



REPORT OF THE
NCAA DIVISION II LEGISLATION COMMITTEE
NOVEMBER 1-2, 2022, IN-PERSON MEETING

ACTION ITEMS.

1. Legislative Items.

- None.

2. Nonlegislative Items.

- Request for Feedback from NCAA Division II Student-Athlete Advisory Committee, NCAA Division II Coaches Connection and NCAA Division II Conference Commissioners Association Compliance Administrators -- NCAA Bylaw 14.5.5.3.9 – Eligibility – Transfer Regulations – Four-Year College Transfers – Exceptions for Transfers from Four-Year Colleges – One-Time Transfer Exception – Transfers from Non-Division II Institutions.

- (1) **Recommendation.** That the NCAA Division II Management Council request the Division II Student-Athlete Advisory Committee, Division II Coaches Connection groups and Division II Conference Commissioners Association Compliance Administrators provide feedback on the current application of NCAA Division II Bylaw 14.5.5.3.9 (one-time transfer exception) and whether Division II should consider a legislative exception to the June 15 written notification of transfer deadline for non-Division II transfer student-athletes.
- (2) **Effective date.** Immediate.
- (3) **Rationale.** During the 2022 NCAA Convention, the Division II membership adopted NCAA Division II Proposal No. 2022-4 (recruiting, eligibility and financial aid – transfer regulations – four-year college transfers – exceptions for transfers from four-year colleges – notification of transfer, one-time transfer exception and financial aid legislation). Since its adoption, NCAA staff has seen an increase in legislative relief waivers for transfer student-athletes who have missed the June 15 written notification of transfer deadline. There has been a particular increase in legislative relief waivers for non-Division II transfer student-athletes (e.g., NAIA.) The Legislation Committee requests the feedback from the Student-Athlete Advisory Committee, Coaches Connection groups and Conference Commissioners Association Compliance Administrators on whether a legislative exception should be provided to those student-athletes that transfer from non-Division II institutions.
- (4) **Estimated budget impact.** None.

- (5) **Student-athlete impact.** None.

INFORMATIONAL ITEMS.

1. **Review of 2023 Convention Division II Second Publication of Proposed Legislation and the Legislative Proposals Question and Answer Guide.** The Division II Legislation Committee reviewed the 2023 Convention proposals and the Legislative Proposals Question and Answer Guide to resolve all possible questions and procedural issues prior to the 2023 Convention Division II business session on January 14, 2023. The Question and Answer Guide was approved, as amended. Staff also provided the committee with an update on the timing of the release of the Question and Answer Guide and noted that the final version of the guide for the 2023 Convention will be available in early December.
2. **Discussion regarding the NCAA Division II Implementation Committee Legislative Process and Compliance Subcommittee priority two and three items.** The committee continued its discussion on the Division II Implementation Committee's Legislative Process and Compliance Subcommittee's priority two and three items. Specifically, the committee began its discussion regarding Bylaw 13 (recruiting). The committee will continue this discussion at their February meeting.
3. **Division II University update and selection of modules for coaches certification in the 2023-24 academic year.** The committee reviewed data from the 2022-23 coaches' certification required educational modules. Further, the committee selected six educational modules that will be required for certification in the 2023-24 academic year, as follows: (a) NCAA Coaches Assist for Mental Health; (b) NCAA Coaches Assist for Substance Misuse; (c) Eligibility: Progress-Toward-Degree; (d) Eligibility: Seasons of Competition; (e) Recruiting and Communication; and (f) Recruiting: Who, What, When. The committee will review and approve test questions for the six modules at its March 2023 videoconference.
4. **Discussion regarding future Division II compliance forms.** The committee engaged in preliminary conversations surrounding the Division II compliance forms, specifically regarding whether the forms are still useful and serving their intended purpose. The committee will continue this discussion at its March 2023 videoconference.
5. **Discussion regarding the application of the June 15 written notification of transfer deadline and legislative relief waivers received.** Staff provided an update on the legislative relief waivers that have been processed related to student-athletes that have transferred after the June 15 written notification of transfer deadline. The committee also received an update on the guidance that the NCAA Division II Committee for Legislative Relief provided staff during its October 5 videoconference regarding the processing of these waiver requests. The committee discussed the June 15 deadline and its application to transfer student-athletes; specifically, non-Division II transfer student-athletes. The committee requested feedback from the Division II Student-Athlete Advisory Committee, the Division II Conference Commissioners Association Compliance Administrators and

coaches connection groups regarding the current application of the legislation to non-Division II transfer student-athletes. The committee will review the feedback at their March 2023 videoconference. [See Nonlegislative Action Item]

6. **Update on action from the NCAA Division I Board of Directors regarding institutional involvement in enrolled student-athletes name, image and likeness activities.** The committee received an update on the action taken by the Division I Board of Directors to adopt a policy which clarifies institutional involvement related to name, image and likeness activities. In light of the recent legislative changes and NCAA Division II Proposal No. 2023-8 (amateurism – various bylaws – definition of agent and use of agents), the committee determined the adoption of a similar policy would provide clarity to the Division II membership and would be beneficial for institutions and student-athletes alike. The committee will discuss and propose a formal policy for Division II during its March 2023 videoconference.
7. **Discussion regarding the Division I transfer window.** Staff provided an update regarding the recent changes made to the Division I transfer legislation and its impact on student-athletes who may transfer to Division II institutions.
8. **Discussion regarding the application of Bylaw 13.1.1.2 (four-year college prospective student-athlete) to a transfer student-athlete from an institution not a part of the NCAA or National Association of Intercollegiate Athletics (NAIA).** The committee discussed Bylaw 13.1.1.2 (four-year college prospective student-athlete); specifically, the notification of transfer requirements that must be satisfied prior to a Division II institution having contact with a four-year college transfer from the United States Collegiate Athletic Association. The committee determined that, prior to a Division II institution having contact with a student-athlete at an institution not a part of the NCAA or NAIA, the Division II institution must follow the rule of the applicable association related to making contact with student-athletes.
9. **Review of the Division II Priorities.** The committee received an overview of the 2022-23 Division II Priorities.
10. **Update from the NCAA Division II Presidents Council and Management Council October 2022 Meetings.** The committee received an update on the actions taken at the October 2022 Presidents Council and Management Council quarterly meetings.
11. **Update from the NCAA Board of Governors.** Staff provided an update on key items from the October Board of Governors meeting.
12. **Review of September 29, 2022, teleconference report.** The committee reviewed and approved the September 29, 2022, teleconference report.

13. **Subcommittee appointment.** The committee appointed Kevin Schriver, faculty athletics representative, Southwest Baptist University, to the Legislative Review Subcommittee, effective immediately.
14. **Future meeting dates.**
- a. March 21-22, 2023; videoconference.
 - b. June 28-29, 2023; Indianapolis.
 - c. September 2023, date to be determined, videoconference.

Committee Chair: Carlin Chesick, Pennsylvania State Athletic Conference
Staff Liaison(s): Susan Britsch, Academic and Membership Affairs
Chelsea Hooks, Academic and Membership Affairs
Jordan Lysiak, Academic and Membership Affairs

NCAA Division II Legislation Committee November 1-2, 2022, In-Person Meeting	
Attendees:	
Brenda Cates, University of Mount Olive.	
Carlin Chesick, Pennsylvania State Athletic Conference.	
Audra Kedy, Great American Conference.	
Kara Lindaman, Winona State University.	
Alex Pappas, Metropolitan State University of Denver.	
Pennie Parker, Rollins College.	
Christopher Ratcliff, Rogers State University.	
Kevin Schriver, Southwest Baptist University (via teleconference).	
Jason Stock, California State University, San Marcos.	
Melinda Terry, St. Edward's University.	
Absentees:	
Ismael Contreras, Purdue Northwest University.	
Guests in Attendance:	
Austin Mondello, Colorado Mesa University (via teleconference).	
NCAA Staff Liaisons in Attendance:	
Susan Britsch, Chelsea Hooks and Jordan Lysiak.	
Other NCAA Staff Members in Attendance:	
Olivia Beach, Terri Steeb Gronau, Maritza Jones, Angela Red and Olivia Sappington.	