



REPORT OF THE  
NCAA DIVISION II LEGISLATION COMMITTEE  
JUNE 20, 2019, TELECONFERENCE

**ACTION ITEMS.**

**1. Legislative Items.**

**a. 2020 NCAA Convention Proposed Legislation -- NCAA Division II Bylaw 14.2.4.1 -- Eligibility -- Seasons of Competition: 10-Semester/15-Quarter Rule -- Criteria for Determining Season of Eligibility -- Minimum Amount of Competition -- Transfer from a Non-Division II Institution -- Exception for Division III Transfers.**

- (1) Recommendation. Amend the 2020 Convention proposed legislation recommendation regarding transfers from a non-Division II institution to establish an exception for a transfer student-athlete from Division III to specify that a Division III student-athlete who is charged with a season of participation for practice only under Division III legislation will not be charged with a season of competition upon transfer to a Division II institution.
- (2) Effective date. Immediate, for a student-athlete who transfers to a Division II institution during the 2018-19 academic year, and thereafter.
- (3) Rationale. Current Division II legislation requires institutions to re-assess a transfer student-athlete's participation history prior to his or her enrollment at the Division II institution to determine if the transfer student-athlete used a season of competition based on Division II legislation. The NCAA Division II Committee on Student-Athlete Reinstatement and the Legislation Committee agreed recommended that a transfer student-athlete's participation should be assessed based on the legislation of the institution where participation occurred and because the student-athlete made the decision based on their understanding of the rules applicable to them at the time when the competition occurred. However, an exception should be established for a Division III transfer who is charged a season of participation for practice under Division III legislation to allow that individual to transfer and not be charged with use of those seasons in Division II. This maintains the current application for Division III transfers to Division II.
- (4) Estimated budget impact. None.

- (5) Student-athlete impact. A Division III transfer student-athlete who was charged a season of participation for practice only in Division III would not be charged with use of a season of competition in Division II upon transfer.

**b. Noncontroversial Legislation -- Various Bylaws -- Eliminate Requirements to Report or and Keep on File.**

- (1) Recommendation. Adopt noncontroversial legislation to eliminate requirements to report certain information to the NCAA; further, to specify that certain documents and forms shall be kept on file and shall be made available for examination upon request by an authorized representative of the NCAA.
- (2) Effective date. Immediate.
- (3) Rationale. Current legislation requires certain information to be kept on file with a member institution as well as report certain information to the NCAA. Eliminating these requirements and requiring an institution to keep certain documents and forms on file and make them available for examination upon request will provide Division II institutions with the flexibility to create appropriate and consistent policies regarding their adherence to NCAA legislation. Importantly, removing documentation requirements does not absolve an institution from adhering to the legislation.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

**c. Noncontroversial Legislation -- NCAA Bylaw 13.1.7.2 -- Recruiting -- Contacts and Evaluations -- Contact Restrictions at Specified Sites -- Practice or Competition Site -- Contact After Competition.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Division II Bylaw 13.1.7.2 (practice or competition site) to eliminate restrictions related to contact with a prospective student-athlete involved in competition such that contact may occur after the prospective student-athlete's competition concludes for the day and the prospective student-athlete has been released from the competition by the appropriate authority, as specified.
- (2) Effective date. Immediate.

- (3) Rationale. Current legislation prohibits an institution's coach from having on- or off-campus contact with a prospective student-athlete when the prospective student-athlete is "on call" for competition, including when he or she is competing on the institution's campus or in the locale of the institution. The legislation also prohibits a prospective student-athlete from visiting an institution's campus during a road trip with his or her team. The legislation is more restrictive for a prospective student-athlete who travels with a team as a formal team activity (e.g., with other teammates and coaches), as opposed to a prospective student-athlete who travels to competitions and stays with his or her parents or legal guardians. This proposal is intended to permit a prospective student-athlete to visit an institution's campus or have contact with coaches, either with a team or individually, when he or she is not involved in competition-related activities. Such visits or contacts will not be permissible unless the appropriate team authority has released the prospective student-athlete following competition. This proposal maintains the prohibition on contact before competition, which allows the prospective student-athlete to focus on competition-related activities.
- (4) Estimated budget impact. Potential reduction in recruiting costs.
- (5) Student-athlete impact. None.

**d. Noncontroversial Legislation -- Bylaw 13.15 -- Precollege Expenses -- Reorganization.**

- (1) Recommendation. Adopt noncontroversial legislation to reorganize Bylaw 13.15 (precollege expenses), as specified.
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 NCAA Convention, the governance structure began assessing the culture of compliance and reviewed legislation to ensure its alignment with the compliance resources available on Division II campuses. Organizing the legislation in a more straightforward manner will assist member institutions in understanding and applying the precollege expenses legislation.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

**e. Noncontroversial Legislation -- Bylaw 17.10 -- Playing and Practice Seasons -  
- Football -- Preseason Practice -- Five-Day Acclimatization Period -- Use of  
Footballs.**

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 17.10.2.3 (five-day acclimatization period) to permit the use of footballs during walk-throughs during the five-day acclimatization period. [See Attachment]
- (2) Effective date. Immediate.
- (3) Rationale. This proposal aligns the five-day acclimatization period with the legislation governing Bylaw 17.10.2.4 (preseason activities after five-day acclimatization period), which permits the use of footballs during walk-throughs. Allowing footballs during walk-throughs is not contrary to the Interassociation Consensus Year-Round Football Practice Contact for College Student-Athletes Recommendations and is supported by the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports. Further, this proposal will establish one standard for the entirety of the preseason practice period. Division I adopted similar legislation in January 2019.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

**2. Nonlegislative Items.**

- None.

**INFORMATIONAL ITEMS.**

- 1. Review of Feedback from the NCAA Division II Athletics Directors Association Regulatory Advisory Group Regarding Private Lessons.** The committee reviewed feedback from the Division II Athletics Directors Association Regulatory Advisory Group as well as previous feedback from the Division II Coaches Connection groups and Division II the National Association of Athletics Compliance regarding the current private lessons legislation. Due to the varying feedback, the committee determined a legislative change was not necessary at this time.
- 2. Division II University Update.**

- a. **Update on 2019-20 Coaches Certification Curriculum.** The committee received an update on the six required courses for the 2019-20 coaches certification. As of the date of the committee's teleconference, more than 10,000 Division II users have been enrolled in the required curriculum and almost 4,000 users have successfully completed all six courses.
  - b. **Discussion Regarding Required Curriculum Policies and Procedures.** The committee discussed the policies and procedures for the 2019-20 required curriculum. The committee noted that the feedback on the modules has been generally positive and the curriculum has been well received, especially in comparison to the previous coach's coaches' test. The committee will review data pertaining to the five-question quiz at the end of each module at the November 2019 in-person meeting. The committee also discussed a recommendation from the Great Northwest Athletic Conference to require student-athletes to complete modules in Division II University on an annual basis. The committee noted that the concept was not feasible to implement at this time due to system challenges as well as additional burden on institutional compliance administrators. The committee acknowledged the merit of expanding educational offerings to groups other than coaches in the future and that the Division II Student-Athlete Advisory Committee should be involved in any discussions related to required student-athlete education.
  - c. **Update on Courses in Development and Identification of Future Courses.** The committee received an update on the status of the courses in development (affirmation of compliance for presidents and chancellors and directors of athletics; championships and regionalization; and countable athletically related activities/voluntary athletically related activities).
3. **Update on Academic-Related Issues.** The committee was provided an update from the Division II Academic Requirements Committee, which recommended noncontroversial legislation to eliminate Bylaw 14.3.1.6.4 (seasons of competition – nonqualifier). Additionally, staff confirmed the necessity for early academic qualifiers to submit final transcripts to ensure the division has comprehensive and accurate data on the academic records of incoming student-athletes should a future review of initial eligibility requirements be necessary.
4. **Review of Feedback from the Division II Student-Athlete Advisory Committee on Proposal No. 2019-6 and Application to Student-Athletes Who Have Exhausted Eligibility.** The committee discussed the application of 2019 NCAA Convention Division II Proposal No. 2019-6 (recruiting -- sports camps and clinics -- institution's sports camps and clinics -- definition -- football and basketball -- elimination of timing restrictions -- prohibition of student-athlete employment at institutional camps and clinics during the legislated winter break) to student-athletes who have exhausted eligibility during the fall

term. The committee agreed to issue an official interpretation to clarify that it is permissible for a student-athlete who has exhausted eligibility in the fall term to be employed at an institutional camp or clinic during the legislated winter break, as follows:

Exhausted Eligibility Student-Athlete Employment at an Institutional Camp or Clinic During the Winter Break (II).

The Legislation Committee confirmed that a student-athlete who exhausted eligibility during the fall term may be employed at an institutional camp or clinic during the winter break immediately following the term.

[References: NCAA Bylaws 13.12.2.2.2.1 (exception - winter break) and 17.02.18 (winter break)]

5. **Review of Feedback on Football-Related Issues.** The committee reviewed feedback from the NCAA Division II Football Committee, Division II Football Coaches Connection and NCAA Committee on Competitive Safeguards and Medical Aspects of Sports related to two football issues: (1) whether use of footballs should be permitted during walk-throughs during the five-day acclimatization period; and (2) whether football teams should be required to provide two days off per week during the spring practice period. The committee agreed to recommend a noncontroversial legislative change to permit use of footballs during walk-throughs during the five-date acclimatization period, noting the support of the Committee on Competitive Safeguards and Medical Aspects of Sports [See Legislative Action Item No. 1e]. The committee did not recommend requiring two days off during the spring practice period. Due to the adoption of Division II Proposal No. 2019-8 (playing and practice seasons -- football -- out-of-season athletically related activities -- spring practice -- 36-consecutive calendar days), which expanded the window in which the 15 permissible practice dates can occur, such a change was not necessary at this time.
6. **2020 NCAA Convention Membership-Sponsored Proposal Update.** The committee received an update on potential membership-sponsored proposals for the 2020 NCAA Convention. The committee agreed to review the proposals submitted by the membership and make recommendations for referrals to the governance structure via email.
7. **Approval of the March 11-12, 2019, Legislation Committee In-Person Meeting Report.** The committee reviewed and approved its March 11-12, 2019, in-person meeting report.
8. **Review of the April 15, 2019, Interpretations Subcommittee of the NCAA Division II Legislation Committee Report.** The committee reviewed and approved the April 15, 2019, Interpretations Subcommittee teleconference report.

9. **Review of the May 6, 2019, Legislative Review Subcommittee Teleconference Report.** The committee reviewed and approved the May 6, 2019, Legislative Review Subcommittee teleconference report. The committee approved the subcommittee's recommendation for sponsorship of three noncontroversial proposals [see Legislative Action Item No. 1b-through 1d]. The committee noted feedback from the Division II Volleyball Coaches Connection supporting the legislative concept regarding contact at the site of competition.
10. **Review of the April/May 2019 Presidents Council and Management Council Summary of Actions.** The committee received an update on the actions taken at the April/May 2019 Presidents Council and Management Council quarterly meetings.
11. **Subcommittee Appointments.** The committee appointed Carlin Chesick, associate commissioner/senior woman administrator, Pennsylvania State Athletic Conference, Brian Summers, director of athletics, Christian Brothers University, and the replacement for Brent Heaberlin to the Interpretations Subcommittee, effective August 1, 2019. The committee appointed Scott Young, senior associate athletics director for compliance, University of Indianapolis, to chair the Interpretations Subcommittee effective August 1, 2019. The committee appointed Jason Stock, associate director of athletics, compliance California State University, San Marcos, to the Legislative Review Subcommittee, effective August 1, 2019.
12. **Recognition of Outgoing Members.** The committee recognized the service of three outgoing members: Molly Belden, associate commissioner for compliance, Northeast-10 Conference; Peggy Davis, director of athletics, Virginia State University; and Chris Gregor, senior compliance administrator, Saint Martin's University.
13. **Future Meeting Dates.**
  - a. November 4-5, 2019, in-person meeting; Indianapolis.
  - b. March 9-10, 2020, in-person meeting; Indianapolis.
  - c. June 22-23, 2020, in-person meeting; Indianapolis.

*Committee Chair:* Cherrie Wilmoth, Southeastern Oklahoma State University

*Staff Liaison(s):* Karen Wolf, Academic and Membership Affairs  
Geoff Bentzel, Academic and Membership Affairs  
Chelsea Hooks, Academic and Membership Affairs

<b>NCAA Division II Legislation Committee June 20, 2019, Teleconference</b>	
<b>Attendees:</b>	
Molly Belden, Northeast-10 Conference.	
Peggy Davis, Virginia State University.	
Chris Gregor, Saint Martin's University.	
Diana Kling, Peach Belt Conference.	
Scott Larson, Lubbock Christian University.	
David Marsh, Northwood University.	
Darnell Smith, University of Central Oklahoma.	
Keith Vitense, Cameron University.	
Cherrie Wilmoth, Southeastern Oklahoma State University.	
Scott Young, University of Indianapolis.	
<b>Absentees:</b>	
Laura Liesman, Georgian Court University.	
Deiontae Nicholas, Wayne State University (Michigan).	
<b>Guests in Attendance:</b>	
None.	
<b>NCAA Staff Support in Attendance:</b>	
Geoff Bentzel, Chelsea Hooks and Karen Wolf.	
<b>Other NCAA Staff Members in Attendance:</b>	
Terri Steeb Gronau, Maritza Jones, Stephanie Quigg Smith, and Rachel Stark-Mason and Terri Steeb Gronau.	