" tours to promote the institution's athletics program; confirmed that such an arrangement is not permitted, inasmuch as Bylaw 14.3 regulations are intended to exclude nonqualifiers and partial qualifiers from participating in official activities involving the team, including involvement in promoting an athletics team in an official capacity.

Prospective Student-Athlete Participating in Institutional Fundraisers Prior to Initial Full-Time Collegiate Enrollment (Official Interpretation)

Date Published: April 18, 2005

Item Ref: 2

The NCAA Interpretations Subcommittee of the Division II Legislation Committee determined that pursuant to NCAA Division II Bylaw 13.01.5 (recruiting by representatives of athletics interests), and Division II Bylaw 13.2.1 (offers and inducements -- general regulation) it is not permissible for institutions to involve prospective student-athletes who have signed a National Letter of Intent in institutional fundraisers or promotional activities in the summer prior to initial full-time collegiate enrollment.

[References: Division II Bylaw 13.01.4 (recruiting by representatives of athletics interests), Division II Bylaw 13.2.1 (offers and inducements -- general regulation).]

Division I Interpretations

Nonqualifiers Participating in Promotional Activities (Staff Interpretation)

Date Published: January 6, 2012

Item Ref: a

The academic and membership affairs staff determined that a nonqualifier may participate in a promotional activity during his or her first academic year in residence provided the activity does not involve a countable athletically related activity.

[References: NCAA Division I Bylaws 12.5.1.1 (institutional, charitable, education or nonprofit promotions); 14.3.2.1 (nonqualifier); 14.3.2.1.1 (eligibility for aid, practice and competition); 14.3.4 (residence requirement); 16.10.1.7 (charitable, educational or nonprofit activities); staff determination [Reference: 11/08/11, Item No. 1]; and staff interpretation [Reference: 01/03/89, Item No. g] which has been archived]

Prospective Student-Athlete Participating in Promotional Activities During Summer Prior to Initial Enrollment (Staff Interpretation)

Date Published: November 8, 2011

Item Ref: 1

The academic and membership affairs staff determined that a prospective student-athlete who officially registers, enrolls and attends classes at the certifying institution during the summer prior to initial enrollment may participate in a promotional activity.

[Reference: NCAA Division I Bylaws 12.5.1.1 (institutional, charitable, education or nonprofit promotions); 13.02.12 (prospective student-athlete); 13.02.12.1 (application); and 16.10.1.7 (charitable, educational or nonprofit activities)]



2012 NCAA Convention Division II Proposals

Proposal Number	Title	Status	Source	Effective Date	Intent	Convention Vote
2012-1	AMATEURISM AND EXECUTIVE REGULATIONS -- FINANCIAL DONATIONS AND ADVERTISING AND SPONSORSHIP OF NCAA CHAMPIONSHIPS -- PROFESSIONAL SPORTS ORGANIZATIONS	Adopted	NCAA Division II Presidents Council [Management Council (Championships Committee)].	Immediate	To specify that a professional sports organization may serve as a financial sponsor of an intercollegiate competition event, provided the organization is not publicly identified as such; and that a professional sports organization may serve as a financial sponsor of an activity or promotion that is ancillary to the competition event and may be publicly identified as such; further, to eliminate the prohibition on sponsorship of NCAA championship activities or promotions by professional sports organizations or teams.	Date of Vote: 2012-01-14 Paddle Vote
2012-2	AMATEURISM AND ELIGIBILITY -- GENERAL REGULATIONS AND ELIGIBILITY REQUIREMENTS -- ELIMINATION OF ELIGIBILITY FORM TO CERTIFY INTERNATIONAL STUDENT-ATHLETES	Adopted	NCAA Division II Presidents Council [Management Council (Legislation Committee)].	August 1, 2012, for student-athletes enrolling in a Division I or Division II institution on or after August 1, 2012.	To eliminate the requirement that an international student-athlete must complete the eligibility form prior to competition; further, to specify that a student-athlete must complete a form developed by the NCAA to certify activities that occur following the prospective student-athlete's request that a final amateurism certification be issued by the NCAA Eligibility Center and before initial full-time enrollment at a Division I or II institution.	Date of Vote: 2012-01-14 Paddle Vote
2012-3	ELIGIBILITY -- INITIAL ELIGIBILITY -- COMMON PROVISIONS -- DIVISION I AND DIVISION II	Adopted	NCAA Division II Presidents Council [Management Council (Academic Requirements Committee)].	Immediate	To change the voting line for bylaws related to initial eligibility from federated to common for Division I and Division II, as specified; further, to specify that in order to use college courses to meet initial-eligibility requirements, the course must be placed on the high school transcript; and, to specify that a student who has attended multiple high schools must submit a transcript from each high school to the NCAA Eligibility Center.	Date of Vote: 2012-01-14 Paddle Vote



2012 NCAA Convention Division II Proposals

Proposal Number	Title	Status	Source	Effective Date	Intent	Convention Vote
2012-4	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- CREDIT HOURS EARNED PRIOR TO INITIAL FULL-TIME ENROLLMENT AT THE CERTIFYING INSTITUTION -- CREDIT HOURS EARNED WHILE ENROLLED AS A HIGH SCHOOL STUDENT	Adopted	NCAA Division II Presidents Council [Management Council (Academic Requirements Committee)].	August 1, 2012, for individuals initially enrolling full time in a collegiate institution on or after August 1, 2012.	To specify that a student-athlete may use credits earned while enrolled as a high school student (e.g., advanced placement, dual enrollment) to meet both initial-eligibility and progress-toward-degree requirements; further, to specify that such credits may not apply toward the minimum 75 percent of semester or quarter hours that must be earned during the regular academic year.	Date of Vote: 2012-01-14 Paddle Vote
2012-5	FINANCIAL AID -- FINANCIAL AID FROM OUTSIDE SOURCES -- FINANCIAL AID FROM AN ESTABLISHED AND CONTINUING PROGRAM	Adopted	NCAA Division II Presidents Council [Management Council (Legislation Committee)].	August 1, 2012	To specify that a student-athlete may receive financial aid through an established and continuing program to aid students, provided the recipient's choice of institutions is not restricted by the donor of the aid and there is no direct connection between the donor and the student-athlete's institution.	Date of Vote: 2012-01-14 Paddle Vote
2012-6	PLAYING AND PRACTICE SEASONS -- EXCEPTIONS TO THE FIRST CONTEST DATE OR FIRST DATE OF COMPETITION -- ALUMNI GAME, FUNDRAISING ACTIVITY, CELEBRITY SPORTS ACTIVITY AND DISCRETIONARY EXEMPTIONS	Adopted	NCAA Division II Presidents Council [Management Council (Legislation Committee)].	August 1, 2012	In basketball, to specify that the alumni game, fundraising activity, celebrity sports activity and exceptions to the first contest may be played at any time during the playing and practice season; further, in baseball, cross country, field hockey, golf, men's ice hockey, lacrosse, rowing, soccer, softball, swimming and diving, tennis, indoor and outdoor track and field, volleyball and wrestling, to specify that the alumni game, fundraising activity, celebrity sports activity and discretionary exemptions may be played at any time during the playing and practice season.	Date of Vote: 2012-01-14 Paddle Vote



2012 NCAA Convention Division II Proposals

Proposal Number	Title	Status	Source	Effective Date	Intent	Convention Vote
2012-7	PLAYING AND PRACTICE SEASONS -- GOLF -- FIRST DATE OF PRACTICE AND COMPETITION -- NONCHAMPIONSHIP SEGMENT -- EXCEPTION -- ALTERNATE PLAYING SEASON -- PRESEASON ACTIVITIES BEFORE THE FIRST DAY OF CLASSES	Adopted	NCAA Division II Presidents Council [Management Council (Legislation Committee)].	August 1, 2012	In golf, to establish an exception to the preseason practice activities restrictions to permit a golf practice round to exceed three hours in length for institutions that use the alternate playing season.	Date of Vote: 2012-01-14 Paddle Vote
2012-8	NCAA MEMBERSHIP -- NEW MEMBER CONFERENCE -- MINIMUM NUMBER OF ACTIVE MEMBERS FOR ACTIVE STATUS -- SIZE OF CONFERENCES	Adopted	NCAA Division II Presidents Council [Management Council (Membership Committee)].	For Section A: August 1, 2013, for a conference applying for Division II conference membership on or after August 1, 2013. For Section B: August 1, 2017. For Section C: August 1, 2022.	To amend the size of a member conference, as follows: (1) specify that a conference desiring to attain voting conference status and gain access to voting conference membership privileges shall be composed of at least 10 active member institutions and/or institutions in the provisional period of the membership process at the time of application, which shall be located in the same geographic area as specified, and that the Membership Committee may waive these requirements if it deems that unusual circumstances warrant such action; (2) specify that a conference shall be composed of 10 active member institutions to become an active member conference, which shall be located in the same geographic area as specified; and that the Membership Committee may waive these requirements if it deems that unusual circumstances warrant such action; and (3) increase the minimum number of active member institutions required for active conference membership, as specified, and that the Membership Committee may waive this requirement if it deems that unusual circumstances warrant such action.	Date of Vote: 2012-01-14 Paddle Vote



2012 NCAA Convention Division II Proposals

Proposal Number	Title	Status	Source	Effective Date	Intent	Convention Vote
2012-9	NCAA MEMBERSHIP AND EXECUTIVE REGULATIONS -- MEMBER CONFERENCE -- PRIVILEGES -- CONFERENCE PRIVILEGES AND AUTOMATIC QUALIFICATION	Adopted	NCAA Division II Presidents Council [Management Council (Membership Committee)].	For Section A: August 1, 2013, for a conference applying for Division II conference membership on or after August 1, 2013. For Sections B and C: Immediate. For Section D: August 1, 2012.	To amend the privileges of a member conference, as follows: (1) increase from two years to five years the waiting period for a new conference to become eligible for automatic qualification; (2) clarify that an active conference that adds a sport(s) shall conduct competition in that sport(s) for two consecutive years at the time of application for automatic qualification; (3) establish a three-year grace period during which a conference may continue to qualify for conference membership privileges following the date of withdrawal of the institution(s) that causes the conference's membership to fall below the minimum number of institutions required for active membership, provided the conference remains within one member institution of that minimum number; and (4) specify that in championship sports in which automatic qualification is offered, a sports committee must reserve at least 50 percent of the championship field for regional tournaments for at-large teams and that the remainder of the championships field will be awarded to conferences that meet the automatic-qualification criteria.	Date of Vote: 2012-01-14 Paddle Vote
2012-10	NCAA MEMBERSHIP -- MEMBER CONFERENCE -- ANNUAL LIMIT ON CONFERENCE MEMBERSHIP -- DIVISION MEMBERSHIP -- DIVISION II MEMBERSHIP PROCESS -- PROVISIONAL AND RECLASSIFYING INSTITUTIONS -- CONFERENCE MEMBERSHIP	Adopted	NCAA Division II Presidents Council [Management Council (Membership Committee)].	For Section A: Immediate. For Section B: August 1, 2012, for an institution entering the Division II membership process on or after September 1, 2012.	To amend the process related to conference membership, as follows: (1) specify that the Management Council, on recommendation of the Planning and Finance Committee and the Membership Committee, may establish an annual limit on the number of athletic conferences applying to become a member conference that will be invited to active conference membership; and (2) specify that before the Membership Committee may invite an institution into active membership, an active conference (or a conference applying for membership) must have taken action to allow such institution to join the conference as a full member.	Date of Vote: 2012-01-14 Paddle Vote



2012 NCAA Convention Division II Proposals

Proposal Number	Title	Status	Source	Effective Date	Intent	Convention Vote
2012-11	RECRUITING -- CONTACTS AND EVALUATIONS -- PERMISSIBLE NUMBER AND TIME PERIOD FOR CONTACTS -- UNLIMITED CONTACTS	Adopted	NCAA Division II Presidents Council [Management Council (Legislation Committee)].	June 15, 2012; for any prospective student-athlete entering his or her junior year in high school June 15, 2012, and thereafter.	To specify that in-person, off-campus recruiting contacts shall not be made before June 15 immediately preceding a prospective student-athlete's junior year in high school; further, to permit an institution to make unlimited in-person, off-campus recruiting contacts with a prospective student-athlete each academic year.	Date of Vote: 2012-01-14 Paddle Vote
2012-12	RECRUITING -- CONTACTS AND EVALUATIONS -- CONTACTABLE PROSPECTIVE STUDENT-ATHLETES -- HIGH SCHOOL PROSPECTIVE STUDENT-ATHLETES -- PERMISSIBLE NUMBER AND TIMING OF TELEPHONE CALLS	Adopted	NCAA Division II Presidents Council [Management Council (Legislation Committee)].	June 15, 2012; for any prospective student-athlete entering his or her junior year in high school June 15, 2012, and thereafter.	To specify that telephone calls to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s)] may not be made before June 15 immediately preceding the prospective student-athlete's junior year in high school; further, to specify that on or after June 15 immediately preceding a prospective student-athlete's junior year in high school, institutional staff members may make unlimited telephone calls to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s)].	Date of Vote: 2012-01-14 Paddle Vote
2012-13	RECRUITING -- RECRUITING MATERIALS -- PRINTED RECRUITING MATERIALS, ELECTRONIC MEDIA AND ELECTRONIC TRANSMISSIONS -- PERMISSIBLE NUMBER AND TIMING OF MATERIALS	Adopted	NCAA Division II Presidents Council [Management Council (Legislation Committee)].	June 15, 2012; for any prospective student-athlete entering his or her junior year in high school June 15, 2012, and thereafter.	To specify that an institution may not provide athletically related recruiting materials and electronic media to a prospective student-athlete [or the prospective student-athlete's relatives or legal guardian(s) and coaches] before June 15 immediately preceding the prospective student-athlete's junior year in high school; further, to specify that any form of electronic transmission (e.g., text message, instant message) may not be sent before June 15 immediately preceding the prospective student-athlete's junior year in high school, and must be private between the recipient and sender.	Date of Vote: 2012-01-14 Paddle Vote



2012 NCAA Convention Division II Proposals

Proposal Number	Title	Status	Source	Effective Date	Intent	Convention Vote
2012-14	RECRUITING AND PLAYING AND PRACTICE SEASONS -- MANDATORY MEDICAL EXAMINATION -- SICKLE CELL SOLUBILITY TEST	Adopted	NCAA Division II Presidents Council [Management Council (Committee on Competitive Safeguards and Medical Aspects of Sports)].	August 1, 2012; for all student-athletes, including both new and continuing student-athletes.	To specify that the required medical examination or evaluation that student-athletes and students who are trying out for a team must undergo prior to participation in practice, competition or out-of-season conditioning activities shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution or the individual declines the test and signs a written release.	Date of Vote: 2012-01-14 Paddle Vote
2012-15	AWARDS AND BENEFITS AND PLAYING AND PRACTICE SEASONS -- WINTER BREAK -- FIRST DAY OF WINTER BREAK WHEN DECEMBER 20 FALLS ON FRIDAY, SATURDAY, SUNDAY OR MONDAY	Adopted	NCAA Division II Presidents Council [Management Council (Legislation Committee)].	August 1, 2012	To specify that the seven-consecutive calendar-day period of the winter break shall begin December 20 or the following Monday when December 20 falls on a Friday, Saturday or Sunday; further, when December 20 falls on a Monday the winter break shall begin on the following Tuesday.	Date of Vote: 2012-01-14 Paddle Vote
2012-16	DIVISION MEMBERSHIP -- MEMBERSHIP REQUIREMENTS -- PHILOSOPHY STATEMENT -- PERSONAL CONDUCT OF DIVISION II INSTITUTIONAL STAFF MEMBERS, STUDENT-ATHLETES AND PROSPECTIVE STUDENT-ATHLETES	Adopted	NCAA Division II Presidents Council [Management Council (Academic Requirements Committee)].	August 1, 2012	To amend the Division II philosophy statement, as specified.	Date of Vote: 2012-01-14 Paddle Vote

**2012 NCAA Convention Division II Legislative Proposals
Question and Answer Guide**

(Last Updated: December 14, 2011)

This is the final edition of the 2012 NCAA Convention Division II Legislative Question and Answer Guide, and contains questions and answers on all proposals that will be voted on by the Division II membership during the business session. A hard-copy version of the guide will not be distributed at the 2012 NCAA Convention in Indianapolis, please plan accordingly.

NCAA Proposal No. 2012-1 (No. 2-9) -- Amateurism and Executive Regulations -- Financial Donations and Advertising and Sponsorship of NCAA Championships -- Professional Sports Organizations

Question No. 1: Does the sport of the sponsoring professional sports organization and the intercollegiate event have to be the same [e.g., National Football League (NFL) and the NCAA Division II Football Championship] for the legislation to apply?

Answer: No.

Question No. 2: Would it be permissible for a professional sports organization to use the name or likeness of a student-athlete to promote an NCAA intercollegiate event or championship?

Answer: No.

Question No. 3: If this proposal is adopted, what are some examples of what would be permissible for professional sports organizations to do?

Answer: The following are some permissible examples:

- The Baltimore Ravens may be a financial sponsor of the NCAA Division II Women's Lacrosse Championship that is held at M&T Bank Stadium (provided they are not identified as a sponsor of the championship).
- The New Orleans Hornets may sponsor and be identified as a sponsor of the three-on-three basketball tournament that occurs in conjunction with the NCAA Division II Women's Basketball Championship.

- The Chicago Fire may be a financial sponsor of a regular-season men's soccer match between two Division II institutions (provided they are not identified as a sponsor of the match).

Question No. 4: If this proposal is adopted, what may the institution, conference or NCAA do with the financial donation from the professional sports organization?

Answer: The proposal does not regulate the use of the financial donations provided by the professional sports organization. The use would be governed by institutional, conference and NCAA policies and any applicable NCAA legislation.

Question No. 5: As a financial sponsor of an NCAA event, may the participating institution receive tickets from the professional sports organization to one of its games and provide them to prospective student-athletes?

Answer: No. This would be considered an offer or inducement pursuant to NCAA Bylaw 13.2.1 (general regulation).

Question No. 6: As a financial sponsor of an NCAA event, may the participating institution receive tickets from the professional sports organization to one of its games and provide them to student-athletes?

Answer: No. This would be considered an impermissible benefit per Bylaw 16.7.1.1 (professional sports tickets). However, complimentary tickets to professional sports contests may be provided to student-athletes, by the institution (or by a representative of athletics interests through the institution) for entertainment purposes during an away-from-home contest.

Question No. 7: As a financial sponsor of an NCAA event, may the participating institution receive tickets from the professional sports organization to one of its games and sell them to student-athletes at a discounted rate?

Answer: No. This would be considered an impermissible benefit per Bylaw 16.7.1.1 (professional sports tickets). However, if the institution makes the reduced-price tickets available to all students, then student-athletes would be permitted to purchase the tickets at the reduced rate.

Question No. 8: May the professional sports organization place restrictions on what its financial donation may be used for?

Answer: Yes. The professional sports organization may place restrictions provided the restrictions do not conflict with institutional policy or applicable NCAA legislation.

Question No. 9: Is there a minimum financial threshold required in order for a professional sports organization to be considered a financial sponsor of an NCAA intercollegiate event or championship?

Answer: No.

Question No. 10: As part of the financial sponsorship agreement, may the professional sports organization donate equipment for use at an event?

Answer: Yes.

Question No. 11: As part of the financial sponsorship agreement, may the professional sports organization donate the use of its facility?

Answer: Yes.

Question No. 12: Would a semi-professional sports team be able to financially sponsor an NCAA intercollegiate event or championship?

Answer: Yes. This would be permissible provided the semi-professional sports team is not identified publicly as a sponsor of the event.

Question No. 13: If adopted, would the proposal permit a professional sports organization to donate to and be a financial sponsor of an intercollegiate competition conducted by a conference?

Answer: Yes.

Question No. 14: Would it be permissible for a professional sports organization to have its logo displayed at an NCAA intercollegiate event?

Answer: Yes. This would be permissible provided the professional sports organization is not identified publicly as a sponsor of the event.

Question No. 15: May a professional sports team purchase signage to be displayed within the arena where an NCAA intercollegiate event or championship will occur and not be considered a financial sponsor?

Answer: Yes. This would be permissible provided the opportunity to purchase such signage is available to any entity that wishes to purchase such signage.

Question No. 16: Is a professional sports organization required to receive approval by the NCAA prior to becoming an official financial sponsor of an NCAA intercollegiate event or championship?

Answer: No. The proposal does not legislate an approval process. It is the responsibility of each institution, conference and the NCAA to determine if a professional sports organization may become a financial sponsor and to apply the applicable legislation accordingly.

Question No. 17: Is the professional sports team required to be located within the United States?

Answer: No.

Question No. 18: Is it still impermissible for cigarette and tobacco companies to advertise at NCAA championships?

Answer: Yes.

Question No. 19: Is a halftime event or halftime promotion considered ancillary to the competition event?

Answer: No. A halftime event or halftime promotion is considered part of the intercollegiate event because it occurs during the conduct of the competition event.

Question No. 20: Is a pregame or postgame event or promotion considered ancillary to the competition event?

Answer: Yes. A pregame or postgame event or promotion is considered ancillary provided it does not occur during the conduct of the competition event.

Proposal No. 2012-2 (No. 2-4) -- Amateurism and Eligibility -- General Regulations and Eligibility Requirements -- Elimination of Eligibility Form to Certify International Student-Athletes

Question No. 1: What is "gap time"?

Answer: "Gap time" refers to the time period between when a prospective student-athlete requests a final amateurism certification from the NCAA Eligibility Center and initial full-time enrollment at a collegiate institution.

Question No. 2: Under the current legislation, is an institution required to certify the amateurism of a prospective student-athlete using the International Student-Athlete Eligibility Form if the student-athlete completed a portion of his or her secondary education in a foreign country but graduated from a high school in the United States?

Answer: No. The current legislation is intended to apply to prospective student-athletes who complete their secondary education in a foreign country.

Question No. 3: Would a violation of this provision affect a student-athlete's eligibility?

Answer: No. Violations of this provision would be considered institutional violations per NCAA Constitution 2.8.1; however, such violations will not affect a student-athlete's eligibility.

Question No. 4: If adopted, would a Division I transfer student-athlete who is enrolling at a Division II institution be required to complete a form developed by the NCAA to certify his or her activities following his or her request for a final amateurism certification for participation in Division II athletics and prior to enrollment at the Division II institution?

Answer: Yes.

Question No. 5: Does this proposal only apply to individuals who have never enrolled full time at a collegiate institution or does it include 4-4, 2-4 and 4-2-4 transfers?

Answer: The proposal applies to any individual who enrolls in a Division I or Division II institution on or after August 1, 2012.

Question No. 6: Is there a deadline as to when a student-athlete is required to complete the new amateurism certification form?

Answer: Yes. The form must be completed prior to the student-athlete's participation in competition.

Question No. 7: Will the form be available as part of the NCAA online compliance forms system?

Answer: It is anticipated that the form will be available as part of the NCAA online compliance forms. Until that time, the NCAA will provide a hard-copy form to member institutions in order to comply with the legislation.

Question No. 8: Is an institution required to file these forms with its conference office?

Answer: No. The proposal does not mandate that the forms be provided to the conference office; however, a conference may require its institutions to do so.

Proposal No. 2012-3 (No. 2-11) Eligibility -- Initial Eligibility -- Common Provisions -- Division I and Division II

Question No. 1: What is a common provision?

Answer: A common provision is legislation that requires a majority vote of each of the three divisions, voting separately, for adoption or amendment.

Question No. 2: What is a federated provision?

Answer: A federated provision is a regulation adopted by a majority vote of the delegates present and voting of one or more of the divisions or subdivisions of the Association, acting separately pursuant to the divisional legislative process described in Constitution 5.3 (amendment process). Such a provision applies only to the division(s) or subdivision(s) that adopts it.

Question No. 3: If the proposal is defeated, what happens to the provisions that were designated to become common?

Answer: If the proposal is defeated, the provisions will remain federated and will not require approval by Division I in order to be amended in the future.

Question No. 4: Why is Division III not required to change the voting lines of the specified provisions related to initial eligibility from federated to common?

Answer: Division III has its own initial-eligibility requirements, which are distinct from the Division I and Division II rules. Additionally, Division III does not use the NCAA Eligibility Center for initial-eligibility certification.

Question No. 5: How will the proposal be applied if it is adopted?

Answer: If adopted, the proposal would apply immediately. Therefore, following the 2012 NCAA Convention Division II business session, any prospective student-athlete who has attended multiple high schools must have official transcripts sent from each high school he or she attended to the NCAA Eligibility Center. In addition, college courses must appear on the high school transcript in order to be used to meet core-curriculum requirements.

Question No. 6: May an institution pay a fee that is charged to the prospective student-athlete by the high school for a transcript to be sent to the NCAA Eligibility Center?

Answer: No.

Question No. 7: Is there a waiver available in the event that a prospective student-athlete is unable to obtain an official high school transcript from a high school attended?

Answer: Yes. Such situations would be addressed through an NCAA Division II Committee for Legislative Relief waiver.

Question No. 8: If a prospective student-athlete attends multiple high schools, do the transcripts provided to the NCAA Eligibility Center have to be official transcripts?

Answer: Yes.

Question No. 9: If a prospective student-athlete attends multiple high schools, do the transcripts provided to the NCAA Eligibility Center have to come directly from the high school the prospective student-athlete attended or may they come from the admissions office at the Division II institution the prospective student-athlete plans to attend?

Answer: The transcripts may come from the original high school attended by the prospective student-athlete, the high school from which the prospective student-athlete graduated or from a Division II institution's admissions office, provided they are official transcripts.

Question No. 10: Why are transcripts needed from all high schools attended by a prospective student-athlete if the certification is completed by using only the final transcript?

Answer: Transcripts from each high school attended by a prospective student-athlete provides the NCAA Eligibility Center with a complete educational history of the prospective student-athlete and can assist with identifying irregularities in the prospective student-athlete's record.

Question No. 11: May online college courses completed by a prospective student-athlete be used to satisfy core-curriculum requirements?

Answer: Yes. Per Bylaw 14.3.1.2.3 (college courses), an online college course may be used to satisfy core-curriculum requirements provided it is accepted by the prospective student-athlete's high school, is accepted for any other student and is placed on the high school transcript.

Question No. 12: What is the legislative impact if Proposal No. 2012-3 and Proposal No. 2012-4 are adopted?

Answer: If both proposals are adopted, then college credit hours earned by a prospective student-athlete while in high school must appear on the student's high school transcript and meet all other criteria in Bylaw 14.3.1.2.3 (college courses) in order to be used to satisfy core-curriculum requirements. Further, if the college credit hours were completed at more than one high school, the NCAA Eligibility Center must receive an official transcript reflecting that work in order for them to be used to satisfy core-curriculum requirements.

Question No. 13: Is there a deadline after a college course is completed by which it must be placed on the prospective student-athlete's high school transcript?

Answer: No. However, the course must appear on the transcript at the time of certification by the NCAA Eligibility Center.

Question No. 14: Does the proposal also apply to an international high school prospective student-athlete who completes some or all of his or her secondary education in a foreign country?

Answer: Yes.

Question No. 15: Is an international prospective student-athlete, who has attended multiple high schools in a foreign country, required to have his or her transcripts translated prior to certification?

Answer: Yes.

Proposal No. 2012-4 (No. 2-12) -- Eligibility -- Progress-Toward-Degree Requirements -- Eligibility for Competition -- Credit Hours Earned Prior to Initial Full-Time Enrollment at the Certifying Institution -- Credit Hours Earned While Enrolled as a High School Student

Question No. 1: Is there a limit on the number of credits a student-athlete may earn prior to high school graduation that may be used to meet both initial-eligibility and progress-toward-degree requirements?

Answer: No. However, it is left to the institution's discretion whether to accept such courses as college credit to be used toward any of the institution's degree programs.

Question No. 2: What is an institution's "regular academic year"?

Answer: According to Bylaw 14.4.3.1.4.1 (regular academic year), the regular academic year consists of the time beginning with the opening of the institution's fall term and concluding with the institution's spring commencement exercises.

Question No. 3: What is the current legislation for the use of courses completed prior to high school graduation to meet both initial-eligibility and progress-toward-degree requirements?

Answer: If such credits were earned at the certifying institution prior to initial full-time enrollment, the credits could not be used to meet both initial-eligibility and progress-toward-degree requirements. The following interpretation clarifies the application of the legislation. If Proposal No. 2012-4 is adopted, the interpretation will be archived.

Use of Part-Time Credits Earned Prior to Full-Time Enrollment for Purposes of Certification (II)

Date Issued: July 25, 2005

Date Published: July 25, 2005

Item Ref: 2

Interpretation:

The NCAA Interpretations Subcommittee of the Division II Legislation Committee determined that a student-athlete may not use part-time credit hours earned prior to initial, full-time enrollment at the certifying institution to satisfy both the initial-eligibility requirements (or transfer requirements) and the progress-toward-degree requirements. A student-athlete may only use part-time credits earned prior to initial, full-time enrollment at the certifying institution for one certification. Therefore, if an institution uses part-time credits earned prior to initial, full-time enrollment at the certifying institution for purposes of satisfying the initial-eligibility or transfer rules, then such credits cannot be used to meet progress-toward-degree requirements the following academic year. This restriction does not apply to credits earned while a prospective student-athlete is enrolled as a full-time high-school student (e.g., advanced placement courses that count as both high-school and collegiate credit). [References: Bylaws 14.3.1.2.3 (college courses), 14.4.3.1 (fulfillment of credit-hour requirements), 14.4.3.3.8 ("banked" credit hours), 14.4.3.3.9 (credit from other institutions), and 14.5.4.3.2 (credit earned at four-year institution)]

Question No. 4: If adopted, may a student-athlete use courses that meet the legislation if they were completed prior to August 1, 2012?

Answer: If a student-athlete is initially enrolling full time at a collegiate institution on or after August 1, 2012, the student-athlete may use the credits that were earned prior to high school graduation to meet both initial-eligibility and progress-toward-degree requirements even if they were completed before August 1, 2012. A continuing student-athlete would not be permitted to use the legislation if he or she initially enrolled full time at a collegiate institution before August 1, 2012.

Question No. 5: If adopted, how does this legislation apply to a student-athlete initially enrolling at a Division II institution at midyear (e.g., January) and international student-athletes?

Answer: The legislation would be applied in the same manner for those student-athletes who initially enroll full time at a Division II institution in the fall or spring and international student-athletes. As long as the courses were completed prior to high school graduation, they may be used to meet both initial-eligibility and progress-toward-degree requirements.

Question No. 6: Do the courses have to appear on the student-athlete's high school transcript in order to be used to meet both initial-eligibility and progress-toward-degree requirements?

Answer: Yes.

Question No. 7: If a student-athlete delays high school graduation, may courses completed after a student-athlete's expected date of graduation, but prior to actual high school graduation, be used to meet both initial-eligibility and progress-toward-degree requirements?

Answer: Yes.

Question No. 8: May a student-athlete take courses online that are not connected to the student-athlete's high school and use those courses to meet both initial-eligibility and progress-toward-degree requirements?

Answer: Yes. This would be permissible provided the courses were completed prior to high school graduation.

Question No. 9: If a student-athlete graduates from high school in the summer prior to initial full-time enrollment, is the student-athlete permitted to take and complete courses during that summer to meet both initial-eligibility and progress-toward-degree requirements?

Answer: Yes. This would be permissible provided the courses were completed prior to high school graduation.

Question No. 10: If a student-athlete does not meet progress-toward-degree requirements even with the inclusion of courses earned prior to high school graduation, what recourse is there available for the student-athlete?

Answer: An institution may submit a progress-toward-degree waiver on behalf of the student-athlete.

Question No. 11: What are advanced placement exams?

Answer: Such exams are offered as part of the Advanced Placement Program, administered by The College Board and taught at participating high schools. This allows students to participate in a college-level course and possibly earn college credit while still in high school. Secondary schools and colleges cooperate in this program to give students the opportunity to

show mastery in college-level courses by taking the AP exam in May of each school year.

Question No. 12: Are there minimum enrollment requirements that must be met in order for a student to be considered dually enrolled at the high school and at the college?

Answer: No.

Question No. 13: If adopted, may these courses be used to meet the six-hour requirement in Bylaw 14.4.3.1-(b) (fulfillment of credit-hour requirements)?

Answer: No.

Question No. 14: If adopted, may these courses be used beyond the student-athlete's initial academic year of enrollment at the certifying institution to meet the progress-toward-degree requirements?

Answer: Yes. The courses may be used at any time during the student-athlete's enrollment at the certifying institution.

Question No. 15: What is the legislative impact if Proposal No. 2012-3 and Proposal No. 2012-4 are adopted?

Answer: If both proposals are adopted, then college credit hours earned by a prospective student-athlete while in high school must appear on the student's high school transcript and meet all other criteria in Bylaw 14.3.1.2.3 (college courses) in order to be used to satisfy core-curriculum requirements. Further, if the college credit hours were completed at more than one high school, then the NCAA Eligibility Center must receive an official transcript of that work in order for them to be used to satisfy core-curriculum requirements.

Proposal No. 2012-5 (No. 2-8) -- Financial Aid -- Financial Aid from Outside Sources -- Financial Aid from an Established and Continuing Program

Question No. 1: May a student-athlete receive financial aid through an established and continuing program whose primary selection criteria is based on athletics ability?

Answer: Yes. A student-athlete may receive such outside aid provided the student-athlete's choice of institutions is not restricted by the donor of the aid and there is no direct connection between the donor and the student-athlete's institution.

Question No. 2: May a student-athlete receive financial aid through an established and continuing program that has a board member who is an alumnus of the institution the student-athlete plans to attend?

Answer: Yes. A student-athlete may receive such outside aid provided the alumnus was not involved in the selection of the award recipient and the student-athlete's choice of institutions was not restricted by the donor of the aid.

Question No. 3: What does it mean to be "an established and continuing program"?

Answer: The intent is that a program has established awards criteria and that the program is or intends to be ongoing. It is up to the institution to determine whether a program meets this standard.

Question No. 4: Is there a certain number of years a program must be in existence to be considered "established and continuing"?

Answer: No.

Question No. 5: How will this proposal's effective date be applied?

Answer: If adopted, the legislation will apply beginning with the 2012-13 academic year.

Question No. 6: Are these outside scholarships included within the student-athlete's individual financial aid limit?

Answer: Yes.

Question No. 7: Are these outside scholarships included within the team's financial aid limit?

Answer: No. If the legislated conditions are satisfied, regardless of the student-athlete's recruitment status, the outside scholarships would be exempt from counting toward the team's maximum financial aid limits.

Question No. 8: If this proposal is adopted, may a student-athlete receive educational expenses (financial aid) from an outside sports team or organization that conducts a competitive sports program?

Answer: Yes. A student-athlete may receive such expenses provided the student-athlete is not a member of the sports team or organization that is providing the educational expenses.

Question No. 9: May outside scholarships be distributed directly to the student-athlete or are they required to be disbursed through the institution?

Answer: The proposal does not legislate how the funds must be disbursed; however, as a best practice, institutions may choose to require student-athletes to report any outside aid received in order to ensure institutional control and to verify that the aid is permissible.

Question No. 10: Does current legislation regarding financial aid from outside sources permit a donor to restrict a student-athlete's choice of institution in any manner (e.g., recipient must attend an institution in a certain locale or attend an institution with a particular profile)?

Answer: No.

Question No. 11: Does the proposal permit a donor to restrict a student-athlete's choice of institution in any manner (e.g., recipient must attend an institution in a certain locale or attend an institution with a particular profile)?

Answer: No.

Proposal No. 2012-6 (No. 2-14) -- Playing and Practice Seasons -- Exceptions to the First Contest Date or First Date of Competition -- Alumni Game, Fundraising Activity, Celebrity Sports Activity and Discretionary Exemptions

Question No. 1: Why are some sports excluded in this proposal, such as women's sand volleyball?

Answer: The sports excluded were those in which the NCAA sponsors a National Collegiate Championship. Members from all three divisions participate in those championships, and as a result, those sports were excluded due to

competitive equity concerns and to maintain the same legislation across all three divisions.

Question No. 2: If a team's regular season is completed and the team does not have a reasonable expectation of being selected for championship participation, may the team participate in one of these activities or exemptions?

Answer: No. Pursuant to Bylaw 17.1.7 (general regulations for computing playing seasons applicable to all sports), an institution's team may only continue to practice following the last regular-season contest when it has reason to believe that it is in consideration for participation in the NCAA championship.

Question No. 3: If a team participates in a fundraising activity for the purposes of raising funds for the athletics department or some other program (e.g., charity), is the institution required to ensure that it is meeting all provisions of Bylaw 12.5.1.1 (e.g., no missed class time by student-athletes, written approval by president or chancellor or designee)?

Answer: Yes.

Question No. 4: May a student-athlete compete in an alumni game, fundraising activity or celebrity sports activity without using a season of competition?

Answer: Yes. Provided the provisions of Bylaw 14.2.4.1.3 are satisfied, a student-athlete may compete in one, but not all, of these events without using a season of competition.

Question No. 5: If the proposal is adopted, may an institution participate in an alumni game, fundraising activity, celebrity sports activity or discretionary exemption in the nonchampionship segment?

Answer: Yes. An institution may do so provided the event takes place during the sport's playing and practice season.

Question No. 6: When may these types of events occur under the current legislation?

Answer: In basketball, such events are required to be conducted before the first permissible contest date. In baseball, cross country, field hockey, golf, men's ice hockey, lacrosse, rowing, soccer, softball, swimming and diving, tennis, indoor and outdoor track and field, volleyball and wrestling, such events must occur after the first permissible contest date in the sport.

Question No. 7: May an institution participate in one of these events outside of the playing and practice season during the academic year?

Answer: No.

Question No. 8: May an institution change the designation of an exempted contest to a countable contest after it has been completed?

Answer: Yes. An institution may change an event's designation after its completion, provided the institution does not exceed the maximum number of contests in that sport. However, institutions should consider the impact of changing an event's designation on student-athletes' use of a season of competition per Bylaw 14.2.4.1.3 (alumni game, fundraising activity or celebrity sports activity).

Question No. 9: Does this proposal have an impact on selection for championships?

Answer: No.

Question No. 10: Are these events counted in a team's maximum number of dates of competition or contests?

Answer: No. However, if an institution changes an event's designation after its completion to a countable contest then it must be counted against the maximum dates of competition or contests.

Question No. 11: May a transfer student-athlete serving an academic year of residence, a student-athlete who is a partial qualifier or a student-athlete who is a nonqualifier participate in these events since the events do not count in the maximum number of contests or dates of competition?

Answer: No.

Question No. 12: May an institution conducting a fundraising activity that will be exempted from the maximum contest/date of competition limitation in one of the sports listed in the proposal allow student-athletes from another institution to be involved in the fundraising activity?

Answer: No. This would not be permissible according to the following interpretation:

Institutional fund-raising activity

Date Issued: October 8, 1992

Date Published: October 8, 1992

Item Ref: 7

Interpretation:

7. Institutional fund-raising activity. An institution's team that is conducting a fund-raising activity that meets an exemption from the contest/ date of competition limitations in the applicable sport may not permit student-athletes from another institution to participate in such activity. [References: 14.02.6 (intercollegiate competition), 14.8.1.1 (outside competition, sports other than basketball -- Divisions I and II), 17.02.8 (intercollegiate competition) and 17.__.5.3-(I) (fund-raising activity)]

Question No. 13: May an institution compete against a team that includes prospective student-athletes during a fundraising activity that will be an exempted contest?

Answer: Yes. Per Bylaw 13.11.1.2 (competition against prospective student-athletes), the institution may compete against such a team provided the outside team is ongoing and was not established for the specific purpose of competing against the collegiate team.

Proposal No. 2012-7 (No. 2-15) Playing and Practice Seasons -- Golf -- First Date of Practice and Competition -- Nonchampionship Segment -- Exception -- Alternate Playing Season -- Preseason Activities Before the First Day of Classes

Question No. 1: What is the current rule?

Answer: For institutions that designate the fall as their championships season in golf, during the preseason practice prior to the first day of class, student-athletes are limited to six hours of countable athletically related activities per day, only five of which may be devoted to physical activities. Any physical activities may not exceed three hours in length. Therefore, during the preseason prior to the first day of classes, golf student-athletes are required to stop a practice round after three hours even if the practice round is not completed.

Question No. 2: Is a student-athlete limited to one practice round during that the five-hour time period?

Answer: No.

Question No. 3: After completion of a practice golf round, is a student-athlete required to sit out for three hours of recovery time before engaging in additional physical activities?

Answer: Yes.

Question No. 4: Is a student-athlete permitted to participate in other physical activities after completing a golf practice round (e.g., weight training, conditioning)?

Answer: Yes. A student-athlete may participate in other physical activities, provided he or she does not exceed five hours of physical activities, and the required three continuous hours of recovery has elapsed.

Question No. 5: If a practice round is not over after five hours, does the student-athlete have to end the practice round at that point?

Answer: Yes.

Question No. 6: Is there a deadline as to when an institution must declare that it is using an alternate playing season in golf?

Answer: Yes. Per Bylaw 17.1.3 (declaration of playing season), declaration of an institution's playing and practice season must be on file in writing in the department of athletics prior to the beginning of the playing and practice season in that sport.

Question No. 7: Will this proposal have an impact on all Division II institutions that sponsor golf?

Answer: No. It will only affect those institutions that declare the alternate playing season in golf.

Question No. 8: Does this proposal have any impact on selection for championships?

Answer: No.

Question No. 9: Is there a certain number of holes that must be played in order to be considered a golf practice round?

Answer: No.

Proposal No. 2012-8 (No. 2-1) -- NCAA Membership -- New Member Conference -- Minimum Number of Active Members for Active Status -- Size of Conferences

[NOTE: At the end of this guide, charts that outline a comparison of the current legislation with the proposed legislation and the benefits provided to new conferences at various time periods in the membership process are available (Attachment A).]

Question No. 1: How do the multiple effective dates apply to the legislative proposal?

Answer: This proposal has the following effective dates: For Section A: August 1, 2013, for a conference applying for Division II conference membership on or after August 1, 2013. For Section B: August 1, 2017. For Section C: August 1, 2022.

The sections refer to the specified subsections of the legislative proposal as contained within the 2012 NCAA Convention Division II Official Notice.

Question No. 2: Under what circumstances will the NCAA Division II Membership Committee waive the requirements for conferences that fail to meet a recommended membership requirement?

Answer: Such waivers will be considered on a case-by-case basis by the Membership Committee.

Question No. 3: What is the penalty for an active conference that does not meet the minimum number of institutions required of active conferences (i.e., eight institutions, 10 institutions)?

Answer: Under the current legislation, per Bylaw 31.3.4.3.2 (grace period) there is a two-year grace period for automatic qualification when a conference falls below six institutions provided the conference maintains at least five active members. Current legislation does not specify a grace period for receipt of the other conference membership privileges outlined in Constitution 3.3.2 (privileges).

Question No. 4: What would the penalty be for an active conference that does not meet the minimum number of institutions required of active conferences (i.e., eight institutions, 10 institutions) if Proposal Nos. 2012-8 and 2012-9 are adopted?

Answer: With the proposed legislative changes, an active conference would continue to receive conference membership privileges per Constitution 3.3.2 (privileges) for a grace period of three years if it is within one institution of the required minimum. If after the grace period the conference fails to meet the minimum number of institutions required for active status, then the conference will no longer be considered an active conference. However, a conference may seek a waiver from the Membership Committee.

Question No. 5: Does the proposal affect regionalization for championships?

Answer: No.

Question No. 6: Does a waiver of the requirements by the Membership Committee allow the conference to continue to receive the benefits afforded to active member conferences?

Answer: Yes.

Proposed Change No. 1: Requires a new conference desiring to become a Division II conference to be composed of at least 10 active member institutions and/or institutions in the provisional period of the membership process at the time of application to the Membership Committee.

Question No. 1: What is the current minimum number of institutions allowed to apply for conference membership?

Answer: There is not a minimum number of institutions required to apply for conference membership. While current legislation requires a minimum of six active institutions for active conference membership, there is a special process which allows a conference to apply for conference membership with fewer than six active member institutions provided the conference increases conference membership to at least six active members prior to becoming an active conference [see Constitution 3.3.1.4 (conference with fewer than six active member institutions)].

Question No. 2: If this proposal is adopted, will the process that allows a conference to apply for conference membership with fewer than six active institutions still be available?

Answer: No. That process will no longer be applicable after August 1, 2013.

Question No. 3: Can conferences submit applications for membership during the moratorium?

Answer: Yes. In order to allow any legislative recommendations regarding changes to the conference membership process to be properly vetted through the governance structure and voted on by the delegates at the 2012 Convention, the NCAA Division II Management Council agreed to establish a two-year moratorium on applications for membership from new conferences (beginning with the adjournment of the 2011 Convention through the adjournment of the 2013 Convention). However, during the moratorium, the Membership Committee will receive applications. Those applications will be held until the moratorium is lifted, at which time they will be processed according to the legislation that is in place at the time.

Question No. 4: If a conference applies for Division II conference membership before August 1, 2013, how many active member institutions will that conference have to have to become active?

Answer: The conference would be able to use the current standards in Constitution 3.3.2.2.2.1 (full voting privileges) that require a minimum of six active member institutions. However, the conference may apply with fewer than six active member institutions.

[Note: A conference applying for Division II conference membership must submit an application to the Membership Committee by December 1; therefore, an application must be received in the NCAA national office by December 1, 2012, in order for the conference to apply with six or fewer active member institutions.]

Question No. 5: Under the proposed standard, do all 10 institutions applying to become a conference have to be active institutions?

Answer: No. At the time of application to the Membership Committee, the 10 institutions can be either active institutions or institutions in the provisional period of the membership process [see Bylaw 20.3.2.3 (provisional period)]. Please note that this would not include institutions

in the candidacy period of the membership process [see Bylaw 20.3.2.2 (candidacy period)].

Question No. 6: What is the provisional period of the membership process?

Answer: According to Bylaw 20.3.2.3 (provisional period), this is the stage following successful completion of the candidacy period and when an institution's readiness to become an active Division II member institution is evaluated.

Question No. 7: How long is the provisional period of the membership process?

Answer: The provisional period must be at least one year. However, the length of the provisional period may vary depending on the institution's readiness to become an active Division II member institution. For example, if an institution in the membership process fails to meet and maintain the provisional period requirements, it may be required to complete an additional year of the provisional period, provided it did not repeat a year in the candidacy period (see Bylaw 20.3.3.1).

Question No. 8: What are the current privileges of active conference status?

Answer: Active conferences are entitled to the following:

- a. Conference grant distribution;
- b. A vote at the NCAA Convention;
- c. Representation on the Management Council and the NCAA Division II Student-Athlete Advisory Committee;
- d. Enhancement fund distribution after one year of active conference membership; and
- e. Automatic qualification for championships after two years of active conference membership.

Question No. 9: How much is the conference membership application fee?

Answer: The legislation does not specify the amount of the application fee. The fee is established by the Membership Committee.

Question No. 10: What is considered the same geographic area?

Answer: Constitution 4.13.1 (geographic areas) divides the Association into the four geographic areas listed below for purposes of representation on the NCAA Division II Presidents Council. The same geographic areas would be used for purposes of meeting the requirement in this proposed change.

Area No. 1: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia;

Area No. 2: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee;

Area No. 3: Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Wisconsin; and

Area No. 4: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, Wyoming.

Proposed Change No. 2: Requires a conference that has applied for Division II membership to be composed of at least 10 active member institutions to become an active member conference.

Question No. 1: What is the current minimum number of institutions allowed to become an active Division II conference?

Answer: Current legislation requires a minimum of six active institutions for active conference membership.

Question No. 2: If a conference applies for Division II conference membership before August 1, 2013, how many active member institutions will that conference need to have to become active?

Answer: The conference would be able to use the current standards in Constitution 3.3.2.2.2.1 (full voting privileges) that require a minimum of six active member institutions.

[Note: A conference applying for Division II conference membership must submit an application to the Membership Committee by December 1; therefore, an application must be received in the NCAA national office by December 1, 2012, in order for the conference to become active with six active member institutions.]

Proposed Change No. 3: Increases the minimum number of active member institutions required for active conference membership to eight.

Question No. 1: Does this proposed change apply to current and new conferences alike?

Answer: The change applies to all 23 conferences that are members of Division II as of September 1, 2011. In addition, any conference that applies for membership on or before August 1, 2013 (application received by December 1, 2012), will also be subject to this requirement since those conferences will be subject to the current minimum number of institutions.

Question No. 2: If a conference applies for conference membership on or after August 1, 2013 (and therefore, is subject to the new standard of 10 institutions to become an active conference), can that conference then reduce membership to eight according to this recommended change?

Answer: No. Any conference that applies for membership on or after August 1, 2013, will be subject to the new standard of 10 active members and must remain at or above that number to be considered an active conference.

Question No. 3: Will the recommended minimum number of institutions affect current minimum sports-sponsorship requirements for purposes of automatic qualification?

Answer: No. The requirement per Bylaw 31.3.4.5 (additional requirements) that at least six conference member institutions must sponsor and compete in a sport in order for a conference to receive automatic qualification will continue to apply.

Proposed Change No. 4: Increases the minimum number of active member institutions required for active conference membership to 10.

Question No. 1: Does this proposed change apply to current and new conferences alike?

Answer: The change applies to all 23 conferences that are members of Division II as of September 1, 2011. In addition, any conference that applies for membership on or before August 1, 2013 (application received by December 1, 2012), will also be subject to this requirement since those conferences will take advantage of the current standards.

[Note: Proposed Change No. 2 requires that all new conferences applying for conference membership on or after August 1, 2013 (application received by December 1, 2012), be composed of 10 active institutions prior to becoming active; therefore, these new conferences are subject to the same requirement with an earlier effective date.]

Proposal No. 2012-9 (No. 2-2) -- NCAA Membership and Executive Regulations -- Member Conference -- Privileges -- Conference Privileges and Automatic Qualification

[NOTE: At the end of this guide, charts that outline a comparison of the current legislation with the proposed legislation and the benefits provided to new conferences at various time periods in the membership process are available (Attachment A).]

Question No. 1: How do the multiple effective dates apply to the legislative proposal?

Answer: This proposal has the following effective dates: For Section A: August 1, 2013, for a conference applying for Division II conference membership on or after August 1, 2013. For Sections B and C: Immediate. For Section D: August 1, 2012.

The sections refer to the specified subsections of the legislative proposal as contained within the 2012 NCAA Convention Division II Official Notice.

Question No. 2: Does the proposal affect regionalization for championships?

Answer: No.

Proposed Change No. 1: Increases from two years to five years the waiting period for a new conference to become eligible for automatic qualification.

Question No. 1: If a conference applies for Division II conference membership before August 1, 2013, how long will that conference have to wait to become eligible for automatic qualification?

Answer: The conference would have to wait two years before becoming eligible for automatic qualification, which is the current standard [see Constitution 3.3.2.2-(c) (voting rights and other conference membership privileges)]. New conferences that apply for Division II membership on or after August 1, 2013, would be required to wait five years before becoming eligible for automatic qualification.

[Note: A conference applying for Division II conference membership must submit an application to the Membership Committee by December 1; therefore, an application must be received in the NCAA national office by December 1, 2012, in order for the conference to take advantage of the current standard of two years to qualify for automatic qualification for championships.]

Question No. 2: Does the five-year waiting period also apply to an active Division II member conference that adds a new sport(s)?

Answer: No. The proposal clarifies that an active member conference that adds a sport(s) only has to have conducted competition in the sport for two consecutive years at the time of its application for automatic qualification [see Bylaw 31.3.4.5-(b) (additional requirements)].

Question No. 3: Will individual student-athletes and teams representing institutions from the newly formed conference have to wait five years prior to participating in championship competition?

Answer: No. The five-year waiting period only applies to the selection of the representative of the new conference's automatic qualifying position. Student-athletes and teams from the newly formed conference will still be eligible to be selected as at-large representatives during the five-year waiting period.

Question No. 4: When does the waiting period for a new conference to be eligible for automatic qualification begin?

Answer: The waiting period would begin September 1 of the year the conference is invited to active status and would end five calendar years from that date.

Proposed Change No. 2: Creates a three-year grace period during which a conference may continue to qualify for conference membership privileges following the date of withdrawal

of the institution(s) that causes the conference's membership to fall below the minimum number of institutions required for active membership, provided the conference remains within one member institution of that minimum number.

Question No. 1: What are the privileges that an active conference is entitled to?

Answer: Active conferences are entitled to the following:

- a. Conference grant distribution;
- b. A vote at the NCAA Convention;
- c. Representation on the Management Council and the Student-Athlete Advisory Committee;
- d. Enhancement fund distribution; and
- e. Automatic qualification for championships.

[For a current timetable for receipt of these privileges, see Constitution 3.3.2.2 (voting rights and other conference membership privileges).]

Question No. 2: What is the current minimum number of institutions required for active conference membership?

Answer: Six.

[Note: Proposal No. 2012-8 is recommending an increase of that minimum number to eight active institutions for current conferences by August 1, 2017 (and 10 institutions by August 1, 2022), and to 10 active institutions for new conferences applying for conference membership on or after August 1, 2013.]

Question No. 3: What happens if a conference falls below the minimum number by more than one institution? For example, under the current minimum of six active institutions, what would happen if a conference falls to four members; or under the proposed minimum of 10 active institutions, what would happen if the conference falls to eight members?

Answer: The conference would not be eligible for the three-year grace period and would lose its conference membership privileges immediately after falling below by more than one member from the minimum number of

institutions. However, a conference may seek a waiver from the Membership Committee.

Question No. 4: If the Membership Committee grants a waiver to an active conference that falls below the minimum number of institutions required for active membership, does the active conference continue to receive conference membership privileges?

Answer: Yes.

Question No. 5: Does the Membership Committee have the authority to extend the grace period beyond three years?

Answer: Yes.

Question No. 6: May the Membership Committee grant a waiver to an active conference that falls below the minimum number of institutions required for active membership on more than one occasion?

Answer: Yes.

Proposed Change No. 3: In championship sports in which automatic qualification is offered, a sport committee is required to reserve at least 50 percent of the championship field for regional tournaments for at-large teams.

Question No. 1: Who will be responsible for determining the policy for building regional brackets?

Answer: The NCAA Division II Championships Committee.

Question No. 2: Will there be conferences in certain regions that will not be awarded automatic qualifications in regional tournaments after the at-large teams are identified? For example, if there are eight positions in a region and there are five conferences, how will the Championships Committee determine which conferences receive automatic qualifications?

Answer: The Championships Committee will determine the criteria for building regional brackets to ensure that conferences do not lose automatic qualifying positions. In the example above, the region would need to increase to 10 positions (five at large and five automatic qualifiers). This would increase the bracket size by two (e.g., from 64 to 66) and create

new positions to accommodate the growth by preserving at-large positions in the regional tournament.

Proposal No. 2012-10 (No. 2-3) -- NCAA Membership -- Member Conference -- Annual Limit On Conference Membership -- Division Membership -- Division II Membership Process -- Provisional And Reclassifying Institutions -- Conference Membership

[NOTE: At the end of this guide, charts that outline a comparison of the current legislation with the proposed legislation and the benefits provided to new conferences at various time periods in the membership process are available (Attachment A).]

Question No. 1: How do the multiple effective dates apply to the legislative proposal?

Answer: This proposal has the following effective dates: For Section A: Immediate. For Section B: August 1, 2012, for an institution entering the Division II membership process on or after September 1, 2012.

The sections refer to the specified subsections of the legislative proposal as contained within the 2012 NCAA Convention Division II Official Notice.

Question No. 2: Does the proposal affect regionalization for championships?

Answer: No.

Proposed Change No. 1: Allows the Management Council, on recommendation of the NCAA Division II Planning and Finance Committee and the Membership Committee, to establish an annual limit on the number of athletic conferences applying to become a member conference that will be invited to active conference membership.

Question No. 1: How will the Management Council determine whether a limit on conference membership must be imposed?

Answer: The Management Council will hear recommendations from the Planning and Finance Committee and the Membership Committee. In addition, the committees and the Council could base the annual limit on the long-range budget framework for the division created by the Long-Range Projections Task Force:

- a. Up to 23 conferences by 2013-14;

- b. Up to 24 conferences by 2016-17;
- c. Up to 25 conferences by 2019-20; and
- d. Up to 26 conferences by the end of the new media agreement in 2023-24).

Question No. 2: Is the Management Council permitted to establish a different annual limit on the number of applicant conferences that will be invited to active conference membership that is different than what the Planning and Finance Committee and/or Membership Committee recommends?

Answer: Yes.

Question No. 3: Will all conferences that apply automatically become an active member conference?

Answer: No.

Question No. 4: What role does the Presidents Council play in establishing an annual limit on the number of applicant conferences that will be invited to active conference membership?

Answer: The Management Council reports directly to the Presidents Council. As such, the Presidents Council has the authority to amend or change any action(s) taken by the Management Council. Additionally, five members of the Presidents Council are also members of the Planning and Finance Committee, including the chair and vice-chair of the Presidents Council.

Proposed Change No. 2: Requires that before the Membership Committee can invite an institution into active membership, an active conference (or a conference applying for membership) must have taken action to allow such institution to join the conference as a full member.

Question No. 1: Would this change be applicable to institutions that are currently in the Division II membership process?

Answer: No. Only institutions entering the membership process on or after September 1, 2012, will have to meet this requirement.

[Note: This legislation will be in effect for institutions that make application to enter the Division II membership process by June 1, 2012.]

Question No. 2: Will an institution need to demonstrate this requirement at the time of application to enter the membership process?

Answer: No. The recommended change only requires an institution in the provisional period of the membership process to demonstrate conference affiliation prior to being invited into active Division II membership.

Question No. 3: Would this recommendation allow an institution to become an active Division II member as an independent institution?

Answer: No. An institution without conference affiliation will not be invited into active Division II membership.

Question No. 4: Would this recommendation affect current Division II independent institutions or institutions that are independent in a particular sport?

Answer: No.

Question No. 5: May an institution in the membership process remain in the provisional period for multiple years until it finds conference affiliation?

Answer: No. An institution in the membership process may repeat only one year of either the candidacy period or the provisional period [see Bylaw 20.3.2.1 (failure to meet provisional membership requirements)]. Therefore, an institution may not remain in the process for multiple years to find conference affiliation to meet this requirement. However, if the failure to meet the requirement was due to circumstances beyond the control of the institution, a waiver may be filed [see Bylaw 20.3.3.1.1.2 (waiver)].

Question No. 6: What would happen to an institution in the provisional period of the membership process that does not receive an invitation to join a conference at the end of the provisional period (or the allowed repeat year)?

Answer: The institution will have its membership terminated, by a two-thirds vote of the Membership Committee, present and voting (see Bylaw 20.3.3.1). However, this decision may be appealed to the Management Council.

Question No. 7: What must an institution demonstrate to the Membership Committee to prove that it has been admitted as a full member of a conference?

Answer: The Membership Committee will outline via policy what constitutes compliance with this requirement.

Question No. 8: Is there a deadline as to when an institution must become an active member of the conference?

Answer: Yes. The institution must be an active member of the conference in the academic year the institution will become active.

Proposal No. 2012-11 (No. 2-5) -- Recruiting -- Contacts and Evaluations -- Permissible Number and Time Period for Contacts -- Unlimited Contacts

[NOTE: At the end of this guide, you may find a chart that outlines a comparison of the current legislation with the proposed legislation (Attachment B).]

Question No. 1: What is the current legislation?

Answer: The current legislation specifies that each institution is limited to three in-person, off-campus recruiting contacts during the academic year per prospective student-athlete. Such contacts may not occur until June 15 immediately preceding the prospective student-athlete's senior year in high school.

Question No. 2: May an institution have in-person, off-campus contacts with a prospective student-athlete during a dead period, evaluation period or a quiet period?

Answer: No.

Question No. 3: May an institution have in-person, off-campus contacts with a prospective student-athlete who is competing in an event?

Answer: Per Bylaw 13.1.7.2 (practice or competition site), contact is not permissible until the prospective student-athlete has completed all competition and the prospective student-athlete is released by the appropriate institutional authority and leaves the dressing and meeting facility.

Question No. 4: If adopted, would it be permissible for an institution to have unlimited off-campus contact with a prospective student-athlete who was a junior in high school before June 15, 2012?

Answer: The legislation, if adopted, would permit unlimited off-campus contact beginning June 15, 2012, with prospective student-athletes who have already completed their junior year or who enter their junior year in high school June 15, 2012, and thereafter.

Question No. 5: What would be the applicable start dates for contacts, telephone calls and recruiting materials if this proposal is adopted and the other two Ease of Burden proposals are defeated?

Answer: The applicable start dates for contacts, telephone calls and recruiting materials would be the following if this is the only proposal adopted:

Off-campus recruiting contacts:	June 15 before junior year
Telephone calls:	June 15 before senior year
Recruiting materials:	September 1 before junior year
Emails and faxes:	September 1 before junior year
Texts and instant messages:	Signing of National Letter of Intent (NLI) or written commitment

Question No. 6: Will the unlimited contacts also apply to transfer student-athletes?

Answer: Yes. However, per Bylaw 13.1.1.2 (four-year college prospective student-athletes), an institution must first receive permission to contact a student-athlete from another four-year institution.

Question No. 7: If adopted, how will this legislation apply to international prospective student-athletes or home-schooled prospective student-athletes?

Answer: The institution would need to determine the prospective student-athlete's junior year in high school (i.e., the year before graduation).

Question No. 8: If a prospective student-athlete's sophomore year extends past June 15, may the institution have unlimited contacts with the prospective student-athlete even though the sophomore year has yet to be completed?

Answer: Yes.

Question No. 9: Is there a limitation on the number of contacts per day with a prospective student-athlete?

Answer: No.

Question No. 10: Is a prospective student-athlete required to have signed an NLI or an institution's financial aid agreement before the institution may have unlimited contacts?

Answer: No.

Question No. 11: Is an institution permitted to have in-person, off-campus contact with a prospective student-athlete when he or she is signing an NLI?

Answer: No.

Question No. 12: Does this proposal allow for unlimited contacts after high school graduation and prior to initial full-time enrollment at a collegiate institution?

Answer: Yes.

Question No. 13: Are institutional personnel still required to pass the coaches certification test prior to recruiting off campus?

Answer: Yes.

Proposal No. 2012-12 (No. 2-6) -- Recruiting -- Contacts and Evaluations -- Contactable Prospective Student-Athletes -- High School Prospective Student-Athletes -- Permissible Number and Timing of Telephone Calls

[NOTE: At the end of this guide, you may find a chart that outlines a comparison of the current legislation with the proposed legislation (Attachment B).]

Question No. 1: What is the current legislation?

Answer: The current legislation specifies that each institution is limited to one telephone call per week per prospective student-athlete starting June 15 before the prospective student-athlete's senior year in high school.

Question No. 2: May an institution make telephone calls to a prospective student-athlete during a dead period, evaluation period or a quiet period?

Answer: Yes.

Question No. 3: May an institution's coach place a telephone call to a prospective student-athlete during the conduct of any of the institution's intercollegiate athletics contests in the coach's sport?

Answer: No. This would be impermissible per Bylaw 13.1.3.2.1 (during conduct of athletics contest).

Question No. 4: May a coach call a prospective student-athlete while he or she is coaching in an institutional contest?

Answer: No.

Question No. 5: If adopted, would it be permissible for an institution to make unlimited telephone calls to a prospective student-athlete who was a junior in high school before June 15, 2012?

Answer: The legislation, if adopted, would permit unlimited telephone calls beginning June 15, 2012, with prospective student-athletes who have already completed their junior year or who enter their junior year in high school June 15, 2012, and thereafter.

Question No. 6: What would be the applicable start dates for contacts, telephone calls and recruiting materials if this proposal is adopted and the other two Ease of Burden proposals are defeated?

Answer: The applicable start dates for contacts, telephone calls and recruiting materials would be the following if this is the only proposal adopted:

Off-campus recruiting contacts:	June 15 before senior year
Telephone calls:	June 15 before junior year
Recruiting materials:	September 1 before junior year
Emails and faxes:	September 1 before junior year
Texts and instant messages:	Signing of NLI or written Commitment

Question No. 7: Will the unlimited telephone calls also apply to a transfer student-athlete?

Answer: Yes. However, per Bylaw 13.1.1.2 (four-year college prospective student-athletes), an institution must first receive permission to contact a student-athlete from another four-year institution.

Question No. 8: If adopted, how will this legislation apply to an international prospective student-athlete or a home-schooled prospective student-athlete?

Answer: The institution would need to determine the prospective student-athlete's junior year in high school (i.e., the year before graduation).

Question No. 9: If a prospective student-athlete's sophomore year extends past June 15, may the institution make unlimited telephone calls to the prospective student-athlete even though his or her sophomore year has yet to be completed?

Answer: Yes.

Question No. 10: Is there a limitation on the number of telephone calls institutional personnel may make to a prospective student-athlete per day?

Answer: No.

Question No. 11: Is a prospective student-athlete required to have signed an NLI or an institution's financial aid agreement before the institution may make unlimited telephone calls?

Answer: No.

Question No. 12: If an institution makes a telephone call to a prospective student-athlete before June 15 of his or her junior year, will that affect his or her eligibility?

Answer: Yes. The prospective student-athlete will need to be reinstated prior to competition at that institution.

Question No. 13: Are Skype and video chats considered telephone calls?

Answer: Yes.

Proposal No. 2012-13 (No. 2-7) -- Recruiting -- Recruiting Materials -- Printed Recruiting Materials, Electronic Media and Electronic Transmissions -- Permissible Number and Timing of Materials

[NOTE: At the end of this guide, you may find a chart that outlines a comparison of the current legislation with the proposed legislation (Attachment B).]

Question No. 1: What is the current legislation?

Answer: The current legislation does not permit an institution to send athletically related recruiting materials to a prospective student-athlete until September 1 before his or her senior year in high school. Electronic transmissions sent to prospective student-athletes are limited to email and faxes. Other forms of electronic transmissions (e.g., text messages or instant messages) may be sent after the calendar day on which a prospective student-athlete signs an NLI, or written offer of admission and/or financial aid by the institution with which the prospective student-athlete has signed.

Question No. 2: May an institution leave recruiting materials at a prospective student-athlete's hotel while he or she is competing in an event?

Answer: Yes. An institution may leave recruiting materials, provided it is after June 15 of the prospective student-athlete's junior year in high school.

Question No. 3: May an institution's coach send electronic transmissions to a prospective student-athlete during the conduct of any of the institution's intercollegiate athletics contests in the coach's sport?

Answer: No.

Question No. 4: If adopted, would it be permissible for an institution to send text messages to a prospective student-athlete who was a junior in high school before June 15, 2012?

Answer: The legislation, if adopted, would permit an institution to send text messages beginning June 15, 2012, to prospective student-athletes who have already completed their junior year or who enter their junior year in high school June 15, 2012, and thereafter.

Question No. 5: What would be the applicable start dates for contacts, telephone calls and recruiting materials if this proposal is adopted and the other two Ease of Burden proposals are defeated?

Answer: The applicable start dates for contacts, telephone calls and recruiting materials would be the following if this is the only proposal adopted:

Off-campus recruiting contacts:	June 15 before senior year
Telephone calls:	June 15 before senior year
Recruiting materials:	June 15 before junior year
Emails and Faxes:	June 15 before junior year
Texts and instant messages:	June 15 before junior year

Question No. 6: Does this proposal also apply to a transfer student-athlete?

Answer: Yes. However, per Bylaw 13.1.1.2 (four-year college prospective student-athletes), an institution must first receive permission to contact a student-athlete from another four-year institution.

Question No. 7: If adopted, how will this legislation apply to an international prospective student-athlete or home-schooled prospective student-athlete?

Answer: The institution would need to determine the prospective student-athlete's junior year in high school (i.e., the year before graduation).

Question No. 8: If a prospective student-athlete's sophomore year extends past June 15, may the institution send recruiting materials and electronic transmissions to a prospective student-athlete even though the sophomore year has yet to be completed?

Answer: Yes.

Question No. 9: Is there a limitation on the number of electronic transmissions that may be sent to a prospective student-athlete per day?

Answer: No.

Question No. 10: Is a prospective student-athlete required to have signed an NLI or an institution's financial aid agreement before the institution may send unlimited electronic transmissions?

Answer: No.

Question No. 11: Are Skype and video chats considered electronic transmissions?

Answer: No. Bylaw 13.02.12 specifies that videoconferencing and videophones are considered telephone calls.

Question No. 12: What are some examples of communications that are private between a sender and recipient?

Answer: Some examples include email, text messages, instant messaging and the email feature on Facebook.

Question No. 13: Would it be permissible for a coach to post messages to a prospective student-athlete on a chat wall or on a prospective student-athlete's Facebook wall that is viewable by the public?

Answer: No. This would not be permissible because it is not a private communication.

Question No. 14: May an institution respond to a prospective student-athlete's letter or email requesting information from athletics before September 1 of the prospective student-athlete's junior year in high school with a reply explaining the current legislation or a referral to the admissions department?

Answer: Yes. Institutions may respond to a student-athlete's letter or email as prescribed above, but would not be permitted to respond via text, instant message or any other form of communication.

Proposal No. 2012-14 (No. 2-10) -- Recruiting and Playing and Practice Seasons -- Mandatory Medical Examination -- Sick Cell Solubility Test

Question No. 1: Do all states require the testing of the sickle cell trait in newborns?

Answer: Currently, all 50 states and the District of Columbia mandate the testing of sickle cell disease in newborns.

Question No. 2: Is it possible that someone who tests positive for the trait as an infant would no longer have the trait in adulthood?

Answer: No.

Question No. 3: Is the sickle cell trait race or ethnicity specific?

Answer: No. While it is true that sickle cell trait is more common in the African-American population at an eight percent carrier rate, in today's homogeneous society, anyone could be a carrier. The sickle gene is a condition of inheritance rather than race or ethnicity.

Question No. 4: If adopted, is a returning student-athlete required to undergo a sickle cell solubility test or is the proposal only for incoming student-athletes?

Answer: A returning student-athlete would be required to undergo a sickle cell solubility test in addition to his or her initial mandatory medical examination (Bylaw 17.1.5) that occurred at the initial season of eligibility. The results of the test shall be on file prior to participation in practice, competition, or out-of-season conditioning activities unless documented results of a prior test are provided to the institution or the student-athlete declines the test and signs a written release. The legislation would be effective August 1, 2012, for all student-athletes, including both new and continuing student-athletes.

Question No. 5: Does a transfer student-athlete or a prospective student-athlete trying out for a team need to have the sickle cell solubility test results on file in addition to the medical examination prior to any athletics participation ?

Answer: Yes. The results of a sickle cell solubility test must be on file for any prospective student-athlete prior to a tryout unless documented results of a prior test are provided to the institution or the prospective student-athlete declines the test and signs a written release.

Question No. 6: Is the sickle cell solubility test a one-time test or does the student-athlete need to be tested each year prior to participation in any athletically related activities?

Answer: Student-athletes are only required to be tested once and the documented results of the first test may be used to satisfy the legislation in future medical examinations.

Question No. 7: Is the proposal mandating sickle cell solubility testing for all student-athletes or only for student-athletes classified as "at risk"?

Answer: The legislation, if adopted, would be applicable to all student-athletes and not just those student-athletes classified as "at risk." Universal screening is required at birth, yet many student-athletes do not know their status.

Question No. 8: Is the sickle cell solubility test required to be administered during the mandatory medical examination or evaluation for a student-athlete prior to participation in any athletically related activities or may the student-athlete seek the sickle cell trait test at a separate time?

Answer: If adopted, the sickle cell solubility test may be a component of the mandatory medical examination or evaluation, but the test must be completed prior to the student-athlete's participation.

Question No. 9: Are the results of the sickle cell solubility test required to be available before a prospective student-athlete or student-athlete is permitted to participate in athletically related activities?

Answer: Yes.

Question No. 10: Does the sickle cell solubility test have to be documented within the same six-month window of the medical examination?

Answer: Yes.

Question No. 11: If a student-athlete provides documentation of his or her sickle cell trait status, is there a timeframe in which that test must have occurred in order to satisfy the legislation (e.g., within five years of enrollment at the certifying institution)?

Answer: No.

Question No. 12: May an institution conduct the sickle cell solubility test as part of a medical examination during a prospective student-athlete's official or unofficial visit to campus?

Answer: Yes.

Question No. 13: May an institution mandate that all student-athletes sign a written release without offering the test?

Answer: No. The intent of the proposal is that a student-athlete is first offered the test. If a student-athlete declines due to personal circumstances, knowing

the risks associated with sickle cell trait, then a signed written release is required. The written release provision should not be used by an institution to avoid the mandatory obligation to ensure the health, safety and well-being of student-athletes through testing for the sickle cell trait.

Question No. 14: If a student-athlete initially declines to undergo a sickle cell solubility test and signs a written release, is the student-athlete required to do so every year prior to participation in any athletically related activities?

Answer: Yes.

Question No. 15: Will the NCAA provide a standard template document to member institutions for the written release provision of this legislation?

Answer: No. Each institution should discuss with its legal counsel the need for developing an institution-specific written release form.

Question No. 16: If a student-athlete declines the sickle cell solubility test and signs the written release, does the written release require other individuals to sign it as well (e.g., parent, legal guardian)?

Answer: The signature of the parent or legal guardian of the prospective student-athlete is required if he or she is a minor. If the prospective student-athlete is not a minor, then it would be left to each institution to determine if additional signatures are required.

Question No. 17: Is a question on the history form of the medical examination sufficient to determine a student-athlete's sickle cell trait status?

Answer: No. Documented results of a prior test must be provided to the institution in order to meet the legislation.

Question No. 18: How should an institution keep track of the student-athlete's sickle cell trait status or written release status?

Answer: The method of maintaining medical record documentation is an institutional decision. At a minimum, athletics medical staff should have a copy in the student-athlete's medical file.

Question No. 19: For colleges and universities that do not require sickle cell testing as part of a student's health assessment, what is the best way to comply with the proposal if it is adopted?

Answer: The legislation, if adopted, only applies to student-athletes and prospective student-athletes trying out for an intercollegiate athletics team and not to the general student-body. Therefore, institutions can comply with the legislation, by requiring that sickle cell trait testing results accompany the medical examination documentation for all student-athletes prior to participation in athletically related activities and prior to tryouts (including prospective student-athletes), unless documented results of a prior test are provided to the institution or the student-athlete declines the test and signs a written release.

Question No. 20: Are male practice players required to undergo the sickle cell solubility test prior to practice with a women's team?

Answer: Yes. A male practice player must undergo the test prior to practicing unless documented results of a prior test are provided to the institution or the student-athlete declines the test and signs a written release.

Question No. 21: May an institution contract with a sickle cell testing service and charge the student-athletes for the testing?

Answer: Yes.

Question No. 22: May an institution pay for the sickle cell solubility testing of its student-athletes?

Answer: Yes.

Question No. 23: May an institution pay for the sickle cell solubility testing of a prospective student-athlete who is on an official visit or trying out for one of the institution's teams?

Answer: Yes.

Question No. 24: What are some solutions for institutions or student-athletes seeking a sickle cell solubility screening test if a student-athlete's record of his or her newborn screening is not available?

Answer:

- a. The NCAA has an agreement with Quest Diagnostics' national laboratories, which will give NCAA member institutions and their student-athletes access to affordable screening exams (\$8.50) for

sickle cell trait. Institutions can select from three different service models and may call 1-866-226-8046 for more information.

- b. The cost for the institution can be negotiated locally with a campus health center, hospital or laboratory.
- c. Regional sickle cell disease/trait foundation may provide access to screening programs.

Question No. 25: If an institution fails to conduct the sickle cell solubility test as part of the mandatory medical examination and the student-athlete does not have documentation of a prior test and did not sign a written release, would this be a violation that affects the student-athlete's eligibility?

Answer: Yes. This would be an institutional violation and the student-athlete would need to be reinstated.

Question No. 26: What are the next steps/best practices if a student-athlete tests positive for sickle cell trait?

Answer: If a test confirms the sickle cell trait, the student-athlete should be offered counseling on the implications of sickle cell trait, including health, athletics participation and family planning. Knowledge of sickle cell trait status can be a gateway to education and simple precautions should be taken to minimize health issues among student-athletes with the sickle cell trait.

Question No. 27: Does the NCAA have educational materials for student-athletes and staff members to learn more about sickle cell trait?

Answer: Yes. Fact sheets and an educational video are available for student-athletes, coaches and athletics personnel at www.NCAA.org/health-safety.

Question No. 28: Who should view the sickle cell trait video?

Answer: At a minimum, it is recommended for student-athletes with positive test results, student-athletes who decline the test and sign a written release and all athletics staff members involved with conducting or monitoring physical activities.

**Proposal No. 2012-15 (No. 2-13) -- Awards and Benefits and Playing and Practice Seasons -
- Winter Break -- First Day of Winter Break When December 20 Falls on Friday,
Saturday, Sunday or Monday**

[NOTE: At the end of this guide, a chart is available that identifies the winter break for the next 14 years if Proposal No. 2012-15 is adopted (Attachment C).]

Question No. 1: What is the current legislation related to an institution's winter break?

Answer: The current legislation specifies that a student-athlete shall not participate in any voluntary athletically related activities on campus from December 20 through December 26, unless the facility is open to the general student-body. Additionally, in basketball, swimming and diving, indoor track and field and wrestling, the legislation specifies that a student-athlete shall not participate in any countable athletically related activities from December 20 through December 26.

Question No. 2: Does the winter break apply to sports that do not have a Division II championship?

Answer: No. The winter break only applies to sports for which Division II sponsors a championship. Therefore, the winter break will not apply to a Division I sport that is sponsored by a Division II institution or a Division II sport for which a National Collegiate Championship is the only NCAA championship opportunity.

Question No. 3: May a team or student-athlete travel to or from competition during the institution's winter break?

Answer: No. However, an institution may return to campus December 20 following the completion of an away-from-home competition, provided the team departs the competition location at the earliest practical opportunity, but not later than 11:59 p.m. (local time) December 19, and all contact between institutional staff members (e.g., coaches) and student-athletes ceases on arrival to campus.

If this exception does not address an institution's travel issues during the winter break, the institution may seek relief through the Committee for Legislative Relief waiver process if it can demonstrate that there is mitigation warranting relief of the legislation. Waiver requests will be reviewed on a case-by-case basis.

Question No. 4: An institution's weight room is closed during the institution's winter break. May a student-athlete work out in the weight room during the institution's winter break if a coach opens the facility for him or her?

Answer: No. A student-athlete may work out at an on-campus facility during the institution's winter break only if that facility is open to the general student-body.

Question No. 5: Is it permissible for a student-athlete to use institutional equipment while participating in voluntary athletically related activities at an on-campus facility during the institution's winter break?

Answer: Yes. The student-athlete may use the equipment, provided it is available for use by the general student-body or it has already been issued for the sport season by the institution's athletics department and does not have to be checked out through an issuance and retrieval process (e.g., golf clubs, tennis racket).

Question No. 6: Is it permissible for an athletic trainer to treat a student-athlete during the winter break?

Answer: Yes. The intent of the original winter break proposal (Proposal No. 2010-7) was to give student-athletes, coaches, athletics administrators and support staff (e.g., athletic trainers) a seven-day break; however, student-athlete health and safety is paramount so if treatment is needed during the winter break it is permissible.

Question No. 7: Would it be permissible for a team to participate in a foreign tour during the winter break period?

Answer: No. Participation on a foreign tour constitutes countable athletically related activities and would not be permissible during the institution's winter break.

Question No. 8: What is the definition of voluntary athletically related activities?

Answer: Bylaw 17.02.16 (voluntary athletically related activities) defines voluntary athletically related activities.

Question No. 9: Is it permissible to operate a camp or clinic on campus during the winter break?

Answer: Yes. During the winter break, an institution would be permitted to operate a camp or clinic. A student-athlete may work or volunteer at the camp or clinic, provided the conditions in Bylaw 13.12.2.2 (student-athletes) are satisfied.

Question No. 10: Is it permissible for an institution to provide housing and meal expenses to a student-athlete who remains on campus during the institution's winter break?

Answer: Per Bylaw 16.5 (housing and meals), institutions may provide room and board expenses to student-athletes who return to campus from competition during an institution's official vacation period for up to 48 hours following the student-athlete's return to campus. If an institution wants to provide such expenses beyond the 48 hours following the return to campus after competition during the official vacation period, the institution must seek relief through the Committee for Legislative Relief waiver process. Waiver requests will be reviewed on a case-by-case basis.

Question No.11: Is it permissible for a student-athlete who remains on campus during the winter break to receive an occasional meal from institutional staff members or a representative of the institution's athletics interests?

Answer: Yes. However, the conditions set forth in Bylaw 16.11.1.4 (occasional meal) must be satisfied.

Question No. 12: Is it permissible for an institution to declare a winter break longer than seven days?

Answer: Yes.

Question No. 13: If adopted, is an institution's winter break still seven-consecutive calendar days if December 20 falls on a Friday, Saturday, Sunday or Monday?

Answer: Yes.

Question No. 14: Why is this legislation being proposed to revolve around Friday, Saturday, Sunday and Monday?

Answer: This exception to the current winter break rule provides institutions with the flexibility to compete over the weekend before the winter break and will help to address issues with facility scheduling, restrictions on competition during final exams and expanding conference schedules.

Proposal No. 2012-16 (No. 2-16) -- Division Membership -- Membership Requirements -- Philosophy Statement -- Personal Conduct of Division II Institutional Staff Members and Student-Athletes

Question No. 1: If an institutional athletics department staff member fails to adhere to the principles contained within the Division II philosophy statement, would this be considered an institutional violation or affect an institution's Division II membership status?

Answer: No.

Question No. 2: Are institutions required to distribute the Division II philosophy statement to athletics staff and student-athletes on an annual basis?

Answer: No. It is within the institution's discretion as to how it displays and distributes the Division II philosophy statement to the appropriate constituents.

Question No. 3: Are institutions required to demonstrate that they are adhering to the Division II philosophy statement or submit documentation to the national office of this?

Answer: No.

Question No. 4: Is an institution required to re-affirm its commitment to the Division II philosophy statement annually?

Answer: No.

Question No. 5: Does the Division II philosophy statement only apply to individuals at the institution involved with athletics or does it also apply to individuals outside athletics?

Answer: The philosophy statement applies to all individuals at the Division II institution, inside and outside athletics.

Question No. 6: Is Division II the only division that has a philosophy statement?

Answer: No. Division I and Division III also have philosophy statements.

Question No. 7: Why does this proposal not have an immediate effective date?

Answer: The effective date will allow for notice to the Division II membership.

Question No. 8: Why is this change being proposed to the Division II philosophy statement?

Answer: The proposed change sets forth the expectation that Division II institutions, staff members, prospective student-athletes and student-athletes are to hold themselves to the highest standards of personal conduct.

Question No. 9: May an institution develop penalties to be imposed at the campus level for individuals who fail to adhere to the principles contained within the Division II philosophy statement?

Answer: Yes.

Question No. 10: Who is responsible for ensuring that the standards of the philosophy statement are followed at the Division II institution?

Answer: This responsibility should rest with the chancellor or president; however, ensuring that everyone meets or exceeds the standards should be a collective effort among institutional staff members inside and outside athletics.

Timetables for Conference Membership

Division II Conferences.

The timetable below will apply to the following conferences:

1. Any active Division II conference on the adjournment of the 2012 NCAA Convention January 14, 2012; and
2. Any conference that applies for Division II membership on or before August 1, 2013.

[Note: A conference applying for Division II conference membership must submit an application to the NCAA Division II Membership Committee by December 1; therefore, an application must be received in the NCAA national office by December 1, 2012, in order for the conference to be subject to the timetable below.]

	Minimum Size for Application	Minimum Size for Active Membership	Timetable for Receipt of Privileges	Grace Period for Privileges
1/14/2012 - 7/31/2017	Six or fewer active institutions.	Six active institutions.	<i>Immediate on Active Conference</i>	If the conference falls below the minimum number of institutions required for active membership, it may continue to qualify for conference membership privileges for three years following the date of withdrawal of the institution(s) that causes the conference's membership to fall below the minimum number of institutions required for active membership, provided the conference remains within one member of that minimum number.
8/1/2017 – 7/31/2022		Eight active institutions.	<i>Membership: Eligible for conference grant distribution, vote at the NCAA Convention, and NCAA Division II Management Council and NCAA Student- Athlete Advisory Committee representation.</i>	
From 8/1/2022		10 active institutions.	<i>One Year after Active Conference</i> <i>Membership: Eligible for enhancement fund distribution.</i> <i>Two Years after Active Conference</i> <i>Membership: Eligible for automatic qualification.</i>	

New Member Conference.

The timetable below applies to any conference that applies for Division II membership on or after August 1, 2013.

[Note: A conference applying for Division II conference membership must submit an application to the Membership Committee by December 1; therefore, any conference whose application is received in the NCAA national office after December 1, 2012, would be subject to the timetable below.]

	Minimum Size for Application	Minimum Size for Active Membership	Timetable for Receipt of Privileges	Grace Period for Privileges
From 8/1/2013 (applications received in the NCAA national office after December 1, 2012)	10 active institutions and/or institutions in the provisional period of the membership process.	10 active institutions.	<p><i>Immediate on Active Conference Membership:</i> Eligible for conference grant distribution, vote at the NCAA Convention, and Management Council and Student-Athlete Advisory Committee representation.</p> <p><i>One Year after Active Conference Membership:</i> Eligible for enhancement fund distribution.</p> <p><i>Five Years after Active Conference Membership:</i> Eligible for automatic qualification.</p>	If the conference falls below the minimum number of institutions required for active membership, it may continue to qualify for conference membership privileges for three years following the date of withdrawal of the institution(s) that causes the conference's membership to fall below the minimum number of institutions required for active membership, provided the conference remains within one member of that minimum number.

Comparison of Current Division II Legislation and Proposal Nos. 2012-8 through 2012-10

Strategic Growth Package – Size of Conferences		
	Current Rule	Proposed Change
Minimum Number of Institutions Required for Conference Application for Division II Membership	<p>Two options for conference application:</p> <ol style="list-style-type: none"> 1. At least <u>six</u> active Division II member institutions submit application not later than December 1. (See Constitution 3.3.1.3 for documentation that must accompany application.) 2. Fewer than six active Division II member institutions submit application not later than December 1. (See NCAA Constitution 3.3.1.4 for documentation that must accompany application.) 	<ol style="list-style-type: none"> 1. To require that an athletics conference desiring to become an NCAA Division II member conference must be composed of at least <u>10 active</u> Division II institutions and/or institutions in the provisional period of the Division II membership process at the time of application. 2. To specify that the <u>10 institutions</u> must be located in the same geographic area as specified in Constitution 4.13 (geographical area). 3. To specify that the Division II Membership Committee may waive the requirements above if it deems that unusual circumstances warrant such action. 4. To eliminate the current process for a conference with fewer than six active member institutions desiring to attain voting conference status and gain access to voting conference membership privileges.

Strategic Growth Package – Size of Conferences		
	Current Rule	Proposed Change
Minimum Size of Active Members to Become an Active Conference for Access to Privileges (e.g., voting, conference grant distribution)	Minimum of <u>six</u> active Division II member institutions.	<ol style="list-style-type: none"> 1. To specify that an athletics conference shall be composed of at least <u>10</u> active member institutions to become an active Division II member conference. 2. To specify that the Membership Committee may waive this requirement if it deems that unusual circumstances warrant such action.
Minimum Size of Current Division II Conference	Minimum of <u>six</u> active Division II member institutions.	<ol style="list-style-type: none"> 1. To specify that an athletics conference shall be composed of at least <u>eight</u> active member institutions, effective August 1, 2017. 2. To specify that the Membership Committee may waive this requirement if it deems that unusual circumstances warrant such action.
		<ol style="list-style-type: none"> 1. To specify that an athletics conference shall be composed of at least <u>10</u> active member institutions, effective August 1, 2022. 2. To specify that the Membership Committee may waive this requirement if it deems that unusual circumstances warrant such action.

Strategic Growth Package – Benefits Provided to Conferences		
	Current Rule	Proposed Change
Timetable for Automatic Qualification (AQ)	<u>Two years</u> after active conference membership.	<u>Five years</u> after active conference membership. (Note: Active conferences that add a sport must conduct competition in the sport in question for two consecutive years at the time of application.)
Grace Period for Access to Privileges	<ol style="list-style-type: none"> 1. For all privileges except the AQ, there is not a legislated grace period. 2. A conference shall remain eligible for AQ for <u>two years</u> following the withdrawal of the institution(s) that causes the conference's membership to fall below six. 	A <u>three-year</u> grace period during which a conference may continue to qualify for <u>all</u> conference membership privileges following the date of withdrawal of the institution(s) that causes the conference's membership to fall below the minimum number of institutions required for active membership, provided the conference remains within one member institution of that minimum number.
Number of At-Large Positions in Championship Brackets	None.	To specify that in Division II championship sports in which automatic qualification is offered, at least <u>50 percent</u> of the championship field for regional tournaments be reserved for at-large teams.

Strategic Growth Package – Process Related to Conference Membership		
	Current Rule	Proposed Change
Annual Limit on the Number of Conferences that May Be Accepted for Division II Membership	Annual limit (established by the NCAA Division II Management Council) on the number of <u>institutions</u> accepted into the membership process each year.	The Management Council may establish a limit on the number of institutions <u>and conferences</u> each year.
Active Conference Acceptance of an Institution Prior to Acceptance	None.	A Division II conference (or a conference applying for Division II membership) must have taken action to allow such institution to join the conference as a full member.

Comparison of Current Division II Legislation and Proposal Nos. 2012-11 through 2012-13

Ease of Burden Package		
	Current Rule	Proposed Change
In-Person Off-Campus Recruiting Contact	Not more than three contacts per prospective student-athlete per academic year beginning June 15 prior to a prospective student-athlete's <u>senior</u> year in high school.	No restrictions on the number of contacts beginning June 15 prior to a prospective student-athlete's <u>junior</u> year in high school.
Telephone Calls	One call per week beginning June 15 prior to prospective student-athlete's <u>senior</u> year in high school.	No limit on number or frequency of calls beginning June 15 prior to a prospective student-athlete's <u>junior</u> year in high school.
Electronic Mail and Facsimiles	No limit on number or frequency beginning September 1 of a prospective student-athlete's <u>junior</u> year in high school.	No limit on number or frequency beginning June 15 prior to a prospective student-athlete's <u>junior</u> year in high school.
Instant Messages, Text Messages, Message Boards	No limit on number or frequency beginning the calendar day following National Letter of Intent (NLI), other written commitment or financial deposit.	

Future Winter Break Periods

Calendar Year	Winter Break Period	When Benefits May Be Provided to Student-Athletes Following Winter Break
2012	December 20-26 (Thursday-Wednesday)	12:01 a.m. on December 27
2013	December 23-29 (Monday-Sunday)	12:01 a.m. on December 30
2014	December 22-28 (Monday-Sunday)	12:01 a.m. on December 29
2015	December 21-27 (Monday-Sunday)	12:01 a.m. on December 28
2016	December 20-26 (Tuesday-Monday)	12:01 a.m. on December 27
2017	December 20-26 (Wednesday-Tuesday)	12:01 a.m. on December 27
2018	December 20-26 (Thursday-Wednesday)	12:01 a.m. on December 27
2019	December 23-29 (Monday-Sunday)	12:01 a.m. on December 30
2020	December 21-27 (Monday-Sunday)	12:01 a.m. on December 28
2021	December 21-27 (Tuesday-Monday)	12:01 a.m. on December 28
2022	December 20-26 (Tuesday-Monday)	12:01 a.m. on December 27
2023	December 20-26 (Wednesday-Tuesday)	12:01 a.m. on December 27
2024	December 23-29 (Monday-Sunday)	12:01 a.m. on December 30
2025	December 22-28 (Monday-Sunday)	12:01 a.m. on December 29

**NCAA Constitution 5.1.4.2 and 5.4.3 – Legislative Process – Operational Procedures –
Parliamentary Rules and General Business Sessions – Motion to Divide –
Debatable Motion**

Issue:

Whether the NCAA Division II Legislation Committee should recommend sponsorship of 2013 NCAA Convention legislation to add a subsection to NCAA Constitution 5.1.4.2 (parliamentary rules) and NCAA Constitution 5.4.3.2 (division business sessions) to specify that a motion “to divide the question” of a properly moved proposal is a debatable motion.

Background and Analysis:

Constitution 5.1.4.2 (parliamentary rules) ¹ specifies that the rules contained in the current edition of Robert’s Rules of Order, Newly Revised, shall be the parliamentary authority for the conduct of all meetings of the Association. This section also specifies that the rules shall be the deciding reference used in case of parliamentary challenge in all instances to which they apply and in which they are not superceded by the Division II constitution, bylaws or any special rule of order adopted by the Association in accordance with Constitution 5.4.3.

Constitution 5.4.3 sets forth the legislation regarding special rules of order for all meetings of the Association. Specifically, Constitution 5.4.3.2 (division business sessions) permits each division to adopt special rules of order ... by a two-thirds majority of the delegates of the applicable division present and voting at any annual or special Convention.

Roberts Rules of Order, Newly Revised, outlines the process regarding the division of a properly moved proposal as follows:

A properly moved proposal may be divided into two or more parts to be voted on separately only if the parts make sense as they stand alone and only if each part may be adopted without any of the others. To divide a motion, the motion “to divide the question” must be made and it must clearly state how the division is to be made. **The motion to divide is undebatable** and requires a simple majority for adoption. If a motion contains totally unrelated parts (not usually the case at an NCAA Convention) it must be divided on the request of a single member. At an NCAA Convention, some rather complex proposals are presented in the Official Notice already divided into subparts as a result of the complexity of the proposal or because of different voting requirements on the subparts. In such

¹ Constitution 5.1.4.2 is noted with an asterisk [*] in the Division II Manual. This symbol references legislation that is derived from the constitution in the 1988-89 Manual, which was the Manual format that was employed until the membership approved the revised format at the 1989 Convention. In addition, the symbol designates the provision as a dominant provision that requires a two-thirds majority vote of the total membership (present and voting) for adoption or amendment.

instances, a motion to divide is not required – see the document on unique NCAA procedures in this regard.

Each year during the business session at the annual Convention, there are a number of properly moved proposals during the Division II business session that could be divided. Per Robert's Rules of Order, if a motion "to divide the question" of a proposal occurs, the delegates are unable to debate the merits of that motion. This may result in significant confusion of the delegates because if asked, the NCAA academic and membership affairs staff would not be permitted to answer application and/or interpretive questions regarding the potential impact of such a division until after the delegates vote to approve the motion to divide.

The committee should determine whether to amend the current legislation to specify that a motion "to divide the question" of a properly moved proposal is debatable.

Conclusions:

1. The Legislation Committee **recommends** sponsoring 2013 Convention legislation to add a subsection to Constitution 5.1.4.2 (parliamentary rules) and Constitution 5.4.3.2 (division business sessions) to specify that a motion "to divide the question" of a properly moved proposal is a debatable motion.
2. The Legislation Committee **does not recommend** sponsoring 2013 Convention legislation to amend 5.1.4.2 (parliamentary rules) and NCAA Constitution 5.4.3.2 (division business sessions).

Associated Bylaws:

Division II Bylaws

5.1.4.2 Parliamentary Rules. [*] The rules contained in the current edition of Robert's Rules of Order, Newly Revised, shall be the parliamentary authority for the conduct of all meetings of the Association. Additionally, they shall be the deciding reference used in case of parliamentary challenge in all instances to which they apply and in which they are not superseded by this constitution, the bylaws or any special rule of order adopted by the Association in accordance with Constitution 5.4.3.

5.4.3.2 Division Business Sessions. Each division may adopt special rules of order not inconsistent with the constitution and bylaws by a two-thirds majority of the delegates of the applicable division present and voting at any annual or special Convention

Division II Recruiting/Scouting Service FAQ

This frequently asked questions document is designed to provide the NCAA Division II membership with guidance on commonly asked questions regarding recruiting/scouting services. For additional information regarding recruiting/scouting services, please refer to the NCAA Division II manual and the LSDBi database or contact the appropriate institutional or conference compliance personnel.

Question No. 1: What does the definition of recruiting/scouting services include?

Answer: The definition of a recruiting or scouting service includes any individual, organization, entity or segment of an entity that is primarily involved in providing information about prospective student-athletes. This definition includes, but is not limited to, any service that provides information only to paid subscribers; any service that is only available to a select group of individuals (e.g., coaches), regardless of whether there is a charge associated with the service and any service that provides information to the public free of charge. However, this definition does not include any individual, organization, entity or segment of an entity that provides information about prospective student-athletes incidental to its primary purpose and is generally available to the public (e.g., news media).

[Reference: staff interpretation (4/1/2011, Item No. c)]

Question No. 2: What are recruiting/scouting services permitted to send to NCAA coaches about high school student-athletes?

Answer: Recruiting/scouting services may distribute personal information (e.g., high school academic and athletics records, physical statistics) to institutions without jeopardizing the prospective student-athlete's eligibility, provided any fee paid to such an agent or service is not based on placing the prospective student-athlete in a collegiate institution as a recipient of institutional financial aid. It is not permissible for a recruiting/scouting service or employees of such services to act as an intermediary between a prospective student-athlete and an NCAA institution (e.g., assist in arranging recruiting contacts, relaying information other than personal information).

[Reference: NCAA Bylaw 12.3.3.1 (talent evaluation services and agents)]

Question No. 3: May a recruiting/scouting service call NCAA coaches to give them information on prospective student-athletes?

Answer: No. It is not permissible for NCAA coaches to receive verbal information from recruiting/scouting services. Coaches may only receive information from published services.

[References: Bylaw 13.14.3.1. and educational column (1/11/89, column 2 #3)]

Question No. 4: May an NCAA coach contact a recruiting/scouting service and request assistance in identifying prospective student-athletes on the basis of an institution's team profile and the prospect's interest and abilities?

Answer: No. It is not permissible for NCAA coaches to contact recruiting/scouting services via any form of communication (e.g., telephone or electronic transmission) to request assistance in identifying prospective student-athletes. Information provided in this manner to member institutions is not standardized in a way that ensures consistent distribution of information regarding each prospective student-athlete.

[References: Bylaw 13.14.3.1, staff interpretation (5/15/92, Item No. c), and educational column (1/11/89, column 2 #3)]

Question No. 5: May an NCAA institution use the services of a recruiting/scouting service which conducts a combine to gain information about prospective student-athletes (e.g., 40-yard dash time, bench press)?

Answer: Yes. A Division II institution may subscribe to a regularly published scouting service that conducts a combine to gain information about prospective student-athletes, provided the services are available to all institutions desiring to subscribe and the same fee rate is charged to all subscribers.

[References: Bylaws 13.4.3.1 (published recruiting services) and 13.4.3.2 (video services)]

Question No. 6: May a recruiting service conduct a combine on a Division II campus?

Answer: NCAA Division II legislation does not preclude a recruiting service from using institutional facilities for a combine assuming the institution's athletics department staff members or representatives of its athletics interests are not involved in the conduct, promotion or the administration

of the activity (other than activities incidental to supervising the use of facilities). Institutional staff members may not attend a tryout camp sponsored by an outside organization if the camp invites only representatives from selected institutions or conferences to observe the camp.

[References: Bylaws 13.11.1 (prohibited activities), 13.11.3.3 (activities not involving institution's staff) and 13.11.1.5 (tryout camps)]

Question No. 7:

May a recruiting/scouting service videotape a combine, nonscholastic activities or summer camp and clinic competition and send it to NCAA coaches?

Answer:

Institutions are permitted to subscribe to video services, provided only regularly scheduled (regular season) high school or two-year college contests are viewed. Thus, it would not be permissible for an institution to subscribe to a service that videotapes staged activities involving a prospective student-athlete demonstrating his or her athletics skills. Such a tape must be returned specifically to the prospective student-athlete, who may then send the tape to any institution at his or her discretion. Further, institutions may not subscribe to a recruiting/scouting service that places video clips of staged activities on a website. Additionally, 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) and official interpretation (4/2/87, Item No. 6)]

Question No. 8:

Does a recruiting/scouting service have to charge a prospective student-athlete to use its service?

Answer:

No. Provided the recruiting/scouting service is made available to all individuals free of charge.

[Reference: Bylaw 12.1.2.1.6 (preferential treatment)]

Question No. 9:

May a recruiting/scouting service provide a discounted subscription rate to certain prospective student-athletes?

Answer: No. It is not permissible to provide certain prospective student-athletes with a discounted subscription rate. NCAA amateurism regulations specify that an individual would jeopardize his or her amateur status if he or she receives preferential treatment, benefits or services because of his or her athletics reputation or skill or pay-back potential as a professional athlete, unless such treatment, benefits or services specifically are permitted under NCAA legislation. Thus, in this case, if an objective standard is established (e.g., financial need analysis) and is applied consistently to all individuals wishing to use the recruiting/scouting service, providing a reduced rate would not be contrary to NCAA regulations.

[Reference: Bylaw 12.1.2.1.6 (preferential treatment)]

Question No. 10: Do NCAA coaches have to pay for information sent by a recruiting/scouting service?

Answer: Although a fee is not required, if a fee is charged, the same fee must be charged to all subscribers. Institutions may subscribe to regularly published recruiting/scouting services involving prospects, provided the service is made available to all institutions desiring to subscribe and if a fee is charged, at the same fee rate for all subscribers.

[References: Bylaws 13.4.3.1 (published recruiting services) and 13.4.3.2 (video services)]

Question No. 11: May an NCAA institution use a recruiting/scouting service that posts information about high school student-athletes on a website that is only accessible to NCAA coaches?

Answer: It is permissible for a recruiting/scouting service to charge a fee to high school students for the production and maintenance of a webpage that includes the prospective student-athlete's personal information and is available only to NCAA coaches, provided the fee does not guarantee that the prospective student-athlete will be placed in a collegiate institution as a recipient of institutional financial aid. While advertisement of the website service is permissible, a recruiting/scouting service could not advertise or market a specific prospective student-athlete or his or her webpage.

[References: Bylaws 12.3.3.1 (talent evaluation services and agents) and 13.14.3.1 (published recruiting services)]

Question No. 12: May an NCAA coach endorse a recruiting/scouting service?

Answer: No. It is not permissible for athletics department staff members to endorse, serve as consultants or participate on advisory panels for a recruiting/scouting service involving prospective student-athletes. It is not permissible for an NCAA institution to provide a hyperlink (i.e., direct link) to the website of a recruiting/scouting service. Further, an NCAA institution may not permit a recruiting/scouting service to provide a hyperlink from its website to the institution's website, inasmuch as this would constitute assistance in the recruiting of prospective student-athletes on behalf of the institution.

[References: Bylaw 11.3.2.2 (recruiting service consultants) and staff interpretation (8/1/1997, Item No. a)]

Question No. 13: May an NCAA coach be employed by a camp or clinic that also provides a recruiting/scouting service?

Answer: No. An athletics department staff member may not be employed (either on a salaried or a volunteer basis) in any capacity by a camp or clinic established, sponsored or conducted by an individual or organization that provides recruiting/scouting services concerning prospective student-athletes. This provision does not prohibit an athletics department staff member from participating in an officiating camp where participants officiate for, but are not otherwise involved in, a recruiting/scouting services camp.

[Reference: Bylaw 13.12.2.5.1 (camp/clinic providing recruiting or scouting service)]

Question No. 14: May an operator of a recruiting/scouting service be an agent and run a separate recruiting/scouting service for high school and two-year college athletes?

Answer: NCAA regulations do not preclude one from serving as an agent to individuals who are pursuing professional careers while also having a distinct and separate business that performs the traditional activities of a

recruiting/scouting service. Further, an individual's eligibility to participate in intercollegiate athletics at an NCAA institution would be jeopardized if such an individual were to provide him or her (or his or her relatives or friends) transportation or other benefits. Pursuant to NCAA amateurism regulations, an individual is ineligible for participation in an intercollegiate sport if he or she has agreed (orally or in writing) to be represented by an agent for the purpose of marketing his or her athletics ability or reputation in that sport. The distribution of personal statistics by a recruiting/scouting service is a permissible exception to the agent prohibition written. Finally, an individual shall be ineligible if he or she enters into a verbal or written agreement with an agent for representation for future professional sports negotiations that will take place after the individual has completed his or her eligibility in that sport.

[References: Bylaws 12.3.1 (general rule), 12.3.1.1 (representation for future negotiations), 12.3.1.2 (benefits from prospective agents) and 12.3.3.1 (talent evaluation services and agents)]

Question No. 15: Does the NCAA endorse or certify recruiting/scouting services?

Answer: The NCAA does not endorse or certify recruiting/scouting services for Division II. In Division I men's and women's basketball and football, the NCAA does publish an approved list of recruiting/scouting services annually.

Question No. 16: If an organization provides general news or sports coverage but also publishes rankings, scouting reports and/or evaluations of prospective student-athletes, would this organization be considered a recruiting/scouting service?

Answer: If the organization can be divided into independent segments, then legislation related to recruiting/scouting services would be applicable only to the segment of the organization that is primarily involved in providing information about prospective student-athletes. Therefore, it is essential to consider each distinguishable segment of an organization in determining whether the organization, or an individual segment of the organization, is primarily involved in providing information about prospective student-athletes.

Question No. 17: What if the organization is involved in multiple activities, including providing information about prospective student-athletes, and cannot be divided into readily distinguishable segments?

Answer: If an organization is involved in multiple activities that cannot be divided into readily distinguishable segments, then it is necessary to consider whether providing information about prospective student-athletes is a primary or integral aspect of the operation or is clearly incidental to the primary function(s) of the organization. Factors include, but are not limited to, whether the organization markets and promotes its services as providing information about prospective student-athletes and whether the value of the product or service would be significantly diminished if not for providing information regarding prospective student-athletes. For example, if an organization operates a sports camp for prospective student-athletes, touting exposure to college recruiters and publishing contact and statistical information, combine-style testing results and evaluations of the prospective student-athletes' performances at the camp, then the organization as a whole would be considered a recruiting or scouting service.

Question No. 18: If an organization or entity is primarily involved in providing information about prospective student-athletes but the information is available on a website at no charge to the public, is this organization or entity considered a recruiting/scouting service?

Answer: Yes. The definition of a recruiting/scouting service is not limited to services that provide information only to paid subscribers. The definition includes, without limitation, services available only to a select group of individuals (e.g., coaches), regardless of whether there is a charge associated with the service and services that provide information to the general public free of charge.

Question No. 19: May a recruiting/scouting service aggregate or direct subscribers to nonscholastic video of prospective student-athletes if the video is also available to the general public on another website or elsewhere on the service's website?

Answer:

Athletics department staff members may only access nonscholastic video in the same manner available to all members of the general public. Therefore, an institution may not subscribe to any recruiting/scouting service that provides subscribers with preferential access to nonscholastic video in a manner not available to all members of the general public.

[References: staff interpretation (3/31/2009, Item No. 2)]

Question No. 20:

May a recruiting or scouting service provide institutional coaching staff members with expenses (e.g., travel, lodging) to attend an event for recruiting purposes?

Answer:

No. All funds for the recruitment of prospective student-athletes shall be deposited directly with the member institution, which shall be exclusively and entirely responsible for the manner in which such funds are expended. Therefore, it is not permissible for any outside organization or individual (e.g., recruiting or scouting service, event operator) to provide institutional coaching staff members with expenses (e.g., travel, lodging) to attend any event for recruiting purposes. Such expenses are considered funds donated for recruiting purposes and such funds must be deposited directly with the member institution, as opposed to being provided directly to an institutional coaching staff member(s). Further, any individual or organization that provides funds directly to the athletics department would be considered a representative of athletics interests and subject to all legislation applicable to that status (e.g., contact, telephone and evaluation restrictions).

[References: Bylaws 13.1.2.3 (other restrictions), 13.02.14 (representatives of athletics interests), 13.14.4 (slush funds) and 13.14.1 (institutional control), educational column (10/6/11, a)]

NCAA 13.2 – Recruiting – Offers and Inducements

Issue:

Whether the NCAA Division II Legislation Committee should recommend sponsorship of noncontroversial legislation to amend NCAA Bylaw 13.2 (offers and inducements) to permit institutional staff members to provide benefits to a relative or legal guardian of a prospective student-athlete's family under specified conditions.

Background and Analysis:

Current Division II recruiting legislation does not permit institutional staff members who have a pre-existing relationship with a relative or legal guardian of a prospective student-athlete to provide any benefits to that individual. In a case where an institutional staff member would like to continue to provide a benefit, consistent with the level of benefits provided prior to a young person becoming a prospective student-athlete the institution would need to file a waiver.

Division I has legislated the ability for institutional staff members to provide benefits to a prospective student-athlete's family members provided there is a pre-existing relationship and the benefits are consistent with the nature and level of benefits provided to the family member prior to the young person becoming a prospective student-athlete. By including conditions within the legislation, the possibility of confusion about the application of the legislation and abuse are reduced.

This is not the first time Division II has been asked to discuss receipt of benefits by a prospective student-athlete or a relative or legal guardian of a prospective student-athlete. In 2000, an official interpretation was issued with a series of four questions that institutions could use when determining if a violation of Bylaw 12.1.2.1.6 (preferential treatment, benefits or services) had occurred. The original interpretation was archived when an updated official interpretation was issued in 2008. The interpretation, and legislation, apply to benefits received prior to and following initial-collegiate enrollment; however, it does not include a reference to Bylaw 13 (recruiting) and cannot be used in the analysis presented.

Conclusions:

1. The Legislation Committee **recommends** sponsorship of noncontroversial legislation to amend Bylaw 13.2 to specify that institutional staff members may provide a benefit to a relative or legal guardian of a prospective student-athlete under specified conditions.
2. The Legislation Committee **does not recommend** sponsorship of noncontroversial legislation to amend Bylaw 13.2.

Associated References:

Division II Bylaws

13.2 OFFERS AND INDUCEMENTS

13.2.1 General Regulation. An institution's staff member or any representative of its athletics interests shall not be involved, directly or indirectly, in making arrangements for or giving or offering to give any financial aid or other benefits to the prospective student-athlete or the prospective student-athlete'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., international 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. [R]

Division II Interpretation

Benefits Resulting from a Relationship Established Prior to Collegiate Enrollment

Date Published: October 3, 2008

Item Ref: 1

The subcommittee reviewed the application of NCAA Bylaw 12.1.2.1.6 as it relates to situations in which a student-athlete has received benefits after initial full-time collegiate enrollment from someone other than a family member or legal guardian. It is agreed that the following objective guidelines generally should be used in determining whether such benefits are contrary to the preferential treatment legislation:

- a. Did the relationship between the student-athlete (or student-athlete's parents) and the individual providing the benefit(s) develop as a result of the student-athlete's participation in athletics or notoriety related thereto?
- b. Did the relationship between the student-athlete (or student-athlete's parents) and the individual providing the benefit(s) predate the student-athlete's status achieved as a result of his or her athletics ability or reputation?

c. Is the pattern of benefits provided by the individual to the student-athlete (or student-athlete's parents) prior to the athlete attaining notoriety as a skilled athlete similar in nature to those provided after attaining such stature?

The subcommittee noted that the origin and duration of a relationship and the consistency of benefits provided during the relationship are key factors in determining whether the benefits provided are contrary to the spirit and intent of Bylaw 12.1.2.1.6.

The subcommittee also noted that the above-mentioned interpretation does not apply to individuals who have no logical ties to the prospective student-athlete. For example, a current student-athlete who, prior to initial collegiate enrollment, has been receiving normal and reasonable living expenses from an individual with whom he or she has an established relationship may continue to receive occasional benefits (e.g., meals during campus visits, reasonable entertainment) from an individual or family with whom the student-athlete has an established relationship. However, such expenses may not include educational expenses associated with a grant-in-aid (i.e., tuition and fees, room and board, and required course-related books).

[References: Bylaw 12.1.2.1.6 (preferential treatment, benefits or services) and an official interpretation (9/25/00, Item No. 2) that has been archived.]

Division I Bylaws

13.2 OFFERS AND INDUCEMENTS

13.2.1 General Regulation. An institution's staff member or any representative of its athletics interests shall not be involved, directly or indirectly, in making arrangements for or giving or offering to give any financial aid or other benefits to a prospective student-athlete or his or her relatives or friends, other than expressly permitted by NCAA regulations. Receipt of a benefit by a prospective student-athlete or his or her relatives or friends is not a violation of NCAA legislation if it is determined that the same benefit is generally available to the institution's prospective students or their relatives or friends or to a particular segment of the student body (e.g., international students, minority students) determined on a basis unrelated to athletics ability. [R]

13.2.11 Benefits for Prospective Student-Athlete's Family Members. An institutional staff member may provide a benefit to a member of the prospective student-athlete's family, provided:

(a) The family member has a pre-existing established relationship with the institutional staff member; and

(b) The benefit provided is consistent with the nature and level of benefits that the institutional staff member has provided to the family member prior to the prospective student-athlete starting classes for the ninth grade.

**NCAA Bylaw 14.5.5.4 – Eligibility – Transfers – Four-Year College Transfers –
Competition in the Year of Transfer**

Issue:

Whether the NCAA Division II Legislation Committee should recommend sponsorship of noncontroversial legislation to amend NCAA Bylaw 14.5.5.4 (competition in year of transfer).

Background and Analysis:

The NCAA staff recently became aware of confusion within the membership regarding the application of Bylaw 14.5.5.4 (competition in year of transfer). Specifically, confusion has been expressed regarding the application of the legislation in sports that may divide their playing and practice seasons into two segments, but that do not declare championship and nonchampionship segments. The confusion was expressed initially in the sport of swimming and diving, but may also impact women's bowling, women's equestrian, fencing, gymnastics, ice hockey, rifle, rugby, skiing, water polo and wrestling. Current legislation would not preclude a student-athlete in the specified sports from participating in the first segment at one institution and then transferring to another to participate in the second segment in the same sport provided all other eligibility requirements are met.

In 2007, NCAA Division II Proposal No. I-2007-6 amended Bylaw 14.5.5.4 (competition in year of transfer) by incorporating an interpretation specifying that when an institution declares separate championship and nonchampionship segments, a student-athlete may compete during the nonchampionship segment for such an institution and during the championship segment for another institution during the same academic year in the same sport, provided the student-athlete is otherwise eligible for competition. Because the language that was incorporated refers specifically to championship and nonchampionship segments, it appears unclear to some how the legislation should be applied in the sports previously referenced.

Conclusions:

1. The Legislation Committee **recommends** sponsorship of noncontroversial legislation to amend Bylaw 14.5.5.4 (competition in year of transfer).
2. The Legislation Committee **does not recommend** sponsorship of noncontroversial legislation to amend Bylaw 14.5.5.4 (competition in year of transfer).

Associated References:

Division II Bylaw

14.5.5.4 - Competition in Year of Transfer. A transfer student from a four-year institution, who has received a waiver of or exception to the transfer residence requirement (per Bylaw 14.1.9.1 or 14.5.5.3), is not eligible to compete at the certifying institution during the segment that concludes with the NCAA championship if the student-athlete has competed during that segment of the same academic year in that sport at the previous four-year institution. Therefore, if the institution from which a student-athlete transfers declares separate championship and nonchampionship segments of its playing and practice season, a student-athlete may compete during the nonchampionship segment for such an institution and during the championship segment for the certifying institution during the same academic year in the same sport, provided the student-athlete is otherwise eligible for competition. (*Adopted: 1/10/95 effective 8/1/95, Revised: 1/13/03 effective 8/1/03, 10/17/06, 1/25/10*)

Division II Interpretation

Eligibility of Transfer Student-Athlete for Competition in Year of Transfer (I/II)

Date Issued: February 25, 2004

Date Published: February 25, 2004

Item Ref: a

Interpretation:

The membership services staff confirmed that if a student-athlete competes for an institution that conducts one continuous championship segment (as opposed to declaring separate nonchampionship and championship segments), the student-athlete may not compete during the championship segment of the same academic year in that sport upon transfer to a NCAA Division I or II institution. [References: Division I Bylaw 14.5.5.3 (competition in year of transfer) and NCAA Division II Bylaws 14.5.4.3.8 (competition in year of transfer) and 14.5.5.4 (competition in year of transfer), and a 05/25/95 official interpretation, Item No. 5, which has been archived.]

Division II Proposals

**ELIGIBILITY -- TRANSFER REGULATIONS -- FOUR-YEAR COLLEGE
TRANSFERS -- COMPETITION IN YEAR OF TRANSFER**

Convention Year: 2007

Date Submitted: August 3, 2006

Status: Adopted

Effective Date: Immediate

Official Notice Number: I-2007-6

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

Proposal Category: Incorporation

Topical Area: Eligibility

Bylaws: Amend 14.5.5.4, page 134, as follows:

"14.5.5.4 Competition in Year of Transfer. A transfer student from a four-year institution, who has received a waiver of or exception to the transfer residence requirement (per Bylaw 14.5.5.3), is not eligible to compete at the certifying institution during the segment that concludes with the NCAA championship if the student-athlete has competed during that segment of the same academic year in that sport at the previous four-year institution. **Therefore, if the institution from which a student-athlete transfers declares separate championship and nonchampionship segments of its playing and practice season, a student-athlete may compete during the nonchampionship segment for such an institution and during the championship segment for the certifying institution during the same academic year in the same sport, provided the student-athlete is otherwise eligible for competition.**"

Review History:

March 28, 2006: Recommends Approval - Legislation Committee

April 11, 2006: Approved in Concept - Management Council 1st Review

October 17, 2006: Approved in Legislative Format - Management Council

Convention Vote:

Date of Vote: January 8, 2007

Vote Type: Paddle Vote



NCAA Division II

Legislation Committee

Policies and Procedures Manual

Effective: March 28, 2008

Last Updated: 11/4/10

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Appendices

NCAA Division II Interpretation Screening Process

NCAA Interpretations Subcommittee of the Division II Legislation Committee Policies and Procedures

NCAA Legislative Review Subcommittee of the Division II Legislation Committee Policies and Procedures

Composition of Committee

The NCAA Division II Legislation Committee shall consist of 12 members. Two shall be members of the NCAA Division II Management Council, one shall be a member of the NCAA Division II Student-Athlete Advisory Committee.

Length of Term

Unless otherwise specified, a member of the committee shall be appointed or elected for one four-year term. Terms of service shall commence on the first day of September after the member's election or appointment.

Appointment or Election

Committee members shall be appointed or elected by the Management Council, subject to ratification by the NCAA Division II Presidents Council. A former committee member may be appointed or elected to an additional term on that committee after three years have elapsed. An individual who has served two terms on the committee may not serve further on that committee. A member serving more than one-half of a four-year term is ineligible to seek immediate re-election.

Election of Chair

The chair of the committee shall be elected by the committee members for a term not to exceed two years. A chair is not eligible for immediate re-election to the position of chair.

Appointments to Fill Vacancies

Whenever a vacancy occurs among the committee members, the Management Council, subject to ratification by the Presidents Council, may fill the vacancy for the remainder of the term by a majority vote of its members present and voting.

Members appointed to fill vacancies shall be appointed only for the unexpired portion of that term. Members who serve more than one-half of a term in such instances shall be considered to have served a full term.

Committee Duties

The following are the general duties of the committee:

- Determine interpretations of all Division II-specific legislation.
- Incorporate new legislation and interpretations in the NCAA Manual.
- Review deregulation issues in consultation with other Division II committees.
- Approve the publication of supplementary compilations of interpretations.
- Review and consider issues of those portions of the Association's constitution and bylaws that relate to the principles governing financial aid and amateurism, professional sports relations, recruiting, personnel limitations, and playing and practice seasons.
- Review and consider issues regarding rules education and compliance resources.
- Review and determine the facts related to the certification of a prospective student-athlete's amateur status on request of an institution. An institution may make such a request if it disagrees with the determination of facts rendered by the NCAA Eligibility Center.

Meeting Procedures

The following procedures will apply to all committee meetings:

- In-person meetings are conducted in March, June/July and November of each year.
- Teleconferences may supplement the in-person meetings when needed.
- Supplements to the in-person agendas are posted on the NCAA Web site approximately one week in advance of the meeting. Committee members will be notified when materials are posted and will then have the opportunity to peruse all materials prior to arrival at the meeting site. Teleconference materials are also posted approximately one week prior to the teleconference.
- Committee members will be expected to bring all relevant material with them regarding the in-person meetings.
- All committee decisions will be reported in summary fashion to the Management Council for ratification.
- Decisions will also be forwarded to individual institutions, conferences or committees, as appropriate, by the staff.
- For purposes of parliamentary procedure, the committee shall apply the provisions of Robert's Rules of Order.

Quorum. In order for the committee to take action, at least six committee members shall be available to vote on the action item.

Voting. In order for the committee to take action, a majority vote of those members who have agreed to hear the issue is required. The chair only votes in case of a tie. Vote tallies of decisions are private and will not be provided to the media or the involved institution.

Appeals. An institution may appeal a committee recommendation to the Management Council, and may appeal a Management Council's recommendation to the Presidents Council.

Meeting Information

The committee, as is the case with all entities in the NCAA, is bound by various Association meeting policies, including:

- The committee will conduct its meetings in Indianapolis.
- The committee will meet three times a year, March, June/July and November. Meetings are scheduled for two days in length. Members are expected to fly to the meeting site the night before so that the meeting can begin the next morning.
- Meetings are considered closed and not open to the membership or public at large. The committee and chair retain the authority to invite special guests or observers to attend meetings.
- All members are expected to use Short's Travel Management, the Association's travel agency, for their transportation arrangements to committee meetings. An NCAA Travel Handbook is given to each new member of the committee.

The Association's policies regarding meeting expenses are set forth in NCAA Bylaw 31.7.2 in the NCAA Division II Manual. The NCAA pays for transportation to and from meetings, hotel room and tax charges at the meetings, and a \$75 per diem for each day or part thereof involved in traveling to and from and attendance at the meeting. The member may claim mileage at the NCAA-approved rate for the round trip based on the most direct route between the two points if travel is by automobile.

Air transportation and the hotel room and tax charges are billed directly to the NCAA; the member needs only to pay incidental charges to his or her room when leaving the meeting site. Following the meeting, each member will receive an e-mail providing directions on how to claim per diem and any other expenses permitted under NCAA policies. The member will receive reimbursement for those expenses from the NCAA national office within a reasonable time after each meeting. Also, early in each calendar year, each member will receive a Form 1099 reporting the amounts thus paid during the preceding year, if that amount exceeds \$600. In such instances, the member then will declare that amount in filing his or her income tax return for that year, so members will want to record their committee-related expenses in order to deduct the appropriate amount.

Attendance Policy

Committee members are required to attend all committee meetings and teleconferences. The chair is authorized to recommend to the Management Council that a member be replaced if such member is not discharging the member's duties properly. In addition, a member who is absent from two consecutive meetings without reason approved by the Management Council shall be removed from the committee. The Management Council shall have authority to appoint a replacement for the unexpired portion of the term.

Conflict of Interest Policy

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)

Policy Regarding Speaking Agents of the Association

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)

Operating Policy

Guiding Principle - Student-Athlete Well-Being

In support of the "students-first" philosophy, consistent with NCAA Constitution Principles for Conduct of Intercollegiate Athletics including Student-Athlete Well-Being, Rules Compliance and Competitive Equity and meeting Objective 2.1 in the Association's Strategic Plan (to increase the application of fair and more flexible regulations that favor student-athletes), the following principle will serve to ensure consistency in the application of NCAA regulations and messaging.

The well-being of student-athletes is at the center of all we do:

1. Any process must be flexible and timely and include effective communication.

2. Decisions must be fair, reasonable and consider the potential impact on the student-athlete.

Review of Interpretive Requests

The committee shall review interpretive requests from the membership, governance structure and academic and membership affairs staff. In its review, the committee shall first determine if an issue is interpretive. An issue is not interpretive if the plain meaning of the legislation is clear on its face, the legislative history of the rule (including intent and rationale) clearly addresses the situation, or a published official interpretation clearly addresses the situation. In situations involving eligibility issues or infractions issues, an institution shall have 14 calendar days after notification of a staff decision to provide notice that it intends to appeal the decision and, once notice is provided, 14 calendar days to submit its appeal materials. The Legislation Committee (or its designee) shall convene within 14 calendar days of receipt of the institution's appeal materials to decide the appeal.

If the committee deems the issue is interpretive, it shall next consider if the issue is one of national significance. Nationally significant issues are those that are likely to impact many institutions/student-athletes nationally. They may have an immediate impact on other institutions, may create a significant recruiting or competitive advantage and relate to a fundamental principle that impacts the Association generally or Division II specifically. If the issue is not of national significance, the committee shall not issue an interpretation but may answer the question for the inquiring party.

In the case of nationally significant interpretive issues, the committee may issue an official interpretation that is either a confirmation or a determination. Confirmations are issued when the legislation is clear. Actions to the contrary of official confirmations are considered rules violations regardless of when they occur. Determinations are issued when the legislation does not clearly address the situation, but the issue is one of national significance. Prior actions contrary to official determinations are not considered rules violations. Interpretations issued by the committee shall be binding on notification to affected institutions and on all member institutions after publication and circulation to the membership. All official interpretations are posted on the Legislative Services Database for the Internet (LSDBi) after the committee has officially approved language for the interpretation in its review of committee minutes. As such, there is a one-meeting lag time between discussion of the interpretation and its becoming effective and posting on LSDBi.

Review of Staff Interpretations

At each in-person meeting, the committee shall review all staff interpretations issued since the previous in-person meeting. The committee can make the staff interpretation official, make the

staff interpretation official and incorporate it into the Manual, overturn the staff interpretation or take no action. Similar to official interpretations, staff interpretations are issued as confirmations or determinations, and have different culpability standards for institutions.

A staff confirmation is not actually an interpretation. It is issued when the legislation or an official interpretation is responsive to the inquiry, but the issue is of national significance, and the staff has concluded the membership would benefit from the action being recorded on LSDBi. A staff confirmation is binding on all member institutions and prior and subsequent actions contrary to staff confirmations are considered rules violations.

A staff determination is an interpretation provided when an issue or fact situation is not addressed clearly by the legislation or an official interpretation and the issue is one of national significance. A staff determination shall be binding on notification to affected institutions and on all member institutions after publication and circulation to the membership.

In addition to the regular screening of staff interpretations, a member institution may request a review by the committee of any interpretation provided by the academic and membership affairs staff at any time. Such a request must be submitted in writing by the institution's conference or by one of the five individuals who are authorized to request such interpretations on behalf of the institution [i.e., chancellor or president, faculty athletics representative, athletics director, senior woman administrator, compliance coordinator, or designated substitute(s) for the chancellor or president and/or athletics director, as specified in writing to the national office]. See below for a diagram of the interpretations process when it involves both academic and membership affairs and the committee.

Request for an Interpretation of NCAA Legislation at Issue in a Request for a Waiver of NCAA Legislation or Self-Report of a Violation of NCAA Legislation

An institution must exhaust all interpretive processes prior to filing a waiver of NCAA legislation, Student-Athlete Reinstatement request or self-reporting a violation of NCAA legislation.

If an institution submits a request for a waiver of NCAA legislation (e.g., Committee for Legislative Relief waiver), the institution acknowledges that the applicable NCAA legislation and/or official or staff interpretations address the subject matter of the waiver. Therefore, if an institution submits a request for a waiver of NCAA legislation, it is precluded from requesting an interpretation of NCAA legislation at issue in the waiver submission unless new information is discovered that could not reasonably have been ascertained prior to submitting the waiver request.

If an institution submits a request for reinstatement of a student-athlete's eligibility, the institution acknowledges that a violation of the applicable NCAA legislation has occurred. Therefore, if an institution submits such a request, it is precluded from requesting an interpretation of NCAA legislation at issue unless new information is discovered that could not reasonably have been ascertained prior to submitting the request for reinstatement.

If an institution submits a self report of a violation of NCAA legislation, the institution acknowledges that a violation of the applicable NCAA legislation has occurred. Therefore, if an institution submits a self report of a violation of NCAA legislation, it is precluded from requesting an interpretation of NCAA legislation at issue in the self report unless new information is discovered that could not reasonably have been ascertained prior to submitting the self report.

Incorporation of Interpretations

The committee is authorized to recommend interpretations be incorporated in the next printing of the Manual. Such interpretations are approved by the Management Council and are ratified at the annual NCAA Convention.

Screening of Division I and III Legislation and Official Interpretations

As a normal course of committee business, the committee reviews all adopted proposals and official interpretations of NCAA Divisions I and III for possible sponsorship or adoption in Division II.

Legislative Recommendations

The committee may consider interpretive issues related to any Division II bylaw, but its primary legislative emphasis within the Division II governance structure includes the following bylaws: 11 (personnel), 12 (amateurism), 13 (recruiting), 15 (financial aid), 16 (awards and benefits) and 17 (playing and practice seasons). The committee also has the responsibility to consider deregulation opportunities for Division II. The committee may recommend the sponsorship of any of the following types of proposals:

Convention Legislation - These proposals represent significant changes to current legislation and require approval by the Management Council and ultimate sponsorship by the Presidents Council. They are put before the membership for a vote at the annual Convention business session.

Noncontroversial Proposals - These proposals are considered noncontroversial and necessary in the normal and orderly administration of the Association's legislation. Proposals that are ratified by the Management Council shall be effective as of the date the proposal is posted on LSDBi. Once ratified, the proposals will be submitted by the Management Council as legislation at the annual Convention business session.

Modifications of Wording - These proposals are consistent with the intent of the membership in adopting the original legislation and sufficient documentation and testimony exists to establish

clearly that the original wording of the legislation was inconsistent with that intent. Proposals that are ratified by the Management Council shall be effective as of the date the proposal is posted on LSDBi. Once ratified, the proposals will be submitted by the Management Council as legislation at the annual Convention business session.

It should be noted that the committee may also sponsor incorporations of interpretations. These proposals are described in the incorporation of interpretations section above, require Management Council approval, become effective when sponsored by the committee and are ratified at the annual Convention business session.

Review of Editorial Revisions

In February 2004, the committee granted NCAA staff the authority to make editorial revisions to the Manual and report such revisions to the committee on a regular basis. As such, each in-person meeting includes a review of all editorial revisions issued since the last in-person meeting. An editorial revision is designed to clarify the legislation, is nonsubstantive in nature and does not affect the application of the legislation.

Role in Legislative Process

The committee shall respond to any membership request to interpret Convention proposals. A form for this purpose appears as an appendix of the NCAA Division II Official Notice and all such requests are due to the national office not later than December 7 of each year. All such decisions will be reviewed by the Management Council in its pre-Convention meeting. The resulting interpretations will be duplicated and distributed to the conferences for their pre-Convention meetings before the beginning of the annual division business session. The committee also issues a pre-Convention question and answer document to inform the voting membership about the impact of legislative proposals.

Important legislative dates include:

July 15: Deadline for submission of amendments.

August 15: Internet posting of NCAA Division II Initial Publication of Proposed Legislation.

September 1: Deadline for submission of amendments by the Presidents Council.

September 15: Deadline for submission by all sponsors (with submission by the primary contact person) of any modification to their original amendments.

September 23: Posting of NCAA Division II Second Publication of Proposed Legislation.

November 1: Deadline for all amendments-to-amendments to be received in the national office.

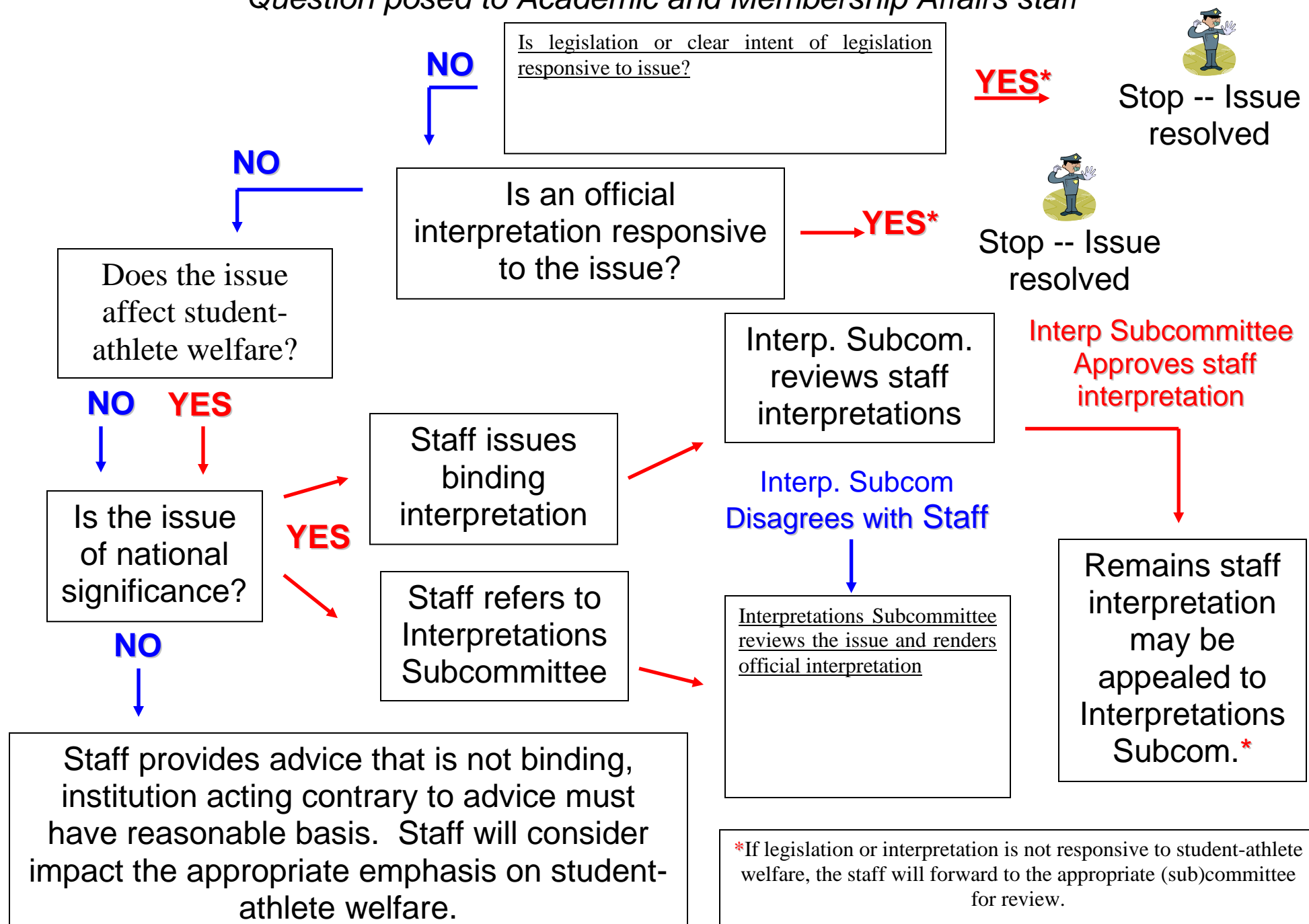
November 15: Mailing of the Official Notice of the Convention.

Rules Education and Compliance Resources

The committee shall have the authority to develop or obtain rules education and compliance resources in accordance with its strategic plan. These resources shall be made available to member institutions and conferences via the Division II Homepage on the NCAA Web Site and other appropriate means as determined by the committee.

DIVISION II SCREENING PROCESS

Question posed to Academic and Membership Affairs staff



**REPORT OF THE
NCAA DIVISION II LEGISLATION COMMITTEE
MARCH 6-7, 2012, MEETING**

ACTION ITEMS.

1. Legislative Items.

a. 2013 NCAA Convention Legislation – NCAA Constitution 5.1.4.2 and 5.4.3 – Legislative Process – Operational Procedures – Parliamentary Rules and General Business Sessions – Motion to Divide – Debatable Motion.

- (1) Recommendation. Sponsor legislation for the 2013 Convention to amend Constitution 5.1.4.2 (parliamentary rules) and 5.4.3.2 (division business sessions) to specify that a motion “to divide the question” of a properly moved proposal is a debatable motion.
- (2) Effective Date. August 1, 2013.
- (3) Rationale. Each year during the business session at the annual Convention, there are a number of properly moved proposals that could be divided. Per Robert’s Rules of Order, if a motion “to divide the question” of a proposal occurs, the delegates are unable to debate the merits of that motion. This may result in significant confusion of the delegates because if asked, the NCAA staff would not be permitted to answer application and/or interpretive questions regarding the potential impact of such a division until after the delegates vote to approve the motion to divide. Current legislation specifies that the rules contained in the current edition of Robert’s Rules of Order, Newly Revised, shall be the parliamentary authority for the conduct of all meetings of the Association. This section also specifies that the rules shall be the deciding reference used in case of parliamentary challenge in all instances to which they apply and in which they are not superseded by the Division II constitution, bylaws or any special rule of order adopted by the Association. Legislation also sets forth parameters regarding special rules of order for all meetings of the Association. Specifically, each division is permitted to adopt special rules of order as necessary.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. None.

b. Noncontroversial Legislation – NCAA Bylaw 12 – Amateurism – General Regulations – Amateur Status – Reorganization.

- (1) Recommendation. Adopt noncontroversial legislation to reorganize Bylaw 12.1 (amateurism – general regulations), as specified.
- (2) Effective Date. Immediate.
- (3) Rationale. One of the themes that emerged from the 2010 NCAA Division II Chancellors and Presidents Summit was the need to ease the compliance and financial burdens that current regulations place on Division II intercollegiate athletics. This revision reorganizes Bylaw 12.1 into categories of permissible and nonpermissible activities based on whether the activity occurred prior to or after full-time collegiate enrollment. Reorganizing the legislation in this manner will make the legislation easier for the user to apply thus meeting the prong of providing time back to institutional personnel under the Ease of Burden initiative.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. None.

c. Noncontroversial Legislation – Bylaw 12.2.2.1 – Amateurism – Involvement with Professional Teams – Elimination of Prohibition of the Involvement of the Institution’s Coach.

- (1) Recommendation. Adopt noncontroversial legislation to eliminate Bylaw 12.2.2.1 (prohibited involvement of institution’s coach).
- (2) Effective Date. Immediate.
- (3) Rationale. The prohibition on an institution’s coaching staff member(s) arranging for or directing a student-athlete’s participation in a practice session conducted by a professional team does not seem to be in the best interest of student-athletes in the sports of football and basketball. Providing the opportunity for coach involvement allows for coaches to advocate for the student-athletes who have competed for their institution.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. In basketball and football, institutional coaching staff members will be able to assist with arranging for and directing workouts conducted by a professional team.

d. Noncontroversial Legislation – Bylaw 12.4.3 – Amateurism – Employment – Camp/Clinic Employment, General Rule.

- (1) Recommendation. Adopt noncontroversial legislation to eliminate Bylaw 12.4.3 (camp/clinic employment, general rule).
- (2) Effective Date. Immediate.
- (3) Rationale. The legislation in Bylaw 13 which governs a student-athlete's employment at a camp or clinic is comprehensive. Additional legislation in Bylaw 12 is duplicative and unnecessary.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. None.

e. Noncontroversial Legislation – Bylaw 13.2 – Recruiting – Offers and Inducements – Benefits to Prospective Student-Athlete's Relative(s) or Legal Guardian(s).

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 13.2 (offers and inducements) to permit institutional staff members to provide benefits to a relative(s) or legal guardian(s) of a prospective student-athlete provided the benefit is consistent with the nature and level of benefits provided prior to the student becoming a prospective student-athlete.
- (2) Effective Date. Immediate.
- (3) Rationale. Current Division II recruiting legislation does not permit institutional staff members who have a pre-existing relationship with a relative(s) or legal guardian(s) of a prospective student-athlete to provide any benefits to that individual following the date when the student becomes prospect-aged. Institutional staff members should be permitted to continue to provide benefits, consistent with the nature and level of benefits provided prior to a young person becoming a prospective student-athlete.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. None.

f. Noncontroversial Legislation – Bylaws 14.1 and 15.5.5 – Eligibility and Financial Aid – General Eligibility Requirements – Certification of Eligibility Form – Squad-List Form.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaws 14.1 (general eligibility requirements) and 15.5.5 (squad list) to eliminate the requirement that a member institution's athletics director shall use the squad-list form as the instrument to certify the eligibility of a student-athlete; further, to specify that an institution shall use a general eligibility form developed by the NCAA to certify the eligibility of student-athletes.
- (2) Effective Date. August 1, 2013.
- (3) Rationale. One of the themes that emerged from the 2010 Division II Chancellors and Presidents Summit was the need to ease the compliance and financial burdens that current regulations place on Division II intercollegiate athletics. Over the years the squad-list form has evolved into an all-inclusive document, making it cumbersome to manage. Creating a clear and simple eligibility certification form will ease the burden of institutional personnel and bring ease in applying the legislative requirements in Bylaw 14 (eligibility). The squad-list form will be replaced as a legislative requirement by a new financial aid list form and will be streamlined to include only individual and team equivalency information. Institutions will be required to keep a final financial aid list form on file at the conclusion of an academic year, consistent with the manner in which institutions calculate equivalencies. Further, institutions will be able to generate the new eligibility certification form from NCAA Compliance Assistant to further reduce the burden of entering data in multiple systems.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. None.

g. Noncontroversial Legislation – Bylaw 14.5.5.4 – Eligibility – Transfers – Four-Year College Transfers – Competition in the Year of Transfer.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 14.5.5.4 (competition in year of transfer) to eliminate the reference to championship and nonchampionship segments.
- (2) Effective Date. Immediate.

- (3) Rationale. Eliminating the specific reference to championship and nonchampionship segments in the legislation will clarify that the legislation applies to all sports, and not only those sports that declare separate championship and nonchampionship segments.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. None.

2. Nonlegislative Items.

a. Legislative Referral to Association-Wide Committee – Ease of Burden Initiative – Reporting Requirements.

- (1) Recommendation. That the NCAA Division II Management Council refer the following concept to the NCAA Committee on Women's Athletics for its review and possible action:

NCAA Gender Equity Report. Whether the current iteration of the NCAA Gender Equity Report collects relevant data; further, whether more or less data is needed in each area of the report.

- (2) Effective Date. Next available Committee on Women's Athletics teleconference or in-person meeting.
- (3) Rationale. During discussion regarding the Ease of Burden initiative, it was suggested that the NCAA Gender Equity Report requires institutions to submit a great deal of data, and it is unclear whether that data is necessary for the successful operation of the Association and its member institutions. By reviewing all of the data requirements the Association ensures that the collection is relevant and not overly burdensome to the personnel responsible for completing the report.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. None.

b. Legislative Referral to Other Division II Committee – Ease of Burden Initiative – Academic Performance Census.

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

Submission of the Academic Performance Census (APC) Data. Whether the institutional deadline to submit APC data should be extended from 12 weeks after an institution's first day of classes to 15 weeks after an institution's first day of classes.

- (2) Effective Date. Next available Academic Requirements Committee teleconference or in-person meeting.
- (3) Rationale. During discussion regarding the Ease of Burden initiative, it became clear that institutional personnel dedicate the majority of their time during the first few months of the academic year to completing reporting requirements and certifying the eligibility of student-athletes. Extending the deadline to submit APC by three weeks provides valuable time back to institutional personnel without negatively impacting the opportunity for the analysis of the data. Further, amending the date will create time between the submission of APC data and other required data submissions.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. None.

c. Legislative Referral to Other Division II Committee – Ease of Burden Initiative.

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

Bylaw 12.1.2.1.6 (Preferential Treatment, Benefits or Services). Whether current prohibitions on prospective student-athletes receiving preferential treatment, benefits or services prior to enrollment should be eliminated while maintaining such prohibitions following collegiate enrollment.

- (2) Effective Date. Next available Student-Athlete Advisory Committee teleconference or in-person meeting.

- (3) Rationale. During discussion regarding the Ease of Burden initiative, it became clear that the current structure of Bylaw 12 is difficult to understand and apply to fact-specific scenarios. Current legislation prohibits a prospective student-athlete from receiving preferential treatment, benefits or services prior to enrollment. This prohibition includes situations when an individual may be required to fundraise in order to pay fees associated with the participation in athletics activities (e.g., club volleyball, AAU basketball) if those funds are directed toward paying the fees for that particular individual (earmarked). Institutional personnel find it difficult to properly educate prospective student-athletes on the application of this legislation because these types of activities are often engaged in prior to institutional recruitment.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. The impact on prospective student-athletes could be positive and open up ways to eliminate financial strain prior to enrollment or be negative if the benefits lead in any way to abuse of the individual.

INFORMATIONAL ITEMS.

- 1. **Ease of Burden Initiative.** The committee continued its review of legislative and nonlegislative items through the Ease of Burden initiative. The committee received an update on the work that has been done thus far in the areas of proposed legislation, referred recommendations to other committees for review and nonlegislative and reporting requirements. The committee directed staff to continue making progress on the nonlegislative and reporting requirements discussions and provide a status report at a future meeting.
 - a. **Review of Legislative and Nonlegislative Reporting Requirements.** The committee engaged in a thorough discussion of the various legislative and nonlegislative reporting requirements that institutions are required to complete. The committee directed staff to take the following action in this area (see the legislative action items section of the report for additional recommendations from this area):
 - (1) Forms for Certification of Student-Athletes. The committee recommends the creation of a form to use to certify the eligibility of a transfer student-athlete from a two-year or four-year institution. The form should include enrollment and participation history and the required components for

certifying the eligibility of a transfer student-athlete (e.g., permission to contact, use of an exception to the year in residence requirement). The committee directed staff to explore adding the transfer certification to another, already required form, and to have it generated from Compliance Assistant. In addition, staff was directed to work with the Division II Conference Commissioner Association Compliance Administrators to determine the conference requirements that institutions are responsible for following with the goal of eliminating duplication in the certification process and the necessity of using multiple forms to certify each student-athlete. Finally, the committee asked staff to review current forms and make updates where necessary.

- (2) NCAA/EADA Financial Reporting System. The committee recommended that the staff educate institutional personnel about the availability of reporting features in the NCAA/EADA Financial Reporting System that will ease the burden on institutional administrators as they complete the Federal Equity in Athletics Disclosure Act (EADA) Survey. Specifically, the NCAA financial reporting system allows institutions to generate a report that includes the data required for the federal EADA survey from data that has already been entered into the system for the NCAA financial report.

b. Review of Bylaw 12 (Amateurism). The committee reviewed the current structure of Bylaw 12 (amateurism) and directed staff to take the following actions (see legislative action items of this report for additional recommendations from this area):

- (1) Review of Permissible and Impermissible Activities Prior To and Following Initial-Collegiate Enrollment. The committee reviewed the current legislation regarding the activities that are permissible and impermissible prior to and following initial collegiate enrollment. The committee agreed that based on the Division II philosophy, and the existence of the organized-competition legislation, it is appropriate to engage in a discussion about eliminating many of the prohibited activities prior to enrollment. The committee asked staff to prepare a discussion document for a future meeting when the committee will have the necessary information to make legislative recommendations. The committee also directed staff to meet with the NCAA Eligibility Center staff and NCAA enforcement staff to discuss the possible implications of legislative change in this area.

- (2) Bylaw 12.6 – Financial Donations from Outside Organizations. The committee asked staff to provide recommendations on a better location for Bylaw 12.6 (financial donations from outside organizations) within the NCAA Division II Manual. In addition to the recommendations for placement, the committee asked for the legislative history for Bylaw 12.6 and its subsections and plans a thorough discussion at a future meeting.
 - (3) Bylaw 12.3 – Use of Agents. The committee agreed that based on the philosophy of Division II and the interplay between Bylaws 12 (amateurism) and 14.2.4.2 (participation in organized competition prior to enrollment) it is appropriate to engage in a discussion about the prohibition of using an agent prior to initial collegiate enrollment. The committee directed staff to prepare the legislative history for Bylaw 12.3 and present that for committee review and discussion at a future meeting.
- c. **Review of Bylaw 13 (Recruiting) – Tryouts and Campus Visits.** The committee began its review of Bylaw 13, specifically on the areas of tryouts and campus visits. Given the amount of legislation that exists in these areas, the committee was only able to address campus visits and made the following recommendations (see the legislative action items of this report for additional recommendations from this area):
- (1) Recruiting Calendars. The committee recognizes that the earlier start date for many of the recruiting functions may lead to a need to create recruiting calendars for sports that do not currently have one or amend the calendar for sports that currently have specified recruiting calendars. The committee asked staff to continue monitoring the impact of the legislation and to bring the topic of recruiting calendars back for broader discussion at a future meeting.
 - (2) First Permissible Date for Official Visit. The committee directed staff to bring back the topic of moving the first permissible date for an official visit to June 15 prior to a prospective student-athlete's junior year in high school. The committee agreed that establishing a date that is consistent with other recruiting functions (e.g., telephone calls) provides ease in application, but was not prepared to make a recommendation. Instead, the committee directed staff to bring this topic back for future discussion.
 - (3) Transportation on Visits. The committee directed staff to create a discussion document outlining the various places that transportation on official and unofficial visits appears, and recommend a streamlined approach to the legislation. The committee agreed that the transportation

legislation has become difficult to apply as it has been amended multiple times over the past 10 years and is interested in discussion about simplifying the regulations.

2. **Issuance of Official Interpretation Regarding Bylaw 12.5.1.1 – Amateurism – Promotional Activities – Institutional, Charitable, Educational or Nonprofit Promotions.** The committee discussed various promotional activities a partial qualifier or nonqualifier may participate in during the summer prior to initial collegiate enrollment and during the first academic year of residence at the certifying institution. The committee directed staff to update Figure 14-3 (initial eligibility) to include specific examples of the activities that a partial and nonqualifier may permissibly take part in to clarify the application of the legislation and associated interpretations. Further, the committee approved the archival of a staff interpretation [Reference: 11/3/1989, Item No. g] and issued the following official interpretation to clarify the application of the legislation:

Nonqualifiers and Partial Qualifiers Participating in Institutional Promotional Activities.
(II)

The NCAA Division II Legislation Committee confirmed that a student-athlete who is certified as a nonqualifier or partial qualifier is not permitted to participate as a member of the team in any promotional activities during the summer prior to enrollment and during the first academic year of residence at the certifying institution.

[References: NCAA Division II Bylaws 12.5.1 (promotional activities), 14.3.2.1.1 (partial qualifier – eligibility for aid, practice and competition) and 14.3.2.2.1 (nonqualifier – eligibility for aid, practice and competition), Figure 14-3 (initial eligibility); and a staff interpretation (11/3/89, Item No. g), which has been archived]

3. **Discussion of Division II Legislation Adopted at the 2012 Convention.** The committee reviewed the proposals that were adopted at the 2012 Convention, and issued the following interpretations related to NCAA Proposal Nos. 2012-11, 2012-12 and 2012-13:

(a) Recruiting Functions Used in the Recruitment of Two-Year and Four-Year College Transfers. (II)

The NCAA Division II Legislation Committee confirmed that there is no limit on the number or frequency of in-person off-campus contacts, telephone calls, printed recruiting materials, electronic media and electronic transmissions with

two-year college transfers or four-year college transfers for whom the institution has received permission to contact.

[References: NCAA Division II Bylaws 13.1.6 (contacts), 13.1.3.1 (time period for telephone calls – general rule) and 13.4.1 (printed recruiting materials), 13.4.2 (electronic media) and 13.4.5 (electronic transmissions); and Proposal Nos. 2012-11, 2012-12 and 2012-13]

- (b) Application of the First Permissible Date for Contacts, Telephone Calls, Printed Recruiting Materials, Electronic Media and Electronic Transmissions to an Individual Who Attends an Educational Institution that Uses a Nontraditional Academic Calendar. (II)

The NCAA Division II Legislation Committee determined that an institution may have unlimited in-person off-campus contacts, may make unlimited telephone calls and may send printed recruiting materials, electronic media and electronic transmissions on an unlimited basis to an individual (or his or her relatives or legal guardians) who attends an educational institution that uses a nontraditional academic calendar (e.g., southern hemisphere) beginning the day after the conclusion of the prospective student-athlete's sophomore year in high school.

[References: NCAA Division II Bylaws 13.1.6 (contacts), 13.1.3.1 (time period for telephone calls – general rule) and 13.4.1 (printed recruiting materials), 13.4.2 (electronic media) and 13.4.5 (electronic transmissions); and Proposal Nos. 2012-11, 2012-12 and 2012-13]

4. **Review of Recruiting/Scouting Service Frequently Asked Questions Document.** The committee reviewed and approved an educational resource document related to recruiting and scouting services (Bylaw 13.4.3). The committee requested that the document be finalized prior to the 2012 NCAA Regional Rules Seminar and be made available on the Division II compliance resource website.
5. **Review and Approval of the 2012-13 NCAA Division II Coaches Certification Test.** The committee reviewed and approved the 2012-13 NCAA Division II Coaches Certification Test. The updated test includes questions pertaining to newly adopted legislation, the recruitment of prospective student-athletes and a new approach to the practice exam. After a year-long review and feedback gathered from multiple constituency groups, the committee determined that the current web-based exam tool is appropriate. In addition, the committee created a practice exam with fewer questions designed specifically to prepare off-campus recruiters for the official exam. At the

conclusion of the 2012-13 testing cycle, the committee will engage in a discussion on the new format and review of the data from the previous year.

6. **Discussion Regarding the Responsibilities of the NCAA Legislative Review Subcommittee of the Division II Legislation Committee.** The committee discussed amending the responsibilities of the Legislative Review Subcommittee of the Division II Legislation Committee. Currently, the subcommittee acts as the fact-finding body for issues related to the amateur certification of a student-athlete and is responsible for making recommendations to the full committee regarding possible legislative amendments. The subcommittee noted that large-scale and in-depth reviews of the legislation have become commonplace. The committee agreed that in order for the subcommittee to provide a thorough recommendation to the committee at each in-person meeting the subcommittee should meet via teleconference to conduct the legislative review and develop recommendations. The committee agreed that the subcommittee should focus its discussions on the tryout legislation in Bylaw 13 (recruiting) and a review of the draft concepts regarding the reorganization of Bylaw 12 (amateurism) and campus visits via teleconference(s) prior to the June in-person meeting.
7. **Review of Minutes/Report Issued by the NCAA Interpretations Subcommittee of the Division II Legislation Committee.** The committee approved the November 14, 2011, and December 12, 2011, minutes and the February 6, 2012, report of the Interpretations Subcommittee.
8. **Review of the Division II Championships Selection Criteria White Paper.** The committee was provided an update on the on-going conversations regarding the criteria used when selecting teams and individuals for participation in Division II championships.
9. **Review of Policies and Procedures for the Legislation Committee.** The committee reviewed the policies and procedures for the Legislation Committee.
10. **Future Meetings Dates.**
 - a. June 19-20, 2012; Indianapolis, Indiana.
 - b. November 13-14, 2012; Indianapolis, Indiana.

Committee Chair: Jill McCartney, Washburn University of Topeka, Mid-America
 Intercollegiate Athletics Association

Staff Liaisons: Amanda Conklin, Academic and Membership Affairs
 Jennifer Fraser, Academic and Membership Affairs
 Stephanie Smith, Academic and Membership Affairs

March 6-7, 2012, Meeting	
Attendees	Absentees
Curtis Campbell, Stillman College	Christina Whetsel, Angelo State University
Dean Johnson, Caldwell College	
Eliane Kebbe, South Atlantic Conference	
Dan Kenney, University of North Carolina at Pembroke	
Alison Kolezynski, Chowan University	
Timothy Ladd, Palm Beach Atlantic University	
Ann Martin, Regis University	
Jill McCartney, Washburn University of Topeka	
S. Jay Newton, University of Southern Indiana	
Charles Pinckney, Livingstone College	
Carol Rivera, California Collegiate Athletic Association	
Ann Traphagen, Augustana College (South Dakota)	
Other Participants: Amanda Conklin Jennifer Fraser Maritza Jones Jarrett Newby Xiaomu Niu Natasha Oakes Stephanie Smith Terri Steeb-Gronau Gregg Summers Kelley Sullivan Jill Waddell	