



**REPORT OF THE
NCAA DIVISION I LEGISLATIVE COMMITTEE
MARCH 27, 2023, VIDEOCONFERENCE**

ACTION ITEMS.

1. Legislative Items.

a. Recruiting – Definitions and Applications – Student-Athlete Status.

- 1) Recommendation. That the NCAA Division I Council adopt noncontroversial legislation to specify that an individual remains a prospective student-athlete until the individual signs a National Letter of Intent or the institution's written offer of admission and/or financial aid or the institution receives the individual's financial deposit in response to its offer of admission and the individual completes all high school graduation requirements or all transfer academic eligibility requirements and: (1) The individual receives benefits or expenses from the institution that may be provided to a student-athlete; (2) The individual participates in required athletically related activities (including summer athletic activities) at the institution; or (3) The individual enrolls in and attends classes during the institution's summer term before initial full-time enrollment or enrolls in a minimum full-time program of studies and attends classes in a regular term at the institution. (See Attachments A and B for more information.)
- 2) Effective date. Immediate.
- 3) Rationale. Although the recently amended application for student-athlete status remains the appropriate starting point for an individual to become a student-athlete at a particular institution, membership feedback following the implementation of the new definition suggested additional institutional action should be required to formalize the transition from prospective student-athlete to student-athlete. Specifically, this proposal would require an individual who has committed to an institution in writing and completed high school or transfer academic requirements to either receive permissible expenses or benefits from the institution, participate in required summer athletic activities or attend summer classes or a regular, full-time term in order to trigger student-athlete status at that institution. This proposal is recommended as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant disagreement or alternative points of view will not be generated and there does not appear to be a significant impact on existing or proposed legislation, but simply refines the student-athlete triggers based on membership input.
- 4) Estimated budget impact. None.
- 5) Student-athlete impact. None.

b. Athletics Personnel and Recruiting – Limitations on the Number of Coaches and Off-Campus Recruiters – Cross Country.

- 1) Recommendation. That Council adopt noncontroversial legislation, in cross country, to increase, from two to three, the number of countable coaches permitted for institutions that sponsor only men’s and/or women’s cross country, but not indoor or outdoor track and field. Further, to specify that an institution that conducts a combined men’s and women’s cross country program without track and field may only employ up to five countable coaches. (See Attachment C.)
- 2) Effective date. July 1, 2023.
- 3) Rationale. NCAA Proposal No. 2022-28 increased the number of countable coaches in most sports. The adjustments made to the countable coach limits were based in part on feedback received from various stakeholders, including coaches associations, on the number of countable coaches required to support student-athletes in each sport. Although Proposal No. 2022-28 reflected the initial feedback received from the U.S. Track & Field and Cross Country Coaches Association, the impact of the requested countable coach limits on institutions that only sponsor cross country without track and field was not fully considered. This proposal prioritizes the student-athlete experience at institutions that only sponsor cross country without track and field to avoid a detrimental impact of losing coaching support. This proposal is recommended as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant disagreement or alternative points of view will not be generated and there does not appear to be a significant impact on existing or proposed legislation.
- 4) Estimated budget impact. Dependent on institutional decisions.
- 5) Student-athlete impact. None.

2. Nonlegislative Item.

• **Moratorium on 2023-24 Division I Council-Governance Conference-Sponsored Legislative Proposals.**

- 1) Recommendation. For the 2023-24 legislative cycle, that the Council establish a moratorium on Council-governance conference-sponsored legislative proposals.
- 2) Effective Date. Immediate, applicable for the 2023-24 Council-governance legislative cycle.

- 3) Rationale. The Division I Council was tasked by the NCAA Division I Board of Directors with implementing several recommendations in the final report of the NCAA Division I Transformation Committee, including the development of a new Division I decision-making structure which would incorporate greater sport oversight into the legislative process. It is appropriate to establishing a moratorium on conference-sponsored proposals while the membership focuses on developing and implementing a legislative process that best supports the goals of the new decision-making structure. Conferences may continue to submit legislative concepts to appropriate entities in the governance structure for consideration in the new decision-making process.
- 4) Estimated Budget Impact. None.
- 5) Student-Athlete Impact. None.

INFORMATIONAL ITEMS.

1. **Review of Recommendations for Noncontroversial Legislation.** The NCAA Division I Legislative Committee reviewed two concepts recommended as noncontroversial legislation and took the following positions:
 - a. **NCAA Division I Women's Basketball Oversight Committee:** The Legislative Committee agreed the recommendation to modify the effective date of Proposal No. 2022-30 to June 1, 2023, does not meet the criteria to be considered as noncontroversial legislation.
 - b. **NCAA Division I Football Oversight Committee:** The Legislative Committee agreed the anticipated recommendations to amend the football recruiting model do not meet the criteria to be considered as noncontroversial legislation.
2. **NCAA Division I Legislative Committee Modernization of the Rules Subcommittee.** The Legislative Committee received an update from the Modernization of the Rules Subcommittee on its review of the decentralization items identified in the Transformation Committee's final report that were referred to the Legislative Committee by the NCAA Division I Council Coordination Committee.
3. **Review of 2022-23 Division I Council-Governance Legislative Proposals.** The Legislative Committee reviewed the proposals scheduled for consideration by the Council during its April meeting. The committee reviewed a recommendation from the NCAA Division I Committee on Academics to remove Proposal No. 2022-6 from the table. The Legislative Committee does not support the recommendation to remove the proposal from the table, noting the proposal may be more appropriately reviewed once the new Division I decision-making structure is implemented.

4. **Division I Transformation Committee Recommendations.** The Legislative Committee received an update from the subgroups managing the Transformation Committee recommendations related to new membership requirements regarding compliance and the legislative processes needed to support the new decision-making structure. The compliance audit and education subgroup noted that the periodic compliance review should prioritize the areas of institutional compliance integral to serving the needs of student-athletes. Such areas would be updated annually in policies and procedures maintained by the new subcommittee overseeing legislation and interpretations. The periodic review would be conducted by an entity outside of the athletics department. Additionally, the subgroup suggests that an institution be required to annually attest that all individuals outside the athletics department whose job responsibilities directly or indirectly support athletics compliance receive annual NCAA rules education. The NCAA Division I Legislative Committee Legislative Process Subgroup has prioritized developing a legislative process allows the division to adopt legislation in a timely and efficient manner while ensuring adequate membership notice of legislative proposals.
5. **Application Issues Associated with Recently Adopted Four-Year College Transfer Legislation.** The Legislative Committee received an informational update from the subgroup tasked with reviewing issues associated with the application of the accountability measures related to four-year college transfers established with the adoption of Proposal No. 2022-20 (Recruiting, Academic Eligibility and Financial Aid -- Undergraduate Four-Year Transfer Regulations).
6. **NCAA Division I Committee for Legislative Relief Report.** The Legislative Committee received the Committee for Legislative Relief report from its March 1, 2023, videoconference.
7. **NCAA Division I Interpretations Committee Report.** The Legislative Committee received a report from the Interpretations Committee and approved one official interpretation (Reference: 02/12/2023, Item No. 1), as recommended.
8. **Approval of Legislative Committee February Report.** The Legislative Committee approved the report of its February 17 videoconference.

Committee Chair: Alex Ricker-Gilbert, Jacksonville University, ASUN Conference

Staff Liaisons: Emily Capehart, Academic and Membership Affairs

Leeland Zeller, Division I Governance

NCAA Division I Legislative Committee March 27, 2023, Videoconference	
Attendees:	
Lisa Archbald, Northeast Conference.	
Brady Barke, Southeast Missouri State University.	
Jackie Blackett, Columbia University-Barnard College (vice chair).	
Matt Boyer, NCAA Division I Interpretations Committee chair.	
Matt Burgemeister, Atlantic Coast Conference.	
Rick Christensen, NCAA Division I Committee on Student-Athlete Reinstatement chair.	
Ashley Cozad, NCAA Division I Student-Athlete Advisory Committee.	
Daniel Feig, University of South Carolina Upstate.	
Jennifer Heppel, NCAA Division I Committee on Academics.	
Jessica Kumke, Horizon League.	
Stephen LaPorta, NCAA Division I Committee for Legislative Relief chair.	
Julie Owen, Kansas State University.	
Thomas Samuel, Southland Conference.	
Shalini Shanker, Colorado State University.	
Absentees:	
Jeremiah Carter, University of Minnesota.	
Jeremy Jordan, Temple University.	
Alex Ricker-Gilbert, Jacksonville University.	
Molly Sullivan, Butler University.	
NCAA Staff Liaisons in Attendance:	
Emily Capehart and Leeland Zeller.	
Other NCAA Staff Members in Attendance:	
Jenn Fraser and Ty Medd.	

NCAA Division I Proposal Nos. 2022-3 and 2023-XX -- Student-Athlete Status

Division: I

Date Issued: June 03, 2022

Date Published: June 03, 2022

Item Ref: d

Educational Column:

Editor's Note: This educational column was updated on April 13, 2023, to reflect the adoption of NCAA Division I Proposal No. 2023-XX.

Question No. 1: When is an individual considered to have completed all academic requirements for high school graduation?

Answer: When the certifying institution has confirmation from the appropriate academic official that the individual has completed all coursework necessary to be eligible to graduate from their high school.

Question No. 2: When is an undergraduate or two-year college transfer considered to have completed all transfer academic eligibility requirements?

Answer: When the certifying institution has confirmation from the appropriate academic official that the individual has completed all coursework necessary to satisfy applicable transfer requirements at the certifying institution (e.g., would have been academically eligible had they not transferred, completed all coursework for their associate degree, etc.).

Question No. 3: When is a postgraduate transfer considered to have completed all transfer academic eligibility requirements?

Answer: When the certifying institution has confirmation from the appropriate academic official that the individual has completed all degree requirements necessary to be conferred their baccalaureate degree at their institution's next degree conferral date.

Question No. 4: Are there scenarios where an individual could trigger student-athlete status without triggering transfer status?

Answer: Yes. The trigger for student-athlete status and transfer status are separate and distinct; therefore, there are factual scenarios where an individual could trigger student-athlete status without triggering transfer status.

Question No. 5: If an individual triggers student-athlete status at an institution by receiving benefits from the institution, but never enrolls at the institution, is the individual required to reimburse the institution for receipt of those benefits?

Answer: No. There is no requirement for an individual who receives permissible benefits to reimburse an institution the value of those benefits if the individual never enrolls at the institution.

If the individual triggers student-athlete status but does not enroll full time at the first opportunity to do so the individual reverts back to prospective student-athlete status.

Question No. 6: Does NCAA Division I Bylaw 13.5.4 (Transportation Prior to Enrollment) apply to an individual who has triggered student-athlete status?

Answer: No. Once an individual triggers student-athlete status the provisions of Bylaw 16 (Awards, Benefits and Expenses for Enrolled Student-Athletes) apply.

Question No. 7: May an institution provide expenses or support services to an individual who has triggered student-athlete status to help that individual finish initial-eligibility or transfer-eligibility requirements?

Answer: No. Division I Bylaw 16.3.3 (Expenses Related to Initial or Transfer-Eligibility Requirements) continues to prohibit an institution from providing academic expenses or services (e.g., tutoring, test preparation) to assist a student-athlete in completing initial-eligibility or transfer-eligibility requirements or in improving the individual's academic profile in conjunction with a waiver request.

Question No. 8: Would an institution be permitted to provide expenses or other permissible benefits to an incoming prospective student-athlete who is concurrently finishing their last course for their baccalaureate degree at their previous institution?

Answer: No. The proposed changes would not permit the concurrent arrangement because the prospective student-athlete has not yet completed their baccalaureate degree, which is a necessary component of postgraduate transfer requirements (Division I Bylaw 14.6.1).

Question No. 9: Once an individual triggers student-athlete status is the individual counted toward the limits of student-athletes with eligibility remaining who may compete on an outside team?

Answer: Yes. Once an individual triggers student-athletes status the individual is subject to Bylaw 17 limitations, including the limit on number of student-athletes on an outside team.

Question No. 10: Once an individual triggers student-athlete status may the individual participate in an institutional camp or clinic or a noninstitutional camp or clinic that employs an institutional staff member?

Answer: No. Once an individual triggers student-athlete status the individual is subject to Bylaw 17 limitations. Outside the playing season an institutional staff member may not direct, observe or supervise a student-athlete participating in athletically related activities unless otherwise permitted by NCAA legislation (e.g., summer athletic activities, safety exception).

Question No. 11: May a prospective student-athlete and the prospective student-athlete's family members permissibly receive expenses for an official visit to campus after the prospective student-athlete has signed with the institution and completed academic requirements, but immediately

prior to the prospective student-athlete receiving permissible Bylaw 16 benefits or expenses, participating in required athletically related activities or attending classes?

Answer: Yes. The prospective student-athlete and the prospective student-athlete's family members may receive official visit expenses in this manner and the prospective student-athlete is not required to return to the original point of departure. After the conclusion of the official visit time period the prospective student-athlete may remain in the locale of the institution and trigger student-athlete status in accordance with Bylaw 13.02.13.

Question No. 12: If a prospective student-athlete triggers student-athlete status during an official visit to campus (e.g., receives medical expenses, participates in required athletically related activities), is the institution required to immediately cease the official visit for the family members accompanying the individual?

Answer: No. The institution may continue to provide the family members accompanying the individual with official visit expenses provided the institution follows all other official visit legislation (e.g., length of visit).

Question No. 13: How does an individual trigger student-athlete status by receiving permissible benefits and expenses?

Answer: Once an individual commits to the institution in writing and completes all high school graduation or transfer academic requirements the institution may elect to trigger student-athlete status by providing the individual permissible Bylaw 16 benefits or expenses. For example, once an individual signs a National Letter of Intent and graduates high school, the institution could provide the individual with transportation expenses to arrive in the locale of the institution in order to trigger student-athlete status.

Question No. 14: May an individual trigger student-athlete status by receiving permissible benefits or expenses from the institution, participating in required athletically related activities or attending classes if the individual has not committed to the institution in writing and completed high school graduation or transfer academic requirements?

Answer: No. In order to trigger student-athlete status by receiving permissible benefits or expenses from the institution, participating in required athletically related activities or attending classes the individual must first commit to the institution in writing and complete high school graduation or transfer academic requirements.

Division: I

Proposal Number: 2023-

Title: RECRUITING -- DEFINITIONS AND APPLICATIONS -- STUDENT-ATHLETE STATUS

Status: Review

Intent: To specify that an individual remains a prospective student-athlete until the individual signs a National Letter of Intent or the institution's written offer of admission and/or financial aid or the institution receives the individual's financial deposit in response to its offer of admission and the individual completes all high school graduation requirements or all transfer academic eligibility requirements and: (1) The individual receives benefits or expenses from the institution that may be provided to a student-athlete; (2) The individual participates in required athletically related activities (including summer athletic activities) at the institution; or (3) The individual enrolls in and attends classes during the institution's summer term before initial full-time enrollment or enrolls in a minimum full-time program of studies and attends classes in a regular term at the institution.

Category: Amendment

Bylaws: Amend 13.02, as follows:

13.02 Definitions and Applications.

[13.02.1 through 13.02.12 unchanged.]

13.02.13 Prospective Student-Athlete. A prospective student-athlete is a student who has started classes for the ninth grade. In addition, a student who has not started classes for the ninth grade becomes a prospective student-athlete if the institution provides such an individual (or the individual's family members or friends) any financial assistance or other benefits that the institution does not provide to prospective students generally. An individual remains a prospective student-athlete until **the individual signs a National Letter of Intent or the institution's written offer of admission and/or financial aid or the institution receives the individual's financial deposit in response to its offer of admission and the individual completes all high school graduation requirements or all transfer academic eligibility requirements and:**

- (a) *The individual signs a National Letter of Intent or the institution's written offer of admission and/or financial aid or the institution receives the individual's financial deposit in response to its offer of admission; and*
- (b) *The individual completes all high school graduation requirements or all transfer academic eligibility requirements.*

- (a) The individual receives benefits or expenses from the institution that may be provided to a student-athlete (see Bylaw 16);**
- (b) The individual participates in required athletically related activities (including summer athletic activities) at the institution; or**
- (c) The individual enrolls in and attends classes during the institution's summer term before initial full-time enrollment or enrolls in a minimum full-time program of studies and attends classes in a regular term at the institution.**

13.02.13.1 Reversion to Prospective-Student-Athlete Status. An individual who becomes a student-athlete per Bylaw 13.02.13 and does not attend class while enrolled in a minimum full-time program of studies during the first regular academic term after the individual completes all requirements for high school graduation requirements or all transfer academic eligibility requirements becomes a prospective student-athlete until:

- (a) The individual officially registers and enrolls in a minimum full-time program of studies and attends classes in any term of a four-year collegiate institution's regular academic year (excluding summer);
- (b) The individual participates in a regular squad practice or competition at a four-year collegiate institution that occurs before the beginning of any term;

- (c) The individual participates in required summer athletic activities before initial full-time enrollment at the certifying institution;
- (d) The individual officially registers, enrolls and attends classes during the institution's summer term before initial full-time enrollment at the institution; or
- (e) The individual reports to an institutional orientation session that is open to all incoming students within 14 calendar days prior to the opening day of classes of a regular academic year term.

[13.02.13.2 unchanged.]

[13.02.14 through 13.02.20 unchanged.]

Source:

Effective Date: Immediate

Topical Area: Recruiting

Rationale: Proposal No. 2022-3 modernized the application of student-athlete status in order to provide institutions additional flexibility to support student-athletes, reduce the monitoring burdens associated with multiple triggers and align the application of student-athlete status with flexibility provided during the COVID-19 pandemic. Although the recently amended application for student-athlete status remains the appropriate starting point for an individual to become a student-athlete at a particular institution, additional institutional action should be required in order to formalize the transition from prospective student-athlete to student-athlete. The provision of benefits from an institution, participating in required athletically related activities or attending classes represent the formal steps required to apply student-athlete status in addition to committing to the institution in writing and completing high school graduation or transfer academic requirements. This proposal is recommended as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant disagreement or alternative points of view will not be generated and there does not appear to be a significant impact on existing or proposed legislation.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Legislative References

Legislative Cite	Title
13.02	Definitions and Applications.
13.02.13	Prospective Student-Athlete.
13.02.13.1	Reversion to Prospective-Student-Athlete Status.

Division: I

Proposal Number: 2023-

Title: ATHLETICS PERSONNEL AND RECRUITING -- LIMITATIONS ON THE NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- CROSS COUNTRY

Status: Review

Intent: In cross country, to increase, from two to three, the number of countable coaches permitted for institutions that sponsor only men's and/or only women's cross country, but not indoor or outdoor track and field. Further, to specify that an institution that conducts a combined men's and women's cross country program without track and field may only employ up to five countable coaches.

Category: Amendment

Bylaws: Amend 11.7, as follows:

11.7 Limitations on the Number and Duties of Coaches and Noncoaching Staff Members.

[11.7.1 through 11.7.4 unchanged.]

11.7.5 Limitations on Number of Coaches and Off-Campus Recruiters. There shall be a limit on the number of coaches (other than graduate student coaches per Bylaw 11.02.3 and student assistant coaches per Bylaw 11.02.4) who may be employed by an institution and who may contact or evaluate prospective student-athletes off campus in each sport as follows:

Sport	Limit	Sport	Limit
Women's Acrobatics and Tumbling	5	Men's Skiing	3
Baseball	4	Women's Skiing	3
Men's Basketball	6 (only 4 may recruit off campus)	Men's Soccer	4
Women's Basketball	6 (only 4 may recruit off campus)	Women's Soccer	4
Women's Beach Volleyball	3	Softball	4
Women's Bowling	3	Men's Swimming	3
Women's Equestrian	4	Men's Swimming and Diving	4
Men's Fencing	3	Women's Swimming	3
Women's Fencing	3	Women's Swimming and Diving	4
Football, Bowl Subdivision (See Bylaw 11.7.3)	11	Men's Tennis	3
Football, Championship Subdivision (See Bylaw 11.7.4)	13	Women's Tennis	3
Field Hockey	4	Men's Cross Country (No Track and Field)	≥ 3
Men's Golf	3	Men's Track and Field	4
Women's Golf	3	Men's Cross Country/Track and Field	4
Men's Gymnastics	4	Women's Cross Country (No Track and Field)	≥ 3
Women's Gymnastics	4	Women's Track and Field	4

Sport	Limit	Sport	Limit
Men's Ice Hockey	4	Women's Cross Country/ Track and Field	4
Women's Ice Hockey	4	Women's Triathlon	3
Men's Lacrosse	4	Men's Volleyball	4
Women's Lacrosse	4	Women's Volleyball	4
Men's Rifle	3	Men's Water Polo	4
Women's Rifle	3	Women's Water Polo	4
Women's Rowing	7	Men's Wrestling	4
Women's Rugby	4	Women's Wrestling	4

11.7.5.1 Combined Sports Program. An institution that conducts a combined program in a sport (one in which all coaching staff members in the same sport are involved in practice activities or competition with both the men's and women's teams on a daily basis) may employ the total number of coaches specified separately for men and for women in that sport.

[11.7.5.1.1 unchanged.]

11.7.5.1.2 Exception -- Cross Country (No Track and Field). An institution that conducts a combined men's and women's cross country program without track and field may only employ up to five countable coaches.

[11.7.5.2 unchanged.]

Source:

Effective Date: July 1, 2023

Topical Area: Athletics Personnel

Rationale: Proposal No. 2022-28 increased the number of countable coaches in most sports. The adjustments made to the countable coach limits were based in part on feedback received from various stakeholders, including coaches associations, on the number of countable coaches required to support student-athletes in each sport. Although Proposal No. 2022-28 reflected the initial feedback received from the U.S. Track & Field and Cross Country Coaches Association, the impact of the requested countable coach limits on institutions that only sponsor cross country without track and field was not fully considered. This proposal prioritizes the the student-athlete experience at institutions that only sponsor cross country without track and field to avoid a detrimental impact of losing coaching support. This proposal is recommended as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the

proposal in any substantial way, significant disagreement or alternative points of view will not be generated and there does not appear to be a significant impact on existing or proposed legislation.

Estimated Budget Impact: Dependent on institutional decisions.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Legislative References

Legislative Cite	Title
11.7	Limitations on the Number and Duties of Coaches and Noncoaching Staff Members.
11.7.5	Limitations on Number of Coaches and Off-Campus Recruiters.
11.7.5.1	Combined Sports Program.
