



A G E N D A

National Collegiate Athletic Association  
Division II Presidents Council

Summitt/Wooden Room  
NCAA National Office

October 25-26, 2022

5 to 6 p.m. Tuesday, October 25

1. Reception for Presidents Council members.

6 to 9 p.m. Tuesday, October 25

2. Buffet dinner available.
3. Welcome and announcements. [Supplement Nos. 1 and 2] (Steven Shirley)
4. Minutes. (Shirley)
  - a. Summer 2022 Management Council and Presidents Council meetings. [Supplement No. 3] (*Action*)
  - b. Administrative Committee. [Supplement No. 4] (*Action*)
  - c. Board of Governors. [Supplement No. 5]
5. Vice chair report. (Terri Steeb Gronau)
  - a. August 11 Planning and Finance Committee videoconference report. [Supplement No. 6]
  - b. September 21 Planning and Finance Committee videoconference report. [Supplement No. 7] (*Action*)
  - c. Fiscal year 2021-22 year-end unaudited budget-to-actual report. [Supplement No. 8]
6. Management Council report from October 17-18 meeting. (Jim Johnson)
  - a. 2023 NCAA Convention.
    - (1) Membership-sponsored proposals and action by the Presidents Council for a position of support, opposition or no position. [Supplement No. 9] (*Action*)

- (2) Business session order of proposals. [Supplement No. 10] (*Action*)
    - (3) Suggested speakers for the 2023 Convention legislation. [Supplement No. 11]
  - b. Other action items. [Supplement No. 12] (*Action*)
  - c. Informational items. [Supplement No. 13]
  7. Division II Presidents Council issues.
    - a. Presidents Council transition to Executive Board. [Supplement No. 14] (Shirley) (*Action*)
    - b. Presidents Council chair election. [Supplement No. 15] (Steeb Gronau) (*Action*)
    - c. Vice-chair election at January 2023 meeting. [Supplement No. 16] (Shirley)
  8. Division II Implementation Committee.
    - a. Final report. [Supplement No. 17] (Steeb Gronau)
      - Comments from Implementation Committee members. [Supplement No. 18]
    - b. Update on Division I and Division III processes. (Maritza Jones)
- 7:30 to 9 a.m. Wednesday, October 26
9. Joint breakfast with Divisions I and III chancellors and presidents.

9 a.m. to Noon Wednesday, October 26
  10. Discuss the joint breakfast and work of BOG Subcommittee on Congressional Engagement. (Michael Driscoll and Shirley)
  11. Sport Science Institute update. (John Parsons and Anne Rohlman) (*9:30 to 10 a.m.*)
  12. NCAA Transfer Portal. (Susan Peal) (*10 to 10:30 a.m.*)
  13. Division II updates.
    - a. Introduction of Mario Morris, NCAA Senior Vice President of Administration and Chief Financial Officer. (*10:30 to 10:45 a.m.*)

- b. 2022-23 Division II Priorities. [Supplement No. 19] (Steeb Gronau)
  - c. 2023 Convention schedule. [Supplement No. 20] (M. Jones)
  - d. Division II Festival. (Karen Kirsch)
14. Discussion with Mark Emmert, NCAA President and Jared Tidemann, Associate General Counsel/Director of Legal Affairs. (11 to 11:30 a.m.)
15. Other business. (Shirley)
16. Future meetings. (Shirley)
- a. January 11-14, 2023, in conjunction with the 2023 NCAA Convention, San Antonio.
    - (1) January 12 -- 8 to 11 a.m. -- Division II Presidents Council/Management Council/Student-Athlete Advisory Committee breakfast and meeting.
    - (2) January 12 -- 11 a.m. to 3 p.m. -- Division II Presidents Council meeting.
    - (3) January 12 -- 4 to 5 p.m. -- State of College Sports.
    - (4) January 12 -- 5 to 6:30 p.m. -- NCAA Delegates Reception.
    - (5) January 13 -- 8 to 11:15 a.m. -- Division II Chancellors and Presidents breakfast.
    - (6) January 13 -- 11:30 to 1 p.m. -- NCAA Saluting Excellence Luncheon.
    - (7) January 13 -- 1:30 to 5:30 p.m. -- Division II conference meetings.
    - (8) January 13 -- 5 to 6 p.m. -- Division II Faculty Mentor Award presentation and reception.
    - (9) January 14 -- 8 to 10:30 a.m. -- Division II business session.
  - b. April 26, 2023, virtual meeting (11 a.m. to 4 p.m. Eastern time).
  - c. August 2, 2023, virtual meeting (11 a.m. to 4 p.m. Eastern time).
  - d. October 24-25, 2023; in-person meeting, site to be determined.
  - e. January 10-13, 2024, in conjunction with the 2024 NCAA Convention, Phoenix, Arizona.
17. Adjournment. (Shirley)



2022 NCAA Division II Presidents Council Roster

<p><b>Roslyn Artis</b> President Benedict College 1600 Harden Street Columbia, South Carolina 29204</p>	<p>Telephone: 803-705-4681 Email: <a href="mailto:roslyn.artis@benedict.edu">roslyn.artis@benedict.edu</a></p> <p>Contact: Jenny Screen - <a href="mailto:jenny.screen@benedict.edu">jenny.screen@benedict.edu</a></p> <p>Term: October 2021-January 2028</p>
<p><b>Michaela Boyd</b> Student-Athlete Palm Beach Atlantic University 901 South Flagler Drive West Palm Beach, Florida 33401</p>	<p>Telephone: 215-279-0648 Email: <a href="mailto:michaela_boyd@pba.edu">michaela_boyd@pba.edu</a></p> <p>Student-Athlete Advisory Committee Representative</p>
<p><b>Carlos Campo</b> President Ashland University 401 College Avenue Ashland, Ohio 44805</p>	<p>Telephone: 419-289-4142 Email: <a href="mailto:ccampo@ashland.edu">ccampo@ashland.edu</a></p> <p>Contact: Aaron Ross - <a href="mailto:aross23@ashland.edu">aross23@ashland.edu</a></p> <p>Term: January 2020-January 2026</p>
<p><b>Davaris Cheeks</b> Student-Athlete Concordia University, St. Paul 309 Chatsworth Street North Saint Paul, Minnesota 55104</p>	<p>Telephone: 704-978-9093 Email: <a href="mailto:cheeksd@csp.edu">cheeksd@csp.edu</a></p> <p>Student-Athlete Advisory Committee Representative</p>
<p><b>Michael A. Driscoll</b> President Indiana University of Pennsylvania 1011 South Drive Indiana, Pennsylvania 15705</p>	<p>Telephone: 724-357-2200 Email: <a href="mailto:driscoll@iup.edu">driscoll@iup.edu</a></p> <p>Contact: Ruffina Winters – <a href="mailto:rwinters@iup.edu">rwinters@iup.edu</a></p> <p>Term: January 2018-January 2024</p>
<p><b>John Y. Gotanda</b> President Hawaii Pacific University 1 Aloha Tower Drive Honolulu, Hawaii 96813</p>	<p>Telephone: 808-543-8011 Email: <a href="mailto:jgotanda@hpu.edu">jgotanda@hpu.edu</a></p> <p>Contact: Ashley Ching – <a href="mailto:aching@hpu.edu">aching@hpu.edu</a></p> <p>Term: August 2020-January 2026</p>

<p><b>Donna Henry</b> Chancellor University of Virginia's College at Wise 1 College Avenue Wise, Virginia 24293</p>	<p>Telephone: 276-328-0122 Email: <a href="mailto:dhenry@uvawise.edu">dhenry@uvawise.edu</a></p> <p>Contact: Dawn Jessee – <a href="mailto:djessee@uvawise.edu">djessee@uvawise.edu</a></p> <p>Term: May 2020-January 2026</p>
<p><b>Gayle Hutchinson, vice chair</b> President California State University, Chico 400 West First Street Chico, California 95929</p>	<p>Telephone: 530-898-5201 Email: <a href="mailto:ghutchinson@csuchico.edu">ghutchinson@csuchico.edu</a></p> <p>Jennifer da Silva - <a href="mailto:jrdasilva@csuchico.edu">jrdasilva@csuchico.edu</a></p> <p>Term: August 2017-January 2023</p>
<p><b>Colleen Perry Keith</b> President Goldey-Beacom College 470 Limestone Road Wilmington, Delaware 19808</p>	<p>Telephone: 302-225-6260 Email: <a href="mailto:keithcp@gbc.edu">keithcp@gbc.edu</a></p> <p>Contact: Paula Finnefrock – <a href="mailto:finnefpa@gbc.edu">finnefpa@gbc.edu</a></p> <p>Term: January 2020-January 2026</p>
<p><b>Steven Shirley, chair</b> President Minot State University 500 University Avenue West Minot, North Dakota 58707</p>	<p>Telephone: 701-858-3300 Email: <a href="mailto:steven.shirley@minotstateu.edu">steven.shirley@minotstateu.edu</a></p> <p>Contact: Deb Wentz – <a href="mailto:deb.wentz@minotstateu.edu">deb.wentz@minotstateu.edu</a></p> <p>Term: July 2019-January 2025</p>
<p><b>William Thierfelder</b> President Belmont Abbey College 100 Belmont Mt. Holly Road Belmont, North Carolina 28012</p>	<p>Telephone: 704-461-6726 Email: <a href="mailto:billthierfelder@bac.edu">billthierfelder@bac.edu</a></p> <p>Contact: Maria Dimura - <a href="mailto:mariadimura@bac.edu">mariadimura@bac.edu</a></p> <p>Term: April 2018-January 2024</p>
<p><b>Blake Thompson</b> President Mississippi College P.O. Box 4001 Clinton, Mississippi 39058</p>	<p>Telephone: 601-925-3200 Email: <a href="mailto:bthompson@mc.edu">bthompson@mc.edu</a></p> <p>Contact: Sheila Carpenter - <a href="mailto:carpenter@mc.edu">carpenter@mc.edu</a></p> <p>Term: January 2021-January 2027</p>

<b>Dwaun Warmack</b> President Claflin University 400 Magnolia Orangeburg, South Carolina 29115	Telephone: 803-535-5412 Email: <a href="mailto:dwarmack@claflin.edu">dwarmack@claflin.edu</a>  Contact: Kerri Walker - <a href="mailto:kwalker@claflin.edu">kwalker@claflin.edu</a>  Term: January 2022-January 2028
<b>Sandra Woodley</b> President University of Texas Permian Basin 4901 East University Odessa, Texas 79762	Telephone: 432-552-3100 Email: <a href="mailto:sandra.woodley@utpb.edu">sandra.woodley@utpb.edu</a>  Contact: Carol Gonzalez - <a href="mailto:gonzalez_c@utpb.edu">gonzalez_c@utpb.edu</a>  Term: April 2021-January 2027
<b>Frank Wu</b> President Queens College (New York) 65-30 Kissena Boulevard Flushing, New York 11367	Telephone: 718-997-5500 Email: <a href="mailto:fwu@qc.cuny.edu">fwu@qc.cuny.edu</a>  Contact: Stacey Romano - <a href="mailto:stacey.romano@qc.cuny.edu">stacey.romano@qc.cuny.edu</a>  Term: January 2022-January 2028

**NCAA Staff**

<p><b>Terri Steeb Gronau</b> Vice President of Division II Telephone: 317/917-6935 E-Mail: <a href="mailto:tgronau@ncaa.org">tgronau@ncaa.org</a></p>	<p><b>Maritza S. Jones</b> Managing Director of Division II Telephone: 317/917-6640 E-Mail: <a href="mailto:msjones@ncaa.org">msjones@ncaa.org</a></p>
<p><b>Ryan Jones</b> Director of Division II Telephone: 317/917-6629 E-Mail: <a href="mailto:rjones@ncaa.org">rjones@ncaa.org</a></p>	<p><b>Ann Martin</b> Assistant Director of Division II Telephone: 720/934-1224 E-Mail: <a href="mailto:amartin@ncaa.org">amartin@ncaa.org</a></p>
<p><b>Jill Waddell</b> Executive Assistant for Division II Telephone: 317/917-6940 E-Mail: <a href="mailto:jwaddell@ncaa.org">jwaddell@ncaa.org</a></p>	<p><b>Karen Kirsch</b> Director of Championships and Alliances Telephone: 317/917-6765 E-Mail: <a href="mailto:kkirsch@ncaa.org">kkirsch@ncaa.org</a></p>
<p><b>Angela Red</b> Associate Director of Academic and Membership Affairs for Division II Telephone: 317/917-6228 E-Mail: <a href="mailto:ared@ncaa.org">ared@ncaa.org</a></p>	<p><b>Jordan Lysiak</b> Assistant Director of Academic and Membership Affairs for Division II Telephone: 317/917-6104 E-Mail: <a href="mailto:jlysiak@ncaa.org">jlysiak@ncaa.org</a></p>
<p><b>Chelsea Hooks</b> Associate Director of Academic and Membership Affairs for Division II Telephone: 317/917-6793 E-Mail: <a href="mailto:chooks@ncaa.org">chooks@ncaa.org</a></p>	

**2022 NCAA Division II Presidents Council**  
**Updated: October 11, 2022**

Region	Name	Conference Affiliation	Public/Private (Enrollment)	Term Start/End Date	2022	2023	2024	2025	2026	2027	2028
1	Michael Driscoll, Indiana University of Pennsylvania	PSAC	Public (10319)	Jan 2018 Jan 2024	Driscoll	Driscoll	<b>OPEN</b>				
1	Colleen Perry Keith, Goldey-Beacom College	CACC	Private (667)	Jan 2020 Jan 2026	Perry Keith	Perry Keith	Perry Keith	Perry Keith	<b>OPEN</b>		
1	Donna Henry, University of Virginia's College at Wise	SAC	Public (1249)	May 2020 Jan 2026	Henry	Henry	Henry	Henry	<b>OPEN</b>		
1	Frank Wu, Queen College (New York)	ECC	Public (16680)	Jan 2022 Jan 2028	Wu	Wu	Wu	Wu	Wu	Wu	<b>OPEN</b>
2	William Thierfelder, Belmont Abbey College	CC	Private (1557)	Aug 2018 Jan 2024	Thierfelder	Thierfelder	<b>OPEN</b>				
2	Blake Thompson, Mississippi College	GSC	Private (3242)	Jan 2021 Jan 2027	Thompson	Thompson	Thompson	Thompson	Thompson	<b>OPEN</b>	
2 At-Large	Roslyn Artis, Benedict College <sup>1</sup>	SIAC	Private (2077)	Oct 2021 Jan 2028	Artis	Artis	Artis	Artis	Artis	Artis	<b>OPEN</b>
2	Dwaun Warmack, Claflin University	CIAA	Private (2038)	Jan 2022 Jan 2028	Warmack	Warmack	Warmack	Warmack	Warmack	Warmack	<b>OPEN</b>
2					<b>OPEN</b>						
3	Steven Shirley, Minot State University	NSIC	Public (1952)	Aug 2019 Jan 2025	Shirley	Shirley	Shirley	<b>OPEN</b>			
3	Carlos Campo, Ashland University	GMAC	Private (3281)	Jan 2020 Jan 2026	Campo	Campo	Campo	Campo	<b>OPEN</b>		
3					<b>OPEN</b>						
4	Gayle Hutchinson, California State University, Chico	CCAA	Public (15048)	Aug 2017 Jan 2023	Hutchinson	<b>OPEN</b>					
4	John Gotanda, Hawaii Pacific University	PWC	Private (5000)	Aug 2020 Jan 2026	Gotanda	Gotanda	Gotanda	Gotanda	<b>OPEN</b>		
4	Sandra Woodley, University of Texas Permian Basin	LSC	Public (2153)	April 2021 Jan 2027	Woodley	Woodley	Woodley	Woodley	Woodley	<b>OPEN</b>	
At-Large					<b>OPEN</b>						
	Michaela Boyd, Palm Beach Atlantic University	Student-Athlete		August 2022 August 2023							
	Davaris Cheeks, Concordia University, St. Paul	Student-Athlete		August 2022 August 2023							
					Three Openings	One Opening	Two Openings	Three Openings	Five Openings	Three Openings	Four Openings

<sup>1</sup> Serving in at-large positions | Six members are females; nine are males; six members are ethnic minorities | eight are private institutions; six are public institutions.



SUMMARY OF SUMMER 2022 QUARTERLY MEETINGS

National Collegiate Athletic Association  
July 18-19, 2022, Division II Management Council and August 3, 2022, Division II  
Presidents Council

1. **WELCOME AND ANNOUNCEMENTS.**

Management Council. The Management Council convened its quarterly meeting at 8:31 a.m. Monday, July 18. The chair thanked the Council for their attendance at the Friday, July 15 Management Council/Student-Athlete Advisory Committee Summit.

The chair welcomed those in attendance, acknowledging staff who were present.

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

Presidents Council. The Presidents Council convened its videoconference at 11:05 a.m. Eastern time Wednesday, August 3.

The chair welcomed those in attendance, acknowledging staff who were present.

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

2. **REVIEW OF PREVIOUS MINUTES.**

a. **April 11-12 Management Council and April 27 Presidents Council.**

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

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

b. **Board of Governors.**

Management Council. The Management Council reviewed the Board of Governors report from its April 26 videoconference.

Presidents Council. The Presidents Council reviewed the Board of Governors report from its April 26 videoconference.

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. REVIEW AND APPROVAL OF 2022-23 DIVISION II PRIORITIES.**

Management Council. The Management Council approved the priorities for 2022-23, as distributed.

Presidents Council. The Presidents Council approved the priorities for 2022-23, as distributed.

**4. NCAA CONVENTION AND LEGISLATION.**

**a. Presidents Council-Sponsored Proposals for the 2023 NCAA Convention.**

- (1) **Eligibility -- Freshman Academic Requirements -- Elimination of Standardized Test-Scores Requirements (SAT or ACT)**, which eliminates the standardized test-score requirements (SAT or ACT) from Division II initial-eligibility requirements; further, it establishes the initial eligibility requirements, as specified, effective August 1, 2023, for student-athletes initially enrolling full-time at a collegiate institution on or after August 1, 2023.

Management Council. The Management Council recommended that the Presidents Council approve the proposal in legislative format.

Presidents Council. The Presidents Council approved the proposal in legislative format.

- (2) **Executive Regulations -- Administration of NCAA Championships -- Availability of Alcoholic Beverages at Division II Championships**, which eliminates the legislated restrictions on the availability of alcohol at NCAA Division II championships, effective August 1, 2023.

Management Council. The Management Council recommended that the Presidents Council approve the proposal in legislative format.

Presidents Council. The Presidents Council approved the proposal in legislative format.

- (3) **Division Membership, Amateurism, Financial Aid and Playing and Practice Seasons -- Emerging Sports for Women -- Stunt**, which adds stunt as an emerging sport for women and establishes legislation related to membership, financial aid, and playing and practice seasons as specified, effective August 1, 2023.

Management Council. The Management Council recommended that the Presidents Council approve the proposal in legislative format.

Presidents Council. The Presidents Council approved the proposal in legislative format.

**b. Proposed Legislation for the 2023 Convention Submitted by the Division II Membership.**

Management Council. The Management Council recommended that the Presidents Council take the following action regarding the membership-sponsored proposals for the 2023 Convention.

- (1) **Recruiting – Publicity – Comments Prior to Signing – Announcer for High School Broadcast.** The Management Council adopted this proposal as noncontroversial legislation.
- (2) **Recruiting – Publicity – Media Release Regarding Signing.** The Management Council adopted this proposal as noncontroversial legislation.
- (3) **Eligibility and Playing and Practice Seasons – Seasons of Competition: 10- Semester/15-Quarter Rule and Football – Criteria for Determining Season of Eligibility and Out-of-Season Athletically Related Activities – Exception – Competition in the Nonchampionship Segment and Spring Practice – Scrimmage Against a Four-Year Collegiate Institution.** Refer to the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports, Division II Legislation Committee and Division II Football Committee for review and a position of support, opposition or no position.
- (4) **Eligibility – Seasons of Competition: 10-Semester/15-Quarter – Criteria for Determining Season of Eligibility –Minimum Amount of Competition – Up to Three Contests – Football.** Refer to the Committee on Competitive Safeguards and Medical Aspects of Sports, Division II Legislation Committee, Division II Committee on Student-Athlete Reinstatement and Division II Football Committee for review and a position of support, opposition or no position.
- (5) **Playing and Practice Seasons – General Playing-Season Regulations – Time Limits for Athletically Related Activities – Weekly Hour Limitations – Outside of Playing Season -- Summer Access – Voluntary Workouts for Team Sports.** Refer to the Committee on Competitive Safeguards and Medical Aspects of Sports and Division II Legislation Committee for review and a position of support, opposition or no position.

- (6) **Playing and Practice Seasons – General Playing-Season Regulations and Basketball – Basketball First Permissible Practice Date.** Refer to the Committee on Competitive Safeguards and Medical Aspects of Sports, Division II Legislation Committee, Division II Men's Basketball Committee, Division II Women's Basketball Committee and Division II Volleyball Committee for review and a position of support, opposition or no position.

Presidents Council. The Presidents Council referred proposals 3 through 6 above to the recommended committees for review and position. No action was needed on proposals 1 and 2 above, which were adopted as noncontroversial legislation by the Management Council.

c. **Noncontroversial Legislation.**

Management Council. The Management Council adopted in legislative form 15 noncontroversial proposals that had previously been approved in concept (Proposal Nos. NC-2023-5 through NC-2023-18 and NC-2023-20), as presented. The 15 proposals are listed below.

- (1) **Proposal No. NC-2023-5: Executive Regulations -- Selection of Teams and Individuals for Championships Participation -- Earned Access -- Football -- Requirements -- Requirements for Conference to Qualify for Earned Access.** To amend the earned access legislation in football to align with the eligibility requirements for automatic qualification for any Division II championship.
- (2) **Proposal No. NC-2023-6: Membership and Championships and Postseason Football -- Conditions and Obligations of Membership -- Eligibility for Championships -- Attestation and Certification of Compliance Obligations -- Elimination of Attestation of Compliance Requirement.** To eliminate legislation requiring an annual attestation of compliance.
- (3) **Proposal No. NC-2023-7: NCAA Membership -- Institutional Control and Division Membership -- Merging Constitution Articles 3 and 6 and Bylaw 20.** To merge all Division II legislation regarding NCAA membership and institutional control to a restructured Division II membership bylaw; further, to eliminate duplicative provisions.
- (4) **Proposal No. NC-2023-8: Enforcement Policies and Procedures -- Responsibility to Cooperate -- Tools to Facilitate Cooperation.** To amend enforcement policies and procedures related to cooperation, as follows: (a) To further define full cooperation in the infractions process; (b) To confirm that the Committee on Infractions may infer that failure or refusal to produce requested materials supports an alleged violation; (c) To confirm

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.

- (5) **Proposal No. NC-2023-9: Enforcement Policies and Procedures -- Committee on Infractions Hearings -- Basis of Decision -- Importation of Facts.** To amend the legislation regarding the basis of a Committee on Infractions decision, as follows: (1) To specify that acts 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 (2) To specify that evidence submitted and positions taken in such a matter may be considered in the infractions process.
- (6) **Proposal No. NC-2023-10: Infractions Program -- Mission of the Infractions Program, Principle of Accountability and Principle of Shared Responsibility.** To clarify the mission of the NCAA infractions program as follows: (1) To uphold integrity and fair play among the NCAA membership and to prescribe appropriate and fair penalties if violations occur; (2) To ensure that those institutions and student-athletes abiding by the NCAA bylaws are not disadvantaged by their commitment to compliance; (3) To be committed to the fairness of procedures and the timely resolution of infractions cases; (4) The membership's responsibility to self-report violations; and (5) The ability to investigate allegations and penalize infractions is critical to the common interests of the Association's membership and the preservation of its enduring values; further, to specify that: (a) The infractions program shall hold institutions, coaches, administrators and student-athletes who violate the NCAA bylaws accountable for their conduct, both at the individual and institutional levels; (b) Each institution has an affirmative obligation to monitor and control its athletics programs, its representatives and its student-athletes to ensure compliance with the constitution and bylaws of the Association; and (c) Each institution has an affirmative obligation to report all instances of noncompliance to the Association in a timely manner.
- (7) **Proposal No. NC-2023-11: Infractions Program and Enforcement Policies and Procedures -- Public Disclosure About a Pending Case During Investigation, Temporary Substitutes, Representation by Legal Counsel, Presence of Institutional Representatives During Interview**

**and Institutional Hearing Representatives.** To amend the infractions program and enforcement policies and procedures, as follows: (1) To specify if information concerning a case is made public, the institution, enforcement staff and the involved individual may confirm, correct or deny the information made public; (2) To specify that if it appears that one or more members of the Committee on Infractions will be unable to participate in the hearing of a case, the chair may request the Division II Management Council to designate a former member or members of the committee to rejoin the committee for purposes of the consideration and disposition of the case; (3) To clarify that, when an enforcement staff member conducts an interview, the individual questioned may be represented by personal legal counsel; (4) To specify that if an interview with an enrolled student-athlete or athletics department staff member is conducted, an institutional representative (as designated by the institution) may be present during the interview, provided the subject matter to be discussed in the interview relates directly to the individual's institution or could affect the individual's eligibility or employment at the institution; further, to specify that if the enforcement staff wishes to discuss information with a student-athlete or staff member that is related solely to institutions other than the one in which the student-athlete is enrolled or the staff member is employed, and would not reasonably affect the student's eligibility or the staff member's employment at that institution, the institution may designate a representative to be present during the interview, provided the representative is someone who would not compromise the integrity of the investigation and whose participation would not prejudice the subject institution or any involved individual; and (5) To specify that the senior compliance administrator be required to be present at institutional hearings.

- (8) **Proposal No. NC-2023-12: Enforcement Policies and Procedures -- Investigate Procedures and Notice of Inquiry -- Notice of Enforcement Interviews and Status of Infractions Cases.** To amend the enforcement policies and procedures, as follows: (1) To reflect the current practice of the enforcement staff notifying an institution of interviews of current institutional staff members and/or enrolled student-athletes; (2) To eliminate the references to interviews being conducted "on campus"; and (3) To eliminate the legislative requirement that the enforcement staff must provide infractions case status updates every six months.
- (9) **Proposal No. NC-2023-13: Division II Organizational Structure -- Division II Presidents Council Composition -- Student-Athlete Representation.** To increase the composition of the Division II Presidents Council by adding two members of the Division II Student-Athlete Advisory Committee (one representing male sports and one representing female sports); further, to specify that the two student-athletes appointed to the Presidents Council shall: (1) each have a vote on the Presidents Council; (2)

serve a one-year term that is renewable for one-year; and (3) be elected by the Division II Student-Athlete Advisory Committee.

- (10) **Proposal No. NC-2023-14: Division II Organization Structure -- Division II Presidents Council -- Duties and Responsibilities.** To amend the duties of the Division II Presidents Council, as follows: (a) Appoint a Division II Presidents Council member to the NCAA Board of Governors; (b) Sponsor amendments and amendments-to-amendments to the constitution by two-thirds majority vote; and (c) Provide comments and input to the NCAA Board of Governors on matters that impact Division II and the Association.
- (11) **Proposal No. NC-2023-15: Division II Organizational Structure -- Division II Presidents Council -- Duties and Responsibilities -- Vice Chair -- Elimination of Duty to Serve on the NCAA Board of Governors.** To eliminate the requirement that the vice chair of the Division II Presidents Council serve as a member of the NCAA Board of Governors.
- (12) **Proposal No. NC-2023-16: Division II Organizational Structure -- Division II Management Council -- Composition -- Student-Athlete Advisory Committee Members -- Student-Athlete Voting.** To specify that the two members of the Division II Student-Athlete Advisory Committee shall serve as voting members on the Division II Management Council.
- (13) **Proposal No. NC-2023-17: Enforcement and Infractions Process -- Moving Specified Bylaws to Internal Operating Procedures.** To eliminate legislation in Bylaws 19 and 32, as specified.
- (14) **Proposal No. NC-2023-18: Administration of Championships -- Authority of Championships and Sport Committees -- Appeal of Nullification Decisions of Championships Committee -- 72-Hour Window.** To specify that the 72-hour window to appeal a nullification decision shall be 72 business hours (8 a.m.-5 p.m. in all time zones).
- (15) **Proposal No. NC-2023-20: Committees -- Association-Wide Committees -- General Committees -- Committee on Competitive Safeguards and Medical Aspects of Sports -- Composition.** To revise the composition of the Committee on Competitive Safeguards and Medical Aspects of Sports, as specified.

Presidents Council. No action was necessary.

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

### a. **Division II Committees.**

(1) **Academic Requirements Committee.**

- **Waiver of Division II Degree Completion Award Criteria Due to Circumstances Surrounding COVID-19.**

Management Council. The Management Council approved a waiver of the current Division II Degree-Completion Award requirements for student-athletes who received an extension request during the 2020-21 academic year due to COVID-19 so they can participate in their last season during the 2023-24 academic year and still receive the award. Student-athletes who received an extension for this year do not need to have exhausted their athletics eligibility to be nominated for the Division II Degree-Completion Award and may still receive athletics aid from the institution during the 2023-24 academic year.

Presidents Council. No action was necessary.

(2) **Championships Committee.**

- (a) **May 5 and May 12 Videoconferences.**

Management Council. The Management Council reviewed the committee's May 5 and May 12 videoconference reports.

Presidents Council. No action was necessary.

- (b) **June 9-10 In-Person Meeting.**

- i. **Noncontroversial Legislation – Playing and Practice Seasons – Football – Out-of-Season Athletically Related Activities – Spring Practice – Contact Restrictions.**

Management Council. The Management Council adopted noncontroversial legislation to amend NCAA Division II Bylaw 17.11.9-(b) (spring practice) to specify that during spring practice, (a) an institution shall not conduct more than two consecutive days of full contact (tackling to the ground) practices; and (b) an institution shall not conduct more than a total of 75 minutes of full contact (tackling to the ground) within any one on-field practice session other than the three tackling sessions devoted primarily to 11-on-11 scrimmages.

Presidents Council. No action was necessary.

**ii. Alcohol Sales at the 2023 Division II Women’s Basketball Championship.**

Management Council. The Management Council approved a waiver of Bylaw 31.1.13 (availability of alcoholic beverages) to permit alcohol sales at the 2023 Division II Women’s Basketball Championship game in Dallas as part of the joint championship with Divisions I and III.

Presidents Council. The Presidents Council was provided an update that the Management Council approved a waiver of Bylaw 31.1.13 (availability of alcoholic beverages) to permit alcohol sales at the 2023 Division II Women’s Basketball Championship game in Dallas as part of the joint championship with Divisions I and III.

**iii. First Sport Committee Ranking as “Under Consideration.”**

Management Council. The Management Council approved a policy change that specifies that sport committees will publish the first of their three rankings as an alphabetical list of teams under consideration rather than as an actual ranking. The Management Council also referred the issue of potentially having the second and third rankings be in alphabetical order back to the Division II Championships Committee for further review and consideration.

Presidents Council. No action was necessary.

**iv. Neutrality Pilot Extension/Expansion.**

Management Council. The Management Council extended the neutrality pilot previously in place for football, men’s and women’s basketball, and softball for an additional year, and expanded the pilot to include all sports.

Presidents Council. The Presidents Council was provided an update that the Management Council extended the neutrality pilot for an additional year and expanded the pilot to include all sports.

**v. Referral to the Division II Legislation Committee.**

Management Council. The Management Council referred the following two proposals submitted by the Division II Football Committee to the Division II Legislation Committee for further review and consideration:

- **Criteria for Determining a Season of Competition.** Amend Bylaw 14.2.4.1 (minimum amount of competition) to specify that, in football, a student-athlete in their initial year of collegiate enrollment may compete in up to three contests without using a season of competition.
- **Spring Practice – Scrimmage Against a Four-Year Collegiate Institution.** Amend Bylaws 14.2.4.1.3 (exception – competition in the nonchampionship segment) and 17.11.8.3 (annual exemptions) to permit, in football, a scrimmage against a four-year collegiate institution to occur on or after the 10th day of practice; further, to specify that participation in a scrimmage against a four-year collegiate institution does not trigger use of a season of competition, provided the student-athlete was academically eligible during the segment in the same academic year that concludes with the NCAA championship.

Presidents Council. No action was necessary.

vi. **Replacement Policy Modification for Sport Committees.**

Management Council. The Management Council modified the current replacement policy for Division II sport committees so that members may remain on the selection call when their team is under consideration to help lead the conversation. The Council noted that under the new policy the committee member could still recuse themselves if they believe they cannot be unbiased. The new policy would also require that a regional advisory committee member (preferably from a different conference) join the call to verify the information shared during the discussion.

Presidents Council. No action was necessary.

vii. **Sport Committee Appointments.**

Management Council. The Management Council ratified the following sport and rules committee appointments, effective September 1, 2022, unless otherwise noted:

- (a) **Women’s Basketball. Erika Wallace**, chief of staff and senior woman administrator at Wayne State University (Michigan), to replace Cindy McKnight, director of athletics at Ursuline College; and **Randy Loggins**, deputy athletics director at Converse University, to replace Wendell Staton, director of athletics at Georgia College, both due to term expiration.
- (b) **Women’s Basketball Rules (immediate appointment). Diane Thompson**, head women’s basketball coach at Colorado Christian University, to replace Jason Burton, head women’s basketball coach at Texas A&M University-Commerce, whose institution is reclassifying to Division I.
- (c) **Men’s and Women’s Cross Country. Inez Turner**, head men’s and women’s track and field and cross country coach at Fayetteville State University, to replace Andy Young, head women’s track and field and cross country coach at Millersville University of Pennsylvania, due to term expiration.
- (d) **Men’s and Women’s Ice Hockey Rules (immediate appointment). Jim Scanlan**, head women’s ice hockey coach at Bemidji State University, to replace Steve MacDonald, head women’s ice hockey coach at St. Cloud State University, due to term expiration.
- (e) **Women’s Lacrosse. Shannon McHale**, head women’s lacrosse coach at Colorado Mesa, to replace Regan McAthie, director of athletics at Concordia University-St. Paul, due to term expiration.
- (f) **Women’s Soccer (immediate appointment). Michael Winn**, associate director of athletics and head women’s soccer coach at Pace University, to replace Steve Fitzgerald, senior associate director of athletics at Stonehill College, whose institution is reclassifying to Division I.

- (g) **Men's and Women's Tennis.** Stefani Whitby, director of athletics at Wilmington University (Delaware), to replace Greg Coache, head tennis coach at Southern New Hampshire University; and **Josh Cobble**, head tennis coach at Cameron University, to replace Scott Linn, head tennis coach at Midwestern State University, both due to term expiration.
  - (h) **Women's Volleyball Rules (immediate appointment).** **Matthew Cribbin**, director of volleyball at American International College, to replace Darrin McClure, head women's volleyball coach at Union University, who resigned from the committee.
  - (i) **Wrestling.** **Rocky Burkett**, head wrestling coach at Northern State University, to replace Dale Lennon, director of athletics at the University of Mary, who resigned from the committee.
- (c) **Request for Feedback from the Division II Softball Committee on Proposed Future Bracket Format.**

Management Council. The Management Council was provided an overview of a proposed future seven-day bracket format for the Softball Championship. The council discussed the proposed bracket and provided feedback. It was noted that the Softball Committee will review the feedback from different groups and is expected to submit its final recommendations for the Championships Committee to consider during its September meeting.

Presidents Council. No action was necessary.

(3) **Degree Completion Aware Committee.**

Management Council. The Management Council reviewed the committee's May 19 videoconference report.

Presidents Council. No action was necessary.

(4) **Implementation Committee.**

(a) **May 16-17 In-Person Meeting.**

Management Council. The Management Council received a report from the Division II Implementation Committee chair as part of its charge to review the division's rules and policies and recommend changes that strengthen the division in accordance with the principles agreed upon in the new NCAA Constitution.

Presidents Council. The Presidents Council received a report from the Division II Implementation Committee chair as part of its charge to review the division's rules and policies and recommend changes that strengthen the division in accordance with the principles agreed upon in the new Constitution.

**(b) June 30 Videoconference.**

**i. 2023 Convention Legislation – NCAA Division II Presidents Council Composition, Terms of Service and Selection Process.**

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2023 Convention to rename the Division II Presidents Council as the NCAA Division II Executive Board and amend Bylaws 8.1.1 (composition), 8.1.3.2 (term of office) and 8.1.3.2.1 (chair and vice chair), effective February 1, 2024, as follows:

The composition of the Executive Board to include the following [Attachment A]:

- Eight presidents/chancellors based on Division II championships region;
- One at-large president/chancellor to enhance diversity on the board;
- Two independent members who are not salaried by an NCAA member institution, conference or affiliated member and shall be approved, appointed and verified as independent by the Executive Board;
- Two student-athletes (one representing male sports, one representing female sports), serving on and chosen by the Division II Student-Athlete Advisory Committee; and
- The chair of the Division II Management Council, who will serve as an ex officio, nonvoting member.

Establish the following terms of service:

- Two years, renewable for two years for presidents, chancellors and independent members;
- One year, renewable for one year, for Division II Student-Athlete Advisory Committee members; and
- The chair and vice chair shall each serve terms not to exceed two years from three years.

Specify the selection process as follows:

- When a vacancy on the Executive Board occurs, a formal call for nominations will be sent to conference offices and to all presidents and chancellors eligible to serve. The members of the Executive Board shall select an individual to fill a vacancy after reviewing nominations submitted by institutions and/or conference offices.

*\*Note: The Division II Presidents Council in April approved noncontroversial legislation to include the student-athlete representation and terms of service on the current Presidents Council to align with the new constitution.*

A streamlined Division II Executive Board provides the division the ability to be nimble in its strategic thinking. The Management Council has been assigned additional duties and is the body that has decision-making authority on the day-today responsibilities for the division and includes representation from each Division II conference. The independent members provide perspectives from outside of higher education, which will provide new ideas for the Executive Board as it develops and executes its strategic initiatives for the division. Further, the independent members will be selected by the Executive Board members and having independent members is consistent with the composition of boards on campuses. (See Attachment B for details on how the independent members will be selected.) The terms of service will permit a rotation of presidents and chancellors in the championship regions to occur more frequently, increasing the number of opportunities for presidents/chancellors to serve. Finally, a delayed effective date of February 1, 2024, will permit the current Division II Presidents Council members to remain on the council through the full 2023 legislative cycle that concludes with the 2024 NCAA Convention.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2023 Convention.

ii. **2023 Convention Legislation – NCAA Division II Presidents Council (Executive Board) Duties.**

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2023 Convention to amend Bylaw 8.1.2 (duties and responsibilities) to specify the duties of the newly named Division II Executive Board, effective February 1, 2024, as follows:

- Implement policies adopted by the NCAA Board of Governors;
- Establish and direct the general policy of Division II;
- Establish a strategic plan and/or a set of strategic priorities for Division II;
- Elect a chair and vice chair;
- Appoint a Division II Executive Board member to the Board of Governors;
- Sponsor Division II legislation or grant relief from the application of legislation in circumstances in which significant values are at stake or the use of the regular legislative process is likely to cause significant harm or hardship to the Association or the Division II membership because of the delay in its effective date;
- Adopt emergency legislation;
- Sponsor amendments and amendments-to-amendments to the constitution by a two-thirds majority vote;
- Call for a special convention of Division II;
- Delegate to the Management Council responsibilities for specific matters it deems appropriate;
- Approve recommendations of the Management Council, including the composition of the Management Council;
- Ratify, amend or rescind the actions of the Management Council;
- Ensure there is gender and ethnic diversity among its membership, the membership of the Management Council and the membership of each of the other bodies in the Division II governance structure;

- Approve the budget and the use of funds allotted to Division II (e.g., revenue distribution funds, funds for the operation of championships);
- Approve regulations providing for expenditures and income to Division II;
- Approve regulations providing for the administration of Division II championships;
- Advise the Board of Governors concerning the employment of the NCAA president and concerning the oversight of their employment;
- Provide comments and input to the Board of Governors on matters that impact Division II and the Association;
- Convene same-site meetings, as necessary, with the Management Council; and
- Create committees or other bodies (e.g., project teams) to study and recommend courses of action on specific issues or to fulfill the duties and responsibilities of Division II.

With these duties, the Executive Board will have additional time to discuss strategic issues that directly impact Division II and higher education. Further, given the Management Council has the day-to-day authority for the division's operations, the recommended amended duties for the Executive Board include delegating additional decision-making authority to the Management Council, including all responsibilities for noncontroversial legislation, the authority to sponsor legislation for the Convention and the activities of the annual NCAA Convention. Finally, the delayed effective date of February 1, 2024, aligns with the recommendation regarding the new composition of the Division II Executive Board.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2023 Convention.

**iii. 2023 Convention Legislation – NCAA Division II Management Council Composition.**

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2023 Convention to amend Bylaw 8.2.1 (composition) and Bylaw 8.2.3.1 (selection process), effective August 1, 2023, as follows:

The composition of the NCAA Division II Management Council:

- One member from all voting, multisport Division II conferences;
- Four at-large members to enhance diversity on the council; and
- Two members from the Division II Student-Athlete Advisory Committee (one representing male sports, one representing female sports), serving on and chosen by the Division II Student-Athlete Advisory Committee.

The members of the council shall include at least five directors of athletics, five senior woman administrators, five faculty athletics representatives and two conference office staff. Once these minimums are met, the council may include individuals working in athletics administration and individuals that supervise athletics, including but not limited to a vice president, athletic trainer, assistant/associate/deputy director of athletics, and/or other individuals involved in the administration of athletics.

*\*Note: The Division II Management Council in April approved the amended student-athlete representation on the Management Council for each student-athlete to have one vote instead of a combined vote.*

The selection process for the Division II Management Council:

- When a vacancy on the Management Council occurs, each conference shall propose a slate of nominees that includes a director of athletics, a senior woman administrator and a faculty athletics representative and may include a conference administrator.
- If a conference would like to submit one or two additional nominees (beyond a director of athletics, senior woman administrator, faculty athletics representative and a conference administrator) as part of its slate, the slate must include at least two women and one person of color.
- The members of the Management Council shall select individuals to fill vacancies from the slates of

nominees. Individuals selected by the Management Council must be ratified by the Presidents Council.

The Division II Management Council manages and has decision-making authority for the day-to-day affairs of the division, reviews and acts on recommendations from Division II and Association-wide committees and serves as an advisory group to the Presidents Council (Executive Board). Based on membership feedback, it remains important for all Division II multisport voting conferences (23 currently) to have representation on the Management Council. Increasing the minimum number of athletics directors, senior woman administrators, faculty athletics representatives and conference office staff by one each (five, five, five and two from four, four, four and one) will result in over half the council being represented by those leadership positions in athletics. Further, opening the council to additional members in leadership administrative positions will provide more qualified Division II administrators, including those with previous committee experience, with an opportunity to serve. Finally, the additional members will provide different perspectives to the discussions.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2023 Convention.

**iv. 2023 Convention Legislation – Division II Management Council Duties.**

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2023 Convention to amend Bylaw 8.2.2 (duties and responsibilities) to specify the duties of the Division II Management Council, effective August 1, 2023, as follows:

- Implement policies adopted by the NCAA Board of Governors and the Division II Presidents Council (Executive Board);
- Make recommendations to the Presidents Council (Executive Board) on matters it deems appropriate;
- Adopt noncontroversial and intent-based amendments, administrative bylaws and regulations to govern Division II;

- Sponsor legislative proposals for a vote at the annual NCAA Convention;
- Take final action on matters delegated to it by the Presidents Council (Executive Board);
- Review and act on the recommendations of the Division II committee structure and the recommendations of committees with Association-wide functions;
- Appoint the members of the Division II committee structure and appoint the Division II representatives to committees with Association-wide functions;
- Identify, before the printing of the Official Notice for any Convention, Division II proposals for which a roll-call vote of the eligible voters may be required and designate during the Convention the roll-call votes that must occur;
- Establish the final sequence of legislative proposals in the agenda for the Division II business session at the annual Convention;
- Elect a chair and vice chair;
- Organize and participate in an annual “summit” with the Division II Student-Athlete Advisory Committee;
- Hear and act on appeals by member institutions of decisions made by a Division II committee or the NCAA staff regarding the application of NCAA legislation (excluding actions of any committee that has final authority over issues subject to appeal); and
- Recommend the creation of committees or other bodies to study and suggest courses of action on specific issues or to fulfill the duties and responsibilities of Division II, subject to approval by the Presidents Council (Executive Board).

Given the Division II Management Council has the day-to-day authority for the division’s operations, the recommended amended duties include additional decision-making authority, including the authority to sponsor legislation for the Convention, all responsibilities for noncontroversial legislation and the activities of the annual NCAA Convention. Additionally, the amended duties for the Management Council will allow the Division II Executive Board additional time to discuss strategic initiatives and those issues that directly impact Division II and higher education.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2023 Convention.

v. **2023 Convention Legislation – NCAA Division II Planning and Finance Committee Composition.**

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2023 Convention to rename the NCAA Division II Planning and Finance Committee as the NCAA Division II Strategic Planning and Finance Committee and amend Bylaw 8.4.1 (composition) to specify the composition, effective February 1, 2024, as follows:

- One Division II Presidents Council (Executive Board) member who serves as the vice chair;
- Two Management Council members, including the vice chair;
- One conference commissioner;
- One member from the Division II Student-Athlete Advisory Committee; and
- Six additional members.

At least one member shall be from a minority-serving institution.

Expanding the committee from seven to 11 members and including a Division II SAAC representative will give the committee additional perspectives, ideas and input, while remaining nimble. The Division II Planning and Finance Committee is responsible for overseeing the Division II strategic plan, so renaming the committee to include “strategic” is consistent with its current duties. Additionally, this change will have the Division II Strategic Planning and Finance Committee reporting to the Division II Management Council with final approval by the Division II Presidents Council (Executive Board). This reporting structure will align with the division’s current governance structure process for all other committees. Finally, a delayed effective date of February 1, 2024, will permit the current members of the Division II Planning and Finance Committee to participate through the entire committee meeting cycle of April, August, September and December.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2023 Convention.

vi. **2023 Convention Legislation – NCAA Division II Planning and Finance Committee (Strategic Planning and Finance Committee) Duties.**

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2023 Convention to amend Bylaw 8.4.2 (duties) to specify the duties of the newly named NCAA Division II Strategic Planning and Finance Committee, effective February 1, 2024, as follows:

- Monitor the Division II strategic plan/strategic priorities; and assess and report on its implementation and recommend updates, when necessary, consistent with the Division II philosophy, strategic position and direction from the Division II Presidents Council (Executive Board);
- Provide regular reports on the implementation of the strategic plan/strategic priorities to the Division II Management Council and Presidents Council (Executive Board);
- Make recommendations related to the Division II budget and the budget guidelines and principles;
- Ensure alignment of the division’s strategic plan/strategic priorities with financial allocations; and
- Advise both the Division II Presidents Council (Executive Board) and Management Council regarding the division's financial affairs.

The committee currently advises both the Division II Presidents Council (Executive Board) and Management Council regarding the division’s financial affairs. This amended language will clarify that the Strategic Planning and Finance Committee is responsible for overseeing the Division II strategic plan and recommend budget priorities to the Presidents Council (Executive Board) and Management Council. Finally, a delayed effective date of February 1, 2024, aligns with the effective date of the new composition of the committee.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2023 Convention.

**vii. 2023 Convention Legislation – NCAA Division II Administrative Committee Composition.**

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2023 Convention to amend Bylaw 8.3.1 (composition) to specify the composition of the NCAA Division II Administrative Committee, effective August 1, 2023, as follows:

- The chair and vice chair of the Division II Presidents Council (Executive Board);
- The chair and vice chair of the Division II Management Council; and
- The chair of the Division II Student-Athlete Advisory Committee.

This is consistent with adding and amplifying the student-athlete voice within the division. This recommendation includes the leadership of the top divisional bodies.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2023 Convention.

**viii. 2023 Convention Legislation – Division II Legislation/Amendment Process.**

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2023 Convention to amend the timing of the Division II legislative process, effective immediately, for proposals submitted for the 2024 NCAA Convention, as follows:

- July 15: Deadline for submission of proposals by the membership.
- September 1: Deadline for the Division II Presidents Council (Executive Board) to sponsor legislation.
- September 15: Modification period for membership-sponsored proposals.
- October 7: Deadline for committee review of membership-sponsored proposals.

- By December 10: Publication of the Official Notice.

This recommendation to streamline and simplify the legislative process was one of several options vetted within the membership and supported through feedback opportunities. Consideration was given to extending the deadline for membership proposals to August 1, but it was agreed to retain the current July 15 deadline in order to give the Division II Management Council and Division II Student-Athlete Advisory Committee the opportunity to review the proposals during their summer meetings. The amended timeline takes advantage of advances in technology to eliminate the previously published Initial Publication of Proposed Legislation (IPOPL) and the Second Publication of Proposed Legislation (SPOPL) and to provide only the Official Notice, which will result in a unified communication of educational material for the NCAA Convention. Educational materials will be made available in the fall, including a complete PDF of the proposals for the Convention and voice-over educational video. The Q&A will be made available when the Official Notice is posted.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2023 Convention.

**ix. 2023 Convention Legislation – Division II Institutional Self-Study Guide.**

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2023 Convention to eliminate the Institutional Self-Study Guide (ISSG), effective August 1, 2023.

Current legislation requires institutions to conduct a comprehensive self-study and evaluation of their intercollegiate athletics programs at least once every five years, using the ISSG to facilitate the process. The legislation was adopted in 1997 and was intended to enhance the integrity of Division II athletics programs by helping administrators evaluate and identify specific areas in their own athletics programs that may represent potential problems and develop written plans for improvement for those areas. While the ISSG has been an integral and successful component of ensuring compliance and integrity

within Division II intercollegiate athletics operations during this time, the instrument in and of itself is no longer the right tool by which to conduct such evaluation given the likely restructuring of Division II rules and policies that will occur as a result of the adoption of the new constitution. Accordingly, the recommendation is to eliminate the ISSG and ask the Division II Membership Committee to consider the development of a new evaluation tool/process that aligns more closely with the division's revamped bylaws and policies.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2023 Convention.

**x. 2023 Convention Legislation – Definition of Agent.**

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2023 Convention to redefine the term “agent” in Division II Bylaw 12 (amateurism) to align with that used in the Uniform Athlete Agent Act; further, restructure/redraft Bylaw 12.3 (use of agents), effective August 1, 2023, to specify the following:

- It shall be permissible for a student-athlete to sign a contract to receive advice/negotiations from an agent;
- It shall be permissible for a student-athlete to use professional service providers.
- It shall be impermissible for a student-athlete (or their relatives) to receive benefits (tangible or intangible) from an agent or individual for professional sports opportunities; and
- It shall be impermissible for a student-athlete to enter into an agreement with an agent that helps to secure initial or continued enrollment or a scholarship at a particular institution.

This change will expand a student-athlete's ability to seek and receive advice from individuals for the purposes of making well-informed decisions prior to entering into contractual agreements. Allowing student-athletes to receive advice from an individual about a decision related to an agreement is in the best interests of student-athletes; specifically, when considering the name, image and likeness

landscape. Establishing that it is permissible for a student-athlete to work with professional service providers, such as, but not limited to, tax consultants, attorneys, and marketing agents, allows for student-athletes to obtain the appropriate and necessary advice related to the student-athlete's name, image and likeness and the accompanying activities. Finally, it will still be impermissible for a student-athlete (or their relatives) to receive tangible or intangible benefits from an agent or individual for professional sports opportunities or, to enter into an agreement with an agent for or receive compensation or incentives related to enrollment-based decisions.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2023 Convention.

**xi. Noncontroversial Legislation – NCAA Division II Presidents Council and Management Council Chair and Vice Chair Terms – Staggered Terms.**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaws 8.1.3.3.1 (chair and vice chair) and 8.2.3.3.1 (chair and vice chair) to specify that the chair and vice chair terms for the Presidents Council and Management Council shall not expire on staggered terms and to place the legislation in the NCAA Division II Presidents Council and Management Council policies and procedures.

Presidents Council. The Presidents Council adopted the noncontroversial legislation.

**xii. Noncontroversial Legislation – NCAA Division II Presidents Council and Management Council Policies and Procedures.**

Management Council. The Management Council adopted noncontroversial legislation to remove the following legislation (Bylaws 8.1.3.3.2, 8.1.4.1, 8.2.3.3.2, and 8.2.4.1) and place it in the Division II Presidents Council and Management Council policies and procedures:

- **Staggered Terms.**

- **Members.** The Division II Administrative Committee shall have the authority to amend terms of service of the Presidents Council/Management Council members, as necessary, to stagger the expiration of terms to provide for continuity of service.
- **Operating Rules.**
  - **Quorum.** For the transaction of business, a quorum shall consist of a majority of the members of the Presidents Council/Management Council. For the Presidents Council/Management Council to take action, a simple majority of Presidents Council/Management Council members present and voting shall be required, unless otherwise specified.

Presidents Council. The Presidents Council adopted the noncontroversial legislation.

**xiii. Noncontroversial Legislation – Sport Sponsorship Requirements.**

Management Council. The Management Council adopted noncontroversial legislation to specify that an institution and conference in Division II shall sponsor a minimum of 10 sports; further, to eliminate the five-sport/three-season requirement, as specified, effective August 1, 2023.

Presidents Council. No action was necessary.

**xiv. Noncontroversial Legislation – Audit of Membership Requirements.**

Management Council. The Management Council adopted noncontroversial legislation to remove Bylaw 20.10.5 (audit of membership requirements) and place it in the NCAA Division II Membership Committee’s policies and procedures.

Presidents Council. No action was necessary.

**xv. Noncontroversial Legislation – Appeals of Interpretations Process.**

Management Council. The Management Council adopted noncontroversial legislation to amend the appeals of interpretations process to specify that the Division II Legislation Committee and the Division II Academic Requirements Committee shall be the final authority of appealed interpretations.

Presidents Council. No action was necessary.

**xvi. Noncontroversial Legislation – Amendments to Align with the Updated NCAA Interim Policy on Student-Athlete Name, Image and Likeness (NIL).**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 12 (amateurism) to align with and address the goals of the Interim NIL Policy as follows:

- Remove duplicative language;
- More clearly define the term “professional service providers”;
- Remove Bylaw 12.1.2 (activities prior to full-time collegiate enrollment);
- Codify the NIL Policy;
- Redraft Bylaws 12.1.3 (permissible – following initial full-time collegiate enrollment) and 12.1.4 (impermissible – following initial full-time collegiate enrollment);
- Clarify the use of a student-athlete’s NIL under Bylaw 12.4.1 (criteria governing compensation to student-athletes) to specify that unless the student-athletes has entered into an NIL agreement, an employer may not use the student-athlete’s reputation to promote their product or service; and
- Remove all of Bylaw 12.5 (promotional activities).

Presidents Council. No action was necessary.

**xvii. Noncontroversial Legislation – Enforcement and Infractions Process Amendments – Relocation of Legislative Language.**

Management Council. The Management Council adopted noncontroversial legislation to relocate legislative language from Constitution 2.1.1 (responsibility for control) and Constitution 2.8.1 (responsibility of institution) that articulates institutional responsibilities to monitor and control its athletics programs to Bylaw 7 (membership and institutional control) with nonsubstantive edits for consistency with the new constitution. Additionally, strike references to “constitution” in Bylaws 19 and 32.

Presidents Council. No action was necessary.

**xviii. Noncontroversial Legislation – Enforcement and Infractions Process Amendments – Accelerated Option for Hearings.**

Management Council. The Management Council adopted noncontroversial legislation to an accelerated option for hearings.

Presidents Council. No action was necessary.

**xix. Noncontroversial Legislation – Enforcement and Infractions Process Amendments – Stay of Penalties During Appeal.**

Management Council. The Management Council adopted noncontroversial legislation to stay the Committee on Infractions’ penalties when an appeal is properly filed with the Infractions Appeals Committee to reflect current practices.

Presidents Council. No action was necessary.

**xx. Noncontroversial Legislation – Enforcement and Infractions Process Amendments – Moving Specific Bylaws to Internal Operating Procedures.**

Management Council. The Management Council adopted noncontroversial legislation to eliminate legislation and where, appropriate, add to the Enforcement Staffs, Committee on Infractions’ and/or Infractions Appeals Committee’s internal operating procedures.

Presidents Council. No action was necessary.

**xxi. Noncontroversial Legislation – Enforcement and Infractions Process Amendments – Merge, Update and Reorganize Bylaw 19 (Infractions Program) and Bylaw 32 (Enforcement Policies and Procedures).**

Management Council. The Management Council adopted noncontroversial legislation to merge, update and reorganize Bylaw 19 and Bylaw 32 into new Bylaw 19 (infractions program).

Presidents Council. No action was necessary.

**xxii. Noncontroversial Legislation – Discipline of Members.**

Management Council. The Management Council adopted noncontroversial legislation to eliminate Constitution 3.3.4.13, 3.3.6 and 3.4.6, regarding the discipline of members as those references are duplicative and/or outdated.

Presidents Council. No action was necessary.

**xxiii. Division II Enhancement Fund.**

Management Council. The Management Council approved a policy change to separate the current Enhancement Fund into two distinct line items in the Division II budget:

- a. Conference Sports Sponsorship Fund – allocate 75% of the current budget.
- b. Institutional Equal Distribution Fund – allocate 25% of the current budget.

Further, the Management Council approved a policy change to earmark the institutional equal distribution fund to benefit the athletics department, but do not require a report on how institutions use these dollars.

Presidents Council. No action was necessary.

**xxiv. Division II Surplus Distribution Process.**

Management Council. The Management Council approved a policy change to earmark the supplemental distribution from the Division II surplus to benefit the athletics department,

but do not require a report on how institutions use these dollars.

Presidents Council. No action was necessary.

**xxv. Referrals to the Division II Committees.**

Management Council. The Management Council referred the following issues recommended by its subcommittees to the specified existing bodies within the Division II governance structure for further review and consideration:

**a. To the Division II Academic Requirements Committee:**

- **From the Legislative Process and Compliance Subcommittee:** Review the two-year college transfer requirements and progress-toward-degree requirements in current Bylaw 14.

**b. To the Division II Championships Committee:**

- (i) **From the Championships Subcommittee:** Explore a championships structure that sets 35 as a uniform minimum sponsorship requirement to establish/maintain a Division II championship in men's and women's sports (with a five-year grace period if a sport falls below the minimum), continues to offer the best access ratio among divisions (via a range from 4.5 to 6), and grants automatic qualification privileges to a championship once minimum sponsorship is reached (rather than rely on sport committee recommendation), unless AOs would comprise more than 75 percent of the bracket (which may result in a bracket expansion).
- (ii) **From the Championships Subcommittee and the Membership Subcommittee:** Collaborate with the Division II Membership Committee to consider aligning minimum contest requirements for sport sponsorship and championships selection purposes to

simplify the process and provide the membership additional flexibility without compromising the integrity of either requirement area. [Note: Sport committees that oversee sports that currently have different standards (football, men's and women's golf, men's lacrosse and men's soccer) will be consulted for feedback as well.]

- (iii) **From the Championships Subcommittee:** Complete the task of combining Bylaws 18 and 31 to create a significantly revised overarching championships bylaw that moves several existing bylaws to policy. This task should be completed by February 2023 to allow for an August 1, 2023 effective date.
  - (iv) **From the Championships Subcommittee:** While keeping regionalization principles related to selections, request the Division II Championships Committee consider changes to the division's championship model concerning regionalization bracketing policies with the goal of reducing first round conference matchups and maintaining fiscal responsibility.
  - (v) **From the Championships Subcommittee:** Continue monitoring discussions within Division I regarding National Collegiate Championships and how any changes in that space will affect Division II.
  - (vi) **From the Legislative Process and Compliance Subcommittee:** Consider which, if any, playing and practice season policies adopted during the COVID-19 pandemic should be adopted on a permanent basis.
- c. **To the Division II Legislation Committee:**

- (i) **From the Legislative Process and Compliance Subcommittee:** Consider renaming current Bylaw 12 (amateurism).
  - (ii) **From the Legislative Process and Compliance Subcommittee:** Review current Bylaw 13 (recruiting).
  - (iii) **From the Legislative Process and Compliance Subcommittee:** Determine whether the various institutional reporting requirements remain relevant/useful.
  - (iv) **From the Legislative Process and Compliance Subcommittee:** Review the five-season/10-semester rule, transfer requirements and organized-competition rules in current Bylaw 14 (eligibility: academic and general requirements).
  - (v) **From the Legislative Process and Compliance Subcommittee:** Review Bylaws 15 (financial aid), 16 (awards, benefits and expenses for enrolled student-athletes) and 17 (playing and practice seasons).
- d. **To the Division II Membership Committee:**
- (i) **From the Championships Subcommittee:** Review current Bylaws 18.4.2 (institutional eligibility) through 18.4.2.2.2 (exemption from maximum awards limitation) and 31.3.3.6 (exclusion of institution reclassifying from Division II to Division I) for consideration of moving to Bylaw 7 (membership and institutional control) or policy.
  - (ii) **From the Membership Subcommittee:** Consider developing a new institutional engagement program to replace the Institutional Self-Study Guide.

- (iii) **From the Membership Subcommittee:** Finalize the review of the Division II provisional membership process.
  - (iv) **From the Membership Subcommittee:** Review the definition of a covered event for the certification-of-insurance requirement.
- e. **To the Division II Planning and Finance Committee:**
  - (i) **From the Budget Subcommittee:** Consider when a supplemental distribution is approved by the Presidents Council whether conferences should be included in the allocation and receive a portion of the distribution. Currently only institutions are eligible for this distribution.
  - (ii) **From the Budget Subcommittee:** Consider a potential waiver/grace period for conferences that fall below the minimum of six institutions sponsoring a sport to retain a unit for the conference sports sponsorship fund calculation.
- f. **To the Division II Student-Athlete Advisory Committee:**
  - (i) **From the Governance Subcommittee:** Determine whether there is a need for SAAC representation on Division II general committees that currently do not include a SAAC member. (The SAAC is asked to seek feedback from the relevant general committees.)
  - (ii) **From the Governance Subcommittee:** Determine for committees that already do have a SAAC representative whether it would be beneficial to have student-athletes or former student-athletes that are not on the Division II SAAC serve on these committees. (The SAAC is asked to seek feedback from the relevant general committees.)

**g. To the Division II Committee on Student-Athlete Reinstatement:**

- **From the Legislative Process and Compliance Subcommittee:** Review the hardship, seasons-of-competition and eligibility waivers in current Bylaw 14.

**h. To the NCAA Enforcement Staff, the Division II Committee on Infractions and the Division II Infractions Appeals Committee:**

- (i) **From the Championships Subcommittee:** Review current Bylaws 31.2.2.4 (participation while ineligible) and 31.2.2.5 (institutional penalty for ineligible participation) for consideration of moving to Bylaw 19 or policy.
- (ii) **From the Enforcement and Infractions Process Subcommittee:** Review the legislation for institutional control (new Bylaw 7) and institutional responsibilities to monitor its athletics programs to determine whether the expectations are fair, accurate and reasonable.
- (iii) **From the Enforcement and Infractions Process Subcommittee:** Consider whether establishing charging guidelines for failure to monitor and lack of institutional control would be appropriate and beneficial.

Presidents Council. No action was necessary.

**(c) Update on Division I and Division III Processes.**

Management Council. The Management Council received an update on the work being done by Division III and Division I to implement the new constitution.

The Management Council discussed at length the enhanced transfer model recommendations that the NCAA Division I Transformation Committee submitted to the NCAA Division I Board of Directors and what the board is asking the NCAA Division I Council to review. In

particular, the discussion focused on the proposed academic eligibility exception and transfer windows that would replace the one-time transfer exception in Division I.

Following discussion and concern regarding the potential application of different transfer rules in different divisions, the Management Council voted to ask the Division I Council to consider confirming the application of transfer rules for a student-athlete transferring to a different division. The Management Council believes that a student-athlete transferring to a different division should follow the transfer rules of the division the student-athlete is transferring to. For example, if a Division I student-athlete intends to transfer to a Division II institution and wants to use the one-time transfer exception, the student-athlete should be permitted to enter the NCAA Transfer Portal through June 15, which is the Division II written notification of transfer date.

The Management Council requested that the Division I Council consider this application and clarify its intent as part of its discussion of the enhanced transfer model recommendations.

Presidents Council. The Presidents Council received an update on the Division I and Division III processes and the action taken by the Management Council. No action was necessary.

(5) **Legislation Committee.**

(a) **Noncontroversial Legislation – Bylaw 17.5 -- Playing and Practice Seasons – Beach Volleyball -- Nonchampionship Segment Competition and Travel.**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 17.5 (beach volleyball -- nonchampionship segment competition and travel) to permit up to four multiple-day pairs tournaments during the nonchampionship segment; further, to eliminate the prohibition on missed class time and the restriction to ground transportation associated with competition in the nonchampionship segment.

Presidents Council. No action was necessary.

(b) **Noncontroversial Legislation -- Bylaw 17.27.5 -- Playing and Practice Seasons -- Water Polo -- Number of Dates of Competition -- Four Dates of Competition During Nonchampionship Segment.**

Management Council. The Management Council adopted noncontroversial legislation to amend Bylaw 17.27.5 (water polo -- number of dates of competition) to permit a maximum of four dates of competition during the nonchampionship segment in water polo.

Presidents Council. No action was necessary.

(c) **Name, Image and Likeness -- Guidance Regarding Third-Party Involvement.**

Management Council. The Management Council adopted a policy [Attachment C] to provide guidance on third-party involvement with name, image and likeness activities.

Presidents Council. No action was necessary.

(6) **Membership Committee.**

(a) **April 19 Videoconference.**

i. **2023 Convention Legislation – Constitution Article 2(D)(1)(c) – Division II Financial Data Requirement – Penalty for Failure to Submit Financial Data.**

Management Council. The Management Council recommended that the Presidents Council sponsor legislation for the 2023 Convention to establish a penalty for an active member institution that fails to submit its financial data via the NCAA Member Financial Reporting System (MFRS) by the applicable deadline, effective August 1, 2025, for implementation of the penalty to submit, as specified.

With the adoption of the new NCAA Constitution, Article 2(D)(1)(c) requires institutions to submit annually to the division and the NCAA financial data as determined by the division detailing operating revenues, expenses and capital relating to the intercollegiate athletics program, effective August 1, 2022. The committee recommended that Division II institutions shall submit athletics financial data via the MFRS as the means to satisfy the division's financial data submission requirement annually as set forth in the new constitution as currently 95 percent of the Division II membership utilizes the MFRS. The committee believes Division II will continue to benefit from this annual data collection method and the information will continue to be

made available to Division II schools and conferences via the Institutional Performance Program (IPP). An institution that fails to submit the data by the applicable deadline shall forfeit Division II enhancement funds in the following academic year. However, the committee agreed to delay implementation of the penalty, until August 1, 2025, to allow the membership time to adapt to the new legislated requirement without having a penalty.

Presidents Council. The Presidents Council agreed to sponsor the legislation for the 2023 Convention.

**ii. Constitution Article 2(D)(1)(c) - Division II Financial Reporting Requirement.**

Management Council. The Management Council approved that Division II institutions shall submit athletics finance data via the MFRS as the means to satisfy the division's financial data submission requirement annually as set forth in the new NCAA Constitution.

Presidents Council. No action was necessary.

**(b) July 12-13 In-Person Meeting.**

**• Review of Annual Reports from Institutions in the Membership Process.**

Management Council. The Management Council noted that the Membership Committee had taken the following actions with regard to institutions in the membership process:

- i. Moved the following institutions to active member status, effective September 1, 2022:
  - a. College of Staten Island; and
  - b. Frostburg State University.
- ii. Moved the following institution to provisional year three, effective September 1, 2022:
  - D'Youville University.

- iii. Move the following institutions to provisional year two, effective September 1, 2022:
  - a. Allen University;
  - b. Edward Waters University; and
  - c. Emory & Henry College.
- iv. Approved the applications of the following institutions to enter provisional year one, effective September 1, 2022:
  - a. Thomas More University;
  - b. University of South Carolina Beaufort; and
  - c. Westmont College.

Presidents Council. The Presidents Council reviewed the actions taken by the Membership Committee.

**(7) Nominating Committee**

**(a) May 11 Videoconference.**

• **Committee Appointments.**

Management Council. The Management Council recommended that the Presidents Council approve the appointment noted in item “i” below, effective September 1, 2022:

- i. **Division II Academic Requirements Committee (one September 2022 vacancy).** Ryan Quann, registrar, Goldey-Beacom College, Central Atlantic Collegiate Conference.
- ii. **Division II Nominating Committee (one immediate vacancy replacing George Bright).** Roberta Page, director of athletics, Slippery Rock University of Pennsylvania, Pennsylvania State Athletic Conference.

Presidents Council. The Presidents Council approved the appointment, as recommended.

[Note: The immediate appointment noted above in item “ii” was approved June 3 by the Administrative Committee. It is included in the document for ease of reference.]

**(b) May 26 Videoconference.**

• **Committee Appointment.**

Management Council. The Management Council was provided an update that the Administrative Committee approved the following appointment, effective immediately:

- **NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (one immediate vacancy replacing Tim McMurray). Richard Hendricks**, director of athletics, Shorter University, Gulf South Conference.

Presidents Council. No action was necessary.

[Note: The appointment noted above was approved June 3 by the Administrative Committee. It is included in the document for ease of reference.]

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

**(a) Budget-to-Actual Report Ending May 31.**

Management Council. The Management Council reviewed the budget-to-actual report for the period ending May 31, 2022.

Presidents Council. The Presidents Council reviewed the budget-to-actual report for the period ending May 31, 2022.

**(b) April 21 Videoconference.**

**i. Division II Budget Guidelines and Principles.**

Management Council. The Management Council endorsed the Division II Budget Guidelines and Principles.

Presidents Council. No action was necessary as the Presidents Council approved the Budget Guidelines and Principles during its April 2022 meeting.

**ii. Division II Budget Requests for Fiscal Year 2022-23.**

Management Council. The Management Council endorsed the budget requests for the 2022-23 fiscal year, as noted below. The rationale for each request is listed alongside the amount requested.

Request	Amount	Rationale
Enhancement Fund	\$187,782	Per the revised long-range budget, based on the impact of COVID-19, the Presidents Council approved a 2% increase to the Enhancement Fund for FY23. Given the dollars available, this recommendation would be a 2.5% percent increase and would be consistent with the planned increases prior to COVID-19. The difference between the 2% and 2.5% increase is roughly \$37,500.
Championships Travel	\$649,326	Each year, NCAA accounting provides an estimate on expected travel inflation for Division II championships travel. Based on analysis by accounting and dollars available, this recommendation is a 5% increase to DII championships travel. Additionally, the division

Request	Amount	Rationale
		<p>allocated \$1,250,000 from the FY21 surplus for potential increased travel costs in 2021-22 DII championships. We recommend rolling over any unused dollars of the \$1,250,000 to FY23. With the new allocation of \$649,236 and the remainder of the \$1,250,000, DII should have enough funds for FY23 championships travel. The accounting staff will do another assessment in preparation for the FY24 budget requests.</p>
<p>DII Championships Festival</p>	<p>\$50,000</p>	<p>Per the DII long-range budget, an increase of \$50,000 was planned. These dollars will cover the increased costs associated with the special events at the festival (e.g., opening ceremonies, closing ceremonies, student-athlete lounges).</p>
<p>Women’s Lacrosse Officials</p>	<p>\$8,000</p>	<p>Previously approved by the Planning and Finance Committee in December 2021 and Presidents Council in January 2022. To make equal with DII men’s lacrosse officials’ payments.</p>

<b>Request</b>	<b>Amount</b>	<b>Rationale</b>
Softball Instant Replay	\$9,000	To make equal with DII baseball.
Softball Championship Format	\$15,000	To expand the softball championship from 5 days to 6 days, if approved by the Presidents Council.
New AD Orientation	\$35,000	With COVID-19, this program switched to virtual from in person as a cost-savings measure. Dollars are available to return to an in-person event.
Coaches Connection	\$34,000	With COVID-19, travel dollars were reduced from the program as a cost-savings measure. Dollars are available to provide travel costs for the connectors to attend the DII national championship for their sport and/or the coaches association's annual meeting.
Affiliate Grants	\$175,000	With COVID-19, the planned increase of \$25,000 for each affiliate grant was paused as a cost-savings measure. This provides each affiliate organization with the planned increase from \$50,000 to \$75,000. The affiliate organizations include:

Request	Amount	Rationale
		<ul style="list-style-type: none"> <li>• Athletics Directors Association</li> <li>• Conference Commissioners Association</li> <li>• Co-SIDA (sports information directors)</li> <li>• FARA for the FAR Institute</li> <li>• MOAA (Minority Opportunities Athletics Association)</li> <li>• NAAC (National Association of Athletics Compliance)</li> <li>• Women Leaders in College Sports</li> </ul>
Drug Testing Contract	\$4,979	Per the long-range budget – 2% inflationary increase to pay for Division II’s portion of the Drug Free Sport contract.
Associate Director to Director Reclassification in DII Governance	\$25,000	To reclassify Ryan Jones from an Associate Director to Director. Funds allocated include increased wages, retirement, taxes and staff insurance.
New Associate Director Position in DII Governance	\$116,000	To establish a new associate director position in DII Governance. Includes wages, retirement, taxes and staff insurance.

<b>Request</b>	<b>Amount</b>	<b>Rationale</b>
TOTAL	\$1,309,087	

Presidents Council. No action was necessary as the Presidents Council approved the 2022-23 fiscal year budget requests during its April 2022 meeting. The Presidents Council received a preview of the August 11 Planning and Finance Committee meeting.

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

- **April 7 In-Person Meeting, May 2 Videoconference and Verbal Update from July 14 Videoconference.**

Management Council. The Management Council reviewed the committee's April 7 in-person meeting and May 2 videoconference reports. The Management Council also received an update from the July 14 videoconference.

Presidents Council. No action was necessary

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

Management Council. The Management Council reviewed the committee's May 17-18 in-person meeting report.

Presidents Council. No action was necessary.

**b. Division II Subcommittee and Project Team.**

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

- **2023 Convention Division II Schedule and Educational Programming.**

Management Council. The Management Council approved the Division II schedule and educational programming for the 2023 Convention.

Presidents Council. The Presidents Council approved the Division II schedule and educational programming for the 2023 Convention.

**(2) Identity Subcommittee.**

Management Council. The Management Council received an update on the discussions by the Identity Subcommittee, including the modules in development for Make Game Day Yours, a new nomination process for the Award of Excellence and social media analytics.

Presidents Council. No action was necessary.

**c. Association-Wide Committees.**

**(1) Committee on Sportsmanship and Ethical Conduct.**

Management Council. The Management Council reviewed the committee's March 22 videoconference report.

Presidents Council. No action was necessary.

**(2) Committee on Women's Athletics.**

Management Council. The Management Council reviewed the committee's April 21 videoconference report.

Presidents Council. No action was necessary.

**(3) Minority Opportunities and Interests Committee.**

Management Council. The Management Council reviewed the committee's April 20 videoconference report.

Presidents Council. No action was necessary.

**(4) Joint Committee on Women's Athletics and Minority Opportunities and Interests Committee.**

Management Council. The Management Council reviewed the committees' April 25 joint videoconference report.

Presidents Council. No action was necessary.

**(5) Playing Rule Oversight Panel.**

Management Council. The Management Council reviewed the panel's April 20, June 9 and June 21 videoconference reports.

Presidents Council. No action was necessary.

**(6) Postgraduate Scholarship Committee.**

Management Council. The Management Council reviewed the committee's May 12-13 in-person meeting report.

Presidents Council. No action was necessary.

**(7) Walter Byers Scholarship Committee.**

Management Council. The Management Council reviewed the committee's April 23 meeting report.

Presidents Council. No action was necessary.

**6. DISCUSSION WITH PRESIDENTIAL SEARCH FIRM.**

Management Council. The Management Council participated in a session Tuesday morning with TurnkeyZRG regarding the search for the new NCAA president. No formal action was taken.

Presidents Council. The Presidents Council participated in a session with TurnkeyZRG regarding the search for the new NCAA president. No formal action was taken.

**7. MANAGEMENT COUNCIL ISSUES.**

**a. Election to Fill Vacancy from Southern Intercollegiate Athletic Conference.**

Management Council. The Management Council elected Curtis Campbell, director of athletics, Morehouse College, as the Southern Intercollegiate Athletic Conference representative. Mr. Campbell replaces J. Lin Dawson, who took a position at a different institution. He will begin his term immediately for a four-year period of time, ending January 2027.

Presidents Council. The Presidents Council ratified the election, as recommended.

**b. Management Council Policies and Procedures.**

Management Council. The Management Council approved the updated Management Council Policies and Procedures document.

Presidents Council. No action was necessary.

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

Management Council. The Management Council reviewed its committee and project team assignments.

Presidents Council. No action was necessary.

**d. Management Council Vice Chair Election.**

Management Council. The Management Council elected Harry Stinson III, director of athletics, Lincoln University (Pennsylvania), as the new vice chair of the Council, effective September 1, 2022, and running through the adjournment of the Division II Business Session at the 2024 Convention.

Presidents Council. The Presidents Council ratified the election, as recommended.

**e. Management Council Chair Notice.**

Management Council. The Management Council was informed that Jim Johnson's position as chair of the Management Council would expire at the conclusion of the 2023 Convention. Individuals interested in seeking the position should voice that interest to the chair or the managing director of Division II.

Presidents Council. No action was necessary.

**f. Management Council/Student-Athlete Advisory Committee Summit.**

Management Council. The Management Council discussed the feedback received on the Summit that was held the previous Friday.

Presidents Council. No action was necessary.

**8. PRESIDENTS COUNCIL ISSUES.**

**a. Presidents Council Vice Chair Re-Election.** The Presidents Council re-elected Gayle Hutchinson, president, California State University, Chico, to serve as vice chair of the Council, from September 1, 2022, through the adjournment of the Division II Business Session at the 2023 Convention.

**b. Presidents Council Policies and Procedures.** The Presidents Council approved the updated Presidents Council Policies and Procedures document.

**c. Current and Future Presidents Council Vacancies.** The Presidents Council approved holding to fill any vacancies until the membership votes on the governance structure organization proposal at the 2023 Convention. If the proposal is adopted, the Council will continue to hold filling any vacancies. If defeated, the

Council will seek nominees for open vacancies and the Presidents Council will consider the nominees at its April 2023 meeting.

- d. **Chair Election in October.** The Presidents Council was advised that a chair would be elected at the October meeting to serve from January 2023 to January 2024. President Council members who wish to serve should contact the vice president of Division II.

9. ***NATIONAL OFFICE UPDATES.***

a. **Executive and Legal.**

Management Council. The Management Council received an update from the NCAA president, as well as the NCAA senior vice president and general counsel on issues surrounding the NCAA.

Presidents Council. The Presidents Council received an update on issues surrounding the NCAA from the NCAA president and the NCAA senior vice president and general counsel, which included congressional interest in college sports and issues Congress is discussing about college sports; the landscape of college athletics and membership discussions in Division I; and concussion litigation.

b. **Sports 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 membership responsibilities and strategic priorities for student-athlete health and safety (standards of care); update on cannabinoid discussions; transgender student-athlete participation; concussion updates/CARE consortium; mental health initiatives.; and Injury Surveillance Program participation.

Presidents Council. The Presidents Council received an update from Sport Science Institute staff regarding membership responsibilities and strategic priorities for student-athlete health and safety (standards of care); update on cannabinoid discussions; transgender student-athlete participation; concussion updates/CARE consortium; mental health initiatives.; and Injury Surveillance Program participation.

c. **Health and Safety Survey.**

Management Council. The Management Council was provided an overview of the 2021-22 NCAA Division II Health and Safety Survey.

Presidents Council. No action was necessary.

**d. Legal Update Regarding NCAA Rules Review.**

Management Council. The Management Council was provided a legal update regarding NCAA rules review.

Presidents Council. The Presidents Council was provided a legal update regarding NCAA rules review.

**e. Division II APPLE Training Institute.**

Management Council. The Management Council was provided an update regarding the final report from the 2021 Division II APPLE Training Institute.

Presidents Council. No action was necessary.

**f. Division II ADA Mentor Program.**

Management Council. The Management Council was updated on the ADA Mentor Program.

Presidents Council. No action was necessary.

**g. Division II Community Engagement.**

Management Council. The Management Council was updated on the community engagements efforts of the division at Division II national championships.

Presidents Council. No action was necessary.

**h. Division II Coaches Connection Program.**

Management Council. The Management Council was updated on the coaches connection program.

Presidents Council. No action was necessary.

**10. AFFILIATED ASSOCIATION UPDATES.**

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

**a. Division II Athletics Director Association.**

**b. Division II Conference Commissioners Association.**

- c. **CoSIDA.**
- d. **Faculty Athletics Representative Association.**
- e. **Minority Opportunity Athletics Administrators Association.**
- f. **National Association for Athletics Compliance.**
- g. **Women Leaders in College Sports.**

Presidents Council. No action was necessary.

**11. OTHER BUSINESS.**

Management Council. No action was necessary.

Presidents Council. No action was necessary.

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

Management Council. The Management Council was provided with a list of topics/issues to report to its member institutions. These topics included: 2023 Convention information; legislation for the 2023 Convention; Championship Committee updates, including first sport committee ranking as "under consideration," the extension of the neutrality pilot, timeline for AQ declaration for men's and women's tennis, and replacement policy modification for sport committees; NIL guidance regarding third-party involvement; Division II University; Injury Surveillance Program numbers; noncontroversial legislation; awards and scholarship opportunities; and the Management Council meeting article.

Presidents Council. No action was necessary.

**13. FUTURE MEETINGS.**

Management Council. The Management Council reviewed the upcoming meetings for 2022 through January 2024.

Presidents Council. The Presidents Council reviewed the upcoming meetings for 2022 through January 2024.

**14. ADJOURNMENT.**

Management Council. The Management Council adjourned at 11:46 a.m. Eastern time April 12.

Presidents Council. The Presidents Council adjourned at 3:29 p.m. Eastern time August 3.

<b>July 18-19, 2022, Division II Management Council and August 3, 2022, Division II Presidents Council</b>	
<b>Attendees:</b>	
<b>Management Council</b>	<b>Presidents Council</b>
Brenda Cates, University of Mount Olive	Roslyn Artis, Benedict College
Shawn Chin-Farrell, California State University, San Bernardino	Michaela Boyd, Palm Beach Atlantic University
Teresa Clark, Cedarville University	Carlos Campo, Ashland University
Marcus Clarke, Central Intercollegiate Athletic Association	Davaris Cheeks, Concordia University, St. Paul
Mark Corino, Caldwell University	Michael Driscoll, Indiana University of Pennsylvania
Robert Dranoff, East Coast Conference	John Y. Gotanda, Hawaii Pacific University
Laura Clayton Eady, University of West Georgia	Donna Henry, University of Virginia's College at Wise
Courtney Lovely Evans, Palm Beach Atlantic University	Jim Johnson, Pittsburg State University
Marty Gilbert, Mars Hill University	Colleen Perry Keith, Goldey-Beacom College
David Hansburg, Colorado School of Mines	Richard Pappas, Davenport University
Theresa Hanson, Simon Fraser University	Steven Shirley, Minot State University
Amy Henkelman, Dominican University of California	Blake Thompson, Mississippi College
Jim Johnson, Pittsburg State University	Dwaun Warmack, Claflin University
Kristi Kiefer Fairmont State University (via videoconference)	Sandra Woodley, University of Texas Permian Basin
David B. Kuhlmeier, Valdosta State University	
Erin Lind, Northern Sun Intercollegiate Conference	
Grace Martin, West Virginia State University	
Daniel McCabe, Adelphi University	
Carrie Michaels, Shippensburg University of Pennsylvania	
Sandee Mott, Texas Woman's University	
Bo Pagliasotti, Southwestern Oklahoma State University	
Julie Rochester, Northern Michigan University	
Harry Stinson III, Lincoln University (Pennsylvania)	
Corbin Thaete, California State university, San Marcos	
Cam Trudell, Great Lakes Intercollegiate Athletic Conference	
Christina Whetsel, Augusta University	

Jerry Wollmering, Truman State University	
<b>Absentees:</b>	
None.	Gayle Hutchinson, California State University, Chico
	William Thierfelder, Belmont Abbey College
	Frank Wu, Queens College (New York)
<b>Guests in Attendance</b>	
Chad Chatlos, TurnkeyZRG	Dalton Beal, TurnkeyZRG
Rob Erikson, TurnkeyZRG	Debbie Ford, University of Wisconsin-Parkside
Debbie Ford, University of Wisconsin-Parkside	Jocelyn Gates, TurnkeyZRG
Jocelyn Gates, TurnkeyZRG	
Jill Willson, Double L Consulting	
<b>NCAA Staff Members in Attendance:</b>	
Scott Bearby, Mark Emmert, Haydyn Gibson ( <i>July 18-19</i> ), Terri Steeb Gronau, Brian Hainline ( <i>August 3</i> ), Maritza Jones, Ryan Jones, Karen Kirsch, Micaela Liddane ( <i>July 18-19</i> ), Jordan Lysiak, Corbin McGuire, Laura Wurtz McNab ( <i>July 18-19</i> ), John Parsons, Stephanie Quigg, Anne Rohlman, Olivia Sappington, Rachel Seewald ( <i>July 18-19</i> ), Jared Tidemann, Robert Turick ( <i>July 18-19</i> ), and Jill Waddell.	

HOW THE NCAA WORKS:

# Division II

The division offers athletics scholarships and limits competitive and practice seasons to improve balance with student pursuits.

The 300 active member colleges and universities in Division II share a commitment to providing college athletes equal growth opportunities in academics, athletics, and campus and community involvement.

Division II schools generally spend less money on athletics than Division I schools and operate on a partial-scholarship model, in which more than 60% of the 123,000-plus Division II athletes receive some athletics-based financial aid. Full scholarships that cover all of a college athlete's expenses are uncommon in the division; often college athletes, like the rest of the student body, use a mix of academic scholarships, student loans and employment earnings to fund their education.

Division II prides itself on creating unique championship opportunities. It is the only division to host championship festivals, where multiple championships are held in the same city over several days. During these championships, teams participate in community engagement efforts, a key component of Division II. Division II's access ratio to championships is the best in the NCAA.

Each Division II championship sport has a committee made up of coaches and athletics administrators with knowledge of that sport. These committees rank and select teams and individuals for championships competition, plus recommend championship sites and dates.

START

New rules for Division II start here, with the schools and athletics conferences that make up the division. No matter the idea - perhaps a university president wants to limit the length of a competition season or an athletics compliance officer wants to change how the NCAA collects information from Division II campuses - it begins as a discussion topic in one or more Division II committees or councils.

Some legislation is proposed by the members themselves. In order to submit a proposal, 15 active Division II schools or two conferences must be sponsors. Those proposals go directly to the NCAA Convention for a vote, but the Division II committees also discuss and take a position on those ideas.

## DIVISION II COMMITTEES

<p><b>Legislation Committee</b></p> <p>Interprets Division II-specific legislation and considers wording for the NCAA Division II Manual.</p> <p><b>12 members:</b></p> 	<p><b>Membership Committee</b></p> <p>Reviews issues related to Division II membership, including status of incoming and continuing members.</p> <p><b>12 members:</b></p> 	<p><b>Strategic Planning and Finance Committee</b></p> <p>Recommends budget priorities to the councils. Oversees strategic plan.</p> <p><b>11 members:</b></p> 	
<p><b>Committee for Legislative Relief</b></p> <p>Makes final decisions on waiver requests in which no other committee or conference has authority.</p> <p><b>5 members:</b></p> 	<p><b>Academic Requirements Committee</b></p> <p>Reviews academic standards and makes recommendations about initial and ongoing eligibility.</p> <p><b>11 members:</b></p> 	<p><b>Committee on Infractions</b></p> <p>Meets as needed to participate in hearings involving Division II schools accused of violating NCAA rules.</p> <p><b>7 members:</b></p> 	<p><b>Infractions Appeals Committee</b></p> <p>Hears and acts on appeals of decisions by the Committee on Infractions.</p> <p><b>5 members:</b></p> 
<p><b>Championships Committee</b></p> <p>Oversees the conduct and administration of the 25 Division II championships.</p> <p><b>12 members:</b></p> 	<p><b>Committee on Student-Athlete Reinstatement</b></p> <p>Decides all matters related to reinstating a Division II college athlete's eligibility.</p> <p><b>6 members:</b></p> 	<p><b>Nominating Committee</b></p> <p>Suggests individuals who can fill vacancies on various Division II committees.</p> <p><b>11 members:</b></p> 	

Committees debate the ideas and decide whether to sponsor them as pieces of legislation. Next stop: Management Council, which considers the committees' feedback.

## EXECUTIVE BOARD

The top leadership group in Division II is composed of college presidents and chancellors, independent members and student-athletes and establishes and directs general policy.

- » Implements policies adopted by the NCAA Board of Governors.
- » Establishes a strategic plan/strategic priorities for Division II.
- » If necessary, sponsors legislative proposals from the governance structure to be considered by members at the NCAA Convention.
- » Adopts emergency legislation.
- » Approves the Division II budget.
- » Provides comments and input to the Board of Governors on matters that impact Division II and the Association.

**13 members:**  
 8 presidents/chancellors based on championships region; 1 at-large president/chancellor to enhance diversity; 2 independent members not salaried by an NCAA member institution, conference or affiliate member; 2 SAAC members

**Ex-Officio/Non-Voting**  
 DII Management Council chair



### Student-Athlete Advisory Committee

Composed of college athletes who monitor and act on issues.

**28 members, including:**  
 1 from each DII conference; 1 representing independent schools; 2 from membership at large; and 2 members from the Management Council.



### Administrative Committee

Takes action on issues that arise between meetings of top councils.

**5 members:**



The Management Council regularly reports to the Executive Board on its actions.

## MANAGEMENT COUNCIL

By design, the Management Council is composed of individuals who have day-to-day knowledge of athletics operations.

- » Reviews and acts on recommendations from Division II and Association-wide committees.
- » Serves as the advisory group to the Division II Executive Board, handling the day-to-day affairs of the division.
- » Implements policies adopted by the NCAA Board of Governors and the Division II Executive Board.
- » Adopts noncontroversial legislation.
- » Sponsors legislative proposals from the governance structure to be considered by members at the NCAA Convention.

**29 members:**  
 1 from each of 23 voting conferences; 4 at-large positions to enhance diversity; 2 SAAC members

**At least:**  
 5 ADs 5 SWAs 5 FARs 2 conference administrators 2 SAAC members



**KEY**

- Legislative path
- Alternative legislative path
- Communication path
- Executive Board member
- Student-Athlete Advisory Committee member
- Representative from American Association of Collegiate Registrars and Admissions Officers
- Member school and conference administrators, faculty athletics representatives and others who work daily in college sports
- Management Council member
- General public
- Division II president not on Executive Board

Besides the various required roles, the NCAA also works to ensure gender, racial and geographic diversity on its committees. Many of those diversity standards are mandated by legislation.

## CONVENTION

The NCAA Convention, held each year in January, is the finish line for all sponsored proposals in Division II. Delegates from every school and conference gather during a Convention business session to place their votes on each proposal.



Since the division was established in 1973, it has operated under a "one institution, one vote" model. But in 2016, for the first time, college athletes were added to the mix, with the national Student-Athlete Advisory Committee casting one vote.

In most cases, Division II legislation requires only a simple majority vote of members present. Sometimes - such as in 2015, when the NCAA added beach volleyball as a championship sport - legislation applies to the entire Association, and each division must reach its own majority vote to pass. In still other cases, Association-wide legislation touches on an issue so important that it requires a two-thirds majority vote of all three divisions voting in a joint session.



Approved proposal takes effect on the date specified in the legislation, usually Aug. 1 of that year.

FINISH

## LEGISLATIVE CALENDAR

<b>JULY 15</b>	Have an idea? Legislative proposals submitted by members are due to the national office.
<b>SEPT. 1</b>	Deadline for Executive Board to sponsor legislation to be voted on at the NCAA Convention.
<b>SEPT. 15</b>	Any final revisions to membership-sponsored proposals are due.
<b>NOV. 1</b>	Any amendments to original proposals and any resolutions are due.
<b>DEC. 10</b>	An official Division II notice of legislation, which includes final versions of all the proposals, is delivered to high-ranking individuals at Division II schools, including every president and athletics director.



## Guidance for Nominations Process for the Division II Executive Board Independent Members

An independent member of the Division II Executive Board shall have the varied external experiences, stature and knowledge necessary to evaluate the best interests of Division II and objectively contribute to the strategic direction of the division.

If the legislation to amend the composition of the Division II Presidents Council is approved by the membership at the 2023 Convention, the Administrative Committee will oversee the nominations process, including the call for nominations and vetting of nominees. Some initial tools have been drafted for the nominations process and recommend skills, background and experience of the nominees. Reference the flow chart for the draft nominations process.

Independent members on the Division II Executive Board will have demonstrated professional experiences in one or more relevant areas including, but not limited to, business, government, public service, medical/health services and corporate or nonprofit governance. The draft nominees profile chart will assist the Administrative Committee with identifying the skills, background and experience of the nominees that the Executive Board wants to see in candidates.

The Executive Board is committed to ensuring diversity and inclusion of its members. Therefore, the independent members should contribute to the overall diversity (e.g., race, gender, ethnicity, background, experience) of the Division II Executive Board.

Per the 2023 Convention proposal, the legislated definition of independent specifies “an independent member of the Division II Executive Board shall be an individual who is not salaried by an NCAA member institution, conference or affiliated member, and shall be verified as independent by the Executive Board.”

To assist the Executive Board and the Administrative Committee in determining independence, independent nominees will be required to disclose specific relationships ahead of their nomination. These include, but are not limited to, the following associations or employment held currently or within the past three years:

- An immediate family relation to a member of NCAA national office staff.
- An immediate family relation to a membership chancellor/president, commissioner or director of athletics.
- Member of the board of trustees/regents, etc., of a member institution.
- Parent/guardian of a current NCAA student-athlete.
- Employed by a professional sports organization.
- Employed by an athletics apparel organization.
- Employed by an NCAA corporate champion or partner.

- Employed by an NCAA media partner.
- Employed by a supplier to the NCAA national office of goods or services.
- Consultant or contractor to the NCAA national office.
- Booster who has donated a material contribution to a member institution's athletics department or conference.
- Ownership in establishments or casinos that conduct sports wagering.

Please note that none of the above automatically disqualifies a nominee, but it is important information for the Administrative Committee to consider as it recommends nominees to the full Executive Board for approval.

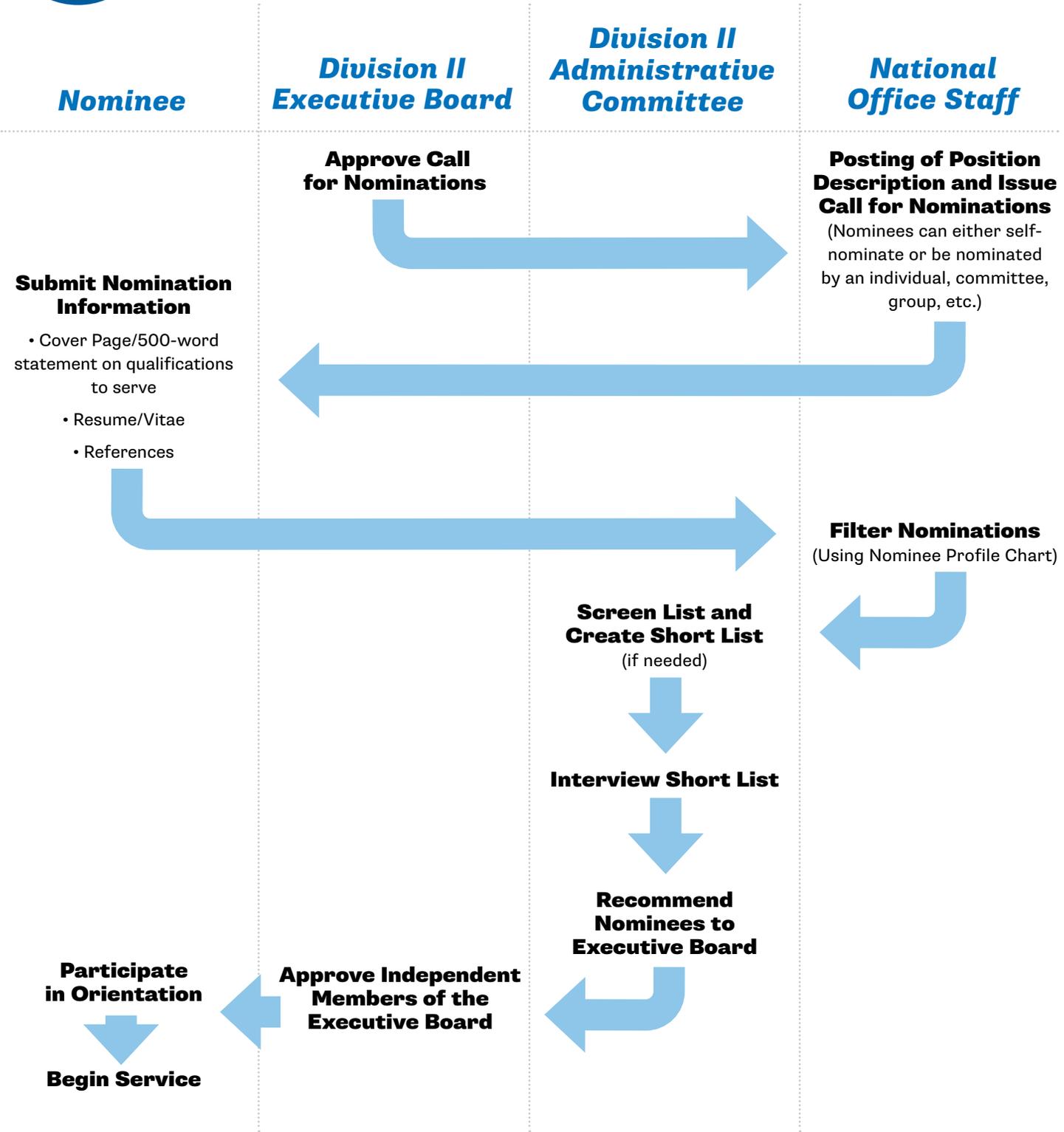
Independent members shall be required to adhere to all Executive Board policies and procedures and sign the NCAA Conflict of Interest Policy, including disclosing any potential conflicts of interest.

This represents an initial draft for the nominations process of independent members to the Division II Executive Board and will be refined if the legislation is adopted in January.



# Nominations

PROCESS FOR DIVISION II EXECUTIVE BOARD-INDEPENDENT MEMBERS



Independent Members of the Division II Executive Board  
 Nominee Profiles

Skills/Background/Experience	Nominee 1	Nominee 2	Nominee 3	Nominee 4	Nominee 5	Nominee 6
Advocacy/communications						
Arts/theatre/music						
CEO or enterprise leadership						
Community relations						
Diversity and inclusion						
Entrepreneurial/innovation						
Financial/accounting/audit						
Former athletics administrator (e.g., college, professional, national governing body)						
Former student-athlete						
Fundraising/development						
Governance/board						
Government/public sector						
Higher education						
Human resources						
Legal/regulatory						
Marketing and sales						
Medical/health services						
Operational/service delivery						
Project management						
Risk and controls						
Strategic planning/research						
Technology/e-commerce						
Other						
Independent Guidance Factors (current or within the last three years)	Nominee 1	Nominee 2	Nominee 3	Nominee 4	Nominee 5	Nominee 6

An immediate family relation to a member or NCAA national office staff						
An immediate family relation to a membership president/chancellor, commissioner or director of athletics						
Booster who has donated a material contribution to a member school's athletics department or conference						
Consultant or contractor to the NCAA national office						
Employed by an athletics apparel organization						
Employed by a company that takes part in the NCAA Corporate Champions and Partners Program						
Employed by an NCAA media partner						
Employed by a professional sports organization						
Employed by a supplier to the NCAA national office of goods or services						
Member of the board of trustees/regents, etc., of a member institution						
Ownership in establishments or casinos that conduct sports wagering						
Parent/guardian of a current NCAA student-athlete						
<b>Education</b>	<b>Nominee 1</b>	<b>Nominee 2</b>	<b>Nominee 3</b>	<b>Nominee 4</b>	<b>Nominee 5</b>	<b>Nominee 6</b>
Bachelor's degree						
School						
Master's degree						
School						
Terminal degree (for example, M.D., Ph.D., J.D.)						
School						

Other information

--	--	--	--	--	--	--

## Interim Name, Image and Likeness Policy

### Guidance Regarding Third Party Involvement

#### Background.

Effective July 1, 2021, the National Collegiate Athletic Association adopted the Interim Name, Image and Likeness (NIL) Policy allowing NCAA student-athletes the opportunity to benefit from their NIL. The NCAA Division II Presidents Council and Management Council recognize that many student-athletes are benefiting positively from NIL opportunities consistent with the Interim NIL Policy. The councils believe over a year into the new NIL environment is an appropriate time to review the emerging NIL environment and whether NIL activities are impacting school choice and transfer, particularly relating to the involvement of individuals and entities that promote or support a specific institution.

The expectation of the membership and representatives of their athletics interests is that they are abiding by current NCAA rules regarding recruiting and pay-for-play. In order to reinforce key principles of fairness and integrity across the NCAA and maintain rules prohibiting improper recruiting inducements and pay-for-play, the councils offer the guidance below on how current NCAA legislation applies to the NIL environment, specifically to third parties involved in the recruiting process.

#### Third Parties Defined as Boosters.

As a starting point, it is important to understand how a representative of athletics interests (booster) is defined by NCAA legislation. A **booster** is, in part, defined as an individual, independent agency, corporate entity (e.g., apparel or equipment manufacturer) or other organization who is known (or who should have been known) by a member of the institution's executive or athletics administration to have participated in or to be a member of an agency or organization promoting the institution's intercollegiate athletics program or to assist or to have assisted in providing benefits to enrolled student-athletes or their family members.

**It appears that the overall mission of many, if not all, of the above-referenced third-party entities is to promote and support a specific NCAA institution by making available NIL opportunities to prospective student-athletes (PSA) and student-athletes (SAs) of a particular institution, thereby triggering the definition of a booster.**

With this in mind, NCAA rules related to the involvement of boosters in recruiting activities remain relevant to the Interim NIL Policy. Specifically, NCAA rules preclude boosters from engaging in recruiting activities, including recruiting conversations, on behalf of a school. Further, NCAA recruiting rules preclude boosters from providing benefits to PSAs and preclude institutional staff members from being involved, directly or indirectly, with the provision of benefits to a PSA. Finally, it is important to note that existing NCAA prohibitions related to pay-for-play have not changed as a result of the Interim NIL Policy.

#### Guidance Related to Prospective Student-Athletes.

- Recruiting conversations between an individual or entity that has triggered booster status ("booster/NIL entity") and a PSA are **not** permissible.

- Booster/NIL entity may **not** communicate (e.g., call, text, direct message) with a PSA, a PSA's family, or others affiliated with the PSA for a recruiting purpose or to encourage the PSA's enrollment at a particular institution.
- An NIL agreement between a PSA and a booster/NIL entity may **not** be guaranteed or promised contingent on initial or continuing enrollment at a particular institution.
- Institutional coaches and staff may **not** organize, facilitate or arrange a meeting between a booster/NIL entity and a PSA (e.g., provide the individual or entity with a recruiting list or watch list, including the NCAA Transfer Portal).
- Institutional coaches and staff may **not** communicate directly or indirectly with a PSA on behalf of a booster/NIL entity.
- *NIL agreements **must** be based on an independent, case-by-case analysis of the value that each athlete brings to an NIL agreement as opposed to providing compensation or incentives for enrollment decisions (e.g., signing a letter of intent or transferring), athletic performance (e.g., points scored, minutes played, winning a contest), achievement (e.g., starting position, award winner) or membership on a team (e.g., being on roster).*

#### **Guidance Related to Current Student-Athletes.**

- An NIL agreement between a SA and a booster/NIL entity may **not** be guaranteed or promised contingent on initial or continuing enrollment at a particular institution.
- *NIL agreements **must** be based on an independent, case-by-case analysis of the value that each student-athlete brings to an NIL agreement as opposed to providing compensation or incentives for enrollment decisions (e.g., signing a letter of intent or transferring), athletics performance (e.g., points scored, minutes played, winning a contest), achievement (e.g., starting position, award winner) or membership on a team.*

A nonexhaustive list of relevant NCAA Division II legislation is provided.

#### **Applicable NCAA Division II Legislation.**

- Athletics department staff members are prohibited from representing a prospective student-athlete (PSA) or enrolled student-athlete (SA) in marketing their athletics ability or reputation. (NCAA Bylaw 11.1.4 – Representing Individuals in Marketing Athletics Ability/Reputation)
- Before a PSA signs a National Letter of Intent or written offer of admission and/or financial aid or before the institution receives a financial deposit, an institution may comment

publicly only to the extent of confirming its recruitment of the PSA. (Bylaw 13.10 – Publicity)

- Boosters may not engage in recruiting activities, including recruiting conversations, on behalf of a school. (Bylaw 13.1.2.1 – Permissible Recruiters)
- Recruiting is defined as “any solicitation of a PSA or a PSA’s family members by an institutional staff member or by a booster for the purpose of securing the PSA’s enrollment and ultimate participation in the institution’s intercollegiate athletics program.” (Bylaw 13.02.10 – Definition of Recruiting)
- Boosters may not be involved in making arrangements for or giving or offering to give any financial aid or other benefits to a PSA. Receipt of a benefit by a PSA is not a violation if the same benefit is generally available to the institution’s prospective students. (Bylaw 13.2.1 – Offers and Inducements)
- Athletics participation for pay and payment based on performance or given on an incentive basis are prohibited. (Bylaws 12.1.4 – Impermissible -- Following Initial Full-Time Collegiate Enrollment)
- Institutions are held responsible for any impermissible recruiting activities engaged in by a representative of athletics interest. (Bylaw 13.01.2 – Institutional Responsibility)

\*Disclaimer: This guidance is subject to state NIL laws or executive actions with the force of law in effect.

Interim Actions of the NCAA Division II Administrative Committee

1. On August 31, the Division II Administrative Committee approved the following items:
  - a. **Presidents Council-Sponsored Legislation for the 2023 NCAA Convention in Legislative Form.** The Administrative Committee reviewed the proposals that were approved in concept by the Management Council and Presidents Council during their July and August meetings. The Committee reviewed and approved an update to Proposal No. PC-3 (division membership, amateurism, financial aid and playing and practice seasons -- emerging sports for women – stunt), which increased from 14 to 16 the number of dates of competition an institution can schedule in stunt. The committee approved the proposals in legislative form.
  - b. **Noncontroversial Legislation.** The committee adopted in legislative form two noncontroversial proposals that had previously been approved in concept (Proposal Nos. NC-2023-34 and NC-2023-35), as presented. The proposals are listed below.
    - (1) **Playing and Practice Seasons -- Women's Beach Volleyball -- Nonchampionship Segment Competition**, which permits, in women's beach volleyball, up to four multiple-day pairs tournaments during the nonchampionship segment.
    - (2) **Playing and Practice Seasons -- Water Polo -- Number of Dates of Competition -- Four Dates of Competition During Nonchampionship Segment**, which specifies that, in water polo, an institution shall limit its total playing schedule with outside competition during the playing season to 21 dates of competition during the segment in which the National Collegiate Championship is conducted and four dates of competition during the nonchampionship segment.
  - c. **Immediate Appointments to Sport Committee.** The committee approved the following appointments, effective immediately.
    - (1) **Men's and Women's Cross Country. Elizabeth Hoge**, assistant director of athletics and senior woman administrator at Ashland University.
    - (2) **Women's Lacrosse. Dawn Sachs**, associate director of athletics and head women's lacrosse coach at Mercy College.
    - (3) **Women's Rowing. John Adkison**, associate director of athletics at Embry-Riddle Aeronautical University (Florida).
    - (4) **Men's Soccer. Jamie Joss**, director of athletics at Florida Institute of Technology.
    - (5) **Men's and Women's Tennis. Hendrick Bode**, head men's tennis coach at Hawaii Pacific University.

- d. **Immediate Appointment to Division II and Association-Wide Committees.** The committee approved the following appointments, effective immediately.
- (1) **NCAA Committee on Competitive Safeguards and Medical Aspects of Sports. Jack Entri**ken, head athletic trainer and director of sports medicine, Kutztown University of Pennsylvania, Pennsylvania State Athletic Conference.
  - (2) **Division II Committee for Legislative Relief. Marcie Haduca**, assistant athletics director for compliance, California State University, East Bay, California Collegiate Athletic Association.
  - (3) **Division II Membership Committee. Melanie Brunsdon**, senior woman administrator, Winona State University, Northern Sun Intercollegiate Conference.
  - (4) **Division II Nominating Committee. Matthew Pope**, vice president and director of athletics, Carson-Newman University, South Atlantic Conference.
- e. **Management Council Committee and Project Team Assignments.**
- (1) **Curtis Campbell:** Added NCAA Committee on Sportsmanship and Ethical Conduct and Division II Infractions Appeals Committee;
  - (2) **Theresa Hanson:** Added Division II Management Council liaison to the Division II Athletics Directors Association;
  - (3) **Amy Henkelman:** Removed Division II Management Council liaison to the Division II Athletics Directors Association;
  - (4) **Carrie Michaels:** Removed Division II Administrative Committee, Division II Management Council/Championships Appeals Subcommittee, Division II Management Council Identity Subcommittee, Division II Planning and Finance Committee and Division II Championships Committee; added Division II Convention Planning Project Team and NCAA Minority Opportunities and Interests Committee; and
  - (5) **Harry Stinson:** Added Division II Administrative Committee, Division II Management Council/Championships Appeals Subcommittee, Division II Management Council Identity Subcommittee, Division II Planning and Finance Committee and Division II Championships Committee; removed Division II Convention Planning Project Team and NCAA Minority Opportunities and Interests Committee.





REPORT OF THE  
NCAA BOARD OF GOVERNORS  
JULY 18, 2022, VIDEOCONFERENCE

**ACTION ITEMS:**

None.

**INFORMATIONAL ITEMS:**

1. **Welcome and announcements.** NCAA Board of Governors chair President John DeGioia convened the videoconference at approximately 11 a.m. Eastern time and welcomed the Governors. President DeGioia noted that this would be the last meeting of the current Board of Governors as the new Board of Governors will begin its work on August 1. President DeGioia thanked all the board members for their service on the board and their commitment and engagement in the challenging issues facing the Association. He gave special thanks to Robert Gates for his leadership in serving as chair of the NCAA Constitution Committee, which developed the legislation for a new Constitution that was adopted by the membership in January.
2. **Consent agenda.** By way of a consent agenda, the Board of Governors approved the report of its April 26, 2022, videoconference and the appointment of Fayneese Miller, president of Hamline University, to the Board of Governors Committee to Promote Cultural Diversity and Equity.
3. **NCAA president's report.** President Mark Emmert thanked the board members for their service. He gave a special thanks to President DeGioia for his service on the Board of Governors, particularly his service as chair for the past two years. Reflecting on the work of the current Board of Governors, President Emmert noted the importance of the Association proactively engaging with Members of Congress about the Association's legislative priorities and key areas of ongoing work. He also informed the board of his priorities regarding NCAA national office operations during the transition to new leadership.
4. **NCAA Board of Governors Finance and Audit Committee report.** President Linda Livingstone, chair of the Finance and Audit Committee, presented the committee's report.
  - **Executive summary of NCAA president's recommendations for FY 2022-23 budget.**
    - (1) Evaluation criteria memorandum from NCAA President Mark Emmert. It was noted that President Emmert's budget recommendations for 2022-23 focused on increasing championship revenue and remediating gender equity deficiencies in Division I championships. In addition, increases for Division I championships, distributions and programs were allocated along with guarantees for Divisions II and III.

- (2) FY 2022-23 budget requests and recommendations. It was reported that the proposed FY 2022-23 total budget is \$1.1 billion, which includes requests and recommendations in the amount of \$15.6 million. The following areas of the budget were highlights, noting that full details were included in the written materials provided:
- (a) A \$12.5 million increase to the Division I revenue distribution.
  - (b) Increases to the Division II and Division III allocations of \$1.4 million
  - (c) Division I championships and programs expense budget increase of \$14.9 million.
  - (d) Increase of \$8.7 million in total compensation, which includes market benchmarking changes.
  - (e) Increase of \$2 million in third party legal fees.

The committee approved the budget as proposed and recommended approval by the full board.

It was VOTED

“That the Board of Governors approve the budget for the 2022-23 fiscal year as recommended.” **Approved** (Unanimous voice vote)

5. **Annual report of membership compliance with the NCAA Campus Sexual Violence Policy.**
- a. **Annual report of membership compliance.** It was reported that for the 2021-22 academic year, 1,094 schools completed and submitted the attestation form on time, seven schools submitted the form late and one school did not complete the attestation form. The board also was informed of the series of communications to the NCAA membership to inform them about the attestation process, including when it opened, deadline for form submission and reminders throughout the attestation period for those who had not submitted the completed form.
  - b. **Request for relief from penalty for not meeting attestation deadline.** The board was informed that the seven schools that failed to submit the attestation form by the May 15 deadline completed all requirements of the Campus Sexual Violence Policy, with the exception of the administrative requirement of submitting the attestation form by the specified deadline. Three of the seven schools submitted a request for relief of the penalty for failing to submit the attestation form by the specified deadline.

The board noted that the process of validating campus policies against sexual violence is an important one and that just under 1,100 schools were able to successfully meet the deadline and complete the required attestation. The board also indicated that it is critical that all member schools respond in a timely manner to verify their compliance and ensure they are meeting the standard of protecting student-athletes. The board decided not to penalize the seven schools that failed to meet the deadline in submitting their attestation this year but did not guarantee that similar leniency would be given in future years.

- c. Suggestions for improving the annual attestation process.** The board was informed that staff is exploring technology enhancements that will make the attestation process less of a burden for the membership. Staff also recommended and the board supported moving the timing of the annual required attestation from spring at the end of an academic year to fall of the following academic year to provide schools more time to complete the policy requirements. Staff also noted plans to consolidate all required attestations to each fall to provide more clarity to the membership.
- 6. NCAA Board of Governors' Executive Committee report.** President DeGioia reported on matters discussed during the Executive Committee's meeting earlier in the day, as well as the Executive Committee's action last week to establish a Subcommittee on Congressional Engagement and Action (see Attachment).
- 7. Update on search process for new NCAA president.** President DeGioia updated the board on activities that have occurred related to the search for the new NCAA president, including the release of a Request for Proposal (RFP) for a search firm, and the Executive Committee's interviews and selection of a search firm. It was noted that the search firm will begin a discovery phase immediately, which will include internal and external information gathering, as well as sessions with various thought leaders. President DeGioia noted that the new Board of Governors has the responsibility of hiring the new NCAA president and also will establish the search committee.
- 8. Executive session.** The board convened in executive session to discuss various administrative matters, including items considered during the Board of Governors Executive Committee meeting earlier in the day.
- 9. Adjournment.** The videoconference was adjourned at approximately 11:53 a.m. Eastern time.

*Board of Governors chair: John DeGioia, Georgetown University*

*Staff liaisons: Jacqueline Campbell, Policy and Governance*

*Cari Van Senus, Policy and Governance*

<b>NCAA Board of Governors July 18, 2022, Meeting</b>	
<b>Attendees:</b>	
Rebecca Blank, University of Wisconsin-Madison.	
Ken Chenault, General Catalyst.	
Kelly Dampousse, Arkansas State University.	
John DeGioia, Georgetown University.	
Mark Emmert, NCAA.	
Robert Gates, Former U.S. Secretary of Defense.	
James Harris, University of San Diego.	
Gayle Hutchinson, California State University, Chico.	
Linda Livingstone, Baylor University.	
Shane Lyons, West Virginia University.	
Geoffrey Mearns, Ball State University.	
Jere Morehead, University of Georgia.	
Michelle Morgan, John Carroll University.	
Philip Oldham, Tennessee Technological University.	
Michael Schill, University of Oregon.	
James Schmidt, University of Wisconsin-Eau Claire.	
Steven Shirley, Minot State University.	
David Wilson, Morgan State University.	
<b>Absentees:</b>	
Grant Hill, CBS/Warner Media/Atlanta Hawks.	
Jim Johnson, Pittsburg State University.	
Nadja West, MD, retired United States Army lieutenant general and 44 <sup>th</sup> U.S. Army Surgeon General.	
Randy Woodson, North Carolina State University.	
<b>Guests in Attendance:</b>	
None.	
<b>NCAA Staff Liaisons in Attendance:</b>	
Jacqueline Campbell and Cari Van Senus.	
<b>Other NCAA Staff Members in Attendance:</b>	
Scott Bearby, Kelly Dodds, Dan Gavitt, Terri Gronau, Brian Hainline, Charlie Henry, Gina Lehe, Kevin Lennon, Felicia Martin, Louise McCleary, Kathleen McNeely, Stan Wilcox and Bob Williams.	



NCAA BOARD OF GOVERNORS  
SUBCOMMITTEE ON CONGRESSIONAL ENGAGEMENT AND ACTION

1. **Charge.** College sports has undergone historic changes over the last several years. The Association recognizes that it must adapt to an evolving environment and is currently taking steps to address many of these changes. Our goal is to provide and improve scholastic, career and personal development opportunities for college athletes – including those students who compete in front of large and growing audiences – while maintaining the excellence of competition Americans love. However, some of the recent changes and activities related to college sports directly threaten the pathways for broad-based participation that intercollegiate athletics has historically provided, including pathways for women and for the vast majority of students participating in non-revenue-generating and Olympic sports. Due to state legislative activity that has resulted in confusion and an uneven and nontransparent playing field for student-athletes, and due to legal rulings that defer action related to college sports rules to Congress, the Association must proactively engage and work together with federal policymakers to find legislative solutions that best support today’s student-athletes and protect for tomorrow’s student-athletes the far-reaching opportunities and benefits that college sports provides.

The Board of Governors Subcommittee on Congressional Engagement was formed to provide guidance to the Board on what actions and steps the Association should take to seek congressional partnership in addressing these issues. In conducting its work, the Subcommittee should reinforce the primacy of academic success, prioritize a positive student experience and uphold NCAA values including diversity, inclusion and gender equity. Specifically, the subcommittee’s outputs should include the following:

- a. Identify the Association’s specific congressional legislative needs and priorities that best support student-athletes participating in all divisions and at its 1,100 member schools.
  - b. Develop, and serve as the coordinating body to implement, a strategic plan designed to effectively communicate and engage Members of Congress about of the Association’s legislative priorities and key areas of ongoing work. This plan must include tactics that engage and incorporate member schools in the implementation of this plan, as well as tactics and timelines that address a variety of scenarios.
2. **Composition.** The Subcommittee on Congressional Engagement shall consist of 8 members, including four Division I, one Division II and one Division III members. At least one member should represent an Historically Black College or University (HBCU) or Minority Serving Institution (MSI). The recommended distribution of members is as follows:
    - a. **Division I members (4).**
      - (3) Presidents.
      - (1) Conference commissioner from an autonomy conference.
    - b. **Division II members (1)**
      - (1) President.

**c. Division III members (1)**

(1) President.

**d. Current or Former Student-Athlete (1)**

**e. Independent Member (1)**

**3. Duties and Responsibilities of the Committee.**

- Establish milestones to guide progress toward the completion of its required outputs by the established deadline.
- Provide additional recommendations as necessary to support subcommittee outcomes, including proposals and input to support congressional negotiations.
- Maintain strict confidentiality and discretion in the course of the committee work while providing periodic updates to the Board of Governors and to those designated by the board.
- Recognize and adhere to deliberations and recommendations that represent the best interests of college athletics and not based on self-interest, employment interest, or the interests of affiliations.

**4. Timeline.**

The Subcommittee for Congressional Engagement will begin its work immediately upon appointment and deliver an interim report or briefing to the Board of Governors no later than October 25, 2022. The subcommittee will deliver a second report to the Board of Governors by January 11, 2023.

**5. Staff Liaisons.**

Scott Bearby, senior vice president of legal affairs and general counsel.

Dawn Buth, director of government relations.

Mark Emmert, president.

Cari Van Senus, senior vice president of governance, policy and human resources.

Communications representative



**REPORT OF THE  
NCAA BOARD OF GOVERNORS COMMITTEE TO PROMOTE  
CULTURAL DIVERSITY AND EQUITY  
AUGUST 18, 2022, VIDEOCONFERENCE**

**KEY ITEMS.**

- The committee elected President Katherine Conway-Turner, Buffalo State, State University of New York, as the new committee chair effective immediately.

**ACTION ITEMS.**

- None.

**INFORMATIONAL ITEMS.**

1. **Welcome, announcements and review of charter and roster.** The primary liaison of the NCAA Board of Governors Committee to Promote Cultural Diversity and Equity convened the meeting at 2 p.m. Eastern time and welcomed committee members and staff to the videoconference, including new members Fayneese Miller and Kaiya Johnson. The committee reviewed its revised charter and roster.
2. **Review and approval of NCAA Board of Governors Committee to Promote Cultural Diversity and Equity May 4, 2022, videoconference report.** The committee approved its May 4, 2022, videoconference report.
3. **Selection of chair.** The committee elected President Katherine Conway-Turner, Buffalo State, State University of New York, as the new committee chair effective immediately. The committee also discussed the possibility of electing a vice chair in the future and agreed to continue exploring the idea at its next meeting.
4. **NCAA Transgender Student-Athlete Participation Policy.** NCAA staff from the Sport Science Institute and office of inclusion provided updates to the committee related to Phases II and III of the NCAA Transgender Student-Athlete Participation Policy. Staff shared that the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS) continues to remain apprised of developments related to transgender athlete participation and considers student-athlete impact as it relates to policy implementation. Future efforts around the policy will center around providing education to the membership and identifying opportunities to provide support for trans, non-binary and gender expansive student-athletes. Following the meeting, staff will solicit an additional volunteer to join committee member Crystal Gibson in representing the committee in future engagements with CSMAS related to the policy.
5. **NCAA external gender equity review recommendations.** Staff provided an overview of the external assessment of progress on the Phase I recommendations from the external gender equity review of NCAA championships, which focus on the Division I Men's and Women's Basketball Championships. The committee posed several questions around when the next

assessment will take place, plans to track gender equity progress related to other championships, specifically within Division II and III, and the decision against hosting the Division I Men's and Women's Final Four in the same city. Staff shared that an additional assessment would take place in the near future that focuses on Phase II recommendations from the external gender equity review which encompass all other championships. The decision not to host the Division I Men's and Women's Final Four in the same city was thoroughly explored by the Division I Men's and Women's Basketball Oversight Committees before they reached a consensus. Staff shared that Recommendation 1.8 from Phase I of the external gender equity review, which supports a gender equity evaluation process for the national office and the Association, is being operationalized. Staff are in the process of meeting with championship managers of NCAA championship sports to gather insights that will inform areas for improvement as it relates to gender equity.

## 6. Updates from NCAA Student-Athlete Advisory Committees.

- a. **Division I.** The NCAA Division I Student-Athlete Advisory Committee representative shared an overview of the committee's recent meeting which focused on topics such as the transfer portal, student-athlete eligibility, civic engagement, enhancing the SAAC structure at the campus level and enhancing the student-athlete experience. The committee has also engaged in the discovery phase as part of the search process for the NCAA President.
- b. **Division II.** The NCAA Division II Student-Athlete Advisory Committee representative shared an overview of the committee's engagement in the discovery phase as part of the search process for the NCAA President, as well as an update on the Division II Dr. Dave Pariser Faculty Mentor Award, and efforts around civic engagement, the Life After the Game podcast series, and partnering with organizations such as Team Impact and Make A Wish. In addition, the committee recently selected two representatives to serve on the Division II President's Council and is currently finalizing its goals for the 2022-23 academic year.
- c. **Division III.** The NCAA Division III Student-Athlete Advisory Committee representative shared updates related to the fifth anniversary of the committee's engagement with Special Olympics, the decision to discontinue the annual social media campaign and efforts to improve communications from the committee to the Division III membership.

7. **2022-24 committee goals.** The committee continued discussion of its draft goals document, which was revised based on feedback from and following the May 4 meeting. Committee members emphasized the importance of brevity and intentionality around the goals and ensuring that the goals align with areas and efforts that fall within the scope and responsibility of the committee. Members offered suggestions to enhance the language around the goals such as incorporating benchmarks to track progress and elaborating wording to reflect multiple dimensions of identity. Staff will make revisions based on feedback and insights offered and circulate the goals document with the committee ahead of the winter meeting.

**8. Informational Items.**

- a. Updates on Division I Transformation Committee, Board of Governors structure and presidential search process.** Staff shared an overview of the new Board of Governors structure which includes nine voting members and seven nonvoting ex-officio members. In the coming weeks, the executive committee will be established. Staff also provided an update on the discovery phase of the search process for the NCAA President, noting that a position description will be made public soon. In addition, an announcement about the new NCAA Chief Financial Officer is expected within the next week. Staff also conveyed key messages from recent Division I Transformation Committee meetings to members.
- b. Update on USOPC/NCAA Para-College Inclusion Project.** Staff shared a brief update on the NCAA's partnership with the United States Olympic and Paralympic Committee on the Para-College Inclusion Project. The Para-College Inclusion Project's objective is to engage schools offering para-sports to collectively increase Paralympic sport understanding, awareness and connection across the college landscape. The work has evolved into tactical teams for communications, wheelchair basketball, wheelchair tennis and para track and field.
- c. NCAA inclusion, education and community engagement updates.** Staff will provide a written update of NCAA leadership development and office of inclusion key initiatives and programs.

**9. Future meeting schedule.** Staff will communicate with committee members to schedule the winter and spring meetings.

**10. Adjournment.** The videoconference adjourned at 4:30 p.m. Eastern time.

*Committee Chair: Kate Conway-Turner, Buffalo State College.*  
*Staff Liaisons: Felicia Martin, Inclusion, Education & Community Engagement*  
*DeeDee Merritt, Leadership Development*  
*Amy Wilson, Office of Inclusion*

<b>NCAA Board of Governors Committee to Promote Cultural Diversity and Equity August 18, 2022, Videoconference</b>	
<b>Attendees:</b>	
Marco Barker, University of Nebraska-Lincoln.	
Kristy Bayer, Rockhurst University.	
Michael Benson, Coastal Carolina University.	
Zachary Brown, University of North Georgia.	
Kate Conway-Turner, Buffalo State College.	

Paulette Dillard, Shaw University.
Crystal Gibson, St. Mary's College of Maryland.
Kaiya Johnson, San Jose State University.
Fayneese Miller, Hamline University.
Gary Olson, Daemen College.
Carlos Vargas-Aburto, Southern Missouri State University.
Talia Williams, Carleton College.
<b>Absentees:</b>
Joan Prince, University of Wisconsin, Milwaukee.
<b>Guests in Attendance:</b>
None.
<b>NCAA Staff Liaisons in Attendance:</b>
Felicia Martin, DeeDee Merritt and Amy Wilson.
<b>Other NCAA Staff Members in Attendance:</b>
Kina Davis, Abigail Edwards, Clint Hangebrauck, Jean Merrill, Anne Rohlman, Solomon Siskind and Cari Van Senus.



REPORT OF THE  
NCAA DIVISION II PLANNING AND FINANCE COMMITTEE  
AUGUST 11, 2022, VIDEOCONFERENCE

ACTION ITEMS.

- None.

INFORMATIONAL ITEMS.

1. **April 21 Planning and Finance Committee Videoconference Report.** The committee approved the report from the April videoconference meeting, as presented.
2. **Division II Conference Strategic Priorities Fund.**
  - a. **Guideline and Principles.** The committee was provided an overview of the guidelines and principles for the Conference Strategic Priorities Fund. This document was updated at the April meeting to include the new review process for the reports. The document governs the Conference Strategic Priorities Fund and provides the direction for how staff is to evaluate each conference's report. The committee was also reminded of the flexibility provided for the 2021-22 reporting cycle due to the impact of the COVID-19 pandemic.
  - b. **2021-22 Conference Strategic Priorities Fund Reports.** The staff summarized the process underwent to review the streamlined reports and the committee was shown an example of a report under this new process. The committee was also provided a summary of the percentage that each conference spent for each Strategic Positioning Outcome (SPO) area in 2021-22, any carryover dollars requested, as well as the staff's recommendations on whether to approve the report, or have the committee review additional information. The committee approved all 23 reports.
  - c. **Conference Strategic Priorities Fund Carryover Dollars from 2020-21 and 2021-22.** The committee reviewed the carryover dollars from the 2020-21 and 2021-22 reporting cycles. Conferences will be required to report on the carry-over dollars from 2021-22 in their 2022-23 reports.
  - d. **Fines for Late Submission.** The committee noted that 22 conferences submitted their grant reports by the deadline, with one conference not meeting the deadline for the presidential acknowledgement.
  - e. **South Atlantic Conference Appeal of Fine for Late Submission.** The committee received an appeal letter of the fine for the late submission of the presidential acknowledgement. The committee agreed to waive the fine stating that withholding the money from the 2022-23 disbursement would be a detriment to the student-athletes and others in the conference. The committee directed the staff to draft a letter to the conference noting that relief would be given this time, but that

appropriate planning should be put in place to submit and acknowledge by the deadline and that relief would likely not be given in the future.

- f. **Conference Audit History.** The committee selected three conferences at random to be audited in the upcoming fiscal year: (1) Great Lakes Valley Conference; (2) Northeast-10 Conference; and (3) the South Atlantic Conference. Audits will be performed by an internal NCAA auditor and completed in the September to December 2022 timeframe.
  
- g. **Special Recognitions for 2021-22.** The committee approved a \$3,333 award to the following conferences to be recognized for exemplary programs from their 2021-22 grant report:
  - (1) Conference Carolinas  
Game Day and National Championships: Conference Tournament Expenses
  
  - (2) Pennsylvania State Athletic Conference  
Diversity and Inclusion: Minority Coaches Seminar
  
  - (3) South Atlantic Conference  
Diversity and Inclusion: ADID Meeting

The committee asked staff to remind conferences that in order to be considered for special recognition funds, each conference should self-identify initiatives as exemplary in its report. With the streamlined report, it is hard to identify exemplary initiatives, so the committee will rely on conferences to self-identify initiatives that should be considered.

- 4. **Affiliated Organizations' Reports.** The committee reviewed the reports from the seven affiliated organizations that receive Division II grants. The committee approved a \$75,000 grant to each of the following organizations: Division II Athletics Directors Association; Division II Conference Commissioners Association; Division II Faculty Athletics Representative Association; and the National Association of Athletics Compliance.

The committee approved a \$70,000 grant to Women Leaders in College Sports, due to a \$5,000 withholding from the 2021-22 report for impermissible uses. The committee noted that in 2016, Women Leaders was notified that the NCAA had enacted a policy that limits the indirect cost rate on NCAA national office-funded grants to 10 percent of the total grant funds. On the 2021-22 reporting form, the association reported a Grant Administration Fee of \$10,000, which was 20% of that year's grant. Therefore, the committee agreed to withhold \$5,000, which is the amount in excess of the noted in the policy.

The committee also requested information on the unused funds by the College Sports Information Directors of America and Minority Opportunities Athletics Association. The committee will review the information during its September meeting.

5. **Division II Budget Information.**

- a. **Budget Guidelines and Principles.** The committee reviewed the Budget Guidelines and Principles. No action was needed.
- b. **Budget-to-Actual Report Ending May 31, 2022.** The committee reviewed the budget-to-actual report for the period ending May 31, 2022.

6. **Review Models for Division II Long-Range Budget.** The committee reviewed various models of the Division II long-range budget as well as the key assumptions. The finalized long-range budget will be brought back for approval and recommendation to the Presidents Council during the September videoconference.

7. **Discuss Referrals from the Division II Implementation Committee.**

- a. **Conference Strategic Priorities Fund.** The committee discussed two referrals from the Budget Subcommittee of the Implementation Committee. The referrals requested that the committee discuss whether it should amend the Conference Strategic Priorities Fund to (1) add a sixth SPO area for purposes of program reporting devoted to health and wellness; and/or (2) establish a higher minimum spending allowance or a modified range requirement for select SPO areas. The committee noted that the five SPO areas have been in place since the adoption of the Division II strategic plan in 2008 and that while there is not a health and safety SPO area, student-athlete well-being is at the core of the five SPO areas and use of funds for health and safety is allowed under all areas. The committee agreed that no changes should be made to the Conference Strategic Priorities Fund at this time and would revisit after the division begins the process for the next Division II strategic plan.
- b. **Conference Sports Sponsorship Fund.** The committee discussed a referral from the Budget Subcommittee of the Implementation Committee on whether to recommend a waiver or grace period for conferences that fall below the minimum of six institutions sponsoring a sport to retain a unit for the Conference Sports Sponsorship Fund calculation. The committee agreed that a small group of members will convene prior to the September meeting to continue the review of this topic.
- c. **Division II Supplemental Distribution.** The committee discussed a referral from the Budget Subcommittee of the Implementation Committee on whether active Division II conferences should be included in the allocation and receive a portion of the Division II Supplemental Distribution in years in which such a distribution is approved by the Division II Presidents Council. The committee agreed that no change should be made to the supplemental distribution at this time noting that the current revenue distribution funds favor the conferences by providing 75% of the

dollars via the Conference Sports Sponsorship Fund and 25% via the Equal Distribution Fund.

- d. **Update on Discussions Regarding Potential Additional Corporate Partners and Sources of Revenue for the Association.** The committee received an update regarding potential additional corporate partners and sources of revenue for the Association and Division II.

8. **Future Meetings.** The committee reviewed the upcoming videoconference dates in September and December.

*Committee Chair: Gayle Hutchinson, President, California State University, Chico*

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

*Maritza Jones, Division II Governance*

*Ryan Jones, Division II Governance*

*Andrea Worlock, Administrative Services*

<b>Division II Planning and Finance Committee August 11, 2022, Videoconference</b>
<b>Attendees:</b>
Michael Driscoll, Indiana University of Pennsylvania.
Gayle Hutchinson, California State University, Chico.
Jim Johnson, Pittsburg State University.
Collen Perry Keith, Goldey-Beacom College.
Erin Lind, Northern Sun Intercollegiate Conference.
Carrie Michaels, Shippensburg University of Pennsylvania.
Steven Shirley, Minot State University.
<b>Absentees:</b>
Carlos Campo, Ashland University.
Mark Corino, Caldwell University.
<b>Guests in Attendance:</b>
None.
<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>
Haydyn Gibson, Ann Martin, Olivia Sappington and Jill Waddell.



REPORT OF THE  
NCAA DIVISION II PLANNING AND FINANCE COMMITTEE  
SEPTEMBER 21, 2022, VIDEOCONFERENCE

ACTION ITEMS.

1. Legislative Items.

- None.

2. Nonlegislative Items.

a. Ticket and Ancillary Revenue and Media Broadcast Revenue Insurance for the Association and Division II Premium Allocation.

- (1) Recommendation. Approve that Division II participate in the following Association's policies: (a) ticket and ancillary revenue insurance; and (b) media broadcast revenue insurance; further, approve the Division II premium allocation amount for Fiscal Year 2022-23 (FY23).
- (2) Effective Date. Immediate.
- (3) Rationale. In August 2022, the NCAA Board of Governors approved procuring insurance in FY23 for tickets and ancillary revenue; media broadcast revenue; and event cancellation captive (excess coverage and difference in conditions) for cancellation, postponement, curtailment and relocation of the Division I Men's Basketball Championship.

The Planning and Finance Committee reviewed the options for Division II's participation in each of the three coverages and recommends that Division II participate in the Association's policies for tickets and ancillary revenue and media broadcast revenue, noting that the Division II investment for the coverage was close to what is currently budgeted and it provides some revenue security for the division. Specifically, for ticket and ancillary revenue, the cost to the division is \$66,162 with a coverage limit of \$5,287,919. For media broadcast revenue, the cost is \$67,648 with a coverage limit of \$9,614,000.

The Planning and Finance Committee recommends that Division II not participate in the event cancellation captive. The captive "difference in conditions" policy is relevant only in cases where the commercial policies exclusions (e.g., war, pandemic) preclude coverage. The committee noted the overall cost to participate (\$911,276) in comparison to the potential risk to the division. Given the division's current reserve amount and assessing the overall risk, it is recommended that Division II not participate.

This determination is for FY23 only. The division will re-evaluate participation for FY24 at a future meeting.

(4) Estimated Budget Impact. \$133,810.

(5) Student-Athlete Impact. None.

**b. Division II Softball Championship Final Site Format.**

(1) Recommendation. Approve the budget request for a change in the Division II Softball Championship final site format from six to seven days.

(2) Effective Date. 2023 championship.

(3) Rationale. The Division II Softball Committee reviewed membership feedback from the six-day model approved for 2022, which provided an off day to the two teams that were 2-0 after day two. While this was an improvement, the committee and the softball community feel that a seven-day model allows for additional necessary rest and recovery for participating student-athletes, including an off day for teams that lose the first day as well as a day off prior to the start of the championship series.

Additionally, providing an off day for teams that lose the first game enhances the student-athlete experience as no teams would be eliminated on the second day of competition (currently, two teams are eliminated on day two). Finally, this format provides a buffer in the schedule for weather delays, which is important as the championship will be held on a grass field the next four years after being on a turf field for the last three years.

The committee is aware that this format will have an impact on the logistics of the Division II Spring Festival (e.g., venue availability, competition schedule, community engagement) that will need to be reviewed if this recommendation is approved, but the committee is not recommending softball be removed from the Festival.

This request is outside of the traditional championships triennial budget process, but the committee believes this adjustment is necessary for student-athlete health and well-being.

This proposal is supported by the National Fastpitch Coaches Association and other membership groups.

(4) Estimated Budget Impact. Approximately \$25,000. (The division will use funds from the FY22 surplus for the spring 2023 championship and base budget the increase starting with FY24.)

- (5) Student-Athlete Impact. The adjustments will improve the student-athlete experience at the final site by providing up to two rest days, and it also ensures that all student-athletes (even those on the teams that lose their first two games and are eliminated) are able to more fully experience the championship.

**c. Division II Long-Range Budget.**

- (1) Recommendation. Approve the revised Division II long-range budget through 2031-32, as presented in the Attachment A.
- (2) Effective Date. Immediate.
- (3) Rationale. The revised long-range budget captures the budget approvals for fiscal year 2022-23, aligns the Division II revenue allocation with the Association's 10-year financial plan, and provides enhancements in championships, distributions to the membership and other strategic initiatives. Specifically:

Championships

- Annual increase:
  - Five percent increase to the travel budget to cover travel expenses.
- Triennial increases (FY25, FY28 and FY31):
  - \$10 increase in per diem.
  - One percent increase for committee expenses.
  - Three percent increase for game operations.
  - \$1,050,000 increase for championships enhancements.

Distributions to the Membership

- DII Conference Sports Sponsorship Fund (formerly Enhancement Fund):
  - Two and half percent increase in FY23 and a three percent increase FY24 through FY32.
- DII Institutional Equal Distribution Fund:
  - Two and half percent increase for FY23 and a three percent increase FY24 through FY32.
- DII Conference Strategic Priorities Fund (formerly Conference Grant Fund):
  - \$4,000 to \$6,000 premium amount increase in FY25;
  - \$6,000 to \$8,000 premium amount increase in FY28; and
  - \$110,000 to \$120,000 base amount increase for each conference in FY31.

Other Strategic Initiatives

- \$1,000 purchasing credit in FY25, FY28 and FY31.
- Three percent increase in FY25, FY28 and FY31 for programs with 100 or more participants (e.g., SAAC Super-Region Convention).
- Additional Expenses for Division II:
  - Per new NCAA constitution, current overhead charge ceased with FY22.
  - Starting in FY23, an annual review is conducted to validate additional Association service expenses that Division II pays for directly out of its 4.37 percent allocation.
  - Expenses starting in FY23 are indexed three percent annually.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

### **INFORMATIONAL ITEMS.**

1. **Approval of August 2022 Planning and Finance Committee Report.** The committee approved the report from its August 2022 videoconference, as presented.
2. **Follow-up on Affiliated Organization Reports.**
  - a. **College Sports Communicators (formerly College Sports Information Directors of America).** The committee reviewed the additional information provided by College Sport Communicators regarding the unused funds reported in its initial report and did not have any concerns. The committee approved a \$75,000 grant for the 2022-23 reporting cycle.
  - b. **Minority Opportunities Athletic Association.** The committee reviewed the additional information provided by the Minority Opportunities Athletic Association regarding the unused funds reported in its initial report and noted that the organization did not spend \$3,925 by August 31 and requested the funds be carried over to the next reporting cycle. The affiliated organization guidelines do not permit carry-over funds, therefore, the committee agreed to approve a \$71,075 grant for the 2022-23 reporting cycle.
3. **NCAA Division II Revenue Distribution Policy.** The committee approved the updated Division II Revenue Distribution Policy [Attachment B], as presented. Updates to the policy include separating the previous Enhancement Fund into two distinct line items in the Division II budget and renaming them as follows: (a) Conference Sports Sponsorship Fund (75 percent of previous budget); and (b) Institutional Equal Distribution Fund (25 percent of previous budget). In addition, the updated policy requires that any institutional distribution (equal or supplemental) be earmarked to benefit the athletics department.

4. **Discuss a Recommendation to address Reduction in Sponsorship Numbers for the Division II Conference Sports Sponsorship Fund.** The committee discussed a referral from the Budget Subcommittee of the Implementation Committee on how to address the issue of conferences that fall below the minimum of six institutions sponsoring a sport for purposes of the Conference Sports Sponsorship Fund calculation. The committee was also provided an update from the small group of Planning and Finance Committee members who met earlier in September to develop a recommendation for the full committee's consideration.

The small group is recommending that sport sponsorship funds be calculated based on sponsorship two years prior to the distribution. If the conference falls below the minimum number of six institutions sponsoring a specific sport, the conference will forfeit funds for that sport two years following the academic year in which the minimum was not met.

Rationale for this recommendation:

- Would allow conferences a full year to plan for a reduction in funds based on not meeting sports sponsorship for a sport.
- Would ensure accuracy of data as it currently exists as the total amount of units paid would reflect the total amount of sports sponsored.
- Since conferences would only be paid for sports they sponsored, would not hinder other conferences as a portion of the total budget would not be allocated to a sport that is not being properly sponsored.
- The Revenue Distribution System is not designed to track on sponsorship below six institutions, and this recommendation would not require manipulation of the system or the data to accommodate such instances.
- Implementing this change would not require an additional process that would be hard to support, including:
  - Creation of a waiver/grace period process and policies.
  - Identification of a committee to review waivers.
  - Review of mitigating circumstances that would require subjective consideration on a case-by-case basis.
  - Creation of an appeal opportunity.
  - Staff support of waiver/grace period and potential appeal opportunity.

The small group recommended that the Planning and Finance Committee share this recommendation with the Division II Conference Commissioners Association in October and discuss any feedback received from the CCA at its December videoconference, for a possible recommendation to the Management Council and Presidents Council's review in January 2023.

5. **Conference Strategic Priorities Fund Guidelines and Principles.** The committee approved the recommended updates to the Division II Conference Strategic Priorities Fund guidelines and principles. The updates include:
- (1) Additions to the permissible uses in the Academic and Life Skills SPO for conference SAAC recognition awards and gifts; NIL allowed services and education; and nutritional initiatives.
  - (2) Additions to the permissible uses in the Athletics Operations and Compliance SPO for Conference Information Directors Association meeting; NIL allowed services and education; and strategic plan development.
  - (3) Additions to the permissible uses in the Diversity and Inclusion SPO for ADID meetings; and postgraduate scholarships for minority student-athletes.
  - (4) Additions to the permissible uses in the Game Day, Conference and National Championships SPO for destructible bat stickers; and officials' recognition program.
  - (5) Additions to the permissible uses in the Membership and Positioning Initiatives SPO for institutional branding and marketing; marketing software; and membership consultant.
6. **Future Meetings.** The committee reviewed the upcoming videoconference date in December.

*Committee Chair: Gayle Hutchinson, President, California State University, Chico*  
*Staff Liaisons: Terri Steeb Gronau, Division II Governance*  
*Maritza Jones, Division II Governance*  
*Ryan Jones, Division II Governance*  
*Andrea Worlock, Administrative Services*

<b>Division II Planning and Finance Committee September 21, 2022, Videoconference</b>
<b>Attendees:</b>
Mark Corino, Caldwell University.
Michael Driscoll, Indiana University of Pennsylvania.
Gayle Hutchinson, California State University, Chico.
Jim Johnson, Pittsburg State University.
Collen Perry Keith, Goldey-Beacom College.
Erin Lind, Northern Sun Intercollegiate Conference.
Steven Shirley, Minot State University.
<b>Absentees:</b>
Carlos Campo, Ashland University.

<b>Guests in Attendance:</b>
None.
<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>
David Lafiosca, David Pajak, Olivia Sappington and Jill Waddell.

## NCAA Division II Long-Range Budget Assumptions

### Division II Long-Range Budget (Attachment A) – Key Assumptions.

- The NCAA Division II Long-Range Budget (DII LRB) Assumptions document is intended to provide detail of each revenue and expense line item in the DII LRB, and any key assumptions used to create the projections within the DII LRB.
- The DII LRB is reviewed annually by the Division II Planning and Finance Committee, Management Council and Presidents Council.

### DII Revenue – Key Assumptions.

- In accordance with NCAA Constitution Article 3 (finance), Division II is guaranteed revenue through allocations made to each division from the Association's general operating revenue.
- Division II shall receive at least 4.37 percent of the Association's annual general operating revenue. General operating revenue includes at least all sources of revenue existing as of January 9, 1996, including revenue from contracts for these existing sources and revenue from any modified, extended or successor contract for such sources [Attachment B].
- Division II projected revenue aligns with the NCAA 10-Year Financial Model. In this model, media rights revenues are based on actual amounts in the men's basketball media rights contract with CBS/Turner through FY32, the championships media rights contract with ESPN through FY24, and the radio broadcast rights contract through FY24. There are no assumed increases in the contracts expiring in FY24 for conservatism. Reference Attachment C with information on planned increases.
- Surplus is not budgeted. The revenues in excess of expenses may serve to fund unforeseen needs, special projects/initiatives or a possible supplemental distribution to the Division II membership.
- Unallocated dollars from the previous fiscal year are added to the projected budget to calculate the total revenue for the division.

### DII Expenses – Key Assumptions.

- Total DII Championships Expenses: Assumes the following:
  - Annual increase:
    - Five percent increase to the travel budget to cover travel expenses.
  - Triennial (FY25, FY28 and FY31) increases:
    - \$10 increase in per diem;
    - One percent increase for committee expenses;
    - Three percent increase for game operations; and
    - \$1,050,000 increase for championships enhancements.

- DII Joint Championships: Assumes allocations of \$450,000 in FY22, FY26 and FY30. Unused dollars carry over year to year.
- DII Championships Festivals: Assumes an increase of \$50,000 in FY23. Assumes a different allocation in years with no festivals (\$150,000 in FY22 and \$200,000 in FY26 and FY30).
- DII Conference Sports Sponsorship Fund: Assumes a two percent increase in FY22; a 2.5 percent increase for FY23 and a three percent increase FY24 through FY32.
- DII Institutional Equal Distribution Fund. Assumes a two percent increase in FY22; a 2.5 percent increase for FY23 and a three percent increase FY24 through FY32.
- DII Supplemental Distribution: The amount for a supplemental distribution is determined following the end of a fiscal year based on whether the division had a surplus at year end.
- DII Academic All-America Program (College Sports Communicators). Assumes a \$25,000 increase starting in FY23.
- APPLE Training Institute and NCAA Inclusion Forum. Assumes a three percent increase in FY25, FY28 and FY31 for travel and operational increases.
- DII Coaches Connection. Assumes a budget increase in FY23 for travel expenses.
- DII Coaching Enhancement Grant. Assumes no new grants awarded in FY21 due to COVID-19, which reduced budget in FY21 through FY23. [See SAMG, below.]
- DII Conference Strategic Priorities Fund: Assumes a \$4,000 to \$6,000 premium amount increase in FY25 (\$310,000); a \$6,000 to \$8,000 premium amount increase in FY28 (\$310,000); and a \$110,000 to \$120,000 base amount increase for each conference in FY31 (\$230,000).
- DII Degree Completion. Assumes a \$9,000 increase starting in FY22, following Foundation for the Future allocations.
- DII University. Assumes a \$50,000 increase starting in FY24.
- DII Drug Testing Enhancement: Assumes a six percent increase in FY23 and a three percent increase annually through FY32 per contractual agreement.
- Exploratory and Provisional Membership: Only reported as actuals.
- DII FAR Institute. Assumes a \$25,000 increase starting in FY23.
- DII Game Day Initiative. Assumes a four-year commitment starting in FY21 through FY24.

- DII Governance Outreach. Assumes no increases unless new programs or expenses are requested and approved.
- DII Grant to ADA. Assumes a \$25,000 increase starting in FY23.
- DII Grant to CCA. Assumes a \$25,000 increase starting in FY23.
- DII Grant to MOAA. Assumes a \$25,000 increase starting in FY23.
- DII Grant to NAAC. Assumes a \$25,000 increase starting in FY23.
- DII Grant to Women Leaders in College Sports. Assumes a \$25,000 increase starting in FY23.
- DII Identity Initiatives, Marketing and Communications: Assumes a \$50,000 increase in each triennial (FY25, FY28 and FY31). Assumes a \$1,000 purchasing credit each triennial starting in FY25.
- DII Identity Workshop: Assumes a \$15,000 increase in FY22. Assumes a three percent increase in FY25, FY28 and FY31 for travel and operational increases.
- Insurance for Loss of Revenue. Assumes no increase until contract for Association increases or changes.
- DII Internship Grant. [See SAMG, below.]
- DII Leadership Conference. Assumes a three percent increase in FY25, FY28 and FY31 for travel and operational increases.
- DII Membership Education: Assumes an increase of \$15,000 in FY22.
- DII Mentor Program. Assumes no increases until new expenses are requested and approved.
- NCAA Annual Convention. Assumes no increase until new expenses are requested and approved.
- DII New AD Orientation. Assumes no budget in FY22 and a \$41,000 budget starting in FY23 through FY32.
- DII Regular Season and Championships Media. Assumes no increase until new expenses are requested and approved.
- DII SAAC Conference. Assumes a three percent increase in FY25, FY28 and FY31 for travel and operational increases.

- DII Strategic Alliance Matching Grant (SAMG): Assumes no new grants awarded in FY21 due to COVID-19, which reduced budget in FY21 through FY23. Assumes a \$175,000 increase in FY25. This increase can be used for the SAMG, the Coaching Enhancement Grant, and/or the Internship Grant, based on the specific programs' needs.
- Additional Expenses for Division II: Per new NCAA constitution, current overhead charge ceased with FY22. Starting in FY23, an annual review is conducted to validate additional Association service expenses that Division II pays for directly out of its 4.37 percent allocation. Expenses starting in FY23 are indexed three percent annually.





## MEMORANDUM

January 20, 2022

VIA EMAIL

TO:

FROM: Kathleen McNeely  
NCAA Sr. Vice President of Administration and  
Chief Financial Officer

SUBJECT: NCAA DII and DIII Revenues and Services per Article 3 of the 2022 NCAA Constitution.

This memo provides more detail than what is included in Article 3 of the 2022 NCAA Constitution as it relates to DII and DIII revenues and services.

Article 3 of the new constitution states, "*Resources will be allocated to the three divisions to provide standard membership services, including championships. Division II will receive 4.37% and Division III will receive 3.18% of all operating revenue sources, as agreed on January 9, 1996.*"

*All Division II and Division III member schools and conferences shall receive services from the national association. Each division may choose to support additional service needs through their divisional budget. An annual review will be conducted to validate the additional Association service expenses that Divisions II and III pay for directly out of their allocation."*

The revenue sources that are the basis for the DII and DIII revenue calculations are based on revenues that existed in 1996. These include television and marketing rights, including sponsorship categories that existed in 1996, ticket and host revenue, membership dues, convention and bowl fees, interest income and realized gains and losses on investments.

The services, as of January 2022, that Division II and Division III member schools and conferences shall receive from the national office include administrative services, catastrophic insurance for student-athletes, championship support, communication activities, education support for membership, inclusion support, governance, health and safety services, regulatory support, legal services, research activities and sports based statistical support.

Eliminating the overhead on services dating back to 1996 resulted in additional revenue for both Division II (\$1.3 million) and Division III (\$1.5 million). If Division II and III add any new services, the specific division will be required to cover the costs to support initiatives created or enhanced following the 2021-22 fiscal year.

NCAA MEMO TO FILE- NCAA SERVICES FOR  
DII AND DIII IN ARTICLE 3 OF THE 2022  
NCAA CONSTITUTION  
JANUARY 20, 2022  
Page No. 2

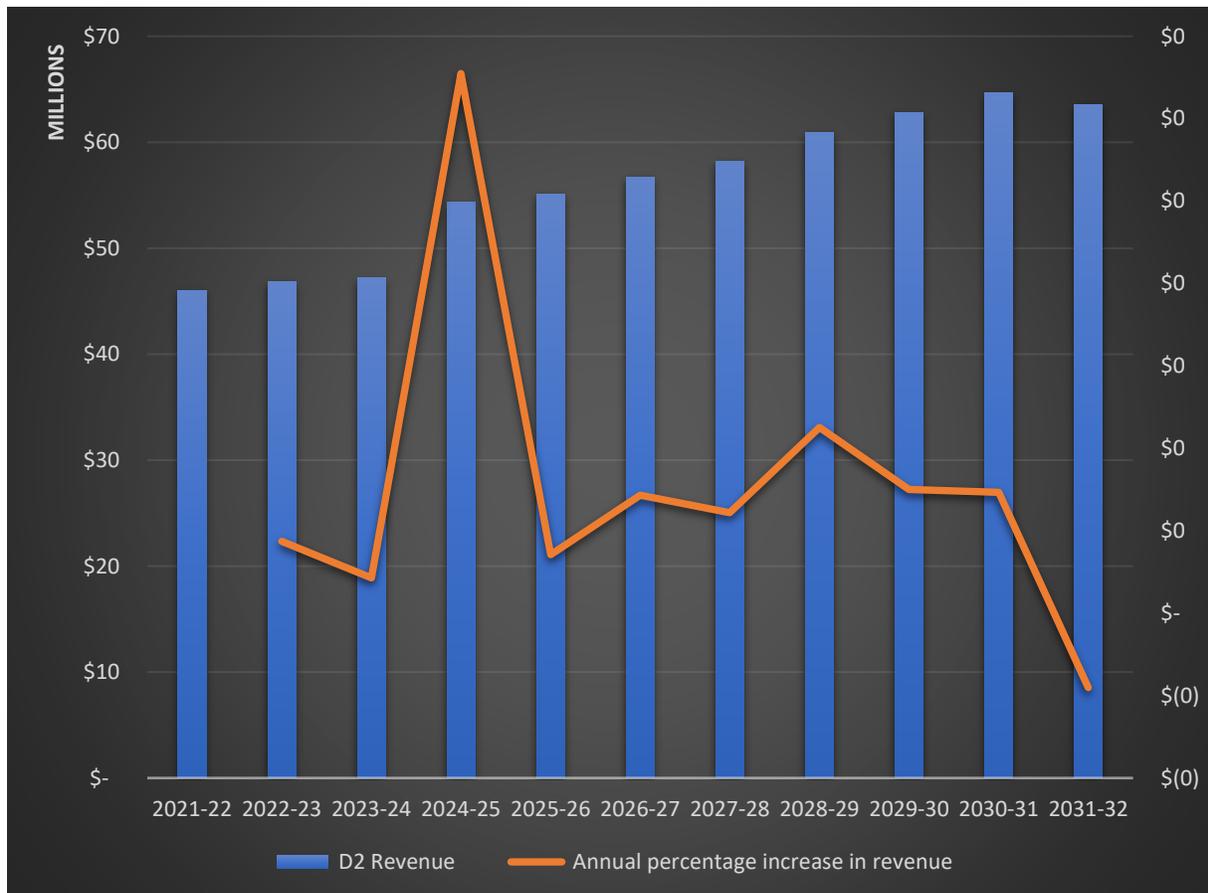
---

This memo is written with the understanding that as college sports evolves, some services may no longer be necessary, or some services might be best provided by third party vendors instead of national office staff. These changes will be made in consultation with the divisional governing bodies.

**Division II 10-Year Revenue Allocation**

Fiscal Year	D2 Allocation-Based Revenue	D2 Revenue	Annual percentage increase in revenue	Annual Division II revenue increase
2021-22	\$ 1,052,436,676	\$ 45,991,483		
2022-23	\$ 1,071,117,230	\$ 46,807,823	2%	\$ 816,340
2023-24	\$ 1,080,330,760	\$ 47,210,454	1%	\$ 402,631
2024-25	\$ 1,243,106,315	\$ 54,323,746	13%	\$ 7,113,292
2025-26	\$ 1,260,975,030	\$ 55,104,609	1%	\$ 780,863
2026-27	\$ 1,298,170,896	\$ 56,730,068	3%	\$ 1,625,459
2027-28	\$ 1,330,655,524	\$ 58,149,646	2%	\$ 1,419,578
2028-29	\$ 1,393,441,234	\$ 60,893,382	5%	\$ 2,743,736
2029-30	\$ 1,436,540,898	\$ 62,776,837	3%	\$ 1,883,455
2030-31	\$ 1,479,967,968	\$ 64,674,600	3%	\$ 1,897,763
2031-32	\$ 1,453,736,501	\$ 63,528,285	-2%	\$ (1,146,315)

**10 year average percentage increase: 3%**





NATIONAL COLLEGIATE ATHLETIC ASSOCIATION  
POLICY LIBRARY

## NCAA Division II Revenue Distribution Policy

---

### I. PURPOSE

The purpose of this policy is to document the intent, scope, funding calculation, distribution methodology and history of the NCAA Division II Revenue Distribution Program.

---

### II. STATEMENT OF POLICY

The NCAA Division II Revenue Distribution Program (formerly Enhancement Fund) was created in the late 1980s as a financial incentive for members to maintain Division II affiliation.

According to the Division II Budget Guidelines and Principles, at a minimum, \$5.1 million will be distributed annually to Division II institutions and conferences via the current Division II revenue distribution formula or any other formula(s) that may be adopted. The formula(s) for the conference sports sponsorship fund shall include a principal goal of strengthening conference operations and the institutional equal distribution should be earmarked for athletics.

In addition, the guidelines and principles state that care will be taken to avoid funding special interests of various segments of the Division II membership or items that may be more an institution's or conference's responsibility than that of the Association or division.

In August 2022, the NCAA Division II Management Council approved separating the budget previously allocated to the enhancement fund into two separate line items in the Division II budget.

- a. Conference Sports Sponsorship Fund -- allocate 75% of previous enhancement fund budget.
- b. Institutional Equal Distribution Fund -- allocate 25% of previous enhancement fund budget.

Dollar amounts for the funds are approved annually by the NCAA Division II Planning and Finance Committee as part of the Division II budget.

**Conference Sport Sponsorship Fund:**

Purpose of Distribution: Strengthen conference operations and provide a financial reward to active Division II conferences that have at a minimum six active Division II institutions sponsoring NCAA sports.

Timing of Fund Release: April.

Calculation: Conference Sports Sponsorship Fund/Total qualifying sports from each conference from previous academic year.

Reporting Requirements and Fines: On an annual basis, a conference shall be required to verify the sports sponsored by the conference for the previous academic year no later than midnight (EST) November 1, via the NCAA Revenue Distribution system. The Revenue Distribution system automatically captures the sports that each of the conference members have reported as sponsoring for the previous academic year via the NCAA Sports Sponsorship and Demographics form.

If a conference is late and verifies its sports sponsored between November 2 and November 8, the conference shall be fined \$5,000. For each additional week (as measured by seven consecutive days) that the verification is late, the conference shall be fined \$5,000 per week. The fine will be deducted from the total amount allocated to the conference in April.

Fund Restrictions: Funds are provided to active conferences to use at their discretion.

- Conferences become eligible for the sports–sponsorship portion of the fund one year after active conference membership (NCAA Bylaw 7.4.3.3).
- Each sport counted by the conference must have at least six active Division II institutions that meet the minimum contests and participants requirements for sports sponsorship per Bylaw 20.10.3.3. Regular season, post season and exempt contests would count towards minimum contests’ requirements.
- Affiliate institutions can be counted toward meeting the minimum of six institutions for sports-sponsorship.
- If an active conference falls below the minimum number of six institutions sponsoring a specific sport, the conference will forfeit funds for that sport for the following academic year. To begin receiving funds again, the active conference must meet the minimum of six institutions sponsoring a sport.
- A voting member conference that fails to satisfy minimum sports-sponsorship criteria in a given year shall be placed on probation for one year in the next academic year after noncompliance occurs. During the probationary year, the conference shall not be eligible to receive conference sports sponsorship funds (Bylaw 7.4.5.1).
- A Division I sport is countable only if there is not a Division II championship for the six institutions to compete in.
- A National Collegiate sport is countable.
- An emerging sport for women is countable.
- Competition in the NAIA Championship is not countable.

Policy: NCAA Division II Revenue Distribution Policy Number: GO-01 Responsible Executive: Terri Steeb Gronau, Vice President of Division II	Responsible Office: Division II Governance Originally approved: September 22, 2015 Revised: April 25, 2017, August 4, 2020, September 22, 2021. Reviewed: April 30, 2019, April 28, 2020, April 27, 2021, April 21, 2022.
---	--

*Confidential and proprietary – not to be distributed without written NCAA authority.*

**Institutional Equal Distribution Fund:**

Purpose of Distribution: Provide additional support to the athletics program at active Division II institutions.

Timing of Fund Release: April.

Calculation: Institutional Equal Distribution Fund/total active and eligible Division II institutions in the academic year when distribution occurs.

Reporting Requirements: N/A.

Fund Restrictions: Funds are provided to active and eligible institutions to earmarked to benefit the athletics department, but a report on how institutions use these dollars is not required.

- To be an active member, an institution shall be in compliance with all applicable provisions of the constitution and bylaws of the Association.
- Institutions must be current with NCAA membership dues.
- Single gender institutions are eligible to receive a full share of the fund.
- Division I or III institutions are not eligible for the fund.
- Division II institutions are eligible for the funds, even if the institution has adopted to compete in one Division I sport. However, the institution must be eligible in the Division I sport.
- An institution qualifies for funds as long as it is in good standing.
- Division II for-profit institutions that are not affiliated with a Division II conference are not eligible to receive funds.
- An active member institution that fails to submit data for the Academic Success Rate by the applicable deadline shall forfeit receipt of Division II institutional equal distribution funds in the following academic year. Further, an active member institution that fails to submit data for the Academic Success Rate in any two years during a five-year period shall forfeit Division II institutional equal distribution funds for the following three consecutive academic years (Bylaw 7.3.4.15.1).
- If an institution fails to submit its Academic Performance Census by the applicable deadline, in a format approved and administered by the Presidents Council (or a committee designated by the Presidents Council), that institution shall forfeit Division II institutional equal distribution funds for the following academic year (Bylaw 7.3.4.16).
- An institution that fails to submit the student-athlete health and safety survey by the applicable deadline shall forfeit receipt of Division II institutional enhancement funds in the following academic year (Bylaw 7.3.4.22.1)
- Institutions failing to complete the self-study report within the five-year time period shall be placed on probation for one year pursuant to Bylaw 20.02.4 and shall not be eligible to receive Division II institutional equal distribution funds proceeds. An institution that fails to complete the self-study report during the probationary year shall be fined \$1,000, placed

Policy: NCAA Division II Revenue Distribution Policy Number: GO-01 Responsible Executive: Terri Steeb Gronau, Vice President of Division II	Responsible Office: Division II Governance Originally approved: September 22, 2015 Revised: April 25, 2017, August 4, 2020, September 22, 2021. Reviewed: April 30, 2019, April 28, 2020, April 27, 2021, April 21, 2022.
---	--

*Confidential and proprietary – not to be distributed without written NCAA authority.*

on restricted membership status pursuant to Bylaw 20.02.6, shall not be eligible to receive Division II institutional equal distribution funds proceeds and shall not be eligible for NCAA championships competition in all sports. In order for an institution to be removed from probation or restricted membership status, the institution must supply the Membership Committee with a complete self-study report including the institution’s action plan (Bylaw 7.8.1.2).

- A member of Division II that is reclassifying to Division I shall no longer be eligible for the institutional equal distribution fund once it officially begins the reclassification process.
- A member of Division II that is reclassifying to Division III remains eligible for institutional equal distribution funds during the Division III exploratory period, provided the institution continues to comply with all Division II regulations. However, such eligibility shall terminate once the exploratory period ends and the reclassification period to Division III has officially begun.

**Supplemental Distribution Fund (Institutional Equal Distribution only):**

If there is an operating surplus in the Division II budget from the previous fiscal year, the Planning and Finance Committee and Presidents Council may approve a supplemental distribution to the membership. Such distribution will follow the same methodology as the institutional equal distribution fund; that is, the distribution will be made only to those institutions that were eligible to receive the equal distribution in the previous academic year and are currently active as Division II.

Purpose of Distribution: Provide additional support to the athletics program at active Division II institutions.

Timing of Fund Release: February.

Calculation: Amount approved for supplemental distribution/Total active and eligible Division II institutions.

Reporting Requirements: NA.

Fund Restrictions: Funds are provided to active and eligible institutions to be earmarked to benefit the athletics department, but a report on how institutions use these dollars is not required.

---

**III. WEB ADDRESS FOR THIS POLICY**

<http://daily.ncaa.org/policies/Policies/GO-01 NCAA Division II Enhancement Fund and Supplemental Distribution Governance Policy.docx?Web=1>

<p>Policy: NCAA Division II Revenue Distribution Policy          Number: GO-01          Responsible Executive: Terri Steeb Gronau, Vice President of Division II</p>	<p>Responsible Office: Division II Governance          Originally approved: September 22, 2015          Revised: April 25, 2017, August 4, 2020, September 22, 2021.          Reviewed: April 30, 2019, April 28, 2020, April 27, 2021, April 21, 2022.</p>
--	---

*Confidential and proprietary – not to be distributed without written NCAA authority.*

## IV. CONTACTS

Subject matter	Office name	Telephone number
Disbursements	Accounting	317.917.6253
Policy clarification and interpretation	DII Governance	317.917.6940

For any policy compliance concerns, it is most effective to raise questions or concerns regarding possible unethical, questionable, unsafe or illegal activity to your direct supervisor. If you do not feel comfortable speaking with your direct supervisor or if you are not satisfied with the supervisor’s response, you are encouraged to speak with a member of human resources, any other supervisor or the whistleblower coordinator, who is the NCAA’s chief financial officer. Additionally, while the NCAA hopes staff members feel comfortable coming forward with their concerns, it acknowledges that may not always be the case. Therefore, the NCAA has contracted with a separate, third party, EthicsPoint, to allow staff members to anonymously report such activity. To make an anonymous report with EthicsPoint, call 1-855-257-4105 at any time or [click here](#).

---

## V. APPENDIX

### HISTORY

Late 1980s: The Enhancement Fund was created by the former NCAA Executive Committee (currently NCAA Board of Governors) following negotiation of the CBS media agreement as a financial incentive for schools to maintain Division II membership affiliation.

Originally \$3,000,000, the fund was aligned with already existing Division I financial distributions, where funds would go to Division II conference offices based on success in the Division II men’s basketball tournament, and an equal distribution would be sent to each active Division II member.

Contributing factors for this decision:

- NCAA’s revenue from CBS was linked directly to the telecast of the Division I men's basketball championship;
- Division II men’s basketball had the highest percentage of sports sponsorship by member schools for all Division II sports.

2000-01: The former Division II Budget and Finance Committee (currently Division II Planning and Finance Committee) agreed to increase the distribution to a minimum of \$5,100,000. It also included two additional criteria in the calculation for the distribution: success in the women’s basketball championship and number of championships sponsored by each conference.

The new formula to distribute the fund was as follows:

Policy: NCAA Division II Revenue Distribution Policy Number: GO-01 Responsible Executive: Terri Steeb Gronau, Vice President of Division II	Responsible Office: Division II Governance Originally approved: September 22, 2015 Revised: April 25, 2017, August 4, 2020, September 22, 2021. Reviewed: April 30, 2019, April 28, 2020, April 27, 2021, April 21, 2022.
---	--

*Confidential and proprietary – not to be distributed without written NCAA authority.*

- \$1,600,000 to conference offices based on the number of conference championships sponsored with at least six active members;
- \$800,000 to conference offices based on success in the men’s basketball tournament;
- \$800,000 to conference offices based on success in the women’s basketball tournament;
- \$1,900,000 equal distribution paid directly to active member institutions in good standing.

2009: The Division II Budget and Finance Committee agreed that the Division II strategic positioning platform must influence all future program and budget decisions for the division. The committee believed a distribution formula based in part on success in only two national championships (men's and women's basketball) was inconsistent with the division’s comprehensive platform.

2010: A recommendation to the Presidents Council was presented by the Planning and Finance Committee in April 2010, regarding the distribution of enhancement funds to member schools and conferences. The recommendation included the elimination of the prongs related to success in the men’s and women’s basketball tournament. Further, the recommendation included a formula that would disburse 75 percent of the fund to conference offices based on sports sponsorship (as measured by the number of championships conferences offer in NCAA sports) and 25 percent of the fund to member schools based on equal distribution.

2012: The enhancement fund discontinued the allocation of funds based on conference performance in the men’s and women’s basketball tournament in May of 2012. The revised distribution formula allocates 75 percent of the fund based on a conference sports sponsored, and 25 percent of the fund is allocated in an equal distribution to all active and eligible Division II institutions. A contingency fund was established to offset any shortfalls that conferences may have experienced in the first year. The committee voted to discontinue the use of enhancement funds to independent institutions within the sport sponsorship calculations starting with the May 2012 distribution. It was also determined that the \$100,000 increase be allocated to the equal distribution prong of the calculation for the May 2011 distribution.

2019: The Planning and Finance Committee approved two changes to the Sports Sponsorship distribution, as follows: 1) added clarifying language related to minimum contests, and 2) added emerging sports for women as countable sports. The committee also clarified that a for-profit institution that is not affiliated with a conference is not eligible to receive equal distributions funds.

2020: In April, the Division II Presidents Council received a recommendation from the Division II Administrative Committee and the Planning and Finance Committee related to the impact on the division’s long-range budget from the reduction of revenue due to the cancellation of 2020 winter and spring NCAA championships as a result of the COVID-19 pandemic. In order to reestablish the division’s minimum cash reserve, the Presidents Council decided that the 2020-21 enhancement fund allocation would remain the same as allocated in 2019-20, which was \$7.3

<p>Policy: NCAA Division II Revenue Distribution Policy  Number: GO-01  Responsible Executive: Terri Steeb Gronau, Vice President of Division II</p>	<p>Responsible Office: Division II Governance  Originally approved: September 22, 2015  Revised: April 25, 2017, August 4, 2020, September 22, 2021.  Reviewed: April 30, 2019, April 28, 2020, April 27, 2021, April 21, 2022.</p>
--	---

*Confidential and proprietary – not to be distributed without written NCAA authority.*

million. In addition, the enhancement fund would increase 2% annually from the 2021-22 fiscal year through the 2023-24 fiscal year and 2.5% thereafter.

In September 2020, the committee approved changing the timing of the distribution to late April and following the receipt of payment for the Division I Men’s Basketball Championship. The release date change provided the Planning and Finance Committee an opportunity to consider the economic impact associated with the cancellation of NCAA Championships, specifically, the NCAA Men’s Final Four Tournament, prior to the release of funds.

August 2022: The Division II Management Council approved a recommendation from the NCAA Division II Implementation Committee to separate the Enhancement Fund budget into two distinct line items in the Division II budget:

- a. Conference Sports Sponsorship Fund -- allocate 75% of the previous enhancement fund budget.
- b. Institutional Equal Distribution Fund -- allocate 25% of previous enhancement fund budget.

Further, the Management Council approved a policy change to earmark the institutional equal distribution fund and any potential supplemental distribution to benefit the athletics department, but do not require a report of how institutions use these dollars.

Policy: NCAA Division II Revenue Distribution Policy Number: GO-01 Responsible Executive: Terri Steeb Gronau, Vice President of Division II	Responsible Office: Division II Governance Originally approved: September 22, 2015 Revised: April 25, 2017, August 4, 2020, September 22, 2021. Reviewed: April 30, 2019, April 28, 2020, April 27, 2021, April 21, 2022.
---	--

*Confidential and proprietary – not to be distributed without written NCAA authority.*

Committee Positions on NCAA Division II Membership-Sponsored  
Proposals for the 2023 NCAA Convention

*NCAA Division II Proposal No. 2023-9 [2-7 (1-1)] Recruiting and Playing and Practice Seasons – General Playing-Season Regulations – Time Limits for Athletically Related Activities – Weekly Hour Limitations – Outside of Playing Season – Summer Access – Voluntary Workouts for Team Sports.*

**Committee Positions:**

- a. *NCAA Division II Management Council.* The council agreed to oppose this proposal due to the proposal being contrary to the Life in the Balance Division II philosophy. The council noted concerns of student-athletes feeling pressured to take advantage of the opportunity or returning to the institution early to participate in voluntary workouts. The council also voiced concerns that some student-athletes may be "volun-told" to attend. It was noted that student-athletes may feel compelled to forgo participating in activities, such as study abroad programs, internships or summer jobs. Further, if adopted, the council noted the potential impact on the mental health of coaching staff members, athletic trainers and student-athletes. Finally, the council noted that although this proposal is similar to the relief provided during COVID-19, that relief was specific to that timeframe since, at that time, many Division II institutions implemented remote learning and canceled sport seasons making it impossible for institutions and student-athletes to participate in anything else.
- b. *NCAA Committee on Competitive Safeguard and Medical Aspects of Sports:* The committee agreed to take no position on this proposal.
- c. *NCAA Division II Legislation Committee:* The committee agreed to oppose this proposal. The committee noted concerns related to student-athletes feeling pressured to take advantage of the opportunity to participate in voluntary workouts, and that some student-athletes may be "volun-told" to attend. Additionally, it was noted that student-athletes may feel compelled to forgo participating in activities, such as study abroad programs, internships or summer jobs. Finally, the committee noted that this proposal would create an increased monitoring burden on compliance administrators.

***Proposal No. 2023-10 [(2-8) (1-2)] Eligibility and Playing and Practice Seasons – Seasons of Competition: 10-Semester/15-Quarter Rule and Football – Criteria for Determining Season of Eligibility and Out-of-Season Athletically Related Activities – Exception – Competition in the Nonchampionship Segment and Spring Practice – Scrimmage Against a Four-Year Collegiate Institution.***

**Committee Positions:**

- a. *Management Council, Committee on Competitive Safeguard and Medical Aspects of Sports and Legislation Committee:* The council and committees agreed to take no position on this proposal.
- b. *NCAA Division II Football Committee:* The committee agreed to support this proposal. The committee noted that allowing student-athletes the opportunity to participate in a scrimmage against a four-year collegiate institution during the spring practice period will improve the development and retention of student-athletes by providing them with a competitive opportunity against an outside team. The committee also noted that requiring the scrimmage to occur on or after the 10th day of the spring practice period allows time for student-athletes to get acclimated to contact. Finally, the committee noted that allowing such participation to not count as a season of competition aligns football with other Division II fall sports that are permitted to participate in the nonchampionship segment and not utilize a season of competition provided they were eligible during the championship segment.

***Proposal 2023-11 [2-9 (1-3)] Eligibility – Seasons of Competition: 10-Semester/15-Quarter Rule – Criteria for Determining Season of Eligibility – Minimum Amount of Competition – Up to Three Contests – Football.***

**Committee Positions:**

- a. *Management Council, Committee on Competitive Safeguard and Medical Aspects of Sports and NCAA Division II Committee on Student-Athlete Reinstatement:* The council and committees agreed to take no position on this proposal.
- b. *Football Committee:* The committee agreed to support this proposal. The committee noted that allowing student-athletes the opportunity to participate in up to three contests without utilizing a season of competition in their initial year of collegiate enrollment will permit student-athletes to get acclimated on the field. The committee also noted that allowing student-athletes to participate in minimal competition during their initial year without being charged a season of competition will help with student-athlete retention.
- c. *Legislation Committee:* The committee agreed to oppose this proposal. The committee noted that the change would be inconsistent with the application of the Division II medical

hardship legislation. The committee also noted concerns that football would be the only sport permitting student-athletes to participate in up to three countable contests, at any time during the season, and not use a season of competition.

***Proposal No. 2023-12 [2-11 (1-4)] Playing and Practice Seasons -- General Playing-Season Regulations and Basketball – Basketball First Permissible Practice Date.***

- a. *Management Council and Committee on Competitive Safeguard and Medical Aspects of Sports:* The council and committee agreed to take no position on this proposal.
- b. *NCAA Division II Men’s and Women’s Basketball Committee:* The committees agreed to support this proposal. The committees noted that this allows flexibility in scheduling practices and additional days off for rest and recovery during the preseason practice period.
- c. *Legislation Committee:* The committee agreed to oppose this proposal. The committee noted the impact this proposal would have on facility usage; specifically, the committee noted there will be an issue with scheduling facility usage for the sports of basketball and volleyball. Further, the committee also voiced concern regarding the additional monitoring burden on compliance administrators.
- d. *NCAA Division II Volleyball Committee:* The committee agreed to oppose this proposal. The committee noted very few volleyball programs at Division II institutions have their own facilities for practice and competitions; therefore, most volleyball and basketball programs share facilities. The committee noted that if adopted, this proposal will cause additional strain on facilities and volleyball programs to schedule practice and competition time. Further, the committee noted that due to many institutions using athletics facilities in the fall for general student activities (e.g., freshman orientations, welcome events), these events impact the shared facilities, which further limits the availability for volleyball programs. Finally, there will be a negative impact on strength and conditioning coaches and athletic trainers as there will be an increased period supporting volleyball and basketball student-athletes.



MEMORANDUM

October 18, 2022

TO: NCAA Division II Presidents Council.  
FROM: NCAA Division II Management Council.  
SUBJECT: 2023 NCAA Convention Division II Legislation Groupings.

The Division II Management Council has reviewed the 12 proposals that have been properly sponsored for the 2023 NCAA Convention. The following recommendations are for the consideration of the NCAA Division II Presidents Council to determine how these proposals should be grouped, for purposes of production of the 2023 NCAA Convention Division II Official Notice for the Division II business session Saturday, January 14, 2023. Please refer to the 2023 NCAA Convention Division II Second Publication of Proposed Legislation that is included as an attachment to this supplement. The proposal numbers in parentheses listed below refer to the SPOPL.

**Consent Package**

- No. 2023-1 (2-2) NCAA Division II Membership and Institutional Control – Active Membership – Institutions – Conditions and Obligations of Active Membership – Financial Data Requirement – Penalty for Failure to Submit Financial Data.
- No. 2023-2 (2-3) NCAA Division II Membership and Institutional Control – Active Membership – Institutions – Conditions and Obligations of Active Membership – Elimination of Self-Study and Evaluation.
- No. 2023-3 (2-5) Legislative Process – Amendment Process – Notification to Membership – Elimination of Initial Publication and Second Publication – Timing of Official Notice.
- No. 2023-4 (2-10) Eligibility – Freshman Academic Requirements – Elimination of Standardized Test-Score Requirements (SAT or ACT).
- No. 2023-5 (2-12) Executive Regulations – Administration of NCAA Championships – Availability of Alcoholic Beverages at Division II Championships.

**Emerging Sports for Women**

- No. 2023-6 (2-1) NCAA Division II Membership and Institutional Control, Financial Aid and Playing and Practice Seasons – Emerging Sports for Women – Stunt.

### **Organizational Structure**

- \*No. 2023-7 (2-4) Division II Organizational Structure – Presidents Council – Management Council – Administrative Committee – Planning and Finance Committee.

### **Amateurism**

- \*No. 2023-8 (2-6) Amateurism – Various Bylaws – Definition of Agent and Use of Agents.

### **Recruiting and Playing and Practice Seasons**

- \*No. 2023-9 (2-7) Recruiting and Playing and Practice Seasons – General Playing-Season Regulations – Time Limits for Athletically Related Activities – Weekly Hour Limitations – Outside of Playing Season – Summer Access – Voluntary Workouts for Team Sports.

### **Eligibility**

- \*No. 2023-10 (2-8) Eligibility and Playing and Practice Seasons – Seasons of Competition: 10-Semester/15-Quarter Rule and Football – Criteria for Determining Season of Eligibility and Out-of-Season Athletically Related Activities – Exception – Competition in the Nonchampionship Segment and Spring Practice – Scrimmage Against a Four-Year Collegiate Institution.
- \*No. 2022-11 (2-9) Eligibility – Seasons of Competition: 10-Semester/15-Quarter Rule – Criteria for Determining Season of Eligibility – Minimum Amount of Competition – Up to Three Contests – Football.

### **Playing and Practice Seasons**

- \*No. 2023-12 (2-11) Playing and Practice Seasons -- General Playing-Season Regulations and Basketball – Basketball First Permissible Practice Date.

Those proposals marked with an asterisk (\*) have been identified by staff as recommendations for roll-call votes. The Management Council and/or Presidents Council may delete from or make additions to these recommendations.

Note: Proposal Nos. 2023-1 (2-2), 2023-2 (2-3), 2023-3 (2-5), 2023-4 (2-10) and 2023-5 (2-12) will be voted on as a package.

Note: Proposal Nos. 2023-9 (2-7) and 2023-10 (2-8) have an immediate effective date and will require a separate vote on the immediate effective date.

NCAA MEMORANDUM

October 18, 2022

Page No. 3

---

Note: Proposal Nos. 2023-10 (2-8) and 2023-11 (2-9) are football-only votes. Only those institutions and conferences that sponsor football may vote on these proposals.

# LEGISLATION

## 2023 NCAA CONVENTION

### DIVISION II SECOND PUBLICATION OF PROPOSED LEGISLATION

117<sup>th</sup> Annual Convention  
January 11-14, 2023  
San Antonio, Texas



THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION  
P.O. Box 6222  
Indianapolis, Indiana 46206-6222  
317-917-6222  
www.ncaa.org  
September 2022

**Legislation Prepared By:** Stephanie Quigg, *Director of Academic and Membership Affairs for Division II*; Chelsea Hooks, *Associate Director of Academic and Membership Affairs for Division II*; Angela Red, *Associate Director of Academic and Membership Affairs for Division II*; and Jordan Lysiak, *Assistant Director of Academic and Membership Affairs*.

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.

## Second Publication of Proposed Legislation

### 117th Annual Convention

This publication presents all proposed amendments to NCAA Division II legislation that were properly submitted in accordance with the September 1 deadline in the NCAA legislative calendar. The proposals herein appear in the order in which they would appear, if adopted, in the NCAA Division II Manual. No attempt has been made to place them in topical groupings or in the order in which they eventually might appear in the NCAA Convention agenda. Each proposal is accompanied not only by the traditional statement of intent and proposed effective date, but also by a statement of rationale.

**The order of the membership-sponsored proposal(s) in the Initial Publication of Proposed Legislation has changed in the Second Publication of Proposed Legislation. The order of the 12 proposals in the second publication will change in the Official Notice. The numeral 2 has been placed in front of the proposal number to help identify its position in the second publication. In addition, for each proposal that appeared in the initial publication, a parenthetical follows the proposal number, which identifies the proposal's number as it appeared in the Initial Publication of Proposed Legislation.**

No new proposals may be submitted for the 2023 Convention inasmuch as the July 15 and September 1 deadlines have passed. Member institutions and conferences, as well as the Division II Presidents Council, have until 5 p.m. Eastern time November 1 to submit amendments to these proposals. Such amendments-to-amendments may not increase the modification set forth in the printed proposal. Amendments-to-amendments submitted by the membership must have eight sponsors from active member institutions in Division II. In addition, amendments-to-amendments may be sponsored by at least one member conference (on behalf of eight or more of their active member institutions) in Division II. It should be noted that proposals that are withdrawn after the September 15 sponsor-modification deadline appear in the Second Publication of Proposed Legislation; however, information will be included in the Official Notice to indicate the sponsor's intent to withdraw the proposal at the Convention.

Member institutions and conferences are encouraged to request interpretations of the proposed legislation in this Second Publication of Proposed Legislation. Refer to Appendix B for information about how to request an interpretation.

This publication represents the second of three publications dealing with Convention legislation, as dictated by the provisions of NCAA Bylaw 9. The third publication will be as follows:

**November 15** - Official Notice of the 2023 Convention. This publication will contain all Division II legislation for the Convention, including all amendments-to-amendments and resolutions submitted by the November 1 deadline.

## 2022-23 Legislative Calendar

The legislative calendar, as set forth in Bylaw 9, is summarized here for convenience of reference.

**July 15:** Deadline for submission of amendments by the Division II membership. Each amendment must include a statement of intent and a separate statement of rationale (200 words or less), as well as identification of the designated primary contact person.

**August 3:** Presidents Council Consideration. The NCAA Division II Presidents Council considers legislative proposals that it may wish to sponsor. The Presidents Council also reviews the amendments submitted by the membership in accordance with the July 15 deadline. See "July 15" above. The Presidents Council reviewed these proposals to determine co-sponsorship and to determine committee review assignments.

**August 15:** Posting of Initial Publication of Proposed Legislation (IPOPL).

**August 15 through September 15:** Sponsor-Modification Period. Sponsors are permitted to refine and change their proposals in any manner germane to the original proposal. Member institutions and conferences are invited to offer any suggested revisions of a proposal to the primary contact person listed with the proposal. Additionally, members that believe an amendment should not be modified should so inform the primary contact person.

**August 31:** Administrative Committee Videoconference. On behalf of the Presidents Council, the Administrative Committee reviews all amendments to be included on the 2023 NCAA Convention agenda for placement in the 2023 NCAA Convention Division II Official Notice.

**September 1:** Deadline for submission of amendments sponsored by the Presidents Council.

**September 15:** Deadline for submission by all sponsors (with submission by the primary contact person) of any modification to their original amendments. These modifications may represent either greater or lesser changes; they need only be germane to the original proposal.

**September 23:** Posting of Second Publication of Proposed Legislation (SPOPL). This publication includes all Division II membership-sponsored proposals (as modified) and includes all proposals sponsored by the Presidents Council.

**September 23 through November 1:** Amendment-to-Amendment Period. The Presidents Council as well as the membership (see Bylaw 9.3.4.2) may submit amendments to the Division II proposals in the SPOPL. These amendments-to-amendments may not increase the modification of the provisions to be amended; they must fall between the provisions of the circularized amendment and the current provisions.

**October 7:** Deadline for Committee review. Any Association-wide and/or Division II committee charged by the Administrative Committee to evaluate a membership-sponsored amendment must complete its evaluation not later than October 7. The committee must then report the results of its review to the Management Council. The Management Council will review each committee's evaluation at its October videoconference. If the committee issued a position statement, the position must be publicized in the Official Notice.

**November 1:** Deadline for all resolutions and amendments-to-amendments to be received in the national office. No amendments-to-amendments sponsored by the membership may be submitted after this date. The Presidents Council and Board of Governors are authorized to submit further amendments-to-amendments and resolutions at the Convention if it deems such action necessary.

**November 15:** Posting of the Official Notice of the Convention. This publication includes all Division II proposed legislation, resolutions and properly submitted amendments-to-amendments.

**January 11-14, 2023:** NCAA Convention. All delegates have the opportunity to download the NCAA Events app prior to the Convention. The NCAA Events app contains the most up-to-date schedule and other helpful Convention information.

## **Division II Legislation Committee**

Chair - Carlin Chesick, Pennsylvania State Athletic Conference  
Brenda Cates, University of Mount Olive  
Ismael Contreras, Purdue University Northwest  
Audra Kedy, Great American Conference  
Kara Lindaman, Winona State University  
Alex Pappas, Metropolitan State University of Denver  
Pennie Parker, Rollins College  
Christopher Ratcliff, Rogers State University  
Kevin Schriver, Southwest Baptist University  
Jason Stock, California State University, San Marcos  
Melinda Terry, St. Edward's University

## 117th Annual Convention

### Legislative Proposals Submitted by the NCAA Division II Presidents Council and by the Division II Membership

[Note: Pursuant to Bylaw 9.3.12, all amendments shall become effective not earlier than the first day of August following adoption by the 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. Further, all amendments with an effective date other than the first day of August following the Convention will contain in the rationale statement reasons for such an 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.]

[Note: In the following proposals:

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

---

No. 2-1 NCAA DIVISION II MEMBERSHIP AND INSTITUTIONAL CONTROL, FINANCIAL AID AND PLAYING AND PRACTICE SEASONS -- EMERGING SPORTS FOR WOMEN -- STUNT

**Intent:** To add stunt as an emerging sport for women and establish legislation related to membership, financial aid, and playing and practice seasons, as specified.

**A. Bylaws:** Amend 7.02.2, as follows:

7.02.2 Emerging Sports for Women. The following shall be considered emerging sports for women:

(a) Team Sports: acrobatics and tumbling, ~~and~~ rugby **and stunt**; and

[7.02.2-(b) unchanged.]

[7.02.2.1 unchanged.]

**B. Bylaws:** Amend 7.3.1.7.1.3, as follows:

7.3.1.7.1.3 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:

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	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
<b>Stunt</b>	<b>8</b>	<b>16</b>	Men's Wrestling	9	6
Men's Volleyball	9		Women's Wrestling	9	6
Women's Volleyball	15		Women's Triathlon	4	3
Men's Water Polo	15				
Women's Water Polo	10				

[7.3.1.7.1.3.1 through 7.3.1.7.1.3.11 unchanged.]

**C. Bylaws:** Amend 15.4.2, as follows:

15.4.2 Equivalency Sports.

15.4.2.1 Maximum Equivalency Limits.

[15.4.2.1.1 unchanged.]

15.4.2.1.2 Women's Sports. There shall be a limit on the value (equivalency) of financial aid awards (per Bylaw 15.2.1) that an institution may provide in any academic year to counters in each women's sport, as follows:

Acrobatics and Tumbling	9.0	Rowing	20.0
Basketball	10.0	Rugby	12.0
Beach Volleyball	5.0	Skiing	6.3
Bowling	5.0	Soccer	9.9
Cross Country/Track and Field (see Bylaw 15.4.2.1.4 for institutions that sponsor cross country but not indoor or outdoor track and field)	12.6	Softball	7.2
Equestrian	15.0	<b>Stunt</b>	<b>9.0</b>
Fencing	4.5	Swimming and Diving	8.1
Field Hockey	6.3	Tennis	6.0
Golf	5.4	Triathlon	5.0
Gymnastics	6.0	Volleyball	8.0
Ice Hockey	18.0	Water Polo	8.0
Lacrosse	9.9	Wrestling	10.0

[15.4.2.1.3 through 15.4.2.1.4 unchanged.]

[15.4.2.2 unchanged.]

**D. Bylaws:** Amend 17, as follows:

17 Playing and Practice Seasons

[17.01 through 17.02 unchanged.]

17.02.16 Varsity Intercollegiate Sport. A varsity intercollegiate sport is a sport that has been accorded that status by the institution's president or chancellor or committee responsible for intercollegiate athletics policy and that satisfies the following conditions:

[17.02.16-(a) through 17.02.16-(c) unchanged.]

17.02.16.1 Team Sports. The following are classified as team sports for purposes of this bylaw:

Acrobatics and Tumbling	Rowing, Women's
Baseball	Rugby, Women's
Basketball	Soccer
Beach Volleyball	Softball
Field Hockey	<b>Stunt</b>
Football	Volleyball
Ice Hockey, Men's and Women's	Water Polo, Men's and Women's
Lacrosse	

[17.02.16.2 unchanged.]

[17.02.17 through 17.02.18 unchanged.]

[17.1 through 17.21 unchanged.]

**17.22 Stunt. Regulations for computing the stunt playing season are set forth in Bylaw 17.1, General Playing-Season Regulations. (See Figure 17-1 and Figure 17-2.)**

**17.22.1 Length of Playing Season -- Championship and Nonchampionship Segments. The length of an institution's playing season in stunt shall be limited to a 144-day season, which may consist of two segments (each consisting**

of consecutive days) and which may exclude only required days per Bylaw 17.1.6.5 and official vacation, holiday and final-examination period during which no practice or competition shall occur.

17.22.2 First Date of Practice -- Championship Segment. A member institution shall not commence practice sessions in stunt in the championship segment before January 10 or the first day of classes, whichever is earlier.

17.22.3 First Date of Competition -- Championship Segment. A member institution shall not engage in its first date of competition with outside competition in the championship segment before February 1.

17.22.3.1 Exception -- February 1 on a Saturday, Sunday or Monday. When February 1 falls on a Saturday, Sunday or Monday, a member institution shall not engage in its first date of competition with outside competition in the championship segment before the Friday preceding February 1.

17.22.4 End Date of Practice and Competition -- Championship Segment. A member institution shall conclude all practice and competition in stunt in the championship segment by the conclusion of the National Collegiate Stunt Association National Championships (see Bylaw 17.1.7 for additional regulations regarding the end date of practice and competition).

17.22.5 First Date of Practice and Competition -- Nonchampionship Segment. A member institution shall not commence practice sessions or engage in outside competition in the nonchampionship segment before September 7 or the institution's fourth day of classes (as set forth in its catalog, counting Monday through Friday only), whichever is earlier.

17.22.6 End Date of Practice and Competition -- Nonchampionship Segment. A member institution shall conclude all practice and competition in the nonchampionship segment not later than November 15.

17.22.7 Number and Dates of Competition.

17.22.7.1 Maximum Limitations -- Institutional. A member institution shall limit its total playing schedule with outside competition in stunt during the institution's stunt playing season to 16 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.

17.22.7.1.1 In-Season Foreign Competition. A member institution may play one or more of its countable dates of competition in stunt in one or more foreign countries on one trip during the prescribed playing season. However, except for dates of competition played in Canada and Mexico or on a certified foreign tour (see Bylaw 17.31), the institution may not engage in such in-season foreign competition more than once every four years.

17.22.7.2 Maximum Limitations -- Student-Athlete. An individual student-athlete may participate in each academic year in not more than 16 dates of competition. This limitation includes those dates of competition in which the student represents the institution in accordance with Bylaw 17.02.8, except for those dates of competition excluded under Bylaws 17.22.7.3, 17.22.7.4 and 17.22.7.5.

17.22.7.3 Annual Exemptions. The maximum number of dates of competition in stunt shall exclude the following:

- (a) Conference Championship. Competition in one conference championship tournament or playoff;
- (b) Season-Ending Championship. Competition in one season-ending tournament (e.g., National Collegiate Stunt Association National Championship). A season-ending tournament involves competition after the end of the regular season between teams that are not identified until the close of the regular season;
- (c) Alumni Game. One date of competition with an alumni team of the institution;
- (d) Hawaii, Alaska, Puerto Rico, Canada. Any dates of competition played in Hawaii, Alaska, Puerto Rico or Canada, respectively, either against or under the sponsorship of an active member institution located in Hawaii, Alaska, Puerto Rico or Canada, by a member institution located outside those locales;
- (e) Fundraising Activity. Any activities in which student-athletes from more than one of the institution's athletics teams participate (or in individual sports per Bylaw 17.02.16.2, in which team members of that sport participate) with and against alumni and friends of the institution, the purpose of which is to raise funds to benefit the institution's athletics or other programs, provided the student-athletes do not miss class as a result of their participation (see Bylaw 12.5.1.1);

- (f) Celebrity Sports Activity. Competition involving a maximum of two student-athletes from a member institution's team who participate in local celebrity activities in stunt conducted for the purpose of raising funds for charitable organizations, provided:
- (1) The student-athletes do not miss class as a result of the participation; and
  - (2) The involvement of the student-athletes has the approval of the institution's athletics director; and
- (g) U.S. National Team. One date of competition against a U.S. national team as selected by the appropriate national governing body in that sport.

17.22.7.4 Discretionary Exemptions. The following may be exempted from an institution's maximum number of dates of competition in stunt each year. An institution may exempt not more than three from this list annually:

- (a) Foreign Team in United States. A date of competition against a foreign team in the United States played in the facility in which the member institution regularly plays its home contests;
- (b) Non-Division II Four-Year Collegiate Institution. An exhibition date of competition against a non-Division II four-year collegiate institution; or
- (c) Scrimmages. A scrimmage with outside competition, provided the scrimmage is conducted without official scoring.

17.22.7.4.1 Official Scoring. For purposes of Bylaw 17.22.7.4-(c), official scoring has occurred when either institution participating in the scrimmage satisfies either of the following conditions:

- (a) The signing of a scorebook by an official; or
- (b) The score is used for individual or seasonal statistics.

17.22.7.5 Once-in-Four-Years Exemption -- Foreign Tours. An institution may exempt the dates of competition played on a foreign tour, provided the tour occurs only once in a four-year period and is conducted in accordance with the procedures set forth in Bylaw 17.31.

17.22.8 Out-of-Season and Nonchampionship Segment Athletically Related Activities. Student-athletes and members of the coaching staff shall not engage in countable athletically related activities outside the championship segment except for the following:

- (a) Weight Training, Conditioning and/or Team Activities. Student-athletes shall not engage in weight training, conditioning and/or team activities before September 7 or the institution's fourth day of classes (as set forth in its catalog, counting Monday through Friday only), whichever is earlier, in accordance with Bylaw 17.1.6.3; and
- (b) Nonchampionship Segment Activities. During the segment in which the NCAA championship does not occur, student-athletes may participate in any practice or competition activity as permitted by other legislation provided such activity is restricted to a period of 45-consecutive calendar days, omitting vacation and examination days officially announced or on days that the institution is closed due to inclement weather, as long as no practice or competition occurs on such days. The 45-consecutive calendar days must be within the dates set forth in Bylaws 17.22.5 and 17.22.6, and shall not commence prior to September 7 or the institution's fourth day of classes (as set forth in its catalog, counting Monday through Friday only), whichever is earlier. (See Bylaws 17.1.6.2 and 17.1.6.6 for daily and weekly hour limitations and required days off.)

17.22.8.1 Summer Practice. Practice that is organized or financially supported by a member institution shall be prohibited during the summer unless specifically authorized in the bylaws (e.g., foreign tour) or through official interpretations approved by the Management Council. An institution may pay fees associated with the use of institutional practice and competition facilities by student-athletes engaged in voluntary athletically related activities in their sport.

17.22.8.1.1 Vacation Period and Summer-Workout Sessions. A coach may participate in individual-workout sessions with student-athletes from the coach's team during any institutional vacation period and/or the summer, provided the request for such assistance is initiated by the student-athlete.

17.22.9 Safety Exception. A coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in stunt. The coach may provide safety or skill instruction but cannot conduct the individual's workouts.

**17.22.10 Camps and Clinics.** **There are no limits on the number of student-athletes in stunt who may be employed (e.g., as counselors) in camps or clinics (see Bylaw 13.12). Currently enrolled student-athletes may not participate as campers in their institution's camps or clinics.**

**17.22.11 Other Restrictions.**

**17.22.11.1 Noncollegiate, Amateur Competition.**

**17.22.11.1.1 In Season.** **A student-athlete shall be denied eligibility for intercollegiate stunt competition for the remainder of the season if, after enrollment in college and during any year in which the student-athlete is a member of an intercollegiate stunt squad or team, they compete or have competed as a member of any outside stunt team in any noncollegiate, amateur competition (e.g., tournament play, exhibition games or other activity) during the institution's intercollegiate stunt season (see Bylaw 14.7.5 for exceptions and waivers).**

**17.22.11.1.2 Out of Season.** **There are no limits to the number of student-athletes with eligibility remaining in intercollegiate stunt who may practice or compete out of season on an outside, amateur stunt team.**

**17.22.11.1.2.1 Involvement of Coaching Staff.** **No member of the coaching staff of a member institution may be involved in any capacity (e.g., coach, official, player or league/team administrator) at any time (i.e., during the academic year, vacation periods and summer) with an outside team that involves any student-athlete with eligibility remaining from the institution's stunt team, except as provided under Bylaws 14.7.5, 16.8.1.2.1 and 17.31.**

**17.22.11.1.2.2 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.**

**17.22.11.2 Equipment Issue, Squad Pictures.** **It shall be permissible to designate a single date for issuing stunt equipment and for taking squad pictures after the beginning of classes in the fall term or the day before the beginning of a segment as specified in Bylaw 17.22.2**

**17.22.11.2.1 Exception for Sundays.** **If the day before the beginning of a segment is a Sunday, the member institution may designate the preceding Saturday for issuing equipment and taking squad pictures.**

[17.22 through 17.32 renumbered as 17.23 through 17.33, unchanged.]

**Source:** NCAA Division II Presidents Council [Management Council (Committee on Women's Athletics)].

**Effective Date:** August 1, 2023

**Rationale:** The NCAA Committee on Women's Athletics noted the continued growth in high school stunt sponsorship and participation, steady increase in the number of member institutions sponsoring stunt, and support from the sport's national governing body as compelling rationale to include stunt as an emerging sport for women. The committee further noted the relatively low cost of sponsoring the sport and the opportunity for the sport to enrich sponsoring institutions' enrollment management strategies. Stunt provides participation opportunities for female student-athletes of all body types and diverse sport backgrounds (e.g., power lifting, gymnastics), as well as opportunities for female sport administrators, coaches and officials. Stunt leadership demonstrated that current stunt programs are fully integrated into athletics departments as stand-alone programs, the experience of a stunt student-athlete is comparable to the experience of student-athletes who compete in NCAA sports, and the sport's organizational structure and sport rules are consistent with NCAA values and legislation.

No. 2-2 NCAA DIVISION II MEMBERSHIP AND INSTITUTIONAL CONTROL -- ACTIVE MEMBERSHIP -- INSTITUTIONS -- CONDITIONS AND OBLIGATIONS OF ACTIVE MEMBERSHIP -- FINANCIAL DATA REQUIREMENT -- PENALTY FOR FAILURE TO SUBMIT FINANCIAL DATA

**Intent:** To establish a penalty for an active member institution that fails to submit its financial data by the applicable deadline, as specified.

**Bylaws:** Amend 7.3, as follows:

7.3 Active Membership.

7.3.1 Institutions.

[7.3.1.1 through 7.3.1.3 unchanged.]

7.3.1.5 Conditions and Obligations of Active Membership.

[7.3.1.5.1 through 7.3.1.5.22 unchanged.]

**7.3.1.5.23 Financial Data Requirement -- Failure to Submit. An active member institution that fails to submit its financial data per NCAA Constitution Article 2(D)(1)(c) by the applicable deadline, in a format approved and administered by the Membership Committee, shall forfeit Division II Institutional Equal Distribution Funds for the following academic year.**

[7.3.1.5.23 through 7.3.1.5.24 renumbered as 7.3.1.5.24 through 7.3.1.5.25, unchanged.]

[7.3.1.6 through 7.3.1.9 unchanged.]

[7.3.2 through 7.3.6 unchanged.]

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

**Effective Date:** August 1, 2025, for implementation of the penalty for failure to submit the data.

**Rationale:** With the adoption of the new NCAA Constitution, Article 2(D)(1)(c) requires institutions to submit annually to the division, and the NCAA, financial data as determined by the division detailing operating revenues, expenses and capital relating to the intercollegiate athletics program, effective August 1, 2022. Such data shall be submitted via the NCAA Member Financial Reporting System (MFRS) to satisfy the annual requirement. Currently 95 percent of the Division II membership utilizes the MFRS. Division II will continue to benefit from this annual data collection method and the information will continue to be made available to Division II schools and conferences via the Institutional Performance Program (IPP). An institution that fails to submit the data by the applicable deadline shall forfeit Division II Institutional Equal Distribution Funds in the following academic year. The committee agreed to delay implementation of the penalty, until August 1, 2025, to allow the membership time to adapt to the new legislated requirement without having a penalty.

No. 2-3 NCAA DIVISION II MEMBERSHIP AND INSTITUTIONAL CONTROL -- ACTIVE MEMBERSHIP -- INSTITUTIONS -- CONDITIONS AND OBLIGATIONS OF ACTIVE MEMBERSHIP -- ELIMINATION OF SELF-STUDY AND EVALUATION

**Intent:** To eliminate the Institutional Self-Study Guide (ISSG).

**Bylaws:** Amend 7.3, as follows:

7.3 Active Membership.

7.3.1 Institutions.

[7.3.1.1 through 7.3.1.3 unchanged.]

7.3.1.5 Conditions and Obligations of Active Membership.

[7.3.1.5.1 through 7.3.1.5.23 unchanged.]

~~7.3.1.5.24 Self-Study and Evaluation.~~

~~7.3.1.5.24.1 Self-Study Report. Institutions shall conduct a comprehensive self-study and evaluation of their intercollegiate athletics programs at least once every five years, using the Institutional Self-Study Guide (ISSG). The report of the self-study and supporting documentation shall be available for review and examination on request by an authorized representative of the Association and the Membership Committee. Subjects covered by the self-study shall include:~~

~~(a) Compliance-related topics:~~

~~(1) Institutional oversight;~~

~~(2) Budgetary control;~~

~~(3) Ethical conduct;~~

~~(4) Recruiting;~~

~~(5) Eligibility;~~

~~(6) Financial aid;~~

~~(7) Rules compliance;~~

~~(8) Health and safety; and~~

~~(b) Strategic initiative related topics:~~

~~(1) Philosophy statement;~~

~~(2) Institutional control and responsibility;~~

~~(3) Athletics operations;~~

~~(4) Student-athlete well-being;~~

~~(5) Health and safety;~~

~~(6) Life in the balance/overall educational experience; and~~

~~(7) Cultural diversity and gender equity.~~

~~7.3.1.5.24.1.1 Deadline. The Institutional Self-Study Guide must be postmarked by 5 p.m. Eastern time June 1 of the year it is due to the national office, based on the published schedule for Division II member institutions.~~

~~7.3.1.5.24.1.1.1 Extension. The Membership Committee may approve additional time for an institution to complete the required self-study and evaluation of its intercollegiate athletics program if extraordinary circumstances warrant such action (e.g., change in administration). Such requests must be received in the NCAA national office by March 1 of the year the self-study is due to the national office.~~

~~7.3.1.5.24.1.2 Failure to Complete Self-Study Report. Institutions failing to complete the self-study report within the five-year time period shall be placed on probation for one year pursuant to Bylaw 7.02.5 and shall not be eligible to receive Division II Institutional Equal Distribution Funds proceeds. An institution that fails to complete the self-study report during the probationary year shall be fined \$1,000, placed on restricted membership status pursuant to Bylaw 7.02.6, shall not be eligible to receive Division II Enhancement Funds proceeds and shall not be eligible for NCAA championships competition in all sports. In order for an institution to be removed from probation or restricted membership status, the institution must supply the Membership Committee with a complete self-study report including the institution's action plan. The Membership Committee may remove an institution from probation or restricted membership status by a two-thirds vote of the Membership Committee members present and voting. A notice of any action taken by the Membership Committee shall be given in writing to the chancellor or president of an institution.~~

[7.3.1.6 through 7.3.1.9 unchanged.]

[7.3.2 through 7.3.6 unchanged.]

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

**Effective Date:** August 1, 2023

**Rationale:** Current legislation requires institutions to conduct a comprehensive self-study and evaluation of their intercollegiate athletics programs at least once every five years, using the ISSG to facilitate the process. The legislation was adopted in 1997 and was intended to enhance the integrity of Division II athletics programs by helping administrators evaluate and identify specific areas in their athletics programs that may represent potential problems and develop written plans for improvement for those areas. While the ISSG has been an integral and successful component of ensuring compliance and integrity within Division II intercollegiate athletics operations during this time, the instrument in and of itself is no longer the right tool by which to conduct such evaluation given the likely restructuring of Division II rules and policies that will occur as a result of the adoption of the new constitution. The Membership Committee will consider the development of a new evaluation tool/process that aligns more closely with the division's revamped bylaws and policies.

No. 2-4 DIVISION II ORGANIZATIONAL STRUCTURE -- PRESIDENTS COUNCIL -- MANAGEMENT COUNCIL -- ADMINISTRATIVE COMMITTEE -- PLANNING AND FINANCE COMMITTEE

**Intent:** To amend the Division II organizational structure, as follows: (1) Rename the Division II Presidents Council as the Division II Executive Board; further, to amend the board's composition, term of office, chair and vice chair duties, and establish the duties, as specified; (2) Amend the Division II Management Council composition, and duties and responsibilities, as specified; (3) Amend the Division II Administrative Committee composition, as

specified; and (4) Rename the Division II Planning and Finance Committee as the Division II Strategic Planning and Finance Committee; further, to amend the committee's composition and duties, as specified.

**A. Bylaws:** Amend 8.1, as follows: (February 1, 2024)

8.1 Division II ~~Presidents Council~~**Executive Board**.

8.1.1 Composition. The composition of the ~~Presidents Council~~**Executive Board** shall ~~be based on a weighted regional representation by institutions that shall include one~~**eight** ~~chancellor or president~~**presidents/chancellors** per region for every 22 institutions in that region (see Bylaw 8.1.1.4.1)~~;~~**based on Division II championships region.** ~~In addition, two~~**one** "at-large" positions shall exist~~;~~**president/chancellor** to enhance efforts to achieve diversity of representation and to accommodate independent institutions**on the board, and two independent members who are not salaried by an NCAA member institution, conference or affiliated member and shall be approved, appointed and verified as independent by the Executive Board.** The ~~Presidents Council~~**Executive Board** shall also include two ~~members~~**student-athletes** ~~of~~**serving on and chosen by** the Division II Student-Athlete Advisory Committee (one representing male sports and one representing female sports) (see Bylaw 21.8.5.9.5). **The chair of the Division II Management Council shall serve on the Executive Board as an ex-officio, nonvoting member.**

8.1.1.1 Same Conference. To the extent possible, chancellors or presidents from the same conference shall not serve concurrently on the ~~Presidents Council~~**Executive Board**.

8.1.1.2 Same Institution. To the extent possible, members of the ~~Presidents Council~~**Executive Board** and the Management Council (see Bylaw 8.2) shall not be employed at the same institution.

~~8.1.1.3 Eligibility for Membership. The Presidents Council shall be composed of chancellors or presidents representing Division II active member institutions.~~

~~8.1.1.4 Geographical Areas:~~

~~8.1.1.4.1 Geographical Areas. For the purpose of representation on the Presidents Council, the Association shall be divided into geographical areas. The Division II geographical areas are as follows:~~

- ~~(a) Region 1 -- Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia;~~
- ~~(b) Region 2 -- Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee;~~
- ~~(c) Region 3 -- Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Wisconsin; and~~
- ~~(d) Region 4 -- Alaska, Arizona, British Columbia, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, Wyoming.~~

~~8.1.1.5 Student-Athlete Advisory Committee Members. The two members of the Division II Student-Athlete Advisory Committee shall each have a vote on the Presidents Council.~~

[8.1.2 unchanged.]

8.1.3 Election/Term of Office.

~~8.1.3.1 Selection Process. When a vacancy on the Presidents Council occurs, a formal call for nominations shall be published on the NCAA website. In addition, an informational letter to solicit nominations will be mailed to institutions and conference offices in the region in which the vacancy exists. The members of the Council shall select an individual to fill a vacancy after reviewing nominations submitted by institutions and/or conference offices.~~

8.1.3.21 Term of Office. ~~Members~~**Presidents, chancellors and independent members** of the ~~Presidents Council~~**Executive Board** shall serve ~~six~~**two**-year terms, ~~which shall conclude following the annual NCAA Convention~~**that are renewable for an additional two-year term.** ~~Presidents Council members are not eligible for immediate re-election. A Presidents Council member may be elected to an additional term on the Presidents Council after three years have elapsed. An individual who has served two terms on the Presidents Council may not serve further on the Presidents Council.~~**The two student-athletes appointed to the Executive Board shall serve one-year terms that are renewable for an additional one-year term.**

8.1.3.21.1 Chair and Vice Chair. The chair and the vice chair of the ~~Council~~**Executive Board** shall each serve terms not to exceed ~~three~~**two** years. The chair and vice chair shall not be eligible for immediate re-election to

that position. In addition, a member must serve a minimum of one year on the ~~Presidents Council~~**Executive Board** before serving as chair or vice chair.

~~8.1.3.2.2 Student-Athletes. The two student-athletes appointed to the Presidents Council shall each serve a one-year term that is renewable for an additional one-year term.~~

~~8.1.3.3 Staggered Terms:~~

~~8.1.3.3.1 Chair and Vice Chair. The terms of service of the chair and vice chair of the Presidents Council shall expire on a staggered basis to provide for continuity.~~

~~8.1.3.3.2 Members. The Division II Administrative Committee shall have the authority to amend terms of service of Presidents Council members, as necessary, to stagger the expiration of terms to provide for continuity of service.~~

[8.1.4 unchanged.]

**B. Bylaws:** Amend 8.1.2, as follows: (February 1, 2024)

8.1.2 Duties and Responsibilities. The ~~Presidents Council~~ **Executive Board** shall:

- (a) Implement policies adopted by the ~~Association's~~**NCAA** Board of Governors;
- (b) Establish and direct the general policy of Division II;
- (c) Establish a strategic plan **and/or a set of strategic priorities** for Division II;
- (d) Elect a chair and vice chair;
- (e) Appoint a Division II Executive Board member to the Board of Governors;
- (f) Sponsor Division II legislation or grant relief from the application of legislation in circumstances in which significant values are at stake or the use of the regular legislative process is likely to cause significant harm or hardship to the Association or the Division II membership because of the delay in its effective date;
- (g) ~~Identify, before the printing of the notice of any Convention, Division II proposals for which a roll-call vote of the eligible voters may be required and designate during the Convention the roll-call votes that must occur~~**Adopt emergency legislation;**
- (h) Sponsor amendments and amendments-to-amendments to the constitution by two-thirds majority vote;
- (i) Call for a special Convention of Division II;
- (j) Delegate to the Management Council responsibilities for specific matters it deems appropriate;
- (k) Approve recommendations of the Management Council (see Bylaw 8.2), **including the composition of the Management Council;**
- (l) Ratify, amend or rescind the actions of the Management Council (see Bylaw 8.2);
- (m) Ensure ~~that~~ there is gender and ethnic diversity among its membership, the membership of the Management Council (see Bylaw 8.2) and the membership of each of the other bodies in the Division II governance structure;
- (n) ~~Develop and a~~**Approve** the budget and the use of funds allotted to Division II (e.g., institutional equal distribution funds, funds for the operation of championships);
- (o) Approve regulations providing for expenditures and income to Division II;
- (p) Approve regulations providing for the administration of Division II championships;
- (q) Advise the Board of Governors concerning the employment of the NCAA president and concerning the oversight of their employment;
- (r) Provide comments and input to the Board of Governors on matters that impact Division II and the Association;**
- (~~r s~~) Convene same-site meetings, as necessary, with the Management Council; and
- (s t) Appoint such Create committees or subcommittees as may be necessary for executing the provisions of this constitution or the Division II bylaws. other bodies (e.g., project teams) to study and recommend courses of action on specific issues or to fulfill the duties and responsibilities of Division II.**

[8.1.2 unchanged.]

8.1.2.1 Duties of the Chair. The chair of the ~~Presidents Council~~**Executive Board** shall:

[8.1.2.1-(a) unchanged.]

(b) Preside at ~~Presidents Council~~**Executive Board** meetings;

[8.1.2.1-(c) unchanged.]

~~(d) Serve as a member of the Association's Board of Governors;~~

[8.1.2.1-(e) relettered as 8.1.2.1-(d), unchanged.]

~~(f)~~ **(e)** Serve as an ex officio, nonvoting member of the Division II **Strategic** Planning and Finance Committee.

8.1.2.2 Duties of the Vice Chair. The vice chair of the ~~Presidents Council~~**Executive Board** shall:

[8.1.2.2-(a) through 8.1.2.2-(b) unchanged.]

~~(c) Serve as a member of the Association's Board of Governors;~~

[8.1.2.2-(d) relettered as 8.1.2.2-(c), unchanged.]

~~(e)~~ **(d)** Serve as ~~chair of~~ **on** the Division II **Strategic** Planning and Finance Committee.

[8.1.2.2 unchanged.]

**C. Bylaws:** Amend 8.2, as follows: (August 1, 2023)

8.2 Division II Management Council.

8.2.1 Composition. The **composition of the** Management Council shall ~~be comprised of~~ **include** one ~~administrator or representative~~**member** from each of the Division II multisport voting conferences; ~~one administrator or representative of Division II independent institutions provided there are at least eight Division II independent institutions; two~~**four** "at-large" ~~positions~~**members** to enhance efforts to achieve diversity of representation; and two ~~members of~~ **student-athletes serving on and chosen by** the **Division II** Student-Athlete Advisory Committee (**one representing male sports and one representing female sports**) (~~per see~~ Bylaw 21.8.5.9.4). The members shall be representatives of Division II active member institutions. The members of the Council shall include:

(a) At least ~~four~~**five** directors of athletics;

(b) At least ~~four~~**five** senior woman administrators;

(c) At least ~~four~~**five** faculty athletics representatives; and

(d) At least ~~one~~**two** conference ~~administrator~~**office staff**.

**Once the minimums are met, the Council may include individuals working in athletics administration and individuals that supervise athletics, including but not limited to a vice president, athletic trainer, assistant/associate/deputy director of athletics, and/or other individuals involved in the administration of athletics.**

[8.2.1.1 through 8.2.1.3 unchanged.]

[8.2.2 through 8.2.4 unchanged.]

**D. Bylaws:** Amend 8.2.2, as follows: (August 1, 2023)

8.2.2 Duties and Responsibilities. The Management Council shall:

(a) Implement policies adopted by the ~~Association's~~**NCAA** Board of Governors and the ~~Presidents Council~~**Executive Board**;

(b) Make recommendations to the ~~Presidents Council~~ **Executive Board** on matters it deems appropriate;

(c) ~~Recommend the adoption of~~**Adopt** noncontroversial and intent-based amendments, administrative bylaws and regulations to govern Division II, ~~subject to ratification by the Presidents Council~~;

**(d) Sponsor legislative proposals for a vote at the annual NCAA Convention;**

~~(e)~~ **(e)** Take final action on matters delegated to it by the ~~Presidents Council~~ **Executive Board**;

- (e) ~~Make interpretations of the bylaws of Division II;~~
- (f) Review and act on the recommendations of the Division II committee structure and the recommendations of ~~Division II representatives to~~ committees with Association-wide functions;
- (g) Appoint the members of the Division II committee structure and appoint the Division II representatives to committees with Association-wide functions;
- (h) Identify, before the printing of the Official Notice for any Convention, Division II proposals for which a roll-call vote of the eligible voters may be required and designate during the Convention the roll-call votes that must occur;**
- (i) Establish the final sequence of legislative proposals in the agenda for the Division II business session at the annual Convention;**
- (~~h~~ **j**) Elect a chair and vice chair;
- (~~i~~ **k**) Organize and participate in an annual "summit" with the Division II Student-Athlete Advisory Committee;
- (~~j~~ **l**) Hear and act on appeals by member institutions of decisions made by a Division II committee or the NCAA staff regarding the application of NCAA legislation (excluding actions of any committee that has final authority over issues subject to appeal); and
- (~~k~~ **m**) Recommend the ~~appointment of such committees or subcommittees as may be necessary for executing the provisions of this constitution or the~~ **creation of committees or other bodies to study and suggest courses of action on specific issues or to fulfill the duties and responsibilities of** Division II bylaws, subject to ~~ratification~~ **approval** by the ~~Presidents Council~~ **Executive Board**.

8.2.2.1 Duties of the Chair. The chair of the Management Council shall:

[8.2.2.1-(a) through 8.2.2.1-(f) unchanged.]

8.2.2.2 Duties of the Vice Chair. The vice chair of the Management Council shall:

[8.2.2.2-(a) through 8.2.2.2-(b) unchanged.]

(c) Serve as a member of the Division II **Strategic** Planning and Finance Committee; and

[8.2.2.2-(d) unchanged.]

[8.2.2.3 unchanged.]

**E. Bylaws:** Amend 8.3, as follows: (August 1, 2023)

8.3 Division II Administrative Committee.

8.3.1 Composition. The Administrative Committee shall consist of five members, including the chairs and vice chairs of the ~~Presidents Council~~ **Executive Board** and Management Council, **and the chair of the Division II Student-Athlete Advisory Committee**. ~~The fifth member shall be another member of the Presidents Council.~~

[8.3.1.1 unchanged.]

[8.3.2 through 8.3.3 unchanged.]

**F. Bylaws:** Amend 8.4, as follows: (February 1, 2024)

8.4 Division II **Strategic** Planning and Finance Committee.

8.4.1 Composition. The Division II **Strategic** Planning and Finance Committee shall consist of ~~seven~~ **11** members, including the vice chair of the ~~Presidents Council~~ **Executive Board**, **two members** ~~the vice chair~~ of the Management Council, **one of which must include the vice chair**, ~~three additional members of the Presidents Council and two additional members of the Management Council.~~, **one conference commissioner, one member from the Division II Student-Athlete Advisory Committee, and six additional members.** ~~The chairs of the Presidents Council and the Management Council shall serve as ex officio, nonvoting members.~~ **At least one of the 11 members shall be from a minority-serving institution.**

[8.4.1.1 unchanged.]

8.4.2 Duties. The Division II **Strategic** Planning and Finance Committee shall:

- (a) ~~Review budgetary recommendations related to the annual Division II budget;~~ **Monitor the Division II strategic plan/ strategic priorities; and assess and report on its implementation and recommend updates, when necessary, consistent with the Division II philosophy, strategic position and direction from the Division II Executive Board;**
- (b) ~~Advise both the Division II Presidents Council and Management Council regarding the division's financial affairs;~~ **Provide regular reports on the implementation of the strategic plan/strategic priorities of the Division II Management Council and Executive Board;**
- (c) ~~Monitor the Division II strategic plan, assess and report on its implementation and recommend updates of the plan, when necessary, consistent with the Division II philosophy, strategic position and direction from the Division II Presidents Council;~~ ~~and~~ **Make recommendations related to the Division II budget and budget guidelines and principles;**
- (d) ~~Provide regular reports on the implementation of the strategic plan to the Division II Management Council and Presidents Council.~~ **Ensure alignment of the division's strategic plan/strategic priorities with financial allocations; and**
- (e) Advise both the Division II Executive Board and Management Council regarding the division's financial affairs.**

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

**Effective Date:**

Sections A, B, F: February 1, 2024  
 Sections C, D, E: August 1, 2023

**Rationale:** The Division II Implementation Committee developed this proposal during its review of current legislation and policy to determine alignment with the principles in the new constitution adopted at the 2022 NCAA Convention. This proposal addresses key themes regarding greater student-athlete representation in the Division II governance structure; transitioning to a smaller/more nimble Presidents Council (to be renamed Executive Board); providing each conference more frequent representation on that body by basing it on championships regions and reducing the overall terms of service; ensuring representation of all Division II conferences via the Management Council; and assigning the Management Council with more responsibility and decision-making for the day-to-day operations of the division. The delayed effective date of February 1, 2024, for sections A and B of the proposal, will permit the current Division II Presidents Council members to complete their service through the full 2023 legislative cycle that concludes with the 2024 NCAA Convention. In addition, the delayed effective date of February 1, 2024, for section F, will permit the current members of the Division II Planning and Finance Committee to participate through the entire committee meeting cycle of April, August, September and December 2023.

**No. 2-5 LEGISLATIVE PROCESS – AMENDMENT PROCESS – NOTIFICATION TO MEMBERSHIP – ELIMINATION OF INITIAL PUBLICATION AND SECOND PUBLICATION – TIMING OF OFFICIAL NOTICE**

**Intent:** To amend the Division II legislative process, as follows: (1) August 15: Eliminate the Initial Publication of Proposed Legislation (IPOPL); (2) September 23: Eliminate the Second Publication of Proposed Legislation (SPOPL); and (3) Not later than December 10: Publication of the Official Notice.

**Bylaws:** Amend 9.3, as follows:

9.3 Amendment Process.

[9.3.1.1 through 9.3.1.4 unchanged.]

[9.3.3 through 9.3.5 unchanged.]

9.3.6 Notification to Membership.

9.3.6.1 Amendments to Division Dominant Provisions.

*9.3.6.1.1 Initial Publication. Amendments to division dominant provisions sponsored by a divisional presidential administrative group shall be published for the information of the membership as follows:*

*(a) Not later than September 23 for an annual Convention.*

*(b) Not later than 25 days before a special Convention.*

9.3.6.1.2<sup>1</sup> Official Notice. A copy of the proposed amendments shall be ~~mailed~~ **provided** to members of the appropriate division not later than ~~November 15~~ **December 10** before an annual Convention or 15 days before a special Convention.

[9.3.6.1.3 renumbered as 9.3.6.1.2, unchanged.]

9.3.6.1.43 Amendments-to-Amendments. Copies of all amendments-to-amendments to division dominant provisions submitted by a divisional presidential administrative group in accordance with the September 15 deadline shall be published ~~by September 23. Copies of all other amendments-to-amendments submitted by the November 1 deadline shall be published~~ in the Official Notice of the Convention.

#### 9.3.6.2 Amendments to Legislation.

~~9.3.6.2.1 Initial Publication. Proposed amendments shall be published for the information of the appropriate division as follows:~~

~~(a) Not later than August 15 -- Those proposed by the membership, including the primary contact person's name, title and member institution or member conference, as well as the sponsors' statements of intent and rationale and any amendments designated for inclusion by the Presidents Council; and~~

~~(b) Not later than September 23 -- Those submitted by the Presidents Council and those modified by the sponsors; or~~

~~(c) Not later than 25 days before a special Convention -- All proposed amendments.~~

9.3.6.2.21 Official Notice. A copy of the proposed amendments shall be ~~mailed to members of the appropriate division~~ **published** not later than ~~November 15~~ **December 10** before an annual Convention or 15 days before a special Convention.

[9.3.6.2.3 renumbered as 9.3.6.2.2, unchanged.]

9.3.6.2.43 Amendments-to-Amendments. Copies of all amendments-to-amendments submitted by the amendment's original sponsors in accordance with the September 15 deadline shall be published ~~by September 23. Copies of all other amendments-to-amendments submitted by the November 1 deadline shall be published~~ in the Official Notice of the Convention.

[9.3.7 through 9.3.13 unchanged.]

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

**Effective Date:** August 1, 2023, for proposals submitted for the 2024 NCAA Convention.

**Rationale:** This proposal streamlines and simplifies the legislative process. It was one of several options vetted within the membership and supported through feedback opportunities. Consideration was given to extending the deadline for membership proposals from July 15 to August 1, but it was agreed to retain the current July 15 deadline to give the Division II Management Council and Division II Student-Athlete Advisory Committee the opportunity to review the proposals during their summer meetings. The proposal eliminates the Initial Publication of Proposed Legislation (IPOPL) and the Second Publication of Proposed Legislation (SPOPL) based on technological advances to provide notification to the membership of proposed legislative changes before the publication of the Official Notice. The Official Notice will have a change of publication date from November 15 to not later than December 10. The change in publication date of the Official Notice will result in a unified communication of educational materials for the NCAA Convention. Educational materials will be made available in the early fall, including a PDF of all the membership-sponsored and governance proposals for the Convention and a voice-over educational video. The Question and Answer Guide will also be made available to the membership when the Official Notice is posted.

## No. 2-6 AMATEURISM -- VARIOUS BYLAWS -- DEFINITION OF AGENT AND USE OF AGENTS

**Intent:** To specify that an agent is any individual who, directly or indirectly, recruits or solicits a student-athlete to enter into an agency contract for current or future representation where a student-athlete authorizes the individual to negotiate or solicit on behalf of the student-athlete a professional-sports-services contract or endorsement contract; further, to restructure the use of agents legislation, as specified.

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

### 12.02 Definitions and Applications.

12.02.1 Agent. An agent is any individual who, directly or indirectly, **recruits or solicits a student-athlete to enter into an agency contract for current or future representation where a student-athlete authorizes the individual to negotiate or solicit on behalf of the student-athlete a professional-sports-services contract or endorsement contract.**

- (a) ~~Represents or attempts to represent an individual for the purpose of marketing their 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 Agency Contract. An agency contract is an agreement in which a student-athlete authorizes a person to negotiate or solicit on behalf of the student-athlete a professional-sports-services contract or endorsement contract.**

[12.02.2 through 12.02.9 renumbered as 12.02.3 through 12.02.10, unchanged.]

**B. Bylaws:** Amend 12.2.4, as follows:

12.2.4 Draft and Inquiry.

[12.2.4.1 unchanged.]

12.2.4.2 Draft List. An enrolled student-athlete may enter a professional league's draft an unlimited number of times during their collegiate career and be drafted by any team in the league without jeopardizing eligibility in that sport, provided the student-athlete **(or their relatives or friends)** does not **accept transportation or other material benefits from** ~~ever agree (orally or in writing) to be represented by an agent~~ **or any person who represents any individual in** ~~for the purposes of marketing their athletics ability or reputation in that sport, sign a professional sport contract or otherwise jeopardize their amateur status.~~

12.2.4.3 Negotiations. An individual may request information about professional market value without affecting their amateur status. Further, the individual, their relatives or legal guardians, the institution's professional sports counseling panel or head coach may enter into negotiations with a professional sports organization without the loss of the individual's amateur status. ~~An individual who retains an agent shall lose amateur status.~~

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

12.3 Use of Agents.

12.3.1 General Rule. An individual shall be ineligible **if they (or their relatives or friends) accept transportation or other material benefits from an agent or any person who represents any individual in the marketing of their athletics ability.** ~~for participation in an intercollegiate sport, if they ever have agreed (orally or in writing) to be represented by an agent for the purpose of marketing their athletics ability or reputation in that sport. 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 who signs a contract or commitment 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<sup>1</sup> Representation for Future Negotiations. An individual **may** ~~shall be ineligible per Bylaw 12.3.1, if they~~ enter 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 their eligibility in that sport.~~

~~12.3.1.3 Benefits From Prospective Agents. An individual shall be ineligible per Bylaw 12.3.1, if they (or their relatives or friends) accept transportation or other benefits from:~~

(a) ~~Any person who represents any individual in the marketing of their 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 they have indicated that they have no interest in representing the student-athlete in the marketing of their athletics ability or reputation and do not represent individuals in the student-athlete's sport.~~

~~12.3.1.3.1 Educational Expenses or Services. Receipt of educational expenses or services (e.g., tuition, fees, room and board, books, tutoring, standardized test preparatory classes) from an agent is specifically prohibited.~~

~~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 their athletics ability.~~

~~12.3.2 Legal Counsel. Securing advice from a lawyer concerning a proposed professional sports contract shall not be considered contracting for representation by an agent under this rule, unless the lawyer also represents the student-athlete in negotiations for such a contract.~~

~~12.3.2.1 Presence of a Lawyer at Negotiations. A lawyer may not be present during discussions of a contract offer with a professional organization or have any direct contact (i.e., in person, by telephone or by mail) with a professional sports organization on behalf of the student-athlete. A lawyer's presence during such discussions is considered representation by an agent.~~

**12.3.2 Professional Service Provider. An individual may utilize a professional service provider for advice and activities related to an individual's name, image and likeness.**

12.3.3 **Agent to Secure Athletics Scholarship-Agent.** Any individual **shall be ineligible if they enter into an agreement (orally or in writing) with an agent for securing initial or continuing enrollment at a particular institution,** ~~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 their 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 unchanged.]

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

**Effective Date:** August 1, 2023

**Rationale:** This change redefines the term "agent" to align with that term used in the Uniform Athlete Agent Act and will expand a student-athlete's ability to seek and receive advice from individuals for the purposes of making well-informed decisions prior to entering into contractual agreements. Allowing student-athletes to receive advice from an individual about a decision related to an agreement is in the best interests of student-athletes; specifically, when considering the name, image and likeness landscape. Establishing that it is permissible for a student-athlete to work with professional service providers, such as, but not limited to, tax consultants, attorneys, and marketing agents, allows for student-athletes to obtain the appropriate and necessary advice related to the student-athlete's name, image and likeness and the accompanying activities. Finally, it will still be impermissible for a student-athlete (or their relatives) to receive tangible or intangible benefits from an agent or individual for professional sports opportunities or, to enter into an agreement with an agent for or receive compensation or incentives related to enrollment-based decisions.

No. 2-7 (1-1) RECRUITING AND PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING-SEASON REGULATIONS -- TIME LIMITS FOR ATHLETICALLY RELATED ACTIVITIES -- WEEKLY HOUR LIMITATIONS -- OUTSIDE OF PLAYING SEASON -- SUMMER ACCESS -- VOLUNTARY WORKOUTS FOR TEAM SPORTS

**Intent:** To specify that a signed prospective student-athlete and a student-athlete may participate in up to two hours per week of individual workout-sessions with a member of the coaching staff beginning July 5 through the start of the institution's fall term, for a period up to three weeks, provided the request for such assistance is initiated by a signed prospective student-athlete or student-athlete.

**A. Bylaws:** Amend 13.11.2, as follows:

13.11.2 Permissible Activities.

[13.11.2.1 through 13.11.2.6 unchanged.]

**13.11.2.7 Voluntary Summer Workout -- Team Sports. In team sports, beginning July 5 through the start of the institution's fall term, for a period up to three weeks, a signed prospective student-athlete may participate in individual workout-sessions with a member of the coaching staff, provided the request for such assistance is initiated by the signed prospective student-athlete. Participation in such activities shall be limited to a maximum of two hours per week.**

**B. Bylaws:** Amend 17.1.6.3.5, as follows:

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 through 17.1.6.3.5.2 unchanged.]

**17.1.6.3.5.3 Exception -- Summer Access -- Team Sports.** In team sports, beginning July 5 through the start of the institution's fall term, for a period up to three weeks, a student-athlete may participate in individual workout-sessions with a member of the coaching staff, provided the request for such assistance is initiated by the student-athlete. Participation in such activities shall be limited to a maximum of two hours per week. (See Bylaw 13.11.2.7 for signed prospective student-athletes.)

**Source:** Great Lakes Intercollegiate Athletic Conference and Mid-America Intercollegiate Athletics Association

**Effective Date:** Immediate

**Rationale:** The relationship between coach and student-athlete is vital in preparation for the academic and athletic demands that come with a new school year. COVID-19 was very traumatic for student-athletes and coaches, and the NCAA waiver of coaches being allowed to interact with their student-athletes over the summer period during COVID-19 was well received by coaches and students in all sports. This permissive legislative change will continue that practice in Division II, for a limited period of time each July through the start of the institution's fall term and will specify that the participation in the activities must come at the request of a signed prospective student-athlete or student-athlete. Finally, the immediate effective date will permit signed prospective student-athletes or student athletes to have access to individual workout sessions during summer 2023.

No. 2-8 (1-2) ELIGIBILITY AND PLAYING AND PRACTICE SEASONS -- SEASONS OF COMPETITION: 10-SEMESTER/ 15-QUARTER RULE AND FOOTBALL -- CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY AND OUT-OF-SEASON ATHLETICALLY RELATED ACTIVITIES -- EXCEPTION -- COMPETITION IN THE NONCHAMPIONSHIP SEGMENT AND SPRING PRACTICE -- SCRIMMAGE AGAINST A FOUR-YEAR COLLEGIATE INSTITUTION

**Intent:** In football, to permit a scrimmage against a four-year collegiate institution during spring practice as one of the three permissible 11-on-11 scrimmages to occur on or after the 10th day of spring practice; further, to specify that participation in a scrimmage against a four-year collegiate institution does not trigger use of a season of competition, provided the student-athlete was academically eligible during the segment in the same academic year that concludes with the NCAA championship.

**A. Bylaws:** Amend 14.2, as follows:

14.2 Seasons of Competition: 10-Semester/15-Quarter Rule. A student-athlete shall not engage in more than four seasons of intercollegiate competition in any one sport (see Bylaws 14.02.10 and 14.2.2). An institution shall not permit a student-athlete to represent it in intercollegiate competition unless the individual completes all of their seasons of participation in all sports within the time periods specified below:

[14.2.1 through 14.2.3 unchanged.]

14.2.4 Criteria for Determining Season of Eligibility.

14.2.4.1 Minimum Amount of Competition. Any competition (including a scrimmage with outside competition), regardless of time, during a season in an intercollegiate sport shall be counted as a season of competition in that sport. This provision is applicable to intercollegiate athletics competition conducted by a two-year or four-year collegiate institution at the varsity or subvarsity level.

[14.2.4.1.1 through 14.2.4.1.2 unchanged.]

14.2.4.1.3 Exception – Competition in the Nonchampionship Segment **and Spring Football**. In field hockey, **football**, men's and women's soccer, men's and women's volleyball and men's and women's water polo, a student-athlete may engage in outside competition during the segment of the playing season that does not conclude with the NCAA championship without using a season of competition, provided the student-athlete was academically eligible during the segment in the same academic year that concludes with the NCAA championship. In baseball, women's beach volleyball, softball and men's and women's lacrosse, a student-athlete may engage in outside competition during the segment of the playing season that does not conclude with the NCAA championship without using a season of competition. Prior to participating against outside competition during the nonchampionship segment **and spring football practice**, student-athletes shall be certified as eligible (e.g., amateurism, enrolled full time).

[14.2.4.1.4 through 14.2.4.1.6 unchanged.]

[14.2.4.2 through 14.2.4.8 unchanged.]

[14.2.5 through 14.2.7 unchanged.]

**B. Bylaws:** Amend 17.11, as follows:

17.11 Football.

[17.11.1 through 17.11.8 unchanged.]

17.11.8.3 Annual Exemptions. The maximum number of contests in football shall exclude the following:

[17.11.8.3-(a) through 17.11.8.3-(h) unchanged.]

**(i) Spring Practice Scrimmage. One scrimmage against a four-year collegiate institution during spring practice.**

[17.11.8.3-(i) through 17.11.8.3-(k) relettered as 17.11.8.3-(j) through 17.11.8.3-(l), unchanged.]

[17.11.8.4 unchanged.]

17.11.9 Out-of-Season Athletically Related Activities. Student-athletes and members of the coaching staff shall not engage in countable athletically related activities outside the playing season, except for the following:

[17.11.9-(a) through 17.11.9-(b) unchanged.]

[17.11.9-(b)-(1) through 17.11.9-(b)-(7) unchanged.]

**(8) An institution may participate in a scrimmage against a four-year collegiate institution and the scrimmage shall count as one of the three sessions that may be devoted primarily to 11-on-11 scrimmages. The scrimmage against a four-year collegiate institution may not occur until on or after the 10th spring practice. [See Bylaw 14.2.4.1.3 for participation during the nonchampionship segment].**

[17.11.9-(b)-(8) through 17.11.9-(b)-(9) renumbered as 17.11.9-(b)-(9) through 17.11.9-(b)-(10), unchanged.]

[17.11.9.1 unchanged.]

[17.11.10 unchanged.]

**Source:** Great American Conference, Great Lakes Intercollegiate Athletic Conference, Gulf South Conference, Mid-America Intercollegiate Athletics Association and South Atlantic Conference.

**Effective Date:** Immediate

**Rationale:** Currently, outside of the playing season in the sport of football, an institution may participate in no more than three sessions that may be devoted primarily to 11-on-11 scrimmages. However, it is currently impermissible for an institution to participate in a scrimmage against an outside team, four-year collegiate institution while outside of the playing season. Allowing a Division II institution, in the sport of football, to participate in a scrimmage against another four-year collegiate institution outside of the playing season will improve the development and retention of football student-athletes by providing them with a competitive opportunity against another team. Delaying the scrimmage to occur after the ninth day of spring practice allows for acclimatization to contact, as permitted in Bylaw 17.11.9. Further, allowing such participation to not count as a season of competition will align football with other fall sports that are permitted to participate during the nonchampionship segment and not use a season of competition. Finally, the immediate effective date will permit Division II institutions to take advantage of the legislative change for the 2023 spring term.

No. 2-9 (1-3) ELIGIBILITY -- SEASONS OF COMPETITION: 10-SEMESTER/15-QUARTER RULE -- CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY -- MINIMUM AMOUNT OF COMPETITION -- UP TO THREE CONTESTS -- FOOTBALL

**Intent:** In football, to specify that a student-athlete representing a Division II institution, in their initial year of collegiate enrollment, may participate in up to three contests in a season without using a season of competition.

**Bylaws:** Amend 14.2, as follows:

14.2 Seasons of Competition: 10-Semester/15-Quarter Rule. A student-athlete shall not engage in more than four seasons of intercollegiate competition in any one sport (see Bylaws 14.02.10 and 14.2.2). An institution shall not permit a student-athlete to represent it in intercollegiate competition unless the individual completes all of their seasons of participation in all sports within the time periods specified below:

[14.2.1 through 14.2.3 unchanged.]

14.2.4 Criteria for Determining Season of Eligibility.

14.2.4.1 Minimum Amount of Competition. Any competition (including a scrimmage with outside competition), regardless of time, during a season in an intercollegiate sport shall be counted as a season of competition in that sport. This provision is applicable to intercollegiate athletics competition conducted by a two-year or four-year collegiate institution at the varsity or subvarsity level.

[14.2.4.1.1 through 14.2.4.1.6 unchanged.]

**14.2.4.1.7 Exception -- Football. In football, a student-athlete representing a Division II institution, in their initial year of collegiate enrollment, may participate in up to three contests in a season without using a season of competition.**

[14.2.4.2 through 14.2.4.8 unchanged.]

[14.2.5 through 14.2.7 unchanged.]

**Source:** Great Lakes Intercollegiate Athletic Conference, Great Lakes Valley Conference, Gulf South Conference, Mid-America Intercollegiate Athletics Association, Rocky Mountain Athletic Conference and South Atlantic Conference.

**Effective Date:** August 1, 2023

**Rationale:** Under current legislation, a student-athlete who participates in any contest uses a season of competition in that sport. A Division II football student-athlete is not permitted to participate in an exhibition game or scrimmage and must count that experience as a season of competition. Additionally, some Division II student-athletes are permitted to participate in competition during the nonchampionship segment without using a season of competition, provided they were academically eligible during the segment that concluded with the NCAA championship. Academically, a student-athlete who participates in limited contests during the initial year of collegiate enrollment will likely have a more favorable experience and it is more likely the student-athlete will be retained at the institution. In addition, academic success rates may increase with this change. Moreover, institutions sponsoring football are permitted to award athletically related financial aid to student-athletes equaling 36 equivalencies, compared to their Division I football bowl subdivision (FBS) and football championship subdivision (FCS) counterparts at 85 and 63 scholarships, respectively. There are fewer football student-athletes allowed on Division II game day rosters. Finally, this rule would not change the Division II 10-semester/15-quarter rule, or the eligibility of a partial qualifier to participate in NCAA athletics.

**No. 2-10 ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- ELIMINATION OF STANDARDIZED TEST-SCORE REQUIREMENTS (SAT OR ACT)**

**Intent:** To eliminate the standardized test-score requirements (SAT or ACT) from Division II initial-eligibility requirements; further, to establish the initial eligibility requirements, as specified.

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

14.3 Freshman Academic Requirements.

14.3.1 Eligibility for Financial Aid, Practice and Competition -- Qualifiers and Partial Qualifiers .

14.3.1.1 Qualifier. A qualifier is defined as one who is a high school graduate and who ~~presented the following minimum academic qualifications:~~**has a minimum cumulative core-course grade-point average of 2.200 (based on a maximum 4.000) in a minimum of 16 academic courses. The 16 core courses shall include the following:**

<b>English</b>	<b>3 years</b>
<b>Mathematics</b>	<b>2 years</b>
<b>Natural or physical science (including at least one laboratory course if offered by the high school)</b>	<b>2 years</b>
<b>Additional courses in English, mathematics or natural or physical science</b>	<b>3 years</b>
<b>Social science</b>	<b>2 years</b>
<b>Additional academic courses [in any of the above areas or foreign language, philosophy or nondoctrinal religion (e.g., comparative religion) courses]</b>	<b>4 years</b>

(a) ~~A minimum cumulative grade-point average as specified in Bylaw 14.3.1.1.3 (based on a maximum 4.000) in a successfully completed core curriculum of at least 16 academic courses per Bylaw 14.3.1.4, including the following:~~

English	3 years
Mathematics	2 years
Natural or physical science (including at least one laboratory course if offered by the high school)	2 years
Additional courses in English, mathematics or natural or physical science	3 years
Social science	2 years
Additional academic courses [in any of the above areas or foreign language, philosophy or nondoctrinal religion (e.g., comparative religion) courses]	4 years

(b) A minimum combined score on the SAT verbal/critical reasoning and math sections or a minimum sum score on the ACT as specified in Bylaw 14.3.1.1.3. The required combined SAT or sum ACT score, respectively, must be achieved under national testing conditions on a national, state or district testing date [i.e., no residual (campus) testing (see Bylaw 14.3.1.5)]. The minimum combined SAT score of 820 applies to tests taken prior to March 1, 2016. The minimum combined SAT score required 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.)

14.3.1.1.1 Exception -- Institutions Located in Puerto Rico. A prospective student-athlete entering an institution located in Puerto Rico may use a minimum combined score on the Prueba de Aptitud Academica verbal and math reasoning sections of 730 to satisfy the test score requirement in Bylaw 14.3.1.1-(b).

14.3.1.1.21 Exception -- Early Academic Certification. A prospective student-athlete shall be certified as a qualifier, provided they have achieved the following academic criteria: **a core-course grade-point average of 2.500 (based on a maximum of 4.000) in a minimum of 14 core courses on completion of six semesters (or the equivalent). The 14 core courses shall include three core courses in English, three in mathematics (at the level of Algebra I or higher), two in natural or physical science (including at least one laboratory course if offered at the high school) and six additional core courses in any NCAA core area. The record of the course and course grades must be certified by the NCAA Eligibility Center using either an official high school transcript forwarded directly from the high school or a high school transcript forwarded by an institution's admissions office.**

(a) A minimum combined score on the SAT critical reading and math sections of 820 or a minimum sum score on the ACT of 68, per the requirements of Bylaw 14.3.1.4. The minimum combined SAT score of 820 applies to scores for SAT tests taken prior to March 1, 2016. The minimum SAT score required 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); and

(b) A core-course grade-point average of 2.500 (based on a maximum of 4.000) in a minimum of 14 core courses on completion of six semesters (or the equivalent). The 14 core courses shall include three core courses in English, three in mathematics (at the level of Algebra I or higher), two in natural or physical science (including at least one laboratory course if offered at the high school) and six additional core courses in any NCAA core area. The record of the course and course grades must be certified by the NCAA Eligibility Center using either an official high school transcript forwarded directly from the high school or a high school transcript forwarded by an institution's admissions office.

14.3.1.1.21.1 Submission of Final Transcript(s). An institution must submit a final high school transcript(s) (official or unofficial) to the NCAA Eligibility Center by November 15 following a student-athlete's initial full-time enrollment for any student-athlete who is certified as a qualifier pursuant to the early academic certification exception. [D]

14.3.1.1.3 Initial Eligibility Index for Qualifiers. A student-athlete must meet the requirements of the following eligibility index to be certified as a 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 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
3.300 & above	400	37	2.925	550	47	2.525	710	58
3.275	410	38	2.900	560	48	2.500	720	59
3.250	420	39	2.875	570	49	2.475	730	60

3.225	430	40	2.850	580	49	2.450	740	61
3.200	440	41	2.825	590	50	2.425	750	61
3.175	450	41	2.800	600	50	2.400	760	62
3.150	460	42	2.775	610	51	2.375	770	63
3.125	470	42	2.750	620	52	2.350	780	64
3.100	480	43	2.725	630	52	2.325	790	65
3.075	490	44	2.700	640	53	2.300	800	66
3.050	500	44	2.675	650	53	2.275	810	67
3.025	510	45	2.650	660	54	2.250	820	68
3.000	520	46	2.625	670	55	2.225	830	69
2.975	530	46	2.600	680	56	2.200	840 &	70 &
2.950	540	47	2.575	690	56		above	above
			2.550	700	57			

14.3.1.1.42 Eligibility for Financial Aid, Practice and Competition – Qualifier. A student-athlete who enrolls in a Division II institution as an entering freshman with no previous full-time college attendance shall meet the academic requirements for a qualifier, as certified by the NCAA Eligibility Center, and approved by the Board of Governors, and any applicable institutional and conference regulations, to be eligible for financial aid, practice and competition during the first academic year in residence.

[14.3.1.2 through 14.3.1.3 unchanged.]

~~14.3.1.4 Test-Score Requirements. The minimum required SAT or ACT score (see Bylaw 14.3.1.1) must be achieved under national testing conditions on a national, state or district testing date [i.e., no residual (campus) testing].~~

~~14.3.1.4.1 Test-Score Time Limitation. The minimum required SAT or ACT score shall be achieved before the individual's first full-time enrollment in a collegiate institution.~~

~~14.3.1.4.2 Combined Test Scores. For students using the SAT examination, the highest scores achieved on the critical reading and mathematics sections of the SAT from two different national testing dates may be combined in determining whether the student has met the minimum test-score requirements. SAT scores for tests taken prior to March 1, 2016, will not be combined with SAT scores earned for tests taken on or after March 1, 2016. For students using the ACT examination, the highest scores achieved on the individual subtests of the ACT from more than one national testing date or state-administered examination may be combined in determining whether the student's sum score has met the minimum test-score requirement.~~

~~14.3.1.4.3 Nonstandard Test Administration. Students with education-impacting disabilities may use scores achieved during a nonstandard administration of the SAT or ACT. A student who takes a nonstandard SAT or ACT still must achieve the minimum required test score.~~

~~14.3.1.4.4 Test-Score Report. The minimum SAT or ACT score(s) used for initial-eligibility purposes must be provided to the NCAA Eligibility Center by the appropriate testing agency through an official test-score report.~~

[14.3.1.5 renumbered as 14.3.1.4, unchanged.]

[14.3.2 through 14.3.4 unchanged.]

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

**Effective Date:** August 1, 2023, for student-athletes initially enrolling full-time at a collegiate institution on or after August 1, 2023.

**Rationale:** In October 2021, the NCAA Standardized Test Score Task Force recommended to remove the standardized test scores from Division II initial-eligibility requirements, noting that its recommendation aligns with the trend among NCAA member institutions to move away from requiring standardized test scores for admissions. It was further noted by the Academic Requirements Committee that the existing core-course and grade-point average requirements for incoming student-athletes is an appropriate metric to measure academic readiness.

No. 2-11 (1-4) PLAYING AND PRACTICE SEASONS – GENERAL PLAYING-SEASON REGULATIONS AND BASKETBALL – BASKETBALL FIRST PERMISSIBLE PRACTICE DATE

**Intent:** In basketball, to specify that an institution shall not commence on-court preseason basketball practice sessions before the date that is 35 days before the institution's first regular-season contest; further, to specify that an institution shall not engage in more than 25 days of countable athletically related activities during the on-court preseason practice period.

**A. Bylaws:** Amend 17.1.6.3.1, as follows:

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) unchanged.]

(1) In basketball, from September 7 or the institution's fourth day of classes for the fall term, whichever is earlier, through ~~the day before October 15~~ **35 calendar days before the date of the institution's first regular-season contest.**

[17.1.6.3.1-(a)-(2) through 17.1.6.3.1-(a)-(3) unchanged.]

[17.1.6.3.1-(b) through 17.1.6.3.1-(e) unchanged.]

[17.1.6.3.1.1 unchanged.]

**B. Bylaws:** Amend 17.4.2, as follows:

17.4.2 Preseason Practices.

17.4.2.1 On-Court Practice. A member institution shall not commence on-court preseason basketball practice sessions before ~~October 15~~ **the date that is 35 days before the date of the institution's first regular-season contest. An institution shall not engage in more than 25 days of countable athletically related activities before its first regular-season contest. Any countable athletically related activities (e.g., conditioning, skill-related instruction) that occurs within the 35-day period shall count against the 25 days of countable athletically related activities.**

[17.4.2.1.1 unchanged.]

**Source:** Great American Conference, Gulf South Conference and Northern Sun Intercollegiate Conference.

**Effective Date:** August 1, 2023

**Rationale:** Current legislation specifies that on-court preseason basketball practice may not begin before October 15. Given the first permissible contest date, this results in basketball programs completing approximately 24 practices within 27 days (on average). This reflects 85.7% of the preseason period days involving basketball activities. The proposed legislation would provide a greater amount of rest and recovery time in the preseason period, while maintaining approximately the total number of days featuring countable athletically related activities during this period. 25 days of countable athletically related activities in a 35-day period results in a 14.3% reduction in days with countable athletically related activities in the preseason period. The proposed legislation does not adjust the first permissible contest date, or any other Bylaw 17 countable athletically related activities legislation (e.g., hours per week, hours per day). Further, the proposed legislation would provide institutions the flexibility to build the preseason schedule appropriately to accommodate academic schedules, facility constraints and other factors that are unavoidable under the current preseason model.

#### No. 2-12 EXECUTIVE REGULATIONS -- ADMINISTRATION OF NCAA CHAMPIONSHIPS -- AVAILABILITY OF ALCOHOLIC BEVERAGES AT DIVISION II CHAMPIONSHIPS

**Intent:** To eliminate the legislated restrictions on the availability of alcohol at NCAA Division II championships.

**Administrative:** Amend 31, as follows:

31 Executive Regulations

[31.01 through 31.02 unchanged.]

31.1 Administration of NCAA Championships.

[31.1.1 through 31.1.11 unchanged.]

*31.1.12 Availability of Alcoholic Beverages. Alcoholic beverages shall not be sold or otherwise made available for public consumption at any championship event sponsored by or administered by the Association, nor shall any such beverages*

~~be brought to the site during the championship (i.e., during the period from the time access to the site is available to spectators until all patrons have left the facility or area used for competition).~~

~~31.1.12.1 Exception – Men's Lacrosse Joint Championship. The sale of alcoholic beverages at the Division II Men's Lacrosse Championship is permissible, provided it is a joint championship with Divisions I and III.~~

[31.2 through 31.4 unchanged.]

31.6 Rights to NCAA Properties and Marketing Restrictions.

[31.6.1 unchanged.]

31.6.2 Concessions. The following conditions or restrictions apply to all concession items sold at any event sponsored or administered by the Association:

[31.6.2-(a) through 31.6.2-(d) unchanged.]

~~(e) No alcoholic beverages shall be sold or dispensed for public consumption at any event sponsored by or administered by the Association. (See Bylaw 31.1.12.1 for an exception for a men's lacrosse joint championship)~~

[31.6.3 through 31.6.4 unchanged.]

[31.7 through 31.9 unchanged.]

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

**Effective Date:** August 1, 2023

**Rationale:** The issue of whether to permit the sale of alcoholic beverages at Division II championships has been considered for a few years. Feedback from a recent membership survey indicated support within the Division II membership for allowing the sale of alcoholic beverages at Division II championships, noting that a number of Division II conferences allow this at their postseason tournament events. Survey feedback cites the practice having already been "normalized" at sporting events and will allow fans accustomed to being able to purchase beer and wine the opportunity to do so at Division II championships. As the sale of alcoholic beverages is already allowed at Division I championships, this recommendation also would mitigate disruption at joint championships (allowed during the Division I events but not during the Division II events). Only venues that meet specified NCAA requirements would be permitted to sell alcohol, including having a written policy in place for, and be actively engaged in, the sale of alcohol and be properly licensed by the local and state authorities to carry on such operations and signing indemnity and insurance agreements prior to the event. Hard liquor would continue to be permitted only in designated suites and hospitality areas.

## Appendix A

### Legislative Proposal Number Changes

This appendix lists proposals that are included in the Second Publication of Proposed Legislation and gives their corresponding numbers in the Initial Publication of Proposed Legislation. Please note that not all proposals that appear in the Second Publication of Proposed Legislation were included in the Initial Publication of Proposed Legislation.

<b>SPOPL</b>	<b>IPOPL</b>	<b>SPOPL</b>	<b>IPOPL</b>
1	--	7	1
2	--	8	2
3	--	9	3
4	--	10	--
5	--	11	4
6	--	12	--

## Appendix B

### Request for Interpretation

Member institutions and conferences are encouraged to request interpretations of the proposed legislation in this Second Publication of Proposed Legislation. Interpretations related to the proposed legislation in this Second Publication of Proposed Legislation may be requested via electronic mail to the primary contact persons at [chooks@ncaa.org](mailto:chooks@ncaa.org) or [jlysiak@ncaa.org](mailto:jlysiak@ncaa.org), not later than November 18, 2022. When submitting such a request, please include the proposal number in question, your institution's name and your title. All resulting interpretations will be made available to the delegates prior to the divisional business session held in conjunction with the Annual Convention.

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
Consent Package				Johnson					One vote on Proposal Nos. 1-5, unless a proposal is pulled from the consent package.
2023-1 (2-2)	NCAA DIVISION II MEMBERSHIP AND INSTITUTIONAL CONTROL – ACTIVE MEMBERSHIP – INSTITUTIONS – CONDITIONS AND OBLIGATIONS OF ACTIVE MEMBERSHIP – FINANCIAL DATA REQUIREMENT – PENALTY FOR FAILURE TO SUBMIT FINANCIAL DATA	August 1, 2025, for implementation of the penalty for failure to submit the data.	NCAA Division II Presidents Council [Management Council (Membership Committee)].	(Dranoff)	Consent Package	Paddle			
2023-2 (2-3)	NCAA DIVISION II MEMBERSHIP AND INSTITUTIONAL CONTROL – ACTIVE MEMBERSHIP – INSTITUTIONS – CONDITIONS AND OBLIGATIONS OF ACTIVE MEMBERSHIP – ELIMINATION OF SELF-STUDY AND EVALUATION	August 1, 2023.	NCAA Division II Presidents Council [Management Council (Implementation Committee)].	(Stava)	Consent Package	Paddle			
2023-3 (2-5)	LEGISLATIVE PROCESS -- AMENDMENT PROCESS -- NOTIFICATION TO MEMBERSHIP -- ELIMINATION OF INITIAL PUBLICATION AND SECOND PUBLICATION -- TIMING OF OFFICIAL NOTICE	August 1, 2023, for proposals submitted for the 2024 NCAA Convention.	NCAA Division II Presidents Council [Management Council (Implementation Committee)].	(Gilbert)	Consent Package	Paddle			
2023-4 (2-10)	ELIGIBILITY – FRESHMAN ACADEMIC REQUIREMENTS – ELIMINATION OF STANDARDIZED TEST–SCORE REQUIREMENTS (SAT OR ACT)	August 1, 2023, for student-athletes initially enrolling full-time at a collegiate institution on or after August 1, 2023.	NCAA Division II Presidents Council [Management Council (Academic Requirements Committee)].	(McCabe)	Consent Package	Paddle			
2023-5 (2-12)	EXECUTIVE REGULATIONS – ADMINISTRATION OF NCAA CHAMPIONSHIPS – AVAILABILITY OF ALCOHOLIC BEVERAGES AT DIVISION II CHAMPIONSHIPS	August 1, 2023.	NCAA Division II Presidents Council [Management Council (Implementation Committee)].	(Michaels)	Consent Package	Paddle			
2023-6 (2-1)	NCAA DIVISION II MEMBERSHIP AND INSTITUTIONAL CONTROL, FINANCIAL AID AND PLAYING AND PRACTICE SEASONS – EMERGING SPORTS FOR WOMEN – STUNT	August 1, 2023.	NCAA Division II Presidents Council [Management Council (Committee on Women’s Athletics)].	Kuhlmeier	Emerging Sport for Women	Paddle			One vote on the proposal – merits.
2023-7 (2-4)	DIVISION II ORGANIZATIONAL STRUCTURE – PRESIDENTS COUNCIL – MANAGEMENT COUNCIL – ADMINISTRATIVE COMMITTEE – PLANNING AND FINANCE COMMITTEE	Sections A, B, F: February 1, 2024. Section C, D, E: August 1, 2023.	NCAA Division II Presidents Council [Management Council (Implementation Committee)].	President Keith (Graham)	Organizational Structure	Roll call			One vote on the proposal – merits.

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
2023-8 (2-6)	AMATEURISM -- VARIOUS BYLAWS -- DEFINITION OF AGENT AND USE OF AGENTS	August 1, 2023.	NCAA Division II Presidents Council [Management Council (Implementation Committee)].	Gilbert	Amateurism	Roll call			One vote on the proposal – merits.
2023-9 (2-7)	RECRUITING AND PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING-SEASON REGULATIONS -- TIME LIMITS FOR ATHLETICALLY RELATED ACTIVITIES -- WEEKLY HOUR LIMITATIONS -- OUTSIDE OF PLAYING SEASON -- SUMMER ACCESS -- VOLUNTARY WORKOUTS FOR TEAM SPORTS	Immediate.	Great Lakes Intercollegiate Athletic Conference and Mid-America Intercollegiate Athletics Association	TBD	Recruiting and Playing and Practice Seasons	Roll call			<p><b>Membership-sponsored proposal</b></p> <p>Two votes on the proposal – effective date, followed by merits.</p> <p><i>Committee on Competitive Safeguards and Medical Aspects of Sports agreed to take <u>no position</u> on this proposal.</i></p> <p><i>Management Council and Legislation Committee agreed to <u>oppose</u> this proposal.</i></p>
2023-10 (2-8)	ELIGIBILITY AND PLAYING AND PRACTICE SEASONS -- SEASONS OF COMPETITION: 10-SEMESTER/15-QUARTER RULE AND FOOTBALL -- CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY AND OUT-OF-SEASON ATHLETICALLY RELATED ACTIVITIES -- EXCEPTION -- COMPETITION IN THE NONCHAMPIONSHIP SEGMENT AND SPRING PRACTICE -- SCRIMMAGE AGAINST A FOUR-YEAR COLLEGIATE INSTITUTION	Immediate.	Great American Conference, Great Lakes Intercollegiate Athletic Conference, Gulf South Conference, Mid-America Intercollegiate Athletics Association, and South Atlantic Conference.	TBD	Eligibility	Roll call			<p><b>Football only vote.</b></p> <p><b>Membership-sponsored proposal</b></p> <p>Two votes on the proposal – effective date, followed by merits.</p> <p><i>Management Council, Committee on Competitive Safeguards and Medical Aspects of Sports and Legislation Committee agreed to take <u>no position</u> on this proposal.</i></p> <p><i>Football Committee agreed to <u>support</u> this proposal.</i></p>

2023 NCAA CONVENTION – DIVISION II BUSINESS SESSION

<p>2023-11 (2-9)</p>	<p>ELIGIBILITY -- SEASONS OF COMPETITION: 10-SEMESTER/15-QUARTER RULE -- CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY -- MINIMUM AMOUNT OF COMPETITION -- UP TO THREE CONTESTS -- FOOTBALL</p>	<p>August 1, 2023.</p>	<p>Great Lakes Intercollegiate Athletic Conference, Great Lakes Valley Conference, Gulf South Conference, Mid-America Intercollegiate Athletics Association, Rocky Mountain Athletic Conference and South Atlantic Conference.</p>	<p>TBD</p>	<p>Eligibility</p>	<p>Roll call</p>		<p><b>Football only vote.</b></p> <p><b>Membership-sponsored proposal</b></p> <p>One vote on the proposal – merits.</p> <p><i>Management Council, Committee on Competitive Safeguards and Medical Aspects of Sports and Committee on Student-Athlete Reinstatement agreed to take <u>no position</u> on this proposal.</i></p> <p><i>Football Committee agreed to <u>support</u> this proposal.</i></p> <p><i>Legislation Committee agreed to <u>oppose</u> the proposal.</i></p>
<p>2023-12 (2-11)</p>	<p>PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING-SEASON REGULATIONS AND BASKETBALL -- BASKETBALL FIRST PERMISSIBLE PRACTICE DATE</p>	<p>August 1, 2023.</p>	<p>Great American Conference, Gulf South Conference and Northern Sun Intercollegiate Conference.</p>	<p>TBD</p>	<p>Playing and Practice Seasons</p>	<p>Roll call</p>		<p><b>Membership-sponsored proposal</b></p> <p>One vote on the proposal – merits.</p> <p><i>Management Council, Committee on Competitive Safeguards and Medical Aspects of Sports agreed to take <u>no position</u> on this proposal.</i></p> <p><i>Men’s and Women’s Basketball Committees agreed to <u>support</u> this proposal.</i></p> <p><i>Legislation Committee and Volleyball Committee agreed to <u>oppose</u> this proposal.</i></p>



NCAA Division II Management Council Report  
Other Action Items

At its October 17-18 meeting, the Management Council took action on the following items and recommends that the Presidents Council take the appropriate action, as indicated below.

*NOTE: These items can be taken as a package unless an item is pulled for separate consideration.*

1. **Management Council Chair Election.** Approve the election of **Carrie Michaels**, senior woman administrator, Shippensburg University of Pennsylvania, as the chair of the Division II Management Council, effective at the adjournment of the 2023 Division II Business Session, for a one-year term.
2. **Management Council Vice Chair Election.** Approve the election of **Jerry Wollmering**, director of athletics, Truman State University, as the vice chair of the Division II Management Council, effective immediately and concluding at the adjournment of the 2024 Division II Business Session.
3. **Management Council Elections.** Approve the following elections to the Management Council effective at the adjournment of the 2023 Division II Business Session, unless otherwise noted. [Attachment A]
  - a. East Coast Conference (replacing Bob Dranoff, commissioner, East Coast Conference). **Femi Alao**, senior woman administrator, Roberts Wesleyan College.
  - b. Great Midwest Athletic Conference (replacing Teresa Clark, faculty athletics representative, Cedarville University). **Cindy McKnight**, director of athletics/senior woman administrator, Ursuline University.
  - c. Gulf South Conference (replacing Laura Clayton Eady, senior woman administrator, University of West Georgia). **Jeremy Elliott**, faculty athletics representative, University of Alabama in Huntsville.
  - d. Mid-America Intercollegiate Athletics Association (replacing Jim Johnson, director of athletics, Pittsburg State University). **Theresa Grosbach**, senior woman administrator, Missouri Western State University.
  - e. South Atlantic Conference (replacing Marty Gilbert, faculty athletics representative, Mars Hill University). **Patrick Britz**, commissioner, South Atlantic Conference.
  - f. Sunshine State Conference (replacing Courtney Lovely Evans, senior woman administrator, Palm Beach Atlantic University). **Katherine Loh**, faculty athletics representative, Florida Southern College.



championship will be held on a grass field the next four years after being on a turf field for the last three years.

The Softball Committee, the Championships Committee and the Management Council are aware that this format will affect the logistics of the Division II Spring Festival (e.g., venue availability, competition schedule, community engagement) that will need to be reviewed if this recommendation is approved (the next spring festival is in 2024), but neither the committees or council are recommending softball be removed from the festival.



Division II Management Council Composition  
Following October 2022 Election for January 2023 Vacancies

Representative	AD	SWA	FAR	Conf Admin	SAAC	Male	Female	Ethnic Min
<u>California Collegiate</u>								
<u>Conference Carolinas</u> Brenda Cates University of Mount Olive			•				•	
<u>Central Atlantic</u> Mark Corino Caldwell College	•					•		
<u>Central Intercollegiate</u> Marcus Clarke Conference Administrator				•		•		•
<u>East Coast Conference</u> Femi Alao Roberts Wesleyan University		•					•	•
<u>Great American Conference</u> Bo Pagliasotti Southwestern Oklahoma State University			•			•		
<u>Great Lakes Intercollegiate</u> Cam Trudell Conference Administrator				•		•		•
<u>Great Lakes Valley</u> Jerry Wollmering Truman State University	•					•		
<u>Great Midwest Athletic</u> Cindy McKnight Ursuline College		•					•	
<u>Great Northwest Athletic</u> Theresa Hanson Simon Fraser University	•						•	
<u>Gulf South</u> Jeremy Elliott University of Alabama in Huntsville			•			•		
<u>Lone Star</u> Sandee Mott Texas Women's University	•						•	
<u>Mid-America Intercollegiate Athletic Association</u> Theresa Grosbach Missouri Western State University		•					•	
<u>Mountain East Conference</u> Kristi Kiefer Fairmont State University		•					•	
<u>Northeast-10</u> Danny McCabe Adelphi University	•					•		

Representative	AD	SWA	FAR	Conf Admin	SAAC	Male	Female	Ethnic Min
<b><u>Northern Sun</u></b> Erin Lind Conference Administrator				•			•	
<b><u>Pacific West Conference</u></b> Amy Henkelman Dominican University of California	•						•	
<b><u>Peach Belt</u></b> Christina Whetsel Augusta University		•					•	
<b><u>Pennsylvania State</u></b> Carrie Michaels Shippensburg University of Pennsylvania		•					•	
<b><u>Rocky Mountain Athletic</u></b> David Hansburg Colorado School of Mines	•					•		
<b><u>South Atlantic</u></b> Patrick Britz Conference Administrator				•		•		
<b><u>Southern Intercollegiate</u></b> Curtis Campbell Morehouse College	•					•		•
<b><u>Sunshine State</u></b> Katherine Loh Florida Southern College			•				•	•
<b><u>At-Large</u></b> Vaughn Williams Bentley University	•					•		•
<b><u>At-Large</u></b> Roberta Page Slippery Rock University of Pennsylvania	•						•	
<b><u>At-Large</u></b> Sarah Ramey West Texas A&M University		•					•	
<b><u>SAAC Reps</u></b> Grace Martin West Virginia State University Corbin Thaete California State University, San Marcos					• •	•	•	
<b>Composition Before Vacancies</b>	<b>10</b>	<b>5</b>	<b>6</b>	<b>4</b>	<b>2</b>	<b>14</b>	<b>13</b>	<b>6</b>
<b>Composition Following Election (if Approved)</b>	<b><u>10</u></b>	<b><u>7</u></b>	<b><u>4</u></b>	<b><u>4</u></b>	<b><u>2</u></b>	<b><u>12</u></b>	<b><u>15</u></b>	<b><u>6</u></b>

NCAA Division II Management Council Report  
Informational Items

1. **Championships Committee -- Preliminary-Round Host Microsites.** The Management Council approved requiring preliminary-round hosts for Division II championships to provide a microsite (i.e., a single page for the event and a link to it from the school's main athletics website) that includes information about the event and ways in which fans can better experience it.

The Management Council and Championships Committee believe the microsite approach will significantly enhance the fan experience at all championships. The council and committee also believe this will not be an undue burden on the membership, as several preliminary-round hosts already create microsites. However, some hosts either don't create one or it is difficult to find it on their athletics website.

The issue has been vetted with the Division II Conference Information Directors Association (D2CIDA) and the Division II Sports Information Directors Association (D2SIDA) board. Both groups felt a microsite was a fair request for preliminary-round hosts across all Division II sports and that minimum requirements should be established for consistency. If a preliminary-round host wanted to include more information than the minimum requirements, they would be welcome and encouraged to do so.

2. **Management Council Identity Subcommittee -- Division II Identity Workshops.** The Management Council approved extending head athletic trainers as the audience for the Division II Identity Workshop through 2025; further, it approved the audience of the 2026 through 2029 workshops as sports information directors/athletic communications directors. Finally, the Management Council approved to streamline the nomination process.

By extending head athletic trainers as the audience for the Division II Identity Workshop by one year, it would provide 300 opportunities for athletic trainers to attend, which would reach all Division II active member institutions.

The Management Council also approved sports information directors/athletic communications directors as the next audience for the 2026 through 2029 Identity Workshops. The council noted that sports information directors/athletic communications directors are the audience that would most benefit from the workshops given how much the profession has changed over the last few years.

Finally, the conference office currently nominates attendees, then staff from the national office emails nominees. By using the NCAA Program Hub, any administrator from the conference office can nominate attendees for an upcoming workshop. Once nominated, attendees will get an automatic email asking them to complete their nomination online. Once nominations close, national office staff can pull nominees' information in one document. The use of Program Hub allows nominators and nominees to submit all information in one area and improves the efficiency of the nomination process.



Division II Presidents Council Composition  
Transition to New Executive Board

Background

The Implementation Committee recommended, and the Presidents Council sponsored, a proposal for the 2023 NCAA Convention to amend the composition and duties of the Division II Presidents Council.

The recommendation includes amending the composition to include one president/chancellor from each of the eight Division II championships regions and one president/chancellor to enhance diversity (this president/chancellor may come from any championships region). This is a change from the current council composition that includes 16 presidents/chancellors based on geographic regions (e.g., number of Division II schools by state).

During the Governance Subcommittee of the Implementation Committee's May meeting, the subcommittee discussed how the current composition could be transitioned to the new Executive Board composition. The subcommittee identified the following factors:

1. Reviewed current term expirations for Presidents Council members in relation to the February 1, 2024, effective date of the proposal, if adopted.
  - a. Three Presidents Council members will rotate off the council due to term expirations before the February 1, 2024, effective date (one president in January 2023 and two presidents in January 2024).
  - b. Not replace any vacancies that occur before the February 1, 2024, effective date. Note: The Presidents Council approved this recommendation during its August meeting.
2. Identification of council members by championships region vs. geographic region.
3. Seniority of members (e.g., council members that have more length of service on the current Presidents Council were considered first);
4. Gender and ethnic diversity. This was the priority over whether the institutions represented were public or private; and
5. Blending of terms (two years and renewable for two years), which are the terms of the new Executive Board.

Based on these factors, it was determined that two current members of the Presidents Council would need to step down from the council, effective February 1, 2024.

Attachment A represents the current composition of the Presidents Council.

Attachment B represents the possible composition of the new Executive Board, if the proposal is adopted at the January 2023 Convention.

Options for Consideration

1. Approve Attachment B as the recommended composition of the new Division II Executive Board (effective February 1, 2024), if the proposal at the January 2023 Convention is adopted.
2. Delay action until the April 2023 meeting and after the vote at the 2023 Convention.
3. Recommend a different composition and/or open up nominations for all nine president/chancellor positions on the new Executive Board.
4. Other.

2022 NCAA Division II Presidents Council  
Updated: October 11, 2022

Region	Name	Conference Affiliation	Public/Private (Enrollment)	Term Start/End Date	2022	2023	2024	2025	2026	2027	2028
1	Michael Driscoll, Indiana University of Pennsylvania	PSAC	Public (10319)	Jan 2018 Jan 2024	Driscoll	Driscoll	<b>OPEN</b>				
1	Colleen Perry Keith, Goldey-Beacom College	CACC	Private (667)	Jan 2020 Jan 2026	Perry Keith	Perry Keith	Perry Keith	Perry Keith	<b>OPEN</b>		
1	Donna Henry, University of Virginia's College at Wise	SAC	Public (1249)	May 2020 Jan 2026	Henry	Henry	Henry	Henry	<b>OPEN</b>		
1	Frank Wu, Queen College (New York)	ECC	Public (16680)	Jan 2022 Jan 2028	Wu	Wu	Wu	Wu	Wu	Wu	<b>OPEN</b>
2	William Thierfelder, Belmont Abbey College	CC	Private (1557)	Aug 2018 Jan 2024	Thierfelder	Thierfelder	<b>OPEN</b>				
2	Blake Thompson, Mississippi College	GSC	Private (3242)	Jan 2021 Jan 2027	Thompson	Thompson	Thompson	Thompson	Thompson	<b>OPEN</b>	
2 At-Large	Roslyn Artis, Benedict College <sup>1</sup>	SIAC	Private (2077)	Oct 2021 Jan 2028	Artis	Artis	Artis	Artis	Artis	Artis	<b>OPEN</b>
2	Dwaun Warmack, Claflin University	CIAA	Private (2038)	Jan 2022 Jan 2028	Warmack	Warmack	Warmack	Warmack	Warmack	Warmack	<b>OPEN</b>
2					<b>OPEN</b>						
3	Steven Shirley, Minot State University	NSIC	Public (1952)	Aug 2019 Jan 2025	Shirley	Shirley	Shirley	<b>OPEN</b>			
3	Carlos Campo, Ashland University	GMAC	Private (3281)	Jan 2020 Jan 2026	Campo	Campo	Campo	Campo	<b>OPEN</b>		
3					<b>OPEN</b>						
4	Gayle Hutchinson, California State University, Chico	CCAA	Public (15048)	Aug 2017 Jan 2023	Hutchinson	<b>OPEN</b>					
4	John Gotanda, Hawaii Pacific University	PWC	Private (5000)	Aug 2020 Jan 2026	Gotanda	Gotanda	Gotanda	Gotanda	<b>OPEN</b>		
4	Sandra Woodley, University of Texas Permian Basin	LSC	Public (2153)	April 2021 Jan 2027	Woodley	Woodley	Woodley	Woodley	Woodley	<b>OPEN</b>	
At-Large					<b>OPEN</b>						
	Michaela Boyd, Palm Beach Atlantic University	Student-Athlete		August 2022 August 2023							
	Davaris Cheeks, Concordia University, St. Paul	Student-Athlete		August 2022 August 2023							
					Three Openings	One Opening	Two Openings	Three Openings	Five Openings	Three Openings	Four Openings

<sup>1</sup> Serving in at-large positions | Six members are females; nine are males; six members are ethnic minorities | eight are private institutions; six are public institutions.

Potential Composition of Division II Executive Board

Championships Region	Name	Conference Affiliation	Public/Private (Enrollment)	Term Start/End Date	2022	2023	2024	2025	2026	2027	2028
East	Colleen Perry Keith, Goldey-Beacom College <i>Two-year term</i>	CACC	Private (667)	Jan 2020 Jan 2026	Perry Keith	Perry Keith	Perry Keith	Perry Keith	OPEN		
Atlantic	Dwaun Warmack, Claflin University <i>Two-year term, renewable for two years</i>	CIAA	Private (2038)	Jan 2022 Jan 2028	Warmack	Warmack	Warmack	Warmack	Warmack	Warmack	Warmack
Southeast	Donna Henry, University of Virginia's College at Wise <i>Two-year term</i>	SAC	Public (1249)	May 2020 Jan 2026	Henry	Henry	Henry	Henry	OPEN		
South	Blake Thompson, Mississippi College <i>Two-year term, renewable for two years</i>	GSC	Private (3242)	Jan 2021 Jan 2027	Thompson	Thompson	Thompson	Thompson	Thompson	Thompson	Thompson
At-Large	Roslyn Artis, Benedict College <i>Two-year term, renewable for two years</i>	SIAC	Private (2077)	Oct 2021 Jan 2028	Artis	Artis	Artis	Artis	Artis	Artis	Artis
Midwest	Carlos Campo, Ashland University <i>Two-year term</i>	G-MAC	Private (3281)	Jan 2020 Jan 2026	Campo	Campo	Campo	Campo	OPEN		
Central	Steven Shirley, Minot State University <i>Two-year term</i>	NSIC	Public (1952)	Aug 2019 Jan 2025	Shirley	Shirley	Shirley	Shirley	OPEN		
South Central	Sandra Woodley, University of Texas Permian Basin <i>Two-year term, renewable for two years</i>	LSC	Public (2153)	April 2021 Jan 2027	Woodley	Woodley	Woodley	Woodley	Woodley	Woodley	Woodley
West	John Gotanda, Hawaii Pacific University <i>Two-year term</i>	PWC	Private (5000)	Aug 2020 Jan 2026	Gotanda	Gotanda	Gotanda	Gotanda	OPEN		
2	Vacancy				OPEN						
4	Vacancy				OPEN						
East	Frank Wu, Queens College (New York) <i>Eligible to be nominated in January 2026</i>	ECC	Public (16680)	Jan 2022 Jan 2028	Wu	Wu	Wu	Wu	Wu	Wu	Wu
Atlantic	Michael Driscoll, Indiana University of Pennsylvania <i>Term expires January 2024</i>	PSAC	Public (10319)	Jan 2018 Jan 2024	Driscoll	Driscoll					
Southeast	William Thierfelder, Belmont Abbey College <i>Term expires January 2024</i>	CC	Private (1557)	Aug 2018 Jan 2024	Thierfelder	Thierfelder					
Midwest	Richard Pappas, Davenport University <i>Eligible to be nominated in January 2026</i>	GLIAC	Private (4312)	Oct 2021 Jan 2028	Pappas	Pappas	Pappas	Pappas	Pappas	Pappas	Pappas
West	Gayle Hutchinson, California State University, Chico <i>Term expires January 2023</i>	GCAA	Public (15048)	Aug 2017 Jan 2023	Hutchinson						

Four members are females; five are males; four members are ethnic minorities | six are private institutions; three are public institutions.



Division II Presidents Council  
Chair Election

The Presidents Council will need to take action to either re-elect President Steve Shirley for a second term as chair of the Council or elect another president to serve in that capacity.

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 at the conclusion of the January 2023 Convention and serve through the conclusion of the 2024 NCAA Convention.

President Steven Shirley, Minot State University, has been nominated to serve a second term as chair.



Division II Presidents Council  
Vice Chair Election

The Division II Presidents Council will need to elect a new vice chair during its January 2023 meeting to serve a one-year term from the conclusion of the January 2023 Convention through the conclusion of the January 2024 Convention.

The duties of the vice chair, as stated in NCAA Bylaw 8.1.2.2 are as follows:

- (a) Take the chair's place and perform the chair's duties, if the chair is absent or incapacitated;
- (b) Report to the Division II membership at each annual Convention on the financial affairs of the division;
- (c) Serve as a member of the Division II Administrative Committee; and
- (d) Serve as chair of the Division II Planning and Finance Committee.

If you have an interest in serving as vice chair for 2023, please contact Terri Steeb Gronau or Steve Shirley not later than December 9, 2022.



FINAL REPORT OF THE  
NCAA DIVISION II IMPLEMENTATION COMMITTEE  
AUGUST 2022

**PURPOSE/CHARGE.**

In October 2021, the Division II Presidents Council approved a process that included establishing a Division II Implementation Committee to review the division's rules and policies and make recommendations to ensure that changes are consistent with the principles agreed upon in the NCAA's new constitution.

**COMMITTEE COMPOSITION.**

The Implementation Committee included one representative from all 23 Division II conferences and five current and former student-athletes. All five Division II members who served on the NCAA Constitution Committee were on the Implementation Committee. Steven Shirley, president at Minot State University and chair of the Division II Presidents Council, served as an ex-officio member.

**BACKGROUND.**

During summer 2021, the NCAA's collegiate model of athletics was facing serious challenges. The effects of the COVID-19 pandemic in 2019 that canceled championships and altered how student-athletes experienced college altogether were still lingering, and federal decisions in the student-athlete name, image and likeness space, as well as the U.S. Supreme Court's unanimous decision in the Alston case called into question the NCAA's ability to self-govern.

Additionally, calls for greater representation and equity from both inside and outside intercollegiate athletics compounded the concern that the NCAA's collegiate model that had been in place for more than a century could no longer maintain its status quo.

In late July 2021, the NCAA Board of Governors announced that a special Convention would be convened in November to rework the NCAA constitution, with formal action to be taken at the NCAA's annual Convention in January.

In August 2021, the Board of Governors appointed a 28-member Constitution Committee, featuring presidents, commissioners, athletics directors and student-athletes from Divisions I, II and III, a Division I faculty athletics representative and independent members of the NCAA Board of Governors, to frame the new constitution. The Division II representatives were California State University, Chico, President Gayle Hutchinson; Pittsburg State University Athletics Director Jim Johnson; California University of Pennsylvania Volleyball Student-Athlete Madeleine McKenna; Northeast-10 Conference Commissioner Julie Ruppert; and Lincoln University (Pennsylvania) Athletics Director Harry Stinson III.

In October 2021, and after a series of initial Constitution Committee meetings, it became clear that while ratification of a new constitution in January remained the essential first step in the process of transforming the governance of the NCAA, there also must be a second step, which would require each division to review its rules and policies to assure that changes are consistent with the principles agreed upon in the new constitution. This led to the appointment of a 28-member Implementation Committee co-chaired by University of Wisconsin-Parkside Chancellor Debbie Ford and Delta State University President William LaForge.

### **COMMITTEE PROCESS.**

The Implementation Committee held an orientation meeting in January 2022 and then met in person February 7-8, agreeing quickly on several initial recommendations and other concepts for which to seek feedback via a membership survey. Many of these initial recommendations were sent to the Division II Management Council and Division II Presidents Council in April, and several were approved as noncontroversial legislation.

The Implementation Committee conducted other videoconferences and another in-person meeting in May before finalizing additional recommendations during a June 30 videoconference for the Division II Management Council and Division II Presidents Council to consider during their summer 2022 meetings.

To accomplish this work, the Implementation Committee at the outset established six topic-specific subcommittees to develop concepts and recommendations. The subcommittees conducted individual videoconferences as necessary outside of the full committee meeting schedule to complete their tasks.

- Budget
- Championships
- Enforcement and Infractions Process
- Governance
- Legislative Process and Compliance
- Membership

The work was prioritized as follows:

- Priority 1 – To be completed by August 1, 2022; or legislation sponsored by September 1, 2022, for January 2023 Convention vote; and/or legislation/policy adopted and effective August 1, 2023;
- Priority 2 – Recommendations by spring/summer 2023 for review and consideration; and
- Priority 3 – Discussed and reviewed with an action date to be determined.

The subcommittees collaborated with each other and with existing governance committees and other membership bodies to develop recommendations that were well-informed, well-vetted, and advanced with consensus on their viability moving forward.

**COMMITTEE OUTCOMES.**

The Implementation Committee’s work culminated in a June 30 videoconference during which the group finalized more than two dozen recommendations for the Management Council and Presidents Council to consider during their meetings in July and August, respectively. (These were in addition to the initial recommendations the councils addressed in April.)

The recommendations included 10 legislative proposals for the 2023 NCAA Convention (seven that were subsequently approved to be grouped as a package for the purpose of voting at the Convention), 12 noncontroversial legislation proposals, two nonlegislative items, and a package of concepts, tasks and reviews to be referred to existing bodies within the Division II governance structure.

Among the more significant recommendations were to modify the composition and duties of the Division II Presidents Council (renaming it as the Division II Executive Board), the Division II Management Council, the Division II Administrative Committee and the Division II Planning and Finance Committee (renaming it as the Division II Strategic Planning and Finance Committee).

In all – in just six months of work – the Implementation Committee authored 11 Convention proposals, 25 noncontroversial legislation proposals and three other nonlegislative items, all of which reflect the committee’s mission and commitment to implement significant change to the division’s operating procedures without compromising the values and principles to which Division II members hold true.

Detailed descriptions of all the committee’s recommendations are in Attachment A. A status-tracking list of items by Priority is in Attachment B.

The committee reconvened for a final time August 8 to review actions the Management Council and Presidents Council took on the recommendations. The committee is prepared to reconvene this fall as needed, but it is believed that the existing bodies on which almost all of the committee members already serve are capable of managing the various referrals and reaching conclusions on those concepts.

\*\*\*\*\*

<b>Division II Implementation Committee Roster</b>
<b>Jackie Armstrong</b> , Senior Associate Director of Athletics for Compliance/Senior Woman Administrator, Point Loma Nazarene University; Pacific West Conference.
<b>Carrie Bodkins</b> , Director of Athletics, Alderson Broaddus University; Mountain East Conference.
<b>Michaela Boyd</b> , Student-Athlete, Palm Beach Atlantic University; Division II Student-Athlete Advisory Committee.
<b>Zach Brown</b> , Student-Athlete, University of North Georgia; Division II Student-Athlete Advisory Committee.

<b>Curtis Campbell</b> , Director of Athletics, Morehouse College, Southern Intercollegiate Athletic Conference. Previously, J. Lin Dawson, Clark Atlanta University.
<b>Chris Colvin</b> , Commissioner, Conference Carolinas.
<b>Ismael Contreras</b> , Student-Athlete, Purdue University Northwest; Division II Student-Athlete Advisory Committee.
<b>Devin Crosby</b> , Director of Athletics, Lynn University; Sunshine State Conference.
<b>Debbie Ford</b> (co-chair), Chancellor, University of Wisconsin-Parkside; Great Lakes Intercollegiate Athletic Conference.
<b>Marty Gilbert</b> , Faculty Athletics Representative, Mars Hill College; South Atlantic Conference.
<b>Chris Graham</b> , Commissioner, Rocky Mountain Athletic Conference.
<b>Gayle Hutchinson*</b> , President, California State University, Chico; California Collegiate Athletic Association.
<b>Jim Johnson*</b> , Director of Athletics, Pittsburg State University; Mid-America Intercollegiate Athletics Association.
<b>Colleen Perry Keith</b> , President, Goldey-Beacom College; Central Atlantic Collegiate Conference.
<b>Brandi Laurita</b> , Director of Athletics, Findlay University; Great Midwest Athletic Conference.
<b>Kara Lindaman</b> , Faculty Athletics Representative, Winona State University; Northern Sun Intercollegiate Conference.
<b>Madeleine McKenna*</b> , Former Student-Athlete, California University of Pennsylvania; Former Member of the Division II Student-Athlete Advisory Committee.
<b>Carrie Michaels</b> , Senior Associate Director of Athletics/Senior Woman Administrator, Shippensburg University of Pennsylvania; Pennsylvania State Athletic Conference.
<b>Traci Murphy</b> , Director of Athletics, Daemen University; East Coast Conference.
<b>Steve Roach</b> , Director of Athletics, Texas A&M University-Kingsville; Lone Star Conference.
<b>Julie Ruppert*</b> , Commissioner, Northeast-10 Conference.
<b>Kevin Schriver</b> , Faculty Athletics Representative, Southwest Baptist University; Great Lakes Valley Conference.
<b>Steven Shirley</b> (ex-officio), President, Minot State University, Division II Presidents Council Chair.
<b>Wendell Staton</b> , Director of Athletics, Georgia College; Peach Belt Conference.
<b>Jackson Stava</b> , Director of Athletics, Seattle Pacific University; Great Northwest Athletic Conference.
<b>Harry Stinson III*</b> , Director of Athletics, Lincoln University of Pennsylvania; Central Intercollegiate Athletic Association.
<b>Corbin Thaete</b> , Student-Athlete, California State University, San Marcos; Division II Student-Athlete Advisory Committee.
<b>Cherrie Wilmoth</b> , Associate Director of Athletics for Internal Operations and Compliance/Senior Woman Administrator, Southeastern Oklahoma State University, Great American Conference.
<b>Matt Willson</b> , Commissioner, Gulf South Conference. Previously, William LaForge (co-chair), Delta State University.

*\*Also served on the NCAA Constitution Committee.*

Summary of Division II Implementation Committee Actions

2023 NCAA Convention Proposals

**1\***. Rename the NCAA Division II Presidents Council as the NCAA Division II Executive Board and amend the composition, term of office and chair and vice chair as follows:

Composition:

- Eight presidents/chancellors based on Division II championships region;
- One at-large president/chancellor to enhance diversity on the board;
- Two independent members who are not salaried by an NCAA member institution, conference or affiliated member and shall be approved, appointed and verified as independent by the Executive Board;
- \*Two student-athletes (one representing male sports, one representing female sports), serving on and chosen by the Division II Student-Athlete Advisory Committee; and
- The chair of the Division II Management Council, who will serve as an ex officio, nonvoting member.

*\*Note: The Division II Presidents Council in April 2022 approved noncontroversial legislation to amend the student-athlete representation and terms of service to align with the new constitution.*

Terms of service:

- Two years, renewable for two years for presidents, chancellors and independent members;
- \*One year, renewable for one year, for Division II Student-Athlete Advisory Committee members; and
- The chair and vice chair shall each serve terms not to exceed two years from three years.

Selection process:

- When a vacancy on the Executive Board occurs, a formal call for nominations will be sent to conference offices and to all presidents and chancellors eligible to serve. The members of the Executive Board shall select an individual to fill a vacancy after reviewing nominations submitted by institutions and/or conference offices.

**2\***. Establish the duties of the newly named NCAA Division II Executive Board as follows:

- Implement policies adopted by the NCAA Board of Governors;
- Establish and direct the general policy of Division II;
- Establish a strategic plan and/or a set of strategic priorities for Division II;
- Elect a chair and vice chair;
- Appoint a Division II Executive Board member to the Board of Governors;
- Sponsor Division II legislation or grant relief from the application of legislation in circumstances in which significant values are at stake or the use of the regular legislative

process is likely to cause significant harm or hardship to the Association or the Division II membership because of the delay in its effective date;

- Adopt emergency legislation;
- Sponsor amendments and amendments-to-amendments to the constitution by a two-thirds majority vote;
- Call for a special convention of Division II;
- Delegate to the Management Council responsibilities for specific matters it deems appropriate;
- Approve recommendations of the Management Council, including the composition of the Management Council;
- Ratify, amend or rescind the actions of the Management Council;
- Ensure there is gender and ethnic diversity among its membership, the membership of the Management Council and the membership of each of the other bodies in the Division II governance structure;
- Approve the budget and the use of funds allotted to Division II (e.g., revenue distribution funds, funds for the operation of championships);
- Approve regulations providing for expenditures and income to Division II;
- Approve regulations providing for the administration of Division II championships;
- Advise the Board of Governors concerning the employment of the NCAA president and concerning the oversight of their employment;
- Provide comments and input to the Board of Governors on matters that impact Division II and the Association;
- Convene same-site meetings, as necessary, with the Management Council; and
- Create committees or other bodies (e.g., project teams) to study and recommend courses of action on specific issues or to fulfill the duties and responsibilities of Division II.

---

**3\***. Amend the Management Council composition and selection process as follows:

Composition:

- One member from all voting, multisport Division II conferences;
- Four at-large members to enhance diversity on the council; and
- \*Two members from the Division II Student-Athlete Advisory Committee (one representing male sports, one representing female sports), each with a vote.

*\*Note: The Division II Management Council in April 2022 approved the amended student-athlete representation on the Management Council to each have one vote instead of a combined vote.*

Selection process:

- When a vacancy on the Management Council occurs, each conference shall propose a slate of nominees that includes a director of athletics, a senior woman administrator and a faculty athletics representative and may include a conference administrator.

- If a conference would like to submit one or two additional nominees (beyond a director of athletics, senior woman administrator, faculty athletics representative and a conference administrator) as part of its slate, the slate must include at least two women and one person of color.
- The members of the Management Council shall select individuals to fill vacancies from the slates of nominees. Individuals selected by the Management Council must be ratified by the Presidents Council.

---

**4\*.** Amend the Management Council duties and responsibilities as follows:

- Implement policies adopted by the NCAA Board of Governors and the Division II Presidents Council (Executive Board);
- Make recommendations to the Presidents Council (Executive Board) on matters it deems appropriate;
- Adopt noncontroversial and intent-based amendments, administrative bylaws and regulations to govern Division II;
- Sponsor legislative proposals for a vote at the annual NCAA Convention;
- Take final action on matters delegated to it by the Presidents Council (Executive Board);
- Review and act on the recommendations of the Division II committee structure and the recommendations of committees with Association-wide functions;
- Appoint the members of the Division II committee structure and appoint the Division II representatives to committees with Association-wide functions;
- Identify, before the printing of the Official Notice for any Convention, Division II proposals for which a roll-call vote of the eligible voters may be required and designate during the Convention the roll-call votes that must occur;
- Establish the final sequence of legislative proposals in the agenda for the Division II business session at the annual Convention;
- Elect a chair and vice chair;
- Organize and participate in an annual “summit” with the Division II Student-Athlete Advisory Committee;
- Hear and act on appeals by member institutions of decisions made by a Division II committee or the NCAA staff regarding the application of NCAA legislation (excluding actions of any committee that has final authority over issues subject to appeal); and
- Recommend the creation of committees or other bodies to study and suggest courses of action on specific issues or to fulfill the duties and responsibilities of Division II, subject to approval by the Presidents Council (Executive Board).

---

**5\*.** Rename the NCAA Division II Planning and Finance Committee as the NCAA Division II Strategic Planning and Finance Committee and amend the group’s composition as follows:

- One Division II Presidents Council (Executive Board) member who serves as the vice chair;

- Two Management Council members, including the vice-chair;
- One conference commissioner;
- One member from the Division II Student-Athlete Advisory Committee; and
- Six additional members.
- At least one member shall be from a minority-serving institution.

---

**6\*.** Amend the Planning and Finance Committee duties as follows:

- Monitor the Division II strategic plan/strategic priorities; and assess and report on its implementation and recommend updates, when necessary, consistent with the Division II philosophy, strategic position and direction from the Division II Presidents Council (Executive Board);
- Provide regular reports on the implementation of the strategic plan/strategic priorities to the Division II Management Council and Presidents Council (Executive Board);
- Make recommendations related to the Division II budget and the budget guidelines and principles;
- Ensure alignment of the division's strategic plan/strategic priorities with financial allocations; and
- Advise both the Division II Presidents Council (Executive Board) and Management Council regarding the division's financial affairs.

---

**7\*.** Amend the Administrative Committee composition as follows:

- The chair and vice chair of the Division II Presidents Council (Executive Board);
- The chair and vice chair of the Division II Management Council; and
- The chair of the Division II Student-Athlete Advisory Committee.

*\*Proposal Nos. 1-7 are listed separately here for the purposes of providing detail on each but were grouped as a package for the purpose of voting at the 2023 NCAA Convention.*

---

**8.** Amend deadlines for of the Division II legislative process as follows:

- July 15: Deadline for submission of proposals by the membership.
- September 1: Deadline for the Division II Presidents Council (Executive Board) to sponsor legislation.
- September 15: Modification period for membership-sponsored proposals.
- October 7: Deadline for committee review of membership-sponsored proposals.
- By December 10: Publication of the Official Notice.

---

**9.** Eliminate the Institutional Self-Study Guide (ISSG) and ask the Division II Membership Committee to consider the development of a new evaluation tool/process that aligns more closely with the division's revamped bylaws and policies.

---

**10.** Redefine the term "agent" to align with that used in the Uniform Athlete Agent Act, and restructure/redraft the Use of Agents bylaw to specify the following:

- It shall be permissible for a student-athlete to sign a contract to receive advice/negotiations from an agent;
- It shall be permissible for a student-athlete to use professional service providers.
- It shall be impermissible for a student-athlete (or their relatives) to receive benefits (tangible or intangible) from an agent or individual for professional sports opportunities; and
- It shall be impermissible for a student-athlete to enter into an agreement with an agent that helps to secure initial or continued enrollment or a scholarship at a particular institution

---

**11.** Allow for the sale of alcoholic beverages (beer and wine only) at Division II championships.

---

### **Noncontroversial Legislation Adopted**

---

**1.** Specify that the chair and vice chair terms for the Presidents Council and Management Council shall not expire on staggered terms and to place the legislation in the NCAA Division II Presidents Council and Management Council policies and procedures.

---

**2.** Remove the following legislation and place in the NCAA Division II Presidents Council and Management Council policies and procedures:

*Staggered Terms.*

- Members. The Division II Administrative Committee shall have the authority to amend terms of service of the Presidents Council/Management Council members, as necessary, to stagger the expiration of terms to provide for continuity of service.

*Operating Rules.*

- Quorum. For the transaction of business, a quorum shall consist of a majority of the members of the Presidents Council/Management Council. For the Presidents

Council/Management Council to take action, a simple majority of Presidents Council/Management Council members present and voting shall be required, unless otherwise specified.

---

3. Require that an institution and conference in Division II shall sponsor a minimum of 10 sports and eliminate the five-sport/three-season requirement as specified.

---

4. Remove the Audit of Membership Requirements and place them in the NCAA Division II Membership Committee's policies and procedures.

---

5. Amend the appeals of interpretations process to specify that the NCAA Division II Legislation Committee and the NCAA Division II Academic Requirements Committee shall be the final authority of appealed interpretations.

---

6. Amend the Amateurism bylaw to align with and address the goals of the Interim NIL Policy as follows:

- Remove duplicative language;
- More clearly define the term "professional service providers";
- Remove Bylaw 12.1.2 (activities prior to full-time collegiate enrollment);
- Codify the NIL Policy;
- Redraft Bylaws 12.1.3 (permissible – following initial full-time collegiate enrollment) and 12.1.4 (impermissible – following initial full-time collegiate enrollment);
- Clarify the use of a student-athlete's NIL under Bylaw 12.4.1 (criteria governing compensation to student-athletes) to specify that unless the student-athletes has entered into an NIL agreement, an employer may not use the student-athlete's reputation to promote their product or service; and
- Remove all of Bylaw 12.5 (promotional activities).

---

7. Eliminate the attestation of compliance requirement.

---

8. Merge Constitution 3 and 6 and Bylaw 20 and remove duplicative language in the legislation.

---

**9.** Amend the Enforcement Policies and Procedures as follows:

- Define full cooperation in the infractions process;
- Establish that the Committee on Infractions (COI) may infer that failure or refusal to produce requested materials supports an alleged violation;
- Establish that the COI may view the failure or refusal to interview as an admission that an alleged violation occurred;
- Protect a “whistleblower” who voluntarily reports information about a potential violation; and
- Confirm that information upon which the COI bases its decision could be information that both directly and circumstantially supports an alleged violation.

---

**10.** Specify in Enforcement that:

- 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
- Evidence submitted and positions taken in such a matter may be considered in the infractions process.

---

**11.** Amend the mission of the Infractions Program to clarify that:

- It is the mission of the NCAA infractions program to uphold integrity and fair play among the NCAA membership, and to prescribe appropriate and fair penalties if violations occur;
- One of the fundamental principles of the infractions program is to ensure that those institutions and student-athletes abiding by the NCAA constitution and bylaws are not disadvantaged by their commitment to compliance;
- The program is committed to the fairness of procedures and the timely resolution of infractions cases;
- Member institutions are responsible to self-report violations; and
- The ability to investigate allegations and penalize infractions is critical to the common interests of the Association’s membership and the preservation of its enduring values.

---

**12.** Specify that the enforcement staff shall not publicly confirm or deny the existence of an infractions case before complete resolution of the case pursuant to this article; further, specify that if information concerning a case is made public, the institution, enforcement staff and the involved individual may confirm, correct or deny the information made public.

---

**13.** Amend the Infractions Program to specify that the infractions program shall hold institutions, coaches, administrators, and student-athletes who violate the NCAA constitution and bylaws accountable for their conduct, both at the individual and institutional levels.

---

**14.** Specify that each institution has an affirmative obligation to monitor and control its athletics programs, its representatives and its student-athletes to ensure compliance with the constitution and bylaws of the Association; further; specify that each institution has an affirmative obligation to report all instances of noncompliance to the Association in a timely manner.

---

**15.** Amend Representation by Legal Counsel to clarify that when the enforcement staff member conducts an interview, the individual questioned may be represented by personal legal counsel.

---

**16.** Amend Presence of Institutional Representative During Interview to specify that if an interview with an enrolled student-athlete or athletics department staff member is conducted, an institutional representative (as designated by the institution) may be present during the interview, provided the subject matter to be discussed in the interview relates directly to the individual's institution or could affect the individual's eligibility or employment at the institution; further, specify that if the enforcement staff wishes to discuss information with a student-athlete or staff member that is related solely to institutions other than the one in which the student-athlete is enrolled or the staff member is employed, and would not reasonably affect the student's eligibility or the staff member's employment at that institution, the institution may designate a representative to be present during the interview, provided the representative is someone who would not compromise the integrity of the investigation and whose participation would not prejudice the subject institution or any involved individual.

---

**17.** Amend Attendance at Hearings to specify that the institution's senior compliance administrator shall be required to be present at institutional hearings.

---

**18.** Amend Interview with Member Institutions, Presence of Institutional Representative During Interview and Notice to Institution to reflect the current practice of the enforcement staff notifying an institution of interviews of current institutional staff members and/or enrolled student-athletes; further, to remove references to the interviews being conducted "on campus." Additionally, eliminate Status Notification within Six Months, which requires the enforcement staff to provide infractions case status updates every six months.

---

**19.** Amend Committee on Infractions to specify that if it appears that one or more members of the Committee on Infractions will be unable to participate in the hearing of a case, the chair may ask the Management Council to designate a former member or members of the committee to rejoin the committee for purposes of the consideration and disposition of the case.

---

**20.** Amend Presidents Council Composition to include two student-athletes (one representing male sports and one representing female sports) who are chosen by and serving on the Division II Student-Athlete Advisory Committee, each of whom shall serve a one-year term, renewable for one year.

---

**21.** Amend Presidents Council Duties and Responsibilities to include the following:

- Appoint a Division II Presidents Council member to the NCAA Board of Governors;
- Sponsor amendments and amendments-to-amendments to the constitution by two-thirds majority vote; and
- Provide comments and input to the NCAA Board of Governors on matters that impact Division II and the Association.

---

**22.** Amend the duties of the Presidents Council chair and vice chair to specify that neither will automatically serve as members of the NCAA Board of Governors.

---

**23.** Specify that the two Student-Athlete Advisory Committee members serving on the Management Council shall have their own vote.

---

**24.** Eliminate the following 25 bylaws from the manual and, when appropriate, add them to the Enforcement, Committee on Infractions and/or Infractions Appeals Committee internal operating procedures:

- Bylaw 19.3.1.1 (Notification to the Membership).
- Bylaw 32.2.1.1 (Staff Initiation of Investigation).
- Bylaw 32.2.2.1.3 (Matters Handled by Correspondence).
- Bylaw 32.3.2 (Timely Process).
- Bylaw 32.3.4.2 (Conflict with Academic Schedule).
- Bylaw 32.3.5 (Proper Identification of NCAA Staff Member).

- Bylaw 32.3.9.1 (Recordings).
- Bylaw 32.3.9.1.1 (Access to Recordings and Transcripts).
- Bylaw 32.3.9.1.2 (Institutional Recording of an Interview – Access to Recordings and Transcripts).
- Bylaw 32.3.9.1.2.1 (Access to Recordings and Transcripts by Conference).
- Bylaw 32.3.9.2 (Non-Recorded Interviews).
- Bylaw 32.3.9.3 (Handwritten Notes).
- Bylaw 32.3.10.1 (Case File).
- Bylaw 32.3.12 (Meeting with President or Chancellor).
- Bylaw 32.7.4.1 (Additions to Secure Website).
- Bylaw 32.8.1.4 (Committee on Infractions Review) (retain the heading and remove the sentence, “The Committee on Infractions shall consider the case at a subsequent meeting.”)
- Bylaw 32.9.3 (Limitations on Presentation of Staff Factual Information).
- Bylaw 32.9.5 (Notification of Hearing Procedures).
- Bylaw 32.9.6.6 (Designation of Presentation Coordinators).
- Bylaw 32.9.7.1 (Opening and Closing Statements).
- Bylaw 32.9.7.2 (Staff Presentation).
- Bylaw 32.9.7.3 (Institutional or Involved Individual’s Presentation). Bylaw 32.9.7.4 (Types of Information).
- Bylaw 32.9.7.6 (Committee Questioning).
- Bylaw 32.9.8.5 (Voting Requirements).

---

**25.** Amend the appeal of nullification decisions of the Division II Championships Committee to specify that the 72-hour window an institution is granted to appeal a nullification decision is 72 business hours (8 a.m.-5 p.m. in all time zones).

---

**26.** Relocate legislative language from Constitution 2.1.1 (Responsibility for Control), Constitution 2.8.1 (Responsibility of Institution) and Constitution 6.01.1 (Institutional Control) that articulates institutional responsibilities to monitor and control its athletics programs to Bylaw 7 (membership and institutional control) with nonsubstantive edits for consistency with the new constitution. Additionally, strike references to “constitution” in Bylaws 19 and 32.

---

**27.** Provide an accelerated option for hearings.

---

**28.** Stay the Committee on Infractions’ penalties when an appeal is properly filed with the Infractions Appeals Committee to reflect current practices.

---

**29.** Eliminate legislation and where, appropriate, add to the Enforcement, Committee on Infractions' and/or Infractions Appeals Committee's internal operating procedures.

---

**30.** Merge, update and reorganize Bylaw 19 and Bylaw 32 into new Bylaw 19 (Infractions Program).

---

**31.** Eliminate Constitution 3.3.4.13, 3.3.6 and 3.4.6, regarding the discipline of members.

### **Nonlegislative Actions**

---

**1.** Change the current name and structure of the conference grant program as follows:

- Rename the program "Conference Strategic Priorities Fund;"
- Amend reporting requirements to 1) only require conferences to provide the total amount spent when reporting pre-approved uses; and 2) allow carry-over dollars beyond the minimum percentage requirement in each area; and
- Amend the review process to be a staff function with Planning and Finance Committee oversight.

---

**2.** Separate the current Enhancement Fund into two distinct line items in the Division II budget:

- Conference Sports Sponsorship Fund – allocate 75% of current budget.
- Institutional Equal Distribution Fund – allocate 25% of current budget.

Further, approve a policy change to earmark the institutional equal distribution fund to benefit the athletics department, but do not require a report on how institutions use these dollars.

---

**3.** Designate any supplemental distribution from the Division II surplus to benefit the athletics department, but do not require a report on how institutions use these dollars.

## Referrals

---

### **1.** To the Division II Academic Requirements Committee:

- Review the two-year college transfer requirements and progress-toward-degree requirements in current Bylaw 14.

---

### **2.** To the Division II Championships Committee:

- Explore a championships structure that sets 35 as a uniform minimum sponsorship requirement to establish/maintain a Division II championship in men's and women's sports (with a five-year grace period if a sport falls below the minimum), continues to offer the best access ratio among divisions (via a range from 4.5 to 6), and grants automatic qualification privileges to a championship once minimum sponsorship is reached (rather than rely on sport committee recommendation), unless AOs would comprise more than 75 percent of the bracket (which may result in a bracket expansion).
- Collaborate with the Division II Membership Committee to consider aligning minimum contest requirements for sport sponsorship and championships selection purposes to simplify the process and provide the membership additional flexibility without compromising the integrity of either requirement area. [Note: Sport committees that oversee sports that currently have different standards (football, men's and women's golf, men's lacrosse and men's soccer) will be consulted for feedback as well.]
- Complete the task of combining Bylaws 18 and 31 to create a significantly revised overarching championships bylaw that moves several existing bylaws to policy. This task should be completed by February 2023 to allow for an August 1, 2023, effective date.
- While keeping regionalization principles related to selections, request the Division II Championships Committee consider changes to the division's championship model concerning regionalization bracketing policies with the goal of reducing first round conference matchups and maintaining fiscal responsibility.
- Continue monitoring discussions within Division I regarding National Collegiate Championships and how any changes in that space will affect Division II.
- Consider which, if any, playing and practice season policies adopted during the COVID-19 pandemic should be adopted on a permanent basis.

---

### **3.** To the Division II Legislation Committee:

- Consider renaming current Bylaw 12 (Amateurism).
- Review current Bylaw 13 (Recruiting).
- Determine whether the various institutional reporting requirements remain relevant/useful.
- Review the five-season/10-semester rule, transfer requirements and organized-competition rules in current Bylaw 14 (Eligibility: Academic and General Requirements).

- Review Bylaws 15 (Financial Aid), 16 (Awards, Benefits and Expenses for Enrolled Student-Athletes) and 17 (Playing and Practice Seasons).

---

**4.** To the Division II Membership Committee:

- Review current Bylaws 18.4.2 (Institutional Eligibility) through 18.4.2.2.2 (Exemption from Maximum Awards Limitation) and 31.3.3.6 (Exclusion of Institution Reclassifying from Division II to Division I) for consideration of moving to Bylaw 7 (Membership and Institutional Control) or policy.
- Consider developing a new institutional engagement program to replace the Institutional Self-Study Guide.
- Finalize the review of the Division II provisional membership process.
- Review the definition of a covered event for the certification-of-insurance requirement.

---

**5.** To the Division II Planning and Finance Committee:

- Determine whether: (a) there could be either a higher minimum spending allowance or a modified range requirement for select Strategic Positioning Outcome (SPO) areas, if needed; and (b) whether there should be a sixth SPO area for purposes of program reporting devoted to health and wellness.
- Determine whether: (a) future allocations for the Division II Enhancement Fund should be increased even further to account for sports sponsorship growth and opportunities; and (b) Division II can evaluate potential corporate champions/partners and new sources of revenue.
- Consider when a supplemental distribution is approved by the Presidents Council whether conferences should be included in the allocation and receive a portion of the distribution. Currently only institutions are eligible for this distribution.
- Consider a potential waiver/grace period for conferences that fall below the minimum of six institutions sponsoring a sport to retain a unit for the conference sports sponsorship fund calculation.

---

**6.** To the Division II Student-Athlete Advisory Committee:

- Determine whether there is a need for SAAC representation on Division II general committees that currently do not include a SAAC member. (The SAAC is asked to seek feedback from the relevant general committees.)
- Determine for committees that already do have a SAAC representative whether it would be beneficial to have student-athletes or former student-athletes that are not on the Division II SAAC serve on these committees. (The SAAC is asked to seek feedback from the relevant general committees.)

---

**7.** To the Division II Committee on Student-Athlete Reinstatement:

- Review the hardship, seasons-of-competition and eligibility waivers in current Bylaw 14.

---

**8.** To the NCAA Enforcement Staff, the Division II Committee on Infractions, and the Division II Infractions Appeals Committee:

- Review current Bylaws 31.2.2.4 (participation while ineligible) and 31.2.2.5 (institutional penalty for ineligible participation) for consideration of moving to Bylaw 19 or policy.
- Review the legislation for institutional control (new Bylaw 7) and institutional responsibilities to monitor its athletics programs to determine whether the expectations are fair, accurate and reasonable.
- Consider whether establishing charging guidelines for failure to monitor and lack of institutional control would be appropriate and beneficial.



Division II Implementation Committee  
 Status of Areas for Review – August 8, 2022

**Priority 1 Items**

*Completed by August 1, 2022; or legislation sponsored by September 1, 2022, for January 2023 Convention vote; and/or legislation/policy adopted and effective August 1, 2023.*

Current Legislative Area	Area for Review	Subcommittee	Status as of 08/8/22
Constitution 3 (NCAA Membership)	Eliminate attestation of compliance (also in Bylaw 18).	Membership and Championships	Management Council adopted noncontroversial legislation to eliminate this requirement.
Constitution 3 (NCAA Membership)	Review what is required to be an active Division II member (e.g., regional accreditation, sport sponsorship, three-season requirement).	Membership	The Presidents Council sponsored legislation for the 2023 convention to eliminate the requirement for schools to submit an ISSG. The Management Council adopted noncontroversial legislation to merge Constitution 3 and 6 and Bylaw 20, which became effective August 1, 2022. The Management Council also adopted noncontroversial legislation that maintains the 10-sport minimum sponsorship requirement for institutions and conferences but eliminates the five-sport/three season component (effective August 1, 2023). Other items were referred to the Division II Membership Committee, such as the continued review of the provisional membership process. The Membership Subcommittee also confirmed that some components of the existing legislation should

<b>Priority 1 Items</b> <i>Completed by August 1, 2022; or legislation sponsored by September 1, 2022, for January 2023 Convention vote; and/or legislation/policy adopted and effective August 1, 2023.</i>			
<b>Current Legislative Area</b>	<b>Area for Review</b>	<b>Subcommittee</b>	<b>Status as of 08/8/22</b>
			not be altered, such as minimum financial aid requirements and policies governing missed class time.
Constitution 3 (NCAA Membership)	Review what is required to be an active Division II conference.	Membership	The Management Council adopted noncontroversial legislation to merge Constitution 3 and 6 and Bylaw 20, which became effective August 1, 2022. The Membership Subcommittee confirmed that some components of the existing legislation should not be altered, such as requirements for establishing a new conference and the conference annual SAAC meeting requirement.
Constitution 4 (Organization)	Division II Presidents Council composition <ul style="list-style-type: none"> <li>- DII student-athlete representation (considerations include from national SAAC, any student-athlete from campus, graduated, remaining eligibility, number, selection process).</li> <li>- Additional presidents (e.g., by conference) or fewer presidents; or composition based on something other than regions.</li> <li>- Other positions (e.g., AD, SWA, commissioner, FAR, etc.).</li> <li>- Independent members not affiliated with a school or conference.</li> </ul>	Governance	The Presidents Council adopted noncontroversial legislation to add two SAAC representatives with voting privileges (one representing male sports and one representing female sports) to the Presidents Council, which became effective August 1, 2022. The Presidents Council also is sponsoring a legislative package for the 2023 Convention that includes changing the name,

<b>Priority 1 Items</b> <i>Completed by August 1, 2022; or legislation sponsored by September 1, 2022, for January 2023 Convention vote; and/or legislation/policy adopted and effective August 1, 2023.</i>			
<b>Current Legislative Area</b>	<b>Area for Review</b>	<b>Subcommittee</b>	<b>Status as of 08/8/22</b>
			composition and duties of the Presidents Council.
Constitution 4 (Organization)	Division II Presidents Council duties <ul style="list-style-type: none"> <li>- Appointment of Division II Presidents Council member to the NCAA Board of Governors. (Note: The chair and vice chair of the Division II Presidents Council will not automatically serve as members of the BOG.)</li> <li>- Sponsor amendments to the constitution by two-thirds majority.</li> <li>- Delegation of current duties to other committees/councils in the structure (e.g., approval of committee appointments, all non-controversial legislation to the Management Council).</li> </ul>	Governance	The Presidents Council adopted noncontroversial legislation to amend some of the Council's duties based on the new constitution, which became effective August 1, 2022. The Presidents Council also is sponsoring a legislative package for the 2023 Convention that more significantly amends the duties of the Council.
Constitution 4 (Organization)	Division II Management Council composition <ul style="list-style-type: none"> <li>- Position requirements, including at-large.</li> <li>- By conference or other form of representation.</li> <li>- Student-athlete voting privileges.</li> </ul>	Governance	The Management Council adopted noncontroversial legislation to give each of the two student-athlete representatives their own vote rather than a combined vote. The Presidents Council also is sponsoring a legislative package for the 2023 Convention that amends the composition of the Management Council.
Constitution 4 (Organization)	Division II Management Council duties <ul style="list-style-type: none"> <li>- Duties that can be delegated by the Presidents Council</li> <li>- Duties that can be delegated to other committees (e.g., sport committee appointments approval only by Championships Committee)</li> </ul>	Governance	The Presidents Council is sponsoring a legislative package for the 2023 Convention that significantly amends the duties of the Management Council.

<b>Priority 1 Items</b> <i>Completed by August 1, 2022; or legislation sponsored by September 1, 2022, for January 2023 Convention vote; and/or legislation/policy adopted and effective August 1, 2023.</i>			
<b>Current Legislative Area</b>	<b>Area for Review</b>	<b>Subcommittee</b>	<b>Status as of 08/8/22</b>
Constitution 4 (Organization)	Division II Administrative Committee duties and responsibilities <ul style="list-style-type: none"> <li>- Review duties for potential other areas of action.</li> <li>- If have more/greater duties, expand representation.</li> </ul>	Governance	The Presidents Council is sponsoring a legislative package for the 2023 Convention that includes amending the composition of the Administrative Committee. The Implementation Committee did not recommend amending the duties of the Administrative Committee.
Constitution 4 (Organization)	Division II Planning and Finance Committee Duties and Responsibilities <ul style="list-style-type: none"> <li>- Committee composition not based on Management Council or Presidents Council (e.g., stand-alone committee).</li> <li>- Specific positions required.</li> <li>- Review of duties and responsibilities.</li> </ul>	Governance	The Presidents Council is sponsoring a legislative package for the 2023 Convention that includes amending the name, composition and duties of the Planning and Finance Committee.
Constitution 5 (Legislative Authority and Process)	Division II legislative and amendment process <ul style="list-style-type: none"> <li>- Different dates, every other year business session, publication requirements, etc.</li> <li>- Interpretation review (e.g., number of times an interpretation can be appealed).</li> </ul>	Legislative Process and Compliance	The Presidents Council is sponsoring legislation for the 2023 Convention that revises/streamlines the division's legislative and amendment process. Further, the Management Council adopted noncontroversial legislation to specify that the final appeal of interpretations is the Academic Requirements Committee and Legislation Committee.

<b>Priority 1 Items</b> <i>Completed by August 1, 2022; or legislation sponsored by September 1, 2022, for January 2023 Convention vote; and/or legislation/policy adopted and effective August 1, 2023.</i>			
<b>Current Legislative Area</b>	<b>Area for Review</b>	<b>Subcommittee</b>	<b>Status as of 08/8/22</b>
Bylaw 12 (Amateurism)	Rename entire bylaw.	Legislative Process and Compliance	Referred to the Legislation Committee for further review.
Bylaw 12 (Amateurism)	Private lessons and use of NIL and codify other NIL legislation.	Legislative Process and Compliance	The Management Council adopted noncontroversial legislation to amend Bylaw 12 (amateurism) to align with and address the goals of the Interim NIL Policy.
Bylaw 18 (Championships and Postseason Football)	Discuss National Collegiate Championships with Divisions I and III.	Championships	This item will be addressed once the Division I Transformation Committee completes its work on Division I membership requirements and Division I determines what it wants for the future of the National Collegiate Championships program.
Bylaw 18 (Championships and Postseason Football)	Eliminate 18.5 – duplicative with Bylaw 31 (AQ).	Championships	The Championships Subcommittee supported this during its review of a draft to streamline Bylaws 18 and 31. The entire draft has been referred to the Championships Committee for final review/approval.
Bylaw 18 (Championships and Postseason Football)	Move banned drugs from legislation to policy (18.4.1, 31.2.3).	Championships	Referred to CSMAS to consider as policy; Implementation Committee also asked CSMAS to limit regulated substances to those affecting performance.

<b>Priority 1 Items</b>			
<i>Completed by August 1, 2022; or legislation sponsored by September 1, 2022, for January 2023 Convention vote; and/or legislation/policy adopted and effective August 1, 2023.</i>			
<b>Current Legislative Area</b>	<b>Area for Review</b>	<b>Subcommittee</b>	<b>Status as of 08/8/22</b>
Bylaws 19 (Infractions Program) and 32 (Enforcement Policies and Procedures)	Move to policy, subject to approval by Management Council. (Potentially: 19.4, 19.5, 19.6, 19.7, all of 32).	Enforcement and Infractions	The Management Council adopted noncontroversial legislation to eliminate 25 bylaws from the Manual and, when appropriate, add them to the Enforcement, Committee on Infractions and/or Infractions Appeals Committee internal operating procedures.
Bylaws 19 (Infractions Program) and 32 (Enforcement Policies and Procedures)	Review other recommended changes from Enforcement and Infractions Task Force.	Enforcement and Infractions	The Management Council adopted all 10 EITF proposals developed previously via noncontroversial legislation.
Bylaws 19 (Infractions Program) and 32 (Enforcement Policies and Procedures)	Track changes by Division I to the enforcement and infractions process.	Enforcement and Infractions	The enforcement staff will assume this responsibility.
Bylaw 20 (Division Membership)	Remove duplicative language from current Constitution 3 and combine Constitution 3 and Bylaw 20.	Membership	The Management Council adopted noncontroversial legislation to combine Constitution 3 and 6 and Bylaw 20 and address duplicative language.
Bylaw 20 (Division Membership)	Review multi-division classification and membership and track Division I and III discussions and actions.	Membership	Referred to the Membership Committee.
Bylaw 21 (Committees)	Review how Association-wide and common committees will be handled with new constitution, including duties and composition.	Governance	Under consideration by the Board of Governors.

<b>Priority 1 Items</b> <i>Completed by August 1, 2022; or legislation sponsored by September 1, 2022, for January 2023 Convention vote; and/or legislation/policy adopted and effective August 1, 2023.</i>			
<b>Current Legislative Area</b>	<b>Area for Review</b>	<b>Subcommittee</b>	<b>Status as of 08/8/22</b>
Bylaw 21 (Committees)	Combine Division II committees/councils from current Constitution 4 and combine with Bylaw 20.	Governance	To be completed for the 2023-24 Division II Manual.
Bylaw 21 (Committees)	National SAAC to establish process for selecting a student-athlete to serve on the Board of Governors.	Governance	Division II SAAC established a process and procedures to recommend a former Division II student-athlete to serve on the Board of Governors.
Bylaw 21 (Committees)	Review duties of Division II committees and determine whether some can be combined (e.g., Legislation Committee and ARC) and duties delegated to other committees (e.g., CLR duties to other committees).	Governance	Will be reviewed by the governance structure following Division II's review of the operating bylaws.
Bylaw 21 (Committees)	Review which committees should have student-athlete representation and whether such representation must come from DII National SAAC.	Governance	Referred to the Student-Athlete Advisory Committee.
Bylaw 21 (Committees)	Review whether any committees should have independent representation by individuals not affiliated with a school or conference.	Governance	Presidents Council sponsored legislation for the 2023 Convention to add two independent members to the new Executive Board.
Bylaw 21 (Committees)	Review process to be nominated for a committee (e.g., general committees, sports committees, councils).	Governance	Presidents Council sponsored legislation for the 2023 Convention to amend the nominations process for the Executive Board and Management Council. Also, the Presidents Council sponsored legislation that the composition of the Strategic Planning and Finance Committee will be recommended by the

<b>Priority 1 Items</b> <i>Completed by August 1, 2022; or legislation sponsored by September 1, 2022, for January 2023 Convention vote; and/or legislation/policy adopted and effective August 1, 2023.</i>			
<b>Current Legislative Area</b>	<b>Area for Review</b>	<b>Subcommittee</b>	<b>Status as of 08/8/22</b>
			Nominating Committee to the Management Council.
Bylaw 21 (Committees)	Review approval process for appointments to committees (e.g., body that must approve the appointment).	Governance	Presidents Council sponsored legislation for the 2023 Convention to amend the duties of the Executive Board, Management Council and Championships Committee that the Executive Board will approve the composition of the Management Council, the Management Council will approve the composition of all other Division II general committees and the Championships Committee will approve sports committee appointments.
Bylaw 31 (Executive Regulations)	Eliminate Management Council approval of national statistics program (31.9).	Championships	Subcommittee supports; staff to produce revised bylaw for review in May 2023.
Bylaw 31 (Executive Regulations)	Amend nullification policy to not include violations in which student-athlete was ultimately declared eligible without withholding and codify which bylaw(s) trigger nullification.	Championships	The Championships Committee will continue monitoring the nullification policy in collaboration with the enforcement staff to ensure it meets expectations. [Note: The Management Council adopted noncontroversial legislation to amend the appeal of nullification

<b>Priority 1 Items</b> <i>Completed by August 1, 2022; or legislation sponsored by September 1, 2022, for January 2023 Convention vote; and/or legislation/policy adopted and effective August 1, 2023.</i>			
<b>Current Legislative Area</b>	<b>Area for Review</b>	<b>Subcommittee</b>	<b>Status as of 08/8/22</b>
			decisions of the Championships Committee to specify that the 72-hour window an institution is granted to appeal a nullification decision is 72 business hours (8 a.m.-5 p.m. in all time zones).]
Bylaw 31 (Executive Regulations)	Move to policy, subject to approval by Championships Committee and/or Management Council (Potentially: 31.1, 31.3, 31.4, 31.6, 31.7, 31.8, 31.9).	Championships	The Championships Subcommittee supported this during its review of a draft to streamline Bylaws 18 and 31. The entire draft has been referred to the Championships Committee for final review/approval.
Other	Track membership discussions (e.g., including requirements, new divisions or subdivisions) by Divisions I and III.	Membership	Staff continues monitoring ongoing developments within the Division I Transformation Committee and the Division III Advisory Council.
Other	Review enhancement fund distribution formula.	Budget	The Management Council adopted changes to the Division II Enhancement Fund to separate conference and institutional allocations and to earmark the institutional allocation to benefit the athletics department, effective September 1, 2022.
Other	Review conference grant distribution (e.g., current allocations, reporting requirements, conference and staff approvals).	Budget	The Management Council approved changes to the program's name and structure, effective April 2022.

**Priority 2 Items**

*Recommendations by spring/summer 2023 for review and consideration*

*Note: These items may have initial discussions by the Implementation Committee after review and recommendations related to Priority 1 items; however, most are likely to be discussed and reviewed by committees in the governance structure after the Implementation Committee completes its work.*

<b>Current Legislative Area</b>	<b>Area for Review</b>	<b>Subcommittee</b>	<b>Status as of 05/02/22</b>
Constitution 3 (NCAA Membership)	Dues to be paid by DII members (schools and conferences) beyond dues established by BOG.		
Constitution 3 (NCAA Membership)	Requirement to have an organized conference SAAC.		
Constitution 6 (Institutional Control)	Review whether to continue requiring the Institutional Self-Study Guide (ISSG)	Membership	The Presidents Council sponsored legislation for the 2023 Convention to eliminate the ISSG; the Membership Committee has been charged with considering the development of a new institutional engagement program to replace it.
Bylaw 12 (Amateurism)	Review of Bylaw 12.5.4 (use of logos on equipment, uniforms and apparel).	Legislative Process and Compliance	The Management Council adopted noncontroversial legislation to eliminate this bylaw. To be reviewed by PROP and the playing rules staff whether a policy should be added to playing rules for each sport.
Bylaw 12 (Amateurism)	Eliminate 12.5 (promotional activities).	Legislative Process and Compliance	The Management Council adopted noncontroversial legislation to eliminate this bylaw.
Bylaw 13 (Recruiting)	What should be required by coaches, schools, student-athletes, prospects in the recruiting process and what	Legislative Process and Compliance	Referred to the Legislation Committee.

**Priority 2 Items**

*Recommendations by spring/summer 2023 for review and consideration*

*Note: These items may have initial discussions by the Implementation Committee after review and recommendations related to Priority 1 items; however, most are likely to be discussed and reviewed by committees in the governance structure after the Implementation Committee completes its work.*

Current Legislative Area	Area for Review	Subcommittee	Status as of 05/02/22
	restrictions need to be in place. (See below for list of ideas for consideration).		
Bylaw 15 (Financial Aid)	Review reporting requirements and forms (e.g., combine financial aid form and eligibility list).	Legislative Process and Compliance	Referred to the Legislation Committee.
Bylaw 18 (Championships and Postseason Football)	Discuss the minimum number of teams to establish a division championship (currently 50 for men, 40 for women) (18.2.4) and sports currently not meeting minimums.	Championships	Referred to the Championships Committee to explore a championships structure that sets the appropriate minimum sponsorship requirement to establish/maintain a Division II championship in men’s and women’s sports, continues to offer the best access ratio among divisions, and establishes the appropriate automatic qualification parameters for all championships (earned access in football).
Bylaw 18 (Championships and Postseason Football)	Eliminate requirement to have paid dues prior to competing (18.4.2.1-b).	Championships	The Championships Subcommittee supported this during its review of a draft to streamline Bylaws 18 and 31. The entire draft has been referred to the Championships Committee for final review/ approval.

**Priority 2 Items**

*Recommendations by spring/summer 2023 for review and consideration*

*Note: These items may have initial discussions by the Implementation Committee after review and recommendations related to Priority 1 items; however, most are likely to be discussed and reviewed by committees in the governance structure after the Implementation Committee completes its work.*

<b>Current Legislative Area</b>	<b>Area for Review</b>	<b>Subcommittee</b>	<b>Status as of 05/02/22</b>
Bylaw 18 (Championships and Postseason Football)	Eliminate specific requirement to be meeting financial aid legislation to participate in championship (18.4.2.2). The sense may be that Bylaw 15 sufficiently captures this.	Championships	The Championships Subcommittee supported this during its review of a draft to streamline Bylaws 18 and 31. The entire draft has been referred to the Championships Committee for final review/ approval.
Bylaw 20 (Division Membership)	Review restricted and probationary status (e.g., still relevant, different process, etc.).		
Bylaw 20 (Division Membership)	Review membership requirements for provisional members. <ul style="list-style-type: none"> <li>- Staff attend year one provisional vendor visit.</li> <li>- Readiness of DI and/or DIII members and numbers of years required in the process.</li> </ul>	Membership	Referred to the Membership Committee.
Bylaw 31 (Executive Regulations)	Discuss permitting alcohol sales at Division II championships.	Championships	The Presidents Council sponsored legislation for the 2023 Convention to allow for the sale of alcoholic beverages at Division II championships.
Other	Review institutional reporting requirements.	Membership	The Membership Committee has been charged with the development of a new institutional engagement program to replace the ISSG.
Other	Role of BOG Student-Athlete Engagement Committee with new constitution and divisional autonomy.		

**Priority 3 Items**

*Discussed and reviewed with TBD action date*

*Note: These items may have initial discussions by the Implementation Committee after review and recommendations related to Priority 1 items; however, most are likely to be discussed and reviewed by committees in the governance structure after the Implementation Committee completes its work.*

<b>Current Legislative Area</b>	<b>Area for Review</b>	<b>Subcommittee</b>	<b>Status as of 05/02/22</b>
Bylaw 10 (Ethical Conduct)	Consider whether sports wagering should apply to professional sports.		
Bylaw 14 (Eligibility: Academic and General Requirements)	Discuss whether to permit five seasons in 10 semesters/15 quarters and whether to continue with hardship waivers, extensions of eligibility, etc.	Legislative Process and Compliance	Referred to the Legislation Committee.
Bylaw 14 (Eligibility: Academic and General Requirements)	Determine whether initial-eligibility and/or two-year college transfer requirements are needed (e.g., required to follow institution and/or conference requirements to be eligible).	Legislative Process and Compliance	Referred to the Academic Requirements Committee.
Bylaw 14 (Eligibility: Academic and General Requirements)	Review progress-toward-degree requirements (e.g., simplify to what is minimally required, only require good academic standing).	Legislative Process and Compliance	Referred to the Academic Requirements Committee.
Bylaw 14 (Eligibility: Academic and General Requirements)	Permit all student-athletes one progress-toward-degree waiver.	Legislative Process and Compliance	Not recommended by the Academic Requirements Committee.
Bylaw 14 (Eligibility: Academic and General Requirements)	Transfer requirements (e.g., permit one transfer with no waiver/exceptions needed; maintain competition in year of transfer rule).	Legislative Process and Compliance	Referred to the Academic Requirements Committee.
Bylaw 14 (Eligibility: Academic and General Requirements)	Unattached competition legislation (e.g., remove, consistent for all sports).	Legislative Process and Compliance	Referred to the Legislation Committee.
Bylaw 14 (Eligibility: Academic and General Requirements)	Organized competition (e.g., continue to require academic year in residence).	Legislative Process and Compliance	Referred to the Legislation Committee.
Bylaw 15 (Financial Aid)	Review equivalency limits (e.g., no national limits, reductions, increases, etc.).	Legislative Process and Compliance	The Membership Subcommittee determined that no changes were warranted in financial aid requirements.

**Priority 3 Items**

*Discussed and reviewed with TBD action date*

*Note: These items may have initial discussions by the Implementation Committee after review and recommendations related to Priority 1 items; however, most are likely to be discussed and reviewed by committees in the governance structure after the Implementation Committee completes its work.*

<b>Current Legislative Area</b>	<b>Area for Review</b>	<b>Subcommittee</b>	<b>Status as of 05/02/22</b>
Bylaw 16 (Awards, Benefits and Expenses for Enrolled Student-Athletes)	Eliminate award restrictions at the institutional and conference level and permit schools and/or conferences to establish types, amounts, etc., provided to student-athletes.	Legislative Process and Compliance	Referred to the Legislation Committee.
Bylaw 16 (Awards, Benefits and Expenses for Enrolled Student-Athletes)	Allow student-athlete contributions to awards (16.1.4.4).	Legislative Process and Compliance	Referred to the Legislation Committee.
Bylaw 16 (Awards, Benefits and Expenses for Enrolled Student-Athletes)	Allow institution/conference to determine comp ticket limits. Maintain NCAA championship limits. (16.2.1.1).	Legislative Process and Compliance	Referred to the Legislation Committee.
Bylaw 16 (Awards, Benefits and Expenses for Enrolled Student-Athletes)	Eliminate housing restrictions (allow SA dorms, different benefits) – institutional decision. (16.5.2.1).	Legislative Process and Compliance	Referred to the Legislation Committee.
Bylaw 17 (Playing and Practice Seasons)	Consider model from COVID (e.g., same start and end date and institutions were able to structure their own playing and practice season based on the number of days within the specific sport season).	Legislative Process and Compliance	Referred to the Legislation Committee.
Bylaw 17 (Playing and Practice Seasons)	Eliminate restrictions for outside team tours.	Legislative Process and Compliance	Referred to the Legislation Committee.
Bylaw 18 (Championships and Postseason Football)	Discuss other championships opportunities for Division II (e.g., e-sports, other sports based on geographic and/or student interest).	Championships	Referred to the Championships Committee.
Bylaw 20 (Division Membership)	Review list of emerging sports for women, particularly sports that have not added sponsorship numbers.		
Other	Consider whether “Division II” can be named something different.		

**Bylaw 13 – Possible Changes – Referred to the Legislation Committee.**

- Eliminate restrictions on meetings/banquets.
- Deregulate the institutional pre-enrollment fees legislation and allow institutions to determine what is considered a pre-enrollment fee.
- Eliminate the restrictions of 13.2.8 and permit institutions to create a fundraiser for PSAs that are impacted by extreme circumstances.
- Deregulate the transportation legislation under 13.5.
- Deregulate the official and unofficial visit legislation.
- Deregulate the tryouts legislation:
  - Permit an institution's staff member to participate in coaching activities with a nonscholastic-based basketball team that includes the coach's child or children.
  - Eliminate mileage restrictions on local sports clubs.
  - Permit all sports to provide private lessons.
  - Deregulate institutional facility usage.
- Deregulate sports camps and clinics, as well as broaden the exception of slush funds to include sports camps and clinics.
- Eliminate the financial assistance to a PSA or PSA's high school legislation.
- Eliminate the recruiting calendars and only have the dead period attached to the NLI signing period.

# NCAA DIVISION II IMPLEMENTATION COMMITTEE Q&A

After the NCAA Division II Implementation Committee completed its work, members were asked what they thought about the impact this historic review will have on the division in the years to come. Here's what they said.

What were the most positive and significant overarching outcomes from this review, either in the way it was conducted, what was accomplished, or both?



**MICHAELA BOYD, SOCCER STUDENT-ATHLETE (DIVISION II SAAC REPRESENTATIVE),  
PALM BEACH ATLANTIC UNIVERSITY**

One key takeaway about the way the process was conducted was the consistency in keeping student-athletes at the center of decision making. During my time on this committee, I was always encouraged to speak up, especially in subcommittee meetings. Even during discussions that may be considered slightly dense for a student-athlete to take part in, the willingness of the members within my subcommittee to re-explain topics using different language, just for the sake of me giving input, represents to a tee what the priority of this committee was.



**CARRIE MICHAELS, SENIOR ASSOCIATE DIRECTOR OF ATHLETICS AND SENIOR WOMAN ADMINISTRATOR,  
SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA**

Throughout the review, the committee and membership had ample opportunities to help shape what the division will look like moving forward. Staff and committee members should be proud of the outstanding work and diligence taken to provide meaningful and impactful outcomes. Structures were streamlined, the student-athlete voice was enhanced, and referrals were shared with appropriate committees to analyze for future application.



**COLLEEN PERRY KEITH, PRESIDENT, GOLDEY-BEACOM COLLEGE**

(1) Collegiality and efficiency. Everyone took their role seriously, came ready to work and was committed to a common goal to improve Division II and make it a model for other divisions. (2) Assembling professionals from all over the country, from conferences with varied needs, and having them work as a unified force with no one looking to advance their college or conference.



**CHERRIE WILMOTH, DEPUTY DIRECTOR OF ATHLETICS FOR INTERNAL OPERATIONS AND COMPLIANCE AND  
SENIOR WOMAN ADMINISTRATOR, SOUTHEASTERN OKLAHOMA STATE UNIVERSITY**

One of the most positive and significant outcomes from this review was being a part of a process that brought administrators, faculty and student-athletes from across Division II together to collaborate on what we stand for and what we are moving toward in our division. We continued to examine and expand on what it means to be a member of this division and to focus on our student-athletes.

## How did what was accomplished improve the division, either operationally, philosophically, or both?



**KEVIN SCHRIVER, FACULTY ATHLETICS REPRESENTATIVE, SOUTHWEST BAPTIST UNIVERSITY**

For a while now, as people spoke of “the NCAA,” the whole of the image and brand was keyed on what most people see through the lens of television. And while Division II has worked for the past number of years to establish our brand and philosophy, this review has helped us solidify just exactly what that means. We have been about life in the balance, between academics and athletics. We have been about student-athlete well-being. We have been about the collegiate athletics experience being the best it can be for all involved. This moment was not necessarily our catalyst for creating such a philosophy, but a crystalizing event for Division II—our values, our strengths, and our people.



**MICHAELA BOYD, SOCCER STUDENT-ATHLETE (DIVISION II SAAC REPRESENTATIVE), PALM BEACH ATLANTIC UNIVERSITY**

The sheer amount of change implemented during an extremely short time impressed me a great deal. I know that this committee’s work will strongly improve the operation of the division and truly allow not only student-athletes but campus and conference administrators a better overall experience. If I had to pick one thing, though, it would be creating and adjusting division-wide committees to add the voice of the student-athlete. That is surely what stands out to me the most.



**CARRIE MICHAELS, SENIOR ASSOCIATE DIRECTOR OF ATHLETICS AND SENIOR WOMAN ADMINISTRATOR, SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA**

This process allowed us to look at what we are doing, assess whether it is working, review what could be improved, and impact the direction we want to take our division. We found that we do a lot well, but also have areas of opportunity. There was a lot done in a short amount of time, and there is ample work to be done stemming from the referrals established through great conversation and feedback. Operations were reviewed and as a result streamlined and improved. Philosophy was assessed and reaffirmed with enhancements made within the governance structure and for the membership.

## How did the recommendations strengthen Division II as a membership destination?



**TRACI MURPHY, DIRECTOR OF ATHLETICS, DAEMEN UNIVERSITY**

Reworking the Division II Manual to better support the new NCAA Constitution as well as eliminating redundancy reinforces the Division II philosophy and streamlines the legislation so we can better provide for and support student athletes and enhance their experiences. In a sense, we kept it simple—reinforcing the foundation of our division, thereby supporting all that works within Division II, including small staffs and member schools with varied resources, yet we can now move within the legislation to provide the most for student-athletes without separating the haves from the have nots.



**MADELEINE MCKENNA, FORMER VOLLEYBALL STUDENT-ATHLETE/DII SAAC MEMBER, CALIFORNIA UNIVERSITY OF PENNSYLVANIA; CURRENT GRADUATE ASSISTANT AT THE UNIVERSITY OF WISCONSIN-PARKSIDE**

The way Division II was able to mobilize and collaborate is a testament to why we are an attractive membership destination. For institutions outside of the Division II membership, I would want them to see the committee’s recommendations as a product of the culture of our division: empowering, student-athlete centered, collaborative, and driven by a passion for what the DII experience has to offer. Meaningful steps have been taken to streamline our operations, policies, and procedures in order to adapt to the evolving needs of our membership.

Several of the recommendations modified the governance structure at the leadership level. What will be most gained by these changes, and how can you reassure those members who may worry that something has been lost (i.e., representation)?



**DEBBIE FORD, CHANCELLOR, UNIVERSITY OF WISCONSIN-PARKSIDE**

Representation remains with the Management Council and the Council has expanded responsibilities. The newly defined Executive Board will focus on strategic issues and not be bogged down with day-to-day management issues. The new Executive Board will include perspectives from external members and student-athletes. Decision making will be more aligned and nimble.



**CHRIS GRAHAM, COMMISSIONER, ROCKY MOUNTAIN ATHLETIC CONFERENCE**

Conference representation is a hallmark of Division II and it is maintained, within the improved model, at the most important juncture of the governance process, which is the Management Council. To coincide with that renewed commitment to conference input on all key issues, ManCo's duties and responsibilities were further elevated, placing the Council at the nexus of all decision making. The Executive Board proposal, to reduce the current Presidents Council membership, replaces a top-heavy, redundant level of governance with a new strategically oriented leadership committee that will receive quarterly feedback from newly developed regional leadership meetings between conferences. These regional discussions with commissioners, presidents, senior woman administrators, Student-Athlete Advisory Committee representatives and others, will not only aid in building consensus on national issues but, for the first time in Division II, will encourage conversations about ground-level issues within each championship region.

The revised governance structure strengthens student-athlete representation and input in the decision-making process. How do these changes make the student-athletes' contributions even more influential moving forward?



**CHERRIE WILMOTH, DEPUTY DIRECTOR OF ATHLETICS FOR INTERNAL OPERATIONS AND COMPLIANCE AND SENIOR WOMAN ADMINISTRATOR, SOUTHEASTERN OKLAHOMA STATE UNIVERSITY**

Hearing and understanding the student-athlete voice is an important piece to our growth and development. The student-athletes are our customers who later become faculty, administrators and professionals in society. It is important for us to listen to educate ourselves and to provide guidance and direction to our student-athletes so they can grow.



**WENDELL STATON, DIRECTOR OF ATHLETICS, GEORGIA COLLEGE**

We have always been the leader when it comes to elevating the student-athlete voice, and our efforts in this area continue to serve as an example for the entire Association. Student-athlete representation and input is a clear overarching and non-negotiable trait of our division.

A lot of effort went into streamlining the Division II Manual, either by deregulating current bylaws, combining bylaws, and/or moving existing rules to the policy level. If you're a compliance administrator at a Division II institution, what are you most happy about?



**CHERRIE WILMOTH, DEPUTY DIRECTOR OF ATHLETICS FOR INTERNAL OPERATIONS AND COMPLIANCE AND SENIOR WOMAN ADMINISTRATOR, SOUTHEASTERN OKLAHOMA STATE UNIVERSITY**

Everything! It makes sense to deregulate bylaws that are outdated or not applicable to our division. Combining bylaws makes it easier for our practitioners and our members to understand and then educate our student-athletes and communities. Policy creates oversight but gives some autonomy for schools to work within their own framework and institutional governance systems.



**COLLEEN PERRY KEITH, PRESIDENT, GOLDEY-BEACOM COLLEGE**

The streamlining we accomplished will result in compliance officers having to consult fewer sites to obtain the information they need.

Among the recommendations was to keep the minimum of 10-sports for sports sponsorship but relax the rules governing how many sports are required per season. How does this benefit schools in how they choose what sports to offer, and will that help attract prospective members to the division and retain current members?



**TRACI MURPHY, DIRECTOR OF ATHLETICS, DAEMEN UNIVERSITY**

In today's market, higher ed institutions are dealing with a unique time at which college-ready students are at an all-time low. Add the aftermath of a pandemic, and institutions need flexibility to do what is best for their mission, vision and financial stability. We were deliberate in retaining the minimum sport sponsorship rules. However, permitting an institution to be creative would perhaps relieve pressure to discontinue programs, provide the ability to offer sports that best suit their institution, conference or geography. Additionally, the concept could possibly reduce the number of institutions that may consider transitioning out of Division II. This concept was to help institutions maintain Division II status as well as entice institutions in other divisions to consider transitioning to Division II if it will help them to maintain intercollegiate sport opportunities and experiences.



**CHRIS GRAHAM, COMMISSIONER, ROCKY MOUNTAIN ATHLETIC CONFERENCE**

The uniqueness of Division II institutions across all eight championship regions requires functional solutions to maintain viability and success. Allowing for flexibility of sport sponsorship decisions is a genuine recognition of the varying resources, interests and geography of member institutions. Local decision making, with the consideration of conference interests and sponsorship, is a more attractive 21st-century model.

One of the hallmarks of Division II is the sense of collaboration when it comes to decisions that affect the membership. Did the rigor and scope of this review reflect that sense of unity among Division II members?



**JACKSON STAVA, DIRECTOR OF ATHLETICS, SEATTLE PACIFIC UNIVERSITY**

I have served on numerous committees, and this was by far the best experience. The camaraderie, engagement, and dedication of each individual on the committee is reflected in the outcomes. DII is different, and the work of this committee is one of the best representations of our collective engagement that I have ever witnessed.



**KEVIN SCHRIVER, FACULTY ATHLETICS REPRESENTATIVE, SOUTHWEST BAPTIST UNIVERSITY**

I have been on a number of committees and have always seen firsthand the cooperation among a very diverse group working toward the greater good. This experience was business as usual in that regard. Yes, we are competitive in our sports, but Division II has for the longest time held dear our relationships as people over the win-loss records or trophies won. Our business, as usual, has been what is good for the student-athlete is good for Division II, and therein lies the cornerstone of our unity.

While the Implementation Committee accomplished even more than might have been expected in such a short time, there are still some significant matters left on the table for the governance structure to tackle in the next year or two. What would you say are the three most important areas to be addressed?



**MADELEINE MCKENNA, FORMER VOLLEYBALL STUDENT-ATHLETE/DII SAAC MEMBER, CALIFORNIA UNIVERSITY OF PENNSYLVANIA; CURRENT GRADUATE ASSISTANT AT THE UNIVERSITY OF WISCONSIN-PARKSIDE**

An important area to address is the enforcement of the new constitutional duty for institutions to provide their coaches and athletics administrative staff with mental health education. Division II and the Association as a whole have taken important strides in identifying student-athlete mental health and well-being as a key principle and focus of our work. I would love for us to find a way to highlight this education as something every campus needs to be doing, but in a way that doesn't just create another box to check. Also, this mental health education will not only better equip our athletics departments to support student-athlete mental health but also give them the skills and resources to support their own mental health. College athletics can be incredibly demanding, so the more we can foster awareness and decrease the stigma, the better the outcomes will be across every level of our athletics departments and campus communities.



**CHRIS COLVIN, COMMISSIONER, CONFERENCE CAROLINAS**

The potential reconfigured championships structure. The committee's recommendation did not abandon regionalization but presented concepts that could significantly enhance the championship experience by restructuring bracketing concepts and reducing first-round conference matchups. In addition, if the division can follow through on the change to sponsorship minimums to start a championship, it could significantly impact membership with additional championships conducted only at the Division II level.



**WENDELL STATON, DIRECTOR OF ATHLETICS, GEORGIA COLLEGE**

Regionalization. It has been a wonderful hallmark of our division, but if we can tweak it just a bit it will be even better.

This was one of the most—if not the most—significant reviews the division has undertaken since its creation in 1973. Looking ahead, what does the division need to do to retain the benefits gained through this review?



**CHRIS COLVIN, COMMISSIONER, CONFERENCE CAROLINAS**

I don't think mitigating the need for anything similar is necessary. In fact, I think that a committee like this every five years or so might be a good thing. There were a lot of ideas and concepts generated that will now be vetted by the governance structure. That is a good thing. This committee gave specific committees (i.e., Championships, Membership) the kick start to look at significant improvements that may not have risen to the top of an already crowded regular agenda.



**JACKSON STAVA, DIRECTOR OF ATHLETICS, SEATTLE PACIFIC UNIVERSITY**

We must now live out the robust and ambitious desire to continue to have DII as a leader in college athletics. Reviews go only as far as the people who implement them. It is now our job to make sure that this work, done first and foremost to protect and develop students, is central to all of our missions as DII members.

What's your one walkout message after having participated in this exercise?



**DEBBIE FORD, CHANCELLOR, UNIVERSITY OF WISCONSIN-PARKSIDE**

Thanks to the Division II leadership and team for guiding the Implementation Committee and for positioning us to think big about the future of Division II. I am so proud of the work we completed together and knowing we placed students at the center of our decision making.



**MADELEINE McKENNA, FORMER VOLLEYBALL STUDENT-ATHLETE/DII SAAC MEMBER, CALIFORNIA UNIVERSITY OF PENNSYLVANIA; CURRENT GRADUATE ASSISTANT AT THE UNIVERSITY OF WISCONSIN-PARKSIDE**

The rigor and scope of this review absolutely reflected the deeply ingrained sense of unity and collaboration within Division II. In both of our in-person meetings, the energy in the room was electric. To sit and be surrounded by people from across the DII membership, all representing different institutions, different conferences, private or public schools, different geographic locations, and unique resources, and to feel the united drive to work together and achieve something that will best serve all of our student-athletes and the diverse interests of the membership is something I'll never forget.



**JACKSON STAVA, DIRECTOR OF ATHLETICS, SEATTLE PACIFIC UNIVERSITY**

If anyone has ever questioned the positivity, creativity, or passion of Division II administrators, NCAA staff, or student-athletes, I wish they could have been a fly on the wall for these meetings, because this group clearly showed in word and in action what makes DII great!

# 2022-23 Division II Priorities

## PROFESSIONAL DEVELOPMENT OPPORTUNITIES

### Division II FAR Advanced Leadership Institute

*Sept. 30-Oct. 2, 2022, in Indianapolis.*

- Fifth Advanced Leadership Institute for faculty athletics representatives and 14th overall.
- Sixteen Division II FARs will attend to enhance their skills and help produce the first FAR-focused educational module for the Division II University platform.

### SAAC Super Region Convention

*April 14-16, 2023, in Pittsburgh.*

- Fifth overall convention.
- About 150 student-athletes and administrators from conferences in the East Region (CACC, CIAA, ECC, MEC, NE10 and PSAC) will attend.

### 2023 Inclusion Forum

*April 21-23, 2023, in Indianapolis.*

- The Inclusion Forum annually assembles higher education and intercollegiate athletics leaders and student-athletes who are passionate about improving the educational and professional environment for student-athletes, coaches, administrators and staff.
- Division II will cover expenses for up to 26 teams from Division II schools to attend the Inclusion Forum. In addition, the schools will be required to develop action plans to be implemented on campus following their attendance at the Inclusion Forum.

### Division II Identity Workshop for Athletic Trainers

*June 6-8, 2023, in Indianapolis.*

- Second workshop for athletic trainers.
- Three head athletic trainers from each conference will benefit from this professional development opportunity that briefs participants about Division II strategic positioning initiatives and prepares them to return to their schools and share these tools and resources with their constituents.



## CHAMPIONSHIPS

Division II will continue providing a memorable student-athlete experience at all 25 national championships through several key initiatives:

- The first Division II National Championships Festival in four years will take place in Seattle Nov. 29-Dec. 3, and for the first time, will feature enhancements recommended by the Festival Working Group.
- A joint women's basketball championship with Divisions I and III in Dallas March 31-April 2 will serve as the Association's culminating event celebrating the 50th anniversary of Title IX.
- For the first time, a joint men's and women's tennis championship with Divisions I and III will occur at the USTA National Campus in Orlando, Florida. The Division II championships are May 11-16.
- The Division II Championships Committee and Division II sport committees will discuss recommendations as part of the 2024-27 triennial budget cycle with final recommendations submitted in September 2023.





## MAKE GAME DAY YOURS

### GAME DAY EXPERIENCES

In partnership with the Disney Institute, the Make Game Day Yours initiative promotes a positive game day environment across Division II. Regional training sessions in 2022 and 2023 will enable those involved in the Division II game day experience to offer enhanced customer service to fans. In conjunction with the 2023 NCAA Convention, Division II will launch Make Game Day Yours modules on Division II University for game day staff.

### INITIAL-ELIGIBILITY REQUIREMENTS

Following the work of the NCAA Standardized Test Score Task Force, in collaboration with the NCAA Division II Academic Requirements Committee, Division II will consider legislation at the 2023 Convention to eliminate the standardized test score requirement (SAT or ACT) for initial-eligibility requirements. If adopted, the proposal establishes the following standards for initial eligibility: (1) Qualifier status requires high school graduation, 16 core courses and a 2.2 grade-point average; and (2) Early academic qualifier status requires 14 core courses and a 2.5 grade-point average. The Division II Academic Requirements Committee will continue reviewing other areas of the legislation that may be impacted by this change.

### MAKE IT YOURS – TELLING OUR STORY

The Make It Yours brand and Life in the Balance philosophy are essential components of the well-rounded experience provided to Division II student-athletes. Promotional materials will be shared to emphasize the division’s unique characteristics and illustrate how student-athletes benefit. Other divisional efforts, including celebrating Title IX at 50, #D2Day annually on Feb. 22 and the division’s 50th anniversary, will also be emphasized.

### IMPLEMENTATION COMMITTEE

- Following the adoption of the new NCAA Constitution, the Division II Presidents Council charged the Division II Implementation Committee with reviewing the division’s rules and policies and recommending changes that strengthen the division in accordance with the principles agreed upon in the new constitution.
- In 2021-22, the Implementation Committee made numerous recommendations to fulfill its charge. Several concepts/issues have been referred to the Division II governance structure for review and discussion.
- In 2022-23, Division II general committees will work with Implementation Committee members to address these items, among others:
  - Continue seeking to elevate the student-athlete voice within the governance structure. [*Division II Student-Athlete Advisory Committee; Division II general committees*]
  - Determine the appropriate minimum sponsorship requirement necessary to create/maintain a Division II championship in a given sport and the appropriate range of access ratios that in turn determine bracket/field size by sport. [*Division II Championships Committee and relevant sport committees*]
  - Decide which amateurism and recruiting restrictions, if any, are unnecessary and should be eliminated. [*Division II Legislation Committee*]
  - Explore whether changes are necessary within the current provisional membership process and discuss requirements for active schools and conferences. [*Division II Membership Committee*]
  - Review the legislation for institutional control and institutional responsibilities for monitoring athletics to determine whether the expectations are fair, accurate and reasonable. [*NCAA enforcement staff; Division II Committee on Infractions; and Division II Infractions Appeals Committee*]
- Finally, the division will continue tracking the work of Divisions I and III and the Association-wide items to assess the impact on Division II.

### SAAC PRIORITIES

As part of the Division II Student-Athlete Advisory Committee’s Total Package Student-Athlete initiative, the importance of mental health and breaking the stigma remains a top priority. The committee also focuses on enhancing inclusive practices through diversity and inclusion and helping prepare student-athletes for life after athletics through their Life After the Game goal.





2023 NCAA Convention  
Division II Core Schedule of Events

Wednesday, January 11

- 8 a.m. to 3 p.m. Division II Management Council Meeting
- Noon to 8 p.m. NCAA Division II Make Game Day Yours Regional Training Session
- 1 to 5 p.m. NCAA Board of Governors Meeting
- 5:30 to 7 p.m. Honors Ceremony

Thursday, January 12

- 8 to 11 a.m. Division II Presidents Council/Management Council/Student-Athlete Advisory Committee Breakfast and Meeting
- 8:30 a.m. to 10 a.m. Breakfast for New Division II Athletics Directors
- 11 a.m. to 3 p.m. Division II Presidents Council Meeting
- 11:30 a.m. to 1 p.m. Woman of the Year Luncheon
- 1:15 to 3:30 p.m. Education Sessions and other Association-Wide Programming
  - 1:15 to 2:15 p.m. Division II Session: Civic Engagement Best Practices
  - 2:30 to 3:30 p.m. Division II Session: Mental Wellness from the Coach's Perspective
- 4 to 5 p.m. State of College Sports
- 5 to 6:30 p.m. NCAA Delegates Reception

Friday, January 13

- 8 to 11:15 a.m. Division II Chancellors and Presidents Breakfast [Attachment]
- 8:30 to 11:15 a.m. Division II Education Sessions and Keynote Speaker
  - 8:30 to 9:45 a.m. Great Resignation of Athletic Trainers
  - 8:30 to 9:45 a.m. Make Game Day Yours Tools and Resources

8:30 to 9:45 a.m. FAR programming developed by FARs

10 to 11:15 a.m. Keynote Speaker: Kevin Carroll

11:30 a.m. to 1 p.m. NCAA Saluting Excellence Luncheon

1:30 to 5:30 p.m. Division II Conference Meetings

5 to 6 p.m. Division II Faculty Mentor Award Presentation and Reception

### **Saturday, January 14**

7 to 8 a.m. Delegates Breakfast

8 a.m. to 10:30 a.m. Division II Business Session

Hotel Departure

Note: Events highlighted in yellow are required meetings for the Division II Presidents Council. Events noted in blue font are part of the Association-wide Convention schedule.



Dr. Tim Elmore is founder and CEO of Growing Leaders ([www.growingleaders.com](http://www.growingleaders.com)), an Atlanta-based nonprofit organization created to develop emerging leaders. Since founding Growing Leaders in 2003, Elmore has spoken to over 500,000 leaders in businesses, universities, athletic teams and nonprofit organizations, including The Home Depot, Coca-Cola Bottling Company Consolidated, American Eagle and Chick-Fil-A as well as the San Francisco Giants, Tampa Bay Buccaneers, Ohio State University, Stanford University and the University of Alabama athletics.

His work grew out of twenty years serving alongside Dr. John C. Maxwell where he focused on leadership for the emerging generations. Elmore has appeared in *The Wall Street Journal*, *the Washington Post*, *USA Today*, *Psychology Today* and he's been featured on CNN's Headline News and Fox and Friends to talk about leading multiple generations in the marketplace. Tim was listed in the top 100 leadership speakers in America by Inc. magazine. He has written more than 35 books, including the best-selling *Habitudes: Images That Form Leadership Habits and Attitudes*.

You can find his work at: [TimElmore.com](http://TimElmore.com).