REPORT OF THE NCAA DIVISION III INTERPRETATIONS AND LEGISLATION COMMITTEE

ACTION ITEMS

1. Legislative Items.

a. Noncontroversial Legislation – Eligibility – Full-Time Enrollment – Requirement for Practice and Competition – Exception – Cooperative Educational Work Experience.

(1) Recommendation. To approve in concept noncontroversial legislation to permit a student-athlete to practice and 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.

(2) Effective Date. Immediate.

(3) Rationale. The NCAA Division III Interpretations and Legislation Committee (ILC) reviewed a Division I proposal that creates a legislative exception for a circumstance that previously required a waiver. ILC 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 NCAA 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 that 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.

(4) Budget Impact. None.

(5) Student-Athlete Impact. Reduces the bureaucracy of waiver process.

b. Noncontroversial Legislation – Recruiting – Unofficial Visit – Entertainment/Tickets – General Restrictions – Nontraditional Family.

(1) Recommendation. To approve in concept 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.

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed a Division I 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.

(4) Budget Impact. Increased cost of complimentary admissions provided to a limited number of prospective student-athletes.

(5) Student-Athlete Impact. Additional flexibility for prospective student-athletes with nontraditional families.

c. Noncontroversial Legislation – Awards, Benefits and Expenses – Participation Awards – Maximum Value of Award – Increase to Maximum Values.

(1) Recommendation. To approve in concept 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.

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed a Division I 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.

(4) Budget Impact. Potential increase commensurate with increase in award value limitations.

(5) Student-Athlete Impact. Potential to receive awards traditionally provided to student-athletes.

d. Noncontroversial Legislation – Amateurism – Preferential Treatment – Exception – Designation of Fundraising Money – Prospective Student-Athletes.

(1) Recommendation. To approve in concept 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.

(2) Effective Date. Immediate.

(3) Rationale. The committee considered whether to extend the exception for the designation of funds in institutional fundraising activities to prospective student-athletes. The committee expressed concern for how the current rule applies 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 for prospective student-athletes and their families to 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.

(4) Budget Impact. None.

(5) Student-Athlete Impact. Provides flexibility for prospective student-athletes to raise money to participate in athletics.

e. Noncontroversial Legislation – Eligibility – Full-Time Enrollment – Requirement for Practice – Waiver – U.S. Olympic Committee/National Governing Body – Former Student Athlete at Another Institution – Individual Sports and Women's Rowing.

(1) Recommendation. To approve in concept 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.

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed the legislative changes made recently in Divisions I and II noting the new rule in both divisions permit 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.

(4) Budget Impact. None.

(5) Student-Athlete Impact. Additional flexibility for former student-athletes who are training for elite-level competition.

f. Modification of Wording – Playing and Practice Seasons and Eligibility – Wrestling – First Date of Practice and Competition and No Outside Competition Between Beginning of Academic Year and November 1.

(1) Recommendation. To approve in concept a modification of wording to specify that a wrestling 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.

(2) Effective Date. August 1, 2011, consistent with the effective date of NCAA Division III Proposal No. 2011-12.

(3) Rationale. The committee reviewed the history of Proposal No. 2011-12 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.

(4) Budget Impact. None.

(5) Student-Athlete Impact. Restrictions on outside competition provide opportunity for student-athletes to become acclimated to campus life prior to the sport season begins.

g. Modification of Wording – Amateurism – Promotional Activities – Permissible – Prospective Student-Athlete's Participation in Institutional Fundraisers or Promotions.

(1) Recommendation. To approve in concept a modification of wording that would eliminate the language in NCAA Division III Bylaw 12.5.1.1.7 (prospective student-athlete's participation in institutional fundraisers or promotions) regarding participation prior to initial full-time collegiate enrollment.

(2) Effective Date. Immediate.

(3) Rationale. The committee noted the wording in Bylaw 12.5.1.1.7 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.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None

h. Incorporation of Official Interpretation – Recruitment at Institution's Sports Camps and Clinics.

(1) Recommendation. To approve in concept an incorporation of the following official interpretation [Reference: 2/4/11, Item No. 1] into the legislation:

Recruitment at Institution's Sports Camps and Clinics. (III) The NCAA Division III Management Council confirmed that institutional athletics department staff members are prohibited from engaging in recruitment activities during institutional sports camps or clinics. Nonathletics institutional staff members may present and provide general institutional information to camp participants. [References: NCAA Division III Bylaws 13.1.4.2 (practice or competition site) and 13.12.1.1 (definition), staff interpretation (4/5/89, Item No. i), which has been archived, and official interpretation (5/17/10, Item No. 3) which has been archived]

(2) Effective Date. Immediate.

(3) Rationale. The committee believes this interpretation should be incorporated so the membership is aware of the permissible recruitment activities that can occur during institutional camps and clinics.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

i. Incorporation of Official Interpretation – Meals in Conjunction with Home Competition.

(1) Recommendation. To approve in concept incorporation of the following official interpretation [Reference: 10/26/10, Item No. 19] into the legislation:

Meals in Conjunction with Home Competition (III). The NCAA Division III Interpretations and Legislation Committee confirmed that it is permissible for an institution to provide meals to student-athletes at the institution's discretion on the day(s) of competition until the student-athletes are released by institutional personnel. An institution shall not provide cash in lieu of a meal during this time period. An institution, at its

discretion, may provide a meal or cash (but not both) to student-athletes at the time of their release by institutional personnel. [References: NCAA Division III Bylaw 16.5.1 (housing and meals -- exceptions) and an official interpretation (4/27/99, Item No. 1) which has been archived]

(2) Effective Date. Immediate.

(3) Rationale. The committee believes this interpretation should be incorporated so the membership is aware of the permissible meals that may be provided to student-athletes in conjunction with home competition.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

j. Incorporation of Official Interpretation – Student-Athlete May Finish Season if Attendance is Calculated to a Fraction.

(1) Recommendation. To approve in concept incorporation of the official interpretation [Reference: 8/30/82, Item No. r] into the legislation:

Student-Athlete May Finish Season if Attendance is Calculated to a Fraction (II/III). Agreed that a Division II or III student-athlete may remain eligible for all of the student's final semester or quarter under the provisions of Bylaw 4-1-(b) if the combination of semesters and quarters of previous attendance leaves such student-athlete with any fraction of the 10th semester or 15th quarter of eligibility remaining at the beginning of that final semester or quarter. [Reference: Division III Bylaw 14.2.2 (10-semester/15-quarter rule)]

(2) Effective Date. Immediate.

(3) Rationale. The committee believes the official interpretation should be incorporated into the legislation to better inform the membership on how to apply the rule in such a situation.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

k. Approval of Official Interpretation – Alumna or Alumnus Participating in Occasional Practice Session with Former Institution's Team.

(1) Recommendation. To 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]

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed a Division I official interpretation and agreed it would be helpful to issue the same interpretation in Division III to clarify the participation of former student-athletes in practice sessions.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

l. Approval of Official Interpretation – Application of NCAA Bylaw 13 to a Prospective Student-Athlete with No Reasonable Expectation of Participation in Intercollegiate Athletics.

(1) Recommendation. To 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]

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed a recent Division I official interpretation along with existing interpretations applicable to this group of individuals and agreed issuing a new interpretation would be clearer on this subject.

(4) Budget Impact. Nominal for those institutions that provide any item or service.

(5) Student-Athlete Impact. None.

m. Approval of Official Interpretation – Institution That Does Not Require a Paid Acceptance or Financial Deposit for Admission or Financial Aid.

(1) Recommendation. To 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)]

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed a Division I 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. 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.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

n. Approval of Official Interpretation – Unearned and Earned Fundraising Monies for Institutional Fundraisers.

(1) Recommendation. To approve the following official interpretation:

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), 12.5.1.1 (institutional, charitable, educational or nonprofit promotions)]

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed the 2011 NCAA Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

o. Approval of Official Interpretation – Rate Used to Determine Amount of Designated Earned Funds.

(1) Recommendation. To approve the following official interpretation:

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) Effective Date. Immediate.

(3) Rationale. The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

p. Approval of Official Interpretation – Certification of Strength and Conditioning Coaches.

(1) Recommendation. To approve the following official interpretation:

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)]

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

q. Approval of Official Interpretation – Strength and Conditioning Coach Also a Sport Team Coach.

(1) Recommendation. To approve the following official interpretation:

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)]

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

r. Approval of Official Interpretation – Voluntary Workouts Conducted by a Certified Strength and Conditioning Coach.

(1) Recommendation. To approve the following official interpretation:

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)]

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on these two questions.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

s. Approval of Official Interpretation – Participation on Triathlon Team.

(1) Recommendation. To 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)]

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

t. Approval of Official Interpretation – Receipt of Prize Money by Enrolled Student-Athletes in Team Sports.

(1) Recommendation. To 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)]

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

u. Approval of Official Interpretation – Receipt of Prize Money by Enrolled Student-Athletes in Individual Sports.

(1) Recommendation. To 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)]

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

v. Approval of Official Interpretation – Definition of Open Event.

(1) Recommendation. To 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, and 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)]

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed the Convention question and answer document and agreed to issue a formal official interpretation on this particular question.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

w. Approval of Official Interpretation – Content of General Athletics Information.

(1) Recommendation. To 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)]

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed feedback from the NCAA Division III Student-Athlete Advisory Committee (SAAC) on this issue and agreed that the content of "general athletics information" should not be limited except to prohibit the solicitation and recruitment of prospective student-athletes. SAAC 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 SAAC's feedback and the overall issue, ILC 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 the value or utility of the information also cannot be used as a standard to evaluate

content in today's environment. Therefore, ILC agreed with the SAAC position, including the continued prohibition on the use of social media, to target or communicate person-to-person with specific prospective student-athletes.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

x. Approval of Official Interpretation – Demonstrators at Coaches Clinics and Institutional Camps and Clinics.

(1) Recommendation. To approve the following official interpretation:

Demonstrators at Coaches Clinics 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) and a staff interpretation (2/14/90, Item No. a) which has been archived]

(2) Effective Date. Immediate.

(3) Rationale. 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 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.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

2. Nonlegislative Items.

a. Referral to Subcommittee on Academic Issues: Wavier Directive – Cooperative Educational Work Experiences.

(1) Recommendation. To request that the Subcommittee on Academic Issues consider establishing 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.

(2) Effective Date. Immediate.

(3) Rationale. In its review of a Division I proposal, the committee agreed to recommend the Management Council sponsor noncontroversial legislation to address cooperative educational work experience programs that are required part of a degree program (See Action Item No. 1-a). In addition, the committee learned that the Subcommittee on Academic Issues often grants waivers for nonrequired programs if the institution can demonstrate that the program is recommended and/or common for the field of study or profession. As a result, the committee agreed that a waiver directive for nonrequired programs would clarify and reduce the burden on schools submitting waivers in these circumstances.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

b. Referral to the Student-Athlete Advisory Committee – Certified Strength and Conditioning Coaches.

(1) Recommendation. To refer the issue of whether all strength and conditioning coaches should be certified in first aid, cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED), similar to the requirement for head coaches, to SAAC for consideration.

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed a Division I proposal that requires Division I strength and conditioning coaches that conduct voluntary workouts to maintain certification in first aid and 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 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 Student-Athlete Advisory Committee.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

c. Referral to the NCAA Division III Membership Committee – Division I Proposal No. 2010-103.

(1) Recommendation. To refer Division I Proposal No. 2010-103 regarding a reduction of contest minimums from 10 to six in swimming and diving to the NCAA Division III Membership Committee for consideration.

(2) Effective Date. Immediate.

(3) Rationale. In reviewing legislative action taken in Division I, the committee believes this proposal should be referred to the Membership Committee for consideration given the Bylaw 20 (membership) implications. The committee took no position on this proposal.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

d. Referral to the NCAA Division III Committee on Student-Athlete Reinstatement – Division II Proposal No. NC-2011-24.

(1) Recommendation. To refer a review of Division II Proposal No. NC-2011-24 to the NCAA Division III Committee on Student-Athlete Reinstatement for consideration.

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed this Division II 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 Committee on Student-Athlete Reinstatement for consideration.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

e. Referral to the NCAA Division III Championships Committee – Division II Proposal No. ADM-2012-1.

(1) Recommendation. To refer Division II Proposal No. ADM-2012-1 to the Championships Committee for consideration.

(2) Effective Date. Immediate.

(3) Rationale. The committee referred this administrative regulation 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 Championships Committee.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

f. Referral to the Student-Athlete Advisory Committee – Text Messaging to Prospective Student-Athletes on Club Teams.

(1) Recommendation. To refer 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 to SAAC for consideration.

(2) Effective Date. Immediate.

(3) Rationale. The committee reviewed previous committee minutes on this issue from 2008 that center 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 SAAC, 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 SAAC for input.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

g. Referral to Student-Athlete Advisory Committee – Transfer Exception for Student Who is Academically Ineligible But Has Not Used Season of Participation or Participated in Intercollegiate Athletics.

(1) Recommendation. To refer the legislation applicable to a transfer exception for a student who is academically ineligible but has not used a season of participation at a Division III school or participated in intercollegiate athletics at a non-Division III school to SAAC for consideration.

(2) Effective Date. Immediate.

(3) Rationale. 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 SAAC would be helpful in better understanding this from the student-athlete perspective; therefore, they referred the issue to them for discussion and feedback.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

h. Referral to the Membership Committee – Counting Multiteam Events.

(1) Recommendation. To refer the legislation applicable to counting multiteam events to the Membership Committee for consideration.

(2) Effective Date. Immediate.

(3) Rationale. 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.

(4) Budget Impact. None.

(5) Student-Athlete Impact. None.

INFORMATIONAL ITEMS

1. **Update on governance issues**. The committee was 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 received 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.

2. **Examination of Bylaw 12.1 (amateur status) legislation**. In its review of Division I Proposal No. 2010-23, the committee agreed that a broader examination of Division III Bylaw 12.1 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.

3. **Review Division I Proposal No. 2010-8**. The committee discussed Division I Proposal No. 2010-8 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. The committee noted the 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.

4. **Major Junior A Ice Hockey**. The committee received information from the agents, gambling and amateurism staff 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.

5. **Organized competition**. 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.

6. **Educational 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.

7. **Academic and Membership Affairs Business Practices 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.

Committee Chair: Lori Runksmeier, New England College
Staff Liaisons: Amy Huchthausen, Academic and Membership Affairs
Jeff Myers, Academic and Membership Affairs

The National Collegiate Athletic Association
March 30, 2011 ABH:br