A G E N D A

National Collegiate Athletic Association

Division III Interpretations and Legislation Committee

NCAA National Office
Indianapolis, Indiana

February 10-11, 2011

1. Welcome and announcements.

2. NCAA Division III Interpretations and Legislation Committee roster. [Supplement No. 1]

3. Update on governance issues. [Supplement No. 2]

4. Review Interpretations and Legislation Committee policies and procedures. [Supplement No. 3]

5. Review minutes from December 15, 2010, conference call. [Supplement No. 4]

6. Review recent NCAA Divisions I, II and III staff interpretations (September 2010 – January 2011). [Supplement No. 5]

7. Review recent NCAA Division III official interpretations for possible incorporation (September 2010 – January 2011). [Supplement No. 6]

8. Review recent Divisions I and II official interpretations (September 2010 – January 2011). [Supplement No. 7]

9. Review recent Divisions I and II legislative actions (September 2010 – January 2011). [Supplement No. 8]

10. Review recent Division III editorial revisions (September 2010 – January 2011). [Supplement No. 9]

11. Review recent Division III educational columns (September 2010 – January 2011). [Supplement No. 10]

12. Review 2011 NCAA Convention Division III legislation and post-Convention business.

    a. Question and answer document. [Supplement No. 11]

    b. Issue regarding NCAA Division III Proposal No. 2011-4. [Supplement No. 12]

    c. Issue regarding Proposal No. 2011-12. [Supplement No. 13]

13. Update on previous issues.

    a. Update on Major Junior A ice hockey. [Supplement No. 14]

    b. Review legislation regarding a waiver of full-time enrollment for former student-athletes to practice at another institution in individual sports and women's rowing. [Supplement No. 15]

    c. Review organized competition legislation. [Supplement No. 16]

    d. Review feedback from NCAA Division III Student-Athlete Advisory Committee regarding social networking in the recruitment process. [Supplement No. 17]

14. Consider Division III interpretive issues:

    a. Communication with prospective student-athletes on sport club teams. [Supplement No. 18]

    b. Prospective student-athletes as demonstrators at coaches clinics. [Supplement No. 19]

    c. Review official interpretation [Reference: 8/30/82, Item No. r] for possible incorporation. [Supplement No. 20]

    d. Transfer exception for student who is academically ineligible but has not used season of participation or participated in intercollegiate athletics. [Supplement No. 21]

e. Definition of a student-athlete for purposes of Bylaw 12. [Supplement No. 22]

f. Counting multiteam events in individual sports. [Supplement No. 23]

15. Review educational initiatives calendar. [Supplement No. 24]

16. Academic and Membership Affairs business practices and processes review. [Supplement No. 25]

17. Review schedule for future meetings and teleconferences.

a. In-person meetings.

(1) September 22-23, 2011, Indianapolis, Indiana.

(2) Schedule February 2012 meeting.

b. Teleconferences.

(1) 2 p.m. Eastern time, Wednesday, March 16;

(2) 2 p.m. Eastern time, Wednesday, April 20;

(3) 2 p.m. Eastern time, Wednesday, May 25;

(4) 2 p.m. Eastern time, Wednesday, June 22;

(5) 2 p.m. Eastern time, Wednesday, July 20; and

(6) 2 p.m. Eastern time, Wednesday, August 17.

18. Other business.

19. Adjournment.

MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION III INTERPRETATIONS AND LEGISLATION COMMITTEE

NCAA National Office
Indianapolis, Indiana

February 10-11, 2011

Participants:

Kurt Beron, University of Texas, Dallas
Mark Dienhart, University of St. Thomas (Minnesota)
Amy Friedman, Colonial States Athletic Conference
John Meany, Worcester State University
Julie Muller, North Atlantic Conference
Cayleb Paulino, Wilmington College
Lori Runksmeier, New England College, chair
Darryl Sims, University of Wisconsin, Oshkosh
Amy Huchthausen, NCAA
Jeff Myers, NCAA
Kristin Nesbitt, NCAA, recording secretary

Additionally, the following NCAA staff members attended portions of the meeting: Azure Davey, Dan Dutcher, Jamie Israel, Debbie Kresge, Chance Miller and Brandon Wright.

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

The NCAA Division III Interpretations and Legislation Committee meeting was called to order at approximately 9:03 a.m. Eastern time Thursday, February 10, by Ms. Runksmeier. All members were present as noted above.

1. Welcome and announcements. The Interpretations and Legislation Committee welcomed its new members, Dr. Beron and Mr. Paulino, to the committee. The chair also welcomed Mr. Sims to his first in-person meeting.

2. Interpretations and Legislation Committee roster. The committee circulated the roster and provided updated information to the staff.

3. Update on governance issues. Members of the staff provided an update on the primary topics within the Division III governance structure for the 2011-12 year. The topics included: year two of the identity activation, financial dashboards, drug education and testing pilot, sports wagering, transgender student-athlete issues and the recent GOALS/SCORE findings. The committee suggested using the virtual focus groups to obtain feedback on year two of the identity activation. Additionally, the committee was provided an update on various task forces and working groups within the national office that are charged to evaluate and review the efficiency and effectiveness of several national office operations.

4. Review Interpretations and Legislation Committee policies and procedures. The committee reviewed the policies and procedures and took the following action:

   It was VOTED

   "To revise the policies and procedures as noted on Page Nos. 2, 11 and 12."

5. Review minutes from December 15, 2010, conference call. The committee reviewed the minutes and took the following action:

   It was VOTED

   "To approve the minutes as written."

6. Review recent NCAA Divisions I, II and III staff interpretations (September 2010 – January 2011). The committee reviewed recent staff interpretations issued in all three divisions. The committee charged the staff to revise the Division III staff interpretation [Reference: 12/2/10, Item No. c] regarding seasons of competition and banned drugs that was issued in all three divisions. Specifically, the committee asked staff to revise the interpretation to contemplate the implication to a student-athlete who practices while they are not permitted to compete.

7. Review recent NCAA Division III official interpretations for possible incorporation (September 2010 – January 2011). The committee was informed that the NCAA Division III Management Council already approved incorporation of the official interpretation [Reference: 2/4/11, Item No. 2] regarding the administration of the hardship waiver legislation to transfers. Additionally, the committee took the following action:

It was VOTED

"To request Management Council approve incorporation of the following two official interpretations:

a. Recruitment at Institution's Sports Camps and Clinics [Reference: 2/4/11, Item No. 1]; and

b. Meals in Conjunction with Home Competition [Reference: 10/26/10, Item No. 19]."

Additionally, the committee requested staff provide further education on the two official interpretations [Reference: 2/4/11, Item Nos. 3 and 4] that address facility monitoring for enrolled student-athletes and prospective student-athletes.

8. Review recent Divisions I and II official interpretations (September 2010 – January 2011). The committee reviewed recent official interpretations issued in Divisions I and II and took the following action:

a. It was VOTED

"To issue and recommend that Management Council approve the following official interpretation:

Alumna or Alumnus Participating in Occasional Practice Session with Former Institution's Team. (III) The NCAA Division III Interpretations and Legislation Committee determined that it is permissible for an alumna or alumnus of an institution (e.g., former student-athlete) to participate in an occasional practice session with a member institution's intercollegiate athletics team, provided the institution does not publicize the participation of the former student-athlete in the practice session.

[References: NCAA Division III Bylaws 14.1.8.1 (requirement for practice or competition), 17.02.9 (outside competition) and 17.02.10 (outside team) and an official interpretation (10/23/86, Item No. r), which has been archived]"

b. Further, it was VOTED

"To issue and recommend that Management Council approve the following official interpretation:

Application of NCAA Bylaw 13 to a Prospective Student-Athlete with no Reasonable Expectation of Participation in Intercollegiate Athletics. (III) The NCAA Division III Interpretations and Legislation Committee determined that the restrictions of Bylaw 13 do not apply to a prospective student-athlete who has no reasonable expectation of participating in intercollegiate athletics as a result of a disability or terminal illness, provided he or she is not a relative of a prospective student-athlete who is being recruited by the institution.

[References: NCAA Division III Bylaws 13.02.7 (prospective student-athlete), 13.2.1 (general regulation), 13.2.2 (specific prohibitions), 13.10.4 (prospective student-athlete's visit), 13.10.5 (introduction of prospective student-athlete) and 13.15.1 (precollege expenses – prohibited expenses); official interpretation (6/27/05, Item No. 3-d) and staff interpretation (2/25/10, Item No. b), which have been archived]"

9. Review recent Divisions I and II legislative actions (September 2010 – January 2011). The committee reviewed recent legislative action taken in Divisions I and II and took the following action:

a. NCAA Division I Proposal No. 2010-23. In its review of this proposal, the committee agreed that a broader examination of Division III Bylaw 12.1 (amateur status) is in order to assess whether current regulations are appropriate for individuals both prior to and after initial full-time collegiate enrollment. Factors to consider in such an evaluation include the general amateurism principles, the implication to individual sports and team sports, the impact of student-athlete reinstatement conditions on situations prior to initial full-time collegiate enrollment and the practical issues associated with monitoring and applying the rules. The committee agreed to place this item on a future meeting agenda.

b. Division I Proposal No. 2010-114. The committee reviewed this proposal that creates a legislative exception for a circumstance that previously required a waiver. The committee noted the proposal's rationale to eliminate bureaucracy for a situation that is typically waived through the appropriate Division I waiver process given the academic requirement of these programs. The committee learned that the Division III Management Council Subcommittee on Academic Issues also grants these waivers if required as part of the student's academic program and often grants waivers for nonrequired programs if the institution can

demonstrate the program is recommended and/or common for the field of study or profession. As a result, the committee agreed that establishing legislation to permit schools to manage this for required programs would also eliminate bureaucracy in Division III and that a waiver directive for nonrequired programs would clarify and reduce the burden on schools submitting waivers in these circumstances.

It was VOTED

"To recommend that Management Council sponsor noncontroversial legislation to permit a student-athlete to represent the certifying institution in intercollegiate athletics while he or she is enrolled in a cooperative educational work experience program (e.g., co-op, internship, practicum, student teaching) offered by the institution that is a required part of the student's academic program, provided the student is considered to be enrolled in a full-time program of studies, regardless of the credit value of the program."

Additionally, it was VOTED

"To request that the Subcommittee on Academic Issues establish a waiver directive stating that a waiver of full-time enrollment shall be granted for student-athletes participating in a cooperative educational work experience program that is not a required element of the institution's degree program, if the request demonstrates the experience is a common or highly recommended aspect of the field of study, as documented by the institution."

c. Division I Proposal No. 2010-8. The committee discussed this proposal regarding the designation of an institutional staff member as the athletics department resource regarding NCAA banned drugs and nutritional supplements. It was noted this recommendation originated from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports for all three divisions. It was noted the Division III Management Council previously chose not to sponsor this proposal, based primarily on a concern regarding available resources and personnel to effectively serve in this capacity. The committee noted the governance structure will be examining potential options as a result of the drug education and testing pilot in the coming year and believes the concepts identified in this proposal should be considered in the broader discussion of how to address drug education and testing generally; however, the committee did not take a formal position on this proposal at this time.

d. Division I Proposal No. 2010-31. The committee reviewed this proposal that provides more flexibility to Division I institutions in establishing when a

prospective student-athlete commits to an institution for purposes of eliminating the forms and frequency of communication between an institution and the prospective student-athlete. The committee noted Division III recently changed its rules in this area under Proposal No. NC-2011-28. Now any form of communication with a prospective student-athlete after May 1 of the prospective student-athlete's senior year of high school is permissible, provided the institution has received a financial deposit in response to the institution's offer of admission. The committee noted that some institutions do not require a financial deposit and, therefore, are unable to take advantage of this legislation. It was also noted that a paid acceptance is also required in order to publicize a prospective student-athlete's commitment to attend the institution and that schools that do not require a paid acceptance or financial deposit are limited in this regard as well. The committee believed that institutions in this position should not be disadvantaged and the same flexibility should be provided at the time of receipt of the institution's required form of commitment for all students.

It was VOTED

"To issue and recommend that Management Council approve the following official interpretation:

Institution That Does Not Require a Paid Acceptance or Financial Deposit for Admission or Financial Aid. (III) The NCAA Division III Interpretations and Legislation Committee determined it is permissible for an institution that does not require a paid acceptance or financial deposit in response to a written offer of aid or admission to use any form of communication with a prospective student-athlete after May 1 of the prospective student-athlete's senior year of high school and release publicity about a prospective student-athlete who has committed to the institution, provided the institution has received a commitment from the prospective student-athlete that is required of all incoming students.

[References: NCAA Division III Bylaws 13.02.11.4 (exception – after receipt of financial deposit) and 13.10.7 (announcement of acceptance)]"

e. Division I Proposal No. 2010-41-A. The committee reviewed this proposal that permits an institution to provide additional complimentary admissions to a prospective student-athlete who is a member of a nontraditional family (e.g., divorce, separation) during an unofficial visit. The committee noted current Division III legislation regarding complimentary admissions for official visits already provides flexibility for these situations while the legislation for unofficial visits does not. Therefore, the committee believes it is appropriate to amend the unofficial visit legislation to be similar to that for official visits.

It was VOTED

"To recommend that Management Council sponsor noncontroversial legislation to permit an institution to provide complimentary admissions to a home athletics event to a prospective student-athlete and his or her parents, guardian(s), spouse or individual of a comparable relationship during an unofficial visit."

f. Division I Proposal No. 2010-84. The committee reviewed this proposal that increased the award limits as specified. In its review, the committee noted the award limits have not increased since 2006 and due to inflation, particularly in the market rate for gold, it has become more difficult to provide the same or similar awards to student-athletes. The committee noted that while all institutions may not approach the dollar limit, the rate of inflation should not restrict those who wish to provide certain awards that may be traditional marks of recognition (e.g., rings). Furthermore, the committee noted the inequity among the divisions if Division III does not increase the limits in a similar manner.

It was VOTED

"To recommend that Management Council sponsor noncontroversial legislation to increase the limitation on the maximum value of the annual participation award for a senior by $100 and to increase the limitation on the maximum value for all other participation awards by $50, as specified."

g. Division I Proposal No. 2010-85. The committee reviewed this proposal that requires Division I strength and conditioning coaches that conduct voluntary workouts to maintain certification in first aid and cardiopulmonary resuscitation (CPR) and requires that a member of the institution's sports medicine staff be present during voluntary activities conducted by a strength and conditioning coach. With the recently adopted Division III Proposal No. 2011-7-1, only certified strength and conditioning coaches will be permitted to conduct voluntary workouts outside the playing season during the academic year. The committee observed that some organizations that offer certification for strength and conditioning coaches already require such individuals to have some form of first aid, CPR and/or automatic external defibrillator (AED) certification, but it is unclear whether all such entities require this and whether it needs to be active at all times. Furthermore, the committee discussed the legislative requirement in Bylaw 11.1.6 (sports-safety training) for head coaches regarding first aid, CPR and AED certification and the rationale for that legislation, which was strongly supported by the NCAA Division III Student-Athlete Advisory Committee. Therefore, the committee agreed to refer the issue of whether all strength and

conditioning coaches should be certified in first aid, CPR and AED, similar to the requirement for head coaches, to the Student-Athlete Advisory Committee for further discussion and input.

h. Division I Proposal No. 2010-103. The committee agreed to refer this proposal regarding a reduction of contest minimums from 10 to six in swimming and diving to the NCAA Division III Membership Committee.

i. NCAA Division II Proposal No. NC-2011-24. The committee reviewed this proposal that specifies that if a waiver of the 10-semester/15-quarter rule is granted, it must be used during the student-athlete's next available opportunity to enroll (e.g., next semester or quarter). The committee was unclear how these waivers are currently applied in Division III and, therefore, referred the issue to the NCAA Division III Committee on Student-Athlete Reinstatement for consideration.

j. Division II Proposal No. ADM-2012-1. The committee referred this proposal regarding an increase to the maximum penalty that may be imposed for an institution's failure to adhere to published administrative procedures for the submission of regular-season results, availability questionnaires and/or entry forms, from $300 to $600, to the NCAA Division III Championships Committee.

10. Review recent Division III editorial revisions (September 2010 – January 2011). The committee reviewed two recent editorial revisions and took no action.

11. Review recent Division III educational columns (September 2010 – January 2011). The committee reviewed the educational column included and took no action.

12. Review 2011 NCAA Convention Division III legislation and post-Convention business.

a. Question and answer document. The committee reviewed the question and answer document from the 2011 NCAA Convention and took the following action:

(1) Proposal No. 2011-4. The committee took the following action regarding Question Nos. 4 and 5. Additionally, the committee requested an educational column be issued that includes examples of permissible and impermissible fundraising activities. These actions apply to a proposal that is effective August 1, 2011.

(a) It was VOTED

"To issue and recommend that Management Council approve the following official interpretation based on Question No. 4, effective August 1, 2011:

Unearned and Earned Fundraising Monies for Institutional Fundraisers. (III) The NCAA Division III Interpretations and Legislation Committee confirmed that funds are considered unearned when a student-athlete participates in an institutional fundraiser that involves the use of athletics ability or a direct appeal (e.g., letter writing, telephone call campaign). Further, the committee confirmed that earned funds are the result of any fundraising activity that is not considered unearned such as working a concession stand, selling magazines or parking automobiles at an event.

[Reference: NCAA Division III Bylaws 12.1.1.1 (exception), 12.1.5.1 (permissible activities – after initial, full-time collegiate enrollment) and 12.5.1.1 (institutional, charitable, educational or nonprofit promotions)]"

(b) Further, it was VOTED

"To issue and recommend that Management Council approve the following official interpretation based on Question No. 5, effective August 1, 2011:

Rate Used to Determine Amount of Designated Earned Funds. (III) The NCAA Division III Interpretations and Legislation Committee confirmed that funds designated for a specific student-athlete through earned fundraising activities must be representative of the work, service or activity performed by the student-athlete and at a rate commensurate with the going rate for such work, service or activity in the institution's locale.

[Reference: NCAA Division III Bylaws 12.1.1.1 (exception), 12.1.5.1 (permissible activities – after initial, full-time collegiate enrollment) and 12.5.1.1 (institutional, charitable, educational or nonprofit promotions)]"

(2) Proposal Nos. 2011-7 and 2011-7-1. The committee took the following action regarding Question Nos. 3, 6, 15 and 16. Additionally, the committee charged the staff to focus educational efforts on the definition of "voluntary" activities as noted in Question No. 5. These actions apply to a proposal that is effective August 1, 2011.

(a) It was VOTED

"To issue and recommend that Management Council approve the following official interpretation based on Question No. 3, effective August 1, 2011:

Certification of Strength and Conditioning Coaches. (III) The NCAA Division III Interpretations and Legislation Committee confirmed that a certified strength and conditioning coach who conducts voluntary workouts outside the playing season during the academic year shall maintain a current and active certification with the respective certifying organization.

[References: NCAA Division III Bylaws 17.02.1 (athletically related activities), 17.02.1.1.1 (exceptions) and 17.02.13 (voluntary athletically related activities)]"

(b) Further, it was VOTED

"To issue and recommend that Management Council approve the following official interpretation based on Question No. 6, effective August 1, 2011:

Certified Strength and Conditioning Coach Also a Sport Team Coach. (III) The NCAA Division III Interpretations and Legislation Committee confirmed that a certified strength and conditioning coach who also serves as a sport team coach, may conduct voluntary workouts outside the playing season during the regular academic year for student-athletes in the coach's sport, only if that coach also provides out of season strength and conditioning services to all student-athletes at the institution.

[References: NCAA Division III Bylaws 17.02.1 (athletically related activities), 17.02.1.1.1 (exceptions) and 17.02.13 (voluntary athletically related activities)]"

(c) Finally, it was VOTED

"To issue and recommend that Management Council approve official interpretation based on Question Nos. 15 and 16, effective August 1, 2011:

Voluntary Workouts Conducted by a Certified Strength and Conditioning Coach. (III) The NCAA Division III Interpretations and Legislation Committee confirmed the following regarding voluntary workouts conducted by a certified strength and conditioning coach:

a. It is permissible for the voluntary workouts to be conducted for individuals or groups, provided the participation of each student-athlete, individually and in the group, is voluntary; and

b. It is not permissible for the certified strength and conditioning coach to conduct sport-skill instruction outside the playing season, even if the individual is also a sport team coach.

[References: NCAA Division III Bylaws 17.02.1 (athletically related activities), 17.02.1.1.1 (exceptions) and 17.02.13 (voluntary athletically related activities); and an official interpretation (3/22/11, Item No. 12-a-2)]

(3) Proposal No. 2011-11. The committee took the following action regarding Question No. 2:

It was VOTED

"To issue and recommend that Management Council approve the following official interpretation:

Participation on a Triathlon Team. (III) The NCAA Division III Interpretations and Legislation Committee confirmed that a student-athlete shall compete in all three legs of a triathlon in order to satisfy the exception to the outside competition legislation.

[References: NCAA Division III Bylaw 14.7.3 (exceptions – all sports) and an official interpretation (8/28/87, Item No. g)]"

(4) Proposal No. 2011-14. The committee took the following action regarding Question Nos. 4 and 5:

(a) It was VOTED

"To issue and recommend that Management Council approve the following official interpretation:

Receipt of Prize Money by Enrolled Student-Athletes in Team Sports. (III) The NCAA Division III Interpretations and Legislation Committee confirmed that it is not permissible for an enrolled student-athlete to receive prize money based on performance for participation in a team sport, even if the team is comprised of less than the normal number of players used under NCAA playing rules (e.g., two-person volleyball, three-person basketball).

[References: NCAA Division III Bylaws 12.1.5.1 (permissible activities – after initial, full-time collegiate enrollment), 12.1.5.2 (nonpermissible activities – after initial, full-time collegiate enrollment), 16.1.1.2.1 (exception – individual sports – prize money outside the playing season during the institution's official summer vacation period) and 17.02.12.1 (team sports)]"

(b) Further, it was VOTED

"To issue and recommend that Management Council approve the following official interpretation:

Receipt of Prize Money by Enrolled Student-Athletes in Individual Sports. (III) The NCAA Division III Interpretations and Legislation Committee confirmed that it is permissible for an enrolled student-athlete to receive prize money based on performance for participation on a team (e.g., two-person golf team, relay team in swimming and diving or track and field, double tennis team), provided the sport is considered an NCAA individual sport.

[References: NCAA Division III Bylaws 12.1.5.1 (permissible activities – after initial, full-time collegiate enrollment), 12.1.5.2 (nonpermissible activities – after initial, full-time collegiate

enrollment), 14.7.2.6 (exempt teams), 16.1.1.2.1 (exception – individual sports – prize money outside the playing season during the institution's official summer vacation period) and 17.02.12.2 (individual sports)]"

(c) Finally, it was VOTED

"To issue and recommend that Management Council approve the following official interpretation:

Definition of Open Event. (III) The NCAA Division III Interpretations and Legislation Committee confirmed that an event is considered open if participants are not selected on an invitation-only basis and not classified by age group or level of educational institution represented (e.g., high school and college division). Further, the selection of participants shall not be limited except by gender, number, geographical area or on the basis of some objective standard of performance.

[References: NCAA Division III Bylaws 14.02.6 (intercollegiate competition), 14.7.2.5 (competition as individual/not representing institution) and 17.02.8 (intercollegiate competition); staff interpretation (2/4/87, Item No. 2-c-1) and staff interpretation (2/21/97, Item No. a)]"

b. Issue regarding NCAA Division III Proposal No. 2011-4. The committee considered whether to extend the exception for designation of funds in institutional fundraising activities to prospective student-athletes and enrolled student-athletes who participate in fundraisers for outside teams or clubs. The committee did not support expanding the rule to enrolled student-athletes for participation on outside teams or clubs; however, they did express concern regarding the current rule's application to prospective student-athletes. Given the nature of youth sports and the prevalence of fundraising activities at all levels of the youth sports structure, the committee noted the likelihood that numerous student-athletes and institutions have not been properly applying the legislation. Furthermore, the committee noted it was unfair to expect that prospective student-athletes and their families have sufficient knowledge and education on the current rules in this area and, even if they were aware, it would be difficult and expensive to follow. The committee noted the current rule also places institutions in a difficult position to effectively and consistently monitor the rule.

It was VOTED

"To recommend that Management Council sponsor noncontroversial legislation to establish an exception that would permit the designation of funds raised through fundraisers for individuals prior to initial, full-time collegiate enrollment, provided the amount raised does not exceed actual and necessary expenses."

c. Issue regarding Proposal No. 2011-12. The committee reviewed the history of this proposal and noted the final version of the proposal did not include part of the original recommendation that the same date restrictions apply to a student-athlete's participation in outside competition (on a team or as an individual). Since the intent was for all three divisions to be the same regarding practice and competition start dates, the committee believed it was appropriate to modify the legislation in accordance with the written history of the recommendation.

It was VOTED

"To recommend that Management Council sponsor a modification of wording to specify that a student-athlete shall not practice with an outside team prior to October 10 and shall not participate in outside competition (on a team or as an individual) prior to November 1."

13. Update on previous issues.

a. Update on Major Junior A Ice Hockey. A member of the agents, gambling and amateurism staff provided the committee with information regarding the structure of junior hockey in Canada, the United States and Europe. The committee learned that the league on which the Major Junior A legislation is based is now called Major Junior due to a restructuring of the Canadian Hockey League a few years ago. The committee also learned that it continues to be extremely challenging for the national office and the membership to obtain information about the structure of the European leagues, although most agree that the level of competition at the junior levels in Europe continues to rise and is likely at least equal to that of the Major Junior league in Canada. The committee expressed concern that the high level of competition in Major Junior provides a competitive advantage that the current Division III rule addresses. The committee learned, however, that some players who wish to play at an NCAA school elect to play in the level below Major Junior, called Junior A, in order to preserve their eligibility which is causing the level of play in Junior A to rise. These nuances combined with the complexity and level of play in the European leagues and potential inconsistent application of the rules, causes the committee concern. As a result,

the committee agreed to further examine this issue on a future agenda, including a review of the legislative history of the current rule along with a comparison of legislation in the other divisions and potential options for consideration.

b. Review legislation regarding a waiver of full-time enrollment for former student-athletes to practice at another institution in individual sports and women's rowing. The committee reviewed the legislative changes made recently in Divisions I and II noting that the new rule in both divisions permits a former student-athlete greater flexibility if he or she is training for elite level competition in an area that is not close to the institution from which he or she graduated. The committee noted this flexibility is reasonable and should be afforded to Division III student-athletes in the same manner as their Divisions I and II counterparts.

It was VOTED

"To recommend that Management Council sponsor noncontroversial legislation to specify that in individual sports and women's rowing, in a case in which the U.S. Olympic Committee or national governing body in the sport has recommended the individual's participation, to permit a former student-athlete who has graduated and has no eligibility remaining to participate in organized practice sessions at an institution other than the one he or she previously attended."

c. Review organized competition legislation. In light of recent changes to the Divisions I and II organized competition legislation, the committee engaged in a review of all three divisional rules in this area, noting the differences and similarities. Specifically, the committee noted the grace period that is now available to student-athletes in most sports in both Divisions I and II. The committee believed, however, such a window of time encouraged student-athletes to delay collegiate enrollment for the pursuit of athletics endeavors which is contrary to the Division III philosophy. Therefore, the committee did not support changing Division III legislation in this regard. Additionally, the committee considered the definition of organized competition which is now the same in Divisions I and II. The definition in those divisions causes a student-athlete to trigger outside competition in virtually any situation, (e.g., official score is kept, team uniforms are used) including lower-level recreational activities that do not trigger the current Division III definition. The committee observed that this broader definition complements the grace period in those divisions by providing minimal flexibility after the grace period expires, but that such an expansion of the definition is not necessary without a grace period. Therefore, the committee agreed the current Division III organized competition legislation is appropriate and should not be modified.

d. Review feedback from the Student-Athlete Advisory Comittee regarding social networking in the recruitment process. The committee reviewed feedback from the Student-Athlete Advisory Committee on this issue and noted the Student-Athlete Advisory Committee agreed that the content of "general athletics information" should not be limited except to prohibit the solicitation and recruitment of prospective student-athletes. The Student-Athlete Advisory Committee noted that traditional media content (e.g., press releases, score updates) should not be the standard by which to determine what is considered "general athletics information" in today's society given the predominate use of websites and social media platforms to communicate all types of information to the general public. In its discussion of the Student-Athlete Advisory Committee's feedback and the overall issue, the committee agreed that the notion of traditional content and traditional methods of delivery is likely an outdated standard by which to apply legislation whose stated rationale aimed to provide flexibility for future technologies. Further, the committee agreed that the value or utility of the information also cannot be used as a standard to evaluate content in today's environment. Therefore, the committee agreed with the Student-Athlete Advisory Committee's position, including the continued prohibition on the use of social media, to target or communicate person-to-person with specific prospective student-athletes.

It was VOTED

"To issue and recommend that Management Council approve the following official interpretation:

Content of General Athletics Information. (III) The NCAA Division III Interpretations and Legislation Committee determined that general athletics information is any information that is not a solicitation to attend the institution and does not include the name(s) of any specific prospective student-athlete.

[References: NCAA Division III Bylaw 13.02.11.3 (exception – public release of general athletics information sent through electronic transmission)]"

14. Consider Division III interpretive issues:

a. Communication with prospective student-athletes on sport club teams. The committee reviewed previous committee minutes on this issue from 2008 that centers on whether the prohibition on text messaging with prospective student-athletes should apply to communication between coaches and prospective student-athletes who are involved with the same sports club team for club-related matters

(e.g., practice times). It was noted that the committee originally intended to recommend noncontroversial legislation to permit this type of communication since it was outside the scope of recruitment, as participation by institutional coaches and prospective student-athletes on club teams is an exception to the tryout legislation. The Student-Athlete Advisory Committee, however, did not support the use of text messaging under any circumstance which led to the recommendation being withdrawn. In its present review of the issue, the committee noted that despite the earlier objections by the Student-Athlete Advisory Committee, there appears to be no legislative basis to restrict the methods of communication used by institutional coaches and club team members. Additionally, the committee noted that for practical purposes the use of text messaging has become so prevalent that it is often the only way to communicate in a timely manner with high school students and, accordingly, it was impractical to prohibit this method of communication for club-related matters. Before making a formal recommendation, however, the committee agreed to refer this to the Student-Athlete Advisory Committee for input on the use of text messaging, and other forms of communication, between institutional coaches and prospective student-athletes who are involved with the same club team for club-related matters.

b. Prospective student-athletes as demonstrators at coaches' clinics. The committee reviewed a recent Division I staff interpretation [Reference: 10/20/10, Item No. a] that prohibits a prospective student-athlete from serving as a demonstrator for an institutional coach at a coaches' clinic due to the tryout regulations. Additionally, an older staff interpretation [Reference: 2/14/90, Item No. a] that applies to Division III appears to support this same position. The committee discussed whether this restriction was necessary given the membership's deregulation of the tryout legislation at the 2010 NCAA Convention. Additionally, the committee noted that prospective student-athletes may be employed at an institutional camp or clinic and questioned whether a coaches' clinic was substantially different for tryout purposes. The committee agreed there was no meaningful distinction to restrict prospective student-athletes and coaches from interacting in this manner during coaches' clinics given the deregulation in this area.

It was VOTED

"To issue and recommend that Management Council approve the following official interpretation:

Demonstrators at Coaches' Clinic and Institutional Camps and Clinics. (III) The NCAA Division III Interpretations and Legislation Committee determined that a prospective student-athlete may serve as a demonstrator during a coaches' clinic

or session conducted by an institutional staff member or during an institutional camp or clinic without such participation constituting an impermissible tryout. Further, an enrolled student-athlete may serve as a demonstrator at such camps and clinics, provided the student-athlete participates with coaching staff members from institutions other than his or her own.

[References: NCAA Division III Bylaws 13.11.2 (prohibited physical activities involving prospective student-athletes), 13.11.3 (permissible physical activities involving prospective student-athletes) and 13.12.2.1 (prospective student-athletes), staff interpretation (4/5/96, Item No. a) and a staff interpretation (2/14/90, Item No. a) which has been archived]"

c. Review official interpretation [Reference: 8/30/82, Item No. r] for possible incorporation. The committee reviewed this official interpretation that clarifies the application of the 10-semester/15-quarter rule to a student-athlete who has a fraction of a semester or quarter remaining at the start of the term. The committee believed the official interpretation was clear and should be incorporated into the legislation to better inform the membership.

It was VOTED

"To recommend that Management Council approve incorporation of the official interpretation [Reference: 8/30/82, Item No. r] into the legislation."

d. Transfer exception for student who is academically ineligible but has not used season of participation or participated in intercollegiate athletics. The committee examined the current transfer legislation that permits a student who is academically ineligible to transfer and be immediately eligible at the certifying institution if he or she has not previously used a season of participation at a Division III institution or participated in intercollegiate athletics at a non-Division III school. The committee noted this provides an opportunity for a student to participate during the nontraditional segment at a Division III institution and transfer to another Division III institution and be immediately eligible despite being academically ineligible at the original institution. The legislation's intent and rationale place an emphasis on those students who have used a season of participation and, consequently, the committee did not wish to add an additional barrier for transfers. The committee noted, however, that input from the Student-Athlete Advisory Committee would be helpful in better understanding this from the student-athlete perspective; therefore, they referred the issue to them for discussion and feedback.

e. Definition of a student-athlete for purposes of Bylaw 12. The committee reviewed two issues regarding Bylaw 12 as follows:

First, the committee noted the wording in Bylaw 12.5.1.1.7 (prospective student-athlete's participation in institutional fundraisers or promotions) restricts a prospective student-athlete from participating in an institutional fundraiser until he or she initially enrolls. The committee observed that the intent of the wording was not to prohibit an individual from being involved with an institutional fundraiser even after he or she was no longer considered a prospective student-athlete (e.g., reporting for squad practice). Therefore, the committee agreed a modification of wording was necessary to eliminate the confusion given the general understanding of how a prospective student-athlete and student-athlete are defined.

It was VOTED

"To recommend that Management Council approve a modification of wording that would eliminate the language in Bylaw 12.5.1.1.7 regarding prior to initial full-time collegiate enrollment."

Second, the committee noted that in the reformatting of Bylaw 12.1 (amateur status) an unintended substantive change occurred that places Division III in a different place than Divisions I and II with respect to Bylaw 12.1.3.1-(k) and (l). The committee agreed that this was unintended as a result of the editorial revision previously implemented (Proposal No. ER-2010-1).

Therefore, it was VOTED

"To recommend that the NCAA staff issue an editorial revision to Bylaw 12.1.3.1-(k) and (l)."

f. Counting multiteam events in individual sports. The committee reviewed the current legislation in Bylaw 20.11.3.8.4 (counting multiteam events in individual sports) which prescribes how multiteam events should be counted for purposes of meeting the minimum number of contests for sports-sponsorship requirements. It has come to the attention of staff through various avenues that this bylaw can be confusing and challenging to apply due to meet organizers not always being clear on the scoring method that will be used in advance of the event and, during and subsequent to the event, not always implementing the scoring method originally planned. The committee engaged in a discussion of several issues including the responsibility of institutions to work with meet organizers in advance of the event, the challenge of scheduling in certain sports (e.g., outdoor track and field) and the

necessity of these events to satisfy the requirements and whether the current contest minimums are appropriate for the division. The committee questioned whether it was appropriate for the scoring method to be the determining factor as to whether a given event counted as one or two contests when two events could operate identically, but have different counting implications simply due to how they are scored. The committee agreed to refer this issue to the Membership Committee for consideration and input due to the relevancy of the issue for membership requirements.

15. Review educational initiatives calendar. The committee reviewed the staff's educational initiatives calendar and offered suggestions, including a "how to" on LSDBi and AMA Online. Additionally, the committee suggested the staff consider using webinars as another educational mechanism.

16. Academic and Membership Affairs business practices and processes review. The committee was informed of the business practices and processes review currently underway in the academic and membership affairs department of the national office. The review is an effort to evaluate the efficiencies and effectiveness of certain academic and membership affairs functions to ensure they focus on the student-athlete experience and help reduce the administrative burden on the membership. The review's three primary areas include the NCAA Division I Athletics Certification program, the initial-eligibility process, which includes those areas that are currently assigned to the NCAA Eligibility Center, and regulatory issues. The staff will engage the membership in dialogue during March in order to obtain feedback as the internal group works to present a final report to the NCAA president and chief operating officer.

17. Review schedule for future meetings and teleconferences.

    a. In-person meetings. The committee noted its next in-person meeting is September 22-23 in Indianapolis, Indiana. The committee discussed possible meeting times for the February 2012 meeting. NCAA staff noted that due to the National Football League Super Bowl, lodging is not available in Indianapolis during the period in which the committee typically holds its meeting (February 1-14). The staff received feedback from the committee as to whether alternative times would be practicable in the weeks preceding or following the usual meeting period.

b. Teleconferences. The committee agreed to conduct its monthly conference calls in 2011 on the third Thursday of each month at 2 p.m. Eastern time, noting that some calls may need to be rescheduled as needed.

c. Other business. The committee was provided an update on AMA Online which is scheduled to launch February 28. This program will shift all waivers to an online system which will provide numerous benefits to the membership and national office.

18. Adjournment. The meeting was adjourned at approximately 10:24 a.m. Eastern time.