



**REPORT OF THE
NCAA DIVISION II LEGISLATION COMMITTEE
NOVEMBER 5-6, 2018, IN-PERSON MEETING**

ACTION ITEMS.

1. Legislative Items.

a. 2020 NCAA Convention Legislation – NCAA Bylaw 12.1.3 – Amateurism – General Regulations – Permissible – Following Initial Full-Time Collegiate Enrollment – Actual and Necessary Expenses From an Outside Amateur Sports Team or Organization – Donations From Outside Sponsors – Institutional Staff Members.

- (1) Recommendation. Sponsor legislation for the 2020 Convention to amend Bylaw 12.1.3-(b)-(1) (donation from outside sponsors) to permit a student-athlete to receive actual and necessary expenses from an institutional staff member, excluding athletics department staff members, to participate as a member of an outside team.
- (2) Effective date. August 1, 2020.
- (3) Rationale. Following the 2016 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. Current legislation permits an individual to receive actual and necessary expenses from an outside sponsor other than an agent, a representative of an institution's athletics interests or professional sports organization. This proposal provides the opportunity for enrolled student-athletes to seek out additional permissible financial resources from institutional staff members, other than an athletics department staff member, to support their athletics aspirations without compromising the fundamental purpose of the collegiate model. It would remain impermissible for a student-athlete to receive expenses from an agent, representative of an institution's athletics interests that is not an institutional staff member or professional sports organization.
- (4) Estimated budget impact. Will vary.
- (5) Student-athlete impact. Student-athletes would be permitted to receive expenses for outside competition from institutional staff members, as specified.

b. Noncontroversial Legislation – Bylaw 12.1.4 – Amateurism – General Regulations – Impermissible-Following Initial Full-Time Collegiate

Enrollment – Educational Expenses – Educational Expenses From Outside Sports Team or Organization Based on Athletics Ability.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 12.1.4 (impermissible – following initial full-time collegiate enrollment) to eliminate the restriction on receipt of educational expenses from an outside sports team or organization based in any degree on athletics ability.
- (2) Effective date. Immediate.
- (3) Rationale. Under current legislation, a student-athlete may not receive educational expenses from an outside sports team or organization when it is based on the recipient's athletics ability. However, a student-athlete should be permitted to receive educational expenses based on athletics ability from an outside sports team or organization, provided that the recipient's choice of institution is not restricted by the outside sports team or organization and there is no direct connection between the outside sports team or organization and the student-athlete's institution. This change would promote student-athlete well-being and ease budgetary and compliance burdens on Division II institutions.
- (4) Estimated budget impact. Will vary.
- (5) Student-athlete impact. Student-athletes will be permitted to receive aid based on athletics ability from an outside sports team or organization, provided that the recipient's choice of institution is not restricted by the outside sports team or organization and there is no direct connection between the outside sports team or organization and the student-athlete's institution.

c. Noncontroversial Legislation – Bylaw 13.5 – Recruiting – Transportation – Reorganization.

- (1) Recommendation. Adopt noncontroversial legislation to reorganize Bylaw 13.5 (transportation), as specified.
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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 recruiting transportation legislation.

(4) Estimated budget impact. None.

(5) Student-athlete impact. None.

d. Noncontroversial Legislation – Bylaw 13.6.3.2 – Recruiting – Official (Paid) Visit – Length of Official Visit – Exception to 48-Hour Period for Extenuating Circumstances – Elimination of Requirement to Submit Report to Conference Office.

(1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 13.6.3.2 (exception to 48-hour period for extenuating circumstances) to eliminate the requirement that institutions submit a report to the conference office noting the details of the circumstances that extended an official visit beyond the 48-hour period.

(2) Effective date. Immediate.

(3) Rationale. Following the 2016 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. Current legislation requires institutions to submit a report to the conference office when the length of an official visit exceeds 48 hours due to extenuating circumstances. This recommended change will eliminate an unnecessary compliance burden. Institutions are encouraged to retain information on file regarding the extension of the 48-hour period.

(4) Estimated budget impact. None.

(5) Student-athlete impact. None.

e. Noncontroversial Legislation – Bylaw 13.6.6.7.1.1 – Recruiting – Official (Paid) Visit – Entertainment/Tickets on Official Visit – Meals on Official Visit – Entertainment at Staff Member's Home – Elimination of Restriction on Meals at the Home of an Institutional Staff Member.

(1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 13.6.6.7.1.1 (entertainment at staff member's home) to eliminate the restriction that a meal at an institutional staff member's home may only be provided on one occasion during an official visit.

- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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. Current legislation allows a prospective student-athlete to receive a meal at an institutional staff member's home on one occasion during an official visit. Institutions should be permitted to provide a meal at an institutional staff member's home on more than one occasion during an official visit at the institution's discretion.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

f. Noncontroversial Legislation – Bylaw 13.6.7 – Recruiting – Official (Paid) Visit – Entertainment on Official Visit for Relatives or Legal Guardian(s) of Prospective Student-Athlete – Elimination of Duplicate Reference to Official Visit Entertainment Restriction.

- (1) Recommendation. Adopt noncontroversial legislation to eliminate Bylaw 13.6.7 (entertainment on official visit for relatives or legal guardians of prospective student-athlete).
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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. This bylaw is redundant as the limitation on entertainment, meals and lodging on a prospective student-athlete's official visit to a prospective student-athlete, and the prospective student-athlete's relatives [or legal guardian(s)] is already addressed in Bylaw 13.6.6.1 (general restrictions).
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

g. Noncontroversial Legislation – Bylaw 13.8.1 – Recruiting – Entertainment, Reimbursement and Employment of High School/College-Preparatory School/Two-Year College Coaches – Entertainment Restrictions – Increase in Number of Complimentary Admissions From Two to Four.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 13.8.1 (entertainment restrictions) to increase, from two to four, the number of complimentary admissions that an institution may provide for a home athletics contest to a high school, college-preparatory school or two-year college coach or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved.
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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. Current legislation permits institutions to provide no more than two complimentary admissions for a home athletics contest to high school, college-preparatory or two-year college coaches. The restriction is unduly restrictive, and a coach should not have to choose between his or her spouse or children in determining who to bring to an institution's contest.
- (4) Estimated budget impact. Potential loss of revenue on the sale of tickets.
- (5) Student-athlete impact. None.

h. Noncontroversial Legislation – Bylaw 13.10 – Recruiting – Publicity – Reorganization.

- (1) Recommendation. Adopt noncontroversial legislation to reorganize the recruiting publicity legislation set forth in Bylaw 13.10 (publicity), as specified.
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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 publicity legislation in a more straightforward manner will assist member institutions in understanding and applying the legislation.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

i. Noncontroversial Legislation – Bylaw 13.11.2.1 – Recruiting – Tryouts – Permissible Activities – Tryouts – Length of Tryout.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 13.11.2.1 (tryouts) to specify that the length of a prospective student-athlete's tryout shall be limited to two hours.
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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. Current legislation specifies that tryout activities shall be limited to the length of the institution's normal practice period in the sport but in no event longer than two hours. The legislation should be simplified to specify that tryouts are limited to a period of two hours.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

j. Noncontroversial Legislation – Bylaw 13.15.2.2 – Recruiting – Precollege Expenses – Permissible Expenses – Collect and Toll-Free Telephone Calls – Elimination of Collect and Toll-Free Telephone Calls.

- (1) Recommendation. Adopt noncontroversial legislation to eliminate Bylaw 13.15.2.2 (collect and toll-free telephone calls).
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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. Bylaw 13.1.3.2.1 (telephone calls initiated by prospective student-athlete) allows institutions to accept collect telephone calls and use of a toll-free number to receive calls from prospective student-athletes. A separate reference to collect and toll-free telephone calls, which are mostly obsolete and rarely placed by prospective student-athletes, should be eliminated.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

k. Noncontroversial Legislation – Bylaw 14.2.4.2.2.4 – Eligibility – Seasons of Competition: 10-Semester/15-Quarter Rule – Criteria for Determining Season of Eligibility – Participation in Organized Competition Before Initial Collegiate Enrollment – Exceptions to Participation in Organized Competition – Men's Ice Hockey Exception – Elimination of Requirement that Competition Must Be Sanctioned by the United States Hockey Association or International Equivalent.

(1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 14.2.4.2.2.4 (men's ice hockey exception) to eliminate the requirement that the competition must be sanctioned by the United States Hockey Association or its international equivalent [See Attachment].

(2) Effective date. Immediate.

(3) Rationale. In April 2018, the NCAA Eligibility Center began certifying the amateur status of NCAA Division II men's ice hockey prospective student-athletes enrolling for the 2018-19 academic year. Eliminating the requirement that competition be sanctioned by the United States Hockey Association, which is not required in Divisions I or III, is in the best interest of Division II men's ice hockey student-athletes and ensures equity in recruiting among the three divisions.

(4) Estimated budget impact. None.

(5) Student-athlete impact. None.

l. Noncontroversial Legislation – Bylaws 14.11.2.1 and 14.11.3 – Eligibility – Certification of Eligibility – Eligibility List Form – Eligibility List – Elimination of Requirement to Include All Student-Athletes Who Have Signed a Drug-Testing Consent Form to be Included on the Eligibility List and Separate Reference to Drug-Testing Consent-Form Requirement.

(1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 14.11.2.1 (eligibility list) to eliminate the requirement that all student-athletes who sign a drug-testing consent form be included on the eligibility list; further, to eliminate a duplicate reference to the drug-testing consent-form requirement in Bylaw 14.11.3 (drug-testing consent-form requirement).

(2) Effective date. Immediate.

- (3) Rationale. Following the 2016 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. Current legislation requires an institution to include all student-athletes who sign a drug testing consent form on the institution's eligibility list; however, some student-athletes sign a drug testing consent form but never show up for practice or a tryout. These student-athletes should not be included on the eligibility list, which should be limited to student-athletes who are members of the team. Finally, a separate reference to the drug-testing consent form requirement in Bylaw 14.11.3 (drug-testing consent-form requirement) should be eliminated as it is addressed in other legislation.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

m. Noncontroversial Legislation – Bylaw 15.4.1.2 – Financial Aid – Maximum Institutional Grant-In-Aid Limitations by Sport – Counters – Athletics Aid Not Renewed, Successful Appeal – Participation Requirement for Counter Status.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 15.4.1.2 (athletics aid not renewed, successful appeal) to specify that a student-athlete must continue to participate in the sport after a successful appeal to be considered a counter.
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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. Current legislation specifies that if an institution does not renew athletics aid for a counter, and an appeal hearing results in the restoration of aid, the student-athlete continues to be a counter if the individual continues to receive athletics aid, even if the individual no longer participates in intercollegiate athletics in the sport. Classifying a nonparticipant as a counter is unwarranted and limits athletics aid that could be provided to other student-athletes.
- (4) Estimated budget impact. Potential for additional expenditure on athletics aid for institutions who wish to provide aid to other student-athletes on teams where a student-athlete successfully appeals the nonrenewal of

athletics aid but no longer participates in intercollegiate competition in that sport.

- (5) Student-athlete impact. Potential for additional athletics aid availability for student-athletes on teams where a student-athlete successfully appeals the nonrenewal of athletics aid but no longer participates in intercollegiate competition in that sport.

n. Noncontroversial Legislation – Bylaw 16.1.3.4 – Awards and Benefits – Awards – Types of Awards, Awarding Agencies, Maximum Value and Numbers of Awards – Local Civic Organization – Award to Individual Student-Athlete.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 16.1.3.4 (local civic organization) to allow a local civic organization (e.g., Rotary Club, Touchdown Club) to provide an award to an individual student-athlete.

- (2) Effective date. Immediate.

- (3) Rationale. Following the 2016 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. Current legislation permits a local civic organization to provide an award to a team but not an individual student-athlete. Provided that the award is approved by the institution and counted in the institution's limit for institutional awards, a local civic organization should be permitted to provide an award to an individual student-athlete.

- (4) Estimated budget impact. Potential reduction in institutional expenditure on student-athlete awards.

- (5) Student-athlete impact. Potential expansion of awards from local civic organizations.

o. Noncontroversial Legislation – Bylaw 16.1.5 – Awards and Benefits – Awards – Awards Banquets – Elimination of Mileage Radius on Booster Club Recognition Banquet.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 16.1.5 (awards banquets) to eliminate the 100-mile radius restriction on a booster club recognition banquet.

- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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. Current legislation specifies that a booster club recognition banquet must occur within a 100-mile radius of the institution's campus. The elimination of the mileage radius restriction will ease the burden on compliance administrators and provide institutions in remote geographic areas with additional venues for a booster club recognition banquet.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

p. Noncontroversial Legislation – Bylaws 16.3, 16.11.1.8 and 16.11.1.11 – Awards and Benefits – Academic and Other Support Services – Career Services – Elimination of List of Permissible Categories of Academic and Other Support Services and Incorporation of Career Counseling and Internship/Job Placement Services.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 16.3 (academic and other support services) by eliminating the list of permissible academic and other support services; further, to include career programs/support services as a permissible academic and other support service.
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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. Current legislation allows an institution to finance academic and other support services that the institution determines to be appropriate and necessary for the academic success of its student-athletes and provides a list of permissible categories of expenses. While the list is not exhaustive, to ease the compliance monitoring burden, the list of permissible categories of academic and others support expenses should be eliminated and should mirror Bylaw 16.4 (medical expenses) to provide for additional institutional discretion while maintaining the restriction on providing required books as that is an element of a full grant-in-aid. Further, given that an institution may provide career counseling expenses pursuant to the academic and other support services legislation, separate references to career programs in

Bylaws 16.11.1.8 (coaching and/or athletics administration career educational programs) and 16.11.1.11 (career counseling and internship/job placement services) should be moved under Bylaw 16.3 for ease of reference for the membership.

- (4) Estimated budget impact. Potential increased expenditure on academic, career and other support services for student-athletes.
- (5) Student-athlete impact. Potential for additional support from the institution for academic, career and other support services.

q. Noncontroversial Legislation – Bylaw 16.6.1.1 – Awards and Benefits – Expenses for Student-Athlete's Friends and Relatives – Permissible – Expenses for Relatives to Attend Postseason Football Game/NCAA Championship – Elimination of One Round Restriction.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 16.6.1.1 (expenses for relatives to attend postseason football game/NCAA championship) to eliminate the restriction on providing expenses to relatives to only one round of any NCAA championship in which the student-athlete is a participant.
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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. Current legislation allows an institution to provide the cost of actual and necessary expenses (e.g., transportation, lodging, meals and expenses associated with team entertainment functions) for the relatives or legal guardians of an eligible student-athlete to accompany the student-athlete to a postseason football game or an NCAA football championship in which the student-athlete is a participant, and in other sports, to one round of any NCAA championship in which the student-athlete is a participant. The legislation is unduly restrictive, and institutions should be allowed to decide whether to provide such expenses for more than one round in all sports.
- (4) Estimated budget impact. Will vary.
- (5) Student-athlete impact. Will vary.

r. Noncontroversial Legislation – Bylaw 16.10.1.3 – Awards and Benefits – Provision of Expenses by Individuals or Organizations Other Than the Institution – Permissible – Meeting Expenses – Elimination of Mileage Radius Restriction.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 16.10.1.3 (meeting expenses) to eliminate the 30-mile radius restriction for a student-athlete's receipt of transportation and meal expenses in conjunction with participation in a meeting of a booster club or civic organization.
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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. Current legislation allows a prospective student-athlete to accept transportation and meal expenses in conjunction with participation in a meeting of a booster club or civic organization, provided the meeting occurs within a 30-mile radius of the institution's main campus. The legislation is unduly restrictive and should be amended to specify that a student-athlete may accept transportation and meal expenses for booster club or civic organization meetings regardless of location.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. Will vary.

s. Noncontroversial Legislation – Bylaw 16.11.1.4 – Awards and Benefits – Benefits, Gifts and Services – Permissible – Retention of Athletics Apparel and Equipment – Retention of Used Equipment.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 16.11.1.4 (retention of athletics apparel and equipment) to allow student-athletes to retain used equipment at the end of the individual's collegiate participation.
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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. Current legislation allows a prospective student-athlete to retain athletics

apparel items at the end of the individual's collegiate participation, but used equipment must be purchased by student-athletes on the same cost basis as any other individual interested in purchasing such equipment. The legislation is unduly restrictive and allowing student-athletes to retain used equipment at the end of their collegiate careers will ease a compliance burden associated with valuation and sale of used equipment.

- (4) Estimated budget impact. Potential loss of revenue on the sale of used equipment.
- (5) Student-athlete impact. Retention of used equipment at no cost to student-athletes who have exhausted eligibility.

t. Noncontroversial Legislation – Bylaws 16.11.1.9 and 16.11.1.10 – Awards and Benefits – Benefits, Gifts and Services – Telephone Calls and Miscellaneous Benefits – Elimination of Restriction on Telephone Calls to Emergency Situations and Separate Reference to Telephones.

- (1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 16.11.1.10 (miscellaneous benefits) to eliminate the restriction on student-athlete telephone calls in emergency situations when provided or arranged by the institution; further, to eliminate Bylaw 16.11.1.9 (telephones).
- (2) Effective date. Immediate.
- (3) Rationale. Following the 2016 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. Current legislation permits a student-athlete to use an institutional telephone for personal reasons without charge or at a reduced rate if such use is generally available to the institution's students and their friends and relatives and allows an institution to provide or arrange for telephone calls for student-athletes in emergency situations. Given that most student-athletes provide for their own mobile phone use, the legislation is outdated and overly complicated. In addition, the miscellaneous benefits legislation should be amended to allow an institution to provide or arrange for telephone calls for student-athletes in non-emergency situations and a separate reference to telephone calls should be eliminated.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. None.

2. Nonlegislative Items.

- **None.**

INFORMATIONAL ITEMS.

- 1. Review of 2019 NCAA Convention Division II Second Publication of Proposed Legislation and the Legislative Proposal Question and Answer Guide.** The committee reviewed the 2019 Convention proposals and the Legislative Proposal Question and Answer Guide to resolve all possible questions and procedural issues prior to the 2019 Convention Division II business session January 26, 2019.

Staff also provided the committee with an update on the release of the Question and Answer Guide. Staff noted that the final version of the guide for the 2019 Convention will be available in early December 2018 and will only be produced electronically.

- 2. Review of 2019 Convention Membership-Sponsored Proposals Not Properly Co-Sponsored.** The committee reviewed three membership-sponsored proposals that did not receive proper co-sponsorship for the 2019 Convention. The first proposal would have amended the recruiting legislation to allow an athletics department staff member to take actions (e.g., "like," "favorite," republish) on social media indicating approval of content generated by an institutional staff member, provided the content was not generated at the direction of a coaching staff member.

The second proposal would have amended the playing and practice seasons legislation in sports other than football by eliminating the limitation of two hours of team activities within the weekly hour limitation of eight hours of out-of-season athletically related activities. Further, it would have limited countable athletically related activity to two hours per day out of season and permitted a student-athlete to participate in one two-hour tryout with a prospective student-athlete or currently enrolled student each week during the 14-consecutive-calendar-day period following the institution's final contest or date of competition in the segment that concludes with the NCAA championship.

The third proposal would have amended the playing and practice seasons legislation in football by eliminating the restriction on the number of student-athletes participating in skill instruction outside of the playing season during the academic year. The committee took no further action on any of the three proposals.

- 3. Discussion Regarding Donations from Institutional Staff Members.** At its meeting in April 2018, the NCAA Division II Presidents Council approved, in concept, a 2019 Convention proposal to permit a student-athlete to receive actual and necessary expenses from an institutional staff member to participate as a member of an outside team. The Presidents Council asked the committee to address how the proposed legislation would

apply to an institutional staff member who also meets the definition of a representative of athletics interest (booster).

At its meeting in June 2018, the committee agreed that the concept would permit an institutional staff member who meets the definition of a representative of athletics interest to provide actual and necessary expenses to the student-athlete for outside competition. At its meeting in July 2018, the NCAA Division II Management Council expressed concerns about whether an athletic department staff member should be permitted to donate to student-athletes and the Presidents Council withdrew its sponsorship of the proposal at its meeting in August 2018.

The committee agreed to recommend sponsorship of a 2020 Convention proposal to permit a student-athlete to receive actual and necessary expenses from an institutional staff member, except an athletics department staff member, to participate as a member of an outside team. [See Legislative Action Item No. 1-a.]

4. NCAA Division II Culture of Compliance Think Tank.

- a. Review of legislative recommendations from the Culture of Compliance Think Tank.** The committee reviewed 31 legislative recommendations from the December 2017 Culture of Compliance Summit and recommended 15 noncontroversial proposals. [See Legislative Action Item Nos. 1-c through 1-j and 1-l through 1-t.] The committee also requested feedback from the Division II Conference Commissioners Association Compliance Administrators on a legislative concept involving the elimination of the training table meals legislation. Additionally, the committee requested staff review the legislative history of Bylaw 14.2.4.1.1 (criteria for determining season of eligibility – exception – two-year college scrimmages) for further discussion at the March 2019 meeting. The committee agreed to continue its review of the legislative histories from the summit at its next in-person meeting.
- b. Review of feedback from the NCAA Division II Student-Athlete Advisory Committee on contact restrictions at specified sites legislation.** At its June 2018 meeting, the committee recommended the Management Council refer a legislative concept to amend Bylaw 13.1.7.2 (contact restrictions at specified sites – practice or competition) to the Student-Athlete Advisory Committee on whether to eliminate the restriction on contact with a prospective student-athlete at the site of competition during a multiday event until after the prospective student-athlete's final contest is completed and he or she is released by the appropriate institutional authority and leaves the dressing and meeting facility.

The committee reviewed the feedback gathered from the Student-Athlete Advisory Committee during its July 2018 in-person meeting. A majority of the student-

athletes were opposed to the concept, and the committee agreed to take no further action.

- c. Discussion regarding the player/trading cards legislation.** At its March 2018 meeting, the committee reviewed a recommendation from the December 2017 Culture of Compliance Summit to eliminate Bylaw 12.5.1.1.6 (player/trading cards) and requested a legislative history on the restriction on the sale of player/trading cards that bear a student-athlete's name or picture. After reviewing the legislative history, the committee requested feedback from the NCAA's Office of Legal Affairs for further discussion at its next in-person meeting.
 - d. Discussion on potential reorganization of Bylaw 13.5.** The committee reviewed a draft of a potential reorganization of Bylaw 13.5 (transportation). The committee agreed to recommend noncontroversial legislation. [See Legislative Action Item No. 1-c.]
- 5. Review of feedback from the Student-Athlete Advisory Committee regarding individual sport student-athletes participating in individual workout sessions during an institutional vacation period.** At its June 2018 in-person meeting, the committee recommended the Management Council refer a legislative concept to amend Bylaw 17 (playing and practice seasons) to the Student-Athlete Advisory Committee on whether to permit, in individual sports, a coach to participate in an individual workout session with a student-athlete from the coach's team during an institutional vacation period, provided the request for such assistance is initiated by the student-athlete.

The committee reviewed the feedback gathered from the Student-Athlete Advisory Committee during its July 2018 in-person meeting, which indicated that student-athletes supported the concept. The committee asked staff to gather additional feedback from coaches through the Division II coaches connection program and agreed to continue its discussions regarding the concept at its next in-person meeting.

- 6. NCAA Division II University update.** The committee was provided an update regarding system capabilities for Division II University and provided feedback on ideas for future educational modules. The committee agreed to continue its discussion regarding future modules at its next in-person meeting.

The committee also discussed the selection of educational modules for coaches certification for the 2019-20 certification year, pending the adoption of Proposal No. 2019-4 (personnel – coaches certification requirement – regulations – annual certification requirement – certification administration – required completion of educational modules) by the Division II membership at the 2019 Convention. The committee selected six educational modules that will be required for certification in 2019-20, as follows: NCAA Coaches Assist for Mental Health; NCAA Coaches Assist for

Sexual Violence Prevention; Eligibility: General Eligibility Requirements; Eligibility: Initial Eligibility Requirements; Recruiting: Tryouts; and Recruiting: Who, What, When. The committee also prepared draft questions for the required modules and reviewed updated draft certification procedures and question and answer documents for Division II University that would go into effect if the proposal is adopted.

Finally, the committee was provided with an update on the panel discussion regarding Division II University during the October 29, 2018, Knight Commission on Intercollegiate Athletics meeting at the National Press Club in Washington, D.C.

7. **Discussion regarding implementation of new financial aid legislation.** The committee discussed the implementation of the new financial aid legislation, which went into effect August 1, 2018. NCAA staff shared information regarding updates to the Compliance Assistant program and encouraged the committee to contact staff with questions.
8. **Discussion Regarding Student-Athletes Receiving Financial Aid from An Outside Sports Team.** The committee discussed whether an outside team or organization may provide financial aid to a student-athlete who is also a member of the outside team or organization. The committee agreed to recommend adoption of noncontroversial legislation to allow a student-athlete to receive educational expenses based on athletics ability from an outside sports team or organization provided the student-athlete's choice of institution is not restricted and there is no direct connection between the outside sports team or organization and the student-athlete's institution. [See Legislative Action Item No. 1-b.]
9. **Discussion Regarding Men's Ice Hockey and the United States Hockey Association.** The committee discussed whether to eliminate the requirement that competition beyond the one-year grace period in men's ice hockey must be sanctioned by the United States Hockey Association. The committee agreed to recommend adoption of noncontroversial legislation to amend the men's ice hockey exception of the organized competition legislation to eliminate the requirement that the competition is sanctioned by the United States Hockey Association or international equivalent. [See Legislative Action Item No. 1-k.]
10. **Update Regarding Notification of Transfer Concept and Demonstration of Transfer Portal.** The committee continued to discuss a potential legislative change from permission to contact for recruiting to a notification of transfer model. The committee will review feedback from the Student-Athlete Advisory Committee and Presidents Council at the March 2019 in-person meeting. Additionally, the committee received a demonstration of the NCAA Transfer Portal, which launched October 15, 2018.
11. **Issuance of Official Interpretation.** The committee discussed whether a Division I student-athlete in the NCAA Transfer Portal is considered to have permission to contact

for purposes of Division II legislation and agreed to issue the following official interpretation:

Notice to Transfer in NCAA Transfer Portal (II)

The NCAA Division II Legislation Committee confirmed that a Division II athletics staff member may contact student-athletes whose names appear in the NCAA Transfer Portal as the notification of transfer constitutes a written permission to contact for purposes of Division II.

[References: Division II Bylaw 13.1.1.2 (four-year college prospective student-athletes)]

- 12. Issuance of Official Interpretation.** The committee issued the following official interpretation regarding seasons of competition for Division I football student-athletes:

Seasons of Competition – Division I Football Student-Athlete Participation in up to Four Contests (II)

The NCAA Division II Legislation Committee confirmed that a football student-athlete who competes in up to four contests in Division I is considered to have used a season of competition under Division II legislation.

[References: Division II Bylaws 14.2 (seasons of competition: 10-semester/15-quarter rule) and 14.2.4.1 (minimum amount of competition)]

- 13. Discussion with Stan Wilcox, Executive Vice President of Regulatory Affairs.** The committee welcomed Stan Wilcox, Executive Vice President of Regulatory Affairs at the NCAA. The committee was provided an overview of his vision for regulatory affairs and given an opportunity to ask questions and provide feedback on current issues.
- 14. 2018-19 Division II Priorities.** The committee received an overview of the 2018-19 Division II Priorities.
- 15. Update from the Presidents Council and Management Council October 2018 Meetings.** The committee received an update on the actions taken at the October Presidents Council and Management Council quarterly meetings.
- 16. Review of October 5 and October 9 Teleconference Reports from the Legislative Review Subcommittee of the Division II Legislation Committee.** The committee reviewed and approved the October 5 and October 9 Legislative Review Subcommittee teleconference reports. The committee agreed to sponsor noncontroversial legislation to reorganize Bylaw 13.10 (publicity) as recommended by the subcommittee. [See Legislative Action Item No. 1-h.]

17. Review of September 26 Teleconference Report to the Management Council. The committee reviewed and approved the September 2018 teleconference report.

18. Future Meeting Dates.

- a. March 11-12, 2019, in-person meeting; (Indianapolis, Indiana).
- b. June 20-21, 2019, in-person meeting; (Indianapolis, Indiana).
- c. November 4-5, 2019, in-person meeting; (Indianapolis, Indiana).

Committee Chair: Cherrie Wilmoth, Southeastern Oklahoma State University

Staff Liaison(s): Karen Wolf, Academic and Membership Affairs

Geoff Bentzel, Academic and Membership Affairs

Chelsea Crawford, Academic and Membership Affairs

NCAA Division II Legislation Committee November 5-6, 2018, In-Person Meeting
Attendees:
Molly Belden, Northeast-10 Conference.
Jessica Chapin, American International College.
Peggy Davis, Virginia State University.
Diana Kling, Peach Belt Conference.
Chris Gregor, Saint Martin's University.
Brent Heaberlin, Lenoir-Rhyne University.
Scott Larson, Lubbock Christian University.
Pennie Parker, Rollins College.
Darnell Smith, University of Central Oklahoma.
Keith Vitense, Cameron University.
Cherrie Wilmoth, Southeastern Oklahoma State University.
Scott Young, University of Indianapolis.
Absentees:
Bailey Koch, Augustana University (South Dakota).
Guests in Attendance:
Josh Shapiro, Colorado Mesa University.
NCAA Staff Liaisons in Attendance:
Geoff Bentzel, Chelsea Crawford and Karen Wolf.
Other NCAA Staff Members in Attendance:
Madison Arndt, Jennifer Beasley, Amanda Conklin, Terri Gronau, Maritza Jones, Melissa Marchini, Lynn Morrow, Susan Peal, Stephanie Quigg Smith, Rachel Stark and Stan Wilcox.

Division: II

Proposal Number: NC-2020-4

Title: ELIGIBILITY -- SEASONS OF COMPETITION: 10-SEMESTER/15-QUARTER RULE -- CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY -- PARTICIPATION IN ORGANIZED COMPETITION BEFORE INITIAL COLLEGIATE ENROLLMENT -- EXCEPTIONS TO PARTICIPATION IN ORGANIZED COMPETITION -- MEN'S ICE HOCKEY EXCEPTION -- ELIMINATION OF REQUIREMENT THAT COMPETITION BE SANCTIONED BY THE UNITED STATES HOCKEY ASSOCIATION OR INTERNATIONAL EQUIVALENT

Convention Year: 2020

Date Submitted: November 30, 2018

Status: Ready for Consideration by Management Council

Effective Date: Immediate

IPOPL Number:

SPOPL Number:

Source: NCAA Division II Management Council (Legislation Committee).

Category: Noncontroversial

Topical Area: Eligibility

Intent: In men's ice hockey, to eliminate the requirement that the competition must be sanctioned by the United States Hockey Association or its international equivalent.

Bylaws: Amend 14.2.4.2.2.4, as follows:

14.2.4.2.2.4 Men's Ice Hockey Exception. In men's ice hockey, for a maximum of two years, participation in organized competition per Bylaw 14.2.4.2.1.2 shall be excepted, ~~provided such participation is part of competition sanctioned by the United States Hockey Association or the international equivalent.~~

[14.2.4.2.2.4.1 unchanged.]

FAQ:

Co-sponsorship - Conference:

None

Co-sponsorship - Institution:

None

Position Statements:

Review History:

Nov 6, 2018: Recommends Approval - Legislation Committee

Additional Information:

In April 2018, the NCAA Eligibility Center began certifying the amateur status of NCAA Division II men's ice hockey prospective student-athletes enrolling for the 2018-19 academic year. Eliminating the requirement that competition be sanctioned by the United States Hockey Association or international equivalent, which is

not required in Divisions I or III, is in the best interest of Division II men's ice hockey student-athletes and ensures equity in recruiting among the three divisions.

Legislative References

Legislative Cite	Title
14.2.4.2.2.4	Men's Ice Hockey Exception.
