# REPORT OF THE NCAA DIVISION III INTERPRETATIONS AND LEGISLATION COMMITTEE June 21, 2012

## ***ACTION ITEMS.***

**1. Legislative Items.**

**a. 2013 NCAA Convention Legislation – Study Abroad Programs and Student-Athlete Athletic Eligibility.**

(1) Recommendation. Sponsor 2013 NCAA Convention legislation to specify that if a Division III student-athlete participates in athletics in conjunction with a study abroad or foreign exchange program that is recognized by his or her institution, then the student-athlete shall not trigger the outside competition legislation; further, to specify that a student-athlete participating in such a program shall not trigger the use of a season of participation.

(2) Effective Date. August 1, 2013.

(3) Rationale. Many student-athletes participate in a foreign exchange or study-abroad program as a part of their collegiate experience. Currently, when a student athlete participates in such a program, participating in athletics during this period could render the student-athlete ineligible by triggering the outside competition legislation. In addition, student-athletes who participate in athletics while abroad could trigger the use of a season of participation. The Interpretations and Legislation Committee agreed that modifying the legislation to prevent these consequences is consistent with the practice of permitting incoming exchange students to participate in athletics on Division III campuses. The committee noted that an institution's recognition of a study-abroad or foreign exchange program is not limited only to those programs that are conducted by the institution itself; so long as the program is recognized by the institution, this exception will apply. This exception does not, however, apply to participation by a student-athlete who takes a leave of absence to attend a foreign-exchange or study-abroad program. The committee will review the implications of the transfer legislation on this issue at its next meeting, which may result in an amended legislative recommendation.

(4) Budget Impact. None.

(5) Student-Athlete Impact. Student-athletes can participate in foreign exchange and study-abroad programs without the concern that they will render themselves ineligible under the outside competition legislation, as well as preserve a season of participation.

**b. Noncontroversial Legislation – Amateurism –Loss of Amateurism-- Practice Prohibition.**

(1) Recommendation. Sponsor noncontroversial legislation clarifying that when a student-athlete loses his or her amateurism status, that student-athlete is prohibited from participating in practice as well as competition.

(2) Effective Date. Immediate.

(3) Rationale. The general principle sections of both NCAA Division III Bylaws 12 and 14 state that a student-athlete shall not be eligible for participation (practice or competition) in an intercollegiate sport if the individual has violated any of the amateurism regulations. Bylaws 12.1.3.2 and 12.1.5.2 identify activities that are impermissible and will result in the loss of amateurism. Those bylaws however, specifically state that the loss of amateurism precludes intercollegiate competition but does not specifically reference all participation. This proposal makes the bylaws consistent with the general principles and clarifies that the loss of amateurism results in the prohibition of all participation (practice and competition) in that sport.

(4) Budget Impact. None.

(5) Student-Athlete Impact. A student-athlete that loses his or her amateurism status will more clearly understand the subsequent effects on his or her eligibility.

**2. Nonlegislative Items.**

- **None.**

***INFORMATIONAL ITEMS*.**

**1. Review May report.** The committee reviewed the report of its May teleconference.

**2. Incorporation of Official Interpretation.** The committee approved in final legislative format the incorporation of official interpretation I-2013-2 (attached).

**3. Division I Rules Reform.** NCAA staff provided the committee with an update on Division I rules reform efforts.

**4. Other business.** NCAA staff provided the committee with an update on the status of the Division III Recruiting Working Group. NCAA staff also reminded the committee of the times and dates of upcoming teleconferences and in-person meetings. The committee discussed the application of the recruiting legislation to various recruiting service models and discussed additional educational outreach efforts regarding this area.

**5. Adjournment.** The committee adjourned at 3:42 p.m. Eastern time.

*Committee Chair:* *Darryl Sims, University of Wisconsin, Oshkosh, Wisconsin Intercollegiate Athletic Conference*
*Staff Liaisons:* *Brandy Hataway, Academic and Membership Affairs*
*Jeff Myers, Academic and Membership Affairs*
*Kristin Nesbitt, Academic and Membership Affairs*

| Teleconference Date: June 21, 2012 | |
|---|---|
| Attendees | Absentees |
| Kurt Beron, University of Texas, Dallas | Nathan Love, Hope College |
| Jason Fein, Drew University | |
| Donna Ledwin, Allegheny Mountain Collegiate Conference | |
| John Meany, Worcester State College | |
| Julie Muller, North Atlantic Conference | |
| Darryl Sims, University of Wisconsin, Oshkosh, chair | |
| Other Attendees<br>Brandy Hataway, NCAA<br>Jeff Myers, NCAA<br>Kristin Nesbitt, NCAA | |

**July 2012 Management Council Meeting**
**Incorporations of Interpretations Legislation for 2013 Convention**

**Title:** RECRUITING -- DEFINITION OF A RECRUITING OR SCOUTING SERVICE

**Convention Year:** 2013

**Effective Date:** Immediate

**Official Notice Number:** I-2013-2

**Source:** NCAA Division III Management Council (Interpretations and Legislation Committee).

**Proposal Category:** Incorporation

**Topical Area:** Recruiting

**Status:** Ready for Approval in Final Legislative Format by the Interpretations and Legislation Committee

**A. Bylaws:** Amend 13.02, as follows:

[13.02.1 through 13.02.11 unchanged]

**13.02.12 Recruiting or Scouting Service. A recruiting or scouting service includes any individual, organization, entity or segment of an entity that is primarily involved in providing information about prospective student-athletes, A recruiting or scouting service may include:**

**(a) Any service that provides information only to paid subscribers;**

**(b) Any service that is only available to a select group of individuals (e.g., coaches), regardless of whether there is a charge associated with the service; and**

**(c) Any service that provides information to the public free of charge.**

**Any individual, organization or entity or segment of an entity that provides information about prospective student-athletes incidental to its primary purpose and is generally available to the public (e.g., news media), is not considered a recruiting or scouting service**.

[13.02.12 renumbered as 13.02.13, unchanged]

**Additional Information:** The incorporation of this 10/26/11 official interpretation provides guidance in determining entities which would be classified as recruiting or scouting service and makes the information more readily accessible to the Division III membership.

**Budget Impact:** None.

**Student-Athlete Impact:** None.

**Review History:** *April 16, 2012* - Approved in Concept - Management Council Supplement No. 13b, Item No. 1(c).