



## A G E N D A

### National Collegiate Athletic Association Division II Presidents Council

#### Microsoft Teams Meeting

January 12, 2021  
1 to 5 p.m. Eastern Time

1. Welcome and announcements. [Supplement No. 1] (Sandra Jordan)
2. Discussion with Donald Remy, NCAA Chief Operating Officer and Chief Legal Officer.
3. Discussion with Mark Emmert, NCAA President.
4. Sport Science Institute update. [Supplement No. 2] (Brian Hainline and John Parsons)
5. Minutes. (Jordan)
  - a. Fall Management Council and Presidents Council meetings. [Supplement No. 3] (*Action*)
  - b. Administrative Committee. [Supplement No. 4] (*Action*)
  - c. NCAA Board of Governors. [Supplement No. 5]
6. Vice chair report. (Allison Garrett)
  - a. November 30 Planning and Finance videoconference report. [Supplement No. 6] (*Action*)
  - b. 2020-21 year-to-date budget to actual. [Supplement No. 7]
7. January 11 Management Council report. (Chris Graham)
  - a. Presidents Council-sponsored legislation for the 2022 NCAA Convention.
    - (1) Legislative form. [Supplement No. 8]
    - (2) Concepts. [Supplement No. 9] (*Action*)
  - b. Other action items, if any. [Supplement No. 10] (*Action*)
  - c. Informational items. [Supplement No. 11]

8. 2021 NCAA Convention.
  - a. Review of Convention schedule. [Supplement No. 12] (Maritza Jones)
  - b. Procedural issues document for the Division II business session. [Supplement No. 13] (Stephanie Quigg)
  - c. Discuss other items specific to the business session. [Supplement No. 14] (Quigg)
  - d. Review Presidents Council representatives' assignments and various groups' positions during the business session. [Supplement No. 15] (Quigg)
9. Presidents Council issues. (Jordan)
  - a. Chair election. [Supplement No. 16] (*Action*)
  - b. Vice chair election notice.
  - c. Region 2 vacancy election. [Supplement No. 17] (*Action*)
10. Division II updates.
  - a. Division II championships protocols for 2021 winter and spring sports. (Joni Comstock and Roberta Page)
  - b. Division II Degree-Completion Program. (Markie Cook)
  - c. Division II Academic Success Rate and Federal Graduation Rates. [Supplement No. 18] (Cook)
  - d. Division II Enforcement and Infractions Task Force. (Allison Garrett)
    - (1) October 30 videoconference. [Supplement No. 19]
    - (2) December 3 videoconference. [Supplement No. 20]
  - e. Sustainability and the Division I Collegiate Model. [Supplement No. 21] (Kevin Lennon)
  - f. Division II Transfer Portal. [Supplement No. 22] (Susan Peal)
11. Other business. (Jordan)

12. Future meetings. (Jordan)

- a. April 28, 2021, virtual meeting; timing to be determined.
- b. August 4, 2021, virtual meeting; timing to be determined.
- c. October 25-27, 2021, in-person meeting; site to be determined.
- d. January 19-22, 2022, in conjunction with 2022 NCAA Convention; Indianapolis.
- e. April 26-27, 2022, in-person meeting; Indianapolis.
- f. August 2-3, 2022, in-person meeting, Indianapolis.
- g. October 24-26, 2022, in person meeting; site to be determined.
- h. January 11-14, 2023, in conjunction with the 2023 NCAA Convention, San Antonio.

13. Adjournment. (Jordan)



### 2021 NCAA Division II Presidents Council Roster

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<b>Carlos Campo</b> President Ashland University 401 College Avenue Ashland, Ohio 44805	Telephone: 419-289-4142 Email: <a href="mailto:ccampo@ashland.edu">ccampo@ashland.edu</a>  Contact: Heather Krupa – <a href="mailto:hkrupa@ashland.edu">hkrupa@ashland.edu</a>  Term: January 2020-January 2026
<b>Fr. John Denning</b> President Stonehill College 320 Washington Street Easton, Massachusetts 02356	Telephone: 508-565-1301 Email: <a href="mailto:jdenning@stonehill.edu">jdenning@stonehill.edu</a>  Contact: Jessica Gracia – <a href="mailto:jlgracia@stonehill.edu">jlgracia@stonehill.edu</a>  Term: August 2016-January 2022
<b>Michael A. Driscoll</b> President Indiana University of Pennsylvania 1011 South Drive Indiana, Pennsylvania 15705	Telephone: 724-357-2200 Email: <a href="mailto:driscoll@iup.edu">driscoll@iup.edu</a>  Contact: Ruffina Winters – <a href="mailto:rwinters@iup.edu">rwinters@iup.edu</a>  Term: January 2018-January 2024
<b>Rex Fuller</b> President Western Oregon University 345 N. Monmouth Avenue Monmouth, Oregon 97361	Telephone: 503-838-8888 Email: <a href="mailto:rfuller@wou.edu">rfuller@wou.edu</a>  Contact: LouAnn Vickers – <a href="mailto:vickersl@wou.edu">vickersl@wou.edu</a>  Term: January 2018-January 2024
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<b>John Y. Gotanda</b> President Hawaii Pacific University 1 Aloha Tower Drive Honolulu, Hawaii 96813	Telephone: 808-543-8011 Email: <a href="mailto:jgotanda@hpu.edu">jgotanda@hpu.edu</a>  Contact: Ashley Ching – <a href="mailto:aching@hpu.edu">aching@hpu.edu</a>  Term: August 2020-January 2026
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<b>William Thierfelder</b> President Belmont Abbey College 100 Belmont Mt. Holly Road Belmont, North Carolina 28012	Telephone: 704-461-6726 Email: <a href="mailto:billthierfelder@bac.edu">billthierfelder@bac.edu</a>  Contact: Maria Dimura - <a href="mailto:mariadimura@bac.edu">mariadimura@bac.edu</a>  Term: April 2018-January 2024

**NCAA Staff**

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**NCAA Gender Identity and Student-Athlete Participation Summit  
Meeting Summary  
October 5-6, 2020**

**Purpose.** The purpose of the summit was to solicit feedback toward the creation of a consensus framework that might inform policy and practice development in the area of gender identity and participation in collegiate sport, more specifically through the lenses of inclusion, fairness, student-athlete well-being, health, and safety.

**Outcomes and Deliverables.** The summit focused on the following outcomes and deliverables:

1. Develop a consensus framework, composed of foundational statements that may inform education, policy and practice development, including any recommendations that may be provided to the NCAA Board of Governors.
2. Identify potential updates for NCAA Inclusion of Transgender Student-Athletes (2011) based on evolving and emerging data and principles of inclusion and fairness.
3. Identify potential educational opportunities for key stakeholders within the NCAA membership (e.g., student-athletes, administrators, coaches).
4. Identify other potential gaps in stakeholder knowledge, resources and support infrastructure and possible pathways for addressing these gaps.

**Participants.** The summit convened representatives from the NCAA membership and external industry and subject matter experts with emphasis on collegiate student-athletes, the broader higher education community, medical and scientific organizations, and external diversity, equity, and inclusion experts and scholars.

**Welcome and Introductions.** Mark Emmert, NCAA president, Brian Hainline, NCAA chief medical officer and Derrick Gragg, NCAA chief diversity and inclusion officer, provided opening remarks.

**Co-chair welcome.** Stephanie Chu, summit steering committee co-chair, welcomed participants and guests.

**Meeting overview.** LaGwyn Durden, NCAA director of sports medicine and Amy Wilson, NCAA managing director of inclusion, provided an overview of the summit.

**Background.** To provide context and common understanding of key issues, several key leaders in the fields of endocrinology, sports medicine, sociology and gender diversity in sport were invited to provide brief updates.

- Richard Budgett, medical and scientific director of the International Olympic Committee (IOC) summarized the IOC's considerations of transgender athlete participation in Olympic competition.



- Jean Merrill, director of inclusion, provided historical and foundational information about the NCAA's policy on transgender student-athlete participation.
- Kelsey Gurganus, assistant director of research provided an overview of the American College Health Association – National College Health Assessment survey on trans-spectrum student-athlete participation in sport, mental health, substance use, perceptions of safety and violence victimization.
- Bradley Anawalt, chief of medicine at the University of Washington Medical Center, presented on foundational medical/natural science considerations.
- Travers, professor of sociology at Simon Fraser University, presented on foundational social science and inclusion considerations.
- Mac Brown and Chris Mosier summarized a focus group discussion of transgender and non-binary student-athletes (and summit participants) regarding their athletic experiences and perspectives about the NCAA transgender student-athlete participation policy. Two student-athletes from the focus group also shared their personal experiences.

**Day 1 Breakout Group Sessions.** Participants were provided an overview of the modified Delphi process that will be used to develop a consensus framework. As a first step in this process, participants then met in breakout groups to discuss key issues and considerations related current policy elements through the lenses inclusion, competitive equity, and physical and mental health and safety. Discussion groups reported back to the full group. At the conclusion of Day 1, participants were invited to complete an anonymous open-ended survey in which they rated each current policy element in terms of how well it addresses inclusion, competitive equity, and physical and mental health and safety. The feedback from the breakout group discussions and participant ratings informed the consensus-building portion of the Day Two agenda.

**Day 2 Breakout Group Sessions.** On Day Two, participants joined breakout session discussions related to the following topics that were identified as a result of Day One feedback: physical and mental care for student-athletes who are gender transitioning; competitive equity and inclusion. Within each breakout group discussion, key topics to address were current barriers and opportunities/ways forward. At the end of Day 2, participants were invited to submit anonymous open-ended written feedback with their recommendations and/or additional thoughts.

**Next Steps.** Summit feedback will be further synthesized for purposes of identifying and informing necessary discussion and decision making by applicable NCAA committees and other governance channels.



SUMMARY OF FALL 2020 QUARTERLY MEETINGS

National Collegiate Athletic Association

August 20, 2020, Management Council and August 21, 2020, Presidents Council, and  
October 19-20, 2020, Management Council and October 28, 2020, Presidents Council

***AUGUST 20, 2020, MANAGEMENT COUNCIL AND AUGUST 21, 2020, PRESIDENTS COUNCIL MEETINGS.***

***1. WELCOME AND ANNOUNCEMENTS.***

Management Council. The Management Council convened its videoconference at 1:30 p.m. Eastern time Thursday, August 20.

The chair welcomed those in attendance, acknowledging staff who were present. He recognized that this was the first meeting attended by Harry Stinson III, director of athletics at Lincoln University (Pennsylvania), as the new independent/at-large representative, after which the Council proceeded with its agenda.

Presidents Council. The Presidents Council convened its videoconference at 1:33 p.m. Eastern time Friday, August 21.

The chair welcomed those in attendance, acknowledging staff who were present. She recognized that this was the first meeting attended by John Y. Gotanda, president, Hawaii Pacific University, as the new Region 4 representative, after which the Council proceeded with its agenda.

***2. RECOMMENDATIONS REGARDING THE NCAA BOARD OF GOVERNORS DIRECTIVES REGARDING SAFEGUARDING STUDENT-ATHLETE WELL-BEING.***

Management Council. The Management Council recommended that the Presidents Council take the following action related to the NCAA Board of Governors' directives regarding safeguarding student-athlete well-being:

- a. Adopt noncontroversial legislation to amend NCAA Bylaw 15.5.4.3 (reduction or cancellation not permitted) to prohibit an institution from reducing or cancelling athletics aid for a student-athlete who, by October 1, 2020, chooses to opt out of countable athletically related activities during the 2020-21 academic year due to concerns about contracting COVID-19. A student-athlete's decision to opt out of participation during the 2020-21 academic year does not constitute a voluntary withdrawal from the team. This legislation would be effective immediately, and apply retroactively, for any athletics aid agreements signed for the 2020-21 academic year only. An institution may still require a student-athlete receiving athletics aid who opts out of CARA to participate in noncountable activities such as study hall or medical treatments.

- b. Extend the application of the previously approved extension of eligibility waiver (two semesters/three quarters) to student-athletes who opt out of countable athletically related activities for the 2020-21 academic year, regardless of when the student-athlete opts out.
- c. Approve a blanket waiver to allow the following student-athletes who choose to not enroll for the fall 2020 term to use the missed term exception:
  - (1) A student-athlete in their first academic year in residence; and
  - (2) A student-athlete who has previously used the missed term exception once during their collegiate enrollment.
- d. Adopt noncontroversial legislation to amend NCAA Constitution 3.3.4 (conditions and obligations of membership) to prohibit an institution from requiring student-athletes to waive their legal rights regarding COVID-19 as a condition of athletics participation. This legislation would be effective immediately, and apply retroactively, for the 2020-21 academic year only. It would remain permissible for an institution to have student-athletes sign a pledge document requiring them to abide by virus mitigation measures.
- e. Adopt noncontroversial legislation, effective immediately, to require the following:

Prior to a student-athlete participating in fall 2020 term competition (e.g., championship segment or nonchampionship segment competition; scrimmages combining teams from two different institutions; and practices combining teams from two different institutions), the institution shall:

  - (1) Provide information on the waivers and legislative changes approved by Division II for student-athletes due to the impact of COVID-19 (e.g., accommodations for student-athletes who opt out, season-of-competition waivers);
  - (2) Review the institution's insurance coverage with student-athletes who plan to compete in the fall 2020 term and advise student-athletes to review their own existing coverage;
  - (3) Inform student-athletes of the risk classification of their sports according to the NCAA Resocialization of Sport: Developing Standards for Practice and Competition; and

- (4) Provide information about how the institution is complying with the NCAA Resocialization of Sport: Developing Standards for Practice and Competition.

Presidents Council. The Presidents Council approved the recommendations. The Presidents Council believes that each student-athlete should make an informed decision to participate in competition in the fall 2020 term. With the approval of waivers and legislative changes by Division II, each student-athlete has the flexibility to decide their participation in competition.

### **3. *ADJOURNMENT.***

Management Council. Management Council. The Management Council adjourned at 3:23 p.m. Eastern time August 20.

Presidents Council. The Presidents Council adjourned at 2:27 p.m. Eastern time August 21.

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## ***OCTOBER 19-20, 2020, DIVISION II MANAGEMENT COUNCIL, AND OCTOBER 28, 2020, DIVISION II PRESIDENTS COUNCIL MEETINGS.***

### **1. *WELCOME AND ANNOUNCEMENTS.***

Management Council. The Management Council convened at 11 a.m. Eastern time Monday, October 19. The chair welcomed those in attendance, acknowledging staff who were present.

The chair acknowledged Courtney Lovely Evans as the new vice chair of the Management Council and thanked Jim Johnson for his dedication the past 12 months.

The chair also acknowledged the four Pathways members who were attending the Council meeting.

The chair highlighted the schedule for the meeting, after which the Council proceeded with its agenda.

Presidents Council. The Presidents Council convened at 11:02 a.m. Eastern time Wednesday, October 28. Staff members were recognized by the chair.

The chair highlighted the schedule for the meeting, after which the Council proceeded with its agenda.

**2. REVIEW OF PREVIOUS MEETINGS.**

**a. June 18, July 20-21 and July 31 Management Council, and June 18 and August 5 Presidents Council.**

Management Council. The Management Council approved the summary of actions from its summer meetings.

Presidents Council. The Presidents Council approved the summary of actions from its summer meetings.

**b. NCAA Board of Governors.**

**(1) June 11, June 19, July 24, August 4 and September 25 Videoconferences.**

Management Council. The Management Council reviewed the Board of Governors reports from the June 11, June 19, July 24, August 4 and September 25 videoconferences. The reports were informational in nature.

Presidents Council. The Presidents Council reviewed the Board of Governors reports from the June 11, June 19, July 24, August 4 and September 25 videoconferences.

**(2) Board of Governors Committee to Promote Cultural Diversity and Equity.**

Management Council. The Management Council reviewed the May 22 Board of Governors Committee to Promote Cultural Diversity and Equity videoconference report. The report was informational in nature.

Presidents Council. The Presidents Council reviewed the May 22 Board of Governors Committee to Promote Cultural Diversity and Equity videoconference report. The report was informational in nature.

**c. Administrative Committee.**

Management Council. The Management Council approved the interim actions by the committee.

Presidents Council. The Presidents Council approved the interim actions by the committee.

**3. 2021 DIVISION II PRIORITIES.**

Management Council. The Management Council reviewed the 2020-21 Division II Priorities, which had been approved at the summer series of meetings.

Presidents Council. The Presidents Council reviewed the 2020-21 Division II Priorities. No action was necessary.

**4. NCAA CONVENTION AND LEGISLATION.**

**a. Proposed Legislation for the 2021 Convention.**

Management Council. The Management Council reviewed the three proposals that will be voted on at the 2021 Convention, all sponsored by the Presidents Council. The Council discussed and provided feedback on the legislation.

Presidents Council. No action was necessary.

**b. Proposed Groupings of Proposal and Roll-Call Votes.**

Management Council. The Management Council recommended that the Presidents Council approve the proposed groupings of legislative proposals and the designated roll-call votes for the purpose of production of the 2021 NCAA Convention Division II Official Notice and the order of business for the Division II business session at the 2021 Convention, as presented.

The proposals are divided by subject matter and each have an effective date of August 1, 2021. Also, each proposal will be voted on by roll-call vote. Finally, if Proposal No. 2021-2 is adopted, then Proposal No. 2021-3 is rendered moot.

Presidents Council. The Presidents Council approved the proposed grouping of legislative proposals and the designated roll-call votes for the purpose of production of the 2021 Convention Official Notice and the order of business for the Division II business session at the 2021 Convention, as recommended.

**c. Suggested Speakers for the 2021 Convention.**

Management Council. The Management Council reviewed the speakers' chart for the Division II business session at the 2021 Convention. The Council was informed of the duties that go along with being a designated or back-up speaker and was asked to advise staff of any modifications individuals would like to make.

Presidents Council. The Presidents Council reviewed the speakers' chart for the 2021 business session.

**d. Emergency Legislation.**

Management Council. The Management Council reviewed the emergency proposals, which were previously adopted in legislative form. No action was necessary.

Presidents Council. No action was necessary.

**e. Noncontroversial Legislation.**

Management Council. The Management Council adopted in legislative form two noncontroversial proposals that had previously been approved in concept (Proposal Nos. NC-2021-16 and NC-2021-17), as presented. Proposal Nos. NC-2021-18 through NC-2021-21 were previously approved in legislative form. The two proposals are listed below.

- (1) **Division Membership -- Membership Requirements -- Sports Sponsorship -- Minimum Contests and Participants Requirements for Sports Sponsorship -- Reduce Cross Country Minimum Contest Requirement and Eliminate Ability to Count Regional Qualifying Meets Toward Sports Sponsorship**, which, in cross country, eliminates the ability to count participation in regional qualifying meets in meeting the minimum-contest requirement for sports sponsorship; further, it reduces the number of minimum contests required for sports sponsorship from five to four.
- (2) **Awards and Benefits -- Expenses Provided by the Institution for Practice and Competition -- Nonpermissible -- Travel Expenses During the Winter Break -- De Minimis Violations**, which specifies that travel expenses received by a student-athlete in conjunction with away-from-home competition during the winter break period shall be considered de minimis violations and do not impact a student-athlete's eligibility.

Presidents Council. No action was necessary.

**f. Proposed Legislation for the 2022 Convention.**

Management Council. The Management Council recommended that the Presidents Council approve the three proposals listed below in legislative format.

- (1) **Enforcement Policies And Procedures -- Cooperative Principle -- Tools To Facilitate Cooperation**, which amends enforcement policies and procedures related to cooperation as follows: (a) To further define full cooperation in the infractions process; (b) To establish that the Committee on Infractions may infer that failure or refusal to produce requested materials supports an alleged violation; (c) To establish that the Committee on Infractions may view the failure or refusal to interview as an admission that an alleged violation occurred; (d) To protect a "whistleblower" who voluntarily reports information about a potential violation; and (e) To confirm that information upon which the Committee on Infractions bases its decision could be information that both directly and circumstantially supports an alleged violation, effective August 1, 2022.
- (2) **Enforcement Policies and Procedures -- Committee on Infractions Hearings -- Posthearing Committee Deliberations -- Basis of Decision - - Importation of Facts**, which specifies that: (a) Facts established by a decision or judgment of a court, agency, accrediting body or other administrative tribunal of competent jurisdiction, which is not under appeal, or by a commission, or similar review of comparable independence, authorized by a member institution or the institution's university system's board of trustees, may be accepted as true in concluding whether an institution or individual violated NCAA legislation; and (b) Evidence submitted and positions taken in such a matter may be considered in the infractions process, effective August 1, 2022.
- (3) **Enforcement Policies and Procedures -- Negotiated Resolution**, which establishes a negotiated resolution process to allow the enforcement staff to negotiate resolution of a case with an institution or involved individual about alleged violations and proposed penalties, subject to the review and approval of the Committee on Infractions, effective August 1, 2022.

Presidents Council. The Presidents Council approved the proposals for the 2022 Convention in legislative format.

5. ***REVIEW OF COMMITTEE RECOMMENDATIONS AFFECTING DIVISION II.***

a. **Division II Committees.**

(1) **Academic Requirements Committee.**

Management Council. The Management Council reviewed the committee's September 16 videoconference report. No action was necessary.



Presidents Council. No action was necessary.

**(2) Championships Committee.**

**(a) July 9, July 24, August 6, and August 20 and 27 Videoconferences.**

Management Council. The Management Council reviewed the committee's reports. No action was necessary.

Presidents Council. No action was necessary.

**(b) September 9 Videoconference.**

**(1) Noncontroversial Legislation – Bylaws 17.1.2 and 17.24.1 – Playing and Practice Seasons – Segments of Playing Season – Eliminate Two-Segment Limit – Track and Field.**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaws 17.1.2 (segments of playing season) and 17.24.1 (length of playing season) to eliminate, in track and field, the restriction on dividing the playing season into not more than two distinct segments; further, to specify that each segment must consist of at least one week, effective August 1, 2021.

Presidents Council. No action was necessary.

**(2) Triennial Championships Budget Requests.**

Management Council. The Management Council endorsed the requests for the triennial budget cycle beginning in fiscal year 2021-22, as presented. The requests will be reviewed by the Planning and Finance Committee in November, and, if approved, by the Presidents Council in January.

Presidents Council. No action was necessary.

**(3) Revised Requirements for Video Streaming at Preliminary Rounds.**

Management Council. The Management Council approved the revised requirements for video streaming at preliminary rounds of 2020-21 NCAA Division II Championships, as presented.

Presidents Council. No action was necessary.

**(4) Regional Ranking Dates in Men's Golf.**

Management Council. The Management Council approved applying a one-time adjustment to the regional ranking dates for the 2020-21 academic year as follows:

- Friday, March 12, 2021 – first ranking call
- Friday, March 26, 2021 – second ranking call
- Friday, April 9, 2021 – third ranking call
- Friday, April 23, 2021 – selection call

Presidents Council. No action was necessary.

**(5) Regional Ranking Dates in Women's Golf.**

Management Council. The Management Council approved applying a one-time adjustment to the regional ranking dates for the 2020-21 academic year as follows:

- Thursday, March 11, 2021 – first ranking call
- Thursday, March 25, 2021 – second ranking call
- Thursday, April 8, 2021 – third ranking call
- Monday, April 26, 2021 – selection call

Presidents Council. No action was necessary.

**(6) Access to the Division II Women's Golf Championships.**

Management Council. The Management Council approved adjusting access to the Division II Women's Golf Championships as follows:

- Base the number of teams advancing to the finals on the size of the region;

- Add two at-large teams so that 18 teams advance to the finals instead of the current 16; and
- Reduce the number of individuals advancing to the finals from the current 16 (four per region) to eight (two per region).

Presidents Council. No action was necessary.

**(7) Allowable Format for Tournament Pairings in Men's and Women's Golf.**

Management Council. The Management Council approved allowing student-athletes from the same institution to be paired as a fivesome during countable competition throughout regular-season play, at the discretion of tournament hosts.

Presidents Council. No action was necessary.

**(8) Date Formula Change in Quarterfinals for Men's Lacrosse.**

Management Council. The Management Council approved moving the current date of the quarterfinal round during the first week of the Division II Men's Lacrosse Championship from Saturday to Sunday.

Presidents Council. No action was necessary.

**(9) Joint Championship in Women's Lacrosse.**

Management Council. The Management Council approved allowing Division II women's lacrosse to participate in a "festival style" joint championship in the same city with Division I and Division III men's and women's lacrosse in 2025 and 2026. The proposal is for the finals in Divisions I, II and III men's lacrosse and Division I women's lacrosse to be conducted at Gillette Stadium in Foxborough, Mass.; the finals in Division II women's lacrosse to be conducted at Stonehill College in nearby Easton, Mass.; and the finals in Division III women's lacrosse to be conducted at Babson College in nearby Wellesley, Mass. The Council also approved amending the current date formula for Division II

women's lacrosse by moving the semifinals and final back by one week to align with the championship dates for Division I and III men's and women's lacrosse in those years.

Presidents Council. No action was necessary.

**(c) September 24 Videoconference.**

- **Date Change for the 2021 NCAA Division II Men's and Women's Swimming and Diving Championships.**

Management Council. The Management Council approved the 2021 NCAA Division II Men's and Women's Swimming and Diving Championships be moved from March 10-13 to March 17-20.

Presidents Council. The Presidents Council received an update on the date change of the championship. No action was necessary.

**(d) October 1 Videoconference.**

- **Minimum Contests Requirements for Championships Selection for Men's and Women's Basketball for the 2020-21 Academic Year.**

Management Council. The Management Council approved reducing the minimum number of contests requirements for championships selection for men's and women's basketball for the 2020-21 academic year from 15 contests to 11 contests.

Presidents Council. The Presidents Council received an update on the reduction of the minimum number of contests requirements for championships selection for men's and women's basketball. No action was necessary.

**(3) Legislation Committee.**

- **July 1 and 9, August 3, August 10 and August 31 Videoconferences.**

Management Council. The Management Council reviewed the committee's reports. No action was necessary.

Presidents Council. No action was necessary.

**(4) Committee for Legislative Relief.**

**(a) Division II Previously Approved Waiver Checklist.**

Management Council. The Management Council approved the previously approved waiver checklist, as presented.

Presidents Council. No action was necessary.

**(b) Previously Approved Incidental Expense Waiver List.**

Management Council. The Management Council approved the updated previously approved incidental expense waiver list, as presented.

Presidents Council. No action was necessary.

**(5) Membership Committee.**

Management Council. The Management Council reviewed the committee's September 18 videoconference report. No action was necessary.

Presidents Council. No action was necessary.

**(6) Nominating Committee.**

Management Council. The Management Council reviewed the committee's August 24 videoconference report. No action was necessary.

Presidents Council. No action was necessary.

**(7) Planning and Finance Committee.**

**(a) August 4 Videoconference.**

Management Council. The Management Council reviewed the committee's August 4 videoconference report. No action was necessary.

Presidents Council. The Presidents Council reviewed the committee's August 4 videoconference report. No action was necessary.

**(b) September 24 Videoconference.**

- **Extension of the 2015-21 NCAA Division II Strategic Plan.**

Management Council. The Management Council endorsed extending the current strategic plan through 2023 and adopting the timeline to develop its successor. In addition, the Council endorsed issuing an addendum at the 2021 NCAA Convention that summarizes the implementation of plan-related initiatives to date and also details how the division managed the COVID-19 crisis by: (1) Relying on the governance structure to follow established processes and procedures (especially those related to budgetary matters); (2) Communicating and collaborating with the Division II membership to assess both short- and long-term issues that needed to be addressed; and (3) Demonstrating leadership to make decisions swiftly yet remain nimble enough to react to a fluid and ever-evolving landscape caused by the pandemic.

Presidents Council. The Presidents Council approved extending the current strategic plan through 2023 and adopting the timeline to develop its successor. In addition, the Council agreed to issue an addendum at the 2021 NCAA Convention that summarizes the implementation of plan-related initiatives to date and also details how the division managed the COVID-19 crisis by: (1) Relying on the governance structure to follow established processes and procedures (especially those related to budgetary matters); (2) Communicating and collaborating with the Division II membership to assess both short- and long-term issues that needed to be addressed; and (3) Demonstrating leadership to make decisions swiftly yet remain nimble enough to react to a fluid and ever-evolving landscape caused by the pandemic.

**(c) Unaudited 2019-20 Budget Figures.**

Management Council. The Management Council reviewed the unaudited 2019-20 budget figures. No action was necessary.

Presidents Council. The Presidents Council reviewed the unaudited 2019-20 budget figures. No action was necessary.

**(8) Student-Athlete Advisory Committee.**

• **July 16, August 11, August 19 and October 14 Videoconferences.**

Management Council. The Management Council reviewed the committee's reports. No action was necessary.

Presidents Council. No action was necessary.

**(9) Committee on Student-Athlete Reinstatement.**

**(a) July 20 and August 26 Videoconferences.**

Management Council. The Management Council reviewed the committee's reports. No action was necessary.

Presidents Council. No action was necessary.

**(b) October 8 Videoconference.**

**i. Season-of-Competition Waiver for Winter Sport Student-Athletes.**

Management Council. The Management Council approved allowing institutions to self-apply season-of-competition waivers for winter sport student-athletes who compete in up to the 2020-21 Bylaw 17 maximum permissible dates of competition while eligible as a result of the disruption and uncertainty caused by the COVID-19 pandemic.

Presidents Council. The Presidents Council received an update on the season-of-competition waiver for winter sport student-athletes. No action was necessary.

**ii. Application of Self-Applied Season-of-Competition Waiver for Indoor and Outdoor Track and Field.**

Management Council. The Management Council approved clarifying the application of the self-applied season-of-competition waiver in indoor and outdoor track and field to

specify that, for institutions that sponsor both indoor and outdoor track and field, a student-athlete is eligible for a self-applied season-of-competition waiver provided the student-athlete's team does not participate in more than four dates of competition in each sport season during the 2020-21 academic year.

Presidents Council. No action was necessary.

**b. Division II Subcommittees, Project Teams, Task Forces and Working Groups.**

**(1) Convention Planning Project Team.**

**• 2021 Convention Schedule and Educational Programming.**

Management Council. The Management Council approved the Division II schedule and educational programming for the 2021 Convention.

Presidents Council. The Presidents Council approved the Division II schedule and educational programming for the 2021 Convention.

**(2) Enforcement and Infractions Task Force.**

Management Council. The Management Council reviewed the task force's report. No action was necessary.

Presidents Council. The President Council reviewed the task force's report. No action was necessary. The Council also provided feedback on Phase Two concepts currently being discussed by the task force.

**(3) Management Council Identity Subcommittee.**

Management Council. The Management Council received an update on the discussions by the Identity Subcommittee, including the partnership with the Disney Institute to provide a more positive game environment; the Source 1 Digital conference signage credit; the Division II beat writer for NCAA.com; and social media analytics. No action was necessary.

Presidents Council. No action was necessary.

**c. Association-Wide Committees.**



**(1) Committee on Competitive Safeguards and Medical Aspects of Sports.**

Management Council. The Management Council reviewed the committee's June 10-11 videoconference report. No action was necessary.

Presidents Council. No action was necessary.

**(2) Honors Committee.**

Management Council. The Management Council reviewed the committee's June 29 videoconference report. No action was necessary.

Presidents Council. No action was necessary.

**(3) Olympic Sports Liaison Committee.**

Management Council. The Management Council reviewed the committee's June 11 videoconference report. No action was necessary.

Presidents Council. No action was necessary.

**(4) Playing Rules Oversight Panel.**

- **June 3, June 24, July 24, August 12 and September 9 Videoconferences.**

Management Council. The Management Council reviewed the panel's reports. No action was necessary.

Presidents Council. No action was necessary.

**(5) Postgraduate Scholarship Committee.**

Management Council. The Management Council reviewed the committee's July 9 videoconference report. No action was necessary.

Presidents Council. No action was necessary.

**(6) Research Committee.**

Management Council. The Management Council reviewed the committee's September 14 videoconference report. No action was necessary.

Presidents Council. No action was necessary.

**6. *ROUNDTABLE DISCUSSIONS REGARDING STRATEGIES BEING DEVELOPED AT THE LOCAL LEVEL FOR ADDRESSING SOCIAL INJUSTICE, AS WELL AS EFFORTS TO MONITOR CONCERNS AND DEVELOP RESOURCES RELATED TO MENTAL HEALTH.***

Management Council. The Management Council participated in breakout sessions Monday afternoon, which gave members the opportunity to discuss strategies for addressing social injustice at the local level, as well as sharing any efforts to monitor concerns and development of resources related to mental health. No formal action was taken.

Presidents Council. No action was necessary.

**7. *DIVISION II MANAGEMENT COUNCIL.***

**a. Elections to Fill Vacancies from the Central Intercollegiate Athletic Association, Northeast-10 Conference and the Rocky Mountain Athletic Conference.**

Management Council. The Management Council elected the following individuals to become new representatives on the Council, effective at the conclusion of the 2021 Division II business session.

- (1) Central Intercollegiate Athletic Association. **Marcus Clarke**, conference administrator, Central Intercollegiate Athletic Association, replacing Felicia Johnson, senior woman administrator, Virginia Union University.
- (2) Northeast-10 Conference. **Danny McCabe**, director of athletics, Adelphi University, replacing Jessica Chapin, senior woman administrator, American International College.
- (3) Rocky Mountain Athletic Conference. **Jackie Wallgren**, senior woman administrator, Colorado State University-Pueblo, replacing Chris Graham, commissioner, Rocky Mountain Athletic Conference.

Presidents Council. The Presidents Council ratified the elections.

**b. Election of Management Council Chair.**

Management Council. The Management Council elected **Jim Johnson**, director of athletics, Pittsburg State University, as the next chair of the Management Council,

effective at the conclusion of the 2021 Division II business session and for a one-year period, concluding, January 2022.

Presidents Council. The Presidents Council ratified the election.

**c. Management Council Committee and Project Team Assignments.**

Management Council. The Management Council reviewed committee and project team assignments, noting those assignments that would be open with the turnover in Council representation. The Council was informed that if anyone was interested in being assigned to a specific committee or project team, he or she should inform the chair or one of the Division II staff members.

Presidents Council. No action was necessary.

**8. DIVISION II PRESIDENTS COUNCIL.**

- a. Chair Election.** The Presidents Council re-elected **Sandra Jordan**, chancellor, University of South Carolina Aiken, as chair of the Council, effective at the adjournment of the 2021 Division II business session, for a one-year period concluding January 2022.
- b. Presidents Council Terms of Service.** The Presidents Council reviewed the Presidents Council terms of service. No action was necessary.
- c. Discussion Regarding Presidents Council Legislative Authority.** The Presidents Council began discussions regarding potential changes to expand legislative options of the Presidents Council and Division II.

The Council provided preliminary feedback and determined that feedback should be sought from other committees in the governance structure as well as the Division II Management Council.

**9. NATIONAL OFFICE STAFF UPDATES.**

**a. Executive and Legal.**

Management Council. The Management Council received an update from the NCAA president as well as the chief operating officer and chief legal officer on issues surrounding the NCAA.

Presidents Council. The Presidents Council received an update on issues surrounding the NCAA from the NCAA president and the chief operating officer

and chief legal officer, which included highlights from the October 27 Board of Governors meeting; and updates regarding COVID-19; name image and likeness; and the Alston case. In addition, the Council was introduced to Derrick Gragg, newly appointed senior vice president for inclusion, education and community engagement.

**b. Sport Science Institute.**

Management Council. The Management Council received an update from Sport Science Institute staff on some initiatives that the office is working on, including the Association's response to the COVID-19 pandemic.

Presidents Council. The Presidents Council received an update from Sport Science Institute staff on the Association's response to the COVID-19 pandemic.

**c. 2020 Report of Division II Directors of Athletics.**

Management Council. The Management Council received the results from a recent survey regarding Division II Directors of Athletics. No action was necessary.

Presidents Council. The Presidents Council received the results from a recent survey regarding Division II Directors of Athletics. No action was necessary.

**d. Division II Award of Excellence.**

Management Council. The Management Council was informed that nominations for the award will be accepted through November 20. The overall winner of the award will be recognized at the Division II business session during the 2021 Convention.

Presidents Council. No action was necessary.

**e. Gallup Study of NCAA Student-Athletes: Undergraduate Experiences and Post-College Outcomes.**

Management Council. The Management Council was provided an overview of the Gallup Study of NCAA Student-Athletes: Undergraduate Experiences and Post-College Outcomes.

Presidents Council. The Presidents Council was provided an overview Gallup Study of NCAA Student-Athletes: Undergraduate Experiences and Post-College Outcomes.

**10. *AFFILIATED ASSOCIATION UPDATES.***

Management Council. The Management Council was updated on the activities of the following affiliated associations.

- a. Division II Athletics Directors Association.**
- b. Division II Conference Commissioners Association.**
- c. CoSIDA.**
- d. Faculty Athletics Representative Association.**
- e. Minority Opportunities Athletics Administrators Association.**
- f. National Association for Athletics Compliance.**
- g. Women Leaders in College Sports.**

Presidents Council. No action was necessary.

**11. *OTHER BUSINESS.***

- a. Name, Image and Likeness Third-Party Vendor RFP.**

Management Council. The Management Council was provided an update that the NCAA distributed an RFP seeking third-party vendors to assist with administration of activities related to the use of a student-athlete's name, image and likeness. The RFP focused on three possible key area of assistance: (1) disclosure and transparency; (2) monitoring and evaluation; and education. On October 2, 19 bids were received with eight vendors moving forward after the initial review. The NCAA staff reviewed the bids of the eight vendors and chose four vendors to move forward. The four vendors will provide a virtual presentation to national office staff, as well as external individuals sometime in November.

Presidents Council. No action was necessary.

- b. Extension of the 2020-21 Swimming and Diving Playing and Practice Season.**

Management Council. The Management Council approved a blanket waiver to increase the length of the 2020-21 swimming and diving playing and practice season from 144 days to 151 days due to the date change of the Division II Men's and Women's Swimming and Diving Championships.

Presidents Council. The Presidents Council received an update. No action was necessary.

**12. MEETING RECAP/THINGS TO REPORT BACK TO MEMBERSHIP.**

Management Council. The Management Council was provided with a list of topics/issues to report to its member institutions. These topics included: 2021 Convention information and resources; 2020-21 Division II Priorities; information regarding the season-of-competition waiver for 2020-21 winter sport student-athletes; dates and locations for 2021 winter championships; information regarding the minimum number of contests for selection for basketball; site selections for 2022-26; triennial budget requests; COVID-19 resources; 2020 Directors of Athletics Survey results; the Division II specific Gallup Study of NCAA Student-Athletes; and information regarding the Award of Excellence nomination process.

Presidents Council. No action was necessary.

**13. FUTURE MEETINGS.**

Management Council. The Management Council reviewed the upcoming meetings for 2021 through January 2022.

Presidents Council. The Presidents Council reviewed the upcoming meetings for 2021 through January 2022.

**14. ADJOURNMENT.**

Management Council. The Management Council adjourned at 1:10 p.m. Eastern time October 20.

Presidents Council. The Presidents Council adjourned at 2:48 p.m. Eastern time October 28.

NCAA Division II Management Council and Presidents Council August 20 and 21, 2020, Videoconferences October 19-20 and 28, 2020, Videoconferences	
Attendees:	
Management Council	Presidents Council
Brenda Cates, University of Mount Olive	Carlos Campo, Ashland University
Jessica Chapin, American International College	John Denning, Stonehill College
Teresa Clark, Cedarville University	Michael Driscoll, Indiana University of Pennsylvania
Laura Clayton Eady, University of West Georgia	Rex Fuller, Western Oregon University

<b>Attendees:</b>	
<b>Management Council</b>	<b>Presidents Council</b>
Mark Corino, Caldwell University	Allison Garrett, Emporia State University
J. Lin Dawson, Clark Atlanta University	John Y. Gotanda, Hawaii Pacific University
Robert Dranoff, East Coast Conference	Chris Graham, Rocky Mountain Athletic Conference
Amy Foster, Seattle Pacific University	Donna Henry, University of Virginia's College at Wise
Marty Gilbert, Mars Hill University	Gayle Hutchinson, California State University, Chico
Christopher Graham, Rocky Mountain Athletic Conference, chair	Sandra Jordan, University of South Carolina Aiken, chair
Amy Henkelman, Dominican University of California	T. Dwayne McCay, Florida Institute of Technology
Felicia M. Johnson, Virginia Union University	Bruce McLarty, Harding University
Jim Johnson, Pittsburg State University	Colleen Perry Keith, Goldey-Beacom College
Kristi Kiefer, Fairmont State University	Elwood Robinson, Winston-Salem State University
Braydon Kubat, University of Minnesota Duluth	Steven Shirley, Minot State University
David B. Kuhlmeier, Valdosta State University	William Thierfelder, Belmont Abbey College
Courtney Lovely Evans, Palm Beach Atlantic University	
David Marsh, Northwood University	
Madeleine McKenna, California University of Pennsylvania	
Carrie Michaels, Shippensburg University of Pennsylvania	
Doug Peters, Minnesota State University Moorhead	
Julie Rochester, Northern Michigan University	
Judy Sackfield, Texas A&M University-Commerce	
Harry Stinson, III, Lincoln University (Pennsylvania)	
Christie Ward, Georgia Southwestern State University	
Jeff Williams, East Central University	
Steven Winter, Sonoma State University	
Jerry Wollmering, Truman State University	

<b>Absentees:</b>	
<b>Management Council</b>	<b>Presidents Council</b>
Teresa Clark, Cedarville University ( <i>August</i> )	M. Christopher Brown II, Kentucky State University
Braydon Kubat, University of Minnesota Duluth ( <i>August</i> )	Rex Fuller, Western Oregon University ( <i>August</i> )
David B. Kuhlmeier, Valdosta State University ( <i>August</i> )	Elwood Robinson, Winston-Salem State University ( <i>August</i> )
<b>Guests in Attendance:</b>	
None.	
<b>NCAA Staff Members in Attendance:</b>	
Markie Cook, Mark Emmert ( <i>October</i> ), Haydyn Gibson, Derrick Gragg ( <i>October Presidents Council</i> ), Brian Hainline ( <i>October</i> ), Terri Steeb Gronau, Liz Homrig, Chelsea Hooks, Maritza Jones, Ryan Jones, Corbin McGuire, Roberta Page, John Parsons ( <i>October</i> ), Stephanie Quigg, Donald Remy ( <i>October</i> ), Cari Van Senus ( <i>October</i> ), Jill Waddell and Karen Wolf.	





**Interim Actions of the NCAA Division II Administrative Committee**

1. On November 4 and December 7, the Administrative Committee took action on Division II regulations and policies impacted by COVID-19, including issues related to eligibility, playing and practice seasons, and membership [see Attachment].
2. On December 7, the Administrative Committee approved the following items.
  - a. **Reductions to the Winter and Spring Championships Bracket/Field Sizes.** The committee approved the following bracket/field size reductions to the winter and spring championships.

Winter Sports			
Sport	Sponsorship	Full Bracket/ Field Size	Recommended Bracket/Field Size (% reduction)
Men's Basketball	304	64	48 (25%)
Women's Basketball	305	64	48 (25%)
Men's Indoor Track and Field	176	270	202 (25%)
Women's Indoor Track and Field	201	270	202 (25%)
Men's Swimming and Diving	76	175	146 (17%)
Women's Swimming and Diving	102	205	146 (29%)
Wrestling	63	180	132 (27%)
Spring Sports			
Sport	Sponsorship	Full Bracket/ Field Size	Recommended Bracket/Field Size (% reduction)
Baseball	252	56	42 (25%)
Men's Golf	224	108	84 (22%)
Women's Golf	200	96	72 (25%)
Men's Lacrosse	72	12	10 (17%)
Women's Lacrosse	111	16	12 (25%)
Women's Rowing	16	6 teams per event (2)	4 teams per event (2) (34%)
Softball	290	64	48 (25%)
Men's Tennis	148	48	36 (25%)
Women's Tennis	207	48	36 (25%)
Men's Outdoor Track and Field	225	377	283 (25%)
Women's Outdoor Track and Field	256	377	283 (25%)

- b. Waiver of Regional Site Determination.** The committee approved a one-year waiver of NCAA Bylaw 31.1.3.2.1 (criteria for regional site determination) for the 2020-21 academic year only. Due to 2021 winter and spring championships moving to predetermined sites, this waiver provides the necessary flexibility to prepare for a scenario in which a top-seeded team is unable to host regional competition.
- c. Immediate Appointments to Sport Committees.** The committee approved the following appointments, effective immediately.
- (1) **Men's and Women's Cross Country. Jason Bryan**, head cross country and track and field coach, Catawba College.
  - (2) **Men's Lacrosse. Dan Mara**, commissioner, Central Atlantic Collegiate Conference.
  - (3) **Softball. Kendall Rainey**, director of athletics, The University of Virginia's College at Wise.
  - (4) **Softball Rules. Kristin Mort**, co-director of athletics, Colorado Mesa University.
  - (5) **Men's and Women's Track and Field. Joe Wassink**, head men's and women's track and field coach, Limestone University.
  - (6) **Women's Golf. Melanie Robotham**, assistant commissioner, Lone Star Conference.
  - (7) **Wrestling. Dale Lennon**, director of athletics, University of Mary.
- d. 2021 NCAA Convention Division II Procedural Issues Document.** The committee approved the Procedural Issues Document for the Division II business session.
- e. Management Council Committee and Project Team Assignments.** The committee approved the Management Council committee and project team assignments for 2021, effective at the conclusion of the 2021 NCAA Convention:

Management Council Representative ( <i>Mentor</i> )	Committees/Project Teams
Brenda Cates	Division II Legislation Committee Division II Management Council Identity Subcommittee
Teresa Clark	Division II Management Council Identity Subcommittee ( <i>chair</i> )

Management Council Representative ( <i>Mentor</i> )	Committees/Project Teams
	Division II Student-Athlete Reinstatement Committee
Marcus Clarke ( <i>Bob Dranoff</i> )	Division II Championships Committee Division II Management Council Subcommittee
Laura Clayton Eady	NCAA Walter Byers Scholarship Committee Division II Management Council Subcommittee
Mark Corino	Division II Management Council/Championships Committee Appeals Subcommittee Division II Planning and Finance Committee
J. Lin Dawson	NCAA Committee on Sportsmanship and Ethical Conduct Division II Infractions Appeals Committee
Bob Dranoff	Division II Convention Planning Project Team Division II Management Council Liaison to the Division II Conference Commissioners Association (CCA) Division II Management Council Identity Subcommittee Division II Management Council Subcommittee ( <i>chair</i> ) Division II Membership Committee
Amy Foster	Division II Management Council Identity Subcommittee Division II Management Council Subcommittee ( <i>chair</i> ) Division II Planning and Finance Committee
Marty Gilbert	Division II Management Council Subcommittee ( <i>chair</i> ) Division II Student-Athlete Advisory Committee
Amy Henkelman ( <i>Judy Sackfield</i> )	NCAA Postgraduate Scholarship Committee Division II Committee for Legislative Relief Division II Management Council Liaison to Division II Athletics Directors Association (ADA)
Jim Johnson, <i>chair</i>	NCAA Board of Governors ( <i>ex officio</i> ) Division II Administrative Committee Division II Enforcement and Infractions Task Force Division II Management Council Identity Subcommittee ( <i>ex officio</i> ) Division II Planning and Finance Committee ( <i>ex officio</i> )

<b>Management Council Representative (<i>Mentor</i>)</b>	<b>Committees/Project Teams</b>
Kristi Kiefer	Division II Convention Planning Project Team NCAA Research Committee
David Kuhlmeier	NCAA Committee on Women's Athletics Division II Degree-Completion Awards Committee Division II Management Council Identity Subcommittee
Courtney Lovely Evans, <i>vice chair</i>	Division II Administrative Committee Division II Championships Committee ( <i>ex officio</i> ) Division II Management Council/Championships Committee Appeals Subcommittee Division II Management Council Identity Subcommittee ( <i>ex officio</i> ) Division II Planning and Finance Committee
David Marsh	Division II Legislation Committee Division II Management Council Subcommittee
Danny McCabe ( <i>David Marsh</i> )	Division II Academic Requirements Committee Division II Convention Planning Project Team Division II Management Council Identity Subcommittee
Carrie Michaels	Division II Championships Committee Management Council Liaison to Women Leaders in College Sports
Doug Peters	Division II Academic Requirements Committee Division II Management Council Identity Subcommittee
Julie Rochester	Division II Convention Planning Project Team Division II Enforcement and Infractions Task Force Division II Management Council Liaison to the Faculty Athletics Representatives Association (FARA) NCAA Committee on Competitive Safeguards and Medical Aspects of Sports
Judy Sackfield	Division II Convention Planning Project Team ( <i>chair</i> ) Division II Nominating Committee
Harry Stinson ( <i>Courtney Lovely</i> )	Division II Convention Planning Project Team Division II Management Council Liaison to the Minority Opportunities Athletics Administrators Association (MOAA)

Management Council Representative ( <i>Mentor</i> )	Committees/Project Teams
	NCAA Minority Opportunities and Interests Committee
Jackie Wallgren ( <i>Christie Ward</i> )	Division II Convention Planning Project Team Division II Management Council Liaison to National Association for Athletics Compliance (NAAC) Division II Student-Athlete Advisory Committee
Christie Ward	Division II Committee on Infractions Division II Enforcement and Infractions Task Force Division II Management Council Identity Subcommittee Division II Membership Committee
Jeff Williams	NCAA COVID-19 Medical Advisory Group Division II Management Council Subcommittee Division II Nominating Committee
Steven Winter	NCAA Olympic Sports Liaison Committee Division II Management Council Subcommittee (chair) Division II Management Council Identity Subcommittee
Jerry Wollmering	Division II Management Council Subcommittee Division II Management Council Liaison to CoSIDA NCAA Honors Committee

Management Council Subcommittee chairs:

- Appeals of Membership Committee decisions on provisional membership status: Marty Gilbert
- Appeals of Academic Requirements Committee decisions on waivers involving the Academic Performance Census and the Academic Success Rate: Bob Dranoff
- Appeals of Legislative Review Subcommittee decisions involving the amateur status of prospective student-athletes: Steven Winter

f. **Appointments to the Division II Student-Athlete Advisory Committee.** The committee approved appointments to the Division II Student-Athlete Advisory Committee (five appointments effective at the conclusion of the 2021 NCAA Convention):

- (1) California Collegiate Athletic Association, **Corbin Thaete**, men's soccer, California State University, San Marcos.

- (2) Great Lakes Valley Conference, **Vincent Jaworski**, men's swimming and diving, Lindenwood University.
- (3) Gulf South Conference, **Molly Hansen**, women's swimming and diving, University of Montevallo.
- (4) Lone Star Conference, **Thomas Webb Jr.**, football, Western New Mexico University.
- (5) South Atlantic Conference, **Margaret Ann Langheim**, softball, Mars Hill University.



**Actions Approved Related to Regulations and Policies Impacted by COVID-19**  
**Updated: December 7, 2020**

For more information related to the COVID-19 pandemic, visit the following resources on the [NCAA's COVID-19 webpage](#):

1. Resources on the resocialization of collegiate sport: [Core Principles of Resocialization of Collegiate Sport](#), [Action Plan Considerations](#) and [FAQ](#).
2. Interpretative guidance on existing Division II legislation and action taken based on the impact of the COVID-19 pandemic: [2020-21 Division II COVID-19 Question and Answer Guide](#).

<b>Bylaw 13: Recruiting Issues</b>	<b>Outcome</b>	<b>Decision Date</b>
Recruiting calendars in all sports.	Adopted noncontroversial legislation to end the quiet period as of September 1. For those sports that have a recruiting calendar, the legislation would apply effective September 1.	7/15/20  Updated 8/14/20
Annual coaches certification requirement.	Issued a blanket waiver to extend the 2019-20 certifications through August 31, 2020.  Coaches must complete the 2020-21 required coaches curriculum by September 1, 2020 in order to recruit off campus and participate in countable athletically related activities.	3/18/20
Institutional camps and clinics.	Confirmed institutional camps and clinics can be held during a quiet period and take place at any location, subject to applicable public health guidance and institutional and conference decisions.  Confirmed coaching staff members are permitted to be employed at a noninstitutional camp or clinic during the quiet period.	3/25/20  Updated 4/8/20, 5/13/20, 5/20/20, 6/10/20

<b>Bylaw 13: Recruiting Issues</b>	<b>Outcome</b>	<b>Decision Date</b>
Student-athlete involvement in virtual recruitment.	Issued a blanket waiver to permit student-athletes to be involved in recruiting correspondence (e.g., phone call, videoconference) at the direction of a coaching staff member through the 2020-21 academic year with any contactable prospective student-athletes.	4/15/20  Updated 5/6/20, 7/15/20
Transcript requirement prior to issuing National Letter of Intent or athletics aid agreement.	(1) Allowed institutions to provide a grade report in the event an unofficial transcript is unavailable; and (2) If a grade report is unavailable, institutions may submit a waiver for review on a case-by-case basis.	4/15/20
Advertisements and promotions (Bylaw 13.4.3.1)	Issued a blanket waiver to permit institutions to produce any promotional material for purposes of recruiting, provided publicity legislation (Bylaw 13.10) is followed.	5/6/20
Recruiting activity with multiple uncommitted prospective student-athletes.	Issued a blanket waiver to permit coaching staff members and current student-athletes to participate on a telephone/video call with any number of uncommitted prospective student-athletes (and their family members) through the 2020-21 academic year. All other publicity restrictions (Bylaw 13.10) apply.	5/20/20  Updated 7/15/20

<b>Bylaw 14.2: Seasons of Competition Issues</b>	<b>Outcome</b>	<b>Decision Date</b>
Impact on student-athletes that were required to serve a drug testing penalty in fall 2020 but are unable to do so due to the institution's cancellation of fall 2020 sports.	Questions on the application of drug testing penalties should be submitted through RSRO for clarification on application of penalties.	4/22/20
Impact on student-athletes that were required to serve a reinstatement withholding condition in fall 2020 but	Questions on the application of reinstatement withholding conditions should be addressed on a case-by-case basis with the case manager.	4/22/20



Bylaw 14.2: Seasons of Competition Issues	Outcome	Decision Date
are unable to do so due to the institution's cancellation of fall 2020 sports.		
Season-of-competition waivers – fall and winter sports.	<p>Allowed institutions to self-apply season-of-competition waivers for fall and winter sport student-athletes who compete in up to the maximum permissible amount of competition during the 2020-21 academic year, provided <b>all</b> of the following criteria are met:</p> <ul style="list-style-type: none"> <li>(1) The student-athlete used a season of competition during the 2020-21 academic year; and</li> <li>(2) The student-athlete was eligible for competition when he or she competed during the 2020-21 academic year.</li> </ul>	<p>9/2/20</p> <p>Updated 10/20/20</p>
Season-of-competition waivers –spring sports.	<p>Allowed institutions to self-apply season-of-competition waivers for spring sport student-athletes for the 2020-21 academic year, provided <b>all</b> of the following criteria are met:</p> <ul style="list-style-type: none"> <li>(1) The student-athlete's team participated in 50% or less of the sport's Bylaw 17 maximum contests/dates of competition during the 2020-21 season due to ongoing impact from COVID-19;</li> <li>(2) The student-athlete used a season of competition during the 2020-21 academic year; and</li> <li>(3) The student-athlete was eligible for competition when he or she competed during the 2020-21 academic year.</li> </ul> <p>Clarified the requirement that a team's participation in 50% or less of the sport's Bylaw 17 maximum contests/dates of competition during the 2020-21 season could apply to institutions that choose to schedule limited competition based on COVID-19. The calculation of 50% is specific to</p>	<p>7/22/20</p> <p>Updated 7/29/20, 8/14/20, 9/2/20</p>

Bylaw 14.2: Seasons of Competition Issues	Outcome	Decision Date
	<p>regular-season contests/dates of competition and includes all regular-season competition (including scrimmages and other discretionary exemptions).</p> <p>Clarified that, in individual sports, a student-athlete may not participate in more than 50% of the sport's Bylaw 17 maximum in addition to the team not participating in more than 50%.</p>	
Extension of eligibility waivers.	<p>Allowed institutions to self-apply an extension of eligibility waiver (two semesters/three quarters) for student-athletes for the 2020-21 academic year, as follows:</p> <ul style="list-style-type: none"> <li>(1) If the student-athlete qualifies for the season of competition waiver (see above);</li> <li>(2) For a student-athlete who is unable to participate due to a cancellation of the sport season; or</li> <li>(3) For a student-athlete who opts out of countable athletically related activities.</li> </ul> <p>Clarified that a student-athlete may opt out at any time, regardless of whether they have previously participated in countable athletically related activities, including practice or competition and retain access to the extension of eligibility waiver in Option No. 3 above.</p> <p>In order to qualify for the self-applied extension of eligibility waiver, the student-athlete must have been otherwise eligible for competition during 2020-21 academic year.</p> <p>This relief is applicable to all eligible student-athletes, regardless of year in school or number of semesters previously used.</p>	<p>7/22/20</p> <p>Updated 8/21/20, 9/30/20</p>

<b>Bylaw 14.2: Seasons of Competition Issues</b>	<b>Outcome</b>	<b>Decision Date</b>
Extension of eligibility waivers for fall sport student-athletes whose 10 <sup>th</sup> semester/14 <sup>th</sup> and 15 <sup>th</sup> quarter is fall 2020 term.	The Division II Committee on Student-Athlete Reinstatement previously approved list allows for a one semester/two quarter extension to permit participation during the 2021 spring season.	8/14/20
Organized competition legislation.	<p>Issued a blanket waiver of the organized competition legislation to permit students who have not previously enrolled full time at a collegiate institution, and whose legislated grace period concluded before <b>or during</b> the 2020-21 academic year, to engage in organized competition during the 2020-21 academic year without using a season of competition.</p> <p>The waiver will be applied by the NCAA staff during the NCAA Eligibility Center amateurism certification process and reflected in the student-athlete's certification.</p>	<p>7/29/20,</p> <p>Updated 12/7/20</p>

<b>Bylaw 14.3: Initial Eligibility Issues</b>	<b>Outcome</b>	<b>Decision Date</b>
How will the Eligibility Center approach schools that issue pass/fail grades for core courses completed in spring/summer 2020?	Credits earned in pass/fail core courses in spring/summer 2020 will apply toward the core-course requirement, but quality points (2.3) for passed core units will only be included for GPA purposes if the student's core GPA would increase with their inclusion. Note: This policy will apply to students from all grade levels (e.g., freshmen, sophomores) who successfully complete NCAA-approved pass/fail courses in Spring/Summer 2020.	4/15/20
Given the unique circumstances and cancellations (e.g., spring terms, leaving exams, ACT/SAT dates), will there be any flexibility in the initial-eligibility standard for students with an expected	Students will receive an automatic initial-eligibility waiver (athletics aid, practice and competition) in the academic certification process if they successfully complete at least 10 core-course units before starting the seventh semester and present a 2.2 or higher core GPA in such courses.	4/15/20

Bylaw 14.3: Initial Eligibility Issues	Outcome	Decision Date
<u>winter 2020 graduation date</u> who initially enroll full time in 2020-21?	Students will receive an automatic initial-eligibility waiver for athletics aid and practice (i.e., partial qualifier) relief of initial-eligibility requirements for expected Spring/Summer/Winter 2020 graduates who present at least 10 core units with a 2.000 GPA before starting the seventh semester of high school.	
Will there be any flexibility in requiring official academic documents for students with an expected <u>winter 2020 graduation date</u> who initially enroll full time in 2020-21?	If official documents are unavailable, unofficial documents may be used in the certification, provided such documents are submitted to the Eligibility Center directly from the email address associated with the student's Eligibility Center account.	4/15/20
Should the current application of COVID-19 alternative standards be adjusted to provide enhanced flexibility?	Students who initially enroll full-time in 2020-21 will receive an automatic initial-eligibility waiver if they meet current COVID-19 alternative standards or legislated requirements without test scores.	8/14/20
Given continued uncertainty due to COVID-19, will there be any flexibility in the initial-eligibility standard for students who initially enroll full time in <u>2021-22</u> ?	Students who initially enroll full-time in 2021-22 will receive an automatic initial-eligibility waiver if they meet legislated requirements (qualifier, early academic qualifier, partial qualifier) without test scores.	8/14/20
Should current policies regarding pass/fail grades and unofficial documents be extended for students who initially enroll full time in <u>2021-22</u> ?	Students who successfully complete pass/fail courses in 2020-21 will receive 2.3 quality points for such courses, and unofficial documents may be used in the certification for students who initially enroll full-time in 2021-22.	8/14/20

<b>Bylaws 14.1/14.4: Full-Time Enrollment and Progress-Toward-Degree Issues</b>	<b>Outcome</b>	<b>Decision Date</b>
Impact on student-athletes who utilized Bylaw 14.1.7.1.7.3 (practice or competition – final semester/quarter) during the 2020 spring semester and implications for full-time enrollment in fall 2020.	Issued a blanket waiver to waive the application to permit student-athletes to retain their eligibility if they are not able to complete their graduation requirements in the spring 2020 term due to COVID-19 impact.	3/18/20
Eligibility requirements for the 2020-21 academic year (full-time enrollment, term-by-term, academic year and annual credit hour requirements, GPA requirement).	<p>Confirmed that full-time enrollment and progress-toward-degree requirements for the 2020-21 academic year remain the same.</p> <p>Student-athletes must be in good academic standing to be eligible for competition in the fall 2020 term.</p> <p>Institutions are still required to complete an eligibility list for the 2020-21 academic year (see Bylaw 14.11.2).</p>	5/13/20
Full-time enrollment for 2020-21 academic year.	<p>Issued a blanket waiver to allow student-athletes who will exhaust their 10-semester/15-quarter period of eligibility during the 2020-21 academic year to participate in <u>practice</u> while enrolled part-time in at least nine-semester/eight-quarter hours for undergraduate and six-semester or six-quarter hours for graduate.</p> <p>(Note: student-athletes who practice while enrolled less than full-time would use a semester/quarter.)</p>	8/14/20
Impact on student-athletes who utilized Bylaw 14.1.7.1.7.3 (practice or competition – final semester/quarter) during the 2020 fall semester and	Issued a blanket waiver to waive the application to permit student-athletes to retain their eligibility if they are not able to complete their graduation requirements in the fall 2020 term.	8/14/20

<b>Bylaws 14.1/14.4: Full-Time Enrollment and Progress-Toward-Degree Issues</b>	<b>Outcome</b>	<b>Decision Date</b>
implications for full-time enrollment in spring 2021.		
Progress-toward-degree requirements for the 2020-21 academic year.	Confirmed that progress-toward-degree requirements remain as legislated for the 2020-21 academic year.	8/14/20
Application of the missed term exception.	Issued a blanket waiver to allow the following student-athletes who choose to not enroll for the 2020 fall term to use the missed term exception: (1) A student-athlete in their first academic year in residence; and (2) A student-athlete who has previously used the missed term exception once during their collegiate enrollment.	8/21/20

<b>Bylaw 14.5: Transfer Eligibility Issues</b>	<b>Outcome</b>	<b>Decision Date</b>
Two-year college transfer requirements for prospective student-athletes who are impacted by COVID-19 related issues (e.g., certifying institution does not accept pass/fail grades, two-year college ceased operations, two-year college transitioned to remote learning).	Allowed institutions to self-apply a two-year college transfer waiver for prospective student-athletes transferring for the 2020-21 academic year provided all of the following criteria were met and the student-athlete was enrolled in the courses necessary entering the 2020 spring term: (1) The student-athlete was on track to complete at least two full-time semesters or three quarters at the two-year college; (2) The student-athlete was on track to satisfactorily complete an average of 12-semester or 12-quarter hours of transferable credit for each full-time term of attendance at the two-year college; (3) The student-athlete was on track to satisfactorily complete the following transferable credit-hour requirements: a) six semester or eight quarter hours of English; b) three semester or four quarter hours of Math; and c) three semester or four quarter hours of natural or physical science; and (4) The student-athlete has presented a minimum transferable grade-point average of 2.2.	5/6/20  Updated 5/13/20

<b>Bylaw 14.5: Transfer Eligibility Issues</b>	<b>Outcome</b>	<b>Decision Date</b>
	The institution is responsible for maintaining documentation on campus as is currently required for progress-toward-degree waivers in the <a href="#">previously approved waiver checklist</a> .	

<b>Bylaw 14.7: Outside Competition Issues</b>	<b>Outcome</b>	<b>Decision Date</b>
Application of outside competition (including unattached competition) legislation for the 2020-21 academic year.	Confirmed the legislation for outside competition apply as is for the 2020-21 academic year. If needed, institutions can file individual waiver requests.	8/14/20

<b>Bylaw 15: Financial Aid Issues</b>	<b>Outcome</b>	<b>Decision Date</b>
Financial aid equivalency limits for 2020-21 academic year.	<p>Issued a blanket waiver to allow student-athletes who would have used their fourth season of competition or exhausted their 10-semester/15-quarter period of eligibility during the spring 2020 term to receive athletics aid for the 2020-21 academic year without counting toward team equivalency limits (i.e., treat these student-athletes as if they are receiving exhausted eligibility athletics aid).</p> <p>This relief only applies if the student-athlete remains at their original institution. If the student-athlete transfers, the athletics aid received at the new institution would count toward team equivalency limits.</p>	<p>3/13/20</p> <p>Criteria amended 3/18/20 and 3/25/20</p>
Financial aid equivalency limits for the 2020-21 academic year.	Issued a blanket waiver to exempt from team equivalency limits athletics aid received by a fall sport student-athlete whose 10th semester/14th and 15th quarter is fall 2020 term (or for a student-athlete who has previously qualified for an extension of eligibility waiver) and qualifies for a one	9/2/20

Bylaw 15: Financial Aid Issues	Outcome	Decision Date
	semester/two quarter extension to permit participation during the 2021 spring season.	
If a student-athlete fails to report for practice or competition for reasons related to COVID-19 (e.g., unable to obtain visa, uncomfortable traveling to institution's locale, opting out of participation in countable athletically related activities), does this constitute voluntary withdrawal and the institution can reduce/cancel athletics aid?	Adopted noncontroversial legislation to amend NCAA Bylaw 15.5.4.3 (reduction or cancellation not permitted) to prohibit an institution from reducing or cancelling athletics aid for a student-athlete who, by October 1, 2020, chooses to opt out of countable athletically related activities during the 2020-21 academic year due to concerns about contracting COVID-19; further, to clarify that a student-athlete's decision to opt out of participation by October 1, 2020 does not constitute a voluntary withdrawal from the team.	3/18/20  Updated 8/21/20
Degree-Completion Awards for 2020-21.	For spring sports student-athletes who were awarded an extension request, waived current requirements so they can participate in their last season during the 2020-21 academic year and still receive the award. Additionally, a student-athlete may still receive athletics aid.	3/25/20  Updated 3/30/20
2020-21 academic year athletics aid reductions or cancellations due to COVID-19	Confirmed it is permissible for an institution to include a nonathletically related condition [see Bylaw 15.5.4.1.1] in its 2020-21 financial aid agreements related to COVID-19 (e.g., reduction of room and board if an institution only conducts online courses for the fall 2020 term). Institutions are encouraged to consult with legal counsel and risk management.	5/6/20
Conference postgraduate scholarships for the 2020-21 academic year.	Issued a blanket waiver to permit student-athletes with remaining eligibility to receive a postgraduate scholarship from a conference office during the 2020-21 academic year and exempt the aid from institutional team equivalency limits.	8/14/20
Financial aid equivalency limits for the 2021-22 academic year.	Issued a blanket waiver to permit a student-athlete, regardless of sport, who would have used their fourth season of competition or exhausted their 10-semester/15-quarter period of eligibility during the 2020-21 academic year to receive athletics aid for the 2021-22 academic year without counting	9/2/20



Bylaw 15: Financial Aid Issues	Outcome	Decision Date
	<p>toward team equivalency limits (i.e., treat these student-athletes as if they are receiving exhausted eligibility athletics aid).</p> <p>This relief only applies if the student-athlete remains at their original institution. If the student-athlete transfers for the 2021-22 academic year, the athletics aid received at the new institution will count toward team equivalency limits.</p>	

Bylaw 16: Awards and Benefits Issues	Outcome	Decision Date
Extra benefits (e.g., meals, lodging, travel).	<p>Flexibility already exists for institutions to provide necessary housing and meals through the <a href="#">Committee for Legislative Relief incidental expense waiver list</a>.</p> <p>Issued a blanket waiver to provide flexibility for institutions to provide any necessary transportation (e.g., flights to/from campus) to ensure the health and well-being of student-athletes.</p>	3/13/20
Reimbursement of costs associated with a foreign tour.	Issued a blanket waiver to provide flexibility for institutions to reimburse student-athletes for any costs paid for a foreign tour that is cancelled.	4/15/20
Student-athlete housing blocks.	Issued a blanket waiver for the 2020-21 academic year to permit institutions to make housing arrangements as determined to be necessary with COVID-19 considerations, including student-athlete specific housing blocks.	6/10/20
Providing benefits (e.g., housing and meals) prior to the first permissible date of preseason practice.	Confirmed that it is permissible per Bylaw 16.4 (medical expenses) to provide benefits (e.g., housing and meals) to a student-athlete who needs to return to campus for medical reasons (e.g., COVID-19 testing, quarantine) prior to the start of preseason practice, as the institution has determined that an earlier return to campus is medically necessary.	6/10/20

<b>Bylaw 17: Playing and Practice Seasons Questions</b>	<b>Outcome</b>	<b>Decision Date</b>
Rescheduling a foreign tour during an otherwise impermissible period.	Kept the legislation as is. If needed, institutions can file individual waiver requests.	4/15/20
2020-21 playing and practice seasons – Division II fall championship sports.	Approved a blanket waiver that allows schools to adjust schedules during a fall sport's championship segment and nonchampionship segment for the 2020-21 academic year only. Please see July 29, 2020, membership communication for additional details. Additional educational resources will be developed and distributed to the membership.	6/17/20  Updated 7/15/20, 7/22/20
2020-21 playing and practice seasons – basketball.	Approved a blanket waiver that allows schools to adjust schedules for the 2020-21 academic year only. Please see July 29, 2020, membership communication for additional details. Additional educational resources will be developed and distributed to the membership.	7/29/20
2020-21 playing and practice seasons – all other Division II winter championship sports.	Approved a blanket waiver that allows schools to adjust schedules during a winter sport's championship segment and nonchampionship segment for the 2020-21 academic year only. Please see July 29, 2020, membership communication for additional details. Additional educational resources will be developed and distributed to the membership.  Approved a blanket waiver to increase the length of the 2020-21 swimming and diving playing and practice season from 144 days to 151 days due to the date change of the 2021 NCAA Division II Men's and Women's Swimming and Diving Championships.	7/29/20  Updated 10/20/20
2020-21 playing and practice seasons – Division II spring championship sports.	Approved a blanket waiver that allows schools to adjust schedules during a spring sport's championship segment and nonchampionship segment for the 2020-21 academic year only. Please see July 29, 2020, membership	7/29/20

Bylaw 17: Playing and Practice Seasons Questions	Outcome	Decision Date
	communication for additional details. Additional educational resources will be developed and distributed to the membership.	
Nonchampionship and out-of-season hour limitations during the fall 2020 term.	Confirmed the nonchampionship segment and out-of-season daily and hour limitations will remain as is for the 2020-21 academic year.	7/29/20
Voluntary workouts for prospective student-athletes prior to the start of the 2020-21 academic year.	<p>Issued a blanket waiver to permit incoming prospective student-athletes to participate in voluntary workouts prior to the start of the 2020-21 academic year, as follows:</p> <p>(a) Incoming fall sport prospective student-athletes who have moved into the dorms (or, for individuals living off-campus, in the locale of the institution) on/after the move-in date for all students may request voluntary workouts with their sport coaches prior to the start of the 2020-21 academic year (Note: fall sport prospective student-athletes are already permitted to request voluntary workouts with strength and conditioning coaches during the summer vacation period after June 1); and</p> <p>(b) Incoming winter or spring sport prospective student-athletes who have moved into the dorms (or, for individuals living off-campus, in the locale of the institution) on/after the move-in date for all students may request voluntary workouts with their sport coaches and/or strength and conditioning coaches prior to the start of the 2020-21 academic year.</p>	8/14/20
2020-21 playing and practice seasons – application of 14-consecutive day break after the nonchampionship segment.	In all sports, if the nonchampionship segment precedes the championship segment, student-athletes must be given a 14-consecutive calendar-day break, during which no countable athletically related activities may occur, at some point between the nonchampionship and championship segments. Institutions may determine when the break occurs and it does not need to	11/4/20

Bylaw 17: Playing and Practice Seasons Questions	Outcome	Decision Date
	<p>immediately follow the conclusion of the nonchampionship segment (teams may proceed directly into the 8-hour segment).</p> <p>Provided additional guidance to the enforcement staff to exercise flexibility from normal enforcement penalties for violations of:</p> <ul style="list-style-type: none"> <li>• A failure to provide student-athletes with a 14-consecutive calendar-day break immediately following the nonchampionship segment that precedes the championship segment due to misunderstanding of the previous 2020-21 playing and practice season flexibility.</li> </ul>	

Bylaw 20: Membership Issues	Outcome	Decision Date
Impact of furloughs on membership requirements (e.g., full-time compliance administrator, athletics healthcare administrator).	Legislation remains the same. Waivers to be submitted as needed.	4/8/20
Waiving legal rights as a condition of participation.	Adopted noncontroversial legislation for the 2020-21 academic year only to amend NCAA Constitution 3.3.4 (conditions and obligations of membership) to prohibit an institution from requiring student-athletes to waive their legal rights regarding COVID-19 as a condition of athletics participation.	8/21/20
COVID-19 medical expenses.	Adopted noncontroversial legislation to amend NCAA Constitution 3.3.4 (conditions and obligations of membership) to specify that, prior to a student-athlete participating in fall 2020 term competition (e.g., championship segment or nonchampionship segment competition;	8/21/20

Bylaw 20: Membership Issues	Outcome	Decision Date
	<p>scrimmages combining teams from two different institutions; and practices combining teams from two different institutions), the institution shall:</p> <p>(1) Provide information on the waivers and legislative changes approved by Division II for student-athletes due to the impact of COVID-19 (e.g., accommodations for student-athletes who opt out, season-of-competition waivers);</p> <p>(2) Review the institution's institutional insurance coverage with student-athletes who plan to compete in the fall 2020 term, and advise student-athletes to review their own existing coverage;</p> <p>(3) Inform student-athletes of the risk classification of their sports according to the NCAA Resocialization of Sport: Developing Standards for Practice and Competition; and</p> <p>(4) Provide information about how the institution is complying with the NCAA Resocialization of Sport: Developing Standards for Practice and Competition.</p>	
Sports sponsorship.	Issued a blanket waiver of the sports sponsorship requirements for the 2020-21 academic year.	9/2/20
Five-sport/three-season requirement.	Issued a blanket waiver of the five-sport/three-season requirement for the 2020-21 academic year.	9/2/20
Annual SAAC meeting.	Issued a blanket waiver of the in-person conference student-athlete advisory committee annual meeting requirement for the 2020-21 academic year. Conferences will still be required to conduct an annual SAAC meeting, either in person or virtually.	9/30/20
Reporting deadline for ISSG Class 1 institutions.	Issued a blanket waiver to extend the deadline for institutions in ISSG Class 1 from June 1, 2021, to May 31, 2022, due to COVID-19. Institutions in	12/7/20

Bylaw 20: Membership Issues	Outcome	Decision Date
	<p>ISSG Class 1 will not move to a new class and shall submit their next ISSG by June 1, 2026.</p> <p>Note: This relief does not apply to Provisional Year One institutions in the membership process.</p>	



**REPORT OF THE NCAA  
BOARD OF GOVERNORS  
OCTOBER 27, 2020, VIDEOCONFERENCE**

**ACTION ITEMS:**

- None.

**INFORMATIONAL ITEMS:**

- 1. Welcome and announcements.** NCAA Board of Governors interim chair President Tori Murden-McClure convened the videoconference at approximately 12:30 p.m. Eastern time and welcomed the Governors.
- 2. Consent agenda.** By way of a consent agenda, the Board of Governors approved the report of its September 25 videoconference, the appointment of two new members to the NCAA Board of Governors Committee to Promote Cultural Diversity and Equity and updates to the Board of Governors policies and procedures.
- 3. NCAA president's report.** NCAA President Mark Emmert reviewed the goals and priorities shared with the Board of Governors Executive Committee the previous day, noting their alignment with the 2020-2022 Association-wide strategic priorities approved by the board in August. He also emphasized the importance of flexibility as we continue to plan for NCAA championships, which will require modifications in order to ensure the health and safety of student-athletes.
- 4. Association-wide issues.**
  - a. NCAA championships planning update.** The board received a report of the work of the COVID-19 Medical Advisory Group and an update on planning for NCAA championships.
  - b. Update on NCAA Transgender Student-Athlete Participation Policy review, and federal and state legislative activity.**
    - (1) Transgender Student-Athlete Participation Policy review.** The board received an update on the Transgender Student-Athlete Participation Policy review, which included a report on the Gender Identity Summit conducted October 5-6. The summit sought feedback about creating a framework that could inform policy and practice development in the area of gender identity and participation in collegiate sport, with a focus on inclusion, fairness, student-athlete well-being, health and safety. Information gathered during the summit assisted in identifying knowledge gaps and will serve to inform strategies on how to address those gaps.
    - (2) Federal and state legislative activity.** The board discussed the Fairness in Women's Sports Act (Idaho HB500), which prohibits a student assigned male at birth to participate on female athletics teams sponsored by public schools, colleges and

universities in Idaho. The bill was adopted in March and went into effect July 1, 2020. In August, a motion for a preliminary injunction was granted, suspending the law while litigation is pending. Board members shared that several advocacy groups have contacted them requesting the NCAA move the 2021 Division I men's basketball championship events out of Idaho. The board noted that it is premature to act but confirmed its position that the law is harmful to transgender student-athletes and is counter to the NCAA's core values of inclusivity, respect and equitable treatment of all individuals. The board agreed to continue to monitor the potential impact of this law on the Division I men's basketball events scheduled for Boise in March.

- c. **NCAA Policy on Campus Sexual Violence update.** The board noted the significant challenges faced by the membership since it voted to expand the campus sexual violence policy in April. Member schools continue to work through many issues caused by the COVID-19 global pandemic, while also balancing day-to-day operations. There has been an increased focus on racial justice, decisions to be made regarding on-campus, hybrid and remote instruction, as well as the U.S. Department of Education issuing new Title IX regulations. It was suggested that the attestation of the enhanced elements of the sexual violence policy be delayed a year and that a task force be formed to create operational guidelines and documentation to facilitate member's enhancement of their own campus policies. The board urged members to continue school efforts to combat campus sexual violence, use the 2021-22 academic year to benchmark its current efforts and make any needed improvements to meet the expanded policy.

***It was VOTED***

"That the Board of Governors set the 2022-23 academic year as the new effective date for schools to confirm they are in compliance with the expanded policy. Further, that a task force be directed to develop operational procedures and supporting documentation to assist campuses as they implement the expanded policy." **Approved** (Unanimous voice vote)

- d. **Update on sports wagering landscape.** NCAA Chief Operating Officer Donald Remy provided an overview of the sports wagering landscape, noting how much has changed since the U.S. Supreme Court struck down the Professional and Amateur Sports Protection Act (PASPA). Information was provided about current state and federal legislative activity, national office activities and how the membership and professional sports organizations are engaging in the sports wagering world.
- e. **Insurance update.** The board received an overview of student-athlete insurance, which included a reminder about legislatively required insurance coverage, as well as highlights of the NCAA Catastrophic Injury Insurance Program. Additionally, the board was informed of insurance-related information gathered from prior surveys of Division I and Division II student-athletes. Lastly, the board learned of work done by staff to explore options for COVID-19 single-payor policy insurance.



- f. Committee to Promote Cultural Diversity and Equity request to expand the committee.** President Satish Tripathi noted that during its August meeting, the Committee to Promote Cultural Diversity and Equity discussed the scope and significance of its work and raised the issue of expanding the composition of the committee to allow for additional student-athlete representation, as well as to bring additional voices and expertise. The committee asked that the Board of Governors approve an expansion of the committee from nine to 13 members.

It was VOTED

“That the Board of Governors approve expanding the composition of the Committee to Promote Cultural Diversity and Equity from nine to 13 members.” **Approved** (Unanimous voice vote)

**5. NCAA Board of Governors Finance and Audit Committee report.**

- a. NCAA internal audit year-end review for 2019-20.** The board was informed that 13 audits were completed with 77% of the reports showing adequate internal controls. Twenty-three percent showed controls that should be enhanced, and zero instances had controls that were inadequate. All findings that reflected a need for improvement have mitigation plans in place that have been completed or are on target to complete.
- b. Update on FY 2020-21 NCAA internal audit plan.** The Finance and Audit Committee received an update on the revised internal audit plan, which included the removal of the first quarter Continuous Auditing – Payroll review and HR – Contractor Process review from the 2020 – 2021 audit plan. These removals are due to the reduced available audit hours based on NCAA national office furloughs. The committee recommended approval of the revisions to the internal audit plan.

It was VOTED

“That the Board of Governor approve the revisions to the FY 2020-21 internal audit plan.” **Approved** (Unanimous voice vote.)

- c. NCAA Board of Governors Finance and Audit Committee Investment Subcommittee update.** The Board of Governors received an update on the subcommittee composition, asset allocation and how the NCAA returns for 2019 compared to the results of the annual National Association of College and University Business Officers (NACUBO) – Teachers Insurance and Annuity Association (TIAA) Endowment Study.
- 6. Fiscal year 2020-21 financial update.** NCAA Chief Financial Officer Kathleen McNeely provided a fiscal year 2020-21 financial update, which included information about NCAA national office operational budget adjustments, outcomes from personnel actions and other mitigation plans. The board also received information about the status of the 2021 Association reserves as well as fiscal year 2020-21 cash inflows and outflows.

**7. Law, policy and governance strategic discussion.**

- a. Government relations report.** The board was informed of the quarterly government relations activity report included in their meeting materials. Staff noted continued interest in name, image and likeness by both chambers of the United States Congress, as well as bipartisan discussion on developing a College Athlete Bill of Rights.
- b. Legal update.** NCAA general counsel facilitated a privileged and confidential discussion regarding several matters of ongoing litigation.

**8. NCAA Independent Accountability Oversight Committee update.** Grant Hill, chair of the Independent Accountability Oversight Committee, provided an overview about the Independent Accountability Resolution Process.

**9. NCAA Board of Governors Executive Committee report.** President Murden-McClure reported on matters considered and concluded in the Executive Committee meeting the previous day. Further, she reported that the Executive Committee unanimously nominated President Jack DeGioia to serve as chair of the Board of Governors.

***It was VOTED***

“That the Board of Governors elect Jack DeGioia as chair of the of the board of Governors, effective at the conclusion of the meeting.” **Approved** (Unanimous voice vote)

- 10. Executive session.** The board convened in executive session to discuss various administrative, legal and financial matters.
- 11. Adjournment.** The videoconference adjourned at approximately 5:56 p.m. Eastern time.

*Board of Governors interim chair: Tori Murden-McClure, Spalding University*

*Staff liaisons:*

*Jacqueline Campbell, Law, Policy and Governance*

*Donald M. Remy, Law, Policy and Governance*

NCAA Board of Governors October 27, 2020, Videoconference	
<b>Attendees:</b>	
Heather Benning, Midwest Conference	
Rebecca Blank, University of Wisconsin-Madison.	
Grace Calhoun, University of Pennsylvania.	
Ken Chenault, General Catalyst.	
Rita Cheng, Northern Arizona University.	
Mary Sue Coleman, Association of American Universities.	
John DeGioia, Georgetown University.	
Philip DiStefano, University of Colorado.	
Mark Emmert, NCAA.	
Allison Garrett, Emporia State University.	
Robert Gates, Former U.S. Secretary of Defense.	
Christopher Graham, Rocky Mountain Athletic Conference.	
Burns Hargis, Oklahoma State University.	
James Harris, University of San Diego.	
Grant Hill, CBS/Warner Media/Atlanta Hawks.	
Sandra Jordan, University of South Carolina Aiken.	
Renu Khator, University of Houston.	
Fayneese Miller, Hamline University.	
Jere Morehead, University of Georgia.	
Tori Murden-McClure, Spalding University.	
Vivek Murthy, 19th United States Surgeon General.	
Denise Trauth, Texas State University.	
Satish Tripathi, University at Buffalo, The State University of New York.	
David Wilson, Morgan State University.	
Randy Woodson, North Carolina State University.	
<b>Absentees:</b>	
None.	
<b>Guests in Attendance:</b>	
None.	
<b>NCAA Staff Liaisons in Attendance:</b>	
Jacqueline Campbell and Donald Remy.	
<b>Other NCAA Staff Members in Attendance:</b>	
Scott Bearby, Joni Comstock, Jon Duncan, Dan Dutcher, Kimberly Fort, Dan Gavitt, Derrick Gragg, Terri Gronau, Brian Hainline, Kevin Lennon, Kathleen McNeely, Stacey Osburn, Naima Stevenson Stark, Cari Van Senus, Stan Wilcox and Bob Williams.	

*Report is not final until approval of the Board of Governors*



REPORT OF THE NCAA BOARD OF GOVERNORS  
COMMITTEE TO PROMOTE CULTURAL DIVERSITY AND EQUITY  
NOVEMBER 10, 2020, VIDEOCONFERENCE

**ACTION ITEMS.**

**1. Legislative items.**

- None.

**2. Nonlegislative items.**

- **NCAA Committee Member Appointment Process Analysis.**

- (1) Recommendation. Divisions I, II, and III governance committees review the NCAA Committee Member Appointment Process Analysis study requested by the NCAA Board of Governors Committee to Promote Cultural Diversity and Equity (CPCDE) and completed by the NCAA office of inclusion and 3 Fold Group consultants in 2020.
- (2) Effective date. None.
- (3) Rationale. The CPCDE has goals centered on the NCAA Presidential Pledge and Commitment to Promoting Diversity and Gender Equity in Intercollegiate Athletics. The Presidential Pledge includes a commitment by NCAA member institutions to achieving ethnic and racial diversity, gender equity and inclusion to reflect the diversity of the NCAA membership and our nation. Based on its goals and the specific language of the Presidential Pledge, the committee regularly reviews demographics data of decision-makers in the NCAA, both in athletics departments and in the governance structure. To this end, at its April 2019 meeting, the committee examined racial and gender demographics of NCAA committees. In response to a lack of diversity in areas of the governance structure, the CPCDE directed the NCAA office of inclusion to retain the higher education consulting firm 3 Fold Group to examine the NCAA committee member appointment process relative to its ability to produce a diverse and representative governance structure. CPCDE recognized the differences in processes across the three divisions and the value of appropriate committees in each division reviewing the NCAA Committee Member Appointment Process Analysis study and considering possible action items that support diverse representation in the governance structure.
- (4) Estimated budget impact. None.
- (5) Student-athlete impact. Diverse representation in the governance structure better reflects and serves the increasingly diverse student-athlete population.

### **INFORMATIONAL ITEMS.**

1. **Welcome and introductions.** CPCDE chair Mark Lombardi convened the meeting at approximately 2 p.m. Eastern time and welcomed committee members.

Derrick Gragg, NCAA senior vice president of inclusion, education and community engagement who serves as the primary NCAA liaison to the committee, explained his new leadership role with the NCAA national office and expressed that he looks forward to working with the committee.

2. **Review of NCAA Board of Governors Committee to Promote Cultural Diversity and Equity roster.** The committee reviewed its roster, and chair Lombardi introduced new members Marco Barker, Mark Becker, Kate Conway-Turner and Talia Williams.
3. **Approval of Committee to Promote Cultural Diversity and Equity August 12, 2020, videoconference report.** The committee reviewed and approved its August 12, 2020, videoconference report.
4. **Dialogue with Black Athletics Director Alliance.** The committee engaged with the co-chairs of the Black Athletics Director Alliance, Allen Greene and Brandon Martin, who provided an overview of the recently established group. The Alliance aims to foster and promote the growth, development and elevation of Black athletics administrators in intercollegiate athletics. Smaller task forces also have been established within the Alliance to focus on the following: race and social justice, pipeline and recruitment, allyship, Historically Black Colleges and Universities, student-athlete wellness and development and ambassadors. Further discussion centered on meaningful ways the committee can support the Alliance's goals, continue dialogue and collaborate to grow opportunities for Black athletics administrators.
5. **West Coast Conference's Bill Russell Rule.** The committee continued its discussion on the West Coast Conference's recently adopted Bill Russell Rule, which requires each member school to include a person from a traditionally underrepresented community in a pool of final candidates for every athletics director, senior administrator, head coach and full-time assistant coach position in the athletics department. Chair Lombardi reminded the committee of the letter of commendation that the committee sent to West Coast Commissioner Gloria Nevarez in August 2020. The letter offered full support of the Russell Rule and recommended it as a best practice for all NCAA conferences. Conference commissioners in all three divisions were copied on the letter.

The committee discussed meaningful ways to continue to support NCAA membership's adoption of initiatives like the Russell Rule. The dialogue focused on engaging about the Russell Rule at divisional conference commissioner meetings and at the NCAA Convention. At the request of the committee, staff clarified that guidance provided by the NCAA office of

legal affairs continues to advise that NCAA policy or legislation that mandates the Russell Rule could conflict with state laws.

Chair Lombardi informed the committee that his university's conference, the Great Lakes Valley Conference, is implementing the Russell Rule. The committee will invite West Coast Conference Commissioner Gloria Nevarez and possibly other conference leaders to its next meeting to provide insights on how to implement and operationalize the Russell Rule.

6. **Summit on Gender Identity and Student-Athlete Participation update.** Staff reported on the Summit on Gender Identity and Student-Athlete Participation, which was conducted October 5-6 by leadership from the NCAA Sport Science Institute and the office of inclusion. The summit sought feedback about creating a framework that could inform policy and practice development in the area of gender identity and participation in collegiate sport, with a focus on inclusion, fairness, student-athlete well-being, and health and safety. Information gathered during the summit assisted in identifying knowledge gaps and will serve to inform strategies on how to address those gaps.

The committee inquired about student-athlete participation in the summit. Staff explained that student-athletes who identify as transgender, non-binary and cisgender were summit participants and that ongoing efforts will continue to prioritize student-athletes' voices and experiences.

7. **NCAA inclusion, education and community engagement updates.**

- a. **NCAA leadership development.** Staff noted its efforts last year to restructure leadership development, streamline its current programs and services and introduce new programs such as the Athletes Using Their Power series, which educated student-athletes on the power they have and how they can use it to effectively enact meaningful change. The new structure allows leadership development to center student-athletes and aims to foster the growth, development and elevation of student-athletes and those who teach and lead them throughout the Association. In addition, staff highlighted the development of a Lessons in Management leadership program and a search profile tool titled the Leadership Collective. The Leadership Collective, which is set to launch in 2021, was designed to identify candidates of color and women in athletics, and to create a database/pool of candidates for positions in athletics. Candidates in the database will include individuals who have participated in existing NCAA programs designed to advance female athletics administrators and athletics administrators of color.
- b. **NCAA office of inclusion.** Staff informed the committee of its ongoing internal and external efforts to educate and support the membership and national office during the current social and racial justice movement. The office of inclusion continues to operationalize the NCAA Eight-Point Plan to Advance Racial Equity, which includes

initiatives such as providing racial and social justice programming for the membership and national office and implementing unconscious bias training for all national office staff.

The office of inclusion facilitates the NCAA's three standing committees that address diversity, equity and inclusion. The main initiative for the NCAA Minority Opportunities and Interests Committee is maximizing understanding and the impact of the recently legislated Athletics Diversity and Inclusion Designee. The office of inclusion is partnering with an MOIC subcommittee to create a resource to support the ADID that will be ready for dissemination in early 2021. The key initiative for the NCAA Committee on Women's Athletics is the NCAA Woman of the Year program. At its September meeting, the NCAA Committee on Women's Athletics voted on the 2020 NCAA Woman of the Year. The NCAA Woman of the Year virtual program will be held on November 13 at 7 p.m. EST and will be accessible on the NCAA's Twitter feed as well as ESPN3.

Staff shared that programming in development for the 2021 NCAA Convention will focus on how to have difficult conversations about race, student-athlete mental health and student-athlete activism and voice. Lastly, staff shared that the 2021 NCAA Inclusion Forum will be a virtual experience that will be held in late May or early June.

## **8. Discuss goals.**

- a. NCAA Eight-Point Plan to Advance Racial Equity.** Staff provided an overview and update on the NCAA Eight-Point Plan to Advance Racial Equity. Staff focused on the goal to enact a consortium with external organizations, businesses and associations to develop solutions and actionable efforts to address the issues of racism in society.
- b. Committee goals document.** Chair Lombardi facilitated discussion about CPCDE goals, noting that some goals are completed, and most are in progress. The committee was reminded that the document is a "living document" that can be changed and prioritized by the will of the committee.

## **9. Review next steps for NCAA Committee Member Appointment Process Analysis.** The committee discussed next steps to utilize the data and information available in the NCAA Committee Member Appointment Process Analysis report (2020). The committee voted to recommend that all three divisions review the report and consider possible action items that support diverse representation in the governance structure.

## **10. Expanded committee approved by NCAA Board of Governors.** Chair Lombardi stated that the NCAA Board of Governors approved the committee's recommendation to expand from nine to 13 members. NCAA inclusion, education and community engagement staff will work with governance staffs on the process of expanding the committee.

**11. Future meeting schedule.** February and April videoconferences will be scheduled before the Thanksgiving holiday.

**12. Adjournment.** The videoconference adjourned at approximately 4 p.m. Eastern time.

*Committee chair:* Mark Lombardi, Maryville University  
*Staff liaisons:* Derrick Gragg, Inclusion, Education and Community Engagement  
DeeDee Merritt, Leadership Development  
Amy Wilson, Office of Inclusion

NCAA Committee to Promote Cultural Diversity and Equity November 10, 2020, Videoconference	
<b>Attendees:</b>	
Marco Barker, University of Nebraska-Lincoln.	
Kate Conway-Turner, Buffalo State College.	
Sue Henderson, New Jersey City University.	
Tom Jackson, Humboldt State University.	
Mark Lombardi, Maryville University.	
Jennifer Lynne Williams, Alabama State University.	
Talia Williams, Carleton College.	
<b>Absentees:</b>	
Mark Becker, Georgia State University.	
Dianne Harrison, California State University, Northridge.	
<b>Guests in Attendance:</b>	
Allen Greene, Auburn University.	
Brandon Martin, University of Missouri-Kansas City.	
Dena Freeman-Patton, University of New Orleans.	
<b>NCAA Staff Liaison (or Staff Support if subcommittee) in Attendance:</b>	
Derrick Gragg, DeeDee Merritt and Amy Wilson.	
<b>Other NCAA Staff Members in Attendance:</b>	
Jackie Campbell, Kina Davis, Gail Dent, Niya Blair Hackworth, Craig Malveaux, Tiana Myers.	





REPORT OF THE  
NCAA DIVISION II PLANNING AND FINANCE COMMITTEE  
NOVEMBER 30, 2020, VIDEOCONFERENCE

**ACTION ITEMS.**

**1. Legislative Items.**

- None.

**2. Nonlegislative Items.**

**a. Suspensions/Reductions to the Division II Initiatives Budget.**

- (1) Recommendation. Approve the suspensions/reductions to the Division II initiatives identified in the budget-to-actual report for the 2020-21 Fiscal Year (FY21) [Attachment], as presented.
- (2) Effective date. Immediate.
- (3) Rationale. Due to the ongoing COVID-19 pandemic, the NCAA Board of Governors updated the FY21 revenue estimates this past October to project a 75% reduction in championships ticket revenues. To continue the division's conservative approach, the committee is recommending the use of the reduced budget for Division II, as approved by the Board of Governors in October, which is \$39,654,761. This is a \$6,900,782 reduction from the original estimate of \$46,555,543. The suspensions/reductions recommended in the attachment for the Division II initiatives would assist with the efforts towards maintaining the financial stability of the division long term.
- (4) Estimated budget impact. Potential cost savings of \$3.3 million.
- (5) Student-athlete impact. None.

**b. Reductions to the Winter and Spring Championships Bracket/Field Sizes.**

- (1) Recommendation. Approve the following bracket/field size reductions to the winter and spring championships.

Winter Sports			
Sport	Sponsorship	Full Bracket/ Field Size	Recommended Bracket/Field Size (% reduction)
Men's Basketball	304	64	48 (25%)

Women's Basketball	305	64	48 (25%)
Men's Indoor Track and Field	176	270	202 (25%)
Women's Indoor Track and Field	201	270	202 (25%)
Men's Swimming and Diving	76	175	146 (17%)
Women's Swimming and Diving	102	205	146 (29%)
Wrestling	63	180	132 (27%)
<b>Spring Sports</b>			
<b>Sport</b>	<b>Sponsorship</b>	<b>Full Bracket/ Field Size</b>	<b>Recommended Bracket/Field Size (% reduction)</b>
Baseball	252	56	42 (25%)
Men's Golf	224	108	84 (22%)
Women's Golf	200	96	72 (25%)
Men's Lacrosse	72	12	10 (17%)
Women's Lacrosse	111	16	12 (25%)
Women's Rowing	16	6 teams per event (2)	4 teams per event (2) (34%)
Softball	290	64	48 (25%)
Men's Tennis	148	48	36 (25%)
Women's Tennis	207	48	36 (25%)
Men's Outdoor Track and Field	225	377	283 (25%)
Women's Outdoor Track and Field	256	377	283 (25%)

- (2) Effective date. 2021 winter and spring championships
- (3) Rationale. The reductions reflect recommendations from the Division II winter and spring sport committees and approved by the Division II Championships Committee. The Championships Committee requested that each sport committee determine appropriate brackets/field sizes that help mitigate projected budget shortfalls without compromising the student-athlete championship experience. For the most part, sport committees were able to arrive at a 25 percent reduction (or approximately) to be able to offer as many student-athlete opportunities as possible and retain brackets that are reasonable to conduct and protect the integrity of the event. Instances where the recommended reductions are more or less than 25 percent are primarily due to logistical or practical concerns with operating the event.

- (4) Estimated budget impact. \$2.8 million.
- (5) Student-athlete impact. While reducing opportunities is never a desired outcome, the Planning and Finance Committee and Championships Committee believe the reductions are a necessary step to maintain championship opportunities and conduct these events in as safe a manner as possible. The committees also emphasize that these are one-year deviations from the typical brackets/field sizes and that every effort will be made to conduct championships at full capacity in subsequent years.

[This recommendation was approved December 7 by the Division II Administrative Committee. It is included in this report for ease of reference.]

**c. 2021-24 Championships Triennial Budget Requests.**

- (1) Recommendation. Approve the following requests from the Championships Committee for the upcoming triennial budget cycle beginning in fiscal year 2021-22.

Women's Basketball	Coordinator of officials	\$17,500
Men's and Women's Basketball	Rest day between quarterfinals and semifinals at Elite 8	\$28,080
Football	Video Replay during quarterfinal games	\$20,000
Women's Golf	Increase travel party by 1 student athlete for final site (to be equitable with the men)	\$28,000
Men's and Women's Lacrosse	Squad size increase	\$832
Men's and Women's Soccer	Headsets for officials	\$5,000
Men's and Women's Tennis	Rest day between quarterfinal and semifinal rounds	\$4,760
Women's volleyball	Travel party increase	\$50,000
<b>Total expenditure</b>		<b>\$154,172</b>

- (2) Effective date. September 1, 2021.

- (3) Rationale. The Presidents Council and the Planning and Finance Committee allocated \$190,465 to the base budget for championships for the triennial cycle beginning in fiscal year 2021-22. The Championships Committee discussed all requests from sport committees, which totaled more than \$2 million, and prioritized them accordingly, collaborating with sport committees throughout the process to ensure all stakeholders were aware of the conditions and constraints.
- (4) Estimated budget impact. \$154,172; leaving \$36,293 in reserve.
- (5) Student-athlete impact. The recommendations enhance the student-athlete experience at Division II championships, either by increasing participation opportunities or improving championship administration.

### **INFORMATIONAL ITEMS.**

1. **September 2020 Videoconference Report.** The committee approved the report from the September videoconference, as presented.
2. **Fiscal Year 2019-20 Budget-to-Actual Final Statement and Anticipated Revenue for Fiscal Year 2020-21.** The committee received an overview from Kathleen McNeely, senior vice president of administration and chief financial officer, of the Association's Fiscal Year 2019-20 final revenue numbers and the anticipated revenue for Fiscal Year 2020-21. The committee was also updated on the final Fiscal Year 2019-20 Division II budget figures. It was noted that the division will need to use less in reserves than originally anticipated as shown in the summary chart below.

	Final FY20 Budget-to-Actual
Division II Allocation-Based Revenue	\$9,542,392
Other Non-DII Revenue	\$15,082,500
Surplus	\$1,694,164
Expenses	\$31,248,428
<b>TOTAL</b>	<b>(\$4,929,372)</b>

3. **Division II Budget Guidelines and Principles.** The committee reviewed the Budget Guidelines and Principles.
4. **Division II Strategic Plan.** The committee reviewed and approved an addendum to the Strategic Plan that will be distributed to the membership in January at the 2021 NCAA Convention.

5. **Division II Foundation for the Future.** The committee was provided a summary developed to highlight of the programs and initiatives that were part of the Division II Foundation for the Future initiative.
6. **Division II Conference Grant Program.**
  - a. **Guidelines and Principles.** The committee approved the recommended update to the Division II Conference Grant Program guidelines and principles. The update includes a clarification to the permissible uses for conference grant funds to add COVID-19 Testing in the Game Day, Conference and National Championships SPO.
  - b. **2020 Audits.** The committee reviewed the findings from the audits of the three conferences that were selected during the August meeting. The internal auditor found no exceptions with the Pennsylvania State Athletic Conference. The internal auditor found one exception in each of the Pacific West Conference and the Southern Intercollegiate Athletic Conference audits. The Pacific West Conference had corrected the information in the report during its resubmission of the conference grant. It was noted that the Southern Intercollegiate Athletic Conference will carry over funds that were found during the audit and noted in the exception. The conference will report on those funds during the next reporting cycle.
7. **2021 Enhancement Fund Distribution to Conferences.** The committee was provided the calculation details of the 2021 Enhancement Fund distribution. The distribution is set to be released in April 2021.
8. **Other Business.** The chair recognized the contributions of Chris Graham who is completing his term of service on the committee.
9. **Future Meetings.** The committee noted future committee meeting dates, after which the teleconference was adjourned.

*Committee Chair: Allison Garrett, President, Emporia State University*

*Staff Liaisons: Terri Steeb Gronau, Division II Governance*

*Maritza Jones, Division II Governance*

*Ryan Jones, Division II Governance*

*Andrea Worlock, Administrative Services*

Division II Planning and Finance Committee November 30, 2020, Videoconference	
<b>Attendees:</b>	
Carlos Campo, Ashland University.	
Mark Corino, Caldwell University.	

Amy Foster, Seattle Pacific University.
Allison Garrett, Emporia State University.
Chris Graham, Rocky Mountain Athletic Conference.
Gayle Hutchinson, California State University, Chico.
Sandra Jordan, University of South Carolina Aiken.
Courtney Lovely Evans, Palm Beach Atlantic University.
Steven Shirley, Minot State University.
<b>Absentees:</b>
None.
<b>Guests in Attendance:</b>
Gary Brown.
<b>NCAA Staff Support in Attendance:</b>
Terri Steeb Gronau, Maritza Jones, Ryan Jones and Andrea Worlock.
<b>Other NCAA Staff Members in Attendance:</b>
Corbin McGuire, Kathleen McNeely, Roberta Page and Jill Waddell.



**PRESIDENTS COUNCIL**

Attached for your review are the legislative drafts of the proposals being sponsored by the NCAA Division II Presidents Council for the 2022 NCAA Convention. These proposals were previously reviewed and approved in legislative form by the NCAA Division II Management Council and NCAA Division II Presidents Council.

# 2022 Convention Presidents Council Sponsored Proposals

**Division:** II

**Proposal Number:** PC-1

**Title:** ENFORCEMENT POLICIES AND PROCEDURES -- COOPERATIVE PRINCIPLE -- TOOLS TO FACILITATE COOPERATION

**Convention Year:** 2022

**Date Submitted:** July 22, 2020

**Status:** SPOPL

**Effective Date:** August 1, 2022

**Source:** NCAA Division II Presidents Council [Management Council (Enforcement and Infractions Task Force)]

**Category:** Presidents Council

**Topical Area:** Enforcement

**Intent:** To amend enforcement policies and procedures related to cooperation as follows: (a) To further define full cooperation in the infractions process; (b) To establish that the Committee on Infractions may infer that failure or refusal to produce requested materials supports an alleged violation; (c) To establish that the Committee on Infractions may view the failure or refusal to interview as an admission that an alleged violation occurred; (d) To protect a "whistleblower" who voluntarily reports information about a potential violation; and (e) To confirm that information upon which the Committee on Infractions bases its decision could be information that both directly and circumstantially supports an alleged violation.

**A. Administrative:** Amend 32.1.3, as follows:

32.1.3 Cooperative Principle. The cooperative principle imposes an affirmative obligation on each institution to assist the enforcement staff in developing full information to determine whether a possible violation of NCAA legislation has occurred and the details of the infraction. An important element of the cooperative principle requires that all individuals who are subject to NCAA rules protect the integrity of the investigation. A failure to do so may be a violation of the principles of ethical conduct. The enforcement staff will usually share information with the institution during an investigation; however, it is understood that the staff, to protect the integrity of the investigation, may not in all instances be able to share information with the institution.

**32.1.3.1 Full Cooperation. Full cooperation pursuant to the cooperative principle and responsibility to cooperate set forth in Bylaw 19.01.3 includes, but is not limited to:**

**(a) Affirmatively reporting instances of noncompliance to the Association in a timely manner and assisting in developing full information to determine whether a possible violation has occurred and the details thereof;**

**(b) Timely participation in interviews and providing complete and truthful responses;**

**(c) Making a full and complete disclosure of relevant information, including timely production of materials or information requested, and in the format requested;**

**(d) Disclosing and providing access to all electronic devices used in any way for business purposes;**

**(e) Providing access to all social media, messaging and other applications that are or may be relevant to the investigation;**

**(f) Preserving the integrity of an investigation and abiding by all applicable confidentiality rules and instructions; and**

**(g) Instructing legal counsel and/or other representatives to also cooperate fully.**

**B. Administrative:** Amend 32.3, as follows:



## 2022 Convention Presidents Council Sponsored Proposals

### 32.3 Investigative Procedures.

[32.3.1 through 32.3.10 unchanged.]

32.3.11 Failure to Cooperate. In the event that a representative of an institution ~~refuses to submit relevant information to the Committee on Infractions or the enforcement staff on request~~**fails to satisfy the responsibility to cooperate**, a notice of allegations may be issued alleging a violation of the cooperative principles of the NCAA bylaws and enforcement policies and procedures. Institutional representatives and the involved individual may be requested to appear before the Committee on Infractions at the time the allegation is considered.

**32.3.11.1 Failure or Refusal to Produce Materials. If an institution or individual fails or refuses to produce materials requested by the enforcement staff during an investigation, the Committee on Infractions may infer that the requested materials would support an alleged violation for which the party may be subject to penalty pursuant to Bylaw 19.5 (see Bylaw 32.8.8.3.2).**

**32.3.11.2 Failure or Refusal to Participate in Interview. If an individual fails or refuses to participate in an interview requested by the enforcement staff, and he or she is later deemed to be an involved individual, the Committee on Infractions may view the failure or refusal as an admission that an alleged violation, for which the individual may be subject to penalty pursuant to Bylaw 19.5, occurred (see Bylaw 32.8.8.3.3).**

**32.3.12 Protection for Cooperation. An institution shall not retaliate against a current or former institutional staff member or prospective or enrolled student-athlete who voluntarily reports information about potential violations to his or her conference, member institution and/or the Association.**

[32.3.12 renumbered as 32.3.13, unchanged.]

#### **C. Administrative:** Amend 32.8.8.3, as follows:

32.8.8.3 Basis of Decision. The Committee on Infractions shall base its decision on information presented to it that it determines to be credible, persuasive and of a kind on which reasonably prudent persons rely in the conduct of serious affairs. **The information upon which the committee bases its decision may be information that directly or circumstantially supports the alleged violation.**

**32.8.8.3.2 Materials Not Produced. The Committee on Infractions may infer that materials requested during an investigation by the enforcement staff but not produced by an institution or individual would support an alleged violation for which the party may be subject to penalty pursuant to Bylaw 19.5.**

**32.8.8.3.3 Failure or Refusal to Participate in Interview. The Committee on Infractions may view the failure or refusal to participate in an interview requested by the enforcement staff as an admission that an alleged violation, for which the individual may be subject to penalty pursuant to Bylaw 19.5, occurred.**

**Rationale:** Following the NCAA Division II Management Council and Presidents Councils' review of the increase in Division II major infractions cases in recent years, the NCAA Division II Enforcement and Infractions Task Force was created and charged with studying recent changes to the Division I infractions process and recommending legislative/policy changes to enhance the process in Division II. After membership input, the task force recommends enhancing the tools available to the enforcement staff to facilitate cooperation by further defining full cooperation, clarifying the information the Committee on Infractions (COI) may rely upon and protecting whistleblowers. Identifying common examples of cooperation during an investigation promotes cooperation, educates parties on the membership's expectations and makes the process more transparent and efficient. Confirming that the COI may make inferences based on a party's non-cooperation promotes cooperation, provides transparency of potential repercussions for failing to cooperate and makes the process more efficient. Similarly, confirming the COI's discretion to rely on information that both directly and circumstantially supports alleged violations provides transparency and creates efficiency in case processing. Finally, protecting staff members, prospects and student-athletes from retaliation for voluntarily reporting information about potential violations within the context of major cases may prompt them to come forward.

## 2022 Convention Presidents Council Sponsored Proposals

### Review History:

Jun 29, 2020: Recommends Approval - Enforcement and Infractions Task Force

Jul 21, 2020: Approved in Concept - Management Council

Aug 5, 2020: Approved in Concept - Presidents Council

Oct 20, 2020: Approved in Legislative Format - Management Council

Oct 28, 2020: Approved in Legislative Format - Presidents Council

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# 2022 Convention Presidents Council Sponsored Proposals

**Division:** II

**Proposal Number:** PC-2

**Title:** ENFORCEMENT POLICIES AND PROCEDURES -- COMMITTEE ON INFRACTIONS HEARINGS -- POSTHEARING COMMITTEE DELIBERATIONS -- BASIS OF DECISION -- IMPORTATION OF FACTS

**Convention Year:** 2022

**Date Submitted:** July 22, 2020

**Status:** SPOPL

**Effective Date:** August 1, 2022

**Source:** NCAA Division II Presidents Council [Management Council (Enforcement and Infractions Task Force)]

**Category:** Presidents Council

**Topical Area:** Enforcement

**Intent:** To specify that: (a) Facts established by a decision or judgment of a court, agency, accrediting body or other administrative tribunal of competent jurisdiction, which is not under appeal, or by a commission, or similar review of comparable independence, authorized by a member institution or the institution's university system's board of trustees, may be accepted as true in concluding whether an institution or individual violated NCAA legislation; and (b) Evidence submitted and positions taken in such a matter may be considered in the infractions process.

**Administrative:** Amend 32.8.8.3, as follows:

32.8.8.3 Basis of Decision. The Committee on Infractions shall base its decision on information presented to it that it determines to be credible, persuasive and of a kind on which reasonably prudent persons rely in the conduct of serious affairs. **The information upon which the committee bases its decision may be information that directly or circumstantially supports the alleged violation.**

**32.8.8.3.1 Importation of Facts. Facts established by a decision or judgment of a court, agency, accrediting body, or other administrative tribunal of competent jurisdiction, which is not under appeal, or by a commission, or similar review of comparable independence, authorized by a member institution or the institution's university system's board of trustees and regardless of whether the facts are accepted by the institution or the institution's university system's board of trustees, may be accepted as true in the infractions process in concluding whether an institution or individual participating in the previous matter violated NCAA legislation. Evidence submitted and positions taken in such a matter may be considered in the infractions process.**

**Rationale:** Following the NCAA Division II Management Council and Presidents Councils' review of the increase in Division II major infractions cases in recent years, the NCAA Division II Enforcement and Infractions Task Force was created and charged with studying recent changes to the Division I infractions process and recommending legislative/policy changes to enhance the process in Division II. After membership input, the task force recommends that legislation expressly authorize the Committee on Infractions (COI) to import adjudicated facts, or consider evidence submitted and positions taken in judicial and other administrative proceedings. Current legislation does not expressly permit the COI to accept as true facts established by decisions or judgments from courts, agencies, accrediting bodies or other administrative tribunals, or by a commission, or similar review of comparable independence, authorized by an institution or the institution's university system's board of trustees. Likewise, legislation does not expressly permit the COI to consider evidence submitted and positions taken in such matters. These modifications will clarify the acceptable use of such information and increase efficiency in the process. Further, the modifications will help the enforcement staff close the gap between known and processed violations of legislation.

**Review History:**

## **2022 Convention Presidents Council Sponsored Proposals**

Jun 29, 2020: Recommends Approval - Enforcement and Infractions Task Force

Jul 21, 2020: Approved in Concept - Management Council

Aug 5, 2020: Approved in Concept - Presidents Council

Oct 20, 2020: Approved in Legislative Format - Management Council

Oct 28, 2020: Approved in Legislative Format - Presidents Council

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# 2022 Convention Presidents Council Sponsored Proposals

**Division:** II

**Proposal Number:** PC-3

**Title:** ENFORCEMENT POLICIES AND PROCEDURES -- NEGOTIATED RESOLUTION

**Convention Year:** 2022

**Date Submitted:** July 22, 2020

**Status:** SPOPL

**Effective Date:** August 1, 2022

**Source:** NCAA Division II Presidents Council [Management Council (Enforcement and Infractions Task Force)]

**Category:** Presidents Council

**Topical Area:** Enforcement

**Intent:** To establish a negotiated resolution process to allow the enforcement staff to negotiate resolution of a case with an institution or involved individual about alleged violations and proposed penalties, subject to the review and approval of the Committee on Infractions, as specified.

**A. Bylaws:** Amend 19.1.3, as follows:

19.1.3 Duties. The committee shall:

[19.1.3-(a) through 19.1.3-(d) unchanged.]

(e) Upon concluding that one or more violations occurred, prescribe an appropriate penalty or "show-cause" requirement on a Division II member found to be involved in a major violation (or on appeal on a Division II member found to be involved in a secondary violation) or recommend to the Division II Presidents Council suspension or termination of membership; ~~and~~

**(f) Review negotiated resolutions (see Bylaw 32.6); and**

[19.1.3-(f) relettered as 19.1.3-(g), unchanged.]

**B. Administrative:** Amend 32, as follows:

32 Enforcement Policies and Procedures

[32.1 through 32.5 unchanged.]

**32.6 Negotiated Resolution.**

**32.6.1 Scope. At any time from the beginning of the enforcement staff investigation until Committee on Infractions review of a summary disposition report pursuant to Bylaw 32.8.1.4 or an infractions hearing held pursuant to Bylaw 32.9.7, the enforcement staff may negotiate a resolution with an institution or involved individual about alleged violations and proposed penalties. The negotiated resolution is subject to approval by the Committee on Infractions and must resolve all known violations for which the party or parties included in the negotiated resolution may be subject to penalty pursuant to Bylaw 19.5.**

**32.6.2 Written Agreement.**

**32.6.2.1 All Participating Parties Agree on Resolution. If all parties participating in the case agree on a resolution of the case, they shall submit the written agreement of negotiated resolution to the chair of the Committee on Infractions for Committee on Infractions review and approval. The enforcement staff shall include the violations by and penalties related to any party not participating in the case in the written agreement. The Committee on Infractions shall review the negotiated resolution if the parties submit the written agreement prior to issuance of the summary disposition report or notice of**

## 2022 Convention Presidents Council Sponsored Proposals

allegations.

32.6.2.2 Not All Participating Parties Agree on Resolution. If some, but not all, parties participating in the case agree on resolution of the case, the enforcement staff shall include the written agreement of negotiated resolution in the summary disposition report or notice of allegations submitted in connection with parties who are not included in the negotiated resolution, or amended summary disposition report or notice of allegations if the agreement is reached after issuance of the summary disposition report or notice of allegations.

32.6.2.3 Elements of Written Agreement. Any written agreement of a negotiated resolution shall contain the following:

- (a) A brief description of the case, including the involvement of the parties included in the negotiated resolution;
- (b) The agreed-upon violation(s);
- (c) Other violations the enforcement staff considered and agreed or opted not to allege;
- (d) The agreed-upon type of agreed-upon violation(s) (i.e., major or secondary);
- (e) The agreed-upon penalties;
- (f) The nature of any participation or cooperation provided by a party pursuant to the negotiated resolution, and consequences for a party's failure or refusal to strictly adhere to the agreed-upon participation and cooperation conditions;
- (g) Waiver of appellate opportunities; and
- (h) Other material terms of the agreement.

32.6.3 Scope of Review. The Committee on Infractions shall only reject a negotiated resolution if it is not in the best interests of the Association or the agreed-upon penalties are manifestly unreasonable pursuant to Bylaw 19.5.

32.6.4 Preliminary Assessment of Penalties. Prior to submission of a written agreement of negotiated resolution, parties included in the negotiated resolution may request the Committee on Infractions to preliminarily assess whether the agreed-upon penalties are manifestly unreasonable pursuant to Bylaw 19.5. The preliminary assessment is not binding.

32.6.5 Negotiated Resolution Approved. If the Committee on Infractions approves the negotiated resolution, the committee shall forward the approval to the enforcement staff and the other parties, and publicly announce the resolution of the case. The approval shall be final and have no precedential value.

32.6.5.1 Approval When Not All Participating Parties Agree on Resolution. If some, but not all parties participating in the case agree on resolution of the case, the Committee on Infractions shall not approve the negotiated resolution until the committee resolves the remainder of the case.

32.6.5.2 Approval in Conjunction with Preliminary Assessment. If all parties participating in the case request a preliminary assessment of penalties in accordance with Bylaw 32.6.4 and the parties submit all required elements of an agreement of negotiated resolution set forth in Bylaw 32.6.2.3, the Committee on Infractions may approve the negotiated resolution in conjunction with its preliminary assessment unless the parties instruct otherwise in their request for preliminary assessment.

32.6.6 Negotiated Resolution Not Approved. If the Committee on Infractions does not approve the negotiated resolution, the committee may return the negotiated resolution to the parties included in the negotiated resolution for additional information or clarification or to respond to issues identified by the committee that preclude approval of the negotiated resolution, and request that the parties submit an amended written agreement of negotiated resolution in response. In the alternative, the committee may reject the negotiated resolution and issue instructions for processing of the case pursuant to Bylaw 32.8 or Bylaw 32.9.

[32.6 through 32.11 renumbered as 32.7 through 32.12, unchanged.]

## 2022 Convention Presidents Council Sponsored Proposals

**Rationale:** Following the NCAA Division II Management Council and Presidents Councils' review of the increase in Division II major infractions cases in recent years, the NCAA Division II Enforcement and Infractions Task Force was created and charged with studying recent changes to the Division I infractions process and recommending legislative/policy changes to enhance the Division II process. After membership input, the task force recommends establishing a process where the enforcement staff may negotiate a resolution of a major case with an institution or involved individual when there is agreement on the facts, violations and penalties, subject to Committee on Infractions review and approval. Presently, the enforcement staff cannot resolve a major case with an institution or involved individual beyond a hearing or summary disposition. The staff has and exercises discretion in alleging violations but does not negotiate with parties or recommend penalties. This often frustrates cooperating member institutions who seek to negotiate resolution in favor of more expeditious case processing. Beyond membership frustration, the inability to negotiate resolutions taxes the resources of the infractions process and forgoes an opportunity to secure assistance from institutions or individuals who have useful information. Negotiated resolution creates efficiencies in processing cases.

### Review History:

Jun 29, 2020: Recommends Approval - Enforcement and Infractions Task Force

Jul 21, 2020: Approved in Concept - Management Council

Aug 5, 2020: Approved in Concept - Presidents Council

Oct 20, 2020: Approved in Legislative Format - Management Council

Oct 28, 2020: Approved in Legislative Format - Presidents Council

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Presidents Council-Sponsored Legislation  
In Concept

The Management Council recommends that the Presidents Council take action to approve the following legislative concept for sponsorship at the 2022 NCAA Convention:

- **2022 NCAA Convention Legislation – NCAA Bylaw 17.1.6 – Playing and Practice Seasons – Required Day Off – Civic Engagement.**
  - (1) Recommendation. Sponsor legislation for the 2022 NCAA Convention to amend NCAA Bylaw 17.1.6 (time limits for athletically related activities) to that specify that all countable athletically related activities shall be prohibited on the Tuesday after the first Monday in November.
  - (2) Effective date. Aug. 1, 2022.
  - (3) Rationale. This proposal is designed to provide more opportunities for student-athletes to participate in civic engagement (e.g., voting, volunteering, community engagement). By requiring an annual day off from countable athletically related activities each year, student-athletes will have focused time to civically engage, including time to vote in presidential and some congressional, state and local elections, and will have more opportunities to amplify their voice. This proposal supports the Student-Athlete Advisory Committee's "Total Package Student-Athlete" goal that encourages student-athletes to be well-rounded students and exercise their right to vote. This proposal would not impact competitive or recruiting equity since the legislation would impact all institutions in the same manner.
  - (4) Estimated budget impact. None.
  - (5) Student-athlete impact. Provides an annual day off from countable athletically related activities and the opportunity for civic engagement.





**SUPPLEMENT NO. 10**  
**DII Presidents Council 01/21**

**NCAA Division II Management Council Report**  
**Other Action Items**

*The Management Council did not have any other action items for the Presidents Council.*



NCAA Division II Management Council Report  
Informational Items

- **Name, Image and Likeness.** The Division II Management Council received an update from NCAA President Mark Emmert, who requested each of the three divisions delay their votes on name, image and likeness legislation. The request came after the NCAA received concerns from the U.S. Department of Justice Antitrust Division related to the name, image and likeness proposals. The Management Council noted its support of the Association's commitment to modernizing its rules and providing student-athletes additional opportunities in the area of name, image and likeness, but supported a delay until the NCAA can gather additional relevant information. The Management Council was informed that the Division II Presidents Council is expected to take formal action during its meeting on Tuesday to withdraw the name, image and likeness proposal from Friday's business session.

In addition, the Management Council received an update regarding the status of the search for third-party vendors to assist with the administration of activities related to the use of a student-athlete's name, image and likeness. On September 4, 2020, the NCAA distributed an RFP seeking third-party vendors to assist with this process. The RFP focused on three possible key areas of assistance: (1) disclosure and transparency; (2) monitoring and evaluation; and education. On October 2, 2020, 19 bids were received with eight vendors moving forward after the initial review. The NCAA staff reviewed the bids of the eight vendors and chose five vendors to move forward. The five vendors provided a virtual presentation to the national office staff, as well as external individuals from the membership in all three divisions, the week of November 9th. A third-party administrator has not been chosen as of yet as there is a secondary review currently underway to focus on such areas as financial framework and conflict of interests. The Division II Legislation Committee is expected to discuss during its March 2021 meeting whether Division II student-athletes should be required to use a third-party administrator to report their name, image and likeness activities. More information will be shared with the Management Council and Presidents Council during its April meeting.



**2021 NCAA Convention**  
**Core Schedule of Events**

*All times listed are Eastern time.*

Time	Meeting	Platform
<b>Monday, January 11</b>		
11 a.m. to 5 p.m.	Division II Management Council Meeting	Microsoft Teams
11 a.m. to 5 p.m.	Division II Student-Athlete Advisory Committee Meeting	Microsoft Teams
5 to 6 p.m.	Division II Management Council Happy Hour	Zoom
<b>Tuesday, January 12</b>		
<b>10 a.m. to 12:30 p.m.</b>	<b>Division II Presidents Council/Management Council/Student-Athlete Advisory Committee Joint Meeting</b>	<b>Zoom</b>
<b>12:30 to 1 p.m.</b>	<b>State of College Sports</b>	<b>Virtual Convention Platform</b>
<b>1 to 5 p.m.</b>	<b>Division II Presidents Council Meeting</b>	<b>Microsoft Teams</b>
1 to 5 p.m.	Division II Student-Athlete Advisory Committee Meeting	Microsoft Teams
<b>Wednesday, January 13</b>		
1 to 6 p.m.	NCAA Board of Governors Meeting	Zoom
<b>7 to 8 p.m.</b>	<b>Honors Celebration</b>	<b>Virtual Convention Platform</b>
<b>Thursday, January 14</b>		
1 to 2:30 p.m.	Meeting with Institutions in the Division II Membership Process	
<b>4:30 to 5 p.m.</b>	<b>Saluting Excellence: 2021 Diversity &amp; Inclusion and Ford Awards</b>	<b>Virtual Convention Platform</b>
<b>Friday, January 15</b>		
<b>11 a.m. to 1 p.m.</b>	<b>Division II Business Session</b>	<b>Virtual Convention Platform</b>
1:30 to 2:30 p.m.	Division II Education Session: Mental Health Panel for Administrators and Coaches	Virtual Convention Platform

Time	Meeting	Platform
Friday, January 22		
3 to 4 p.m.	Division II Education Session: Student-Athlete Social Justice and Activism	Virtual Convention Platform
Tuesday, January 26		
Noon to 1 p.m.	Division II Education Session: The Impact of the COVID-19 Pandemic on Student-Athlete Identity	Virtual Convention Platform



**2021 NCAA Convention Procedural Issues and Clarifications**  
**Regarding NCAA Division II Proposals**

1. Corrections. There are no corrections to the 2021 NCAA Convention Division II Official Notice.
2. Reordering of proposals. There are no reordering issues at this time.
3. Withdrawal issues. There are no withdrawal issues at this time.
4. Mootnicity issues. Proposal No. 2021-3 shall be moot if Proposal No. 2021-2 is adopted. Thus, Proposal No. 2021-3 will only be considered on the Convention floor if Proposal No. 2021-2 is defeated.
5. Immediate effective date. There are no proposals that have an immediate effective date.
6. Alternate effective date. There are no proposals that have an alternate effective date.
7. Delayed effective date. There are no proposals that have a delayed effective date.
8. Football only vote. There are no proposals that affect only football.
9. Interpretations. There are no official interpretations of the proposals at this time.
10. Noncontroversial legislation amendments. There are no noncontroversial legislation amendments at this time.
11. Voting Delegates and/or Delegates with Speaking Privileges. Per Division II legislation and prior to the business session, each institution and conference shall appoint its primary and alternate voting delegates. Division II legislation also outlines those individuals that have speaking privileges during the business session.

These individuals will receive information via email on Wednesday, January 13 on how to use and log into the Lumi platform, how to join the speaking queue and how to vote electronically. Lumi is the third-party vendor that assists Division II each year with its business session voting and will be providing the electronic application for voting and speaking for the virtual business session this year.

In addition to logging into the Lumi platform, all delegates (including voting delegates and/or delegates with speaking privileges) should access the NCAA MVP Convention platform to hear and see the business session via Zoom. The Lumi platform has no audio or video access for the business session.

If you are the voting delegate and/or delegate with speaking privileges and did not receive the login information for the Lumi platform by January 13, please contact the following staff members:

Stephanie Quigg ([squigg@ncaa.org](mailto:squigg@ncaa.org))

Angela Red ([ared@ncaa.org](mailto:ared@ncaa.org))

12. Motion to divide a proposal. A voting delegate may "divide" a properly moved proposal into two or more parts to be voted on separately only if the parts make sense as they stand alone and only if each part may be adopted without any of the others.
  - a. A voting delegate may make a motion to divide a proposal after it is properly moved and seconded.
  - b. A motion to divide a proposal:
    - (1) Requires the delegate making the motion to clearly articulate the division;
    - (2) Requires a second;
    - (3) Is a debatable motion; and
    - (4) Requires a simple majority for adoption.
  - c. The chair of the business session will facilitate a motion to divide a proposal.

If a voting delegate has any questions regarding a motion to divide a proposal, the voting delegate should contact Karen Wolf ([kwolf@ncaa.org](mailto:kwolf@ncaa.org)).

13. Reconsideration of a proposal. A "window of reconsideration" is available to delegates at the end of the business session following a brief break to reconsider the outcome of a particular vote on a proposal. A motion to "reconsider" a proposal should only be made during this period.
  - a. A voting delegate on the prevailing side of the vote on a proposal may make a motion to reconsider a proposal.
  - b. The chair of the business session will facilitate the reconsideration of a proposal.
  - c. The first vote is on the motion to reconsider the outcome (pass or fail) of a proposal and is a debatable motion. Motions to reconsider the outcome (pass or fail) of a proposal require a majority approval.

- d. If the motion to reconsider is approved, the delegates may debate the merits of the proposal and will vote on whether the proposal should be adopted or defeated.
- e. Delegates with speaking rights may only speak to the merits of a particular proposal twice. For example, if a delegate spoke once on the merits during the original consideration of the proposal, the delegate may only speak once on the merits of the proposal during reconsideration of the proposal.

If a voting delegate has any questions regarding the reconsideration of a proposal, the voting delegate should contact one of the following Division II governance staff members:

Terri Steeb Gronau ([tgronau@ncaa.org](mailto:tgronau@ncaa.org));

Maritza Jones ([msjones@ncaa.org](mailto:msjones@ncaa.org)); or

Ryan Jones ([rjones@ncaa.org](mailto:rjones@ncaa.org)).



# OFFICIAL NOTICE

SUPPLEMENT NO. 14  
DII Presidents Council 01/21

## 2021 DIVISION II OFFICIAL NOTICE

115th Annual  
Convention  
January 12-15, 2021





THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

P.O. Box 6222  
Indianapolis, Indiana 46206-6222  
317-917-6222  
[www.ncaa.org](http://www.ncaa.org)  
November 2020

**Legislation Prepared By:** Stephanie Quigg, Director of Academic and Membership Affairs for Division II; Karen Wolf, Associate Director of Academic and Membership Affairs; Chelsea Hooks, Assistant Director of Academic and Membership Affairs; and Michael Woo, Assistant Director of Academic and Membership Affairs.

Distributed to presidents or chancellors, directors of athletics, faculty athletics representatives, senior woman administrators, senior compliance administrators and conference commissioners.

NCAA, NCAA logo and NATIONAL COLLEGIATE ATHLETIC ASSOCIATION are registered marks of the Association and use in any manner is prohibited unless prior approval is obtained from the Association.

# Official Notice

## 115th Annual Convention

On behalf of the NCAA Board of Governors, the Division I Board of Directors, the Divisions II and III Presidents Councils, the Division I Council and the Divisions II and III Management Councils, we extend a cordial invitation to each NCAA member to be represented at the Association's 115th annual Convention scheduled January 12 through 15, 2021.

It is our pleasure to issue this Official Notice of the 2021 Convention. This publication is sent to the president or chancellor, director of athletics, faculty athletics representative, senior woman administrator and senior compliance administrator at each active NCAA Division II member institution, as well as to the officers of member conferences and provisional member institutions.

This Official Notice contains legislation for consideration at the Division II business session of the 2021 Convention, including amendments-to-amendments. It also contains the necessary information concerning the accreditation of delegates, voting procedures and other Convention policies. We encourage each member to review the information related to the activities in which you will be involved before participating in the Convention. It is particularly important that each Division II delegate have a copy of the Official Notice during the Convention. The Official Notice will be the only publication containing all Division II Convention legislation.

In addition to the consideration of legislation, Division II delegates also will participate in educational and discussion sessions about topics of concern within the division and the Association.

We hope you will tune in to join delegates from all divisions at the State of College Sports (formerly known as the opening business session) Tuesday evening.

We hope that each member of the Association will participate in the 2021 Convention. We look forward to seeing you virtually.

*John DeGioia*  
*President, Georgetown University*  
*Chair, NCAA Board of Governors*

*Sandra Jordan*  
*Chancellor, South Carolina Aiken*  
*Chair, Division II Presidents Council*

*Denise Trauth*  
*President, Texas State University*  
*Chair, Division I Board of Directors*

*Tori Murden-McClure*  
*President, Spalding University*  
*Chair, Division III Presidents Council*

November 15, 2020

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*\* Designated by NCAA Division II Presidents Council for roll-call vote.*

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## Accrediting of Delegates

Association policy provides that the appointment of accredited and visiting delegates is the responsibility of the president or chancellor of each member institution or organization. **In November 2020, a link to the appointment of delegates website was emailed to the president or chancellor of all member institutions and organizations. The link was also made available on the NCAA website ([www.ncaa.org/convention](http://www.ncaa.org/convention)) under the Appointment of Delegates section.**

It is important that the voting delegate be properly accredited, and appointing officers are urged to submit the required information to the NCAA national office at their earliest convenience.

An institution's or organization's president or chancellor shall appoint the voting and alternate delegates by completing the online delegate appointment form. The transfer of voting rights among the delegates is a matter of institutional or organizational discretion.

Please note also that the governance structure of each division urges member institutions and organizations to include women in their NCAA Convention delegations.

If an institution's or organization's president or chancellor fails to submit the online delegate appointment form, that institution's or organization's representatives will be registered as visitors until the president or chancellor certifies in writing the voting and alternate delegates. No other institutional or organizational representatives are permitted to complete a delegate appointment form.

Once the online delegate appointment form has been verified by the president or chancellor, no one may be added as a voting or alternate delegate without written instructions from that president or chancellor. Thus, no individual appointed as a visitor may become a voter or alternate without written authorization from the president or chancellor.

Visiting delegates, except in certain situations, do not have speaking privileges at the Convention.

The 2021 Convention is free for NCAA members.

## Meetings and Reservations

Please note that the Convention schedule of events is available on the NCAA website ([www.ncaa.org/convention](http://www.ncaa.org/convention)).

The Convention officially begins when the State of College Sports (formerly opening business session) convenes at 7 p.m. Eastern time, Tuesday, January 12. Adjournment of the Convention has been scheduled for Friday, January 15. Educational sessions will begin at noon Wednesday, January 13 and continue for the remainder of the month.

# Proposed Amendments

The proposed amendments to be considered at the 115th annual Convention begin on Page 1. All amendments, if adopted, become effective as indicated in each proposal.

**It is particularly important that each Division II delegate have a copy of the Official Notice during the Convention. The Official Notice will be the only publication containing all Division II Convention legislation for the 2021 Convention.**

In accordance with the provisions of Constitution 5.3, an amendment to the Association's legislation may be proposed by the NCAA Board of Governors, Division II Presidents Council, by any 15 or more active Division II member institutions or by two active conferences on behalf of 15 or more active member institutions eligible to vote on the matter. The source is indicated in each proposal. When the Presidents Council proposes an amendment originally recommended by a committee, the committee is indicated as well.

All proposals designated by the Division II Presidents Council for roll-call votes are indicated with an asterisk preceding the proposals in this publication, as well as in the voting designation accompanying each such proposal.

Please note that the Presidents Council is authorized to distribute during division or general business sessions information detailing positions on key legislative proposals.

## Amendments-to-Amendments

All amendments submitted by the membership in accordance with the July 15 deadline were printed in the Initial Publication of Proposed Legislation, which was provided to the membership via the NCAA website August 15. As a result, there was not an Initial Publication of Proposed Legislation for the 2021 Convention. Sponsors of those proposals were permitted to revise them in any manner until September 15. [Note: There were no proposals properly sponsored by the Division II membership by the July 15 deadline. As a result, there was not an Initial Publication of Proposed Legislation for the 2021 Convention.] In the interim, the Board of Governors and the Division II Presidents Council had until September 1 to submit their legislative proposals. All proposals were provided to the membership September 20 in the Second Publication of Proposed Legislation.

The Board of Governors, Division II Presidents Council, any eight or more active Division II member institutions or one active conference on behalf of eight or more active member institutions eligible to vote on a given issue had until November 1 to submit amendments to the original proposals, provided the amendment to the amendment did not increase the modification proposed by the original amendment. As a result of that deadline, all amendments-to-amendments, if any, are included in this Official Notice with the proposals they are intended to amend. Resolutions also were handled in accordance with those same deadlines and are included in this publication, if any. No additional amendments-to-amendments or resolutions are permitted for the 2021 Convention unless they are sponsored by the Board of Governors or Division II Presidents Council and distributed before or during the business session.

## **Withdrawal of Proposal**

Sponsors who intend to withdraw a proposal are urged to notify the academic and membership affairs staff as soon as possible before the business session of the Convention at which the proposal is scheduled to be considered.

## **Review of Interpretations**

The Legislation Committee issues interpretations as to the scope, meaning or effect of the constitution and bylaws applicable to Division II. These rulings are subject to review by the Division II membership upon the request of any member in accordance with NCAA Constitution 5.4.1.4. Any Division II member to which an interpretation applies may request a review of the interpretation by making such a request in writing to the academic and membership affairs staff via electronic mail to the primary contact individuals — [chooks@ncaa.org](mailto:chooks@ncaa.org) or [kwolf@ncaa.org](mailto:kwolf@ncaa.org) — not later than November 20, 2020.

## **Emergency Legislation Adopted by the Presidents Council**

The Presidents Council may adopt "emergency" legislation that shall be effective immediately in situations when the NCAA must respond to, or comply with a court, alternative dispute resolution (ADR) or government order or when the Presidents Council deems it appropriate to limit or avoid NCAA liability as a result of litigation, ADR or governmental proceedings, per Constitution 5.3.1.1.2. Such "emergency" legislation shall be adopted by at least a three-fourths majority of the members of the Presidents Council present and voting. The Presidents Council then submits to the next annual Division II business session the amendments that it has adopted under this authorization. The emergency legislation adopted by the Presidents Council in 2020 appear in Appendix A. Acceptance of the report of the Presidents Council during the Division II business session ratifies the Presidents Council's actions in this regard.

## **Interpretations to be Included in the NCAA Division II Manual**

The Legislation Committee and the Academic Requirements Committee are authorized to recommend interpretations to be incorporated in the next printing of the NCAA Division II Manual. Such incorporations are approved by the Division II Management Council and then are printed in the Official Notice of the Convention. The interpretations approved for inclusion in the 2021-22 NCAA Division II Manual appear in Appendix B. Any additional interpretations approved by the Management Council are distributed to the delegates at the Division II business session. Acceptance of the report of the Management Council during the Division II business session will approve incorporation of the interpretations as distributed. A delegate

may object to the incorporation of a particular interpretation at the time of the Management Council report, and the Division II membership will decide by majority vote of the eligible voters whether to incorporate that specific interpretation.

## **Noncontroversial Legislation Adopted by the Management Council**

The Presidents Council, or an entity designated by the Presidents Council (the Management Council), is authorized to adopt, in the interim between annual Conventions, noncontroversial legislative amendments that are necessary to promote the normal and orderly administration of the Association's legislation, per Constitution 4.3.2-(e) and 5.3.1.1.1. That authorization requires a three-fourths majority vote of the Presidents Council, or the entity designated by the Presidents Council (the Management Council). The Management Council then submits to the next annual Division II business session the amendments that it has adopted under this authorization. The noncontroversial amendments adopted by the Management Council in 2020 appear in Appendix C. Acceptance of the report of the Management Council during the Division II business session approves the Management Council's actions in this regard.

## **Order of Business**

The State of College Sports (formerly known as the opening business session) of the 115th annual Convention will begin at 7 p.m. Eastern time, Tuesday, January 12. The "State of the Association" address by the NCAA president will be presented orally during that general session.

The various proposals will be taken up in their numerical order, unless that order is changed at the Convention. Amendments for the annual Convention are grouped topically by area and will be presented as indicated on page xii.

In each grouping of related items (either amendments or amendments-to-amendments), the Association's established procedure will be followed (consider first the proposal that contemplates the greatest modification of the present circumstance, followed by other proposals in the order of decreasing modification). In some instances, when a proposal in such a grouping is adopted, those that follow in that grouping may become moot.

## **Voting Procedures**

Methods of voting shall be in accordance with Constitution 5.1.4.4. Due to the nature of the virtual Convention, the voting delegate must be registered for Convention and appointed through the appointment of delegates site. Exact voting procedures are still being determined at the time of publication. Once finalized, this information will be shared with the membership in a separate communication.



## **Memorial Resolutions**

At the time of the annual Convention, members of the Association honor by memorial resolution those persons closely associated with intercollegiate athletics who passed away during the year. It is requested that the names of persons to be honored in this manner be submitted to the NCAA, P.O. Box 6222, Indianapolis, Indiana 46206-6222.

## **Administrative Structure**

Rosters of the NCAA Board of Governors, and Division II Presidents Council and Management Council, are listed in Appendix E.

## **Request for Interpretations**

Division II member institutions and conferences are encouraged to request interpretations of the proposed legislation in this Official Notice in advance of the Convention.

All such requests must be received to the NCAA academic and membership affairs staff via email to the primary contact individuals, [chooks@ncaa.org](mailto:chooks@ncaa.org) or [kwolf@ncaa.org](mailto:kwolf@ncaa.org), not later than November 20, 2020. Requests will be considered by the appropriate interpretative entities and the decisions will be reviewed by the Division II Management Council in its pre-Convention meeting Monday, January 11, 2021. The resulting interpretations will be duplicated and distributed to the conferences for their pre-Convention meetings before the beginning of the business session Friday, January 15, 2021. Due to the 2021 Convention being virtual the business session has been moved from Saturday to Friday.

**TOPICAL GROUPINGS OF PROPOSED  
AMENDMENTS  
115th ANNUAL CONVENTION**

*PROPOSAL NUMBER*

*GENERAL TOPIC*

1

Name, Image and Likeness

2 through 3

Eligibility



# 115th Annual Convention

## LEGISLATIVE PROPOSALS SUBMITTED BY THE MEMBERSHIP

[Note: In the following proposals:

- Those letters and words that appear in *italics* and ~~striketthrough~~ are to be deleted;
- Those letters and words that appear in **boldface** and underlined are to be added; and
- Those letters and words that appear in normal text are unchanged from the current Division II legislation.]

## 2021 NCAA CONVENTION OFFICIAL NOTICE FREQUENTLY ASKED QUESTIONS

The frequently asked questions section following each proposal in the white pages is designed to provide further clarification regarding the application of the proposal and/or the rationale for the legislative change. The information includes frequently asked questions, figures and other information. Further information regarding the application of the proposals is available in the 2021 Convention Division II Legislative Proposals Question and Answer Guide at [www.ncaa.org](http://www.ncaa.org).

## DIVISION II LEGISLATIVE PROPOSALS

*The NCAA Division II Presidents Council has determined that it will deal primarily with those national issues in Division II athletics that prompt widespread concern among Division II presidents or chancellors.*

*Legislative proposals developed by the Division II Management Council or by Division II committees reporting to it must be submitted to the Division II Presidents Council for review. They cannot be placed on the agenda for consideration at the Convention unless the Presidents Council agrees to sponsor them. This procedure was established to affirm presidential control of intercollegiate athletics in Division II.*

*The Division II Presidents Council has identified those proposals that it believes are of particular interest to Division II presidents or chancellors and has included them in the Presidents Council grouping. It should be noted, however, that inclusion of proposals in the Presidents Council grouping does not necessarily constitute a position by the Division II Presidents Council for or against a proposal. [Note: The Presidents Council did not identify a Presidents Council grouping of proposals for this convention.] Those proposals with an asterisk before the proposal number have been identified by the Presidents Council as roll-call votes. Delegates should refer to each proposal's source line for information regarding the sponsor of each proposal.*

*[Note: Pursuant to Constitution 5.3.12, all amendments shall become effective not earlier than the first day of August following adoption at the NCAA Convention; however, if a voting delegate wishes to propose an immediate effective date, or to propose any*

*other effective date prior to the first day of August, a two-thirds majority of all delegates present and eligible to vote on the amendment is required to approve the immediate or alternative effective date. Those proposals that receive the required vote to carry an immediate effective date and that are adopted, become effective upon adjournment of the Convention.]*

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## Name, Image and Likeness

### No. 2021-1 (2-1) VARIOUS BYLAWS – STUDENT-ATHLETE USE OF NAME, IMAGE AND LIKENESS

**Intent:** To permit Division II student-athletes to utilize their name, image and likeness, as specified; further, consistent with the Board of Governors' principles that any legislative changes be transparent and enforceable, to recommend the necessary administrative framework, as specified.

**A. Bylaws:** Amend 11.1.4, as follows:

[Division II, Roll Call]

11.1.4 Representing Individuals in Marketing Athletics Ability/Reputation. Staff members of the athletics department of a member institution shall not represent, directly or indirectly, any individual in the marketing of athletics ability or reputation to an agent, a professional sports team or a professional sports organization, including receiving compensation for arranging commercial endorsements or personal appearances for **prospective, current or** former student-athletes, except as specified in Bylaw 11.1.4.1, and shall not receive compensation or gratuities of any kind, directly or indirectly, for such services.

[11.1.4.1 unchanged.]

**11.1.4.2 Professional Service Provider. Institutional staff members shall not serve as a professional service provider (see Bylaw 12.02.7) for a prospective student-athlete's name, image and likeness activities.**

**B. Bylaws:** Amend 12.02, as follows:

[Division II, Roll Call]

12.02 Definitions and Applications.

12.02.1 Agent. An agent is any individual who, directly or indirectly: **represents or attempts to represent an individual for the purpose of marketing his or her athletics ability or reputation in order to secure a professional sports opportunity.**

~~(a) Represents or attempts to represent an individual for the purpose of marketing his or her athletics ability or reputation for financial gain; or~~

~~(b) Seeks to obtain any type of financial gain or benefit from securing a prospective student-athlete's enrollment at an educational institution or from a student-athlete's potential earnings as a professional athlete.~~

~~12.02.1.1 Application. An agent may include, but is not limited to, a certified contract advisor, financial advisor, marketing representative, brand manager or anyone who is employed or associated with such persons.~~

[12.02.2 through 12.02.6 unchanged.]

**12.02.7 Professional Service Provider. A professional service provider is an individual who provides third party services to an individual regarding their name, image and likeness. A professional service provider includes, but shall not be limited to, an agent, tax advisor, marketing consultant, attorney or anyone who is employed or associated with such persons.**

[12.02.7 through 12.02.9 renumbered as 12.02.8 through 12.02.10, unchanged.]

**C. Bylaws:** Amend 12.1.2, as follows:

[Division II, Roll Call]

12.1.2 Activities Prior to Initial Full-Time Collegiate Enrollment. An individual ~~loses~~ **may retain** amateur status and thus ~~shall not~~ be eligible for intercollegiate participation in a particular sport if the individual ~~previously enters~~ **entered** into an agreement with or ~~receives~~ **received** benefits from an agent, **provided the agreement is terminated upon initial full-time enrollment at a Division II institution** (See Bylaws 12.02.1 and 12.3 for additional information regarding agents.)

**D. Bylaws:** Amend 12.1.3, as follows:

[Division II, Roll Call]

12.1.3 Permissible -- Following Initial Full-Time Collegiate Enrollment. Following initial full-time collegiate enrollment, participation in the following activities and receipt of the following benefits will not jeopardize the amateur status of an individual:

[12.1.3-(a) through 12.1.3-(h) unchanged.]

**(i) Professional Service Providers. A student-athlete may retain a professional service provider (see Bylaws 12.02.7 and 12.3) for assistance with name, image and likeness activities (see Bylaws 12.4.2 and 12.5.1.2).**

**E. Bylaws:** Amend 12.1.4, as follows:

[Division II, Roll Call]

12.1.4 Impermissible -- Following Initial Full-Time Collegiate Enrollment. Following initial full-time collegiate enrollment, an individual's participation in the following activities or receipt of the following benefits will jeopardize the individual's amateur status and eligibility for intercollegiate participation in a particular sport:

[12.1.4-(a) through 12.1.4-(g) unchanged.]

**(h) Agreement With or Benefits From an Agent. Entrance into an agreement with or receipt of benefits from an agent in order to secure a professional sports opportunity.**

[12.1.4-(i) through 12.1.4-(r) unchanged.]

**F. Bylaws:** Amend 12.2.4.2, as follows:

[Division II, Roll Call]

12.2.4.2 Draft List. An enrolled student-athlete may enter a professional league's draft an unlimited number of times during his or her collegiate career and be drafted by any team in the league without jeopardizing eligibility in that sport, provided the student-athlete does not ever agree (orally or in writing) to be represented by an agent for the purposes of marketing his or her athletics ability or reputation in that sport, ~~sign a professional sport contract~~ **in order to secure a professional sports opportunity** or otherwise jeopardize his or her amateur status.

**G. Bylaws:** Amend 12.3, as follows:

[Division II, Roll Call]

12.3 Use of Agents **and Professional Service Providers.**

12.3.1 General Rule -- **Agents.** *An individual **A student-athlete** shall be ineligible for participation in an intercollegiate sport, if, after initial full-time enrollment at a Division II institution, he or she ever has agreed (orally or in writing) to be represented by an agent for the purpose of marketing his or her athletics ability or reputation in that sport **in order to secure a professional sports opportunity**. Further, an agency contract not specifically limited in writing to a sport or particular sports shall be deemed applicable to all sports, and the individual shall be ineligible to participate in any sport.*

12.3.1.1 Nonbinding Agreements. *An individual **A student-athlete** who signs a contract or commitment **in order to secure a professional sports opportunity** that does not become binding until the agent also signs the document, is ineligible, even if the contract remains unsigned by the other parties until after the student-athlete's eligibility is exhausted.*

12.3.1.2 Representation for Future Negotiations. *An individual **A student-athlete** shall be ineligible per Bylaw 12.3.1, if he or she enters into a verbal or written agreement with an agent for representation in future professional sports negotiations that are to take place after the individual has completed his or her eligibility in that sport.*

12.3.1.3 Benefits From Prospective Agents. *An individual **A student-athlete** shall be ineligible per Bylaw 12.3.1, if he or she (or his or her relatives or friends) accepts transportation or other benefits from: **any person who represents any individual in the marketing of his or her athletics ability in order to secure a professional sports opportunity. The receipt of such expenses constitutes compensation based on athletics skill and is an extra benefit not available to the student body in general. In addition, compensation to a student-athlete shall not be provided as an inducement for enrollment (see Bylaw 13.2).***

- (a) ~~Any person who represents any individual in the marketing of his or her athletics ability. The receipt of such expenses constitutes compensation based on athletics skill and is an extra benefit not available to the student body in general; or~~*
- (b) ~~An agent, even if the agent has indicated that he or she has no interest in representing the student-athlete in the marketing of his or her athletics ability or reputation and does not represent individuals in the student-athlete's sport.~~*

[12.3.1.3.1 unchanged.]

*12.3.1.4 Exception -- Career Counseling and Internship/Job Placement Services. A student-athlete may use career counseling and internship/job placement services available exclusively to student-athletes, provided the student-athlete is not placed in a position in which the student-athlete uses his or her athletics ability.*

[12.3.2 unchanged.]

*12.3.3 Athletics Scholarship Agent. Any individual, agency or organization that represents a prospective student-athlete for compensation in placing the prospective student-athlete in a collegiate institution as a recipient of institutional financial aid shall be considered an agent or organization marketing the individual's athletics ability or reputation.*

*12.3.3.1 Talent Evaluation Services and Agents. A prospective student-athlete may allow a scouting service or agent to distribute personal information (e.g., high school academic and athletics records, physical statistics) to member institutions*

*without jeopardizing his or her eligibility, provided the fee paid to such an agent is not based on placing the prospective student-athlete in a collegiate institution as a recipient of institutional financial aid.*

12.3.4<sup>3</sup> Professional Sports Counseling Panel. It is permissible for an institution to have an authorized institutional professional sports counseling panel appointed and overseen by the institution's president or chancellor (or his or her designated representative from outside the athletics department).

**12.3.4 General Rule -- Professional Service Providers. A student-athlete may use the services of a professional service provider (see Bylaw 12.02.7) in the following name, image and likeness activities:**

**(a) Advice regarding name, image and likeness activities;**

**(b) Representation in contract negotiations related to name image and likeness activities; and**

**(c) Marketing of the student-athlete's name, image and likeness activities.**

**12.3.4.1 Limitation on Marketing Athletics Ability or Reputation. A professional service provider that represents a student-athlete in name, image and likeness activities may not also represent a student-athlete for the purpose of marketing his or her athletics ability or reputation in order to secure a professional sports opportunity.**

**12.3.4.2 Institutional Involvement. An institution may provide information and education related to name, image and likeness activities and may assist a student-athlete with evaluating professional service providers related to such activities. However, an institution may not identify or select a professional service provider or arrange for or provide payment for services rendered to the student-athlete.**

**12.3.4.3 Fees and Payment Arrangements for Services. A student-athlete is required to pay the rate commensurate with the going rate for services provided by a professional service provider, consistent with payment arrangements (e.g., flat fee, profit share, upfront guarantee) the service provider makes with nonstudent-athlete clients. A student-athlete may receive the same benefits (e.g., meals, copies, mailing) from a professional service provider that nonstudent-athletes receive but may not receive anything that would constitute an extra benefit. In addition, compensation to a student-athlete shall not be provided as an inducement for enrollment (see Bylaw 13.2).**

**12.3.5 Name, Image and Likeness Counseling Panel. It is permissible for an institution to have an authorized institutional name, image and likeness counseling panel appointed and overseen by the institution's president or chancellor (or his or her designated representative from outside the athletics department).**

**H. Bylaws:** Amend 12.4, as follows:

[Division II, Roll Call]

**12.4 Employment and Student-Athlete Business Activities.**

12.4.1 Criteria Governing Compensation to Student-Athletes. All compensation received by a student-athlete must be consistent with the limitations on financial aid set forth in Bylaw 15. Compensation may be paid to a student-athlete: [R]

(a) Only for work actually performed; **and**



- (b) At a rate commensurate with the going rate in that locality for similar services; ~~and,~~
- (c) ~~An employer shall not use the athletics reputation of a student-athlete employee to promote the sale of the employer's product or services.~~

#### *12.4.2 Specific Athletically-Related Employment Activities:*

~~12.4.2.1 National Team Practice and Competition. A student-athlete may receive actual and necessary expenses and reasonable benefits associated with national team practice and competition (e.g., health insurance, broken-time payments). [R]~~

~~12.4.2.2 Fee-for-Lesson Instruction. A student-athlete may receive compensation for teaching or coaching sport skills or techniques in his or her sport on a fee-for-lesson basis, provided all compensation received by the student-athlete is consistent with the criteria governing compensation to student-athletes (see Bylaw 12.4.1). [R]~~

#### **12.4.2 Student-Athlete Business Activities. A student-athlete may use his or her name, image and likeness to promote his or her athletically and nonathletically related business activities (e.g., products, services, personal appearances).**

**12.4.2.1 Restrictions. A student-athlete shall not receive compensation for athletics performance or participation. In addition, compensation to a student-athlete shall not be provided as an inducement for enrollment (see Bylaw 13.2). (See also Bylaw 16.11.2.1.)**

**12.4.2.2 Autographs. A student-athlete is not permitted to receive compensation for signing an autograph while he or she is representing the institution (e.g., reported for practice or competition, community engagement event, institutional promotional activity).**

**12.4.2.3 Fee-for-Lesson Instruction. A student-athlete may receive compensation for teaching or coaching sport skills or techniques in his or her sport on a fee-for-lesson basis, provided all compensation received by the student-athlete is consistent with the criteria governing compensation to student-athletes (see Bylaw 12.4.1). If institutional facilities are used, a student-athlete must adhere to all applicable institutional processes for facility rentals in a manner consistent for members of the general public. (See 13.12.2.2.1.1 for camps and clinics.) [R]**

**12.4.2.4 Merchandise and Memorabilia. A student-athlete is permitted to sell items provided by the institution, conference or NCAA, including awards, used equipment and apparel retained by the student-athlete that the institution will not reuse, at any time. A student-athlete may sell institutional merchandise he or she has purchased, subject to institutional restrictions related to the resale of items that include institutional marks.**

**12.4.2.5 Missed Class Time. A student-athlete shall not miss class to participate in activities related to the use of their name, image and likeness.**

**12.4.2.6 Institutional Involvement. An institution may provide information and education related to name, image and likeness activities and may assist a student-athlete with evaluating professional service providers related to such activities (see Bylaw 12.3.5). Neither the institution nor an institutional staff member shall be involved in the arrangement, development, operation or promotion of a student-athlete's business activity.**

**12.4.2.6.1 Exception. A business activity that is developed as part of the student-athlete's coursework is not subject to these restrictions.**

**12.4.2.7 Use of Institutional Marks.** A student-athlete's promotion of his or her business activity may include a reference to the student-athlete's involvement in intercollegiate athletics and a reference to the institution he or she attends, consistent with institutional policies applicable to any student. A student-athlete must adhere to all applicable institutional processes for use of institutional marks in a manner consistent for members of the general public.

**12.4.2.8 Use of Professional Service Providers.** See Bylaw 12.3.

**12.4.2.9 Reporting of Name, Image and Likeness Activities.** A student-athlete shall report to the institution's athletics department information related to business activities that involve the use of his or her name, image or likeness on an annual basis.

- I. **Bylaws:** Amend 12.5, as follows:

[Division II, Roll Call]

12.5 Promotional Activities.

12.5.1 Permissible.

12.5.1.1 Institutional, Charitable, Educational or Nonprofit Promotions. A member institution or recognized entity thereof (e.g., fraternity, sorority or student government organization), a member conference or a noninstitutional charitable, educational, nonprofit or government agency (e.g., the armed services) may use a student-athlete's name, picture or appearance to support its charitable or educational activities or to support activities considered incidental to the student-athlete's participation in intercollegiate athletics, provided the following conditions are met:

[12.5.1.1-(a) unchanged.]

[12.5.1.1-(a)-(1) through 12.5.1.1-(a)-(3) unchanged.]

**(4) A commercial establishment may use the appearance, name or picture of an enrolled student-athlete to promote an institutional fundraising activity;**

[12.5.1.1-(b) through 12.5.1.1-(c) unchanged.]

~~(d) The student-athlete's name, picture or appearance is not used to promote the commercial ventures of any nonprofit agency;~~

~~(e) Any commercial items with names or pictures of student-athletes (other than items specified per Bylaws 12.5.1.6 and 12.5.1.7) may be sold only by the member institution, member conference or NCAA, through outlets controlled by the member institution, member conference or the NCAA or outlets controlled by the charitable or educational organization (e.g., location of the charitable or educational organization, site of charitable event during the event);~~

[12.5.1.1-(f) through 12.5.1.1-(g) relettered as 12.5.1.1-(d) through 12.5.1.1-(e), unchanged.]

12.5.1.1.1 Exception - Promotional Activities Not Sponsored or Organized by a Member Institution's Athletics Department or Member Conference. The promotional activity conditions apply to activities sponsored or organized by an institution's athletics department or a conference office. Promotional

activities in which a student-athlete participates independent of his or her status as a student-athlete (e.g., institutional community service requirement) are not subject to the legislation. **See Bylaw 12.5.1.2.**

[12.5.1.1.2 through 12.5.1.1.3 unchanged.]

12.5.1.1.4 Promotions Involving Commercial Locations/Sponsors. A member institution or a charitable, educational, nonprofit or government agency may use the appearance, name or picture of an enrolled student-athlete to promote generally its fundraising activities at the location of a commercial establishment; ~~provided the commercial establishment is not a cosponsor of the event and the student-athlete does not promote the sale of a commercial product in conjunction with the fundraising activity. A commercial establishment would become a cosponsor, if the commercial establishment either advertises the presence of the student-athlete at the commercial location or is involved directly or indirectly in promoting the activity.~~ **The commercial establishment may use the appearance, name or picture of an enrolled student-athlete to promote an institutional fundraising activity.**

[12.5.1.1.5 through 12.5.1.1.7 unchanged.]

~~12.5.1.2 Modeling and Other Nonathletically Related Promotional Activities. An individual may accept remuneration for or permit the use of his or her name or picture to advertise or promote the sale or use of a commercial product or service without jeopardizing his or her eligibility to participate in intercollegiate athletics only if all of the following conditions apply:~~

- ~~(a) The individual became involved in such activities for reasons independent of athletics ability;~~
- ~~(b) No reference is made in these activities to the individual's involvement in intercollegiate athletics;~~
- ~~(c) The individual's remuneration under such circumstances is at a rate commensurate with the individual's skills and experience as a model or performer and is not based in any way on the individual's athletics ability or reputation.~~

~~12.5.1.3 Congratulatory Advertisement. It is permissible for a student-athlete's name or picture, or the group picture of an institution's athletics squad, to appear in an advertisement of a particular business, commercial product or service, provided:~~

- ~~(a) The primary purpose of the advertisement is to publicize the sponsor's congratulations to the student-athlete or team;~~
- ~~(b) The advertisement does not include a reproduction of the product with which the business is associated or any other item or description identifying the business or service other than its name or trademark;~~
- ~~(c) There is no indication in the makeup or wording of the advertisement that the squad members, individually or collectively, or the institution endorses the product or service of the advertiser;~~
- ~~(d) The student-athlete has not signed a consent or release granting permission to use the student-athlete's name or picture in a manner inconsistent with the requirements of this section; and~~

- (e) ~~If the student-athlete has received a prize from a commercial sponsor in conjunction with participation in a member institution's promotional activities and the advertisement involves the announcement of receipt of the prize, the receipt of the prize is consistent with the provisions of Bylaw 12.5.2.3.3.~~

~~12.5.1.4 Educational Products Related to Sport Skill Instruction. It is permissible for a student-athlete's name or picture to appear in books, articles and other publications, films, videotapes, and other types of electronic reproduction related to sport skill demonstration, analysis or instruction, provided:~~

- (a) ~~Such print and electronic media productions are for educational purposes;~~
- (b) ~~There is no indication that the student-athlete expressly or implicitly endorses a commercial product or service;~~
- (c) ~~The student-athlete does not receive remuneration for such participation; however, the student-athlete may receive actual and necessary expenses related to his or her participation;~~
- (d) ~~The student-athlete does not miss class time to participate in the activity; and~~
- (e) ~~The student-athlete has signed a release statement ensuring that the student-athlete's name or image is used in a manner consistent with the requirements of this section and a copy of the statement is kept on file and shall be available for examination on request by an authorized representative of the NCAA.~~

**12.5.1.2 Advertisements and Promotions. A student-athlete may permit the use of his or her name, image or likeness and receive compensation to advertise or promote the sale or use of a commercial product or service.**

**12.5.1.2.1 Restrictions. A student-athlete shall not receive compensation for athletics performance or participation. In addition, compensation to a student-athlete shall not be provided as an inducement for enrollment (see Bylaw 13.2). (See also Bylaw 16.11.2.1.)**

**12.5.1.2.2 Specifically Prohibited Promotional Activities. A student-athlete shall not engage in name, image and likeness activities involving a commercial product or service that conflicts with NCAA legislation (e.g., sports wagering, banned substances).**

**12.5.1.2.3 Conflicts with Institutional Agreements and Other Considerations. An institution or conference, at its discretion, may prohibit a student-athlete's involvement in name, image and likeness activities based on other considerations, such as a conflict with institutional or conference values, as defined by the institution or conference. An institution or conference shall have policies that set forth the name, image and likeness activities in which student-athletes may or may not engage.**

**12.5.1.2.4 Missed Class Time. A student-athlete shall not miss class to participate in activities related to use of their name, image and likeness.**

**12.5.1.2.5 Institutional Involvement. An institution may provide information and education related to name, image and likeness activities. Neither the institution nor an institutional staff member shall be involved in the arrangement, development or promotion of the relationship between the student-athlete and an involved individual or commercial entity.**

**12.5.1.2.6 Use of Institutional Marks. A student-athlete's promotion or endorsement of a commercial product or service may include a reference to the student-athlete's involvement in intercollegiate athletics and a reference to the institution he or she attends, consistent with institutional policies applicable to any student. Institutional marks may not be used in the advertisement or promotion.**

**12.5.1.2.7 Use of Professional Service Providers. See Bylaw 12.3.**

**12.5.1.2.8 Reporting of Name, Image and Likeness Activities. A student-athlete shall report to the institution's athletics department information related to the use of his or her name, image or likeness in the advertising or promotion of a commercial product or service on an annual basis.**

[12.5.1.5 renumbered as 12.5.1.3, unchanged.]

12.5.1.64 Promotion by Third Party of Highlight Film, Videotape, Media Guide or Photographs. Any party other than the institution or a student-athlete (e.g., a distribution company) or any party hired by the institution, conference or NCAA may sell and distribute an institutional highlight film or videotape or an institutional or conference highlight film, videotape or media guide that contains the names and pictures of enrolled student-athletes or a picture of a student-athlete only if:

- (a) The institution, conference or NCAA specifically designates any agency that is authorized to receive orders for the film, videotape, media guide or photograph; **and**
- (b) The distribution company, retail store or a third party is precluded from using the name or picture of an enrolled student-athlete in any poster or other advertisement to promote the sale or distribution of the film, videotape, media guide or photograph; ~~and,~~
- (c) ~~There is no indication in the makeup or wording of the advertisement that the squad members, individually or collectively, or the institution, conference or NCAA endorses the product or services of the advertiser or third party.~~

[12.5.1.7 renumbered as 12.5.1.5, unchanged.]

12.5.1.86 Olympic, Paralympic, Pan American, Parapan American, World Championships, World Cup, World University Games (Universiade) and World University Championships. A student-athlete's name or picture may be used to promote Olympic, Paralympic, Pan American, Parapan American, World Championships, World Cup, World University Games (Universiade) or World University Championships as specified in this section.

12.5.1.86.1 Sale and Distribution of Promotional Items. Promotional items (e.g., posters, postcards, film, videotapes) bearing the name or picture of a student-athlete and related to these events may be sold or distributed by the national or international sports governing body sponsoring these events or its designated third-party distributors. ~~It is not permissible for such organizations to sell player/trading cards that bear a student-athlete's name or picture. Promotional items may include a corporate sponsor's trademark or logo but not a reproduction of the product with which the business is associated. The name or picture of the student-athlete may not be used by the distribution company or retail store on any advertisement to promote the sale or distribution of the commercial item.~~

~~12.5.1.8.1.1 Corporate Sponsors. A corporate sponsor may sell a promotional item related to these events that uses the name or picture of a team but not an individual student-athlete.~~

## 12.5.2 Nonpermissible.

~~12.5.2.1 Advertisements and Promotions Following Enrollment. After becoming a student-athlete, an individual shall not be eligible for participation in intercollegiate athletics, if the individual:~~

- ~~(a) Accepts any remuneration for or permits the use of his or her name or picture to advertise, recommend or promote directly the sale or use of a commercial product or service of any kind; or~~
- ~~(b) Receives remuneration for endorsing a commercial product or service through the individual's use of such product or service.~~

~~12.5.2.1.1 Exceptions. The individual's eligibility will not be affected, provided the individual:~~

- ~~(a) Meets the conditions set forth in Bylaw 12.5.1.2; or~~
- ~~(b) Takes appropriate steps upon becoming a student-athlete to retract permission for the use of his or her name or picture and ceases receipt of any remuneration for such an arrangement.~~

~~12.5.2.1.2 Improper Use of Student-Athlete's Name or Picture. If an institution, without the student-athlete's knowledge or consent, uses or permits the use of the student-athlete's name or picture in a manner contrary to Bylaw 12.5.2.1, the violation shall be considered an institutional violation; however, the student-athlete's eligibility shall not be affected.~~

~~12.5.2.2 Use of a Student-Athlete's Name or Picture Without Knowledge or Permission. If a student-athlete's name or picture appears on commercial items (e.g., T-shirts, sweatshirts, serving trays, playing cards, posters, photographs) or is used to promote a commercial product sold by an individual or agency without the student-athlete's knowledge or permission, the student-athlete (or the institution acting on behalf of the student-athlete) is required to take steps to stop such an activity in order to retain his or her eligibility for intercollegiate athletics. Such steps are not required in cases in which a student-athlete's photograph is sold by an individual or agency (e.g., private photographer, news agency) for private use.~~

12.5.2.31 Specifically Restricted Activities. A student-athlete's involvement in promotional activities specified in this section is prohibited.

~~12.5.2.3.1 Name-the-Player Contest. A student-athlete may not permit use of his or her name or picture in a "name-the-player" contest conducted by a commercial business for the purpose of promoting that business.~~

[12.5.2.3.2 through 12.5.2.3.3 renumbered as 12.5.2.1.1 through 12.5.2.1.2, unchanged.]

~~12.5.3 Media Activities. A student-athlete may participate in media activities (e.g., appearance on radio, television, in films or stage productions or participation in writing projects) when such an appearance or participation is related in any way to athletics ability or prestige provided:~~

- ~~(a) The student-athlete is eligible academically to represent the institution at the time of appearance or participation;~~

- ~~(b) The student-athlete does not receive any remuneration for the appearance or participation in the activity;~~
- ~~(c) The student-athlete does not make any endorsement, expressed or implied, of any commercial product or service. The institution or the entity sponsoring the activity may pay the actual and necessary expenses directly related to the appearance or participation by the student-athlete in the activity; and~~
- ~~(d) The student-athlete does not miss class to participate in the activity, except for class time missed in conjunction with away-from-home competition or to participate in NCAA or conference-sponsored media activity.~~

~~12.5.3.1 Writing Activities for a Commercial Entity. It is permissible for a student-athlete to write a column in a newsletter produced by a commercial company provided the individual meets the conditions set forth in Bylaw 12.5.1.2.~~

[12.5.4 renumbered as 12.5.3, unchanged.]

**J. Bylaws:** Amend 13.2, as follows:

[Division II, Roll Call]

13.2 Offers and Inducements.

[13.2.1 through 13.2.2 unchanged.]

13.2.3 Specific Prohibitions. Specifically prohibited financial aid, benefits and arrangements include, but are not limited to, the following: [R]

[13.2.3-(a) through 13.2.3-(j) unchanged.]

- (k) Involvement of a prospective student-athlete in an institutional fundraiser or promotional activity if the prospective student-athlete has not signed a National Letter of Intent or the institution's written offer of admission and/or financial aid or the institution has not received his or her financial deposit in response to its offer of admission;~~or~~
- (l) Educational expenses or services (e.g., tuition, fees, room and board, books, tutoring, standardized test preparatory classes);~~or~~

**(m) An arrangement for use of a student-athlete's name, image or likeness (see Bylaws 12.4.2.1 and 12.5.1.2.1).**

[13.2.4 through 13.2.11 unchanged.]

**K. Bylaws:** Amend 13.12.2.2.1.1, as follows:

[Division II, Roll Call]

13.12.2.2.1.1 Self-Employment. A student-athlete with remaining eligibility is ~~not~~ permitted to conduct his or her own camp or clinic. **If institutional facilities are used, a student-athlete must adhere to all applicable institutional processes for facility rentals in a manner consistent for members of the general public.** [R]

**L. Bylaws:** Amend 15.2.3, as follows:

[Division II, Roll Call]

15.2.3 Employment. Earnings from a student-athlete's on- or off-campus employment that occurs at any time is exempt and is not included when determining a student-athlete's full grant-in-aid or the institution's financial aid limitations, provided:

- (a) The compensation is only for work actually performed; **and**
- (b) The compensation is at a rate commensurate with the going rate of that locality for similar services; ~~and.~~
- (c) ~~The employer shall not use the athletics reputation of a student-athlete employee to promote the sale of the employer's products or services. (See Bylaw 12.4.)~~

**M. Bylaws:** Amend 16.11.1, as follows:

[Division II, Roll Call]

16.11.1 Permissible.

[16.11.1.1 through 16.11.1.7 unchanged.]

**16.11.1.8 Fundraisers for Student-Athletes or Their Relatives. An institution, student-athletes, their relatives and their friends may organize a fundraiser for a student-athlete (or their relatives) under the following conditions: [R]**

- (a) Extreme circumstances should be extraordinary in the result of events beyond the control of the student-athlete;**
- (b) The proceeds must be designated for a specific purpose;**
- (c) The proceeds may be given directly to the beneficiaries, with receipt kept on file by the institution, which must include the amount of expenses incurred and the total amount received; and**
- (d) The excess proceeds must be given to a not-for-profit organization with the receipt kept on file by the institution.**

16.11.1.89 Miscellaneous Benefits. An institution may provide or arrange for the following benefits for a student-athlete: [R]

[16.11.1.8-(a) through 16.11.1.8-(d) renumbered as 16.11.1.9-(a) through 16.11.1.9-(d) unchanged.]

~~(e) Fundraisers for student-athletes (or their family members) under the following conditions:~~

- ~~(1) Extreme circumstances should be extraordinary in the result of events beyond the control of the student-athlete;~~
- ~~(2) The proceeds must be designated for a specific purpose;~~
- ~~(3) The proceeds may be given directly to the beneficiaries, with receipt kept on file by the institution, which must include the amount of expenses incurred and the total amount received; and~~
- ~~(4) The excess proceeds must be given to a not-for-profit organization with the receipt kept on file by the institution.~~

[16.11.1.8-(f) through 16.11.1.8-(g) relettered as 16.11.1.8-(e) through 16.11.1.8-(f) renumbered as 16.11.1.9-(f) through 16.11.1.9-(g) relettered as 16.11.1.9-(e) through 16.11.1.9-(f), unchanged.]

**Source:** NCAA Division II Presidents Council [Management Council (Legislation Committee)].

**Effective Date:** August 1, 2021



**Rationale:** This proposal would permit Division II student-athletes to benefit from the use of their name, image and likeness in a manner that is consistent with the NCAA Board of Governors' guiding principles and with the Board's direction to consider appropriate rules changes based on recommendations from the Federal and State Legislation Working Group. These recommendations fall into two categories: (1) activities related to student-athlete business activities; and (2) promotion/endorsement of third-party products and services. Student-athletes should have full use of their name, image and likeness related to their own business activities, including autographs and appearances, noting the direct tie between these activities and a student-athlete's identity. Importantly, these opportunities can occur in a manner that is consistent with the NCAA's core values, mission and principles, while prioritizing student-athlete well-being. Further, the recommended administrative framework for these legislative changes ensures that the legislation will be transparent and enforceable, in line with the Board's principles. A survey taken by more than 1,000 representatives of member institutions and conferences, including student-athletes, helped gather feedback on ways to modernize NCAA legislation to allow for student-athletes to receive compensation for their name, image and likeness. Student-athlete voices also were prioritized throughout the process.

### Frequently Asked Questions:

**Question No. 1:** What is a name, image and likeness activity?

**Answer:** A name, image and likeness activity involves the use of a prospective and current student-athlete's name, image and likeness for promotional purposes.

**Question No. 2:** What types of name, image and likeness activities are subject to the proposal?

**Answer:** For purposes of this proposal, a name, image and likeness activity includes any promotional situation in which a prospective or current student-athlete is being compensated (e.g., cash, product or other benefit) for use of their name, image, likeness or personal appearance. Name, image and likeness activities include compensation in exchange for a prospective or current student-athlete's name, image or likeness as a product or service, such as the student-athlete's autograph, photograph or personal appearance.

Examples of Name, Image and Likeness Activities	
Student-Athlete Businesses Activities	Third-Party Promotion of a Commercial Product or Service
Self-employment or business ownership (providing a product or service), including examples such as music, selling sports equipment and others noted below.	Appearance in television advertisements for commercial products or services.
Providing lessons, including conducting camps, clinics and tutorials regardless of platform (e.g., live, in-person or streaming online).	Appearance in print or social media advertisements for commercial products or services.
Sale of merchandise owned by the student-athlete [including items provided by the institution for athletics	Use of a student-athlete's name or voice in audio advertisements for commercial products or services.

participation (e.g., awards, apparel no longer used by the institution)).	
Sale of autographs while not representing the institution.	Personal appearances (independent of the institution) by a student-athlete to promote commercial products or services (e.g., appearance at a commercial establishment).
Personal appearances (independent of the institution) not in promotion of commercial products or services.	Social media influencer (compensation for social media activity/posting).

**Question No. 3:** Does this proposal apply retroactively (e.g., prior to August 1, 2021)?

**Answer:** No.

**Question No. 4:** May a student-athlete miss class time to participate in name, image and likeness activities?

**Answer:** No.

**Question No. 5:** Will this proposal permit a student-athlete to use institutional marks in the promotion of their own business activities?

**Answer:** Yes; however, the student-athlete must adhere to all applicable institutional processes for use of institutional marks in a manner consistent for members of the general public.

**Question No. 6:** Will this proposal permit a student-athlete to use institutional marks in the promotion or endorsement of a third-party product or service?

**Answer:** No.

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## Eligibility

Please note that, if adopted, Division II Proposal No. 2021-2 (eligibility – freshman academic requirements and two-year college transfers – elimination of nonqualifier qualification status – access to athletics aid and practice for all incoming student-athletes) would render Proposal No. 2021-3 (eligibility – freshman academic requirements and two-year college transfers – nonqualifiers – access to athletics aid) moot. If Proposal No. 2021-2 is defeated, the Division II membership will vote on Proposal No. 2021-3.

No. 2021-2 (2-2) ELIGIBILITY – FRESHMAN ACADEMIC REQUIREMENTS AND TWO-YEAR COLLEGE TRANSFERS – ELIMINATION OF NONQUALIFIER QUALIFICATION STATUS – ACCESS TO ATHLETICS AID AND PRACTICE FOR ALL INCOMING STUDENT-ATHLETES

**Intent:** To eliminate the nonqualifier qualification status and permit an incoming student-athlete who does not meet qualifier requirements to receive athletics aid and participate in practice during their first academic year in residence.

**A. Bylaws:** Amend 13.6.6.5, as follows:

[Division II, Roll Call]

13.6.6.5 Student Host. The institution may provide the following to a student host entertaining a prospective student-athlete: [R]

[13.6.6.5-(a) through 13.6.6.5-(c) unchanged.]

[13.6.6.5.1 unchanged.]

~~13.6.6.5.2 Nonqualifier Prohibition. The student host must be enrolled in the member institution being visited by a prospective student-athlete. A nonqualifier (see Bylaw 14.02.13.3) may not serve as a student host during his or her first academic year in residence. [D]~~

[13.6.6.5.3 renumbered as 13.6.6.5.2, unchanged.]

**B. Bylaws:** Amend 14.02.13, as follows:

[Division II, Roll Call]

14.02.13 Qualification Status.

[14.02.13.1 unchanged.]

14.02.13.2 Partial Qualifier. A partial qualifier is a student who does not meet the requirements for a qualifier ~~but who has met all of the following academic requirements (see Bylaw 14.3):~~

(a) ~~Graduation from high school;~~

(b) ~~Successful completion of a required core curriculum consisting of a minimum number of courses in specified subjects; and~~

(c) ~~Specified minimum grade-point average in the core curriculum and minimum SAT or ACT score based on the initial eligibility index for partial qualifiers (see Bylaw 14.3.1.2.1).~~

~~14.02.13.3 Nonqualifier. A nonqualifier is a student who has not graduated from high school or who, at the time specified in the regulation (see Bylaw 14.3), presented neither the core-curriculum grade-point average and SAT/ACT score required for a qualifier.~~

**C. Bylaws:** Amend 14.02.14, as follows:

[Division II, Roll Call]

14.02.14 Residence. Residence is enrollment in a full-time academic program (as defined by the institution) at a collegiate institution during a regular term of an academic year. A summer term may not be used to satisfy an academic term or year of residence. Any student-athlete (e.g., qualifier, ~~nonqualifier~~, transfer student) admitted after the 12th class day may not use that semester or quarter for the purpose of satisfying an academic term or year of residence.

[14.02.14.1 unchanged.]

**D. Bylaws:** Amend 14.1.10, as follows:

[Division II, Roll Call]

14.1.10 Eligibility for Male Students or Male Student-Athletes to Practice With Women's Teams. A male student or male student-athlete (see Bylaw 17.02.9) may engage in practice sessions with women's teams under the following conditions:

[14.1.10-(a) through 14.1.10-(d) unchanged.]

~~(e) It is not permissible for a male student or male student-athlete who is serving an academic year in residence as a nonqualifier to participate in practice sessions with a women's team. However, it is permissible for a nonrecruited, male student who is serving an academic year of residence as a nonqualifier to participate in practice sessions with a women's team.~~

[14.1.10-(f) relettered as 14.1.10-(e), unchanged.]

**E. Bylaws:** Amend 14.3, as follows:

[Division II, Roll Call]

14.3 Freshman Academic Requirements.

14.3.1 Eligibility for Financial Aid, Practice and Competition – Qualifiers, and Partial Qualifiers ~~and Nonqualifiers~~.

[14.3.1.1 unchanged.]

14.3.1.2 Partial Qualifier. A partial qualifier is defined as a student who does not meet the requirements for a qualifier (see Bylaw 14.3.1.1) ~~but who, at the time of graduation from high school, meets the requirements of the initial eligibility index for partial qualifiers set forth in Bylaw 14.3.1.2.1. A student-athlete is required to successfully complete a core curriculum of 16 academic courses as outlined in Bylaw 14.3.1.1-(a) in order to achieve partial qualifier status.~~

~~14.3.1.2.1 Initial Eligibility Index for Partial Qualifiers. A student-athlete must meet the requirements of the following eligibility index to be certified as a partial qualifier. The SAT scores in the table apply to tests taken prior to March 1, 2016. SAT scores for tests taken on or after March 1, 2016, will be~~

evaluated based on the concordance established by the College Board (see Figure 14-3):

Core GPA	Combined SAT	Sum ACT	Core GPA	Combined SAT	Sum ACT	Core GPA	Combined SAT	Sum ACT
3.050 & above	400	37	2.675	550	47	2.300	700	57
3.025	410	38	2.650	560	48	2.275	710	58
3.000	420	39	2.625	570	49	2.250	720	59
2.975	430	40	2.600	580	49	2.225	730	60
2.950	440	41	2.575	590	50	2.200	740	61
2.925	450	41	2.550	600	50	2.175	750	61
2.900	460	42	2.525	610	51	2.150	760	62
2.875	470	42	2.500	620	52	2.125	770	63
2.850	480	43	2.475	630	52	2.100	780	64
2.825	490	44	2.450	640	53	2.075	790	65
2.800	500	44	2.425	650	53	2.050	800	66
2.775	510	45	2.400	660	54	2.025	810	67
2.750	520	46	2.375	670	55	2.000	820	68
2.725	530	46	2.350	680	56	&	&	&
2.700	540	47	2.325	690	56	above	above	above

[14.3.1.2.2 through 14.3.1.2.5 renumbered as 14.3.1.2.1 through 14.3.1.2.4, unchanged.]

[14.3.1.3 through 14.3.1.5 unchanged.]

~~14.3.1.6 Nonqualifier. A nonqualifier is a student who has not graduated from high school or who, at the time specified in the regulations, did not satisfy the requirements of the initial eligibility indices for qualifiers set forth in Bylaw 14.3.1.1 or partial qualifiers set forth in Bylaw 14.3.1.2.~~

~~14.3.1.6.1 Eligibility for Aid, Practice and Competition — Nonqualifier. A student who enrolls in a Division II institution as an entering freshman with no previous college attendance who is a nonqualifier at the time of enrollment shall not be eligible for regular-season competition and practice during the first academic year in residence. However, such a student for whom financial aid was granted without regard to athletics ability shall be eligible for nonathletics institutional financial aid, provided there is on file in the office of the athletics director certification by the faculty athletics representative and the chair of the financial aid committee that financial aid was so granted.~~

~~14.3.1.6.2 Practice-Session Attendance — Nonqualifier. A student-athlete who is a nonqualifier and who, therefore, is not eligible for practice may not attend any practice sessions in any capacity, nor may the student-athlete attend any meeting characterized as practice (see Bylaw 17.02.1).~~

~~14.3.1.6.3 Outside Competition — Nonqualifier. A nonqualifier may participate in the institution's intramural program (provided the intramural team is not coached by a member of the institution's athletics department staff), but~~

~~during the first year in residence, such an individual is not permitted to practice or compete on an institutional club team or on an outside sports team.~~

~~14.3.1.6.4 Residence Requirement – Nonqualifier. A nonqualifier must fulfill an academic year of residence in order to be eligible for practice, competition and financial aid other than that permitted per Bylaw 14.3.1.6.1 (see Bylaw 14.02.14 regarding the requirements that must be met to fulfill an academic year in residence).~~

[14.3.2 unchanged.]

14.3.2.1 Participation Before Certification – Recruited and Nonrecruited Student-Athlete. If a recruited or nonrecruited student-athlete reports for athletics participation before the high school core-curriculum grade-point average and test score have been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have ~~established minimum requirements~~ **been certified** as a qualifier ~~(as certified by the NCAA Eligibility Center)~~ to continue practicing or to compete, or ~~the minimum requirements~~ as a partial qualifier to continue practicing.

14.3.2.1.1 Effect of Violation. A violation of Bylaw 14.3.2.1 in which the student-athlete is subsequently certified ~~as a qualifier or partial qualifier~~ shall be considered an institutional violation per Constitution 2.8.1 but shall not affect the student-athlete's eligibility.

[14.3.2.2 through 14.3.2.4 unchanged.]

[14.3.3 through 14.3.4 unchanged.]

**F. Bylaws:** Amend 14.5.1, as follows:

[Division II, Roll Call]

14.5.1 Residence Requirement – General Principle. A student who transfers (see Bylaw 14.5.2) to a member institution from any collegiate institution is required to complete one full academic year of residence (see Bylaw 14.02.14) at the certifying institution before being eligible to compete for or to receive travel expenses from the member institution (see Bylaw 16.8.1), unless the student satisfies the applicable transfer requirements or receives an exception or waiver as set forth in this bylaw.

[14.5.1.1 unchanged.]

14.5.1.2 Outside Competition – Partial Qualifier ~~or Nonqualifier~~. A two-year college transfer student who is a ~~nonqualifier or~~ partial qualifier and does not meet the applicable transfer requirements may participate in the institution's intramural program (provided the intramural team is not coached by a member of the institution's athletics department staff), but such an individual is not permitted to practice or compete on an institution's club team or an outside sports team during the first academic year in residence. A four-year college transfer student who is a ~~nonqualifier or~~ partial qualifier and who has not completed an academic year in residence may participate in the institution's intramural program (provided the intramural team is not coached by a member of the institution's athletics department staff), but such an individual is not permitted to practice or compete on an institution's club team or an outside sports team during the first academic year in residence.

[14.5.1.3 through 14.5.1.4 unchanged.]

**G. Bylaws:** Amend 14.5.4, as follows:

[Division II, Roll Call]

**14.5.4 Two-Year College Transfers.** A student who transfers to a member institution from a two-year college or from a branch school that conducts an intercollegiate athletics program must complete an academic year of residence (see Bylaw 14.02.14), unless the student meets the following eligibility requirements applicable to the division of which the certifying institution is a member. (See Bylaw 14.4 for progress-toward-degree requirements for transfer student-athletes.)

[14.5.4.1 through 14.5.4.2 unchanged.]

**14.5.4.3 Eligibility for Competition, Practice and Athletics Aid – All Other Qualifiers, ~~and~~ Partial Qualifiers ~~and Nonqualifiers~~.** A transfer student from a two-year college is eligible for competition, practice and athletics aid during the first academic year in residence at the certifying institution, provided:

[14.5.4.3-(a) through 14.5.4.3-(c) unchanged.]

[14.5.4.3-(d) unchanged.]

[14.5.4.3.1 through 14.5.4.3.2 unchanged.]

**14.5.4.3.3 Practice and Receipt of Athletics Aid – Qualifiers and Partial Qualifiers.** ~~Qualifiers and partial qualifiers~~ **A two-year college transfer** who **does** not meet the requirements set forth in Bylaw 14.5.4.3 may practice and receive athletics aid (but may not compete) at the certifying institution during their first academic year in residence.

~~14.5.4.3.4 Practice and Receipt of Athletics Aid – Nonqualifier. A nonqualifier who meets the requirements set forth in Bylaw 14.5.4.3-(a) through 14.5.4.3-(c) and presented a transferable minimum grade-point average of 2.000, may practice and receive athletics aid (but may not compete) at the certifying institution during the first academic year of residence.~~

**14.5.4.4 Subvarsity Competition.** A transfer from a two-year college who has not met the eligibility requirements set forth in Bylaws 14.5.4.1, 14.5.4.2 or 14.5.4.3 shall be eligible to compete only at the subvarsity level at the certifying institution. Such subvarsity competition shall count as a season of competition in the sport involved. A transfer student from a two-year college who ~~was not a qualifier~~ **a partial qualifier** and who has not met the eligibility requirements set forth in Bylaws 14.5.4.1 or 14.5.4.3 shall not be eligible to compete at the subvarsity level during the first year in residence at the certifying institution. ~~However, such a student who is a nonqualifier may participate in subvarsity practice sessions, provided they are conducted separate from varsity sessions.~~

[14.5.4.5 unchanged.]

**14.5.4.6 Exceptions or Waivers for Transfer From Two-Year Colleges.** A transfer student from a two-year college or from a branch school that conducts an intercollegiate athletics program is not subject to the residence requirement at the certifying institution, if any one of the following conditions is met. An individual who is a partial qualifier ~~or nonqualifier~~ shall not be permitted to use the exceptions under this bylaw.

[14.5.4.6.1 through 14.5.4.6.4 unchanged.]

[14.5.4.7 unchanged.]

**H. Bylaws:** Amend 14.5.5, as follows:

[Division II, Roll Call]

14.5.5.1 General Rule. A transfer student from a four-year institution shall not be eligible for intercollegiate competition at a member institution until the student has fulfilled a residence requirement of one full academic year (two full semesters or three full quarters) at the certifying institution (see Bylaw 14.02.14).

[14.5.5.1.1 unchanged.]

14.5.5.1.2 Attendance for Less Than One Academic Year. A transfer student from a four-year institution who was a partial qualifier (as defined in Bylaw 14.02.13.2) ~~or a nonqualifier (as defined in Bylaw 14.02.13.3)~~ and who attended the four-year institution less than one full academic year shall not be eligible for competition during the first academic year of attendance at the certifying institution. Participation in practice sessions and the receipt of financial aid during the first academic year of attendance at the certifying institution by such students is governed by the provisions of Bylaw 14.3.1.2 (partial qualifiers) ~~and Bylaw 14.3.1.6 (nonqualifiers).~~

[14.5.5.1.2.1 unchanged.]

14.5.5.2 Subvarsity Competition. A transfer student from a four-year institution who was a qualifier shall be eligible to compete immediately at the subvarsity level only at the certifying institution before meeting the transfer eligibility requirements. Such subvarsity competition shall count as a season of competition in the sport involved. A transfer student from a four-year institution who was not a qualifier shall not be eligible to compete at the subvarsity level during the first academic year in residence at the certifying institution. ~~However, such a student who is a nonqualifier may participate in subvarsity practice sessions, provided they are conducted separate from varsity practice sessions.~~

**I. Bylaws:** Amend 16.2, as follows:

[Division II, Roll Call]

16.2 Complimentary Admissions and Ticket Benefits.

[16.2.1 unchanged.]

16.2.1.2 General Regulations. Complimentary admissions shall be distributed only to persons designated by the student-athlete who have identified themselves and signed a receipt therefore. A violation of this administrative procedure shall be considered an institutional violation per Constitution 2.8.1; however, such a violation shall not affect the student-athlete's eligibility. The student-athlete's eligibility shall be affected by involvement in action contrary to the provisions of Bylaws 16.2.1.1 and 16.2.2 (e.g., receipt of more than the permissible four complimentary admissions or the sale or exchange of a complimentary admission for any item of value).

16.2.1.2.1 Partial Qualifier ~~or Nonqualifier~~. A partial qualifier ~~or nonqualifier~~ (per Bylaws 14.02.13.2 ~~and 14.02.13.3~~) may receive a complimentary admission to all of the institution's regular-season home intercollegiate athletics contests during the first academic year of residence.

[16.2.1.3 unchanged.]



[16.2.2 unchanged.]

**Source:** NCAA Division II Presidents Council [Management Council (Academic Requirements Committee)].

**Effective Date:** August 1, 2021, for student-athletes enrolling in a Division II institution on or after August 1, 2021.

**Rationale:** This proposal would allow access to practice and athletics aid to all incoming student-athletes and two-year college transfers in their first year of enrollment, regardless of their initial-eligibility certification status. During the last six certification cycles, 97 percent of initial-eligibility waivers submitted for nonqualifiers were granted access to athletics aid and 65 percent were granted access to athletics aid and practice. Given the high percentage of approvals for athletics aid, this legislative change would allow an institution to determine whether to provide institutional athletics aid during the required academic year in residence or on transfer from a two-year college. Institutional athletics aid provided to an individual who does not meet the requirements to be a qualifier would count toward the individual limit and team maximum equivalency limits, which would eliminate any recruiting or competitive advantage. This proposal would also allow an institution to make the determination as to whether an individual who is not a qualifier should have access to practice in their first year of enrollment. Access to practice may help institutions with retention, enrollment management and a feeling of belonging for student-athletes.

#### **Frequently Asked Questions:**

**Question No. 1:** What is the current legislation regarding nonqualifiers and access to athletics aid and practice?

**Answer:** Under current legislation, a student who enrolls in a Division II institution as an entering freshman with no previous college attendance who is a nonqualifier at the time of enrollment is not eligible for competition, practice or athletics aid during the first academic year in residence. Further, a two-year college transfer that is a nonqualifier may only practice and receive athletics aid (but may not compete) during the first academic year of residence provided the requirements of NCAA Bylaw 14.5.4.3-(a) through 14.5.4.3-(c) (eligibility for competition, practice and athletics aid -- all other qualifiers, partial qualifiers and nonqualifiers) are satisfied and they present a transferrable grade-point average of 2.0.

**Question No. 2:** If this proposal is adopted, will the nonqualifier qualification status remain in the legislation?

**Answer:** No. A student-athlete would be certified as either a qualifier or partial qualifier.

**Question No. 3:** How will this proposal impact the requirements for a partial qualifier (e.g., sliding scale, core course requirements, graduation requirement)?

**Answer:** A student-athlete who does not meet the requirements for a qualifier (see Bylaw 14.3.1.1) will be certified as a partial qualifier, pending submission of necessary academic credentials. The current legislated requirements for partial qualifier under Bylaw 14.3 (freshman academic requirements) will be eliminated.

**Question No. 4:** If this proposal is adopted, will an institution be required to provide athletics aid and access to practice to a partial qualifier?

**Answer:** No. Access to practice remains an institutional decision. An institution may choose to reduce or cancel athletics aid for a partial qualifier since the student-athlete is ineligible for competition (Bylaw 15.5.4.1 – reduction or cancellation permitted).

No. 2021-3 (2-3) ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS AND TWO-YEAR COLLEGE TRANSFERS -- NONQUALIFIERS -- ACCESS TO ATHLETICS AID

**Intent:** To permit a nonqualifier to receive athletics aid during their first academic year in residence; further, to specify that a two-year college transfer who does not meet requirements for practice and competition may receive athletics aid immediately on transfer from a two-year college.

**A. Bylaws:** Amend 14.3, as follows:

[Division II, Roll Call]

14.3 Freshman Academic Requirements.

[14.3.1 unchanged.]

14.3.1.6 Nonqualifier. A nonqualifier is a student who has not graduated from high school or who, at the time specified in the regulations, did not satisfy the requirements of the initial-eligibility indices for qualifiers set forth in Bylaw 14.3.1.1 or partial qualifiers set forth in Bylaw 14.3.1.3.

14.3.1.6.1 Eligibility for Aid, Practice and Competition -- Nonqualifier. A student who enrolls in a Division II institution as an entering freshman with no previous college attendance who is a nonqualifier at the time of enrollment may receive athletics aid (see Bylaw 15.2.1) based on institutional and conference regulations, but shall not be eligible for *regular-season* competition and practice during the first academic year in residence. ~~However, such a student for whom financial aid was granted without regard to athletics ability shall be eligible for nonathletics institutional financial aid, provided there is on file in the office of the athletics director certification by the faculty athletics representative and the chair of the financial aid committee that financial aid was so granted.~~

[14.3.1.6.2 through 14.3.1.6.4 unchanged.]

[14.3.2 through 14.3.4 unchanged.]

**B. Bylaws:** Amend 14.5.4, as follows:

[Division II, Roll Call]

14.5.4 Two-Year College Transfers. A student who transfers to a member institution from a two-year college or from a branch school that conducts an intercollegiate athletics program must complete an academic year of residence (see Bylaw 14.02.14), unless the student meets the following eligibility requirements applicable to the division of which the certifying institution is a member. (See Bylaw 14.4 for progress-toward-degree requirements for transfer student-athletes.)

[14.5.4.1 through 14.5.4.3 unchanged.]

14.5.4.3.4 Practice and Receipt of Athletics Aid -- Nonqualifier. A nonqualifier ~~who meets the requirements set forth in Bylaw 14.5.4.3(a) through 14.5.4.3(c) and presented a transferable minimum grade-point~~

~~average of 2.000; may practice and~~ receive athletics aid (but may not **practice or compete**) at the certifying institution during the first academic year of residence.

**14.5.4.3.4.1 Exception for Practice -- Nonqualifier. A nonqualifier who meets the requirements set forth in Bylaw 14.5.4.3-(a) through 14.5.4.3-(c) and presented a transferable minimum grade-point average of 2.000 may practice (but may not compete) at the certifying institution during the first academic year of residence.**

[14.5.4.4 through 14.5.4.7 unchanged.]

**Source:** NCAA Division II Presidents Council [Management Council (Academic Requirements Committee)].

**Effective Date:** August 1, 2021, for student-athletes enrolling in a Division II institution on or after August 1, 2021.

**Rationale:** This proposal would allow access to athletics aid to all incoming student-athletes and two-year college transfers regardless of their initial-eligibility certification status. During the last six certification cycles, 97 percent of initial-eligibility waivers submitted for nonqualifiers were granted access to athletics aid at a minimum. Given the high percentage of approvals for athletics aid, this legislative change would allow an institution to determine whether to provide institutional athletics aid during the required academic year in residence or on transfer from a two-year college. Institutional athletics aid provided to a nonqualifier would count toward the individual limit and team maximum equivalency limits, which would eliminate any recruiting or competitive advantage.

#### **Frequently Asked Questions:**

**Question No. 1:** What is the current legislation regarding nonqualifiers and access to athletics aid?

**Answer:** Under current legislation, a student who enrolls in a Division II institution as an entering freshman with no previous college attendance who is a nonqualifier at the time of enrollment may not receive athletics aid during the first academic year in residence. Further, a two-year college transfer that is a nonqualifier may only practice and receive athletics aid (but may not compete) during the first academic year of residence provided the requirements of NCAA Bylaw 14.5.4.3-(a) through 14.5.4.3-(c) (eligibility for competition, practice and athletics aid -- all other qualifiers, partial qualifiers and nonqualifiers) are satisfied and they present a transferrable grade-point average of 2.0.

**Question No. 2:** If this proposal is adopted, will an entering freshman with no previous college attendance, who is a nonqualifier, have access to practice or competition?

**Answer:** No. A nonqualifier will only have access to athletics aid.

**Question No. 3:** If this proposal is adopted, may a two-year college transfer, who does not meet the requirements for practice and competition, receive athletics aid while serving an academic year in residence?

**Answer:** Yes.

**Question No. 4:** If this proposal is adopted, will institutions be required to provide nonqualifiers with athletics aid?

**Answer:** No. An institution may choose to reduce or cancel athletics aid for a nonqualifier since the student-athlete is ineligible for competition (Bylaw 15.5.4.1 -- reduction or cancellation permitted).

## Appendix A

# Emergency Legislation Adopted by the NCAA Division II Presidents Council

Pursuant to NCAA Constitution 4.3.2 and 5.3.1.1.2, the NCAA Division II Presidents Council has adopted the following emergency legislative amendments during the past year. The Presidents Council is permitted to adopt such legislation if it must respond to, or comply with, a court, alternative dispute resolution (ADR) or government order or when the Presidents Council deems it appropriate to limit or avoid NCAA liability as a result of litigation, ADR or governmental proceedings. This action will be referenced in the oral report of the Presidents Council at the 2021 Division II business session, and acceptance of the report will constitute approval of this action and incorporation in the 2021-22 NCAA Division II Manual. If a delegate objects to incorporation of the amendment, that objection should be raised at the time of the Presidents Council report. The Division II membership then will decide by majority vote of the eligible voters whether to incorporate that amendment.

### NO. EM-2021-1 NCAA MEMBERSHIP – ACTIVE MEMBERSHIP – CONDITIONS AND OBLIGATIONS OF MEMBERSHIP – CONCUSSION REPORTING

**Intent:** To specify that an active member institution shall report all instances of diagnosed sport-related concussions in student-athletes and their resolutions to the NCAA on an annual basis pursuant to policies and procedures maintained by the Committee on Competitive Safeguards and Medical Aspects of Sports.

**Constitution:** Amend 3.3.4, as follows:

#### 3.3.4 Conditions and Obligations of Membership.

[3.3.4.1 through 3.3.4.17 unchanged.]

**3.3.4.18 Concussion Reporting. An active member institution shall report all instances of diagnosed sport-related concussions in student-athletes and their resolutions to the NCAA on an annual basis pursuant to policies and procedures maintained by the Committee on Competitive Safeguards and Medical Aspects of Sports. [D]**

[3.3.4.18 through 3.3.4.22 renumbered as 3.3.4.19 through 3.3.4.23, unchanged.]

**Source:** NCAA Division II Presidents Council (Management Council).

**Effective Date:** Immediate for the NCAA's establishment of a reporting process and system, and policies and procedures; institutions are required to report sport-related concussions diagnosed May 18, 2020 and thereafter, and their resolutions. Timing of reporting to be determined by CSMAS.

#### **Additional Information:**

A medical monitoring settlement in *In re: National Collegiate Athletic Association Student-Athlete Concussion Injury Litigation* (Arrington Matter) was approved August 13, 2019 with an effective date of November 18, 2019. The settlement obligates the NCAA to create a reporting process through which member institutions will report to the NCAA instances of diagnosed concussions in student-athletes and their resolutions. This proposal will establish the legislation to require institutions to

regularly report all diagnosed sport-related concussions in student-athletes and their resolutions in a manner consistent with the terms of the settlement in the Arrington Matter via a reporting process and system recommended by the Committee on Competitive Safeguards and Medical Aspects of Sports and in conjunction with the NCAA Sport Science Institute. The Committee on Competitive Safeguards and Medical Aspects of Sports will establish and maintain policies and procedures for the reporting of concussions and their resolution, including an annual deadline for submission. This reporting requirement will ensure that the NCAA and member institutions fulfill an obligation of the medical monitoring settlement and will provide further insight into the incidence and resolution of concussions involving student-athletes. The effective date (May 18, 2020) corresponds to the date by which an institution must certify compliance with applicable settlement provisions if it wishes to receive the benefit of the settlement release. The establishment of a reporting process and policies and procedures will begin immediately after adoption of this proposal. The timing of membership reporting will be determined pursuant to the policies and procedures established and maintained by the Committee on Competitive Safeguards and Medical Aspects of Sports.

NO. EM-2021-2 RECRUITING -- RECRUITING CALENDARS -- ALL SPORTS -- TEMPORARY DEAD PERIOD

**Intent:** To immediately implement a dead period in all sports until at least April 15, 2020.

**Bylaws:** Amend 13.17, as follows:

13.17 Recruiting Calendars.

[13.17.1 through 13.17.4 unchanged.]

**13.17.5 Dead Period for All Sports. The following dead periods apply to all sports:**

**(a) March 13, 2020 through at least April 15, 2020.**

**Source:** Division II Administrative Committee

**Effective Date:** Immediate, through at least April 15, 2020.

**Additional Information:**

As a result of the COVID-19 pandemic, the NCAA Board of Governors canceled all winter and spring 2020 NCAA championships and related events. Many Division II institutions implemented remote learning and cancelled spring sport seasons. Additionally, numerous states implemented travel restrictions. This temporary recruiting dead period will ensure recruiting equity by prohibiting all in-person recruiting contact, on or off campus, until at least April 15, at which time the NCAA Division II Administrative Committee will re-evaluate the end date. Institutional staff members are permitted to write or telephone a prospective student-athlete during a dead period, but cannot engage in in-person recruiting contact on or off campus.

NO. EM-2021-3 RECRUITING -- RECRUITING CALENDARS -- ALL SPORTS -- TEMPORARY DEAD PERIOD -- EXTENSION TO AT LEAST MAY 31

**Intent:** To extend the dead period in all sports until at least May 31, 2020.

**Bylaws:** Amend 13.17, as follows:

13.17 Recruiting Calendars.

[13.17.1 through 13.17.4 unchanged.]

13.17.5 Dead Period for All Sports. The following dead periods apply to all sports:

(a) March 13, 2020 through at least ~~April 15~~ **May 31**, 2020.

**Source:** Division II Administrative Committee

**Effective Date:** Immediate, through at least May 31, 2020.

**Additional Information:**

As a result of the COVID-19 pandemic, the NCAA Board of Governors canceled all winter and spring 2020 NCAA championships and related events. Many Division II institutions implemented remote learning and cancelled spring sport seasons. Additionally, numerous states implemented travel restrictions. Extending the dead period will ensure recruiting equity by prohibiting all in-person recruiting contact, on or off campus, until at least May 31, at which time the NCAA Division II Administrative Committee will re-evaluate the end date. Institutional staff members are permitted to write or telephone a prospective student-athlete during a dead period, but cannot engage in in-person recruiting contact on or off campus.

NO. EM-2021-4 RECRUITING – LETTER-OF-INTENT PROGRAMS, FINANCIAL AID AGREEMENTS – INSTITUTIONAL OR CONFERENCE LETTER-OF-INTENT PROGRAMS – PROHIBITION ON ISSUING ATHLETICS AID AGREEMENTS DURING A RECRUITING DEAD PERIOD IN ALL SPORTS

**Intent:** To specify that institutional athletics aid agreements may not be issued during the recruiting dead period in all sports.

**Bylaws:** Amend 13.9, as follows:

13.9 Letter-of-Intent Programs, Financial Aid Agreements.

[13.9.1 through 13.9.2 unchanged.]

13.9.3 Institutional or Conference Letter-of-Intent Programs. A member institution may participate in an institutional or conference athletics letter-of-intent program or issue an institutional or conference financial aid agreement during the National Letter of Intent (NLI) signing period; however, an institutional or conference letter of intent or financial aid agreement may not be issued prior to the initial NLI signing date for that sport. [D]

[13.9.3.1 through 13.9.3.2 unchanged.]

**13.9.3.3 Prohibition on Athletics Aid Agreements During the Recruiting Dead Period in All Sports. An institutional or conference financial aid agreement may not be issued during the recruiting dead period in all sports (See Bylaw 13.17.5).**

**Source:** Division II Administrative Committee

**Effective Date:** March 18, 2020

**Additional Information:**

As a result of the COVID-19 pandemic, the NCAA Board of Governors canceled all winter and spring 2020 NCAA championships and related events. Many Division II institutions implemented remote learning and canceled spring sport seasons. Additionally, numerous states implemented travel restrictions. The Division II Administrative Committee adopted a temporary recruiting dead period through at least April 15. Prohibiting the issuance of institutional athletics aid agreements during the

temporary dead period will ensure all Division II institutions are on a level playing field as it relates to issuing these agreements. While some institutions remain open, many do not have the necessary personnel on campus to issue athletics aid agreements. This prohibition will remain in effect until at least April 15, at which time the Administrative Committee will re-evaluate the status of the situation.

NO. EM-2021-5 RECRUITING – RECRUITING CALENDARS -- ALL SPORTS – QUIET PERIOD JUNE 1 THROUGH JUNE 30, 2020

**Intent:** To implement a quiet period in all sports starting June 1 through June 30, 2020.

**Bylaws:** Amend 13.17, as follows:

13.17 Recruiting Calendars.

[13.17.1 through 13.17.4 unchanged.]

13.17.5 Dead Period for All Sports. The following dead periods apply to all sports:

(a) March 13, 2020 through ~~at least~~ May 31, 2020.

**13.17.6 Quiet Period in All Sports. The following quiet periods apply to all sports:**

**(a) June 1 through June 30, 2020.**

**Source:** Division II Administrative Committee

**Effective Date:** June 1, 2020

**Additional Information:**

As a result of the COVID-19 pandemic, the NCAA Board of Governors canceled all winter and spring 2020 NCAA championships and related events. Many Division II institutions implemented remote learning and canceled spring sport seasons. Additionally, numerous states implemented travel restrictions. The Division II Administrative Committee adopted a temporary recruiting dead period prohibiting all in-person recruiting contact, on or off campus, through May 31, 2020. Due to differences in local and state restrictions, some institutions are re-opening campuses to allow for prospective student visits. Moving to a quiet period effective June 1, 2020 will allow prospective student-athletes to visit with coaching staff members on-campus, which in turn may help with enrollment management for the 2020-21 academic year. Off-campus contact and evaluations will still be prohibited. The NCAA Division II Administrative Committee will continue to re-evaluate the end date.

NO. EM-2021-6 RECRUITING – RECRUITING CALENDARS -- ALL SPORTS – QUIET PERIOD THROUGH JULY 31, 2020

**Intent:** To extend the quiet period in all sports through July 31, 2020.

**Bylaws:** Amend 13.17, as follows:

13.17 Recruiting Calendars.

[13.17.1 through 13.17.5 unchanged.]

13.17.6 Quiet Period in All Sports. The following quiet periods apply to all sports:

(a) June 1 through ~~June 30~~ **July 31**, 2020.

**Source:** Division II Administrative Committee



**Effective Date:** Immediate

**Additional Information:**

As a result of the COVID-19 pandemic, the NCAA Board of Governors canceled all winter and spring 2020 NCAA championships and related events. Many Division II institutions implemented remote learning and canceled spring sport seasons. Additionally, numerous states implemented travel restrictions. The Division II Administrative Committee adopted a temporary recruiting dead period prohibiting all in-person recruiting contact, on or off campus, through May 31, 2020. Due to differences in local and state restrictions, some institutions are re-opening campuses to allow for prospective student visits. Extending the quiet period through July 31, 2020 will allow prospective student-athletes to visit with coaching staff members on-campus, which in turn may help with enrollment management for the 2020-21 academic year. Off-campus contact and evaluations will still be prohibited to maintain recruiting equity across the division. The NCAA Division II Administrative Committee will continue to re-evaluate the end date.

NO. EM-2021-7 RECRUITING – RECRUITING CALENDARS -- ALL SPORTS – QUIET PERIOD THROUGH AUGUST 31, 2020

**Intent:** To extend the quiet period in all sports through August 31, 2020.

**Bylaws:** Amend 13.17, as follows:

13.17 Recruiting Calendars.

[13.17.1 through 13.17.5 unchanged.]

13.17.6 Quiet Period in All Sports. The following quiet periods apply to all sports:

(a) June 1 through ~~July~~**August** 31, 2020.

**Source:** Division II Administrative Committee

**Effective Date:** Immediate

**Additional Information:**

As a result of the COVID-19 pandemic, the NCAA Board of Governors canceled all winter and spring 2020 NCAA championships and related events. Many Division II institutions implemented remote learning and canceled spring sport seasons. Additionally, numerous states implemented travel restrictions. The Division II Administrative Committee adopted a temporary recruiting dead period prohibiting all in-person recruiting contact, on or off campus, through May 31, 2020. Due to differences in local and state restrictions, some institutions are re-opening campuses to allow for prospective student visits. Extending the quiet period through August 31, 2020 will allow prospective student-athletes to visit with coaching staff members on-campus, which in turn may help with enrollment management for the 2020-21 academic year. Off-campus contact and evaluations will still be prohibited to maintain recruiting equity across the division. The NCAA Division II Administrative Committee will continue to re-evaluate the end date.

## Appendix B

### Interpretations to be Included in the 2021-22 NCAA Division II Manual

In accordance with its authority to recommend incorporation of interpretations in the next printing of the NCAA Manual, the NCAA Division II Academic Requirements Committee and the NCAA Division II Legislation Committee have recommended approved inclusion of the following interpretations in the 2021-22 Division II Manual. This will be referenced in the oral report of the Management Council to the 2021 Division II business session and acceptance of that report will constitute approval of the incorporation of these interpretations. If a delegate objects to incorporation of a particular interpretation, that objection should be raised at the time of the Management Council report. The Division II membership then will decide by majority vote of the eligible voters whether to incorporate the interpretations.

It should be noted that these interpretations already have been accepted by the membership, and the only issue concerning these interpretations that is before the Division II membership is whether they should be set forth in the 2021-22 Division II Manual and subsequent Division II Manuals. If the membership votes not to incorporate a particular interpretation into the Manual, the interpretation still will be binding on the membership; it simply will not be included in the Manual.

For each of these interpretations approved by the Management Council, the provisions of Constitution 5.4.1.4 also would apply (any Division II member to which the interpretation applies may request a review of that interpretation at the 2021 Division II business session by making such a request in writing to the Association's Convention office prior to 1 p.m. Thursday, January 14, the day preceding the Division II business session of the Convention). If an interpretation is not challenged per Constitution 5.4.1.4 and the incorporation of the interpretation into the 2021-22 Manual also is not challenged, it will appear in the 2021-22 Manual as noted.

NO. I-2021-1 ELIGIBILITY -- TRANSFER REGULATIONS -- TWO-YEAR COLLEGE TRANSFERS -- TWO-YEAR COLLEGE TRANSFER REGULATIONS -- RETURN TO ORIGINAL INSTITUTION AFTER COMPLETION OF TWO-YEAR COLLEGE TRANSFER REQUIREMENTS

**A. Bylaws:** Amend 14.5.4.5, as follows:

14.5.4.5 Two-Year College Transfer Regulations. The following regulations shall be applied in administering the eligibility requirements for two-year college transfers.

[14.5.4.5.1 through 14.5.4.5.5 unchanged.]

**14.5.4.5.6 Transfer to Original Institution After Completion of Two-Year College Transfer Requirements. A student-athlete with a previous progress-toward-degree deficiency who transfers to the four-year college from which he or she transferred to the two-year college may be immediately eligible upon returning to the certifying institution provided the student-athlete has met the two-year college transfer requirements prior to participation.**

[14.5.4.5.6 through 14.5.4.5.7 renumbered as 14.5.4.5.7 through 14.5.4.5.8, unchanged.]

**B. Bylaws:** Amend 14.5.4.6.4, as follows:

14.5.4.6.4 Return to Original Institution Exception. The student returns to the four-year college from which he or she transferred to the two-year college, provided the student did not have an unfulfilled residence requirement at the time of the transfer from the four-year college. The amount of time originally spent in residence at the first four-year college may be used by the student in completing the unfulfilled residence requirement at that institution. The student must satisfy all progress-toward-degree requirements the student triggered during his or her previous enrollment at the certifying institution (e.g., annual credit-hour requirement) before being eligible for competition. **(See Bylaw 14.5.4.5.6).**

**Source:** NCAA Division II Academic Requirements Committee

**Effective Date:** Immediate

**Additional Information:**

Incorporating the October 21, 2019, official interpretation will clarify that if a student-athlete had a progress-toward-degree deficiency at his or her original institution and then returns to that institution, the deficiency does not have to be rectified prior to participation provided the student-athlete has satisfied the two-year college transfer requirements.

NO. I-2021-2 ELIGIBILITY -- TRANSFER REGULATIONS -- TWO-YEAR COLLEGE TRANSFERS -- ELIGIBILITY FOR COMPETITION, PRACTICE, AND ATHLETICS AID - GRADUATION FROM TWO-YEAR COLLEGE -- APPLICATION -- ASSOCIATE DEGREE REQUIREMENT

**Bylaws:** Amend 14.5.4.1, as follows:

14.5.4.1 Eligibility for Competition, Practice and Athletics Aid -- Graduation From Two-Year College. A transfer student from a two-year college who has graduated from the two-year college is eligible for competition, practice and athletics aid during the first academic year in residence, provided:

[14.5.4.1-(a) through 14.5.4.1-(b) unchanged.]

14.5.4.1.1 Application. ~~If a two-year college transfer has never attended a four-year college as a full-time student, then the full-time semester(s)/quarter(s) and academic degree(s) from any two-year college(s) attended shall be considered.~~

**(a) Transfer Never Attended a Four-Year Institution as a Full-Time Student. If a two-year college transfer has never attended a four-year institution as a full-time student, then the full-time semester(s)/quarter(s) and academic degree(s) from any two-year college(s) attended shall be considered.**

**(b) Transfer Previously Attended a Four-Year Institution as a Full-Time Student. If a two-year college transfer has previously attended a four-year institution as a full-time student during his or her academic career, then only the full-time semester(s)/quarter(s) and academic degree(s) earned at the two-year college(s) after the last full-time enrollment at a four-year college (e.g., '2-4-2-4 transfer') shall be considered for purposes of meeting the requirements of Bylaw 14.5.4.1.**

14.5.4.1.2 Exception -- Previous Four-Year College Attendance -- Graduation After One Semester or Quarter. A student who transfers from a four-year college to a two-year college and then to the certifying institution is eligible for competition,

practice and athletics aid during his or her first year at the certifying institution, provided the student:

[14.5.4.1.2-(a) through 14.5.4.1.2-(b) unchanged.]

**Source:** NCAA Division II Academic Requirements Committee

**Effective Date:** Immediate

**Additional Information:**

Incorporating the September 12, 2019, official interpretation into the manual will clarify the application of the two-year college transfer legislation for student-athletes who have earned an associate degree and have previously attended a four-year institution as a full-time student during their academic career.

NO. I-2021-3 ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS --  
ELIGIBILITY FOR COMPETITION -- EXCEPTIONS TO PROGRESS-  
TOWARD-DEGREE REQUIREMENTS -- MISSED TERM EXCEPTION --  
APPLICATION OF MISSED TERM EXCEPTION

**Bylaws:** Amend 14.4.3.8, as follows:

#### 14.4.3.8 Exceptions to Progress-Toward-Degree Requirements.

14.4.3.8.1 Missed Term Exception. One time during a student-athlete's entire period of collegiate enrollment, the provisions of Bylaws 14.4.3.3 and 14.4.3.4 may be adjusted to require completion of 12 hours per term of actual attendance, if the student-athlete misses a complete term or consecutive terms during an academic year, subject to the following conditions:

**(a) The student-athlete did not attend class during a regular academic term while enrolled in a full-time program of studies;**

**(a b)** The student-athlete engaged in no outside competition in the sport during the academic term or terms in which the student was not in attendance;

**(b c)** The student-athlete was eligible for enrollment during the student's absence; and

**(e d)** At the time of certification, the student-athlete has fulfilled the progress-toward-degree requirements (per Bylaws 14.4.3.2, 14.4.3.3 and 14.4.3.4) for the terms in which the student was in attendance. It is not permissible to use this one-time exception during the first academic year in residence at the certifying institution in order to maintain eligibility during the second year in residence. Hours earned while enrolled as a part-time student during the "missed term" may not be counted in meeting the progress-toward-degree requirement.

[14.4.3.8.2 through 14.4.3.8.5 unchanged.]

**Source:** NCAA Division II Academic Requirements Committee

**Effective Date:** Immediate

**Additional Information:**

Incorporating the December 17, 2019, official interpretation will clarify that if a student-athlete is officially registered in a full-time program of studies in a regular

term and attends the first day of classes, the missed term exception does not apply to that term.

Appendix C

Noncontroversial Legislation Adopted by the  
NCAA Division II Management Council

Pursuant to NCAA Constitution 4.3.2-(e) and 5.3.1.1.1, the NCAA Division II Management Council has adopted the following noncontroversial legislative amendments during the past year. The Presidents Council, or an entity designated by the Presidents Council (the Management Council), is permitted to adopt such legislation if it is noncontroversial and necessary in the normal and orderly administration of the Association’s legislation. These actions will be referenced in the oral report of the Management Council at the 2021 Division II business session, and acceptance of the report will constitute approval of these actions and incorporation in the 2021-22 NCAA Division II Manual. If a delegate objects to incorporation of a particular amendment, that objection should be raised at the time of the Management Council report. The Division II membership then will decide by majority vote of the eligible voters whether to incorporate that amendment.

NO. NC-2021-1 VARIOUS BYLAWS -- UNITED STATES OLYMPIC AND  
PARALYMPIC COMMITTEE NAME CHANGE

**Intent:** To specify that legislation applicable to the Olympic Games and Olympic teams and athletes shall apply to the Paralympic Games and Paralympic teams and athletes; further, to specify that legislation applicable to the Pan American Games shall apply to the Parapan American Games.

**A. Bylaws:** Amend 12.1.3, as follows:

12.1.3 Permissible -- Following Initial Full-Time Collegiate Enrollment. Following initial full-time collegiate enrollment, participation in the following activities and receipt of the following benefits will not jeopardize the amateur status of an individual:

[12.1.3-(a) unchanged.]

- (1) The U.S. Olympic **and Paralympic** Committee or the U.S. national governing body (or, for international individuals, expenses awarded by the equivalent organization of a foreign country), in accordance with the applicable conditions set forth in Bylaw 15.2.2.4;

[12.1.3-(a)-(2) through 12.1.3-(a)-(3) unchanged.]

[12.1.3-(b) through 12.1.3-(h) unchanged.]

- (1) Funds that are administered by the U.S. Olympic **and Paralympic** Committee pursuant to its Operation Gold Program;
- (2) Incentive Programs for International Athletes. An international prospective student-athlete or international student-athlete may accept funds from his or her country’s national Olympic governing body (equivalent to the U.S. Olympic **and Paralympic** Committee) based on place finish in one event per year that is designated as the highest level of international competition for the year by the governing body;
- (3) Comprehensive benefits of the USOC U.S. Olympic and Paralympic Committee Elite Athlete Health Insurance Program;

- (4) Actual and necessary expenses [including grants but not prize money, whereby the recipient has qualified for the grant based on his or her performance in a specific event(s)] to cover developmental training, coaching, facility usage, equipment, apparel, supplies, comprehensive health insurance, travel, room and board without jeopardizing the individual's eligibility for intercollegiate athletics, provided such expenses are approved and provided directly by the U.S. Olympic and Paralympic Committee (USOC), the appropriate national governing body in the sport (or, for international individuals, the equivalent organization of that nation) or a governmental entity;

[12.1.3-(h)-(5) unchanged.]

- (6) Actual and necessary expenses to participate in Olympic tours or exhibitions from a sponsor other than the U.S. Olympic and Paralympic Committee (USOC), national governing body or nonprofessional organizations sponsoring the event, provided that the student-athlete does not miss class time and the exhibition does not conflict with dates of institutional competition; or
- (7) Receipt of commemorative items incidental to participation in the Olympic Games, Paralympic Games, World University Games (Universiade), World University Championships, Pan American Games, Parapan American Games, World Championships and World Cup events through the applicable national governing body. These benefits may include any and all apparel, leisure wear, footwear and other items that are provided to all athletes participating in the applicable event.

**B. Bylaws:** Amend 12.2.3.2, as follows:

12.2.3.2 Competition With Professionals. Following initial full-time collegiate enrollment, an individual shall not be eligible for intercollegiate athletics in a sport, if the individual competed on a professional athletics team (per Bylaw 12.02.6) in that sport. However, an individual may compete on a tennis, golf, two-person beach volleyball or two-person synchronized diving team(s) with persons who are competing for cash or a comparable prize, provided the individual does not receive payment of any kind for such participation.

[12.2.3.2.1 unchanged.]

12.2.3.2.2 Exception – Olympic, Paralympic /or National Teams. It is permissible for an individual (prospective student-athlete or student-athlete) to participate on Olympic, Paralympic or national teams that are competing for prize money or are being compensated by the governing body to participate in a specific event, provided the individual does not accept prize money or any other compensation (other than actual or necessary expenses).

[12.2.3.2.3 through 12.2.3.2.4 unchanged.]

**C. Bylaws:** Amend 12.5.1.1.5, as follows:

12.5.1.1.5 Distribution of Institutional Noncommercial Items through Commercial Outlets. A member institution may distribute noncommercial items (items not for sale) at commercial establishments, provided the institution generally distributes such items to other commercial establishments in the community and the distribution of the items does not require the recipient to make a purchase at the commercial establishment.

12.5.1.1.5.1 Exception -- Olympic, Paralympic ~~/or~~ National Team. A national governing body may sell player/trading cards that bear the name or picture of a student-athlete who is a member of the Olympic, Paralympic ~~/or~~ national team in that sport, provided all of the funds generated through the sale of such cards are deposited directly with the applicable Olympic, Paralympic ~~/or~~ national team.

**D. Bylaws:** Amend 12.5.1.8, as follows:

12.5.1.8 Olympic, Paralympic, Pan American, Parapan ~~American~~, World Championships, World Cup, World University Games (Universiade) and World University Championships. A student-athlete's name or picture may be used to promote Olympic, Paralympic, Pan American, Parapan ~~American~~, World Championships, World Cup, World University Games (Universiade) or World University Championships as specified in this section.

[12.5.1.8.1 unchanged.]

**E. Bylaws:** Amend 13.10.2.3, as follows:

13.10.2.3 Announcer for High School Broadcast. A member of an institution's coaching staff and conference office personnel may not serve as an announcer or commentator for a high school, college-preparatory school or two-year college contest, or appear (in person or by means of film, audiotape or videotape) on a radio or television broadcast of such contest in the staff member's sport during any time that the staff member is under contract with the member institution. This restriction does not apply to contests involving national teams in which prospective student-athletes may be participants, including the Olympic or Paralympic Games. [D]

**F. Bylaws:** Amend 13.17.4.1, as follows:

13.17.4.1 National Letter of Intent Signing Date. The period 48 hours before 7 a.m. on the date for signing the National Letter of Intent in the applicable sport.

13.17.4.1.1 Exception -- U.S. Diving National Championships. When the dead period for recruiting occurs during the U.S. Diving National Championships, it shall be permissible to observe prospective student-athletes participating in that event.

13.17.4.1.2 Exception -- North American Cup Fencing Championship. During any year in which the National Letter of Intent signing date dead period occurs during the North American Cup Fencing Championship, it shall be permissible for authorized coaching staff members to observe prospective student-athletes participating in that event.

13.17.4.1.3 Exception -- Junior Olympic or Paralympic Rifle Championships. During any year in which the National Letter of Intent signing date dead period occurs during the Junior Olympic or Paralympic Rifle Championships, it shall be permissible for authorized coaching staff members to observe prospective student-athletes participating in that event.

**G. Bylaws:** Amend 14.02.11, as follows:

14.02.11 National Team. A national team is one selected, organized and sponsored by the appropriate national governing bodies of the U.S. Olympic and Paralympic Committee (or, for student-athletes representing another nation, the equivalent organization of that nation, or, for student-athletes competing in a non-Olympic or Paralympic sport, the equivalent organization of that sport). The selection for such a team shall be made on a national qualification basis, either through a defined selective process or by actual tryouts, publicly announced in advance. In addition, the



international competition in question shall require that the entrants officially represent their respective nations, although it is not necessary to require team scoring by nation.

**H. Bylaws:** Amend 14.1.7.1.8.3, as follows:

14.1.7.1.8.3 Practice or Competition – Olympic, **Paralympic**, Pan American, **Parapan American**, World Championships, World Cup, World University Games (Universiade), World University Championships or World Youth Championships. The Academic Requirements Committee may waive the minimum full-time enrollment requirement for any participant in the junior or elite levels of the Olympic, **Paralympic**, Pan American, **Parapan American**, World Championships, World Cup, World University Games (Universiade), World University Championships or World Youth Championships who, because of such participation, may lose eligibility for practice or competition in any sport.

**I. Bylaws:** Amend 14.1.7.1.8.4, as follows:

14.1.7.1.8.4 Practice – U.S. Olympic **and Paralympic** Committee/National Governing Body – Individual Sports or Rowing. A student-athlete with eligibility remaining who is not enrolled or who is enrolled in less than a minimum full-time program of studies or a former student-athlete who has graduated and has no eligibility remaining, may participate on a regular basis in organized practice sessions that involve an individual sport or rowing, provided the following conditions are met:

[14.1.7.1.8.4-(a) unchanged.]

(b) The U.S. Olympic **and Paralympic** Committee or national governing body in the sport has recommended the individual's participation;

[14.1.7.1.8.4-(c) unchanged.]

(d) In the case of a student-athlete with NCAA eligibility remaining in the sport, such participation occurs only during the academic year immediately before the Olympic **or Paralympic** Games; and

(e) In the case of a former student-athlete, such participation shall be limited to the number of years that allows the individual to practice with the institution's team in preparation for two consecutive Olympic **or Paralympic** Games following exhaustion of eligibility or completion of degree, whichever is earlier. A student-athlete who has not graduated must be enrolled (full or part time) and making progress toward a degree.

**J. Bylaws:** Amend 14.1.7.1.8.5, as follows:

14.1.7.1.8.5 Practice – U.S. Olympic **and Paralympic** Committee/National Governing Body – Team Sports. A student-athlete with eligibility remaining who is not enrolled or who is enrolled in less than a minimum full-time program of studies or a former student-athlete who has graduated and has no eligibility remaining, may participate on a regular basis in organized practice sessions that involve a team sport, provided the following conditions are met:

[14.1.7.1.8.5-(a) unchanged.]

(b) The U.S. Olympic **and Paralympic** Committee or national governing body in the sport has recommended the individual's participation;

[14.1.7.1.8.5-(c) unchanged.]

(d) The participation occurs only during the academic year immediately before the Olympic **or Paralympic** Games; and

- (e) In the case of a former student-athlete, such participation shall be limited to the number of years that allows the individual to practice with the institution's team in preparation for two consecutive Olympic or Paralympic Games following exhaustion of eligibility or completion of degree, whichever is earlier. A student-athlete who has not graduated must be enrolled (full or part time) and making progress toward a degree.

[14.1.7.1.8.5.1 unchanged.]

**K. Bylaws:** Amend 14.2.4.2.2, as follows:

14.2.4.2.2 Exceptions to Participation in Organized Competition. An individual shall not be charged with a season of intercollegiate competition, provided the individual satisfies any of the following exceptions for each consecutive 12-month period in which the individual participates in organized competition per Bylaw 14.2.4.2.1.2 following the one-year time period after the individual's high school graduation and before initial full-time collegiate enrollment.

14.2.4.2.2.1 Service Exceptions. Participation in organized competition during time spent in the armed services, on official religious missions or with recognized foreign aid services of the U.S. government and the period between completion of the service commitment and the first opportunity to enroll as a full-time student in a regular academic term is exempt from the application of Bylaw 14.2.4.2.

14.2.4.2.2.2 National/International Competition Exception. For a maximum of one year, participation in organized competition per Bylaw 14.2.4.2.1.2 shall be excepted if the competition is national or international competition that includes participation in:

- (a) Official Pan American, Parapan American, World Championships, World Cup, World University Games (Universiade), World University Championships ~~and~~, Olympic and Paralympic training, tryouts and competition or junior level equivalents (e.g., Youth Olympic, Youth Paralympic, U20 World Cup, junior national teams);
- (b) Officially recognized training and competition directly qualifying participants for final Olympic or Paralympic tryouts or junior level equivalents (e.g., Youth Olympic, Youth Paralympic, U20 World Cup, junior national teams); or
- (c) Official tryouts and competition involving national teams sponsored by the appropriate national governing bodies of the U.S. Olympic and Paralympic Committee (or, for student-athletes representing another nation, the equivalent organization of that nation, or, for student-athletes competing in a non-Olympic or Paralympic sport, the equivalent organization of that sport) or junior level equivalents (e.g., Youth Olympic, Youth Paralympic, U20 World Cup, junior national teams).

14.2.4.2.2.3 Skiing Exception. For a maximum of two years, participation in organized competition per Bylaw 14.2.4.2.1.2 shall be excepted in skiing when such participation is part of competition sanctioned by the U.S. Skiing Association and its international counterparts.

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.

14.2.4.2.2.4.1 Major Junior Ice Hockey – Men's Ice Hockey. An individual who participates on a Major Junior men's ice hockey team shall use a season of intercollegiate competition for each consecutive 12-month period in which the individual participates, regardless of when such participation occurs. The individual shall fulfill an academic year of residence (see Bylaw 14.2.4.2.1.3) before being eligible to represent the institution in intercollegiate competition in men's ice hockey.

**L. Bylaws:** Amend 14.4.3.9, as follows:

14.4.3.9 Waivers of Progress-Toward-Degree Requirements. The Academic Requirements Committee shall establish appropriate criteria for waivers of this legislation. Such waivers shall be administered by the conference members of the Association or, in the case of an independent institution, by the Academic Requirements Committee. Waivers of the progress-toward-degree requirements may be granted under the following conditions:

14.4.3.9.1 Medical Absence Waiver. The credit hours required under the progress-toward-degree regulations of Bylaws 14.4.3.2, 14.4.3.3 and 14.4.3.4 may be adjusted to require completion of 12 units per term of actual attendance during an academic year in which a student misses a term or is unable to complete a term as a full-time student as a result of an injury or illness. Such an exception may be granted only when circumstances clearly supported by appropriate medical documentation establish that a student-athlete is unable to attend a collegiate institution as a full-time student as a result of an incapacitating physical injury or illness involving the student-athlete or a member of the student-athlete's immediate family. Credits earned by the student-athlete during the term to which the waiver applies may not be used in determining progress toward degree. A Division II conference office has the authority to administer medical absence waivers for terms that occurred at an NCAA institution prior to a student-athlete's enrollment at a member institution within the conference.

14.4.3.9.2 International Competition Waiver. The credit hours required under the progress-toward-degree regulations of Bylaws 14.4.3.2, 14.4.3.3 and 14.4.3.4 may be adjusted to require completion of 12 hours per term of actual attendance during an academic year in which a student is not enrolled for a term or terms or is unable to complete a term as a result of participation in the Pan American, Parapan American, Olympic, Paralympic, World Championships, World Cup, World University Games (Universiade) or World University Championships (including final Olympic or Paralympic tryouts and the officially recognized training program that directly qualifies participants for those tryouts). This waiver provision may be applied to not more than two semesters or three quarters.

**M. Bylaws:** Amend 14.4.3.10, as follows:

14.4.3.10 Olympic or Paralympic Games Waiver. The Academic Requirements Committee may waive the progress-toward-degree requirements for any participant in the Olympic or Paralympic Games who, because of such participation, may lose eligibility for practice and competition in any sport.

**N. Bylaws:** Amend 14.7.5.1, as follows:

14.7.5.1 In All Sports:

[14.7.5.1-(a) unchanged.]

- (b) Olympic **or Paralympic** Games. A student-athlete may participate in the official Olympic **or Paralympic** Games, in final tryouts that directly qualify competitors for the Olympic **or Paralympic** Games and in officially recognized competition directly qualifying participants for final Olympic **or Paralympic** Games tryouts.
- (c) Official Pan American **or Parapan American** Games Tryouts and Competition. A student-athlete may participate in official Pan American **or Parapan American** Games tryouts and competition, including junior-level tryouts and competition.
- (d) U.S. National Teams. A student-athlete may participate in official tryouts and competition involving national teams sponsored by the appropriate national governing bodies of the U.S. Olympic **and Paralympic** Committee (or, for the student-athletes representing another nation, the equivalent organization of that nation or, for student-athletes competing in a non-Olympic **or Paralympic** sport, the equivalent organization of that sport).

[14.7.5.1-(e) through 14.7.5.1-(f) unchanged.]

**O. Bylaws:** Amend 14.7.5.3, as follows:

14.7.5.3 National-Team Criteria. A national team shall meet the following criteria:

- (a) It is designated by the U.S. Olympic **and Paralympic** Committee, national governing body or other organization recognized by the U.S. Olympic **and Paralympic** Committee (or, for student-athletes representing another nation, the equivalent organization of that nation, or, for student-athletes competing in a non-Olympic **or Paralympic** sport, the equivalent organization in that sport);

[14.7.5.3-(b) through 14.7.5.3-(c) unchanged.]

**P. Bylaws:** Amend 15.2.2.4, as follows:

15.2.2.4 Educational Expenses – U.S. Olympic **and Paralympic** Committee or U.S. National Governing Body. A student-athlete may receive educational expenses awarded by the U.S. Olympic **and Paralympic** Committee or a U.S. national governing body (or, for international student-athletes, expenses awarded by the equivalent organizations of a foreign country). The amount of the financial assistance shall be subject to the following limitations:

[15.2.2.4-(a) unchanged.]

- (b) The recipient's choice of institutions shall not be restricted by the U.S. Olympic **and Paralympic** Committee, a U.S. national governing body (or, for international student-athletes, expenses awarded by the equivalent organization of a foreign country); and

[15.2.2.4-(c) unchanged.]

15.2.2.4.1 Operation Gold Grant. Funds administered by the U.S. Olympic **and Paralympic** Committee pursuant to its Operation Gold Grant Program shall not be included when determining the permissible amount of a full grant-in-aid for a student-athlete.

**Q. Bylaws:** Amend 16.1.1, as follows:

16.1.1 Application of Awards Legislation.

[16.1.1.1 through 16.1.1.4 unchanged.]

16.1.1.5 Olympic or Paralympic Games. It is permissible for a student-athlete to receive a nonmonetary award associated with participation in the Olympic or Paralympic Games at any time regardless of when the Games are held or whether the student-athlete is enrolled as a regular student during the academic year.

**R. Bylaws:** Amend 16.1.6, as follows:

16.1.6 Expenses to Receive Noninstitutional Awards. A conference, an institution, the U.S. Olympic and Paralympic Committee (or the international equivalent), a national governing body or the awarding agency may provide actual and necessary expenses for a student-athlete to receive a noninstitutional award or recognition for athletics or academic accomplishments. The conference, institution and other permissible entities may also provide actual and necessary expenses for up to two of the student-athlete's relatives or legal guardians to attend the recognition event or awards presentation. [R]

**S. Bylaws:** Amend 16.3.1.1, as follows:

16.3.1.1 Coaching and/or Athletics Administration Career Educational Programs. An institution or conference may provide actual and necessary expenses to a student-athlete to attend a coaching and/or athletics administration career educational program (e.g., Women's Basketball Coaches Association – So You Want To Be A Coach, Black Women in Sports Foundation – Next Step Program, U.S. Olympic and Paralympic Committee – Minority/Women in Coaching Leadership). [R]

**T. Bylaws:** Amend 16.6.1.4, as follows:

16.6.1.4 Family Travel to Olympic or Paralympic Games. A commercial company (other than a professional sports organization) or members of the local community may provide actual and necessary expenses for a student-athlete's relatives or legal guardians to attend the Olympic or Paralympic Games in which the student-athlete will participate. In addition, relatives or legal guardians of student-athletes may receive nonmonetary benefits provided to the family members of all Olympic or Paralympic team members in conjunction with participation in the Olympic or Paralympic Games. [R]

**U. Bylaws:** Amend 16.8.1.2, as follows:

16.8.1.2 Other Competition. During an academic year in which a student-athlete is eligible to represent an institution in athletics competition (or in the next summer), an institution may provide actual and necessary expenses related to participation in the following activities: [R]

[16.8.1.2-(a) unchanged.]

(b) One qualifying competition event per academic year for the Olympic, Paralympic, Pan American, Parapan American, World Championships, World Youth Championships, World Cup, World University Games (Universiade) and World University Championships;

(c) National team tryout competition events, including events from which participants are selected for another tier of tryout competition or events from which final selections are made for the national team that will participate in the Olympic Games, Paralympic Games, Pan American Games, Parapan American Games, World Championships, World Cup, World University Games (Universiade) and World University Championships; and

[16.8.1.2-(d) unchanged.]

[16.8.1.2.1 unchanged.]

**V. Bylaws:** Amend 17.2.10.1.2.2, as follows:

17.2.10.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**W. Bylaws:** Amend 17.3.9.2, as follows:

17.3.9.2 Maximum Number of Student-Athletes on Outside Team. Following is the maximum number of student-athletes from the same member institution with eligibility remaining who may compete on an outside team:

[17.3.9.2-(a) through 17.3.9.2-(b) unchanged.]

(c) Olympic, Paralympic and national team development programs and competition - No limitations.

[17.3.9.2-(d) unchanged.]

**X. Bylaws:** Amend 17.4.10.1.2.2, as follows:

17.4.10.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**Y. Bylaws:** Amend 17.5.8.1.2.2, as follows:

17.5.8.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**Z. Bylaws:** Amend 17.6.10.1.2.2, as follows:

17.6.10.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**AA. Bylaws:** Amend 17.7.9.1.2.2, as follows:

17.7.9.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**BB. Bylaws:** Amend 17.8.9.1.2.2, as follows:

17.8.9.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**CC. Bylaws:** Amend 17.9.10.1.2.2, as follows:

17.9.10.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may

participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**DD. Bylaws:** Amend 17.11.10.1.2.2, as follows:

17.11.10.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**EE. Bylaws:** Amend 17.12.9.1.2.2, as follows:

17.12.9.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**FF. Bylaws:** Amend 17.13.8.1.2.2, as follows:

17.13.8.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**GG. Bylaws:** Amend 17.14.10.1.2.2, as follows:

17.14.10.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**HH. Bylaws:** Amend 17.15.9.1.2.2, as follows:

17.15.9.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**II. Bylaws:** Amend 17.16.11.1.2.2, as follows:

17.16.11.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**JJ. Bylaws:** Amend 17.17.8.1.2.2, as follows:

17.17.8.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution, provided:

[17.17.8.1.2.2-(a) through 17.17.8.1.2.2-(c) unchanged.]

**KK. Bylaws:** Amend 17.18.9.1.2.2, as follows:

17.18.9.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may

participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**LL. Bylaws:** Amend 17.19.10.1.2.2, as follows:

17.19.10.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**MM. Bylaws:** Amend 17.20.10.1.2.2, as follows:

17.20.10.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**NN. Bylaws:** Amend 17.21.10.1.2.2, as follows:

17.21.10.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**OO. Bylaws:** Amend 17.22.10.1.2.2, as follows:

17.22.10.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**PP. Bylaws:** Amend 17.23.10.1.2.2, as follows:

17.23.10.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**QQ. Bylaws:** Amend 17.24.9.1.2.2, as follows:

17.24.9.1.2.2 Olympic, Paralympic and National Team Development Program. ~~Olympic and National Team Development Program.~~ There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution, provided:

[17.24.9.1.2.2-(a) through 17.24.9.1.2.2-(c) unchanged.]

**RR. Bylaws:** Amend 17.25.1.8.1.2.2, as follows:

17.25.1.8.1.2.2 Olympic, Paralympic and National Team Development Program – Men. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**SS. Bylaws:** Amend 17.25.2.10.1.2.2, as follows:

17.25.2.10.1.2.2 Olympic, Paralympic and National Team Development Program – Women. There are no limits on the number of student-athletes from the same



institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**TT. Bylaws:** Amend 17.26.9.1.2.2, as follows:

17.26.9.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**UU. Bylaws:** Amend 17.27.10.1.2.2, as follows:

17.27.10.1.2.2 Olympic, Paralympic and National Team Development Program. There are no limits on the number of student-athletes from the same institution who may participate in Olympic, Paralympic and national team development programs. Such programs may also include a coach and student-athlete from the same institution.

**VV. Bylaws:** Amend 21.2.5, as follows:

21.2.5.2 Duties. The committee shall:

(a) Act as a liaison between the Association, the U.S. Olympic and Paralympic Committee and national governing bodies; and

[21.2.5.2-(b) unchanged.]

**WW. Administrative:** Amend 31.1.6.2, as follows:

31.1.6.2 Non-NCAA Rules, Women's Sports. In those women's sports in which the Association does not publish rules, the NCAA championships shall be conducted according to the following, except where those rules are superseded by modifications recommended by the appropriate governing sports committee and approved by the Playing Rules Oversight Panel (see Bylaw 18.6):

[31.1.6.2-(a) through 31.1.6.2-(c) unchanged.]

(d) Gymnastics -- USA Gymnastics Junior Olympic and Paralympic Women's Code of Points (Level 10 Rules);

[31.1.6.2-(e) through 31.1.6.2-(h) unchanged.]

**XX. Administrative:** Amend 31.7.2.3, as follows:

31.7.2.3 Prohibition Against Funding Olympics and Paralympics. Income from the Association's championships shall not be allocated to the Olympic and Paralympic fund.

**Source:** NCAA Division II Management Council (Olympic Sports Liaison Committee).

**Effective Date:** August 1, 2020

**Additional Information:**

In June 2019, the United States Olympic Committee announced that it had formally changed its name to the United States Olympic and Paralympic Committee to further support and include Paralympic athletes. The Olympic Sports Liaison Committee recommends legislative changes to support and include Paralympic athletes in a similar manner. Currently, there is no reference to the Paralympics or Paralympic

athletes in NCAA legislation. The changes would make clear that NCAA rules, waivers and opportunities are afforded to both Olympic and Paralympic student-athletes.

NO. NC-2021-2 ELIGIBILITY -- TRANSFER REGULATIONS -- CONDITIONS AFFECTING TRANSFER STATUS -- ATTENDANCE AT A BRANCH SCHOOL OR SECOND CAMPUS THAT CONDUCTS AN INTERCOLLEGIATE ATHLETICS PROGRAM

**Intent:** To specify that a student will trigger transfer status if he or she enrolled at a branch school or second campus of an institution that conducted an intercollegiate athletics program and transfers to any institution, including the parent institution.

**A. Bylaws:** Amend 14.5.2, as follows:

14.5.2 Conditions Affecting Transfer Status. A transfer student is an individual who transfers from a collegiate institution after having met any one of the following conditions at that institution:

[14.5.2-(a) through 14.5.2-(c) unchanged.]

(d) The student attended a branch school that conducted an intercollegiate athletics program and transfers to any institution ~~other than~~, **including** the parent institution;

**(e) The student attended a second campus of an institution that conducted an intercollegiate athletics program and transfers to any institution, including the parent institution.**

[14.5.2-(e) through 14.5.2-(g) relettered as 14.5.2-(f) through 14.5.2-(h), unchanged.]

[14.5.2 unchanged.]

**B. Bylaws:** Amend 14.5.3.2, as follows:

14.5.3.2 Branch School. The student has been enrolled in or attended classes only in a branch school, provided the branch school does not conduct an intercollegiate athletics program. If the branch school conducts an intercollegiate athletics program, the student shall ~~not~~ be considered a transfer ~~only on enrollment if he or she enrolls~~ at the parent institution directly from the branch school. (For definition of "branch school," see Bylaw 14.02.2.)

**C. Bylaws:** Amend 14.5.3.3, as follows:

~~14.5.3.3 Second Campus of Institution. The student is in residence at an institution's campus that is not in the same city as the institution's main campus, provided the campus at which the student is in residence does not conduct an intercollegiate athletics program, classes on the campus are taught by the same instructors who teach classes on the main campus, the credits received by all class enrollees are considered as regular credits by the institution's main campus, and the degrees awarded to all students come from the institution's main campus.~~

[14.5.3.4 through 14.5.3.5 renumbered as 14.5.3.3 through 14.5.3.4, unchanged.]

**Source:** NCAA Division II Management Council (Academic Requirements Committee).

**Effective Date:** Immediate, for student-athletes transferring for the 2020-21 academic year and thereafter.

**Additional Information:**

Several NCAA institutions operate multiple campuses, and, in some cases, they are operating more than one athletics department. Current legislation in all three divisions indicates that a student is not considered a transfer if they move from a branch school that conducts an intercollegiate athletics program to the parent institution. However, this legislation is inconsistent with guidance provided to member institutions that conduct an athletics program at a branch school. In addition, current legislation does not address the transfer status of a student who attends a second campus of an institution that also conducts an intercollegiate athletics program. This proposal will reduce confusion by clarifying that a student-athlete should always be treated as a transfer, even if transferring within an educational system.

NO. NC-2021-3 EXECUTIVE REGULATIONS -- ADMINISTRATION OF NCAA CHAMPIONSHIPS -- RESTRICTED ADVERTISING AND SPONSORSHIP ACTIVITIES

**Intent:** To move the restrictions on advertising and sponsorship activities in conjunction with NCAA championships from legislation to NCAA policy.

**Administrative:** Amend 31.1, as follows:

31.1 Administration of NCAA Championships.

[31.1.1 through 31.1.11 unchanged.]

~~31.1.12 Restricted Advertising and Sponsorship Activities. The following activities are restricted when they occur in conjunction with NCAA championships. Other restrictions are set forth in the championships handbooks.~~

~~31.1.12.1 Advertising. Advertising policies of the Association are designed to exclude those advertisements that do not appear to be in the best interests of higher education. The NCAA president shall have the authority to rule in cases where doubt exists concerning acceptable advertisers and advertising copy of game programs, broadcasts and telecasts of NCAA championships; however, the following expressly are prohibited:~~

~~(a) Alcoholic beverages (except as specified below);~~

~~(b) Cigarettes and other tobacco products; and~~

~~(c) Organizations promoting gambling.~~

~~31.1.12.1.1 Malt Beverages, Beer and Wine Advertisements. Advertising of malt beverages, beer and wine products that do not exceed six percent alcohol by volume may be used in game programs. Such advertisements, however, shall not compose more than 14 percent of the space in the program devoted to advertising or not more than 60 seconds per hour of any telecast or broadcast (either a single 60-second commercial or two 30-second commercials).~~

~~31.1.12.1.2 Sponsorships. Promotions for a championships event, activity or program may not be sponsored by liquor, tobacco, beer or wine companies at any time.~~

~~31.1.12.1.2.1 Professional Sports Organizations or Teams. A professional sports organization may serve as a financial sponsor of an NCAA championship competition event, provided the organization is not publicly identified as such. A professional sports organization may serve as a financial sponsor of an activity or promotion that is ancillary to the competition event and may be publicly identified as such. The~~

*NCAA may receive financial contributions from a professional sports organization for sponsorship of a specific NCAA championship competition event, including ancillary activities and promotions.*

[31.1.13 renumbered as 31.1.12, unchanged.]

**Source:** NCAA Division II Management Council.

**Effective Date:** Immediate

**Additional Information:**

Moving the restrictions on advertising and sponsorship activities in conjunction with NCAA championships from legislation to policies and procedures would offer an opportunity to keep the Association's policies more current and consistent and offer the flexibility to align them with those of other athletics organizations. If removed from the legislation, the policies and procedures would be included in championships handbooks. The NCAA Board of Governors discussed NCAA championships advertising and restrictions and supports appropriate modifications.

NO. NC-2021-4 ETHICAL CONDUCT -- SPORTS WAGERING ACTIVITIES --  
SUSPENSION BY A NON-NCAA SPORTS GOVERNING BODY

**Intent:** To specify that a student-athlete under a sports wagering related suspension from a non-NCAA national or international sports governing body shall not participate in intercollegiate competition for the duration of the suspension.

**Bylaws:** Amend 10.3, as follows:

10.3 Sports Wagering Activities. The following individuals shall not knowingly participate in sports wagering activities or provide information to individuals involved in or associated with any type of sports wagering activities concerning intercollegiate, amateur or professional athletics competition:

[10.3-(a) through 10.3-(d) unchanged.]

[10.3.1 unchanged.]

**10.3.2 Suspension by a Non-NCAA National or International Sports Governing Body. A student-athlete under a sports wagering related suspension from a non-NCAA national or international sports governing body shall not participate in intercollegiate competition for the duration of the suspension.**

**Source:** NCAA Division II Management Council.

**Effective Date:** Immediate

**Additional Information:**

An individual who is under a sports wagering related suspension from a non-NCAA sports governing body should not be eligible to participate in intercollegiate competition for the duration of the suspension. This provision is similar to current legislation that precludes a student-athlete from participation in intercollegiate competition if he or she is under a drug related suspension from a non-NCAA national or international sports governing body.

NO. NC-2021-5 ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- FULL-TIME  
ENROLLMENT -- REQUIREMENT FOR PRACTICE AND  
COMPETITION -- EXCEPTIONS -- PRACTICE OR COMPETITION --  
FINAL SEMESTER OR QUARTER -- PROGRESS-TOWARD-DEGREE

REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- TERM-BY-TERM CREDIT-HOUR REQUIREMENT -- CALCULATION OF CREDIT HOURS -- EXCEPTION - FINAL ACADEMIC YEAR OF DEGREE PROGRAM -- TRANSITION OF WAIVER AUTHORITY TO COMMITTEE ON STUDENT-ATHLETE REINSTATEMENT

**Intent:** To transition authority of waivers of the final semester/quarter exceptions to the full-time enrollment and term-by-term credit-hour requirement legislation from the NCAA Division II Committee for Legislative Relief to the NCAA Division II Committee on Student-Athlete Reinstatement.

**A. Bylaws:** Amend 14.1.7, as follows:

14.1.7 Full-Time Enrollment.

[14.1.7.1 unchanged.]

14.1.7.1.7.3 Practice or Competition -- Final Semester/Quarter. A student-athlete with athletics eligibility remaining may compete or participate in organized practice sessions while enrolled in less than a minimum full-time program of studies, provided the student-athlete is enrolled in the final semester or quarter of the baccalaureate program and the institution certifies that the student-athlete is carrying (for credit) the courses necessary to complete the degree requirements. Thereafter, the student-athlete shall forfeit eligibility in all sports, unless the student-athlete completes all degree requirements during that semester or quarter and is eligible to receive the baccalaureate diploma on the institution's next degree-granting date.

**14.1.7.1.7.3.1 Waivers. The Committee on Student-Athlete Reinstatement shall establish appropriate criteria for waiver requests seeking relief of the forfeiture of eligibility penalty.**

[14.1.7.1.7.3.1 renumbered as 14.1.7.1.7.3.2, unchanged.]

[14.1.7.1.7.4 through 14.1.7.1.7.6 unchanged.]

[14.1.7.1.8 unchanged.]

**B. Bylaws:** Amend 14.4.3, as follows:

14.4.3 Eligibility for Competition.

[14.4.3.1 unchanged.]

14.4.3.2 Term-By-Term Credit-Hour Requirement. To be eligible to represent an institution in intercollegiate athletics competition, a student-athlete must earn nine-semester or eight-quarter hours of academic credit the preceding regular academic term in which the student-athlete has been enrolled full time at any collegiate institution.

[14.4.3.2.1 through 14.4.3.2.2 unchanged.]

14.4.3.2.2.1 Exception -- Final Academic Year of Degree Program. A student-athlete who is in the final academic year (final two semesters or three quarters) of his or her designated degree program may use credit hours acceptable toward any of the institution's degree programs to satisfy the nine-semester or eight-quarter hour requirement per Bylaw 14.4.3.2, provided the institution certifies, through review by appropriate academic officials, that the student-athlete is carrying (for credit) the courses necessary to complete

degree requirements at the end of the two semesters or three quarters. Thereafter, the student-athlete shall forfeit eligibility in all sports, unless the student-athlete completes all degree requirements during the final two semesters or three quarters and is eligible to receive the baccalaureate diploma on the institution's next degree-granting date.

**14.4.3.2.2.1.1 Waivers. The Committee on Student-Athlete Reinstatement shall establish appropriate criteria for waiver requests seeking relief of the forfeiture of eligibility penalty.**

[14.4.3.3 through 14.4.3.12 unchanged.]

**Source:** NCAA Division II Management Council (Committee on Student-Athlete Reinstatement).

**Effective Date:** August 1, 2020

**Additional Information:**

Currently waivers of Bylaws 14.1.7.1.7.3 (practice or competition – final semester/quarter) and 14.4.3.2.2.1 (exception – final academic year of degree program) are processed as legislative relief waivers under the purview of the Division II Committee for Legislative Relief. For both exceptions, a student-athlete forfeits eligibility in all sports unless the student-athlete completes degree requirements during that specified time and is eligible to receive their diploma on the institution's next degree-granting date. Transitioning oversight of these waivers to the NCAA Division II Committee on Student-Athlete Reinstatement is consistent with the oversight structure in which decisions regarding loss of eligibility are subject to review by the Committee on Student-Athlete Reinstatement.

NO. NC-2021-6 ELIGIBILITY – TRANSFER REGULATIONS – FOUR-YEAR COLLEGE TRANSFERS – EXCEPTIONS FOR TRANSFERS FROM FOUR-YEAR COLLEGES – ONE-TIME TRANSFER EXCEPTION – HEARING OPPORTUNITY – FAILURE TO PROVIDE APPEAL POLICIES AND PROCEDURES – DEFAULT GRANT

**Intent:** To specify that a student-athlete's written request for a release in conjunction with the use of the one-time transfer exception shall be granted by default if the institution fails to provide its appeal policies and procedures within 14-consecutive calendar days from the receipt of the student-athlete's written request for the hearing.

**Bylaws:** Amend 14.5.5.3.9, as follows:

14.5.5.3.9 One-Time Transfer Exception. The student transfers to the certifying institution from another four-year collegiate institution, and all of the following conditions are met (for graduate students, see Bylaw 14.1.8.1):

[14.5.5.3.9-(a) through 14.5.5.3.9-(d) unchanged.]

14.5.5.3.9.1 Hearing Opportunity. If the student's previous institution denies his or her written request for the release, the athletics director (or his or her designee) shall inform the student-athlete in writing, within 14 consecutive calendar days from receipt of a student-athlete's written request, that he or she, on request, shall be provided a hearing conducted by an institutional entity or committee outside of the athletics department (e.g., the office of student affairs; office of the dean of students; or a committee composed of the faculty athletics representative, student-athletes and nonathletics faculty/staff members). The notification of the hearing opportunity shall include a copy of the institution's

policies and procedures for conducting the required hearing, including the deadline by which a student-athlete must request such a hearing. The institution shall conduct the hearing and provide written results of the hearing within 30 consecutive calendar days of receiving a student-athlete's written request for the hearing. The student-athlete shall be provided the opportunity to actively participate (e.g., in person, via telephone) in the hearing. If the institution fails to conduct the hearing and provide written results of the hearing within 30 consecutive calendar days, the release shall be granted by default and the institution shall provide a written release to the student-athlete.

**14.5.5.3.9.1.1 Failure to Provide Appeal Policies and Procedures. If the institution fails to provide the policies and procedures for conducting the required hearing within 14-consecutive calendar days from receipt of a student-athlete's written request, the release shall be granted by default and the institution shall provide a written release to the student-athlete.**

[14.5.5.3.9.2 unchanged.]

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

**Effective Date:** Immediate

**Additional Information:**

Current legislation requires an institution to provide the student-athlete with written notification of an appeal opportunity as well as a copy of the institution's policies and procedures associated with the hearing if a student-athlete's written request for a release in conjunction with the application of the one-time transfer exception is denied; however, the legislation is silent on whether the failure to provide the policies and procedures to the student-athlete within 14-consecutive calendar days will also result in a default grant of the request. Requiring an institution to provide a student-athlete with written notification of an appeal opportunity, along with its appeal policies and procedures within 14-consecutive calendar days, or the request is granted by default, will promote student-athlete well-being by giving a timely resolution to the request.

NO. NC-2021-7 AMATEURISM AND ELIGIBILITY -- GENERAL REGULATIONS -- VALIDITY OF AMATEUR STATUS -- AMATEURISM CERTIFICATION PROCESS -- ELIGIBILITY FOR PRACTICE AND COMPETITION -- FRESHMAN ACADEMIC REQUIREMENTS -- DETERMINATION OF FRESHMAN ELIGIBILITY -- PARTICIPATION BEFORE CERTIFICATION -- RECRUITED AND NONRECRUITED STUDENT-ATHLETE -- DE MINIMIS VIOLATIONS

**Intent:** To specify that violations involving a student-athlete's participation in practice or competition without final amateurism certification from the NCAA Eligibility Center, who are subsequently certified without conditions, shall be considered de minimis violations and do not impact a student-athlete's eligibility; further, violations involving a student-athlete's receipt of financial aid and/or participation in practice or competition without final academic certification from the NCAA Eligibility Center, who are subsequently certified as a qualifier, shall be considered de minimis violations and do not impact a student-athlete's eligibility.

**A. Bylaws:** Amend 12.1.1.1.3.1, as follows:

12.1.1.1.3.1 Participation Before Certification -- Recruited and Nonrecruited Student-Athlete. If a recruited or nonrecruited student-athlete reports for athletics participation before the student-athlete's amateur status has been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is

enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have established minimum requirements as an amateur (as certified by the NCAA Eligibility Center) to continue practicing or to compete.

**12.1.1.1.3.1.1 Effect of Violation. A violation of Bylaw 12.1.1.1.3.1 in which the student-athlete is subsequently certified without conditions shall be considered an institutional violation per Constitution 2.8.1 but shall not affect the student-athlete's eligibility.**

**B. Bylaws:** Amend 14.3.2.1, as follows:

14.3.2.1 Participation Before Certification – Recruited and Nonrecruited Student-Athlete. If a recruited or nonrecruited student-athlete reports for athletics participation before the high school core-curriculum grade-point average and test score have been certified, the student-athlete may practice, but not compete, for a maximum of 45 days, provided the student-athlete is enrolled full time or has been accepted for enrollment as a regular full-time student. After this 45-day period, the student shall have established minimum requirements as a qualifier (as certified by the NCAA Eligibility Center) to continue practicing or to compete, or the minimum requirements as a partial qualifier to continue practicing.

**14.3.2.1.1 Effect of Violation. A violation of Bylaw 14.3.2.1 in which the student-athlete is subsequently certified as a qualifier or partial qualifier shall be considered an institutional violation per Constitution 2.8.1 but shall not affect the student-athlete's eligibility.**

**Source:** NCAA Division II Management Council (Committee on Student-Athlete Reinstatement).

**Effective Date:** Immediate, for any violations occurring on or after August 1, 2020.

**Additional Information:**

Current legislation requires institutions to file a student-athlete reinstatement request when a student-athlete participates in practice or competition without a final amateurism and/or academic certification from the NCAA Eligibility Center. Student-athletes who are subsequently certified without an amateurism condition or as an academic qualifier are often withheld from competition as a condition of reinstatement. The NCAA Division II Committee on Student-Athlete Reinstatement believes withholding these student-athletes is counterproductive and is contrary to student-athlete well-being, particularly when institutions are ultimately responsible for ensuring student-athletes are eligible prior to competition and bear responsibility for the oversight. Finally, eliminating this requirement may reduce burden on compliance administrators. This amendment will not eliminate the need to report an institutional violation.

NO. NC-2021-8 PLAYING AND PRACTICE SEASONS – GENERAL PLAYING-SEASON REGULATIONS – TIME LIMITS FOR ATHLETICALLY RELATED ACTIVITIES -- WEEKLY HOUR LIMITATIONS -- OUTSIDE OF PLAYING SEASON -- SPORTS OTHER THAN FOOTBALL -- ELITE ATHLETE TRAINING

**Intent:** To specify that a student-athlete who has been designated by the U.S. Olympic and Paralympic Committee and the sport-affiliated national governing body (or the international equivalent) as an elite athlete may participate in an individual workout session conducted by a coaching staff member without such activity being considered countable athletically related activity, provided the



student-athlete initiates the request to participate in the workout session and does not miss class time.

**Bylaws:** Amend 17.1.6.3, as follows:

17.1.6.3 Weekly Hour Limitations – Outside of Playing Season.

17.1.6.3.1 Sports Other Than Football. In sports other than football, outside of the playing season during the academic year, only a student-athlete's participation in weight training, conditioning and/or team activities shall be permitted, as follows:

[17.1.6.3.1-(a) through 17.1.6.3.1-(e) unchanged.]

**17.1.6.3.1.1 Exception -- Elite Athlete Training. A student-athlete who has been designated by the U.S. Olympic and Paralympic Committee and the sport-affiliated national governing body (or the international equivalent) as an elite athlete may participate in an individual workout session conducted by a coaching staff member without such activity being considered countable athletically related activity, provided the workout is initiated by the student-athlete and he or she does not miss class.**

[17.1.6.3.2 through 17.1.6.3.6 unchanged.]

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

**Effective Date:** Immediate

**Additional Information:**

Student-athletes who are members of national teams frequently request more flexibility to train with their coaches as a means of utilizing the coaching staff's experience and expertise to prepare for national team events and to follow national team training plans. Currently, additional opportunities for a student-athlete to train with coaches are limited by restrictions on athletically related activities out of season. An individual sport student-athlete is permitted to train with his or her coach, at the student-athlete's request, during institutional vacation periods and/or the summer. but team sport student-athletes are not afforded the same opportunity. Additional access to training with coaches throughout the year would greatly enhance a student-athlete's preparation and likelihood for success. This proposal would provide flexibility to identified elite student-athletes to better manage their academic responsibilities and national team training plans according to the fluctuations of the international quadrennial calendar. Finally, specifying that a student-athlete shall not miss class for additional voluntary training will continue to ensure an appropriate balance between academic and athletic activity.

NO. NC-2021-9 RECRUITING -- UNOFFICIAL (NONPAID) VISIT -- ENTERTAINMENT/ TICKETS -- VISIT UNRELATED TO RECRUITMENT -- ADMITTED STUDENT MEETING WITH COACH

**Intent:** To specify that during a visit to campus for reasons unrelated to athletics recruitment and for which expenses are provided by a department other than athletics, an institution may arrange a meeting between a prospective student-athlete who is admitted to the institution and the institution's coaching staff without such an arrangement constituting an official visit.

**Bylaws:** Amend 13.7.2.3, as follows:

13.7.2.3 Visit Unrelated to Recruitment. The limitations on providing entertainment to a prospective student-athlete shall not extend to a visit to the institution's campus for a purpose having nothing whatsoever to do with the prospective student-athlete's athletics recruitment by the institution (e.g., band trip, fraternity weekend, athletics team's attendance at a sporting event with the high school coach). The institution's athletics department or representatives of its athletics interests may not be involved in any way with the arrangements for the visit, other than providing (in accordance with established policy) free admissions to an athletics event on a group basis, rather than personally to the prospective student-athlete. [R]

**13.7.2.3.1 Admitted Student Meeting with Coach. During a prospective student-athlete's visit to campus for reasons unrelated to athletics recruitment, an institution may arrange a meeting between a prospective student-athlete who is admitted to the institution and the institution's coaching staff without such an arrangement constituting an official visit.**

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

**Effective Date:** Immediate

**Additional Information:**

Many institutions have events for admitted students. Often, the institution provides a few meals and sometimes lodging or travel expenses. These are visits unrelated to athletics recruiting, but due to the institution providing expenses, coaches may not meet with a prospective student-athlete without triggering the official visit legislation. It is awkward for an admitted prospective student-athlete to not be allowed to speak with a coach while on campus for reasons unrelated to athletics recruitment.

NO. NC-2021-10 PLAYING AND PRACTICE SEASONS – GOLF – NUMBER OF DATES OF COMPETITION – ANNUAL EXEMPTIONS – AUGUSTA NATIONAL WOMEN'S AMATEUR

**Intent:** In women's golf, to exempt the Augusta National Women's Amateur from the maximum dates of competition.

**Bylaws:** Amend 17.11.7.3, as follows:

17.11.7.3 Annual Exemptions. The maximum number of dates of competition in golf shall exclude the following:

[17.11.7.3(a) through 17.11.7.3(h) unchanged.]

- (i) College-Am Event. A "college-am" golf tournament, provided the event is held in conjunction with intercollegiate competition and student-athletes do not receive awards or prizes for such participation; ~~and~~
- (j) College All-American Golf Classic. Competition in the College All-American Golf Classic shall be exempt, provided not more than two student-athletes from the institution participate and the event is limited to two dates of competition; ~~and~~
- (k) Augusta National Women's Amateur. Competition in the Augusta National Women's Amateur.**

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

**Effective Date:** Immediate

**Additional Information:**

This proposal would provide a significant and lasting growth opportunity for women's golf and a memorable experience for participants. The event is played at the legendary host venue of the Masters Tournament the week before the start of the Masters and is broadcast live via NBC Sports linear networks and distributed on digital platforms around the world. There would be no budget impact for participating teams because the tournament host provides associated expenses.

NO. NC-2021-11 DIVISION II MEMBERSHIP -- MEMBERSHIP REQUIREMENTS --  
SPORTS SPONSORSHIP -- MINIMUM CONTESTS AND  
PARTICIPANTS REQUIREMENTS FOR SPORTS SPONSORSHIP --  
MEN'S AND WOMEN'S WRESTLING

**Intent:** In the sports of men's and women's wrestling, to reduce the minimum number of contests and participants for sports sponsorship to nine contests with six participants.

**Bylaws:** Amend 20.10.3.3, as follows:

20.10.3.3 Minimum Contests and Participants Requirements for Sports Sponsorship. In each sport, the institution's team shall engage in at least a minimum number of intercollegiate contests (against four-year, degree-granting collegiate institutions) each year. In the individual sports, the institution's team shall include a minimum number of participants in each contest that is counted toward meeting the minimum-contest requirement. The following minimums are applicable:

Team Sports	Minimum Contests	Individual Sports	Minimum Contests	Minimum Participants
Baseball	24	Women's Bowling	8	5
Basketball	22	Cross Country	5	5
Beach Volleyball	8	Equestrian	6	12
Field Hockey	10	Men's Fencing	6	5
Football	8	Women's Fencing	6	5
Men's Ice Hockey	20	Golf	6	5
Women's Ice Hockey	20	Men's Gymnastics	6	6
Men's Lacrosse	8	Women's Gymnastics	6	5
Women's Lacrosse	10	Rifle	8	4
Women's Rowing	6	Skiing	5	5
Women's Rugby	9	Swimming and Diving	8	11
Soccer	10	Tennis	10	5
Softball	24	Track and Field, Indoor	4	10
Men's Volleyball	9	Track and Field, Outdoor	4	14
Women's Volleyball	15	Men's Wrestling	<del>12</del> 9	<del>7</del> 6

Men's Water Polo	15	Women's Wrestling	139	76
Women's Water Polo	10	Women's Triathlon	4	3

[20.10.3.3 unchanged.]

**Source:** NCAA Division II Management Council (Membership Committee).

**Effective Date:** Immediate

**Additional Information:**

Based on sport committee reviews of minimum sports sponsorship requirements and championships selection criteria, most sports adopted a policy that specifies that an institution that meets minimum sports sponsorship requirements will also meet minimum requirements for championships selection. Currently, men's wrestling does not have selection criteria for institutions or student-athletes to qualify for championships. Women's wrestling is an emerging sport and does not currently have an NCAA championship. However, the Division II Wrestling Committee determined that the current minimum contests and participants requirements for sports sponsorship in men's and women's wrestling are very rigorous compared with other individual sports. This change will ensure consistency when the men's and women's wrestling sport committees are considering the establishment of selection criteria to qualify for championships.

#### NO. NC-2021-12 AWARDS AND BENEFITS -- AWARDS -- PURCHASE RESTRICTIONS -- ELIMINATION OF STUDENT-ATHLETE CONTRIBUTION TO COST OF AWARDS

**Intent:** To eliminate the restriction on a student-athlete contributing to the purchase of an award.

**Bylaws:** Amend 16.1.4, as follows:

#### 16.1.4 Purchase Restrictions.

[16.1.4.1 through 16.1.4.3 unchanged.]

16.1.4.4 Student Contribution to Purchase. ~~The value of an award may not exceed specified value limits, and a~~ A student-athlete may ~~not~~ contribute to its ~~the purchase of an award, but the value of an award may not exceed specified value limits~~in order to meet those limits. [R]

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

**Effective Date:** Immediate

**Additional Information:**

Current legislation precludes a student-athlete from making a financial contribution to the purchase of an award, regardless of whether the value of the award remains within the legislated limitations. Financial constraints may limit the value of an award that an institution or conference can provide to student-athletes, especially for teams that have large squad sizes. Permitting student-athletes to contribute to the purchase of their awards ensures that those individuals can commemorate their accomplishments when institutional or conference resources are limited.

NO. NC-2021-13 RECRUITING -- LETTER-OF-INTENT PROGRAMS, FINANCIAL AID AGREEMENTS -- INSTITUTIONAL OR CONFERENCE LETTER-OF-INTENT PROGRAMS -- ISSUING ATHLETICS AID AGREEMENTS DURING A RECRUITING DEAD PERIOD EFFECTIVE APRIL 15, 2020

**Intent:** To permit athletics aid agreements to be issued during the temporary recruiting dead period in all sports, effective April 15, 2020.

**Bylaws:** Amend 13.9, as follows:

13.9 Letter-of-Intent Programs, Financial Aid Agreements.

[13.9.1 through 13.9.2 unchanged.]

13.9.3 Institutional or Conference Letter-of-Intent Programs. A member institution may participate in an institutional or conference athletics letter-of-intent program or issue an institutional or conference financial aid agreement during the National Letter of Intent (NLI) signing period; however, an institutional or conference letter of intent or financial aid agreement may not be issued prior to the initial NLI signing date for that sport. [D]

[13.9.3.1 through 13.9.3.2 unchanged.]

~~13.9.3.3 Prohibition on Athletics Aid Agreements During the Recruiting Dead Period in All Sports. An institutional or conference financial aid agreement may not be issued during the recruiting dead period in all sports (See Bylaw 13.17.5).~~

**Source:** Division II Administrative Committee

**Effective Date:** April 15, 2020

**Additional Information:**

As a result of the COVID-19 pandemic, the NCAA Board of Governors canceled all winter and spring 2020 NCAA championships and related events. Many Division II institutions implemented remote learning and canceled spring sport seasons. Additionally, numerous states implemented travel restrictions. The Division II Administrative Committee adopted a temporary recruiting dead period through at least April 15. Issuance of institutional aid agreements was also prohibited during the dead period. Permitting aid agreements to be issued effective April 15, 2020, will align with National Letter of Intent signing dates.

NO. NC-2021-14 PLAYING AND PRACTICE SEASONS -- TEAM SPORTS -- OUT-OF-SEASON ATHLETICALLY RELATED ACTIVITIES -- SUMMER PRACTICE -- VOLUNTARY WORKOUTS DURING THE SUMMER 2020 INSTITUTIONAL VACATION PERIOD

**Intent:** In team sports, to specify that a coach may participate in individual workout sessions with student-athletes from the coach's team during the summer 2020 institutional vacation period, provided such workouts are voluntary and the request for such assistance is initiated by the student-athlete.

**Bylaws:** Amend 17.1.6.3, as follows:

17.1.6.3 Weekly Hour Limitations -- Outside of Playing Season.

[17.1.6.3.1 through 17.1.6.3.4 unchanged.]

17.1.6.3.5 Institutional Vacation Period. A student-athlete may not participate in any countable athletically related activities outside the playing season during any institutional vacation period (e.g., summer, academic year).

[17.1.6.3.5.1 unchanged.]

**17.1.6.3.5.2 Exception -- Individual Sports. In individual sports, a student-athlete may participate in individual workout-sessions with a member of the coaching staff during any institutional vacation period and/or the summer, provided such workouts are voluntary and the request for such assistance is initiated by the student-athlete (See sport-specific Bylaw 17 legislation).**

**17.1.6.3.5.3 Exception -- Team Sports During the Summer 2020 Institutional Vacation Period. In team sports, a student-athlete may participate in individual workout-sessions with a member of the coaching staff during the summer 2020 institutional vacation period, provided such workouts are voluntary and the request for such assistance is initiated by the student-athlete.**

[17.1.6.3.6 unchanged.]

**Source:** Division II Administrative Committee

**Effective Date:** Immediate, for voluntary workouts in team sports during the summer 2020 institutional vacation period only.

**Additional Information:**

As a result of the COVID-19 pandemic, the NCAA Board of Governors canceled all winter and spring 2020 NCAA championships and related events. Many Division II institutions implemented remote learning and canceled spring sport seasons. Allowing student-athletes in team sports to request voluntary workouts with their coaches during the summer 2020 institutional vacation period will benefit student-athlete mental health and well-being as it will remove restrictions on what a student-athlete can discuss with a coaching staff member during this time. Any such activities must be requested by the student-athlete and not initiated by the coaching staff member. In-person workouts must adhere to applicable institutional, local, state and federal guidance for such activities. Such workouts are already permissible in individual sports.

NO. NC-2021-15	PLAYING AND PRACTICE SEASONS -- DIVISION II CHAMPIONSHIP SPORTS -- MAXIMUM LIMITATIONS - INSTITUTIONAL -- REDUCTIONS FOR THE 2020-21 ACADEMIC YEAR
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**Intent:** In Division II championship sports, to reduce the maximum number of contests and dates of competition for the 2020-21 academic year.

**A. Bylaws:** Amend 17.2.7, as follows:

**17.2.7 Number of Contests.**

**17.2.7.1 Maximum Limitations -- Institutional.** A member institution shall limit its total playing schedule with outside competition in baseball during the institution's baseball playing season to ~~50~~**40** contests (games and scrimmages), except for those contests excluded under Bylaws 17.2.7.3, 17.2.7.4 and 14.7.5.

[17.2.7.1.1 unchanged.]

**17.2.7.2 Maximum Limitations -- Student-Athlete.** An individual student-athlete may participate in each academic year in ~~50~~**40** baseball contests. This limitation includes those contests in which the student represents the institution in

accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.2.7.3 through 17.2.7.5 unchanged.]

**B. Bylaws:** Amend 17.3.6, as follows:

**17.3.6 Number of Contests.**

17.3.6.1 Maximum Limitations – Institutional. A member institution shall limit its total regular-season playing schedule with outside competition in basketball in any one year to 2622 contests (games or scrimmages), except for those contests excluded under Bylaws 17.3.6.3, 17.3.6.4, 17.3.6.5 and 17.3.6.6.

17.3.6.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate each academic year in not more than 2622 basketball contests. This limitation includes those contests in which the student-athlete represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution. Further, an individual student-athlete may participate each year in only one postseason basketball tournament as a member of the institution's varsity, junior varsity or freshman team.

17.3.6.3 Annual Exemptions. The following basketball contests each year may be exempted from an institution's maximum number of contests:

[17.3.6.3-(a) through 17.3.6.3-(f) unchanged.]

- (g) Tip-Off Classic. Games in the Division II Conference Commissioners Association's Tip-Off Classic (except for contests played during the 2020-21 academic year, which must be counted in the maximum limitation);

[17.3.6.3-(h) through 17.3.6.3-(i) unchanged.]

- (j) Conference Challenge Event. A maximum of two contests played as a part of a conference challenge event (except for contests played during the 2020-21 academic year, which must be counted in the maximum limitation) in which:

[17.3.6.3-(j)-(1) through 17.3.6.3-(j)-(2) unchanged.]

[17.3.6.4 through 17.3.6.6 unchanged.]

**C. Bylaws:** Amend 17.6.7, as follows:

**17.6.7 Number of Dates of Competition.**

17.6.7.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition during the institution's cross country playing season to seven~~six~~ dates of competition (games and scrimmages), except for those dates of competition excluded under Bylaws 17.6.7.3 and 17.6.7.4 (see Bylaw 20.10.3.3 for minimum contests and participants requirements).

[17.6.7.1.1 through 17.6.7.1.2 unchanged.]

17.6.7.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in seven~~six~~ cross country dates of competition. This limitation includes those dates of competition in which the

student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.6.7.2.1 unchanged.]

[17.6.7.3 through 17.6.7.4 unchanged.]

**D. Bylaws:** Amend 17.9.7, as follows:

**17.9.7 Number of Contests and Dates of Competition.**

17.9.7.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition during the institution's field hockey playing season in any one year to ~~18~~**14** contests during the segment in which the NCAA championship is conducted and five dates of competition during another segment, except for those contests or dates of competition excluded under Bylaws 17.9.7.3, 17.9.7.4 and 17.9.7.5.

[17.9.7.1.1 unchanged.]

17.9.7.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in not more than ~~18~~**14** field hockey contests during the segment in which the NCAA championship is conducted and five dates of competition in field hockey during another segment. This limitation includes those contests or dates of competition in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.9.7.3 through 17.9.7.5 unchanged.]

**E. Bylaws:** Amend 17.10.7, as follows:

**17.10.7 Number of Contests.**

17.10.7.1 Maximum Limitations – Institutional. A member institution shall limit its total regular-season playing schedule with outside competition during the permissible football playing season in any one year to ~~17~~**10** contests (games and scrimmages), except as provided for member institutions located in Alaska and Hawaii under Bylaw 17.28.2 and except as provided for all members under Bylaws 17.10.7.3 and 17.10.7.4.

[17.10.7.1.1 unchanged.]

17.10.7.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in not more than ~~17~~**10** football contests. This limitation includes those contests in which the student-athlete represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.10.7.3 through 17.10.7.4 unchanged.]

**F. Bylaws:** Amend 17.11.7, as follows:

**17.11.7 Number of Dates of Competition.**

17.11.7.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition during the permissible golf playing season to ~~24~~**16** dates of competition, except for those dates of



competition excluded under Bylaws 17.11.7.3, 17.11.7.4 and 17.11.7.5 (see Bylaw 20.10.3.3 for minimum contests and participants requirements).

[17.11.7.1.1 through 17.11.7.1.3 unchanged.]

17.11.7.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in ~~27~~**16** dates of competition in golf. This limitation includes those dates of competition in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.11.7.3 through 17.11.7.5 unchanged.]

**G. Bylaws:** Amend 17.14.7, as follows:

17.14.7 Number and Dates of Competition.

17.14.7.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition during the institution's lacrosse playing season to ~~17~~**13** dates of competition in men's lacrosse during the academic year and ~~17~~**13** dates of competition during the segment in which the NCAA championship is conducted and five dates of competition during another segment in women's lacrosse, except for those dates of competition excluded under Bylaws 17.14.7.3, 17.14.7.4 and 17.14.7.5.

[17.14.7.1.1 unchanged.]

17.14.7.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in not more than ~~17~~**13** dates of competition in men's lacrosse, and ~~17~~**13** dates of competition during the segment in which the NCAA championship is conducted and five dates of competition during another segment in women's lacrosse. This limitation includes those contests in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.14.7.3 through 17.14.7.5 unchanged.]

**H. Bylaws:** Amend 17.16.7, as follows:

17.16.7 Number of Dates of Competition.

17.16.7.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition in rowing during the institution's playing season to ~~20~~**14** dates of competition (games and scrimmages), except for those dates of competition excluded under Bylaws 17.16.7.3, 17.16.7.4 and 17.16.7.5.

[17.16.7.1.1 unchanged.]

17.16.7.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in ~~20~~**14** dates of competition. This limitation includes those dates of competition in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.16.7.3 through 17.16.7.5 unchanged.]

**I. Bylaws:** Amend 17.19.7, as follows:

17.19.7 Number of Contests and Dates of Competition.

17.19.7.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition during the institution's soccer playing season in any one year to ~~4814~~ contests during the segment in which the NCAA championship is conducted and five dates of competition during another segment, except for those contests and/or dates of competition excluded under Bylaws 17.19.7.3, 17.19.7.4 and 17.19.7.5.

[17.19.7.1.1 unchanged.]

17.19.7.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in not more than ~~4814~~ soccer contests during the segment in which the NCAA championship is conducted and five dates of competition in soccer during another segment. This limitation includes those contests in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.19.7.3 through 17.19.7.5 unchanged.]

**J. Bylaws:** Amend 17.20.7, as follows:

17.20.7 Number of Contests.

17.20.7.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition in softball during the institution's softball playing season to ~~5644~~ contests (games and scrimmages), except for those contests excluded under Bylaws 17.20.7.3, 17.20.7.4 and 17.20.7.5.

[17.20.7.1.1 unchanged.]

17.20.7.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in ~~5644~~ softball contests. This limitation includes those contests in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.20.7.3 through 17.20.7.5 unchanged.]

**K. Bylaws:** Amend 17.21.6, as follows:

17.21.6 Number of Dates of Competition.

17.21.6.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition in swimming and diving during the institution's swimming and diving playing season to ~~4612~~ dates of competition (games and scrimmages), except for those dates of competition excluded under Bylaws 17.21.6.3, 17.21.6.4 and 17.21.6.5 (see Bylaw 20.10.3.3 for minimum contests and participants requirements).

[17.21.6.1.1 unchanged.]

17.21.6.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in ~~4612~~ swimming and diving dates of competition. This limitation includes those dates of competition in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.21.6.3 through 17.21.6.5 unchanged.]

**L. Bylaws:** Amend 17.22.7, as follows:

17.22.7 Number of Dates of Competition.

17.22.7.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition during the permissible tennis playing season to ~~25~~**17** dates of competition (including not more than seven individual singles and/or doubles tournaments that are counted as single dates of competition), except for those dates of competition excluded under Bylaws 17.22.7.3, 17.22.7.4 and 17.22.7.5 (see Bylaw 20.10.3.3 for minimum contests and participants requirements).

[17.22.7.1.1 through 17.22.7.1.3 unchanged.]

17.22.7.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in ~~25~~**17** dates of competition (including not more than seven individual singles and/or doubles tournaments that are counted as a single date of competition). This limitation includes those contests in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.22.7.2.1 unchanged.]

[17.22.7.3 through 17.22.7.5 unchanged.]

**M. Bylaws:** Amend 17.23.6, as follows:

17.23.6 Number of Dates of Competition.

17.23.6.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition in indoor/outdoor track and field during the permissible indoor/outdoor track and field playing season to ~~78~~**14** dates of competition. These limitations do not include those dates of competition excluded under Bylaws 17.23.6.3, 17.23.6.4 and 17.23.6.5.

[17.23.6.1.1 through 17.23.6.1.2 unchanged.]

17.23.6.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in not more than ~~78~~**14** dates of competition in indoor/outdoor track and field, which may include not more than six two-day meets that shall each count as a single date. This limitation includes those contests in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.23.6.3 through 17.23.6.5 unchanged.]

**N. Bylaws:** Amend 17.25.2.7, as follows:

17.25.2.7 Number of Dates of Competition -- Women.

17.25.2.7.1 Maximum Limitations – Institutional – Women. A member institution shall limit its total playing schedule with outside competition during the institution's women's volleyball playing season to ~~26~~**20** dates of competition during the segment in which the NCAA championship is conducted and four during another segment, except for those dates of competition excluded under Bylaws 17.25.2.7.3, 17.25.2.7.4 and 17.25.2.7.5.

[17.25.2.7.1.1 unchanged.]

17.25.2.7.2 Maximum Limitations – Student-Athlete – Women. An individual student-athlete may participate each academic year in ~~26~~**20** dates of competition in women's volleyball during the segment in which the NCAA championship is conducted and four during another segment. This limitation includes those dates of competition in which the student-athlete represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.25.2.7.3 through 17.25.2.7.5 unchanged.]

**O. Bylaws:** Amend 17.27.6, as follows:

**17.27.6 Number of Dates of Competition.**

17.27.6.1 Maximum Limitations – Institutional. A member institution shall limit its total playing schedule with outside competition during the permissible wrestling playing season to ~~46~~**12** dates of competition, which may include not more than two two-day meets or not more than two occasions in which dual meets are held on two consecutive days that shall each count as a single date of competition, except for those dates of competition excluded under Bylaws 17.27.6.3, 17.27.6.4 and 17.27.6.5 (see Bylaw 20.10.3.3 for minimum contests and participants requirements).

[17.27.6.1.1 unchanged.]

17.27.6.2 Maximum Limitations – Student-Athlete. An individual student-athlete may participate in each academic year in not more than ~~46~~**12** dates of competition in wrestling, which may include not more than two two-day meets or not more than two occasions in which dual meets are held on two consecutive days that shall each count as a single date of competition. This limitation includes those dates of competition in which the student represents the institution in accordance with Bylaw 17.02.8, including competition as a member of the varsity, junior varsity or freshman team of the institution.

[17.27.6.3 through 17.27.6.5 unchanged.]

**Source:** NCAA Division II Presidents Council (Management Council).

**Effective Date:** Immediate, for the 2020-21 academic year only.

**Additional Information:**

Due to the impact of COVID-19, institutions and conferences are making decisions regarding scheduling and return to play for the 2020-21 academic year. Reducing the maximum number of contests and dates of competition for Division II championship sports, for the 2020-21 academic year only, will assist with institutional management of the financial impact of COVID-19, while still providing flexibility to institutions to provide student-athletes with a meaningful participation opportunity during the 2020-21 academic year. Feedback and recommendations from various committees within the Division II governance structure, as well as from Division II institutions and conference offices, supported reducing the maximum number of contests and dates of competition for Division II championship sports. Each sport's reduction to its maximums varies based on feedback from a survey that was distributed to all active Division II member institutions and conferences. No reductions will be implemented for maximums for National Collegiate Championship sports, emerging sports and Division II men's ice hockey for the 2020-21 academic year.

NO. NC-2021-16 DIVISION MEMBERSHIP -- MEMBERSHIP REQUIREMENTS --  
SPORTS SPONSORSHIP -- MINIMUM CONTESTS AND  
PARTICIPANTS REQUIREMENTS FOR SPORTS SPONSORSHIP --  
REDUCE CROSS COUNTRY MINIMUM CONTEST REQUIREMENT  
AND ELIMINATE ABILITY TO COUNT REGIONAL QUALIFYING  
MEETS TOWARD SPORTS SPONSORSHIP

**Intent:** In cross country, to eliminate the ability to count participation in regional qualifying meets in meeting the minimum-contest requirement for sports sponsorship; further, to reduce the number of minimum contests required for sports sponsorship from five to four.

**Bylaws:** Amend 20.10.3.3, as follows:

20.10.3.3 Minimum Contests and Participants Requirements for Sports Sponsorship. In each sport, the institution's team shall engage in at least a minimum number of intercollegiate contests (against four-year, degree-granting collegiate institutions) each year. In the individual sports and acrobatics and tumbling, the institution's team shall include a minimum number of participants in each contest that is counted toward meeting the minimum-contest requirement. The following minimums are applicable:

Team Sports	Minimum Contests	Minimum Participants	Individual Sports	Minimum Contests	Minimum Participants
Acrobatics and Tumbling	6	18	Women's Bowling	8	5
Baseball	24		Cross Country	<del>5</del> 4	5
Basketball	22		Equestrian	6	12
Beach Volleyball	8		Men's Fencing	6	5
Field Hockey	10		Women's Fencing	6	5
Football	8		Golf	6	5
Men's Ice Hockey	20		Men's Gymnastics	6	6
Women's Ice Hockey	20		Women's Gymnastics	6	5
Men's Lacrosse	8		Rifle	8	4
Women's Lacrosse	10		Skiing	5	5
Women's Rowing	6		Swimming and Diving	8	11
Women's Rugby	9		Tennis	10	5
Soccer	10		Track and Field, Indoor	4	10
Softball	24		Track and Field, Outdoor	4	14

Men's Volleyball	9	Men's Wrestling	9	6
Women's Volleyball	15	Women's Wrestling	9	6
Men's Water Polo	15	Women's Triathlon	4	3
Women's Water Polo	10			

[20.10.3.3.1 unchanged.]

~~20.10.3.3.2 Regional Cross Country Qualifying Meets. An institution may count participation in a regional cross country meet in meeting the minimum contest requirement, provided the institution meets the minimum participant requirement per Bylaw 20.10.3.3 and no qualifying standards exist for participation in the meet.~~

[20.10.3.3.2 through 20.10.3.3.11 renumbered as 20.10.3.3.1 through 20.10.3.3.10, unchanged.]

**Source:** NCAA Division II Management Council (Championships Committee).

**Effective Date:** August 1, 2021

**Additional Information:**

Current legislation provides cross country with an exception to count regional qualifying meets, which are NCAA postseason events, when calculating the minimum contest requirement for sport sponsorship. This allows for the possibility of an institution to participate in NCAA postseason while subsequently failing to meet sports sponsorship (e.g., a team enters the regional qualifying meet having already completed four events but fails to complete the race at regional qualifying). The proposed changes eliminate this possibility by requiring institutions to compete in four contests and meet sports sponsorship requirements before competing in any NCAA postseason event. This proposal also aligns cross country with indoor and outdoor track and field minimum contest requirements for sports sponsorship.

NO. NC-2021-17 AWARDS AND BENEFITS – EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- NONPERMISSIBLE -- TRAVEL EXPENSES DURING THE WINTER BREAK -- DE MINIMIS VIOLATIONS

**Intent:** To specify that travel expenses received by a student-athlete in conjunction with away-from-home competition during the winter break period shall be considered de minimis violations and do not impact a student-athlete's eligibility.

**Bylaws:** Amend 16.8, as follows:

16.8 Expenses Provided by the Institution for Practice and Competition.

[16.8.1 unchanged.]

16.8.2 Nonpermissible.

16.8.2.1 Travel Expenses During the Winter Break. An institution shall not provide travel expenses in conjunction with away-from-home competition during the winter break. The winter break shall be a seven-consecutive-calendar-day period from December 20 through December 26. When December 20 falls on a Friday, Saturday or Sunday, the winter break shall be a seven-consecutive-calendar-day

period that begins on the following Monday. When December 20 falls on a Monday, the winter break shall be a seven-consecutive-calendar-day period that begins on the following Tuesday. (See Figure 17-4.) [R] [D]

[16.8.2.1.1 unchanged.]

**Source:** NCAA Division II Management Council (Committee on Student-Athlete Reinstatement).

**Effective Date:** Immediate

**Additional Information:**

Current legislation requires a student-athlete to make restitution of the value of the impermissible travel expenses received in conjunction with away-from-home competition during the winter break period. However, similar violations of Bylaw 16.8.1 (permissible), where a student-athlete impermissibly receives actual and necessary expenses to represent an institution in competition, are de minimis and do not impact a student-athlete's eligibility or require that a student-athlete make restitution. The NCAA Division II Committee on Student-Athlete Reinstatement believes violations involving Bylaws 16.8.1 and 16.8.2.1 should be treated similarly since they involve the provision of institutionally issued competition related expenses during an impermissible time. The committee noted student-athletes have no culpability or responsibility for these violations given institutions are responsible for certifying that student-athletes are eligible to receive competition-related expenses, and requiring repayment would be overreaching. Finally, eliminating this requirement may reduce burden on compliance administrators as a student-athlete reinstatement request would no longer need to be filed for relief from repayment. This amendment would not eliminate the need to report an institutional violation.

**NO. NC-2021-18 RECRUITING -- RECRUITING CALENDARS -- ELIMINATION OF THE COVID-19 RECRUITING PERIODS IN ALL SPORTS**

**Intent:** To eliminate the March 13, 2020, through May 31, 2020, dead period and the June 1 through August 31, 2020, quiet period in all sports.

**Bylaws:** Amend 13.17, as follows:

13.17 Recruiting Calendars.

[13.17.1 through 13.17.4 unchanged.]

~~13.17.5 Dead Period for All Sports. The following dead periods apply to all sports:-~~

~~(a) March 13, 2020 through May 31, 2020.~~

~~13.17.6 Quiet Period in All Sports. The following quiet periods apply to all sports:~~

~~(a) June 1 through August 31, 2020.~~

**Source:** Division II Administrative Committee

**Effective Date:** September 1, 2020

**Additional Information:**

The Division II Administrative Committee voted to end the quiet period in all sports effective September 1, 2020. This action renders Bylaws 13.17.5 (dead period for all sports) and 13.17.6 (quiet period in all sports) unnecessary and, as such, this legislation can be removed from the Division II Manual.

NO. NC-2021-19 NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- COVID-19 LIABILITY WAIVERS

**Intent:** To prohibit an institution from requiring student-athletes to waive their legal rights regarding COVID-19 as a condition of athletics participation.

**Constitution:** Amend 3.3.4, as follows:

3.3.4 Conditions and Obligations of Membership.

[3.3.4.1 through 3.3.4.24 unchanged.]

**3.3.4.25 COVID-19 Liability Waivers. An institution shall not require student-athletes to waive their legal rights regarding COVID-19 as a condition of athletics participation.**

**Source:** NCAA Division II Presidents Council [Management Council (Administrative Committee)].

**Effective Date:** Immediate (applies retroactively), for the 2020-21 academic year only.

**Additional Information:**

During its August 4 meeting, the NCAA Board of Governors issued several directives related to the conduct of fall 2020 sports in the areas of health and safety, student-athlete well-being and the status of fall championships that needed to be addressed by the governance structure in each division. The Board of Governors directives specified that, while statements of personal commitment to health and safety are acceptable, member schools may not require student-athletes to waive their legal rights regarding COVID-19 as a condition of athletics participation. The intent of this directive is to avoid the type of broad, advance waivers requiring release from COVID-19 liability as a requirement to participate in athletics. The Board of Governors noted a distinction between a broad release and a pledge document requiring student-athletes to abide by virus mitigation measures.

NO. NC-2021-20 NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- COVID-19 RELATED HEALTH COSTS

**Intent:** To specify that, prior to a student-athlete participating in fall 2020 term competition (e.g., championship segment or nonchampionship segment competition; scrimmages combining teams from two different institutions; and practices combining teams from two different institutions), the institution shall: (1) Provide information on the waivers and legislative changes approved by Division II for student-athletes due to the impact of COVID-19 (e.g., accommodations for student-athletes who opt out, season-of-competition waivers); (2) Review the institution's institutional insurance coverage with student-athletes who plan to compete in the fall 2020 term and advise student-athletes to review their own existing coverage; (3) Inform student-athletes of the risk classification of their sports according to the NCAA Resocialization of Sport: Developing Standards for Practice and Competition; and (4) Provide information about how the institution is complying with the NCAA Resocialization of Sport: Developing Standards for Practice and Competition.

**Constitution:** Amend 3.3.4, as follows:

3.3.4 Conditions and Obligations of Membership.

[3.3.4.1 through 3.3.4.25 unchanged.]



**3.3.4.26 COVID-19 Health Costs. Prior to a student-athlete participating in fall 2020 term competition (e.g., championship segment or nonchampionship segment competition; scrimmages combining teams from two different institutions; and practices combining teams from two different institutions), the institution shall:**

- (a) Provide information on the waivers and legislative changes approved by Division II for student-athletes due to the impact of COVID-19 (e.g., accommodations for student-athletes who opt out, season-of-competition waivers);**
- (b) Review insurance coverage with student-athletes who compete in the fall 2020 term and provide student-athletes with information about the institution's coverage and advise student-athletes to review their own existing coverage;**
- (c) Inform student-athletes of the risk classification of their sports according to the NCAA Resocialization of Sport: Developing Standards for Practice and Competition; and**
- (d) Provide information about how the institution is complying with the NCAA Resocialization of Sport: Developing Standards for Practice and Competition.**

**Source:** NCAA Division II Presidents Council [Management Council (Administrative Committee)].

**Effective Date:** Immediate

**Additional Information:**

During its August 4 meeting, the NCAA Board of Governors issued several directives related to the conduct of fall 2020 sports in the areas of health and safety, student-athlete well-being and the status of fall championships that needed to be addressed by the governance structure in each division. The Board of Governors directives specified that the divisions must develop rules pertaining to COVID-19 related health costs. This proposal ensures that each student-athlete is able to make an informed decision regarding participation in competition in the fall 2020 term.

NO. NC-2021-21 FINANCIAL AID – TERMS AND CONDITIONS OF AWARING ATHLETICS AID – REDUCTION AND CANCELLATION DURING PERIOD OF AWARD – REDUCTION OR CANCELLATION NOT PERMITTED – COVID-19 OPT OUT BY OCTOBER 1, 2020

**Intent:** To prohibit an institution from reducing or cancelling athletics aid for a student-athlete who, by October 1, 2020, chooses to opt out of countable athletically related activities during the 2020-21 academic year due to concerns about contracting COVID-19; further, to clarify that a student-athlete's decision to opt out of participation by October 1 2020, does not constitute a voluntary withdrawal from the team.

**Bylaws:** Amend 15.5.4, as follows:

15.5.4 Reduction and Cancellation during Period of Award.

15.5.4.1 Reduction or Cancellation Permitted. Athletics aid may be reduced or canceled during the period of the award, if the recipient:

[15.5.4.1-(a) through 15.5.4.1-(c) unchanged.]

- (d) Voluntarily withdraws from a sport at any time for personal reasons; however, the recipient's athletics aid may not be awarded to another student-athlete in the term in which the aid was reduced or canceled. Further, if the athletics aid is canceled before a regular academic term (e.g., preseason practice period), the aid may not be provided to another student-athlete during the ensuing academic term.**[See Bylaw 15.5.4.3-(c) for a student-athlete who opts out of countable athletically related activities by October 1, 2020, due to concerns about contracting COVID-19].**

[15.5.4.1.1 through 15.5.4.1.3 unchanged.]

[15.5.4.2 unchanged.]

15.5.4.3 Reduction or Cancellation Not Permitted. Athletics aid may not be decreased or canceled during the period of its award:

[15.5.4.3-(a) unchanged.]

- (b) Because of an injury, illness or physical or mental medical condition (except as permitted pursuant to Bylaw 15.5.4.1); ~~or~~

- (c) Because a student-athlete, by October 1, 2020, chooses to opt out of countable athletically related activities during the 2020-21 academic year due to concerns about contracting COVID-19; or**

[15.5.4.3-(c) relettered as 15.5.4.3-(d), unchanged.]

[15.5.4.3.1 through 15.5.4.3.3 unchanged.]

**Source:** NCAA Division II Presidents Council [Management Council (Administrative Committee)].

**Effective Date:** Immediate (applies retroactively), for any athletics aid agreements signed for the 2020-21 academic year only.

**Additional Information:**

During its August 4 meeting, the NCAA Board of Governors issued several directives related to the conduct of fall 2020 sports in the areas of health and safety, student-athlete well-being and the status of fall championships that needed to be addressed by the governance structure in each division. The Board of Governors directives specified that all student-athletes must be provided an opportunity to opt out of participation due to concerns about contracting COVID-19, and if a student-athlete chooses to opt out, the individual's athletics scholarship commitment must be honored. The Board of Governors' directive only applies to a student-athlete who opts out of countable athletically related activities due to COVID-19 concerns. An institution may still require a student-athlete receiving athletics aid who opts out of CARA to participate in noncountable activities such as study hall or medical treatments. Financial aid may also be canceled or reduced for non-COVID-19 reasons in accordance with other NCAA Bylaw 15 provisions.

## Appendix D

# Convention Voting Procedures

The following terms and procedures involved in voting at NCAA Conventions have been reviewed by the Association's parliamentarian.

## Significant Terms

1. **Vote Announcement** - After a paddle, roll-call or secret ballot vote, the chair announces the vote and states whether the motion passed or failed.
2. **Retake a Vote** - A retake occurs when a paddle vote is taken again or when a paddle vote is counted. A retake may occur before the statement of the next question. After the statement of the next question, a motion to reconsider must be used to retake a vote. During a retake, voters may change their votes and new eligible voters may participate. A retake motion would be considered dilatory and, therefore, denied after a roll-call vote and out of order after a secret-ballot vote unless it is clear that the question was misunderstood or that fraud had occurred.
3. **Change a Vote** - In a paddle vote, a vote may be changed if a retake occurs or by rising for that purpose before the result is announced by the chair. After the announcement of the vote, but before the next question is stated, a change may be made only by permission of the assembly by a majority vote after a nondebatable motion. In a roll-call vote, a change may occur before closing the polls or the polls may be reopened to change a vote before the statement of the next question. In a secret-ballot vote, no change may be made once the ballot is cast. After the statement of the next question following a roll-call vote and after a vote is cast in a secret ballot, a vote change can occur only through a successful motion to reconsider.
4. **Recount a Vote** - This applies only to a secret-ballot vote. The ballots simply are counted again as cast and can be ordered only by a majority vote of the assembly.
5. **Closing the Polls** - For roll-call and secret-ballot votes, the polls are opened when the chair calls for the vote. When the chair has ascertained that all who so desire have voted or have changed their votes, the chair will state that the polls are closed. If there is disagreement on closing the polls, they may be closed by a two-thirds vote on a nondebatable motion to do so. Once the polls are closed, the polls may be reopened before the statement of the next question by majority vote on a nondebatable motion to do so. Once the polls are closed, however, the chair will move to the next item on the agenda.
6. **Statement of Next Question** - When a new motion is made and seconded, the chair will announce that "The motion before you is.... Is there any discussion?" This is the statement of the next question and ends the opportunity to retake a vote or reopen the polls in regard to the preceding question.
7. **Reconsideration** - After the statement of the next question, only one motion to reconsider any foregoing question may be made before adjournment of the Convention by any member that voted on the prevailing side in the original consideration. Reconsideration of a vote taken in a division or subdivision business session must occur in that division's or subdivision's business

session, except that such reconsideration also may occur during a designated period at the beginning of the general business session.

## Voting Procedures

### 1. Paddle Voting

- a. The chair calls for a vote by paddles, and determines the result by sound or sight from the dais.
- b. The chair may retake the vote if there is doubt.
- c. The chair must have the vote counted if requested by a voting delegate. The chair also may choose to retake a paddle vote and have it counted by hand or by the wireless voting system.
- d. During a retake, new voters may participate or votes may be changed. Vote changes also may occur before the result is announced by the chair.
- e. A retake will not be permitted after the next question has been stated. A request to retake a counted vote will be regarded as dilatory by the chair and will not be allowed.

### 2. Roll-Call Voting (by Wireless Voting System)

- a. A roll-call vote may be designated by the Presidents Council or ordered by a majority of the voters, following a nondebatable motion to vote in that manner. If both a secret-ballot and a roll-call vote are moved, the assembly votes first on whether or not to vote by roll call. A motion to conduct a secret ballot on an issue designated for roll call by the Presidents Councils will be considered out of order.
- b. Once ordered, the chair shall call for a roll-call vote by use of wireless voting system.
- c. The chair shall determine if everyone who wishes to has voted, or if anyone wishes to change a vote. When it appears that all ballots have been cast, the chair shall state that polls are closed.
- d. The chair will move to the next available item on the agenda while votes are being tallied. No new votes, changes or corrections to the prior question are permitted unless the polls are reopened, and such a motion will be out of order after the next question is stated by the chair. Once the new question is stated by the chair, the only way to return to any foregoing question is by reconsideration, and only one motion for reconsideration of a given item is permitted.
- e. Abstentions will not be counted in the determination of a majority.

### 3. Ballot Voting (Secret Ballot)

- a. A secret ballot may be ordered by the assembly before, during or after any ordinary vote (but before the next question is stated) by a majority vote on a nondebatable motion to do so.
- b. Once ordered, the chair shall ask for the vote by wireless voting system. Votes will be tallied electronically, but only a summary printout of results will be reported.
- c. After the chair determines that all who wish to vote have voted, the polls shall be closed. A vote change shall not be permitted once the vote is cast.
- d. The chair will move to the next available item on the agenda while votes are being tallied. Once the next question is stated by the chair, the polls may not be reopened for a new vote on the prior issue.
- e. Abstentions will not be counted in the total for determination of a majority.

NCAA Governance Structure

Board of Governors

Chair - John DeGioia

Div.	Name, Institution	Conference	Term Exp.
FBS	Rebecca Blank, University of Wisconsin-Madison	Big Ten Conference	August 2024
FBS	Philip DiStefano, University of Colorado, Boulder	Pac-12	August 2021
FBS	Burns Hargis, Oklahoma State University	Big 12	August 2021
FBS	Renu Khator, University of Houston	American Athletic Conference	August 2023
FBS	Jere Morehead, University of Georgia	Southeastern Conference	August 2024
FBS	Denise Trauth, Texas State University	Sun Belt	August 2021
FBS	Satish Tripathi, University at Buffalo, the State University of New York	Mid-American Conference	August 2021
FBS	Randy Woodson, North Carolina State University	Atlantic Coast	August 2023
FCS	Rita Hartung Cheng, Northern Arizona University	Big Sky Conference	August 2023
FCS	David Wilson, Morgan State University	Mid-Eastern Athletic Conference	August 2023
DI	John DeGioia, Georgetown University	Big East	August 2022
DI	James Harris, University of San Diego	West Coast Conference	August 2023
DII	Allison Garrett J.D., Emporia State University	Mid-America Intercollegiate Athletics Association	January 2021
DII	Sandra Jordan, University of South Carolina Aiken	Peach Belt	January 2021
DIII	Tori Murden McClure, Spalding University	St. Louis Intercollegiate Athletic	January 2021
DIII	Fayneese Miller, Hamline University	Minnesota Intercollegiate Athletic Conference	January 2021

Ex officio	Heather Benning, Midwest Conference	Midwest Conference	January 2021
Ex officio	M. Grace Calhoun, University of Pennsylvania	The Ivy League	June 2021
Ex officio	Christopher Graham, Rocky Mountain Athletic Conference	Rocky Mountain Athletic Conference	January 2021
Independent	Ken Chenault, General Catalyst		August 2021
Independent	Mary Sue Coleman, Association of American Universities		August 2021
Independent	Robert Gates, Former Secretary of Defense		August 2023
Independent	Grant Hill, CBS/Warner Media and Atlanta Hawks		August 2022
Independent	Vivek Murthy, 19th Surgeon General of the United States		August 2021

*NCAA Staff Liaisons:*

Donald Remy, Chief Operating Officer and Chief Legal Officer

Jackie Campbell, Managing Director of Law, Policy and Governance

## Division II Presidents Council

Chair - Sandra Jordan

<b>Name, Institution</b>	<b>Term Exp.</b>
M. Christopher Brown II, Kentucky State University	January 2025
Carlos Campo, Ashland University	January 2026
Fr. John Denning, Stonehill College	January 2022
Michael A. Driscoll, Indiana University of Pennsylvania	January 2024
Rex Fuller, Western Oregon University	January 2024
Allison Garrett, Emporia State University	January 2023
John Y. Gotanda, Hawaii Pacific University	January 2026
Gayle E. Hutchinson, California State University, Chico	January 2023
Sandra Jordan, University of South Carolina Aiken	January 2023
T. Dwayne McCay, Florida Institute of Technology	January 2026
Bruce McLarty, Harding University	January 2025
Colleen Perry Keith, Goldey-Beacom College	January 2026
Donna Price-Henry, The University of Virginia's College at Wise	January 2026
Elwood Robinson, Winston-Salem State University	January 2022
Steven Shirley, Minot State University	January 2025
William Thierfelder, Belmont Abbey College	January 2024

### *NCAA Staff Liaisons:*

Terri M. Steeb Gronau, Vice President for Division II

Maritza S. Jones, Managing Director of Division II

Stephanie Quigg, Director of Academic and Membership Affairs

Angela Red, Associate Director of Academic and Membership Affairs

Karen Wolf, Associate Director of Academic and Membership Affairs

Markie Cook, Assistant Director of Research for Division II

Jill Waddell, Executive Assistant for Division II

## Division II Management Council

Chair - Christopher Graham

<b>Name, Institution</b>	<b>Term Exp.</b>
Brenda Cates, University of Mount Olive	January 2024
Jessica Chapin, American International College	January 2021
Teresa Clark, Cedarville University	January 2022
Laura L. Clayton Eady, University of West Georgia	January 2023
Mark A. Corino, Caldwell University	January 2024
J. Lin Dawson, Clark Atlanta University	January 2022
Robert Dranoff, East Coast Conference	January 2022
Amy Foster, Seattle Pacific University	January 2022
Marty Gilbert, Mars Hill University	January 2023
Christopher Graham, Rocky Mountain Athletic Conference	January 2021
Amy Henkelman, Dominican University of California	January 2025
Felicia Johnson, Virginia Union University	January 2021
Jim Johnson, Pittsburg State University	January 2022
Kristi Kiefer, Fairmont State University	January 2024
Braydon Kubat, University of Minnesota Duluth	January 2022
David B. Kuhlmeier, Valdosta State University	January 2023
Courtney Lovely Evans, Palm Beach Atlantic University	January 2022
David Marsh, Northwood University	January 2023
Madeleine McKenna, California University of Pennsylvania	January 2022
Carrie Michaels, Shippensburg University of Pennsylvania	January 2024
Doug Peters, Minnesota State University Moorhead	January 2024
Julie Rochester, Northern Michigan University	January 2022
Judy Sackfield, Texas A&M University-Commerce	January 2023
Harry Stinson III, Lincoln University (Pennsylvania)	January 2025
Christie Ward, Georgia Southwestern State University	January 2023
Jeff Williams, East Central University	January 2024
Steven Winter, Sonoma State University	January 2023
Jerry Wollmering, Truman State University	January 2024

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2021 NCAA CONVENTION – DIVISION II BUSINESS SESSION

Official Notice No. (SPOPL No.)	Title	Effective Date	Presidents Council Position (Source)	Speaker (Back-Up)	Topical Grouping	Type of Vote	FARA Position	SAAC Position	Notes
	APPROVAL OF THE OFFICIAL NOTICE			Graham		Roll Call			
2021-1 (2-1)	VARIOUS BYLAWS -- STUDENT-ATHLETE USE OF NAME, IMAGE AND LIKENESS	August 1, 2021	NCAA Division II Presidents Council [Management Council (Legislation Committee)]	Speaker 1: Robinson Speaker 2: Larson (Cates)	Name, Image and Likeness	Roll Call	Support	Support	
2021-2 (2-2)	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS AND TWO-YEAR COLLEGE TRANSFERS -- ELIMINATION OF NONQUALIFIER QUALIFICATION STATUS -- ACCESS TO ATHLETICS AID AND PRACTICE FOR ALL INCOMING STUDENT-ATHLETES	August 1, 2021	NCAA Division II Presidents Council [Management Council (Academic Requirements Committee)]	Hutchinson (F. Johnson)	Eligibility	Roll Call	Support	Support	
2021-3 (2-3)	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS AND TWO-YEAR COLLEGE TRANSFERS -- NONQUALIFIERS -- ACCESS TO ATHLETICS AID	August 1, 2021	NCAA Division II Presidents Council [Management Council (Academic Requirements Committee)]	Driscoll (Peters)	Eligibility	Roll Call	Support	Support	<i>If Proposal No. 2021-2 is adopted, this proposal is rendered moot and will not be voted on by the membership.</i>



**NCAA Division II**  
**Presidents Council Chair Position**

With the retirement of Sandra Jordan, the Presidents Council will need to elect a new chair to replace Chancellor Jordan at its January 12 meeting.

Listed below are the duties and responsibilities of the Division II Presidents Council chair:

1. Serve as a spokesperson for Division II;
2. Preside at Presidents Council meetings;
3. Preside at the Division II business session at the annual Convention;
4. Serve as a member of the Association's Board of Governors;
5. Serve as chair of the Division II Administrative Committee; and
6. Serve as an ex officio, nonvoting member of the Division II Planning and Finance Committee.

The elected individual will take office July 1, 2021, and the term will expire at conclusion of the 2022 NCAA Convention.

President Allison Garrett, Emporia State University, has been nominated to serve as chair through the conclusion of the 2022 NCAA Convention. She would be eligible for re-election following the 2022 Convention.



**Division II Presidents Council**  
**January 2021 Election for January 2021 through January 2027 Term of Office**

## Region 2 Nominees

[illegible]



# Trends in Academic Success Rates and Federal Graduation Rates at NCAA Division II Schools

DII Presidents Council – January 2021

# Federal Graduation Rate (FGR)

- ▶ Includes only students who enrolled full time for the first time in the first term of the requested academic year.
- ▶ Student-athletes must have received an athletics grant-in-aid of any amount during that year (i.e., first-term scholarship freshmen).
- ▶ Must include even if the student-athlete quit the team at any point.
- ▶ Graduation status recorded six years after enrollment.
- ▶ Those who leave school in good academic standing are counted as nongraduates.

# Academic Success Rate (ASR)

- ▶ Graduation metric developed by NCAA.
- ▶ Calculated for student-athletes only.
- ▶ Considered more accurate than FGR because it includes federal cohort and:
  - ▶ Transfers into school;
  - ▶ Midyear enrollees;
  - ▶ Nonscholarship freshmen.
- ▶ Removes student-athletes who leave school while eligible to compete.
- ▶ Graduation status recorded six years after initial collegiate enrollment.

# Rate Calculations

## Federal

- First-time fall freshmen  
(on athletics aid)



$$\frac{\text{Graduates}}{\text{Cohort} - \text{Exclusions}^*}$$

## ASR

- First-time fall freshmen  
on athletics aid
- *Transfers*
- *Midyear enrollees*
- *Nonscholarship SAs*



$$\frac{\text{Graduates}}{\text{Cohort} - \text{Exclusions}^* - \text{Left Eligible}}$$

\* Exclusions include death, permanent disability, church mission, and military or foreign service.

Note: Both rates use a six-year window from initial collegiate enrollment.



# Comparison of ASR and Federal Graduation Rate Cohorts

(2017-20 Reporting Years)

	Federal Rate	ASR
Enrolled (Under Federal Definition)	73,312	73,312
Enrolled as Freshman in January	0	1,470
Two-Year College Transfers	0	18,551
Four-Year College Transfers	0	15,127
Nonscholarship Athletes	0	32,033
Total Enrolled	73,312	140,493 (+92%)
Allowable Exclusions (Death, Military, Church Mission, etc.)	101	279
Left Eligible	0	34,321
Participants on Teams No Longer Sponsored by School (non-Fed.)	0	1,761
Total Denominator	73,211	104,132 (+42%)

# Average Division II Federal Rates vs. ASRs

## 2017-20 Four-Year Rate

(2010-13 Cohorts)

	Student Body	Student-Athletes	
	Federal Rate	Federal Rate	ASR
<b>Div. II Overall</b>	51% <b>+1</b>	59% <b>+1</b>	74% <b>+1</b>
<b>Div. II Men</b>	46%	52% <b>+2</b>	66% <b>+1</b>
<b>Div. II Women</b>	54%	68% <b>+1</b>	87% <b>+1</b>

Note: Numbers in **red** are percentage changes from 2016-19

# Average Division II Federal Rates vs. ASRs

## 2020 Single-Year Rate

(2013 Cohort)

	Student Body	Student-Athletes	
	Federal Rate	Federal Rate	ASR
<b>Div. II Overall</b>	53% <b>+1</b>	62% <b>+1</b>	77% <b>+2</b>
<b>Div. II Men</b>	48% <b>+1</b>	54%	69% <b>+2</b>
<b>Div. II Women</b>	56% <b>+1</b>	70% <b>+1</b>	88% <b>+1</b>

Note: Numbers in **red** are percentage changes from 2019

# **Trends in Academic Success Rates**

# Notes About ASR Trends

- ▶ The 2013 reporting cycle (seven years ago) was the first year FGR/ASR data could be imported from the Division II Academic Tracking System (ATS).
- ▶ These were data for the 2006 cohort.
- ▶ Under this process, student-athletes who were not marked as graduates in the ATS were imported as nongraduates; user action was required to change this.
- ▶ Records imported from the ATS were much more likely to count as non-graduates and less likely to be marked as “left eligible” than records entered via other methods.
- ▶ It is very likely that ASRs were artificially low in 2013 (2006 cohort) due to lack of understanding about the new process.

# ASR Trends for Division II Men's Sports

Four-Class Averages by Reporting Year\*

SPORT	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2020 N
Baseball	68%	69%	70%	69%	69%	70%	70%	71%	72%	73%	74%	75%	11,951
Basketball	58%	59%	60%	58%	58%	58%	58%	58%	59%	59%	61%	63%	6,149
Cross Country/Track	71%	72%	72%	72%	70%	70%	70%	71%	72%	72%	72%	72%	7,788
Fencing	77%	71%	76%	71%	85%	100%	97%	90%	88%	79%	74%	76%	17
Football	53%	54%	54%	54%	53%	53%	53%	51%	51%	51%	52%	54%	20,487
Golf	70%	72%	74%	73%	73%	74%	75%	76%	77%	78%	79%	80%	2,344
Ice Hockey	75%	78%	78%	77%	77%	79%	81%	83%	85%	84%	86%	88%	374
Lacrosse	75%	77%	76%	76%	74%	74%	74%	70%	71%	70%	70%	73%	2,100
Rifle (Mixed M/W)	88%	100%	88%	82%	83%	83%	83%	78%	71%	63%	69%	76%	33
Skiing	85%	88%	87%	86%	88%	89%	89%	93%	92%	95%	95%	91%	47
Soccer	68%	70%	71%	72%	72%	72%	71%	72%	73%	72%	74%	75%	6,556
Swimming	76%	74%	76%	75%	75%	77%	77%	77%	78%	78%	78%	79%	1,501
Tennis	77%	79%	79%	78%	78%	79%	81%	81%	82%	82%	82%	82%	1,469
Volleyball	68%	66%	71%	72%	71%	70%	70%	71%	76%	75%	78%	75%	276
Water Polo	72%	78%	77%	77%	80%	75%	80%	79%	76%	75%	69%	69%	114
Wrestling	58%	57%	60%	57%	54%	55%	54%	54%	55%	54%	55%	56%	2,097

\* 2020 reporting year represents 2010-13 cohorts; 2019 represents 2009-12 cohorts, etc.

# ASR Trends for Division II Women's Sports

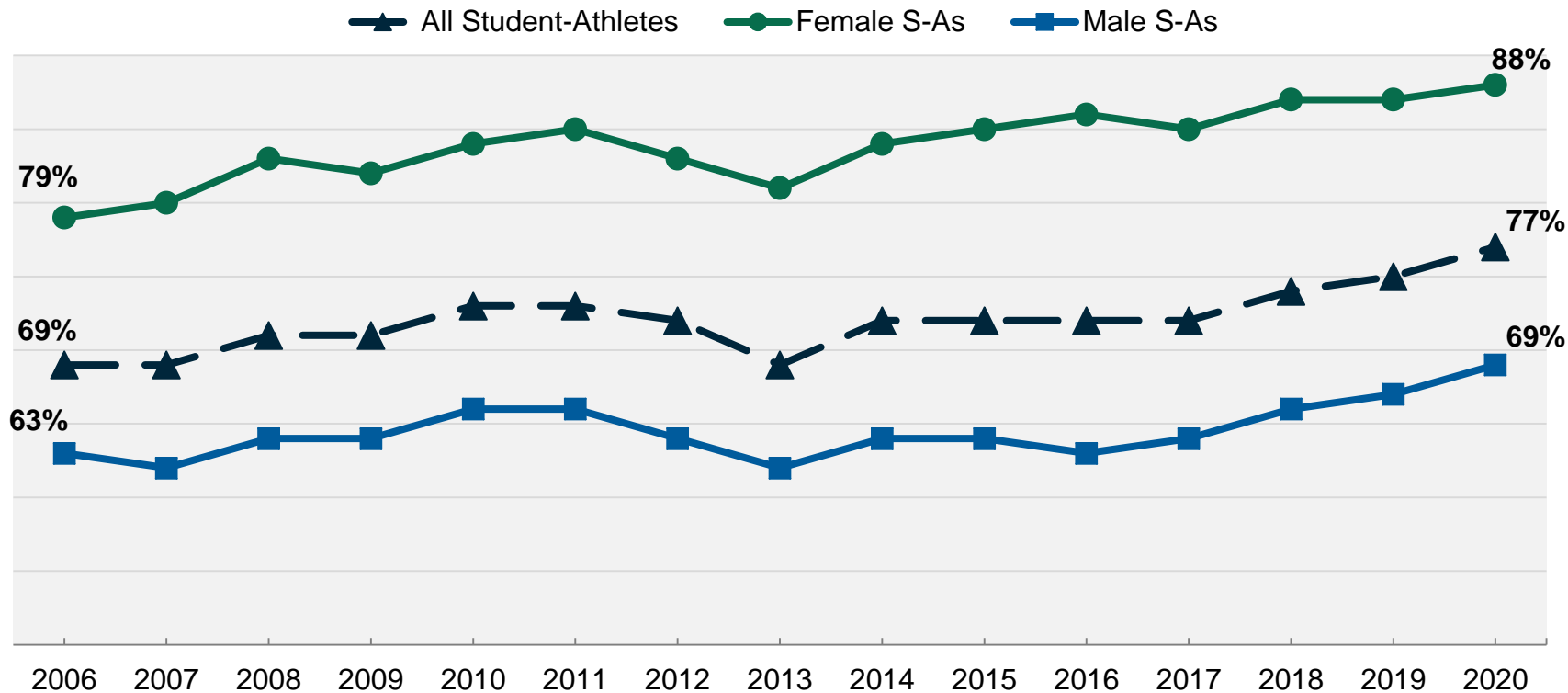
Four-Class Averages by Reporting Year\*

SPORT	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2020 N
Basketball	75%	77%	79%	79%	78%	78%	77%	78%	79%	80%	81%	81%	5,513
Bowling	63%	91%	88%	85%	79%	79%	82%	79%	82%	83%	83%	84%	148
Crew	87%	88%	89%	89%	89%	88%	88%	89%	89%	90%	91%	89%	529
Cross Country/Track	81%	82%	84%	83%	81%	81%	82%	83%	85%	85%	86%	85%	7,740
Fencing	96%	96%	83%	81%	74%	73%	75%	78%	84%	85%	97%	89%	9
Field Hockey	91%	92%	92%	93%	94%	95%	94%	94%	93%	93%	93%	94%	618
Golf	82%	83%	84%	85%	85%	85%	85%	86%	86%	87%	89%	89%	1,400
Gymnastics	80%	89%	86%	85%	87%	89%	93%	93%	93%	94%	95%	96%	134
Ice Hockey	80%	82%	82%	83%	84%	83%	85%	87%	88%	90%	92%	93%	171
Lacrosse	89%	90%	90%	90%	90%	91%	91%	91%	89%	91%	91%	91%	1,799
Skiing	83%	84%	84%	82%	84%	91%	94%	90%	88%	89%	87%	88%	52
Soccer	81%	82%	84%	82%	83%	84%	84%	86%	86%	86%	87%	88%	7,262
Softball	80%	81%	82%	81%	81%	81%	82%	82%	83%	84%	85%	87%	6,412
Swimming	85%	87%	88%	87%	85%	86%	87%	89%	89%	90%	91%	91%	1,789
Tennis	83%	86%	86%	86%	86%	87%	88%	89%	90%	90%	90%	91%	1,895
Volleyball	79%	80%	82%	82%	84%	85%	85%	86%	87%	87%	88%	88%	4,859
Water Polo	88%	89%	91%	86%	86%	88%	87%	88%	87%	85%	84%	86%	201

\* 2020 reporting year represents 2010-13 cohorts; 2019 represents 2009-12 cohorts, etc.

# Single-Year Division II Academic Success Rates

Overall and by Gender

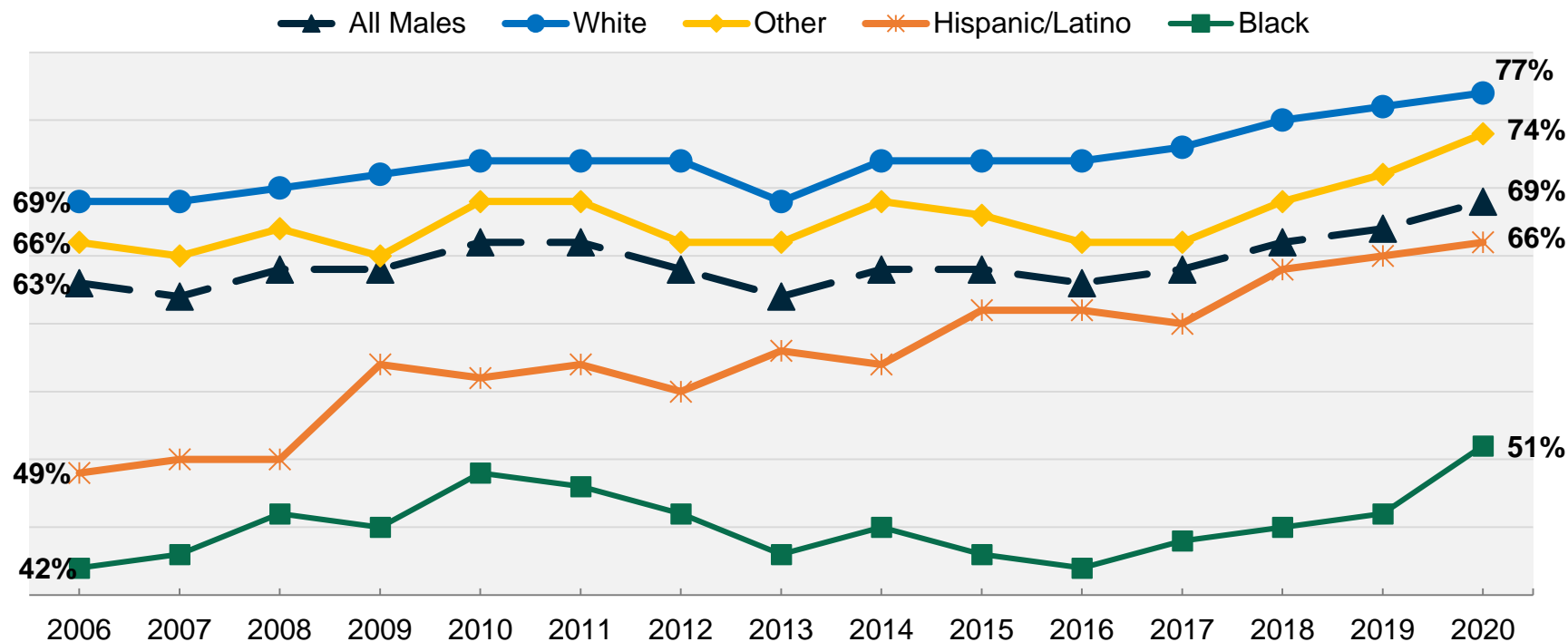


\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.



# Single-Year Division II Academic Success Rates for Male Student-Athletes

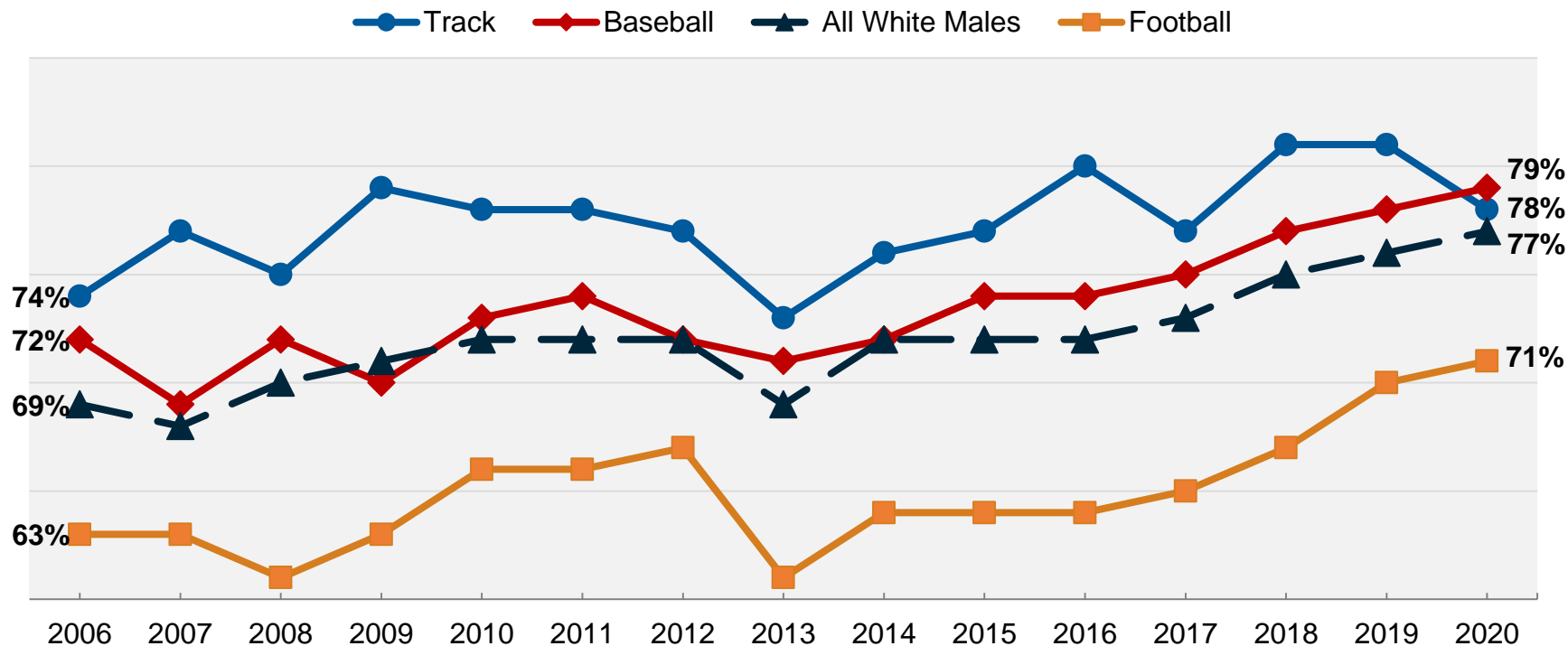
By Race/Ethnicity



\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.

# Single-Year Division II Academic Success Rates for White Male Student-Athletes

By Sport

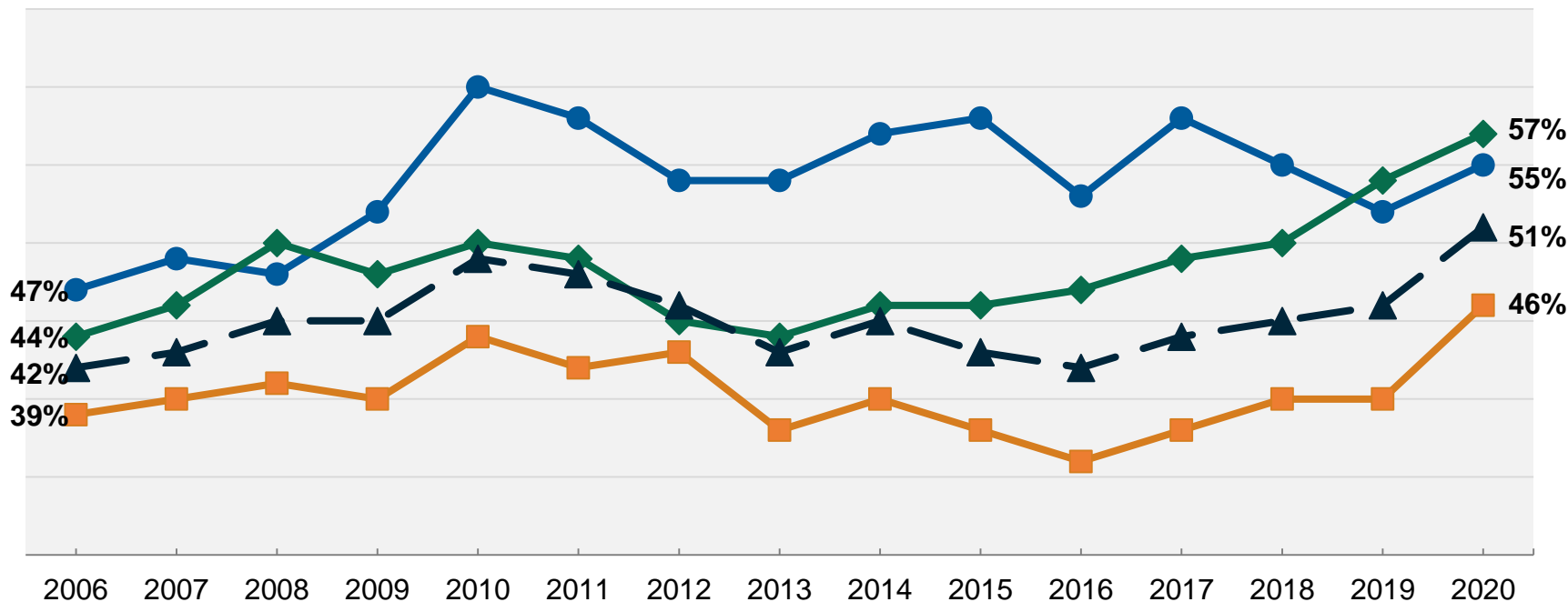


\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.

# Single-Year Division II Academic Success Rates for Black Male Student-Athletes

By Sport

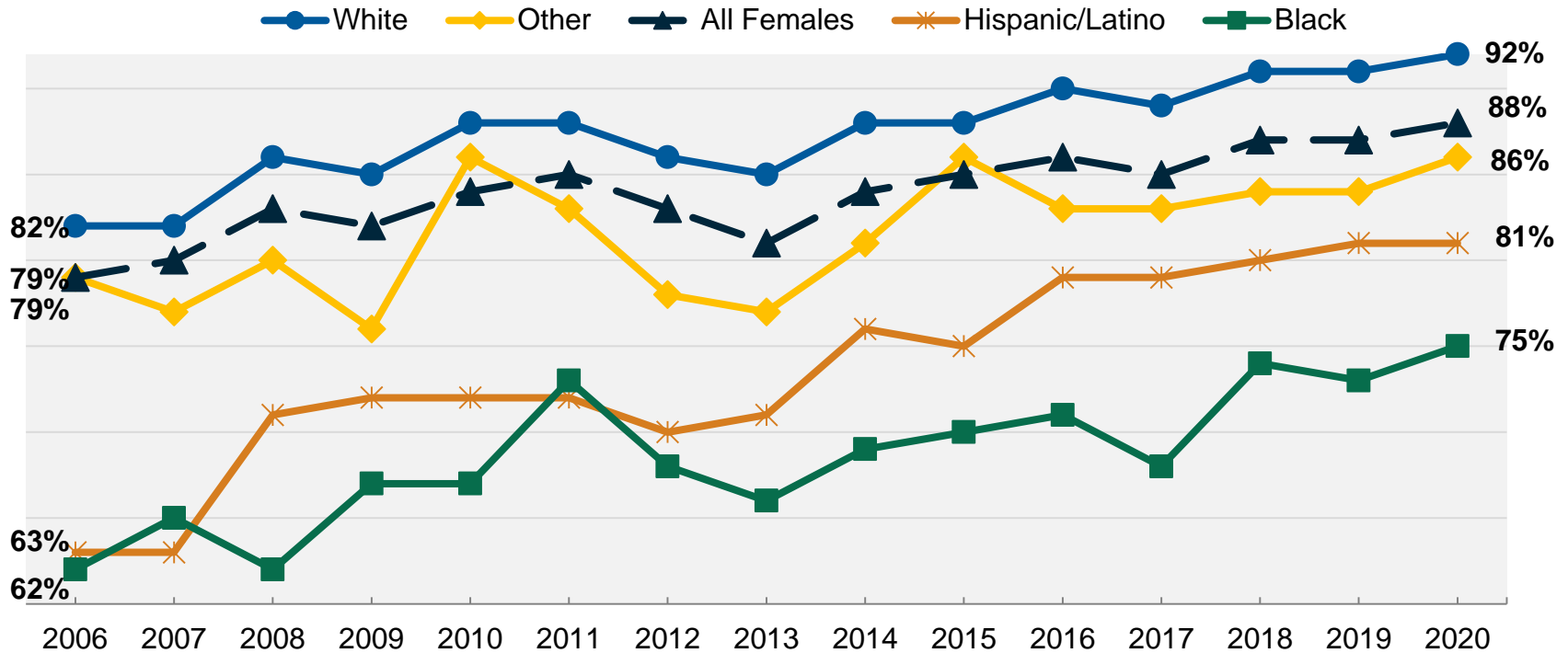
Track Basketball All Black Males Football



\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.

# Single-Year Division II Academic Success Rates for Female Student-Athletes

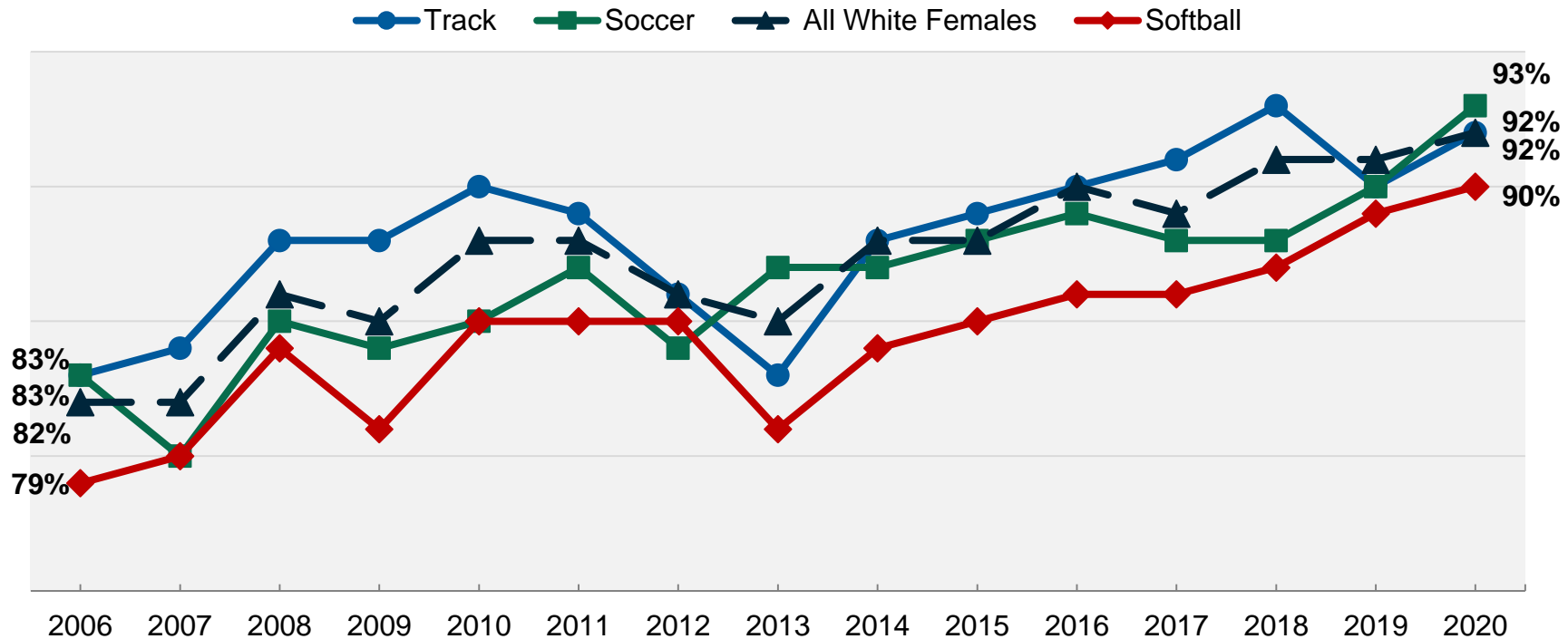
By Race/Ethnicity



\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.

# Single-Year Division II Academic Success Rates for White Female Student-Athletes

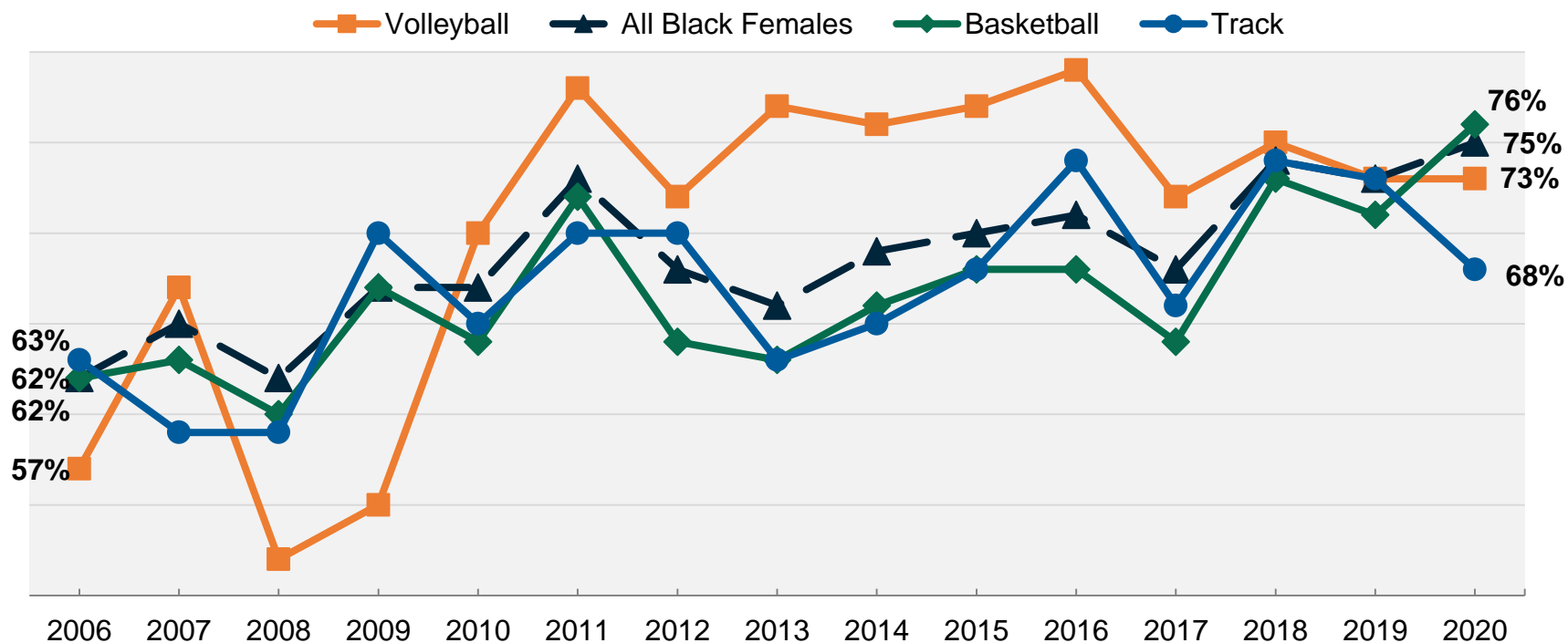
By Sport



\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.

# Single-Year Division II Academic Success Rates for Black Female Student-Athletes

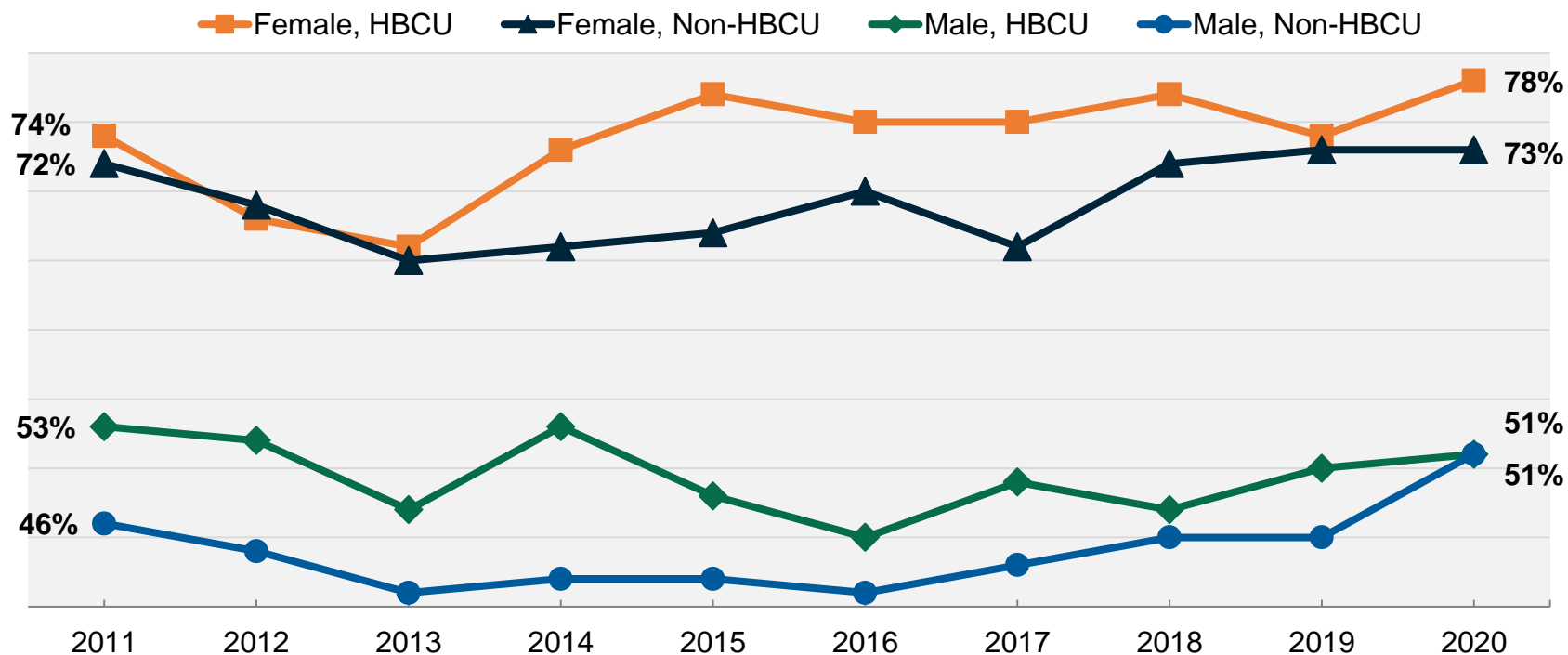
By Sport



\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.

# Single-Year Division II Academic Success Rates for Black Student-Athletes

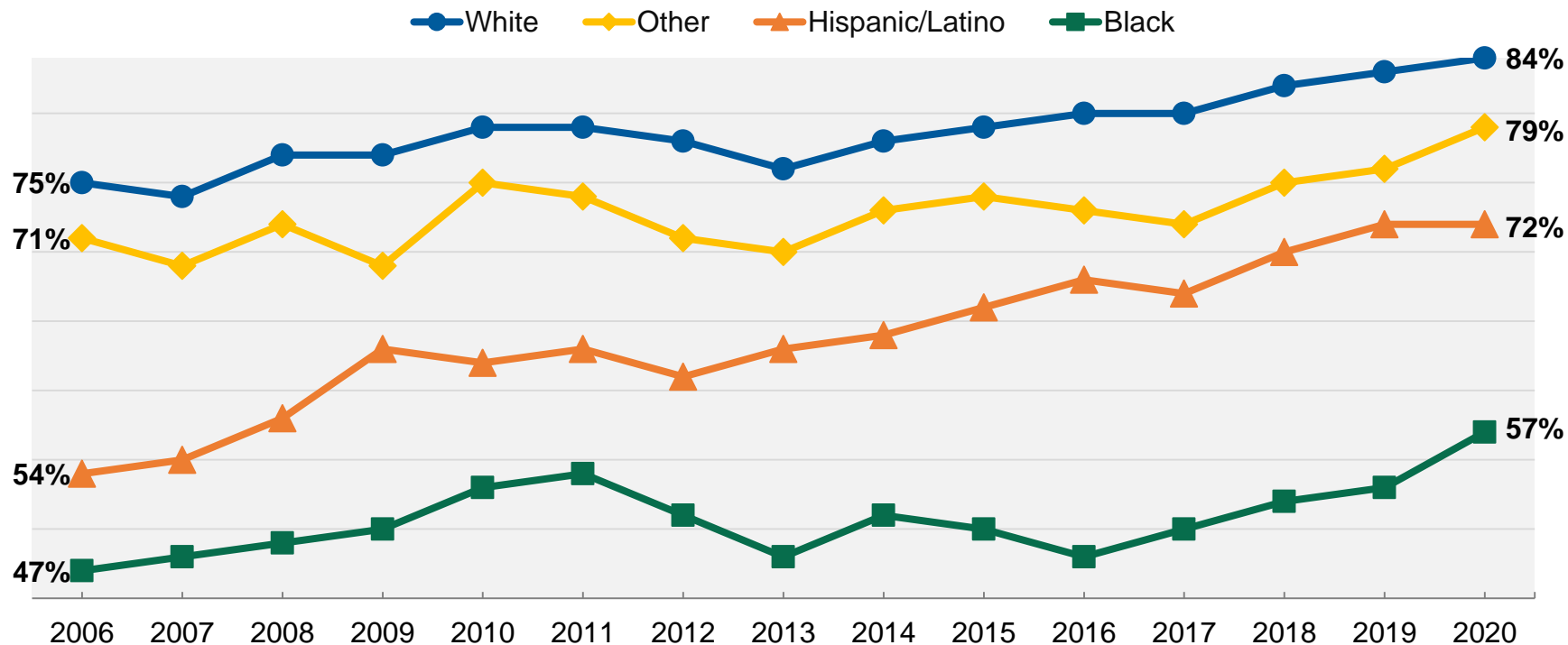
By Gender and HBCU Status



\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.

# Single-Year Division II Academic Success Rates

By Race/Ethnicity

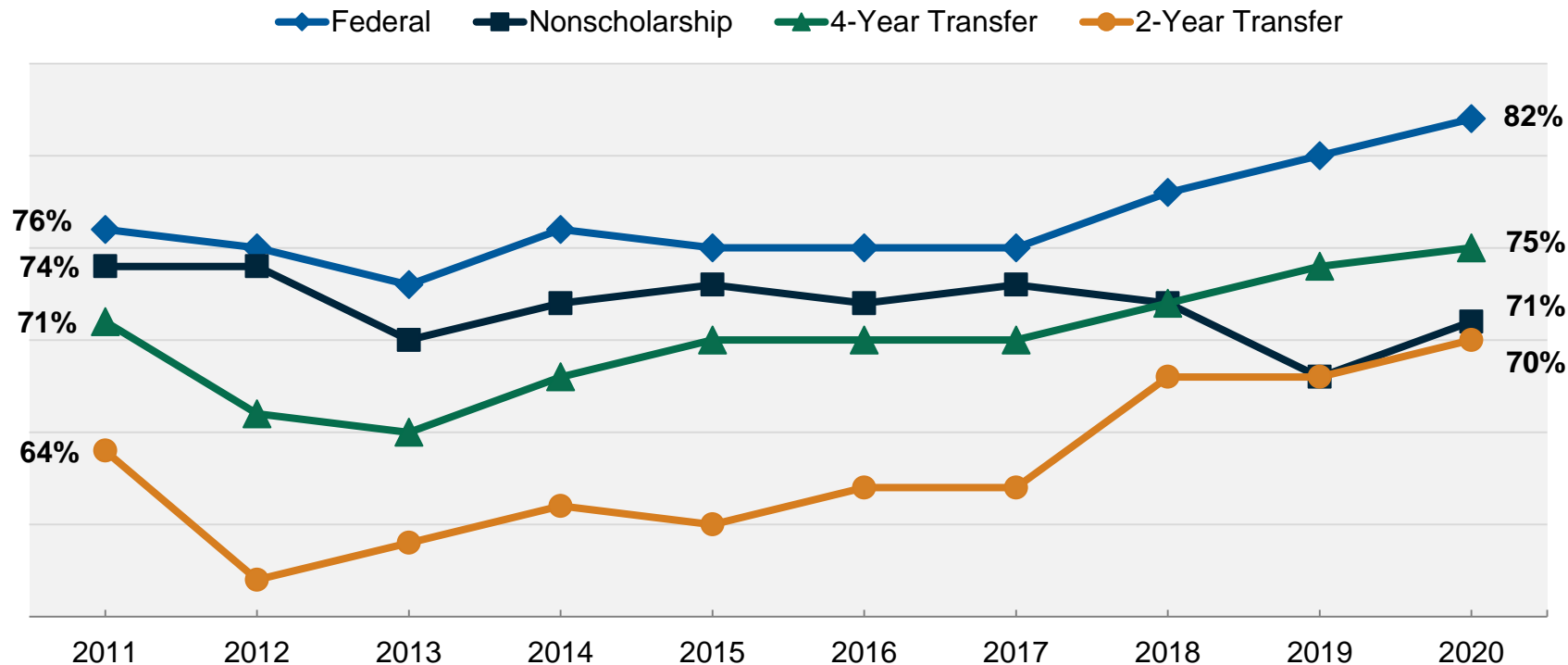


\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.



# Single-Year Division II Academic Success Rates

By Student Type



\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.

# **Trends in Federal Graduation Rates**

# Federal Graduation Rate Trends for Div. II Men's Sports

Four-Class Averages by Reporting Year\*

SPORT	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2020 N
Baseball	51%	51%	52%	51%	50%	50%	51%	51%	51%	53%	54%	56%	5,982
Basketball	46%	46%	46%	44%	44%	45%	45%	46%	46%	46%	48%	49%	3,396
Cross Country/Track	55%	55%	53%	53%	52%	53%	54%	55%	55%	56%	57%	57%	5,385
Fencing	50%	50%	50%	50%	67%	90%	89%	82%	82%	77%	69%	63%	8
Football	43%	43%	43%	42%	41%	41%	41%	40%	40%	41%	42%	44%	14,303
Golf	55%	55%	56%	56%	56%	56%	56%	55%	56%	57%	57%	59%	1,895
Ice Hockey	51%	51%	50%	50%	53%	57%	64%	66%	67%	69%	69%	70%	311
Lacrosse	59%	57%	56%	57%	54%	53%	54%	51%	51%	53%	52%	54%	1,351
Rifle (Mixed M/W)	50%	100%	50%	58%	78%	72%	77%	68%	62%	71%	72%	75%	65
Skiing	47%	46%	42%	43%	52%	59%	57%	58%	54%	62%	67%	70%	43
Soccer	50%	51%	52%	52%	53%	53%	52%	53%	53%	52%	54%	55%	4,167
Swimming	60%	57%	60%	59%	60%	61%	61%	61%	61%	62%	64%	64%	1,017
Tennis	60%	60%	59%	56%	55%	57%	58%	60%	62%	63%	63%	64%	1,112
Volleyball	42%	40%	40%	46%	54%	54%	56%	54%	56%	54%	56%	53%	210
Water Polo	58%	61%	54%	53%	53%	50%	53%	57%	58%	65%	60%	55%	76
Wrestling	50%	48%	48%	45%	40%	40%	39%	40%	42%	43%	46%	49%	1,385

\* 2020 reporting year represents 2010-13 cohorts; 2019 represents 2009-12 cohorts, etc.

# Federal Graduation Rate Trends for Div. II Women's Sports

## Four-Class Averages by Reporting Year\*

SPORT	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2020 N
Basketball	60%	60%	61%	60%	59%	60%	58%	58%	58%	60%	61%	62%	4,010
Bowling	69%	83%	76%	59%	61%	62%	63%	61%	58%	56%	57%	62%	145
Crew	50%	53%	55%	63%	64%	69%	72%	72%	73%	75%	77%	71%	375
Cross Country/Track	64%	65%	66%	66%	64%	63%	64%	65%	67%	68%	69%	70%	5,942
Fencing	100%	100%	100%	100%	100%	100%	87%	91%	94%	94%	100%	100%	11
Field Hockey	80%	77%	79%	75%	77%	78%	78%	76%	74%	72%	74%	78%	473
Golf	64%	64%	65%	66%	65%	63%	64%	64%	66%	67%	68%	69%	1,272
Gymnastics	63%	62%	53%	51%	58%	66%	71%	74%	72%	74%	80%	80%	92
Ice Hockey	65%	64%	59%	60%	65%	66%	70%	74%	75%	79%	76%	78%	125
Lacrosse	79%	76%	76%	74%	72%	74%	72%	71%	70%	70%	71%	72%	1,515
Skiing	54%	57%	60%	57%	66%	77%	77%	78%	76%	74%	76%	76%	42
Soccer	64%	63%	63%	62%	62%	63%	64%	65%	66%	66%	67%	68%	6,021
Softball	63%	63%	62%	61%	61%	61%	61%	62%	62%	63%	64%	66%	4,977
Swimming	73%	74%	74%	72%	69%	70%	70%	72%	73%	73%	75%	75%	1,359
Tennis	65%	67%	66%	67%	68%	68%	69%	68%	69%	69%	69%	70%	1,513
Volleyball	61%	62%	62%	62%	64%	65%	65%	65%	64%	64%	66%	66%	4,221
Water Polo	52%	67%	67%	57%	54%	65%	64%	68%	70%	69%	75%	73%	135

\* 2020 reporting year represents 2010-13 cohorts; 2019 represents 2009-12 cohorts, etc.

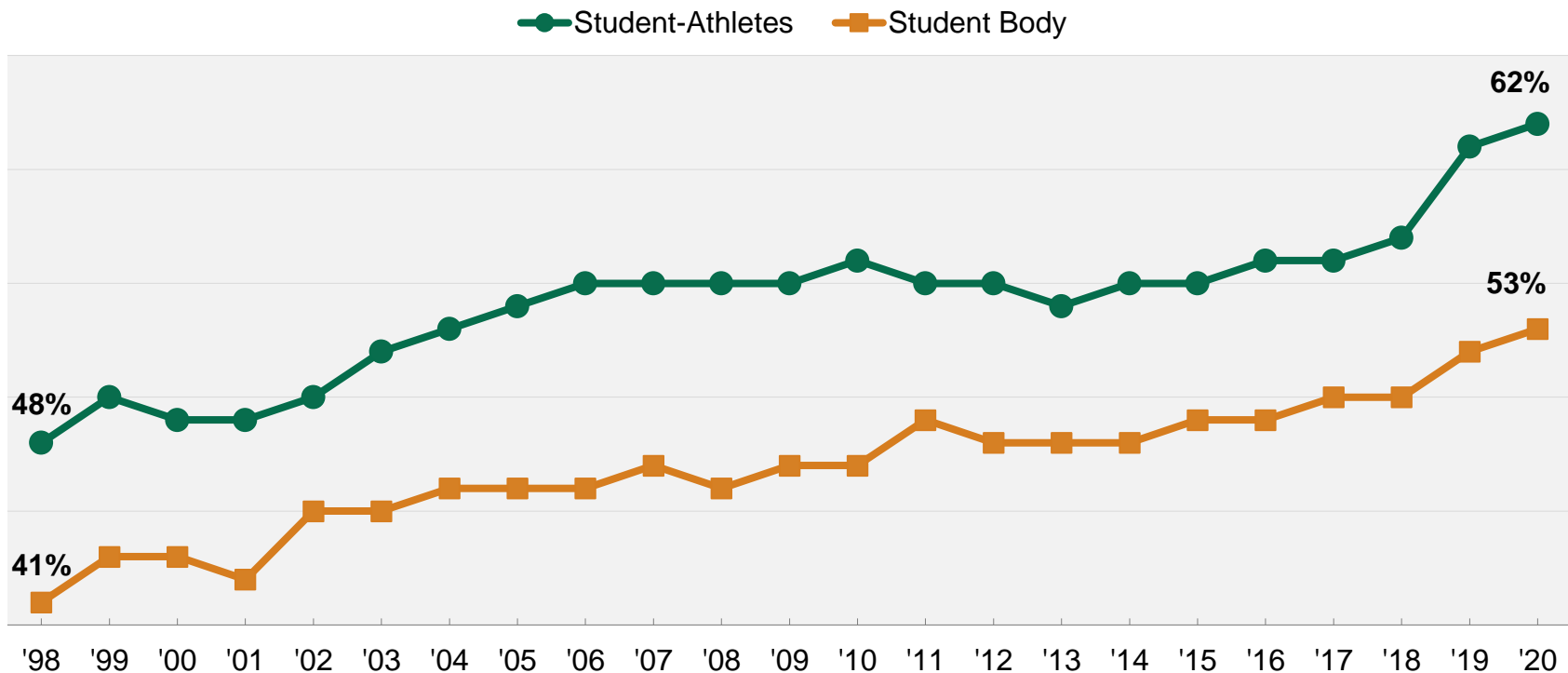
# Comparison of Federal Graduation Rates Between Scholarship Student-Athletes and Student Body

For Select Groups in 2020

	Student-Athletes	Student Body
Overall	62% +1	53% +1
Men	54%	48% +1
Women	70% +1	56% +1
White	66%	57% +1
Black	45% +1	37% +2
White Males	60%	52% +1
Black Males	40% +1	31% +2
White Females	73% +1	61% +2
Black Females	58% -1	41% +1

Notes: 2013 freshman cohorts; numbers in red are percentage changes from 2012

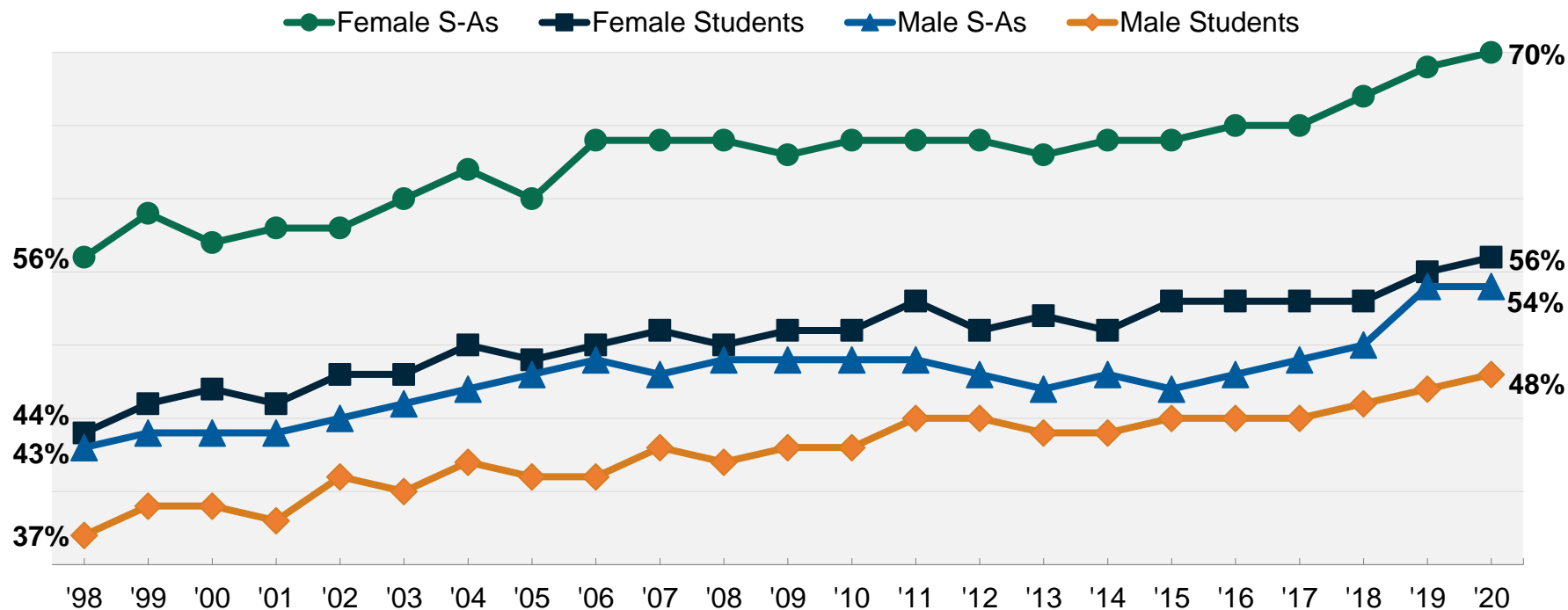
# Federal Graduation Rates of Scholarship Student-Athletes versus All Students at Division II Schools



\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.

# Federal Graduation Rates of Division II Scholarship Student-Athletes versus Division II Student Body

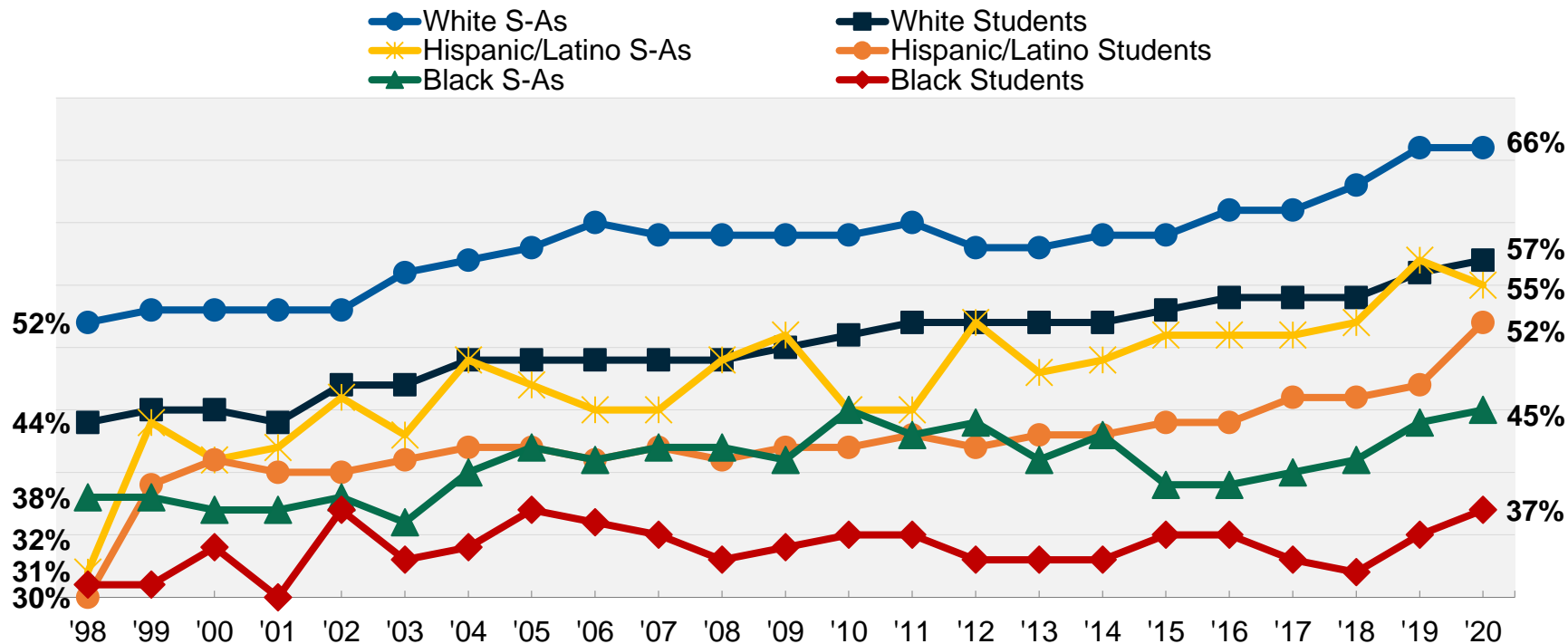
by Gender



\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.

# Federal Graduation Rates of Division II Scholarship Student-Athletes versus Division II Student Body

by Race/Ethnicity



\* 2020 reporting year represents 2013-14 cohort; 2019 represents 2012-13 cohort, etc.





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REPORT OF THE  
NCAA DIVISION II ENFORCEMENT AND INFRACTIONS TASK FORCE  
OCTOBER 30, 2020, VIDEOCONFERENCE

**ACTION ITEMS.**

- None.

**INFORMATIONAL ITEMS.**

1. **Welcome and Announcements.** The chair convened the virtual meeting, welcoming the task force and staff.
2. **September 21, 2020, Videoconference Report.** The task force approved the report from its September videoconference, as presented.
3. **Areas and Phases for the Review.** The task force was provided an overview of the areas and phases for this review. Phase One included the review of tools to facilitate cooperation with the enforcement staff during an investigation, the type of information the Committee on Infractions may rely on in decision-making, and a negotiated resolution process to resolve infractions cases. Phase Two encompasses review of the violation structure, the penalty structure and committee composition. Phase Three incorporates the review of other elements of the investigative, hearing and appeals processes, principles related to accountability and shared responsibility, and the mission of the infractions process. The task force was also provided an overview of the Phase One proposals that were recommended for the 2022 NCAA Convention.
4. **Phase Two Discussion.**
  - a. **Violation Structure.** The task force continued to discuss the differences between the Division I three-level violation structure and the Division II major/secondary violation structure. The task force noted that the Division I three-level structure was put in place to distinguish the most severe major infractions from the lesser ones, and noted that the more severe violations in Division I (e.g., unethical conduct and lack of institutional control) were occurring at more than twice the frequency than today in Division II. In addition, the task force noted that a change may not encourage more self-reporting or reduce violations in Division II. Further, the task force noted that the major-secondary structure generally promotes agreement between parties regarding violations. There is less agreement in a three-level structure, which could slow down case processing because the parties spend more time on determining the appropriate level. Finally, the task force noted that moving to a three-level structure would likely result in more cases, which would consume additional time and resources for the Division II Committee on Infractions and membership. The task force agreed that the current major/secondary structure is appropriate for Division II and is not recommending any changes at this time.

- b. Penalty Structure.** The task force continued its discussion of the penalty structure in Division I, which includes required core penalties. In prescribing core penalties, the Division I Committee on Infractions assesses aggravating and mitigating circumstances by weight and number to classify violations by each party as aggravated, mitigated or standard. Although Division II currently does not have required core penalties, it was noted that penalties available for major infractions are generally consistent with the core and additional penalties available in Division I. Likewise, the bylaws also provide the Division II COI the authority to consider mitigating and other factors in prescribing penalties without having to formally classify violations. The task force noted that the overarching reasons for changing the Division I structure in 2012 (i.e., concern that the penalties were not strong enough to deter violations) do not exist today in Division II. In addition, the Division II membership and those who have participated in the infractions process have not expressed any concerns with the current structure. The task force also noted that penalty guidelines will not give the Division II COI as much discretion and flexibility to tailor penalties to violations as the Division II COI has under the current penalty structure. Further, the task force noted that using aggravating and mitigating factors to classify violations as aggravated, mitigated or standard could complicate case resolution, resulting in more time spent by the parties on identifying aggravating and mitigating factors and the COI in determining which factors apply. Finally, the task force noted that, under a structure that uses aggravating and mitigating factors to classify violations, parties may be more inclined to request expedited penalty hearings in summary disposition cases or appeal decisions based on how the Division II COI weighed aggravating and mitigating factors to classify the violations. The task force agreed that the current penalty structure in Division II is appropriate and is not recommending any changes.

- 5. Future Meetings.** The task force was reminded that its next videoconference is scheduled for 11 a.m. to 1 p.m. Eastern time December 3.

<b>NCAA Division II Enforcement and Infractions Task Force October 30, 2020, Videoconference</b>	
<b>Attendees:</b>	
Doug Blais, Southern New Hampshire University.	
Dixie Cirillo, Colorado School of Mines.	
Allison Garrett, Emporia State University.	
Dan Mara, Central Atlantic Collegiate Conference.	
Kim Pate, Lenoir-Rhyne University.	
Carol Rivera, California Collegiate Athletic Association.	
Eric Schoh, Winona State University	

<b>Attendees:</b>
Harry Stinson III, Lincoln University (Pennsylvania)
Christie Ward, Georgia Southwestern State University
Payton Williams, Azusa Pacific University.
Cherrie Wilmoth, Southeastern Oklahoma State University
<b>Absentees:</b>
M. Christopher Brown II, Kentucky State University.
Jim Johnson, Pittsburg State University.
Julie Rochester, Northern Michigan University.
<b>Guests in Attendance:</b>
None.
<b>NCAA Staff Support in Attendance:</b>
Terri Steeb Gronau and Maritza Jones.
<b>Other NCAA Staff Members in Attendance:</b>
Ken Kleppel, Laura Wurtz McNab, Heather McVeigh, Naima Stevenson, Joyce Thompson-Mills, Jill Waddell and Karen Wolf.



**REPORT OF THE  
NCAA DIVISION II ENFORCEMENT AND INFRACTIONS TASK FORCE  
DECEMBER 3, 2020, VIDEOCONFERENCE**

**ACTION ITEMS.**

- **None.**

**INFORMATIONAL ITEMS.**

- 1. Welcome and Announcements.** The chair convened the virtual meeting, welcoming the task force and staff.
- 2. October 30, 2020, Videoconference Report.** The task force approved the report from its October videoconference, as presented.
- 3. Areas and Phases for the Review.** The task force was provided an overview of the areas and phases for this review. Phase One included the review of tools to facilitate cooperation with the enforcement staff during an investigation, the type of information the Committee on Infractions may rely on in decision-making, and a negotiated resolution process to resolve infractions cases. Phase Two encompasses the review of the violation structure, the penalty structure, and committee composition. Phase Three incorporates the review of other elements of the investigative, hearing and appeals processes, principles related to accountability and shared responsibility, and the mission of the infractions process. The task force was also provided an overview of the Phase One proposals that were recommended for the 2022 NCAA Convention.
- 4. Phase Two Discussion – NCAA Division II Committee on Infractions and NCAA Division II Infractions Appeals Committee Composition.** The task force reviewed the current structures of the Division II Committee on Infractions and Infractions Appeals Committee. The task force also reviewed the recent expansion of the Division I structure to include hearing panels of the Committee on Infractions to efficiently resolve cases due to the increase in volume. It was noted that the legislation regarding the Division I Committee on Infractions composition has specific categories of individuals that may serve, while the committee composition legislation for the Division II Committee on Infractions and Infractions Appeals Committee provides flexibility for any category of member to serve. The task force agreed that the current committee composition structure for both the Committee on Infractions and Infractions Appeals Committee in Division II is appropriate and is not recommending any changes.
- 5. Phase Three Discussion.**
  - a. Mission of the Infractions Program.** The task force was provided an overview of the Division II mission of the infractions program and the changes made to the Division I mission statement after the Division I Enforcement Working Group

review. The task force agreed that the Division II mission statement should be updated to reflect that eliminating violations is not a realistic expectation, and that there should be transparency in the infractions process. In addition, the task force agreed that self-reporting violations should be encouraged. The task force will review language developed by the staff at a future meeting for consideration.

- b. Principles of Accountability and Shared Responsibility.** The task force reviewed the Enforcement Working Group's recommendations of the legislated principles of accountability and shared responsibility as adopted by the Division I membership.

(1) **Accountability.** The task force agreed to codify language in the NCAA Manual regarding the principle of accountability stating that the infractions programs hold institutions, coaches, administrators and student-athletes who violate NCAA legislation accountable for their conduct, both at the individual and institution levels. The task force will review language developed by the staff at a future meeting.

(2) **Shared Responsibility.** The task force is supportive of adding a principle of shared responsibility to the legislation to clarify that institutions (not just athletics departments) have: (1) an affirmative obligation to monitor and control their programs, boosters and student-athletes; and (2) are required to report all instances of noncompliance to the NCAA in a timely manner. The task force will review language developed by the staff at a future meeting.

- c. Investigative and Hearing Processes.** The task force began a review of the investigative and hearing processes due to changes implemented by Division I as a result of the Enforcement Working Group review.

(1) **Public Disclosure About A Pending Case During Investigation.** The task force agreed that an institution, enforcement staff and involved individuals should be able to confirm, correct or deny information made public during an investigation. The task force will review language developed by the staff at a future meeting.

(2) **Presence of Institutional Representative During Interviews.** The task force agreed that institutional representatives may be permitted to be present for interviews that do not involve the institution the staff member is employed at or the student-athlete is enrolled at. This presence could occur if the subject matter to be discussed in the interview would not reasonably affect the student-athlete's eligibility or the staff member's employment at that institution and the institutional representative's presence would not

compromise the integrity of the investigation. The task force will review language developed by the staff at a future meeting.

6. **Next Steps.** The task force will continue to discuss Phase Three topics at its next meeting and potentially make recommendations to amend the legislation, as necessary.
7. **Future Meetings.** The task force agreed to participate in a videoconference in February 2021. An availability request for the meeting will be sent to members before the holiday break.

*Task Force Chair: Allison Garrett, Emporia State University*  
*Staff Liaisons: Terri Steeb Gronau, Division II Governance*  
*Maritza Jones, Division II Governance*

NCAA Division II Enforcement and Infractions Task Force December 3, 2020, Videoconference	
<b>Attendees:</b>	
Doug Blais, Southern New Hampshire University.	
Dixie Cirillo, Colorado School of Mines.	
Allison Garrett, Emporia State University.	
Jim Johnson, Pittsburg State University.	
Dan Mara, Central Atlantic Collegiate Conference.	
Kim Pate, Lenoir-Rhyne University.	
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<b>Absentees:</b>	
M. Christopher Brown II, Kentucky State University.	
Julie Rochester, Northern Michigan University.	
Payton Williams, Azusa Pacific University.	
<b>Guests in Attendance:</b>	
None.	
<b>NCAA Staff Support in Attendance:</b>	
Terri Steeb Gronau and Maritza Jones.	
<b>Other NCAA Staff Members in Attendance:</b>	
Laura Wurtz McNab, Heather McVeigh, Naima Stevenson, Jill Waddell, Wendy Walters and Karen Wolf.	





## NCAA DIVISION I PRESIDENTIAL FORUM

### *Sustainability and the Division I Collegiate Model*

Briefing Document / October 2020

**Discussion:** The NCAA Division I Board of Directors and Presidential Forum identified sustainability as it relates to the Division I collegiate model of athletics as a top priority, and the Board supports the Forum taking a lead role in recommending strategies and initiatives to protect and enhance intercollegiate athletics at the Division I level. The following document frames the issues at hand and serves as a starting point for the Forum to begin developing short- and long-term solutions that sustain the collegiate model now and in the future.

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#### ***THE DIRECTIVE.***

The NCAA Division I Presidential Forum is leading an ambitious review of sustainability as it relates to all aspects of the Division I model of intercollegiate athletics. The goals are to examine the current collegiate model; identify strengths, weaknesses, and pressure points that threaten its viability; and recommend short- and long-term solutions to sustain intercollegiate athletics as an integral and enriching component of the higher education experience for student-athletes.

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#### ***WHY THE REVIEW IS RELEVANT AND TIMELY.***

Even before the COVID-19 outbreak, the NCAA Division I Board of Directors and the NCAA Board of Governors had identified sustainability of the collegiate model as among their strategic priorities. The ramifications of the pandemic – both on intercollegiate athletics and higher education in general – have only heightened the need to address this issue with a new sense of immediacy and vigor.

As the financial pressures on the enterprise intensify because of the increasing costs related to the administration of sports programs (e.g., increasing health and safety initiatives), it is imperative that Division I chancellors and presidents engage in a comprehensive and candid examination of all aspects of the Division I collegiate model in order to enhance the stability and long-term sustainability of Division I sport offerings and services.

Additionally, the following assumptions make the review timely:

- As a “public trust,” political interest in NCAA-related matters has increased at the federal and state levels, as witnessed by state and federal name, image and likeness legislation, demand for additional attention to student health and well-being, multiple Congressional hearings, etc.
- In light of financial challenges facing higher education, intercollegiate athletics programs, like other campus units, must examine policies, practices and approaches consistent with fiscal stewardship that lead to long-term sustainability.
- As new health and safety regulations and guidelines are generated to appropriately support student-athletes, additional financial and resource expectations exist that require immediate attention.
- Appropriately, there is an increased expectation that the “voice” of student-athletes be a part of national, conference and campus decision-making on issues directly affecting them.
- The increasingly litigious environment will continue to require financial resources at the national, conference and campus levels to be directed at the management of cases and their outcomes, resulting in decreased revenue distributions and potential service interruptions.
- The financial gap between the so-called haves and have-nots continues to widen, as the latest data reveal in the following chart:

## Median (and Range) 2019 Revenues and Expenses for Division I Schools by Subdivision

	FBS	FCS	Division I Subdivision
Generated Revenues	\$61,994,000 (\$5.7 million to \$223.9 million)	\$4,741,000 (\$1.4 million to \$40.1 million)	\$3,566,000 (\$875,180 to \$24.7 million)
Total Revenues	\$80,900,000 (\$15.6 million to \$223.9 million)	\$19,924,000 (\$3.9 million to \$79.9 million)	\$18,299,000 (\$3.2 million to \$50.9 million)
Total Expenses	\$80,814,000 (\$16.9 million to \$220.6 million)	\$20,096,000 (\$4.1 million to \$64.5 million)	\$18,211,000 (\$4.6 million to \$50.9 million)
Net Generated Revenue	<b>\$18,790,000</b> <b>(\$65.3 million to \$43.7 million)</b>	<b>\$14,316,000</b> <b>(\$42.1 million to \$2.2 million)</b>	<b>(\$14,397,000)</b> <b>(\$42.5 million to \$3.6 million)</b>



### ***WHY THE PRESIDENTIAL FORUM IS LEADING THE REVIEW.***

University presidents and chancellors are the cornerstone of the collegiate model, with rightful oversight of the entire enterprise. While the Board of Directors is the ultimate authority within the Division I governance structure, the Presidential Forum is the Board’s primary advisory arm. The Forum is responsible for considering broad, strategic issues and innovative approaches to support the Board’s agenda. This review of sustainability fits appropriately within those parameters, and the project benefits from the Forum’s composition that represents all 32 Division I conferences.

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## ***HAVEN'T WE BEEN HERE BEFORE?***

Yes and no. The idea of sustaining the collegiate model isn't new, but the pandemic has made it real. Sustainability typically was an implied desired outcome within the various "reform" efforts that have taken place over the years, but actual reference to the term has only recently taken hold.

In 2006, the late NCAA President Myles Brand appointed a 50-member Presidential Task Force on the Future of Intercollegiate Athletics to address what at the time was considered an "unsustainable pattern" of spending at the highest levels that directly threatened the collegiate model.

In 2015, current NCAA President Mark Emmert convened a summit of more than 150 university leaders to address immediate and long-term opportunities and challenges related to the collegiate model, which produced a number of influential and meaningful improvements to many of the division's operations and policies.

Other groups have sounded alarms as well. The LEAD1 Association of Football Bowl Subdivision athletics directors floated significant adjustments to the collegiate model, including alternative sport sponsorship models and a federated sports structure that emphasized more regional scheduling to curtail costs. And the Knight Foundation Commission on Intercollegiate Athletics – an external sounding board for reform since 1990 – just this fall initiated a four-part series calling for "a transformation of the collegiate model."

The Division I Board of Directors formally identified challenges related to the sustainability of athletics as one of the division's strategic areas of emphasis for 2018-23, a decision that gained support within the Division I membership. The Board of Directors Finance Committee, the Division I Presidential Forum and the Division I Strategic Vision and Planning Committee have been engaged in discussions (and taking action when appropriate) related to sustainability issues since then, but the discussions to date have focused primarily on data collection and framing of sustainability issues, with no generation of systemic changes.

### **From the Board of Directors' Strategic Areas of Emphasis:**

"Oversee the development of policy or legislative changes that enhance the sustainability of the Division I collegiate model in light of the current and future fiscal climate impacting intercollegiate athletics and higher education."

The COVID-19 pandemic, however, has introduced realities that in the past could only be imagined or were unimaginable. Past reform efforts may have broached the possibility of a course-altering event such as the inability to conduct the Division I Men's Basketball Championship, but no one fully realized just how drastic the effects of a pandemic would be, not only on institutions' athletics operations but on institutions in general. For athletics, COVID-19 has contributed to the elimination of sports at an unprecedented rate. For institutions, the pandemic has gone so far as to cause some schools to consider closing, or significantly alter the way they deliver education.

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## WHAT ARE WE TRYING TO SUSTAIN?

The NCAA collegiate model of athletics is both unprecedented and unparalleled. Nowhere else in the world does embedding sports participation within the educational environment of colleges and universities exist. *Intercollegiate athletics* is truly and uniquely American.

The collegiate model of athletics is based on the premise that participation in college sports enriches the entire postsecondary educational experience for student-athletes. Athletics participation is an integral component of that experience rather than an ancillary or extracurricular activity. And the benefits of athletics participation – teamwork, self-discipline, camaraderie, engagement with community, and collaboration with persons of varied backgrounds to achieve a common goal – serve student-athletes not only during their time in competition but also as lasting lessons well after they have earned their diplomas.

Indeed, participation in intercollegiate athletics offers as much of a high-impact “classroom” for learning as other aspects of education such as lab work, study-abroad programs, internships, and practicum experiences with faculty members or local businesses/organizations. Student-athletes learn valuable life and leadership skills as part of their athletics experience, and NCAA research shows that those skills position student-athletes for success in life beyond their college years.

Over time the NCAA as an association of members who care deeply about the values of intercollegiate athletics has worked diligently to protect and enhance the collegiate model. As the successes of the collegiate model are unique, so are its challenges.

In many ways in fact, intercollegiate athletics’ greatest challenge *is* its own success. Fueled by Americans’ insatiable appetite to cheer for their schools and the media’s equally insatiable willingness to broadcast the competitions, intercollegiate athletics has enjoyed unmatched popularity for more than half a century. At the same time, intercollegiate athletics has been accused of distorting the ideal of sports at the expense of the academy nearly from the outset of its relationship with higher education. The ensuing balancing act of maintaining the premise of intercollegiate athletics as an integral component of higher education with the need to dally to some degree in the commercial aspects of promoting the enterprise has occupied the NCAA membership for decades.

That’s why the word “sustainability” has begun appearing on governance groups’ agendas. Division I presidents in particular have continuously sought to protect the collegiate model as a tremendously valuable asset to higher education itself. They do so because they recognize the value intercollegiate athletics brings not only to the participants but also to the institutions. Intercollegiate athletics is a



draw for alumni and others to the campus. It is a rallying point for the various constituencies of a college or university. Sometimes, intercollegiate athletics provides the only exposure for the campus beyond its local community.

Accordingly, Division I members have invested aggressively in the enterprise, understanding that they must spend to win, and win to generate revenue. Yet only a few Division I institutions' athletics operations generate revenues above expenses. That means the vast majority of Division I presidents and chancellors must weigh subsidies to athletics against the value athletics adds to the university overall – without compromising the rest of the academy.

In short, all Division I members must contemplate the *sustainability* of intercollegiate athletics, and what the word “sustainability” means in the context of how their athletics programs fit within the Division I membership structure.

The pandemic has expedited such contemplation. Can the collegiate model be sustained in the current environment surrounding higher education? If not, what must change? Does the collegiate model need to be “reinvented”?

It will be important to galvanize presidents to lead this effort. The Presidential Forum, and its Steering Committee, will be critical in providing a presidential perspective that helps inform the Division I Board of Directors and the Division I Council on legislative, policy and other changes necessary to sustain the collegiate model. The Forum also may gain valuable insight from the Strategic Vision and Planning Committee, which has considered the idea of sustainability in recent meetings.

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## ***PARAMETERS SURROUNDING THE REVIEW.***

For the review to achieve desired outcomes, it is necessary to accomplish the following objectives:

- Define principles that drive the division's decision-making to “reinvent” the Division I collegiate model.
- Identify rules, policies and other factors that drive market trends and increase costs.
- Identify organizational and governance-related enhancements that improve responsiveness and readiness to address immediate and future challenges.
- Identify potential increased revenue sources at campus, conference and national levels.
- Collaborate with student-athletes, athletics administrators and the broader higher education community to identify and overcome obstacles.

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## ***ELEMENTS/AREAS OF THE COLLEGIATE MODEL TO CONSIDER.***

Per the parameters above, an appropriate starting point for the review may be to identify the primary threats to the success of the collegiate model. We already know the collegiate model's strengths, but what are its weaknesses? COVID-19 has unveiled some obvious financial pressure points, but are there structural/organizational issues that need to be addressed as well?

Accordingly, Forum members are asked to engage with their conference commissioners and their conference presidential boards and other conference governance groups to gather input by March 21,

2021 to inform future recommendations. To assist in that regard, a Feedback Review Guide accompanies this Briefing Document that offers the following questions in four overarching areas: Membership Requirements, Financial Concerns, Governance, Legal Fees, and Programs and Services.

Based on the feedback obtained, the following approaches to implementing short- and long-term solutions could apply (these are offered merely for discussion purposes):

- Short term – Regulatory/policy changes and outcomes for 2020-21.
  - Consider the drastic changes that higher education is experiencing in the wake of COVID-19 and the impact those will have on athletics at all levels within Division I.
  - Agree upon desired outcomes for short- and long-term stability of Division I and support or amend the Division I philosophy and/or commitments accordingly.
  - Introduce regulatory changes (waivers, rule modifications) to address desired outcomes in playing and practice seasons and membership requirements.
  - Review the most recent governance restructuring to identify objectives or goals that have not yet been successfully achieved and determine steps to resolve the issues.
  - Review the model of FBS football and its impact on the broader Division I membership.
  - The NCAA national office is currently engaged in making sure existing services are being provided to membership as a top priority while the national office – and all of higher education and intercollegiate athletics – grapple with the impact of the pandemic. It is envisioned that 2021 will present the opportunity for the Division I membership to provide perspectives related to national office services:
    - Immediate changes to assist with sustainability (including potential of areas of relief granted in 2020-21 that could carry over);
    - Six-month initial feedback phase on broader and more systemic changes to assist sustainability; and
    - Review of national office services to occur in 2021.
- Long term – Examination of additional regulatory and policies changes (2-3 years).
  - Identify and pursue additional revenue-generating activities.
  - Introduce regulatory changes to address specific desired outcomes in sports sponsorship requirements, scholarship requirements, recruiting rules, personnel who support sports, and head count vs equivalency sport distinctions.
  - Affirm or amend the NCAA revenue distribution model and criteria.
  - Review the Division I governance model and identify enhancements to meet the division's long-term goals.
  - Initiate broader examination of alternative Division I sport models (including those developed previously by the LEAD1 Association).
  - Re-examine and enhance other elements of the Division I collegiate model:
    - Academic expectations for student-athletes and institutions.
    - Broad-based sport opportunities.
    - Modernization efforts to best support student-athletes.



## NCAA DIVISION I PRESIDENTIAL FORUM

### *Sustainability and the Division I Collegiate Model*

#### Feedback Review Guide

**Purpose of this Review Guide:** The NCAA Division I Board of Directors and Presidential Forum identified sustainability as it relates to the Division I collegiate model of athletics as a top priority, and the Board supports the Forum taking a lead role in recommending strategies and initiatives to protect and enhance intercollegiate athletics at the Division I level. Importantly, the Board of Governors also noted sustainability as an Association-wide strategic priority for 2020-2022.

Due to the scope of this project, Forum members are asked to collaborate with their conference commissioners, presidential boards and other conference governance groups to gather input to inform future recommendations. Because the Forum represents all Division I conferences, this type of approach has been useful in past initiatives the Forum has overseen and ensures an inclusive Division I membership voice.

This Review Guide accompanies the Briefing Document and offers questions in various categories to fuel discussion over the next six months. The questions are not exhaustive, as these conversations will inherently produce topics and queries not listed here, and that is as it should be. In addition, the categories, while separate at the outset, should be viewed as concentric circles in which discussion undoubtedly will overlap. The final set of recommendations will serve collectively to guide future decision making.

The questions are meant to get at the heart of the matter when possible. The Board of Directors and the Forum already have agreed that this review is not merely a cursory glance over “the idea of sustainability,” but an imperative project that can help provide direction for the future of the collegiate model. While sustainability has been broached in various manners in the past as a way to manage the rising costs of athletics, the COVID-19 pandemic has shone a brighter spotlight on the long-standing challenges related to sustainability, not only for intercollegiate athletics but for higher education in general. Discussions among Forum members and their conference colleagues will be critical in developing short- and long-term solutions that sustain the collegiate model now and in the future.

**[NOTE: FEEDBACK IS REQUESTED BY MARCH 21.]**



# DISCUSSION AREAS

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## ***1. MEMBERSHIP REQUIREMENTS.***

The Division I membership has grown over time, not only in number but in its diversity of institutions. Such diversity is an asset in many ways, as the breadth of perspective and opinion has produced checks and balances that benefit the division as a whole. However, that diversity as it applies to mission, resources, budgets, donors and fanbase expectations at times creates tension in governance, policy development and philosophy.

On paper, the collegiate model is meant to apply uniformly to all Division I members, but the sheer range of access to resources leads to some institutions perhaps perceiving the model differently than others, or at least being able to generate more success financially and in athletics competition. While that isn't necessarily a bad thing, the financial stress the pandemic has thrust upon higher education has led leaders at all Division I institutions to re-evaluate their operations, both overall and within athletics specifically.

### **OVERARCHING GOAL IN THIS AREA:**

- **Determine whether the existing standards for Division I membership require changes to advance practices that sustain athletics opportunities for student-athletes.**

**Question 1:** The NCAA Division I Manual lists a number of commitments members must make to fulfill their membership responsibilities (e.g., commitments to amateurism, institutional control, sound academic standards, student-athlete well-being, etc.). In addition, the Manual includes the Division I Philosophy Statement, which calls for members to:

- Subscribe to high standards of academic quality, as well as breadth of academic opportunity;
- Strive in their athletics programs for regional and national excellence and prominence. Accordingly, the recruitment of student-athletes and the emphasis on and support of their athletics program are, in most cases, regional and national in scope;
- Recognize the dual objective in their athletics programs of serving both the university or college community (participants, student body, faculty-staff, alumni) and the general public (community, area, state, nation);
- Believe in offering extensive opportunities for participation in varsity intercollegiate athletics for both men and women;
- Sponsor at the highest feasible level of intercollegiate competition one or both of the traditional spectator-oriented, income-producing sports of football and basketball;
- Believe in scheduling their athletics contests primarily with other members of Division I, especially in the emphasized, spectator-oriented sports, as a reflection of the goal of maintaining an appropriate competitive level in their sports programs;
- Maintain institutional control over all funds supporting athletics; and
- Understand, respect and support the programs and philosophies of the other divisions.



Is the Division I Philosophy Statement still applicable given the current stressors being placed on intercollegiate athletics and higher education? If not, what should be modified? Should the philosophy statement be strengthened to emphasize athletics' integral relationship with higher education and the benefits thereof?

**Question 2:** Is there merit in potentially strengthening or prescribing minimum expectations in order to sponsor a Division I sport to include, for example, more required allocation of resources and programming to support health and safety? Should there be additional requirements regarding the financial commitment and/or compliance expectations for any Division I team?

**Question 3:** Is continuing to subdivide Division I based on football sponsorship the best approach to sustain the collegiate model? If not, are there alternatives?

**Question 4:** The pandemic has caused many Division I institutions to reconsider their varsity sport offerings. Division I currently requires members in the Football Bowl Subdivision to sponsor at least 16 sports and members in the other subdivisions to sponsor 14. Are these still the right minimums under the current circumstances? If not, what should the minimums be?

**Question 5:** Division I also requires a substantial commitment to providing athletics scholarships, with several sports being “fully funded” and others being funded through “equivalencies.” If the collegiate model were to be “re-invented” to fit today’s circumstances, would the current scholarship approach be retained or modified? If the latter, how would you suggest it be altered?

**Question 6:** More than 180,000 student-athletes participate in Division I athletics, with 34% receiving full athletics scholarships and 41% receiving partial athletics scholarships. Should more or less emphasis be placed on athletics scholarship offerings to students vs. providing the opportunities to play a sport at a Division I level?

**Question 7:** To what extent should the DI philosophy statement and commitments reflect participation opportunities in all sports, including Olympic sports? Should this role impact decision-making at the national, conference and local levels? If so, how?

**Question 8:** Schools in the Football Bowl Subdivision are required to demonstrate an average attendance of 15,000 for home football contests. Does this remain as an indication of a football program in “good standing” and thus a reflection of the collegiate model? If retained, should it be altered (i.e., increased or reduced)?

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## ***2. FINANCIAL CONCERNS.***

Even before the COVID-19 outbreak, the NCAA Division I Board of Directors and the NCAA Board of Governors had identified sustainability of the collegiate model as among their strategic priorities. The ramifications of the pandemic – both on intercollegiate athletics and higher education in general – have only heightened the need to address this issue with a new sense of immediacy and vigor.

As the financial pressures on the enterprise intensify because of the increasing costs related to the administration of sport programs (e.g., increasing health and safety initiatives), it is imperative that Division I chancellors and presidents engage in a comprehensive and candid examination of all aspects of the Division I collegiate model in order to enhance the stability and long-term sustainability of Division I sport offerings and services.

In light of financial challenges facing higher education, intercollegiate athletics programs, like other campus units, must examine policies, practices and approaches consistent with fiscal stewardship that lead to long-term sustainability.

#### **OVERARCHING GOAL IN THIS AREA:**

- **Determine steps that can be taken to ensure the rate of spending in athletics is appropriate within the construct of the collegiate model and aligns with the rate of spending for higher education in general.**

**Question 1:** Most administrators in Division I athletics agree that to operate successfully it is necessary to invest in facilities, personnel, scholarships and recruiting. At times this need to invest leads to an “arms race” that if left unchecked could affect the premise and intent of the collegiate model. If nothing else, the ensuing chase certainly challenges institutions with fewer resources to “keep up.” What can be done to ensure spending in athletics aligns more closely with overall institutional spending?

**Question 2:** The pandemic has caused nearly everyone in athletics and higher education to rethink operations to be more efficient. What has been learned in the last six months that could benefit the collegiate model moving forward?

**Question 3:** The Division I revenue distribution model was recently reviewed in incorporate an academic component. Is it time for further review of the model given the current financial circumstances? If so, what are the primary concerns about the way revenues are currently distributed?

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### **3. GOVERNANCE.**

Since the NCAA federated its governance structure in the mid-1990s to let each division govern itself as it sees fit, Division I has occasionally revised its structure (most recently in 2013) to accommodate more representation or add efficiencies to the legislative process. As the Forum reviews the collegiate model, it is appropriate to revisit key elements of the division’s governance structure.

#### **OVERARCHING GOAL IN THIS AREA:**

- **Determine whether the existing governance structure should be modified to improve its effectiveness in meeting agreed-upon goals that sustain the Division I collegiate model.**

**Question 1:** University presidents and chancellors are the cornerstone of the collegiate model, with rightful oversight of the entire enterprise. Is there sufficient presidential leadership in overseeing the Division I collegiate model at the national, conference and campus levels? If not, what should be done?

**Question 2:** Is the student-athlete voice appropriately represented in governance and decision making at the national, conference and campus levels? If not, how can student-athlete representation be enhanced?

**Question 3:** In light of the representative governance model employed in Division I at the Board and Council levels in particular, are conference offices appropriately positioned to contribute effectively to the governance structure and thus enhance the collegiate model? Are there additional efficiencies that can be gained by cross-conference collaboration on not only policy issues but also conference services?

**Question 4:** With six years of experience with the autonomy and Council governance model, are changes needed to improve the functionality and effectiveness of the collegiate model?

**Question 5:** How can relationships with external influencers (i.e., the federal government) be improved to benefit the collegiate model?

**Question 6:** The review of the collegiate model will likely identify rules and policies that drive market trends and contribute to increasing costs. What can be done to more effectively manage budgets in the following areas? Should regulations or practices that contribute to increasing expenses be modified? Some specific regulatory areas include:

- Membership requirements (i.e., sports sponsorship and scholarship requirements).
- Playing and practice seasons, including length of seasons, number of competitions, scheduling requirements.
- Recruiting.
- Personnel who support sports.
- Maximum head count vs. equivalency team limits.
- Are there areas currently not regulated that should be considered?

**Question 7:** In light of the immediate challenges presented by the pandemic, a number of regulatory changes were made to provide increased flexibility to the membership and student-athletes. Should any of the changes introduced this year be considered for 2021-22 and beyond?

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#### ***4. LEGAL FEES.***

Schools, conferences and the NCAA as an entity have seen increasing third-party legal expenses as a result of more litigation related to athletics. These lawsuits can be unexpected, and the duration and outcome of litigation can be uncertain, sometimes resulting in significant judgments and payment of plaintiff attorneys' fees.

Schools and conferences have looked to the NCAA to incur legal expenses on behalf of all of its members and make any required payments for rules-related litigation. However, some in the membership are voluntarily incurring their own significant defense costs through the retention of counsel separate from the NCAA. Others in the membership have established no legal reserve or budget in anticipation of third-party legal expenses, leaving them exposed to financial stress when litigation arises.

In addition, the NCAA has faced increasing legal challenges around the outcomes of its waiver, enforcement and infractions matters, brought by institutions, coaches and student-athletes. Institutions are spending significant resources to retain counsel to challenge within the NCAA enforcement, infractions (and independent) structures.

#### **OVERARCHING GOAL IN THIS AREA:**

- **Determine whether steps can be taken to reduce athletics-related legal fees for the Division I membership and the NCAA overall.**

**Question 1:** Are there modifications to NCAA policies/legislation to more clearly state the risk and legal expense allocation among the NCAA, conferences and schools in the context of litigation?

**Question 2:** Are there modifications to NCAA policies/legislation in the waiver and enforcement/infractions areas that would retain fair processes but streamline them to reduce legal expense and to reduce legal challenges to outcomes?

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## ***5. PROGRAMS AND SERVICES.***

In addition to revenue distribution, Division I members also benefits from programs and services the NCAA national office provides, but of course these services come with a budgetary impact.

The national office is currently engaged in making sure existing services are provided to membership as a priority while the national office – and all of higher education and intercollegiate athletics – grapple with the impact of the pandemic. It is envisioned that 2021 will present the opportunity for the Division I membership to offer perspectives related to national office services.

#### **OVERARCHING GOALS IN THIS AREA:**

- Consider immediate changes to assist with sustainability (including potential of areas of relief granted in 2020-21 that could carry over);
- Conduct a six-month initial feedback phase on broader and more systemic changes to assist sustainability; and
- Complete a comprehensive review of national office services in 2021.

Specific questions regarding this area will be framed once feedback is gathered.



# TRANSFER PORTAL

# KEY POINTS ABOUT THE TRANSFER PORTAL



The transfer portal was implemented to ensure compliance with student-athlete / coach communication and for compliance administrators to systematically manage the transfer process.



With the adoption of notification of transfer replacing permission to contact, Division II was required to use the transfer portal for notification of transfer starting August 1, 2020.



The student-athlete's notification of transfer is entered in the transfer portal by the compliance administrator at the student-athlete's request.



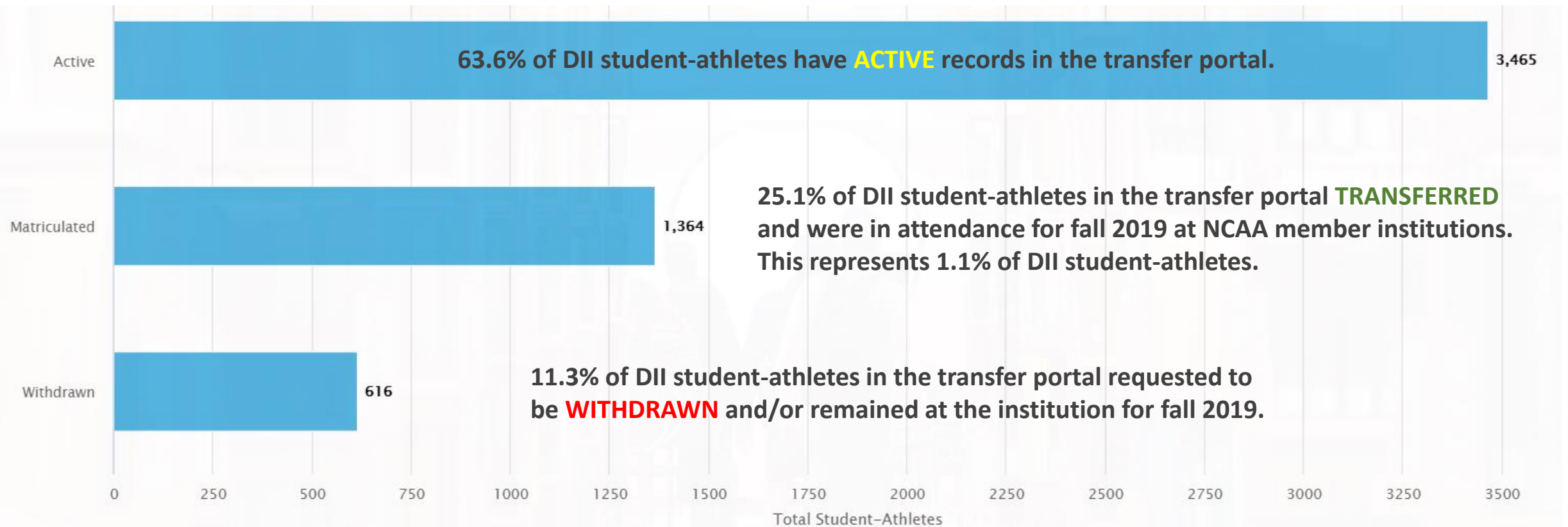
The compliance office can grant access for coaches to view the notification of transfer. Coaches do not have access to the transfer tracer. The tracer includes the student-athlete's academic and athletic history for eligibility certification.

# DIVISION II DATA SUMMARY

*\*Division II voluntary but encouraged use of the transfer portal*

**2018-19 ACADEMIC YEAR**  
Transfer Portal Records from  
October 15, 2018 – July 31, 2019

**5,445** DIVISION II STUDENT-ATHLETES ENTERED THE TRANSFER PORTAL (4.4% of DII STUDENT-ATHLETES)



*Data is based on information entered in  
the transfer portal by member institutions.*

***Data as of 1/1/2021***

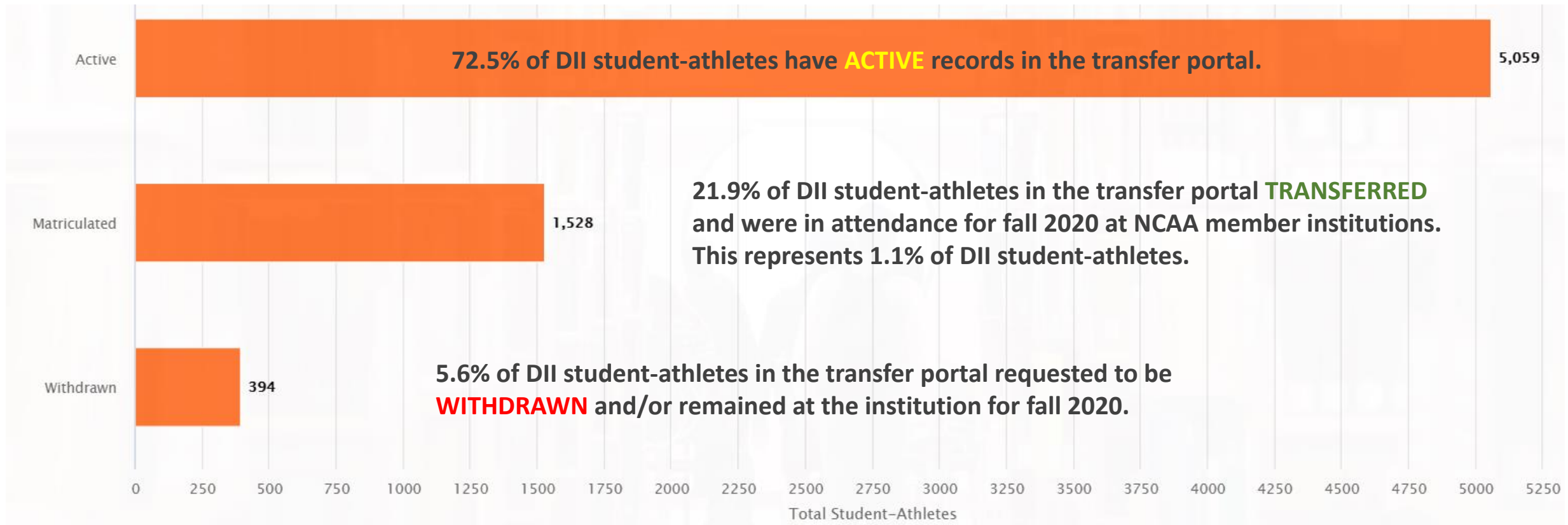
# DIVISION II DATA SUMMARY

*\*Division II voluntary but encouraged use of the transfer portal*

**2019-20 ACADEMIC YEAR**  
Transfer Portal Records from  
August 1, 2019 – July 31, 2020

**6,981** DIVISION II STUDENT-ATHLETES ENTERED THE TRANSFER PORTAL (**5.6%** of DII STUDENT-ATHLETES)

- **73% SCHOLARSHIP STUDENT-ATHLETES / 27% NON-SCHOLARSHIP STUDENT-ATHLETES**
- **90% UNDERGRADUATE STUDENT-ATHLETES / 10% GRADUATE STUDENT-ATHLETES**



Data is based on information entered in  
the transfer portal by member institutions.

**Data as of 1/1/2021**

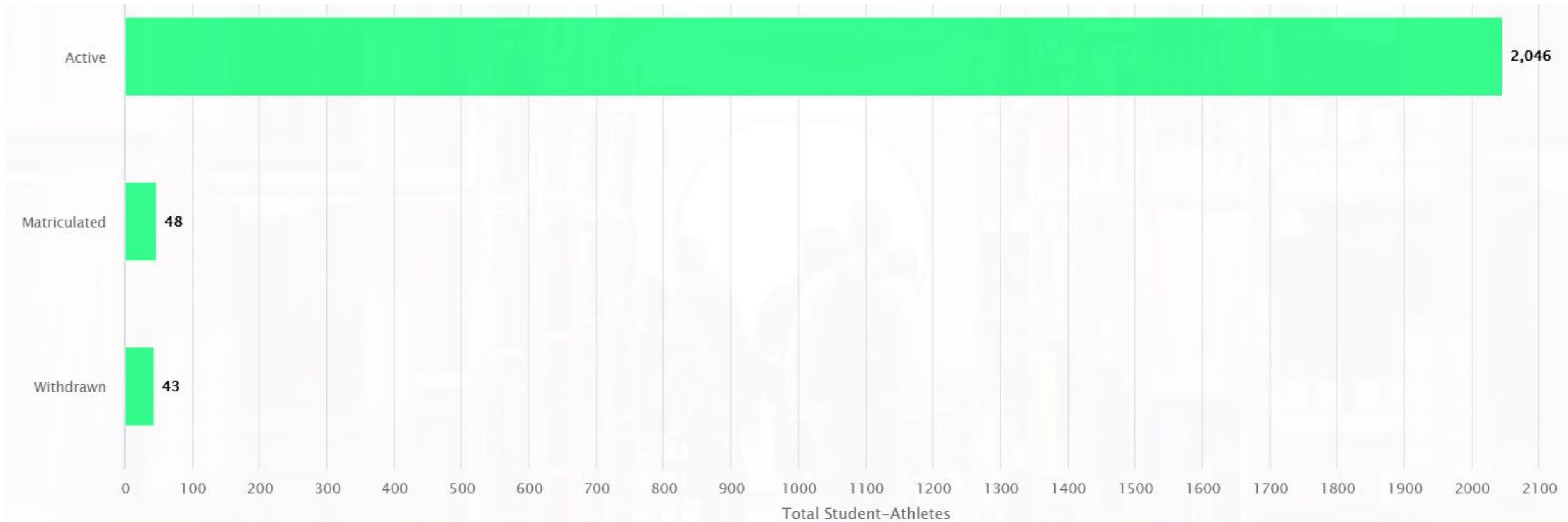


# DIVISION II DATA SUMMARY

*\*Division II required use of the transfer portal*

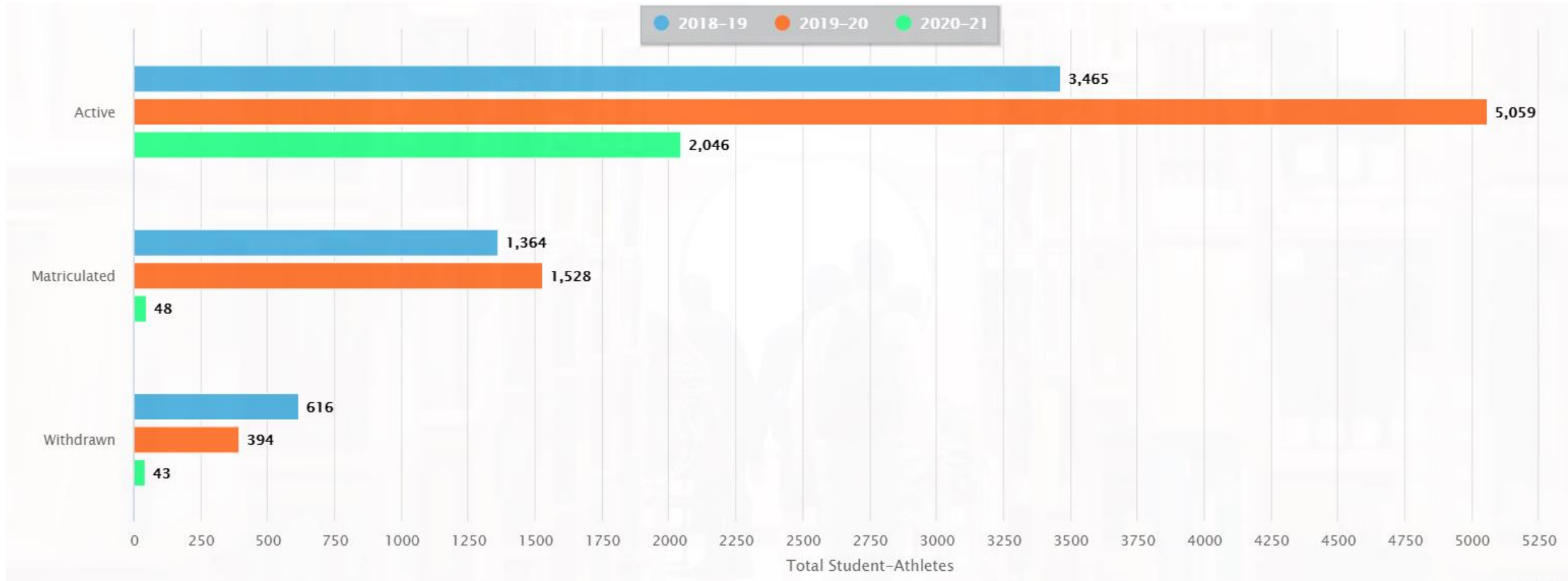
**2020-21 ACADEMIC YEAR**  
Transfer Portal Records from  
August 1, 2020 – July 31, 2021

**2,137** DIVISION II STUDENT-ATHLETES ENTERED THE TRANSFER PORTAL (Data as of **JANUARY 1, 2021**)



*Data is based on information entered in  
the transfer portal by member institutions.*

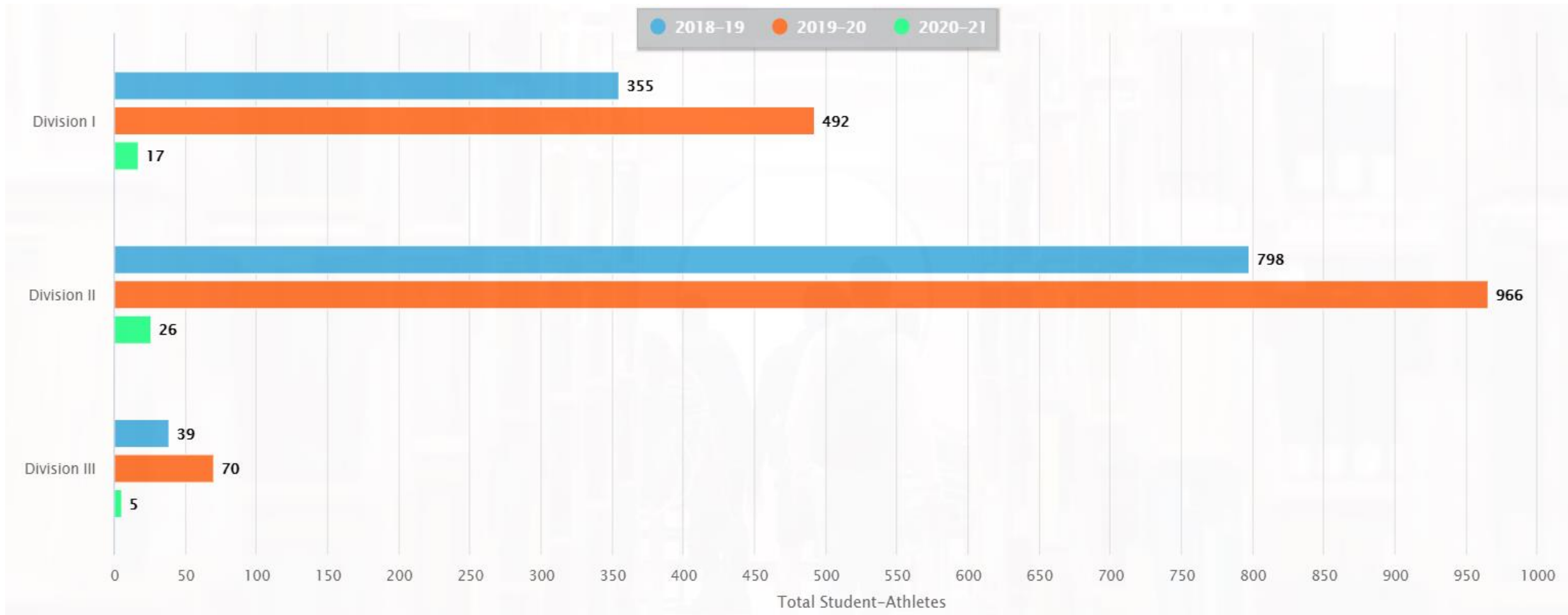
# DIVISION II DATA SUMMARY



*Data is based on information entered in the transfer portal by member institutions.*

***Data as of 1/1/2021***

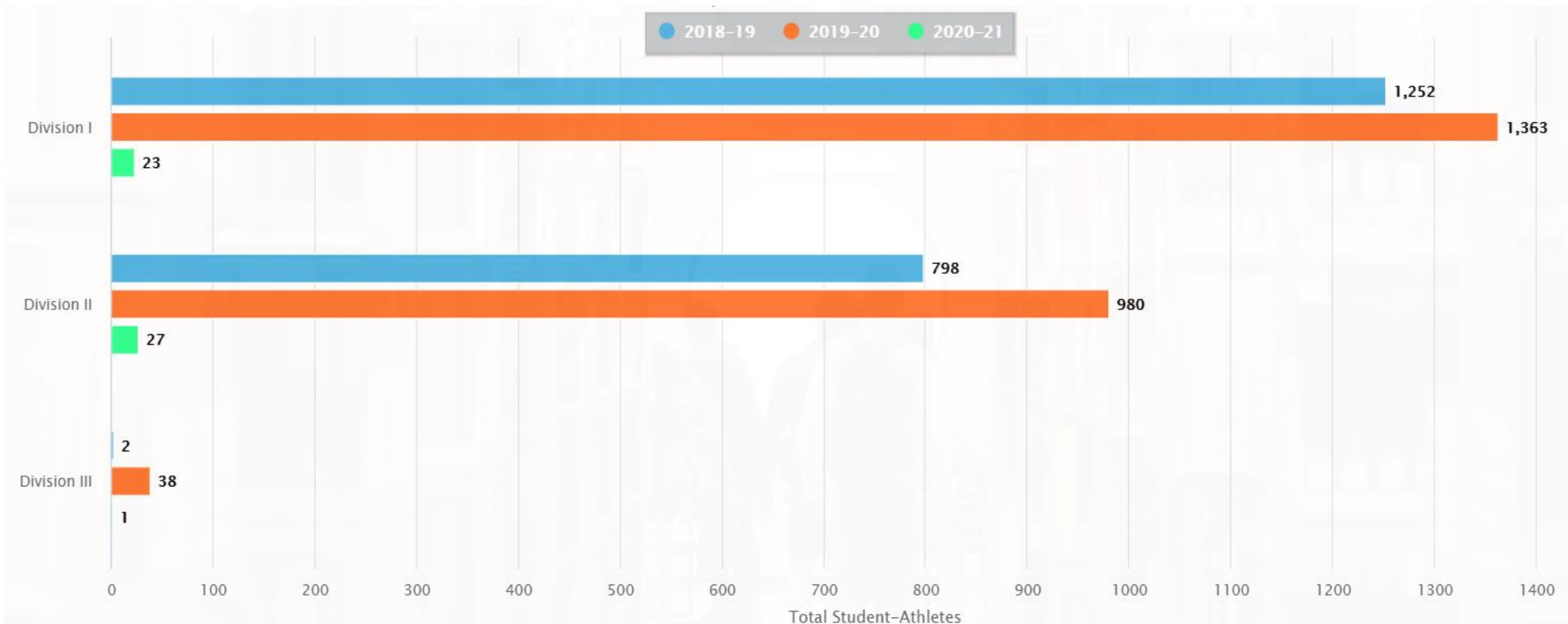
# DIVISION II STUDENT-ATHLETES TRANSFER TO:



*Data is based on information entered in the transfer portal by member institutions.*

***Data as of 1/1/2021***

# STUDENT-ATHLETES TRANSFER TO DIVISION II FROM:



*Data is based on information entered in the transfer portal by member institutions.*

***Data as of 1/1/2021***

# Data reports available in the transfer portal

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Student-Athlete Status  
Entry by Month

Transfers to Division  
Transfers from Division



## Transfer Portal

- HOME
- NOTIFICATION OF TRANSFER
- MY TRANSFERS
- OTHER TRANSFERS
- TRANSFER WATCH LIST
- DATA REPORTS
- RESOURCES CONTACT US
- SETTINGS

First, select the report name. Next, read the pop-up report description. You can then select specific data you want to see in the chart comparisons.

Report:

Year:

Sport:

Division:

Conference:

Institution:

**SUSAN PEAL**

NCAA

*Director of Governance*



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# QUESTIONS

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