

## 2023-24 NCAA Division I Council Pilot Legislative Processes

*(Updated 1-10-24 by council action. Updates shaded in gray.)*

The following provides key deadlines and information regarding the pilot legislative processes to be used during 2023-24. The processes detailed below provide the framework for what will be implemented for the 2023-24 legislative cycle on a trial basis. The dates included below apply to the 2023-24 legislative cycle only and would be adjusted based on the specific council meeting dates for future legislative cycles if the processes are continued.

### Legislative Process for Sport Oversight Committees to Consider Legislation in Specified Areas.

During the pilot, the Division I Men's and Women's Basketball Oversight Committees and Football Oversight Committees are granted limited authority to introduce and approve legislative proposals in the following bylaws, subject to the review of the NCAA Division I Council:

1. Sportsmanship and other ethical behaviors;
2. Conduct of athletics personnel (NCAA Bylaw 11);
3. Processes and procedures related to the administration of the regular season and championship (Bylaw 31);
4. Playing and practice seasons (Bylaw 17); and
5. Recruiting (Bylaw 13).

The council will have the opportunity to review legislative proposals adopted by the sport oversight committees during its October, January and June in-person meetings (**Oct. 3-4; Jan. 10; or June 25-26**). Other legislative actions (e.g., expedited, emergency) could also be taken during council meetings. (See descriptions of those processes below.)

Introduction of Proposals. A sport oversight committee may introduce a legislative proposal at least 90 days before the October, January or June in-person council meetings.

- Deadlines for introduction. For consideration by the council during the specified meeting, an oversight committee must introduce a proposal by the specified date (90 days before the council meeting):
  - For consideration by the council in October: **July 5.**
  - For consideration by the council in January: **October 12.**
  - For consideration by the council in June: **March 28.**
- A proposal must include intent, rationale, effective date, budget impact, impact on student-athlete's time, Division I commitment addressed and how required legislative lenses apply.
- Conference involvement. Conferences may submit concepts to a sport oversight committee to consider for introduction as proposals.

Publication: Proposals will be drafted as they are introduced and made available for review on LSDBi.

- Proposals introduced by July 5 will be published for review by **July 12.**
- Proposals introduced by October 12 will be published for review by **October 18.**
- Proposals introduced by March 28 will be published for review by **April 3.**

Initial Feedback/Comment Period. Proposals will be available for membership review during an initial feedback/comment period. The membership and other committees (e.g., Legislative Committee) have the opportunity to provide feedback and comments on the proposal.

- Feedback period for October proposals: **July 6 – Aug. 19** (committees meet during the week of Aug. 20).

- Feedback period for January proposals: **Oct. 13 – Nov. 25** (committees meet during the week of Nov. 26).
- Feedback period for June proposals: **Mar. 29 – May 11** (committees meet during the week of May 12).
  - Conferences may submit suggested amendments to the sport oversight committee to consider. Suggested amendments may be tracked as part of the history of the proposal.

Sport Oversight Committee Review/Action. If a sport oversight committee intends to take action on a proposal, it should meet within seven days after the initial feedback period. After the comment/feedback period, the sport oversight committee reviews the feedback and/or suggested amendments and may take action on the proposal. The following actions may be taken:

1. Adopt the proposal. A simple majority vote is required.
2. Defeat the proposal.
3. Table the proposal. (Simple majority.) The proposal may be considered by the sport oversight committee again during a subsequent meeting. If the proposal is not addressed (e.g., vote, extend tabled status, etc.) again within six months, the proposal is defeated (sunset provision).
4. Withdraw the proposal. (Simple majority.) The sport oversight committee may choose to withdraw the proposal from the legislative process.
5. Amend the proposal. (Two-thirds majority to amend.) If the proposal is amended, the sport oversight committee may take the following actions:
  - a. Adopt the proposal, as amended. (Simple majority to adopt.)
  - b. Defeat the proposal.
  - c. Send the proposal into an additional comment period. (Simple majority.)
  - d. Table the proposal. (Simple majority.) The proposal may be considered by the sport oversight committee again during a subsequent meeting. If the proposal is not addressed (e.g., vote, extend tabled status, etc.) again within six months, the proposal is defeated (sunset provision).
  - e. Withdraw the proposal. (Simple majority.) The sport oversight committee may choose to withdraw the proposal from the legislative process.

Notice of Action: Actions taken by the sport oversight committee will be included in the history section of the proposals and a general announcement posted on LSDBi.

- Actions on proposals scheduled for review in October will be published by **August 30**.
- Actions on proposals scheduled for review in January will be published by **December 6**.
- Actions on proposals scheduled for review in June will be published by **May 22**.

Comment Period Before Council Review. A proposal adopted by a sport oversight committee enters a comment period before the council has an opportunity to review it during the applicable in-person meeting. The membership and committees have the opportunity to provide additional feedback, including feedback on any amendments that were made to the proposal by the sport oversight committee.

- Comment period for October proposals: **Aug. 30 – Oct. 2**.
- Comment period for January proposals: **Dec. 6 – Jan. 9**.
- Comment period for June proposals: **May 22 – June 24**.

- Conferences may submit additional suggested amendments for the council to consider.

Council Review. During the applicable meeting (**Oct. 3-4; Jan. 10; or June 25-26**), the council has an opportunity to review a proposal adopted by a sport oversight committee and any feedback and/or suggested amendments. The council has the authority to allow the proposal to remain as adopted, amend the proposal or defeat the proposal. The council may:

1. Take no action. If the council takes no action, the proposal is final as adopted by the sport oversight committee.
2. Affirm adoption. (Simple majority.)
3. Defeat the proposal. (Two-thirds majority required.)
4. Remand the proposal to the oversight committee to address specific issues. (Simple majority.)
5. Table the proposal. (Two-thirds majority required.) The proposal may be considered by the council again during a subsequent meeting. If the proposal is not addressed (e.g., vote, extend tabled status, etc.) again within six months, the proposal is defeated (sunset provision).
6. Amend the proposal. (Two-thirds majority required.) If the proposal is amended, the council may take the following actions:
  - a. Adopt the proposal as amended. (Simple majority.)
  - b. Defeat the proposal. (Two-thirds majority required.)
  - c. Send the proposal into an additional comment period. (Simple majority.)
  - d. Table the proposal. (Two-thirds majority required.) The proposal may be considered by the council again during a subsequent meeting. If the proposal is not addressed (e.g., vote, extend tabled status, etc.) again within six months, the proposal is defeated (sunset provision).

Finality of Action. Legislation adopted by a sport oversight committee shall be considered final at the conclusion of the applicable council meeting, subject to review by the council as noted above. Legislation amended and adopted by the council shall be considered final at the conclusion of the council meeting during which it is adopted. The NCAA Division I Board of Directors, during any meeting, may review and take action related to legislation adopted or defeated by a sport oversight committee or the council. The concept of a defeated proposal is not subject to a waiting period to be reintroduced into the legislative process.

Rescission Process. A proposal adopted with less than a 75 percent majority vote of the council members present and voting shall be subject to a 30-day rescission period. A proposal adopted with a 75 percent majority vote or greater of council members present and voting shall not be subject to a rescission process. For purposes of the rescission process, a proposal adopted by a sport oversight committee for which the council takes no action is considered to be unanimously approved by the council.

Notification to Membership. Notification of the adoption of legislation shall be provided to the membership within seven days of the date of the council meeting on which the adoption becomes final.

Submission of Rescission Requests. A rescission request may be submitted through the NCAA website by an active member institution with voting privileges. A request must be received in the national office not later than 5 p.m. Eastern time within 30 days of the date of the council meeting on which the adoption becomes final. A request must be approved by the institution's chancellor or president. The institution's chancellor or president or a designated representative may submit the rescission request to the national office.

Threshold for Rescission. An amendment shall be rescinded upon submission of rescission requests from at least two-thirds of all active Division I institutions. An amendment that pertains only to football shall be rescinded in the applicable subdivision upon submission of rescission requests from at least two-thirds of all active Football Bowl Subdivision or Football Championship Subdivision institutions.

### **Standard Legislative Process for the Council to Consider Legislation in Other Areas.**

The following information sets forth the standard process by which the council will consider legislative proposals in areas other than those for which the sport oversight committees have authority.

The council will consider legislative proposals during its October, January and June in-person meetings (**Oct. 3-4; Jan. 10; or June 25-26**). Other legislative actions (e.g., expedited, emergency) could also be taken during council meetings. (See descriptions of those processes below.)

Introduction of Proposals. A sport oversight committee may introduce a legislative proposal at least 90 days before the October or January or June in-person council meetings. The council may introduce a legislative proposal during any meeting for consideration during the next in-person meeting (or as expedited legislation, as described below). Other standing committees may recommend that the council introduce legislative proposals.

- Deadlines for introduction.
  1. Oversight Committees. For consideration by the council during the applicable meeting, an oversight committee must introduce a proposal by the specified date (90 days before the council meeting):
    - For consideration by the council in October: **July 5.**
    - For consideration by the council in January: **October 12.**
    - For consideration by the council in June: **March 28.**
  2. Council. For consideration during the subsequent in-person meeting, the council must introduce a proposal by:
    - For consideration in October: **June council meeting.**
    - For consideration in January: **October council meeting.**
    - For consideration in June: **April council meeting (videoconference).**
- A proposal must include: intent, rationale, effective date, budget impact, impact on student-athlete's time, Division I commitment addressed and how required legislative lenses apply.
- Conference involvement. Conferences may submit concepts to the council to consider for introduction as proposals. A formal process and mechanism will be used to track the concepts and response from the council.

Publication: Proposals will be drafted as they are introduced and made available for review on LSDBi.

- Proposals introduced by July 5 will be published for review by **July 12.**
- Proposals introduced by October 12 will be published for review by **October 18.**
- Proposals introduced by March 28 will be published for review by **April 3.**
- Proposals introduced by the April council meeting will be published for review by **April 24.**

Initial Feedback/Comment Period. Proposals will be available for membership review and feedback during an initial feedback/comment period. The membership and other committees have the opportunity to provide feedback and comments on the proposals.

- Feedback period for October proposals: **July 6 – Aug. 19** (committees meet during the week of Aug. 20)

- Feedback period for January proposals: **Oct. 13 – Nov. 25** (committees meet during the week of Nov. 26)
- Feedback period for June proposals: **Mar. 29 – May 11** (committees meet during the week of May 12)
  - Conferences may submit suggested amendments to the sport oversight committee or the council to consider.

Sport Oversight Committee Review. After the feedback period, for proposals introduced by a sport oversight committee, the oversight committee reviews any feedback and/or suggested amendments and may make modifications (simple majority vote required).

Legislative Committee Review. After the feedback period, for proposals introduced by the council, the Legislative Committee reviews any feedback and/or suggested amendments to a proposal and may make recommendations for modifications or other actions for the council to take during its next in-person meeting. For proposals introduced by a sport oversight committee, the Legislative Committee provides feedback and/or suggested amendments to the sport oversight committee to consider.

Publication: Proposals, with any changes or recommendations for changes, will be made available for review on LSDBi.

- Proposals scheduled for action in October will be published for review by **August 30**.
- Proposals scheduled for action in January will be published for review by **December 6**.
- Proposals scheduled for action in June will be published for review by **May 22**.

Comment Period Before Council Consideration. Proposals introduced by sport oversight committees and proposals introduced by the council enter a comment period before the council considers them during the applicable in-person meeting. The membership and committees have the opportunity to provide additional feedback, including feedback on any modifications that were made to the proposals by the sport oversight committees.

- Comment period for October proposals: **Aug. 30 – Oct. 2**
- Comment period for January proposals: **Dec. 6 – Jan. 9**
- Comment period for June proposals: **May 22 – June 24**
  - Conferences may submit additional suggested amendments for the council to consider.

Council Consideration. During the applicable meeting (**Oct. 3-4; Jan. 10; or June 25-26**), the council votes on proposals introduced by sport oversight committees or the council in areas for which the sport oversight committees do not have legislative authority. The council may take the following actions:

1. Adopt the proposal. (Simple majority required.)
2. Defeat the proposal.
3. Table the proposal. (Simple majority.) The proposal may be considered by the council again during a subsequent meeting. If the proposal is not addressed (e.g., vote, extend tabled status, etc.) again within six months, the proposal is defeated (sunset provision).
4. Withdraw the proposal. (Simple majority.) The council may choose to withdraw the proposal from the legislative process.
5. Amend the proposal. (Two-thirds majority to amend.) If the proposal is amended, the council may take the following actions:
  - a. Adopt the proposal as amended. (Simple majority.)
  - b. Defeat the proposal.

- c. Send the proposal into an additional comment period. (Simple majority.)
- d. Table the proposal. (Simple majority.) The proposal may be considered by the council again during a subsequent meeting. If the proposal is not addressed (e.g., vote, extend tabled status, etc.) again within six months, the proposal is defeated (sunset provision).
- e. Withdraw the proposal. (Simple majority.) The council may choose to withdraw the proposal from the legislative process.

Finality of Action. Legislation adopted by the council shall be considered final at the conclusion of the council meeting during which it is adopted. The Board of Directors, during any meeting, may review and take action related to legislation adopted or defeated by the council. The concept of a defeated proposal is not subject to a waiting period to be reintroduced into the legislative process.

Rescission Process. A proposal adopted with less than a 75 percent majority vote of the council members present and voting shall be subject to a 30-day rescission period. A proposal adopted with a 75 percent majority vote or greater of council members present and voting shall not be subject to a rescission process.

Notification to Membership. Notification of the adoption of legislation shall be provided to the membership within seven days of the date of the council meeting on which the adoption becomes final.

Submission of Rescission Requests. A rescission request may be submitted through the NCAA website by an active member institution with voting privileges. A request must be received in the national office not later than 5 p.m. Eastern time within 30 days of the date of the council meeting on which the adoption becomes final. A request must be approved by the institution's chancellor or president. The institution's chancellor or president or a designated representative may submit the rescission request to the national office.

Threshold for Rescission. An amendment shall be rescinded upon submission of rescission requests from at least two-thirds of all active Division I institutions. An amendment that pertains only to football shall be rescinded in the applicable subdivision upon submission of rescission requests from at least two-thirds of all active Football Bowl Subdivision or Football Championship Subdivision institutions.

### **Legislative Process for Emergency Legislation.**

Definition of Emergency Legislation. A proposal may be considered as emergency legislation in circumstances in which significant values are at stake and the use of the regular legislative process is likely to cause significant harm or hardship to the Association or the Division I membership because of a delay in considering the proposal in the standard or expedited legislative processes.

Authority to Consider Emergency Legislation. The Board of Directors or the Council may adopt emergency legislation during any meeting.

Threshold for Adoption. Adoption of emergency legislation requires two separate votes of at least an 80 percent majority of members of the applicable entity present and voting. The first vote is to determine whether the proposal meets the definition of emergency legislation and the second vote is on the merits of the proposal.

Notice. When possible, notice of an issue to be considered as emergency legislation will be provided in the meeting materials for the applicable entity; however, notice is not be required.

Finality of Action. A proposal adopted as emergency legislation shall be considered final at the conclusion of the meeting (Council or Board of Directors) during which it is adopted. The Board of Directors, during any meeting, may review and take

action related to legislation adopted or defeated by the Council. A proposal adopted as emergency legislation is not subject to a rescission process.

**Expedited Legislation -- Process for the Council to Consider Nonemergency Legislation Outside the Standard Process.**

Definition of Expedited Legislation. A proposal may be considered as expedited legislation in circumstances in which the proposal does not meet the definition of emergency legislation, but a delay (by requiring consideration of the proposal in the standard legislative process) would cause a disruption in the efficient administration of the impacted activity or function.

Authority to Consider Expedited Legislation. The council may adopt expedited legislation during any meeting.

Process. A recommendation for the council to adopt expedited legislation must be made by a council standing committee (or other committee) at least 30 days before the council meeting during which the action is to be taken. The recommendation must be included in the published council meeting materials. Adoption of expedited legislation requires two separate votes of at least a two-thirds majority of members of the council present and voting. The first vote is to determine whether the proposal meets the definition of expedited legislation and the second vote is on the merits of the proposal.

Council Consideration. The council may take the following actions on recommendations to adopt expedited legislation:

1. Adopt the recommendation. (Two-thirds majority required.)
2. Defeat the recommendation.
3. Introduce the recommendation into the regular legislative cycle. (Simple majority.) The proposal would follow the process outlined above for proposals introduced by the council or a sport oversight committee may introduce the proposal as outlined above.