

# LEGISLATION

2022 NCAA  
CONVENTION

DIVISION III SECOND  
PUBLICATION OF  
PROPOSED  
LEGISLATION

116th Annual Convention

January 19-22, 2022

Indianapolis, Indiana



THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION  
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## Second Publication of Proposed Legislation 116th Annual Convention

This publication presents all the proposed amendments to NCAA Division III legislation that were properly submitted in accordance with the July 15 and September 1 deadlines in the NCAA legislative calendar. The proposals herein appear in the order in which they would appear, if adopted, in the NCAA Manual. No attempt has been made to place them in topical groupings or in the order in which they eventually might appear in the Convention agenda. **The order of the nine proposals in the Second Publication of Proposed Legislation will change in the Official Notice. The numeral 2 has been placed in front of each proposal number to help identify its position in the Second Publication of Proposed Legislation.** In addition, for each proposal that was approved in the Initial Publication of Proposed Legislation, a parenthetical follows the proposed number, which identifies the proposal's number as it appeared in the Initial Publication of Proposed Legislation.

Each proposal is accompanied by the traditional statement of intent, proposed effective date and a statement of rationale.

By September 15, any sponsors of a membership-sponsored proposal were permitted to refine and change the amendments in any manner that was germane to the proposal. Such changes could either increase or decrease the modification set forth in the original proposal. All of these changes have been incorporated in this Second Publication of Proposed Legislation, which also includes all proposals submitted by September 1 by the NCAA Division III Management Council and Presidents Council.

No new proposals may be submitted for the 2022 NCAA Convention inasmuch as the July 15 and September 1 deadlines have passed. Member institutions and conferences, as well as the Presidents Council and Management Council, now have until November 1 by 5 p.m. Eastern time to submit amendments to the 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 20 or more active member institutions for proper sponsorship in Division III. In addition, amendments-to-amendments may be sponsored by two or more member conferences in Division III. 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 (see Appendix B).

This publication represents the second in a series of three publications addressing Convention legislation, as dictated by the provisions of NCAA Constitution 5. The third publication will be as follows:

**Official Notice of the 2022 Convention.** Issued on November 15 and contains all Division III legislation for the Convention, including all amendments-to-amendments and resolutions submitted by the November 1 deadline.

### 2021-22 Legislative Calendar

The legislative calendar, as set forth in Constitution 5, is summarized here for convenience of reference.

**July 15:** Deadline for submission of amendments by the Division III 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, and must be sponsored by at least one conference or at least 10 individual institution sponsors.

**July 19-20:** Management Council Consideration. The Management Council considers legislative proposals that it may wish to sponsor. It also reviews proposals submitted by the membership in accordance with the July 15 deadline.

**August 4:** Presidents Council consideration. The Presidents Council considers legislative proposals that it may wish to sponsor. It also reviews the proposals submitted by the membership in accordance with the July 15 deadline.

**Not Later Than August 15:** Posting of Initial Publication of Proposed Legislation.

**Date IPOPL is Posted 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. Also,

members that believe an amendment should not be modified should so inform the primary contact person.

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

**September 1:** Deadline for proper co-sponsorship of membership proposals. The proposals must receive proper co-sponsorship from one additional conference (if originally sponsored by one conference) or 10 additional individual institutions (if originally sponsored by 10 institutions) or it will be withdrawn.

**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 amendment.

**Not Later Than September 23:** Posting of Second Publication of Proposed Legislation. This publication includes all membership-sponsored proposals as modified and includes all proposals sponsored by the Presidents Council or Management Council.

**Date SPOPL is Posted through November 1:** Amendment-to-amendment period. The Presidents Council and Management Council as well as the membership (see Constitution 5.3.5.3) may submit amendments to the proposals in the Second Publication of Proposed Legislation. These amendments-to-amendments may not increase the modification of the provisions to be amended; they must fall between the provisions of the original proposed amendment and the current provisions.

**November 1:** Deadline for all amendments-to-amendments and resolutions to be received in the national office. No amendments-to-amendments sponsored by the membership may be submitted after this date. The councils are authorized to submit further amendments-to-amendments at the Convention if they deem such action necessary (see Constitution 5.3.5.3.2.1).

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

**January 19-22, 2022:** NCAA Convention. Voting on proposals will occur at the business session.

#### **Division III Interpretations and Legislation Committee**

Amy J. Backus, Case Western Reserve University

Kurt J. Beron, University of Texas at Dallas

Anthony Francois, John Jay College of Criminal Justice (student-athlete)

Matt Hill, University of Northwestern - St. Paul

Angie Morenz, Blackburn College

Patrick B. Summers, New England Women's & Men's Athletic Conference (chair)

Mila C. Su, Plattsburgh State University of New York

116th Annual Convention  
LEGISLATIVE PROPOSALS SUBMITTED BY THE MEMBERSHIP

[Note: Pursuant to Constitution 5.3.12, 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 an effective date other than the first day of August following the Convention, the rationale statement shall contain reasons why the amendment has an alternative effective date. Those proposals that are given an immediate effective date and are adopted become effective on adjournment of the Convention.]

Note: In the following proposals:

- Those letters and words that appears in *italics and strikethrough* are to be deleted.
- Those letters and words that appear in **boldface and are underlined** are to be added; and
- Those letters and words that appear in normal text are unchanged from the current Division III legislation.

No. 2-1 (1-1) NCAA MEMBERSHIP -- MEMBER CONFERENCE -- SINGLE-SPORT CONFERENCE -- REDUCE NUMBER OF MEMBER INSTITUTIONS

**Intent:** To reduce the minimum number of member institutions required to form a single-sport conference from seven to six.

**Constitution:** Amend 3.3.1.2.2, as follows:

3.3.1.2.2 Single-Sport Conference. Conference status may be granted to a single-sport conference provided it has ~~seven~~ **six** active NCAA member institutions. A single-sport conference may use provisional and reclassifying member institutions in year three of the membership process to satisfy the ~~six~~~~seven~~-institution minimum, provided there are at least four active member institutions.

[3.3.1.2.2.1 unchanged.]

**Source:** Allegheny Mountain Collegiate Conference; Atlantic East Conference, Empire 8 and Heartland Collegiate Athletic Conference.

**Effective Date:** August 1, 2022

**Rationale:** Proposal 2022-XX, if adopted, would allow a conference to be eligible for an automatic qualification into any Division III championship by having at least six active member institutions. Seven institutions, however, are required to establish a single sport conference in Division III regardless of the sport. Thus, the threshold to establish a Division III single sport conference is higher than what would be needed for an automatic qualification for a Division III championship. By reducing the number of institutions needed to form a single sport conference it ensures that a single sport conferences do not have to satisfy a higher standard to form a signal sport conference than it does to earn an automatic qualification. Finally, by reducing the number of institutions needed to form a single sport conference it provides stability to conferences and institutions ensuring a meaningful experience for student-athletes.

**Budget Impact:** None.

No. 2-2 LEGISLATIVE AUTHORITY AND PROCESS -- AMENDMENT PROCESS -- EMERGENCY LEGISLATION

**Intent:** To permit the Division III Presidents Council to sponsor and adopt emergency legislation under defined circumstances.

**Constitution:** Amend 5.3.1, as follows:

5.3.1 Authorizing Legislation.

5.3.1.1 Amendment. The dominant provisions of Constitution 1 and 2 and elsewhere and the division dominant provisions may be amended only at an annual or special Convention. In Division I, federated provisions may be amended as specified in Constitution 5.3.2. In Divisions II and III, federated provisions may be amended at any annual or special Convention.

[5.3.1.1.1 unchanged.]

**5.3.1.1.2 Emergency Legislation The Presidents Council by at least three-fourths majority of its members present and voting may adopt "emergency" legislation that shall be effective immediately in the following situations:**

- (a) When the NCAA must respond to, or comply with, a court, alternative dispute resolution (ADR) or government order, or**
- (b) When the Presidents Council deems it appropriate to limit or avoid NCAA liability as a result of litigation, ADR or governmental proceedings,**
- (c) When significant values or harm are at stake and the use of the regular legislative cycle is likely to cause undue hardship to the Association or the Division III membership because of the delay in its effective date.**

**"Emergency legislation" must be ratified by the Division III membership at the next regularly scheduled NCAA Convention.**

[5.3.1.2 through 5.3.1.4 unchanged.]

**Source:** NCAA Division III Presidents Council.

**Effective Date:** Immediate

**Rationale:** Providing the Presidents Council with the authority to adopt "emergency legislation" will help ensure the division is able to address critical events and circumstances in a timely manner that will mitigate any undue hardship to the membership or Association. This proposal has an immediate effective date to allow Presidents Council to use this authority if necessary and not rely on noncontroversial legislation in the interim.

**Budget Impact:** None.

No. 2-3 (1-2) AMATEURISM – AMATEUR STATUS – REQUIRING ELIGIBILITY CENTER CERTIFY AMATEUR STATUS OF INTERNATIONAL STUDENT-ATHLETES

**Intent:** To utilize the NCAA Eligibility Center in certifying the amateur status of international student-athletes to provide more consistency and efficiency to the certification process.

**A. Bylaws:** Amend 12.1, as follows:

12.1 Amateur Status. An individual's (prospective student-athlete or enrolled student-athlete) amateur status shall be determined using the following (see Bylaw 14 regarding the eligibility restoration process).

**12.1.1 International Students. An international student's amateur status, including participation in organized competition prior to initial collegiate enrollment (14.2.4.4), shall be determined using the following provisions.**

**12.1.1.1 International Student Defined. An international student is any student who attended a secondary or post-secondary school outside the United States, participated in athletics outside the United States or whose permanent residence is outside the United States.**

**12.1.1.2 Amateurism Certification Process. An institution shall use an eligibility center approved by the Board of Governors to determine the validity of the information on which the amateur status of an international student-athlete is based.**

**12.1.1.2.1 Scope. The certification of amateur status by the NCAA Eligibility Center is limited to activities that occur prior to the prospective student-athlete's request for final amateurism certification or the prospective student-athlete's initial full-time enrollment at an NCAA Division I, II or III institution, whichever occurs earlier.**

**12.1.1.3 Institutional Responsibilities.**

**12.1.1.3.1 Amateur Status After Certification. An institution is responsible for certifying the amateur status of a prospective student-athlete (including two-year and four-year college transfers initially enrolling at a NCAA Division III institution) from the time the prospective student-athlete requests a final certification be issued by the NCAA Eligibility Center or from the time they initially enroll as a full-time student at a Division I, II or III institution, whichever occurs earlier (Note: For a transfer from a Division I or II institution, the institution must apply the Division III amateurism certification).**

**12.1.1.3.2 Sharing Information and Reporting Discrepancies. An institution is responsible for notifying the NCAA Eligibility Center when it receives additional information, or otherwise has cause to believe, that a previously certified prospective student-athlete's amateur status has been jeopardized. Further, an institution is responsible for promptly reporting all discrepancies in information related to a student-athlete's amateurism certification to the NCAA Eligibility Center.**

**12.1.1.4 Eligibility for Practice and Competition. Prior to engaging in practice or competition, a student-athlete shall receive a final certification of amateur status based on NCAA Division III legislation.**

**12.1.1.4.1 Temporary Certification. If a prospective student-athlete reports for athletics participation before the student's amateur status has been certified, the student may practice, but not compete, for a maximum period of 45 days. After this period, the student's amateur status must be certified in order to continue to practice or to compete.**

**12.1.1.4.1.1 Effect of Violation. A violation of Bylaw 12.1.1.3.1 in which the student-athlete is subsequently certified without conditions shall be considered an institutional violation per Constitution 2.8.1 but shall not affect the student-athlete's eligibility.**

[12.1.1 through 12.1.7 renumbered as 12.1.2 through 12.1.8, unchanged.]

**B. Bylaws:** Amend 14.1.5, as follows:

*14.1.5 International Student-Athlete Form.*

~~14.1.5.1 Eligibility Form. The eligibility of an international student-athlete shall be certified on a form approved by the Management Council and must be completed before practice or competition. The completed form shall be maintained on file at the institution with other eligibility documents and shall be available for examination upon request by the NCAA staff, and, if the institution is a member of a conference, an authorized conference representative. [D]~~

[14.1.6 through 14.1.12 renumbered as 14.1.5 through 14.1.11, unchanged.]

**Source:** Allegheny Mountain Collegiate Conference; Minnesota Intercollegiate Athletic Conference; and Little East Conference.

**Effective Date:** For student-athletes enrolling on or after 08\01\2023

**Rationale:** Recently, the Division III membership experienced a positive two-year pilot of the eligibility center reviewing pre-enrollment sports participation and the amateur status of international student-athletes in the sport of ice hockey. This legislative proposal would require the Eligibility Center to certify the amateurism, including pre-enrollment sports participation of all international student-athletes. This would benefit both the international prospective student-athletes and the campuses by streamlining the eligibility process. Determining the amateur status of international prospective student-athletes can be difficult. Those responsible for compliance on member campuses may not be familiar with the various sport organizations and educational institutions in other countries. Requiring all international prospective student-athletes to register in the Eligibility Center will utilize the expertise of the Eligibility Center staff to assist the international prospective student-athletes and the campuses in navigating an efficient and consistent process to determine amateur status and will provide consistency for the Association membership as a whole.

**Budget Impact:** Cost of amateurism certification to be paid by the prospective student-athlete.

No. 2-4 (1-3) ELIGIBILITY – CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY – MINIMUM AMOUNT OF PARTICIPATION – ONLY COMPETITION TRIGGERING USE OF A SEASON

**Intent:** To specify that a student-athlete would be charged with a season of eligibility if the student-athlete competes at any point during the traditional season.

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

14.2 Seasons of ~~Participation~~ **Competition:** 10-Semester/15-Quarter Rule. A student-athlete shall not engage in more than four seasons of intercollegiate ~~participation~~ **competition** in any one sport (see Bylaw 14.2.4.1).

[14.2.1 unchanged.]

14.2.2 Ten-Semester/15-Quarter Rule. A student-athlete shall complete their seasons of ~~participation~~ **competition** during the first 10 semesters or 15 quarters in which the student is enrolled in a collegiate institution in at least a minimum full-time program of studies, as determined by the regulations of that institution. For an institution that conducts registration other than on a traditional semester or quarter basis, the Management Council shall determine an equivalent enrollment period.

[14.2.2.1 unchanged.]

14.2.2.2 Fraction of 10 Semesters/15 Quarters Remaining. A student-athlete whose combination of semesters and quarters of previous enrollment leaves them with any fraction of the 10th semester or 15th quarter of eligibility at the beginning of their final semester or quarter may remain eligible for the entire semester or quarter.

[14.2.2.3 through 14.2.2.4 unchanged.]

[14.2.3 unchanged.]

14.2.4 Criteria for Determining Season of Eligibility.

14.2.4.1 Minimum Amount of ~~Participation~~ **Competition.** A season of intercollegiate ~~participation~~ **competition** shall be counted in the student-athlete's sport when a student-athlete ~~participates (practices or competes)~~ during ~~or after the first contest in~~ the traditional segment ~~following the student-athlete's initial participation of that academic year at that institution~~ or when the student-athlete engages in intercollegiate competition during the nontraditional segment in that sport. This provision is applicable to intercollegiate athletics ~~participation (practice or competition)~~ conducted by a Division III collegiate institution at the varsity, junior varsity or freshman team level. (See Bylaw 14.1.12, for student-athletes participating in a recognized foreign exchange/study abroad program).

14.2.4.1.1 Exceptions. A season of ~~participation~~ **competition** shall not be counted:

[14.2.4.1.1-(a) through 14.2.4.1.1-(b) unchanged.]

(c) In baseball, field hockey, lacrosse, soccer, softball and volleyball, when a student-athlete *participates* (~~practices or competes~~) during the nontraditional segment.

~~14.2.4.1.2 Exception—Pending Subcommittee for Legislative Relief Waiver. A student-athlete who is eligible for practice may practice, but not compete, after the first contest or date of competition without using a season of participation while a Subcommittee for Legislative Relief waiver is pending. To be eligible for this exception, the institution must have received official notification that the national office has received the institution's completed waiver application and all relevant supporting documentation. If the waiver request is denied, the student-athlete must cease practicing immediately on notification to the institution of the decision or the student-athlete shall be charged with the use of a season of participation. If the institution chooses to appeal a waiver denial, the student-athlete shall not resume practice until the institution receives official notification that any information required for appeal has been received. If the subcommittee denies the appeal, the student-athlete must cease practicing immediately upon notification to the institution of the decision or the student-athlete shall be charged with the use of a season of participation.~~

14.2.4.1.3 Student Managers and Student Coaches. ~~A season of participation shall be counted when a student manager or student coach participates as a team member in practice or other physical activities during the time frame set forth in Bylaw 14.2.4.1.~~ A student coach or student manager's role should be limited to performing traditional coaching or managerial duties. **If these individuals practice and/or compete they will be subject to the same eligibility regulations as student-athletes.**

14.2.4.1.4 Transfer from a Non-Division III Institution.

The season of *participation* **competition** standard does not apply to a transfer student-athlete's previous participation at a non-Division III institution. A transfer student-athlete is subject to the legislation that applied to the previous institution during the term(s) of participation.

14.2.4.2 Track and Field and Cross Country. For the purposes of determining a season of intercollegiate *participation* **competition**, cross country, indoor track and field, and outdoor track and field shall be considered separate sports.

14.2.4.2.1 Participation on Triathlon Team. Participation in triathlon shall not use a season of *participation* **competition** in cross country, swimming or track and field.

14.2.4.3 Volleyball and Beach Volleyball. For the purposes of determining a season of *intercollegiate* *participation* **competition**, volleyball and beach volleyball shall be considered separate sports.

[14.2.4.4 unchanged.]

14.2.4.5 Intercollegiate *Participation* **Competition**. A student-athlete is considered to have engaged in a season of intercollegiate *participation* **competition** when they compete in an athletics event involving any one of the conditions characterizing intercollegiate *participation* **competition** (per Bylaw 14.02.6 ~~and 14.2.4.1~~).

14.2.4.6 International Competition/Summers. Competition by a student-athlete representing an institution in international competition during the summer-vacation period shall not affect the student-athlete's seasons of *participation* **competition**, provided the competition has been certified by the institution per Bylaw 17.31.1 or sanctioned by the Management Council, by a two-thirds majority of its members present and voting, and the request for Management Council sanction has been made by the institution at least 30 days before the competition.

14.2.4.7 Foreign-Tour Competition. A student-athlete who did not *participate* **compete** during the institution's season just completed and who represents the institution in a certified foreign tour after that intercollegiate season and before the start of the next academic year shall not be charged with a season of *participation* **competition** for the preceding season.

~~14.2.4.8 Male Practice Player. A male student who practices with a women's team in a sport that is also sponsored as a men's sport by the NCAA or is considered the same sport under amateurism regulations, is charged with a season of participation in the men's sport. If a male student practices with a women's team in a sport that has no equivalent men's sponsored sport, the male student is charged with a season of participation in the women's sport.~~

14.2.5 Hardship Waiver. A student-athlete may be granted an additional year of *participation* **competition** (per Bylaw 14.2.4) by the conference or the Committee on Student-Athlete Reinstatement for reasons of "hardship." Hardship is

defined as an incapacity resulting from a season-ending injury or illness that has occurred under all of the following conditions:

[14.2.5-(a) through 14.2.5-(b) unchanged.]

[14.2.5.1 through 14.2.5.3 unchanged.]

14.2.6 Season-of-~~Participation~~ **Competition** Waiver -- Participation While Ineligible. In conjunction with a request for restoration of eligibility and any conditions imposed thereon per Bylaw 14.12, a student-athlete may be granted an additional season of ~~participation~~ **competition** by the Committee on Student-Athlete Reinstatement when they engaged in a limited amount of ~~participation~~ **competition** as a result of a good-faith, erroneous formal declaration of eligibility by the institution's appropriate certifying authority or a student-athlete's good-faith, erroneous reliance on a coaching staff member's decision to put the student-athlete into ~~participation~~ **competition** before the coaching staff member receiving a formal declaration of the student-athlete's eligibility from the institution's appropriate certifying authority. The participation must have occurred under all of the following conditions:

- (a) The ~~participation~~ **competition** occurred while the student-athlete was representing an NCAA member institution;
- (b) The ~~participation~~ **competition** occurred within 60 days of the date the student-athlete first reported for athletics participation;

[14.2.6-(c) unchanged.]

- (d) The student-athlete was involved innocently and inadvertently in the erroneous determination or declaration of eligibility, which permitted the student-athlete to ~~participate~~ **compete** while ineligible; and
- (e) In the case of a coaching staff member's erroneous decision, the student-athlete had reason to believe they would be eligible to participate, and the student-athlete did not contribute to the coaching staff member's erroneous decision to allow the student-athlete to **compete** ~~participate~~.

[14.2.6.1 unchanged.]

14.2.7 Season-of-~~Participation~~ **Competition** Waiver -- Participation While Eligible. A student-athlete may be granted an additional season of ~~participation~~ **competition** by the Committee on Student-Athlete Reinstatement when, due to extenuating circumstances (per Bylaw 14.2.7.1.2), the student-athlete, while eligible, engaged in a limited amount of ~~participation~~ **competition**. The ~~participation~~ **competition** must have occurred under all of the following conditions:

- (a) The ~~participation~~ **competition** occurred within the first half of the traditional segment; and

[14.2.7-(b) unchanged.]

14.2.7.1 Administrative Criteria. The following criteria shall be employed in the administration of this season-of-~~participation~~ **competition** waiver:

[14.2.7.1.1 through 14.2.7.1.3 unchanged.]

**Source:** Atlantic East Conference, Empire 8 and Liberty League.

**Effective Date:** August 1, 2022

**Rationale:** This proposal grants student-athletes more control of their collegiate athletic experience by providing flexibility to maximize seasons of participation at their discretion. Transitioning to college can be very difficult, particularly for the recent high school graduates who endured a challenging academic experience and mental health struggles due to COVID-19. This would allow those who are struggling to acclimatize to college without the pressure of using a season of eligibility. Additionally, the existing legislation is outdated and not reflective of the modern college student. Many students now require five or more years to complete their degree. Graduate programs and degrees have also become far more prevalent, and many student-athletes pursue a post-graduate degree. The evolution of the membership's view of eligibility is reflected in the decision to allow graduate students to compete. Student-athletes should have the right to determine the most beneficial timeline to maximize their experience. Finally, this would address inconsistencies within the current legislation. Division I and II "red-shirts" can transfer into Division III and that year does not count against their eligibility. This proposal would treat DIII SA's equitably with their peers that transfer into the division.

**Budget Impact:** None.

No. 2-5 (1-6) DIVISION MEMBERSHIP -- ESTABLISHING EQUESTRIAN AS AN EMERGING SPORT FOR WOMEN

**Intent:** To add equestrian as an emerging sport for women and to establish legislation related to playing and practicing seasons and membership

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

17 Playing and Practice Seasons.

[17.01 through 17.02 unchanged.]

17.02.13 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:

[17.02.13-(a) through 17.02.13-(c) unchanged.]

[17.02.13.1 unchanged.]

17.02.13.2 Individual Sports. The following are classified as individual sports for purposes of this bylaw:

Bowling, Women's	Skiing
Cross Country	Swimming and Diving
<b>Equestrian, Women's</b>	Tennis
Fencing	Track and Field, Indoor and Outdoor
Golf	Triathlon, Women's
Gymnastics	Wrestling, Men's and Women's
Rifle	

[17.02.14 unchanged.]

[17.1 unchanged.]

17.1.1.3.3 Sports with a Spring NCAA Championship, except for **Equestrian**, Golf, Rowing and Tennis. The length of an institution's playing season shall be limited to a maximum of 19 weeks.

[17.1.1.3.3.1 unchanged.]

17.1.1.3.4 **Equestrian**, Golf, Rowing and Tennis. The length of an institution's playing season shall be limited to a maximum of 19 weeks.

17.1.1.3.4.1 Periods.

[17.1.1.3.4.1-(a) unchanged.]

[17.1.1.3.4.1-(a)-(1) unchanged.]

(2) First Permissible Competition. In **equestrian**, golf and tennis, September 1 or the preceding Friday if September 1 falls on a Saturday, Sunday or Monday, or the institution's first day of classes, whichever is earlier. Exhibitions or scrimmages may be conducted during the preseason practice period. In rowing, September 7 or the institution's first day of classes for the fall term, whichever is earlier.

[17.1.1.3.4.1-(a)-(3) unchanged.]

[17.1.1.3.4.1-(b) unchanged.]

[17.1.2 through 17.1.6 unchanged.]

[17.2 through 17.7 unchanged.]

**17.8 Equestrian, Women's. Regulations for computing the equestrian playing season are set forth in Bylaw 17.1 (See Figure 17-1)**

**17.8.1 Length of Playing Season. (See Bylaw 17.1.1.3.4)**

**17.8.2 Preseason Practice. (See Bylaw 17.1.1.3.4.1)**

**17.8.3 First Date of Competition. (See Bylaw 17.1.1.3.4.1)**

**17.8.4 End of Regular Playing Season. (See Bylaw 17.1.1.3.4.1)**

**17.8.5 Number of Dates of Competition.**

**17.8.5.1 Maximum Limitations -- Institutional.** A member institution shall limit its total playing schedule with outside competition in equestrian during the institution's equestrian playing season to 16 dates of competition except for those dates of competition excluded under Bylaw 17.8.5.3 (see Bylaw 17.02.6.1 for required minimum number of student-athletes and Bylaw 20.11.3.8 for minimum contests and participants requirements). Countable date of competition limitations apply separately to multiple teams (e.g., varsity, subvarsity and freshman). For in-season foreign competition see Bylaw 17.1.4.3.

**17.8.5.2 Maximum Limitations-Student-Athlete.** An individual student-athlete may participate in each academic year in a maximum of 16 dates of competition in equestrian. This limitation includes those dates of competition in which the student-athlete represents the institution, including competition as a member of the varsity, subvarsity or freshman team of the institution in accordance with Bylaws 17.02.4 and 17.02.9.

**17.8.5.3 Annual Exemptions.** (See Standard Exemptions set forth in Bylaw 17.1.4.5.)

**17.8.6 Out-of-Season Athletically Related Activities. (See Bylaw 17.1.5.)**

[17.9 through 17.32 renumbered as 17.10 through 17.33, unchanged.]

**B. Bylaws:** Amend 20, as follows:

20 Division Membership.

[20.01 through 20.02 unchanged.]

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

[20.02.6-(a) unchanged.]

(b) Individual Sports. ~~Triathlon~~ **Equestrian, triathlon**, and women's wrestling.

[20.02.6.1 unchanged.]

[20.02.7 unchanged.]

[20.1 through 20.11 unchanged.]

20.11.3 Sports Sponsorship. A member institution shall sponsor in Division III a minimum number of sports based on institutional enrollment. At least one sport involving an all-male team or a mixed team and at least one sport involving an all-female team shall be conducted in every sport season. All sports used to meet the minimum sports sponsorship requirements must meet the minimum contest and participant requirements per Bylaw 20.11.3.8.

[20.11.3.1 through 20.11.3.7 unchanged.]

20.11.3.8 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 the varsity programs of four-year, degree-granting collegiate institutions) each year. In the individual sports, the institution's team shall include a minimum number of participants in each contest that is counted toward meeting the minimum-contests requirement. The following minimums are applicable:

Team Sports	Minimum Contests	Minimum Participants	Individual Sports	Minimum Contests	Minimum Participants
Acrobatics and Tumbling	6	18	Bowling	8	5
Beach Volleyball	8		Cross Country	5	5
Baseball	25		<b>Equestrian, Women's</b>	<b>4</b>	<b>6</b>
Basketball	18		Fencing	8	5
Field Hockey	12		Golf	6	4
Football	7		Men's Gymnastics	6	6
Ice Hockey	18		Women's Gymnastics	6	5

Lacrosse	10	Rifle	6	4
Women's Rowing	8	Skiing	5	5
Women's Rugby	8	Swimming and Diving	8	8
Soccer	13	Tennis	10	6
Softball	24	Track and Field, Indoor	5	10
Volleyball	17	Track and Field, Outdoor	6	12
Water Polo	13	Women's Triathlon	4	3
		Wrestling, Men's	7	6
		Wrestling, Women's	7	6

(Note: The minimum-contest requirements set forth in Bylaw 20.11.3.8 apply only to the provisions of this section and do not apply to minimum-contest requirements in Bylaw 14 and Bylaw 17.)

[20.11.3.8.1 through 20.11.3.8.7 unchanged.]

20.11.3.8.8 Contests Versus Club Teams. A contest against a collegiate institution's club team may not be counted toward meeting the minimum-contest requirements. However, a member is not precluded from scheduling club teams.

[20.11.3.8.8.1 unchanged.]

**20.11.3.8.8.2 Exception -- Equestrian. In equestrian, an institution may count up to three contests per year against collegiate club teams toward meeting minimum-contest requirements.**

[20.11.3.8.9 through 20.11.3.8.11 unchanged.]

[20.11.3.9 through 20.11.3.10 unchanged.]

[20.11.4 unchanged.]

**Source:** Massachusetts State Collegiate Athletic Conference and Southern Athletic Association.

**Effective Date:** August 1, 2022

**Rationale:** Being on the Division III emerging sport list will empower the continued evolution of equestrian for students and will create additional opportunities for equestrian student-athletes to access the high-quality experience inherent to NCAA championship sports, just like their varsity student-athlete peers in other sports. While these equestrian student-athletes work to meet the responsibilities and expectations of being a varsity student-athlete at their college or university, they do not receive the same opportunities for conference, regional and national awards, recognition, and NCAA professional development and programming opportunities. Adoption of this proposal provides members with the choice to opt into the NCAA system (following NCAA eligibility, playing season, and other rules), and does not require any changes for those programs that wish to continue operating as clubs. DIII members are permitted to sponsor equestrian at both the varsity and club levels to accommodate varying levels of skill and interest, with individual students participating in one program or the other. Equestrian lines up with other spring sports that have extensive competitions in the fall, which is why the season of competition is segmented. During the emerging sport period, NCAA equestrian programs are not required to follow a specific competition format.

**Budget Impact:** Based on institutional sponsorship of the sport

No. 2-6 PLAYING AND PRACTICE SEASONS -- CONFIRMATION OF SICKLE CELL TRAIT STATUS -- ELIMINATION OF WAIVER.

**Intent:** To eliminate the option for a student-athlete to sign a waiver declining the sickle cell solubility test.

**Bylaws:** Amend 17.1.6.4, as follows:

17.1.6.4 Mandatory Medical Examination. Before participation in any practice, competition or out-of-season conditioning activities (or, in Division I, permissible voluntary summer conditioning or individual workouts, or permissible required summer athletic activities in basketball and football), student-athletes who are beginning their

initial season of eligibility and students who are trying out for a team shall be required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). A nurse practitioner whose medical licensure allows for health care practice independent of physician supervision may complete the medical examination without supervision by a physician. The examination or evaluation must be administered within six months before participation in any practice, competition or out-of-season conditioning activities. In following years, an updated history of the student-athlete's medical condition shall be administered by an institutional medical staff member (e.g., sports medicine staff, team physician) to determine if additional examinations (e.g., physical, cardiovascular, neurological) are required. The updated history must be administered within six months before the student-athlete's participation in any practice, competition or out-of-season conditioning activities for the applicable academic year.

17.1.6.4.1 Confirmation of Sickle Cell Trait Status. An institution shall confirm the sickle cell trait status of student-athletes, before participation in intercollegiate athletics in one of the following manners:

- (a) Documentation. The student-athlete may provide documented results of a sickle cell solubility test administered prior to participation; **or**
- (b) Pending Documentation. A student-athlete who has taken a sickle cell solubility test but whose results are not yet confirmed, may participate provided the student-athlete engages in mandatory education as set forth in Bylaw 17.1.6.4.1.1 and receives appropriate precautions as set forth by the institution; ~~or~~
- (c) ~~Waiver. The student-athlete may sign a waiver declining confirmation of sickle cell trait status if:
  - (1) Prior to signing a waiver, the institution provides the student-athlete education regarding the implications of exercising the waiver option; and
  - (2) Prior to athletics participation, a student-athlete who signs a waiver under this provision engages in mandatory education as set forth in Bylaw 17.1.6.4.1.1.~~

17.1.6.4.1.1 Mandatory Sickle Cell Trait Status Education. Each student-athlete shall be provided education regarding sickle cell trait status. Student-athletes who have been tested, but do not have confirmed results documented ~~or have signed a waiver per Bylaw 17.1.6.4.1(c)~~, shall be provided additional education regarding the risks, impact and precautions associated with sickle cell trait.

**Source:** NCAA Division III Management Council (Committee on Competitive Safeguards and Medical Aspects of Sports).

**Effective Date:** August 1, 2022

**Rationale:** Relevant considerations related to the administration of sickle cell solubility tests, privacy burdens and institutional management of the care of trait positive individuals have evolved since the adoption of the original legislation which permits an individual to sign a written release or waiver to "opt out" of test participation. The legislation was intended to provide institutions with the flexibility to evaluate individual program risks and practices and determine test participation requirements at the campus level. The NCAA Committee on Competitive Safeguards and Medical Aspects of Sports noted that, since there is now an opportunity for schools to efficiently and effectively manage the administrative and privacy burdens historically tied to testing, the benefits related to the appropriate monitoring of sickle cell trait positive student-athletes support the idea of consistent mandatory testing across institutions. It should be noted that the committee did not, as part of its recommendation, intend that a positive sickle cell solubility test become the basis for any automatic grounds for disqualification from athletics participation. Instead it recommended that test information be used by institutional and other applicable medical staff to provide more individualized medical monitoring and care.

**Budget Impact:** Variable.

No. 2-7 PLAYING AND PRACTICE SEASONS -- FOOTBALL -- PRACTICE MODIFICATIONS

**Intent:** To specify permissible contact opportunities and equipment use for the football preseason, regular season and spring period.

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

17.11 Football.

17.11.1 ~~Prohibited Athletic Activities.~~**Definitions:** ~~In football, an institution shall not conduct prohibited athletic activities, as specified in the policies and procedures established and maintained by the Division III Football Committee and the Committee on Competitive Safeguards and Medical Aspects of Sports.~~

**17.11.1.1 Prohibited Athletic Activities.** In football, an institution shall not conduct prohibited athletic activities, as specified in the policies and procedures established and maintained by the Division III Football Committee and the Committee on Competitive Safeguards and Medical Aspects of Sports.

**17.11.1.2 Walk Through Session.** A practice activity dedicated to reviewing plays and formations. During a walk-through, it is permissible for student-athletes to simulate positioning and offensive and defensive alignments, provided no conditioning or contact activities occur. Further, it is not permissible for student-athletes to wear any protective equipment (e.g., helmet, shoulder pads) or use any equipment related to the sport, except footballs.

**17.11.1.3 Full Contact.** Any contact that involves tackling to the ground.

**17.11.1.4 Thud Contact.** Contact that occurs at a competitive speed but remains above the waist and players stay on their feet.

17.11.2 Length of Playing Season. (See Bylaw 17.1.1.3.1 for fall NCAA championship sports.)

17.11.3 Preseason Practice.

17.11.3.1 First Practice Date. A member institution shall not commence official preseason football practice sessions for the varsity, subvarsity or freshman team earlier than 23 days before its first scheduled contest or before the Friday after the institution's first contest if the first contest is scheduled for Thursday of the opening weekend.

17.11.3.1 First Practice Date. A member institution shall not commence official preseason football practice sessions for the varsity, subvarsity or freshman team earlier than 23 days before its first scheduled contest or before the Friday after the institution's first contest if the first contest is scheduled for Thursday of the opening weekend.

17.11.3.2 ~~Five-Day~~ **Six-Day** Acclimatization Period. Preseason practice shall begin with a ~~five-day~~ **six-day** acclimatization period for both first-time participants (e.g., freshmen and transfers) and continuing student-athletes. All student-athletes, including those who arrive to preseason practice after the first day of practice, are required to undergo a ~~five-day~~ **six-day** acclimatization period. The ~~five-day~~ **six-day** acclimatization period shall be conducted as follows:

- (a) Institutions may not conduct conditioning, speed, strength or agility tests before the start of the ~~five-day~~ **six-day** acclimatization period.
- (b) Institutions are permitted to conduct weight training activities during the ~~five-day~~ **six-day** acclimatization period without counting those activities toward the maximum hour limitations for on-field practices; however, weight training activities may not be conducted during the required three hours of continuous recovery time between any sessions.
- (c) During the first day of the ~~five-day~~ **six-day** acclimatization period, an institution may conduct either:
  - (1) One on-field practice and one walk-through session (**Bylaw 17.11.1.2**), which shall be limited to a combined total of four hours per day with the practice session not to exceed three hours. ~~No protective equipment (e.g., helmet and shoulder pads) may be worn, no equipment related to football (e.g., football and blocking sled) may be used and conditioning activities may not occur during the walk-through session.~~ Student-athletes must be provided with at least three hours of continuous recovery time between any sessions (e.g., on-field practice or walk-through). During the recovery time, student-athletes may not attend any meetings or engage in other athletically related activities (e.g., weight lifting); however, time spent receiving medical treatment and eating meals may be included as part of the recovery time; or
  - (2) One on-field testing session (e.g., speed, conditioning or agility tests), not to exceed one hour in length, and one on-field practice, not to exceed two hours in length. The institution may also conduct a one-hour walk-through session **per Bylaw 17.11.1.2**. ~~No protective equipment (e.g., helmet and shoulder pads) may be worn, no equipment related to football (e.g., football and blocking sled) may be used and conditioning activities may not occur during the walk-through session.~~ Student-athletes must be provided with at least three hours of continuous recovery time between any sessions (e.g., testing, on-field practice or walk-through). During the recovery time, student-athletes may not attend any meetings or engage in other athletically related activities (e.g., weight lifting); however, time spent receiving medical treatment and eating meals may be included as part of the recovery time.

- (d) During the remainder of the ~~five-day~~ **six-day** period, participants shall not engage in more than one on-field practice, and one walk-through **session (Bylaw 17.11.1.2)**, which shall be limited to a combined total of four hours per day with the practice session not to exceed three hours. ~~No protective equipment (e.g., helmet and shoulder pads) may be worn, no equipment related to football (e.g., football and blocking sled) may be used and conditioning activities may not occur during the walk-through session.~~ Student-athletes must be provided with at least three hours of continuous recovery time between any sessions (e.g., on-field practice session or walk-through). During the recovery time, student-athletes may not attend any meetings or engage in other athletically related activities (e.g., weight lifting); however, time spent receiving medical treatment and eating meals may be included as part of the recovery time.
- (e) During the first two days of the acclimatization period, helmets shall be the only piece of protective equipment student-athletes may wear during the on-field practice session and conditioning session (as opposed to the walk-through session). During the third ~~and~~ , fourth **and fifth** days of the acclimatization period, helmets and shoulder pads shall be the only pieces of protective equipment student-athletes may wear during the on-field practice session. During the final on-field practice session of the ~~five-day~~ **six-day** period ~~and on any day thereafter~~, student-athletes may practice in full pads.

17.11.3.3 Preseason Activities After ~~Five-Day~~ **Six-Day** Acclimatization Period. The remaining preseason practice period shall be conducted as follows:

- (a) ~~Following the five-day period, student-athletes may practice in full pads. However, an institution may not conduct multiple on-field practice sessions on the same day;~~
- (b) ~~Student-athletes shall not engage in more than one on-field practice and one walk-through session, which shall be limited to a combined total of four hours per day with the practice session not to exceed three hours; and~~
- (c) ~~All physical athletically related activity (e.g., on-field activity, weight lifting and conditioning) is prohibited during one calendar day per each defined week after the week including the acclimatization period (minimum of two days off prior to first contest) if classes are not in session during any portion of the defined week (See Bylaw 17.1.4.1 for day-off requirements when classes are in session).~~

**(a) General.**

- (1) Student-athletes shall not engage in more than one on-field practice and one walk-through session (Bylaw 17.11.1.2), which may be on-field and shall be limited to a combined total of four hours per day with the practice session not to exceed three hours. Otherwise multiple on-field practice sessions shall not be conducted on the same day.**
- (2) Student-athletes must be provided with at least three continuous hours of recovery time between any session. (e.g., on-field practice session or walk-through). During the recovery time, student-athletes may not attend any meetings or engage in other athletically related activities (e.g., weight lifting); however, time spent receiving medical treatment and eating meals may be included as part of the recovery time.**
- (3) All physical athletically related activity (e.g., on-field activity, weight lifting and conditioning) is prohibited during one calendar day per each defined week after the week including the acclimatization period (minimum of two days off prior to first contest) if classes are not in session during any portion of the defined week (See Bylaw 17.1.4.1 for day-off requirements when classes are in session).**

**(b) Protective Equipment Restrictions. Up to eight on-field practice sessions may be conducted in full pads (this includes the one allowable opportunity during the acclimatization period);**

**(c) Contact Restrictions.**

- (1) Full contact, per Bylaw 17.11.1.3, is only permitted during an on-field practice session in full pads;**
- (2) An institution shall not conduct more than two consecutive days of full contact (Bylaw 17.11.1.3) practices;**
- (3) An institution shall not conduct more than a total of 75 minutes of contact (Full and Thud – see bylaws 17.11.1.3 and 17.11.1.4) within any one on-field practice session.**
- (4) If an institution conducts one or two exempted exhibitions, scrimmages or joint practices prior to the first contest per 17.1.4.5.1(c), those day(s) count towards the permissible 8 days of full equipment and as a full contact day but the 75 minute limitation does not apply.**

~~17.11.3.3.1 Exception – Walk-Through Sessions. During the preseason practice period only, on-field walk-through sessions are not considered an on-field activity under Bylaw 17.11.3.3, provided protective equipment (e.g., helmets and shoulder pads) is not worn, equipment related to football (e.g., blocking sleds) is not used and conditioning activities do not occur. Following the five-day acclimatization period, an institution may use footballs during the walk-through session. Student-athletes must be provided with at least three hours of continuous recovery time between an on-field practice session and a walk-through. During this time, student-athletes may not attend any meetings or engage in other athletically related activities (e.g. weightlifting); however, time spent receiving medical treatment and eating meals may be included as part of the recovery time.~~

17.11.4 ~~First Contest.~~**Regular Season:** ~~A member institution shall not play its first contest (game) against outside competition in football before the Thursday preceding the weekend that is 11 weeks before the first round of the Division III Football Championship, except as provided in 17.10.3.1.~~

**17.11.4.1 First Contest. A member institution shall not play its first contest (game) against outside competition in football before the Thursday preceding the weekend that is 11 weeks before the first round of the Division III Football Championship, except as provided in 17.10.3.1.**

17.11.4.2 ~~Exception.~~ A member institution may conduct exempted exhibitions, scrimmages or joint practices [see Bylaw 17.1.4.5.1-(c) before the first permissible contest date against an outside team.

**17.11.4.3 Equipment. After the first contest there shall be no more than two practices per week in full pads.**

**17.11.4.3.1 Exception. During the bye week an institution may conduct up to three practices in full pads.**

[17.11.5 through 17.11.6 unchanged.]

17.11.7 Out-of-Season Athletically Related Activities. (See Bylaw 17.1.5)

17.11.7.1 ~~Exception. An institution is permitted to conduct conditioning and strength training sessions and limited skill instruction during a consecutive five-week period outside the playing season, **as follows:** –During this five-week period, the institution may conduct athletically related activity on a maximum of 16 days with not more than four days of athletically related activity in any one week. Any athletically related activity (per Bylaw 17.02.1.1) shall constitute the use of a day. Skill instruction during this period shall be limited to passing, catching and kicking-related drills. Such instruction may include offensive and defensive alignments, but may not involve contact. Except for footballs and hand shields, the use of helmets, pads, blocking sleds or any other form of sport-related equipment is prohibited. The use of hand shields shall be limited to one-on-one and two-on-two skill instruction. No missed class time is permitted for these sessions and the institution shall conclude all athletically related activities by the first date of final examinations for the regular academic year.~~

**(a) During this five-week period, the institution may conduct athletically related activity on a maximum of 16 days with not more than four days of athletically related activity in any one week.**

**(b) Any athletically related activity (per Bylaw 17.02.1.1) shall constitute the use of a day.**

**(c) Helmets may be worn on all 16 days. After the fourth practice day, an institution may conduct four of its remaining twelve days in helmets and shoulder pads.**

**(d) During helmet only days, skill instruction shall be limited to passing, catching and kicking-related drills. Such instruction may include offensive and defensive alignments, but may not involve contact. The use of footballs and hand shields are permitted. The use of hand shields shall be limited to one-on-one and two-on-two skill instruction.**

**(e) During the helmet and shoulder pads days, the use of equipment necessary for effective teaching of tackling and blocking is permitted. There shall be no full contact or 11 v. 11 contact drills, and the focus should be on teaching individuals appropriate blocking and tackling.**

**(f) No missed class time is permitted for these sessions; and**

**(g) The institution shall conclude all athletically related activities by the first date of final examinations for the regular academic year.**

**Source:** NCAA Division III Management Council (Interpretations and Legislation Committee).

**Effective Date:** Immediate

**Rationale:** At the 2021 Football Concussion Task Force meeting in February, participants received an update that data trends were showing a disproportionate number of head impact exposures during the football preseason as compared to the regular season. Additionally, most head impact exposures were occurring during practice and not games. Division III created a working group to address the data and propose recommendations. The working group previously addressed an immediate need by recommending a prohibition on straight line contact drills. This current recommendation represents a holistic approach to addressing these concerns by focusing on reducing contact overall while increasing opportunities to teach appropriate blocking and tackling techniques. Increasing the teaching opportunities during the non-competitive spring period provides for a more focused approach to teaching these important skills to all the student-athletes without the expectations and demands of preparing for the next contest. By having an immediate effective date, it allows institutions to implement the new spring period teaching opportunities in the spring of 2022. The proposal addresses concerns brought by the football community regarding head impacts exposures.

**Budget Impact:** None.

No. 2-8 (1-7) DIVISION MEMBERSHIP -- SPORT CLASSIFIED IN DIVISION I -- APPLYING DIVISION I FINANCIAL AID LEGISLATION

**Intent:** To permit Division III member institutions with Division I sports to apply all Division I legislation, including Bylaw 15 (financial aid), to the Division I sports.

**Bylaws:** Amend 20.7, as follows:

20.7 Division Legislation.

20.7.1 Applicable Legislation. A member institution shall observe the applicable legislation and requirements of its membership division. However, if the institution is eligible to participate in a sport in another division (see Bylaw 20.4 for multidivision-classification privileges), it shall apply the rules of the other division that govern the sport in question.

~~20.7.1.1 Division III Application. A member institution that has a sport classified in Division I may apply Division I rules in that sport except the institution must apply the Division III financial aid regulations of Bylaw 15 in the Division I sport.~~

~~20.7.1.1.1 Waivers. If a member institution conducts a men's or women's sport that was classified in Division I during the 1982-83 academic year, the Membership Committee may approve waivers of the application of the Division III regulations to such a sport. This provision also applies to such an institution that later reclassifies a sport for the opposite gender to Division I. This waiver provision is subject to the following additional conditions:~~

- ~~(a) The opportunity is available only to an institution that obtained the waiver before January 1, 2004, and used it during the 2002-03 academic year; and~~
- ~~(b) An institution that obtained a waiver for a sport for one gender before January 1, 2004, and used it during the 2002-03 academic year, may later request that the waiver be applied to a sport for the other gender only on approval of the Membership Committee. The institution must demonstrate that it is necessary to do so to attain gender equity within the program.~~

20.7.1.1.1.1 Athletically Related Financial Aid. If an institution awards athletically related financial aid to a student-athlete in a Division I sport in a given academic year, that student-athlete may not participate in a Division III sport at the institution during that same academic year.

**Source:** Empire 8, Liberty League Conference and State University of New York Athletic Conference

**Effective Date:** Immediate

**Rationale:** In 2020, NCAA legislation was updated permitting Division III institutions sponsoring Division I sports to apply all DI rules to those programs except for principles of financial aid (unless a waiver was granted in 2004). Those DIII multi-classified institutions were permitted to continue offering athletics aid with National Letters of Intent. Currently, ten DIII institutions sponsor a DI sport and five may offer athletics grant in aid. Only two schools in DI ice hockey (Union, RIT) are prohibited from offering athletics aid to DI student-athletes. Since 2004, much has changed around collegiate athletics including the ruling in NCAA v Alston and recent legislation expanding the one-time transfer exception. This will not impact institutions without DI programs, and will provide a consistent framework for the 2% of DIII institutions sponsoring a DI sport. It will also align with a core principle of the NCAA: 2.10 The Principle of Competitive Equity. This legislation would be effective immediately, allowing multi-classified institutions to address the changing landscape of DI athletics and current NCAA legislation, which includes the

NCAA Core Principles of Competitive Equity, the unanimous Supreme Court decision affirming the NCAA's inability to restrict educational related benefits, transfer deregulation, and NIL financial opportunities.

**Budget Impact:** No overall budget impact for the general membership. The individual budget impact will vary based on the institution's desire to pursue this opportunity.

No. 2-9 (1-8) EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- REDUCE THE CONFERENCE AUTOMATIC QUALIFICATION MINIMUM TO SIX INSTITUTIONS

**Intent:** To reduce the minimum number of conference members required for automatic qualification for Division III championships from seven to six.

**A. Administrative:** Amend 31.3.3.1.1, as follows:

31.3.3.1.1 Additional Requirements -- Multisport Conference. A member conference that conducts competition in more than one sport shall also satisfy the following to be eligible for automatic qualification: (Adopted: 4/13/10)

[31.3.3.1.1-(a) unchanged.]

[31.3.3.1.1-(a)-(1) through 31.3.3.1.1-(a)-(2) unchanged.]

(3) Maintained ~~seven~~ six consistent conference members that sponsored the sport on a varsity intercollegiate basis, provided:

- (i) Each of the ~~seven~~ six conference members were active Division III institutions or institutions in year three of the NCAA Division III provisional or reclassifying membership process;
- (ii) At least four of the ~~seven~~ six members were core institutions per Bylaw 31.3.3.1.4; and
- (iii) All active Division III institutions within the ~~seven~~ six members were eligible for the NCAA Division III championship per Bylaw 31.2.1.

[31.3.3.1.1-(b) unchanged.]

31.3.3.1.1.1 Exception. A member conference that has been a member conference of the Association for two years, but has not satisfied the conditions set forth in Bylaw 31.3.3.1.1(a)-(2) or (3), may be immediately eligible for automatic qualification if:

- (a) At least ~~seven~~ six core per Bylaw 31.3.3.1.4 conference members sponsor the sport on a varsity intercollegiate basis;
- (b) Those ~~seven~~ six conference members have been core conference members for at least two academic years; and
- (c) Those ~~seven~~ six members are eligible for the NCAA Division III championship in the sport, per Bylaw 31.2.1.

**B. Administrative:** Amend 31.3.3.1.2, as follows:

31.3.3.1.2 Additional Requirements -- Single-Sport Conferences. A single-sport member conference shall also satisfy one of the following to be eligible for automatic qualification:

[31.3.3.1.2-(a) unchanged.]

(b) Receive a waiver from the Championships Committee awarding automatic qualification to a single-sport conference with at least ~~seven~~ six active members that have participated together for at least two consecutive years and, during that two-year time period, were either active Division III institutions or institutions in year three of the NCAA Division III provisional or reclassifying membership process. In addition, the single-sport conference must satisfy at least one of the following:

[31.3.3.1.2-(b)-(1) through 31.3.3.1.2-(b)-(5) unchanged.]

**C. Administrative:** Amend 31.3.3.1.3, as follows:

31.3.3.1.3 Grace Period. A period for two consecutive academic years after the date the conference falls below the ~~seven~~ six required institutions but maintains at least four institutions (they must be core institutions for multisport conferences) in the particular sport. Continued automatic-qualification eligibility shall be as follows:

- (a) A conference shall remain eligible for automatic qualification in the particular sport if, by the expiration of the grace period, the conference has a minimum of ~~seven~~ **six** institutions (for multisport conferences, at least four shall be core institutions) that sponsor the sport on a varsity intercollegiate basis and that are eligible for the NCAA Division III championship.

[31.3.3.1.3-(b) unchanged.]

**Source:** Allegheny Mountain Collegiate Conference, Atlantic East Conference, Coast-To-Coast Athletic Conference, Empire 8, Heartland Collegiate Athletic Conference, Massachusetts State Collegiate Athletic Conference, United East Conference and USA South Athletic Conference

**Effective Date:** August 1, 2022

**Rationale:** Division III has experienced substantial membership movement across conferences on an annual basis. Virtually all changes were an effort to earn or retain automatic qualification (AQ) in various sports. In many regions of the country, there is also the reality of declining enrollments due to population shifts. Additionally, COVID-19 has presented many challenges and revealed weaknesses in all facets of higher education and life. Specifically, all institutions have been impacted financially with some being forced to close and others that could be forced to follow suit in the coming years. Rather than compelling conferences and institutions to expand to meet the AQ minimum, this proposal would adjust the minimum to provide more stability. Lowering the AQ to six also allows conferences and institutions to provide meaningful experiences at the national championship level for student-athletes who participate in less broadly sponsored sports. Finally, this change would make the minimum number of teams required for an automatic bid consistent across all three Divisions, as Divisions I and II only require six conference members. This proposal does not modify the minimum number of institutions needed to form a conference, and instead focuses on established conferences' ability to maintain their AQ.

**Budget Impact:** None

## 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	1	6	--
2	--	7	--
3	2	8	7
4	3	9	8
5	6		

## 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 [bfregan@ncaa.org](mailto:bfregan@ncaa.org) or [jmyers@ncaa.org](mailto:jmyers@ncaa.org), not later than November 21. When submitting such a request, please include the proposal number in question, your institution's name and your title. All resulting interpretations will be distributed to the delegates in time for the conference meetings held in conjunction with the Convention.