



REPORT OF THE
NCAA DIVISION II LEGISLATION COMMITTEE
JUNE 25-26, 2024, VIDEOCONFERENCE

ACTION ITEMS.

1. Legislative Items.

a. Noncontroversial Legislation -- NCAA Division II Bylaw 12.1.2 -- Name, Image and Likeness -- Institutional Involvement.

- (1) Recommendation. Adopt noncontroversial legislation to establish regulations for permissible institutional involvement associated with name, image and likeness (NIL) activities, as specified.
- (2) Effective date. Immediate.
- (3) Rationale. To effectively protect student-athletes and meaningfully regulate NIL activities, new solutions, including legislation directly addressing NIL activities, are required. Institutions do not need Association-wide regulation to know the best ways to support their student-athletes with obtaining NIL opportunities, including whether to contract with third-party providers, so long as student-athletes are given independent authority over the terms of their agreements and are not indirectly or directly compensated by the institution. Providing institutions with discretion to determine the type of assistance they provide student-athletes allows institutions to make local decisions that best fit their circumstances and the needs and desires of their student-athletes. Although this proposal permits institutions to contract with third-party service providers to provide student-athletes the same support an institution is permitted to provide, the proposal does not permit institutions to contract with third parties to do what institutions are not permitted to do (e.g., provide indirect or direct compensation for use of NIL).
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

b. Noncontroversial Legislation -- Bylaw 14.7 -- Eligibility -- Outside Competition, Effects on Eligibility -- Participation During the Nonchampionship Segment.

- (1) Recommendation. Adopt noncontroversial legislation to permit student-athletes to participate in outside competition during the nonchampionship segment.
- (2) Effective date. August 1, 2025.

- (3) Rationale. Currently, student-athletes may participate in outside competition provided the competition does not occur during the institution's intercollegiate season in the sport, which includes both the championship and nonchampionship segment. This proposal would permit a student-athlete to participate in outside competition during their sport's nonchampionship segment, while still making it impermissible for a student-athlete to participate in outside competition during their sport's championship segment.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. This proposal will provide student-athletes with additional opportunities to participate in outside competition.

c. Noncontroversial Legislation -- Bylaw 14.7.6 -- Eligibility -- Outside Competition, Effects on Eligibility -- Collegiate All-Star Contests -- Eliminate Prohibition.

- (1) Recommendation. Adopt noncontroversial legislation to eliminate the prohibition on student-athletes competing in collegiate all-star contests.
- (2) Effective date. Immediate.
- (3) Rationale. Under current legislation, a student-athlete with remaining eligibility is precluded from participating in a collegiate all-star contest. If a student-athlete participates in a collegiate all-star contest, they will be denied any remaining eligibility in that sport. By eliminating this prohibition, a student-athlete's eligibility will no longer be impacted due solely to participation in a collegiate all-star contest. Instead, a student-athlete's participation in a collegiate all-star contest will be treated in a similar manner as their participation in any other outside competition.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

d. Noncontroversial Legislation -- Bylaw 16 -- Awards, Benefits and Expenses for Enrolled Student-Athletes -- Modernization and Deregulation.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 16 (awards, benefits and expenses for enrolled student-athletes), as specified. [Attachment A]
- (2) Effective date. August 1, 2025.

(3) Rationale. Following the adoption of the new constitution at the 2022 NCAA Convention, the NCAA Division II Presidents Council, now named the NCAA Division II Executive Board, established the NCAA Division II Implementation Committee, which was charged with starting and leading the division's work. The Implementation Committee reviewed the division's rules and policies and made recommendations to ensure that changes were consistent with the principles agreed upon in the new constitution. The NCAA Division II Legislation Committee determined that amending Bylaw 16 as recommended will simplify the application of the legislation and provide Division II institutions with more autonomy and discretion.

(4) Estimated budget impact. None.

(5) Student-athlete impact. None.

e. Noncontroversial Legislation -- Bylaw 17.11.9 -- Playing and Practice Seasons -- Out-of-Season Athletically Related Activities -- Use of Helmets and Spider Pads.

(1) Recommendation. Adopt noncontroversial legislation to specify, in football, that protective equipment is restricted to helmets and spider pads during noncontact spring practice sessions.

(2) Effective date. Immediate.

(3) Rationale. Current legislation limits protective equipment during noncontact spring practice sessions to headgear. By limiting protective equipment during noncontact spring practice sessions to helmets and spider pads, the legislation would align with other noncontact practice sessions that occur throughout the football playing and practice season (e.g., the preseason acclimatization period).

(4) Estimated budget impact. None.

(5) Student-athlete impact. None.

f. Noncontroversial Legislation -- Bylaw 17.13.4 -- Playing and Practice Seasons -- Gymnastics -- End of Regular Playing Season -- Women's Collegiate Gymnastics National Invitational Championship.

(1) Recommendation. Adopt noncontroversial legislation to amend the name of the USA Gymnastics championship event. [Attachment B]

(2) Effective date. August 1, 2024.

- (3) Rationale. Beginning with the 2024-25 academic year, USA Gymnastics will no longer be involved in running the gymnastics championship but will transition to being a sponsor of the championship. This change will codify the new name of the gymnastics championship. A similar change has also been requested to be made in Divisions I and III.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

g. Noncontroversial Legislation -- Bylaw 17.24.7 -- Playing and Practice Seasons -- Tennis -- Number of Dates of Competition -- Maximum Limitations -- Institutional and Student-Athlete -- Intercollegiate Tennis Association Indoor Tournament.

- (1) Recommendation. Adopt noncontroversial legislation to specify that the Division II Intercollegiate Tennis Association (ITA) Indoor Tournament shall count as one date of competition.
- (2) Effective date. Immediate.
- (3) Rationale. The Division II Intercollegiate Tennis Association Indoor Tournament, which occurs in February each year, currently counts as three dates of competition for institutions. This proposal would permit this tournament to only count as one date of competition.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

2. Nonlegislative Items.

a. Request for Feedback from the NCAA Division II Student-Athlete Advisory Committee -- Institutional Camp or Clinic Photograph.

- (1) Recommendation. That the NCAA Division II Management Council request that the NCAA Division II Student-Athlete Advisory Committee provide feedback on whether a photograph of a prospective student-athlete, where the prospective student-athlete is identifiable, taken while at an institutional camp or clinic, may be used by an institution to advertise their institutional camp or clinic.
- (2) Effective date. Immediate.

- (3) Rationale. Under current legislation, an institution may not use identifiable photographs and/or videos of a prospective student-athlete in camp or clinic information and/or advertisements, if the prospective student-athlete has not signed a National Letter of Intent, the institution's written offer of admission and/or financial aid, or if the institution has not received their financial deposit in response to the institution's offer of admission. However, an institution may post a camp photograph that includes a prospective student-athlete to one of their social media accounts provided the prospective student-athlete's appearance in the photo is part of an action shot, is not staged (e.g., candid), there is not a focus on one prospective student-athlete and the prospective student-athlete is not identifiable. During its discussion, the Legislation Committee discussed amending Bylaw 13.10 (publicity) to permit an institution to use a photograph of an identifiable prospective student-athlete that attends the institutional camp or clinic to advertise the institutional camp or clinic and agreed to seek feedback from the Student-Athlete Advisory Committee before making a recommendation.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

b. Request for Feedback from the Division II Student-Athlete Advisory Committee, NCAA Division II Committee for Legislative Relief, NCAA Division II Coaches Connection and Division II Conference Commissioners Association Compliance Administrators -- Bylaws 14.2.4.2.1.3, 14.2.4.2.1.3.1 and 14.2.4.2.1.3.2.

- (1) Recommendation. That the Management Council request the Student-Athlete Advisory Committee, Committee for Legislative Relief, Coaches Connection groups and Conference Commissioners Association Compliance Administrators provide feedback on whether the academic year in residence requirement under the organized competition legislation should be eliminated.
- (2) Effective date. Immediate.
- (3) Rationale. As part of the work of the Implementation Committee, the Legislation Committee was charged with reviewing Bylaw 14 (eligibility: academic and general eligibility). The committee completed their review and supported the elimination of the academic year in residence requirement associated with the organized competition legislation. The

committee is requesting feedback on whether the concept is appropriate and whether there are any unintended consequences.

(4) Estimated budget impact. None.

(5) Student-athlete well-being. None.

INFORMATIONAL ITEMS.

- 1. Discussion regarding the Division II Implementation Committee Legislative Process and Compliance Subcommittee priority two and three items.** The committee continued its discussion on the Implementation Committee's Legislative Process and Compliance Subcommittee's priority two and three items. Specifically, the committee reviewed a draft of the Bylaw 13 (recruiting) proposal and approved the draft, as amended.

The committee also reviewed feedback from the Management Council and the CCACA and recommended noncontroversial legislation to amend Bylaw 16 (awards, benefits and expenses for enrolled student-athletes), as specified [see Legislative Action Item No. 1d]. The committee will review an updated draft at its September videoconference.

Further, the committee concluded its review of Bylaw 14 (eligibility: academic and general requirements) and discussed next steps regarding membership feedback. The committee requested feedback from the Student-Athlete Advisory Committee, Committee for Legislative Relief, Coaches Connection groups and CCACA and will review the feedback at its September videoconference [see Nonlegislative Action Item No. 1b].

Finally, the committee began its initial discussion regarding Bylaw 15 (financial aid) and continued its discussion regarding Bylaw 17 (playing and practice seasons). The committee will continue its discussion at its November in-person meeting.

- 2. Review of the sports wagering legislation.** The committee reviewed and discussed the sports wagering legislation. Specifically, the committee provided feedback on amending the sports wagering legislation to permit sports wagering on professional athletics activities. The committee was supportive of amending the sports wagering legislation to permit sports wagering on any professional athletics activities and not adding restrictions. The committee expressed the need to focus on educating student-athletes on the impact surrounding wagering on professional athletics activities.
- 3. Update regarding Name, Image and Likeness in Division I.** The committee received an update regarding NIL in Division I. Specifically, the committee received an update on the adoption of NCAA Division I Proposal No. 2024-3 (NIL activities -- role of institutions) and discussed whether a similar legislative change should be recommended for Division II. The committee recommended noncontroversial legislation to permit Division II institutions to assist Division II student-athletes in their NIL activities [see Legislative Action Item No. 1a].

Further, the committee received an update on the adoption of Division I Proposal No. 2024-2 (NIL activities -- disclosure of NIL activities) and discussed whether a similar legislative change should be recommended for Division II. During the March 26-27 in-person meeting, the committee discussed Division I Proposal No. 2023-58 (NIL activities -- student-athlete protections) and determined that disclosure of a student-athlete's NIL deal(s) to campus administrators should be left to institutional policy and state law. With the adoption of Division I Proposal No. 2024-2, which amends Division I Proposal No. 2023-58 and allows a Division I student-athlete to elect to disclose NIL information, the committee discussed whether a similar change is necessary in Division II. The committee confirmed that disclosure should continue to be dictated by institutional policy and state law.

- 4. Referral from the Division II Academic Requirements Committee regarding the June 15 written notification of transfer date.** The committee continued its discussion regarding the June 15 written notification of transfer date and a potential consequence for a Division II student-athlete's failure to meet the deadline. Further, the committee reviewed the feedback provided by the Management Council regarding a potential consequence tied to the failure to provide written notification of transfer by the June 15 deadline.

The committee also discussed Bylaw 15.5.4.1 (reduction or cancellation permitted) which permits an institution to reduce or cancel an athletics aid agreement signed for the next academic year if a Division II student-athlete provides written notification of transfer. The committee determined that since a Division II institution may currently reduce or cancel the athletics aid agreement signed for the next academic year, there is already a consequence in place when a Division II student-athlete fails to provide written notification of transfer by June 15.

The committee also noted that since it has been communicated to the Division II membership that there would be no consequence for the 2024-25 academic year, the application of Bylaw 15.5.4.1 will begin to apply for the 2025-26 academic year (e.g., if a student-athlete provides written notification of transfer after June 15, 2025, then the institution may cancel an athletics aid agreement signed for the 2025-26 academic year).

Finally, the committee requested staff present data for them to review during its September 2025 videoconference that outlines the number of Division II student-athletes that entered the NCAA Transfer Portal after the June 15 written notification of transfer deadline.

- 5. Review of the referral to the Student-Athlete Advisory Committee regarding the publicity legislation.** The committee continued its discussion on Bylaw 13.10 (publicity) and reviewed feedback from the Student-Athlete Advisory Committee on whether it was appropriate to eliminate Bylaw 13.10 (publicity). Based on the feedback, the committee determined that eliminating Bylaw 13.10 (publicity) was not appropriate at this time. The committee did agree to seek feedback from the Student-Athlete Advisory Committee

regarding an institution's use of a prospective student-athlete's photograph to advertise their institutional camp or clinic [see Nonlegislative Action Item No. 1a].

6. **Discussion regarding Division I institutions contacting Division II student-athletes outside of the applicable Division I transfer window.** During its November 29-30, 2023, in-person meeting, the committee recommended a legislative change to limit Division I institutions from contacting Division II student-athletes outside of the applicable Division I sport transfer window. Since then, some questions regarding the restrictive application of the recommendation were raised. Specifically, if the recommendation was adopted, a Division I institution would not be able to contact a Division II student-athlete, that was permissibly entered into the Transfer Portal, outside of the applicable Division I sport transfer window; whereas other student-athletes in Divisions I and III in the Transfer Portal would be able to be contacted by any institution. The committee recommended that the Management Council not move the legislative recommendation that the council approved in concept during its January 10, 2024, in-person meeting. The committee believes once Division II student-athletes are placed in the Transfer Portal, Division II legislation should not regulate the contact opportunities available to Division II student-athletes.
7. **Review of the referral to the NCAA Division II Football Committee regarding use of protective equipment during noncontact spring practice.** During its November 29-30, 2023, in-person meeting, the Legislation Committee requested the Football Committee review Division I Proposal No. 2023-31 (playing and practice seasons -- football --spring practice -- use of spider pads) and provide feedback on whether protective equipment used during noncontact spring practice sessions should be restricted to helmets and spider pads, similar to noncontact practice sessions during the preseason acclimatization period. Based on the feedback from the Football Committee, the Legislation Committee recommended sponsoring noncontroversial legislation [see Legislative Action Item No. 1e].
8. **2025 NCAA Convention membership-sponsored proposals update.** The committee received an update on potential membership-sponsored proposals for the 2025 Convention. Further, the committee discussed the membership-sponsored proposal that would permit Division II institutions to count the ITA Indoor Tournament as one date of competition. The committee recommended sponsoring the proposal as noncontroversial legislation, as opposed to it moving forward as legislation for the 2025 Convention [see Legislative Action Item No. 1g].
9. **Update on the National Letter of Intent program.** The committee received an update on the recent discussions surrounding the National Letter of Intent (NLI) program. Specifically, the committee received an update on the potential recommendation from the Division I NLI Policy and Review Committee to eliminate the NLI program based on the current recruiting environment. The committee was asked to review the core benefits of the NLI program (celebratory signing, signing period and recruiting ban) and determine whether they could be incorporated into the current institutional financial aid agreement. Additionally, to assist in the review, the committee received an update that a working group

- (Signing Working Group), that will consist of Legislation Committee and NLI Advisory Group members, will be established. The committee elected Matt Green, senior associate director of athletics for internal operations, Flagler College; Ashley Grimm, associate director of athletics, Shippensburg University of Pennsylvania; and Kristina Ortiz, assistant director of athletics for compliance/senior woman administrator, Georgian Court University, to represent the committee, effective July 2024. The committee will review the final recommendation from the Signing Working Group at its September videoconference.
10. **Request from the USA Gymnastics Championships Committee.** The committee reviewed a request from the USA Gymnastics Championships Committee regarding the name change to the USA Gymnastics Championships and recommended noncontroversial legislation to amend the name of the championship [see Legislative Action Item No. 1f].
 11. **Division II University update.** The committee received an update on the five required courses for the 2024-25 coach's certification. As of June 25, 2024, over 2,828 users completed the required curriculum while 9,316 users were enrolled.
 12. **Update from the NCAA Board of Governors.** The committee received an update from the NCAA Board of Governors' most recent meeting.
 13. **Update from the NCAA Division II Executive Board and Management Council spring 2024 meetings.** The committee received an update on the actions taken at the spring 2024 Division II Executive Board and Management Council quarterly meetings.
 14. **Review of the NCAA Division II Legislation Committee Policies and Procedures.** The committee reviewed and approved updates to its policies and procedures.
 15. **Review of the March 1, 2024, videoconference and March 26-27, 2024, in-person meeting reports.** The committee reviewed and approved its March 1, 2024, videoconference and March 26-27, 2024, in-person meeting reports.
 16. **Review of the May 20, 2024, and June 7, 2024, electronic voting reports of the Division II Legislation Committee Legislative Review Subcommittee.** The committee reviewed and approved the Legislative Review Subcommittee's May 20, 2024, electronic voting report. Further, the committee reviewed and approved the subcommittee's June 7, 2024, electronic voting report and approved the subcommittee's recommendations regarding two pieces of noncontroversial legislation [see Legislative Action Item Nos. 1b and 1c].
 17. **Subcommittee Appointment.** The committee appointed Ashley Grimm, associate director of athletics, Shippensburg University of Pennsylvania, to the Interpretations Subcommittee, effective immediately.

18. Future meeting dates.

- a. September 2024, videoconference; date to be determined.
- b. November 18-19, in-person meeting; Indianapolis.
- c. March 18-19, 2025, in-person meeting; Indianapolis.
- d. June 2025, videoconference; date and timing to be determined.

Committee Chair: Audra Kedy, Great American Conference
Staff Liaison(s): Rachel Denton, Academic and Membership Affairs
Chelsea Hooks, Academic and Membership Affairs
Megan Villanueva, Academic and Membership Affairs

NCAA Division II Legislation Committee June 25-26, 2024, Videoconference	
Attendees:	
Kara Amos, Missouri Southern State University.	
Matt Green, Flagler College.	
Ashley Grimm, Shippensburg University of Pennsylvania.	
Audra Kedy, Great American Conference.	
Dawn Makofski, University of Montevallo.	
Kristina Ortiz, Georgian Court University.	
Roberta Page, Slippery Rock University of Pennsylvania (Management Council chair).	
Christopher Ratcliff, Rogers State University.	
Deborah Rodgers, Tuskegee University.	
Suzanne Sanregret, Michigan Technological University.	
Kevin Schriver, Southwest Baptist University.	
Melissa Thacker, Cameron University.	
Vaughn Williams, Bentley University.	
Absentees:	
Cullen Dore, Francis Marion University.	
NCAA Staff Support in Attendance:	
Rachel Denton, Chelsea Hooks and Megan Villanueva.	
Other NCAA Staff Members in Attendance:	
Brooke Dixon, Terri Steeb Gronau, Molly Hansen, Maritza Jones, Susan Peal, Angela Red and Jared Tidemann.	



NCAA Division II Legislation Committee
 Bylaw 16 (Awards, Benefits and Expenses for Enrolled Student-Athletes)
 Priority Two and Three Items

Noncontroversial Legislation

DIVISION II BYLAW	ACTION	RECOMMENDATION
16.01 (general principles)	Amend	To permit institutions to use institutional discretion to provide reasonable benefits and expenses in limited extenuating circumstances beyond the control of the student-athlete to support a student-athlete's personal health, safety and well-being (e.g., natural disaster, life threatening emergency).
16.1 (awards)	Eliminate	To eliminate the awards legislation and allow Division II institutions and conferences to use institutional discretion to provide student-athletes with awards.
16.1.6 (expenses to receive noninstitutional awards)	Eliminate	To eliminate the restriction that only two of the student-athlete's relatives or legal guardians may receive expenses to attend the recognition event or awards presentation.
16.2 (complimentary admissions and ticket benefits)	Eliminate	To eliminate the restriction on the number of complimentary admissions an institution may provide student-athletes for home or away contests in their sport (Bylaw 16.2.1.1), partial qualifiers for home contests in their sport (Bylaw 16.2.1.1.1) and student-athletes participating in an NCAA championship or bowl game (Bylaw 16.2.1.1.2).
16.2.1.2 (general regulations)	Amend	To permit an institution to provide complimentary admissions in any manner as determined by institutional policy.
16.3 (academic, career and other support services)	Amend	To permit an institution to finance academic, career and other support services for student-athletes at the institution's discretion.
16.5.1-(a) through (d) (permissible) and 16.5.1.1 (effect of violation -- preseason practice expenses)	Eliminate	To eliminate the current restrictions on meals, housing and vacation period expenses; further, to permit an institution to provide meals, housing and vacation period expenses to student-athletes, incidental to their participation in intercollegiate athletics at their discretion.
16.5.1-(f) (permissible -- occasional meals)	Amend	To permit an institution, representatives of athletics interests and other individuals to provide student-athletes with meals and snacks at any time on an occasional basis per institutional policy.
16.7 (entertainment incidental to participation in intercollegiate athletics)	Amend	To permit an institution to provide reasonable entertainment to student-athletes at any time.

DIVISION II BYLAW	ACTION	RECOMMENDATION
16.8.1 (permissible)	Amend	To permit an institution to provide travel expenses for ineligible student-athletes to attend away-from-home competition. Further, to specify that an ineligible student-athlete that receives travel expenses to attend away-from-home competition shall not miss class time.
16.8.1.3 (incidental expenses at NCAA Championships, National Governing Body Championships in Emerging Sports and Bowl Games)	Amend	To permit an institution to cover student-athletes' unitemized incidental expenses during travel and practice for NCAA championship events or national governing body championship events in emerging sports per institutional policy.
16.9 (permissible travel expenses)	Amend	To permit an institution to provide student-athletes with reasonable transportation per institutional policy.
16.11 (benefits, gifts and services)	Amend	To combine Bylaw 16.11.1 (general rule) and Bylaw 16.11.2 (nonpermissible) and its subsections and amend the legislation to specify that a student-athlete (or their relatives or friends) shall not receive a benefit not expressly authorized by NCAA legislation or receive a benefit from the institution or representatives of the institution's athletics interest unless it is demonstrated that the same benefit is generally available to the institution's students (or their relatives or friends).
16.11.2.5 (athletics equipment)	Amend	To permit student-athletes to accept free of charge or at a discounted or reduced price, athletics equipment, supplies or clothing (e.g., tennis racquets, golf clubs, hockey sticks, balls, shirts) from a manufacturer or commercial enterprise regardless of whether the items are necessary for practice or competition.